

10

OK

400-759
G-54
72

federal register

Tuesday
December 7, 1982

Selected Subjects

Administrative Practice and Procedure

General Accounting Office
Legal Services Corporation

Air Pollution Control

Environmental Protection Agency

Animal Drugs

Food and Drug Administration

Endangered and Threatened Wildlife

Fish and Wildlife Service

Fisheries

National Oceanic and Atmospheric Administration

Flood Insurance

Federal Emergency Management Agency

Freedom of Information

Defense Logistics Agency
National Science Foundation

Government Employees

Personnel Management Office

Government Property Management

General Services Administration

Health Insurance

Personnel Management Office

Livestock

Agricultural Marketing Service

Low and Moderate Income Housing

Housing and Urban Development Department

CONTINUED INSIDE



FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers, free of postage, for \$300.00 per year, or \$150.00 for six months, payable in advance. The charge for individual copies is \$1.50 for each issue, or \$1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the **Federal Register**.

Questions and requests for specific information may be directed to the telephone numbers listed under **INFORMATION AND ASSISTANCE** in the **READER AIDS** section of this issue.

Selected Subjects

Marketing Agreements

Agricultural Marketing Service

Milk Marketing Orders

Agricultural Marketing Service

National Parks

National Park Service

Natural Gas

Federal Energy Regulatory Commission

Organization and Functions (Government Agencies)

Consumer Product Safety Commission

Over-the-Counter Drugs

Food and Drug Administration

Prisoners

Parole Commission

Prisons Bureau

Contents

Federal Register

Vol. 47, No. 235

Tuesday, December 7, 1982

- Agricultural Marketing Service**
RULES
 54925 Livestock grading and certification services; fees, increase; interim rule and request for comments
 54926 Oranges, grapefruit, tangerines, and tangelos grown in Fla.
PROPOSED RULES
 54975 Celery grown in Fla.
 Milk marketing orders:
 54977 Oklahoma
 54978 Southwestern Idaho-Eastern Oregon
- Agriculture Department**
See Agricultural Marketing Service.
- Air Force Department**
NOTICES
 55001 Agency forms submitted to OMB for review (2 documents)
- Arts and Humanities, National Foundation**
NOTICES
 Meetings:
 55053 Humanities Advisory Panel; date change
- Civil Aeronautics Board**
NOTICES
 55070 Meetings; Sunshine Act
- Civil Rights Commission**
NOTICES
 55070 Meetings; Sunshine Act
- Commerce Department**
See also International Trade Administration; National Oceanic and Atmospheric Administration; National Technical Information Service.
NOTICES
 54987 Agency forms submitted to OMB for review
- Consumer Product Safety Commission**
RULES
 Organization and functions:
 55027 Hotline telephone number change
NOTICES
 55070 Meetings; Sunshine Act
- Defense Department**
See also Air Force Department; Defense Logistics Agency; Navy Department.
NOTICES
 55002 Agency forms submitted to OMB for review (3 documents)
 Meetings:
 55003 DIA Advisory Committee (2 documents)
- Defense Logistics Agency**
RULES
 54929 Freedom of Information Act; implementation
- Economic Regulatory Administration**
NOTICES
 Powerplant and industrial fuel use; electric utility conservation:
 55004 Plan receipts
- Education Department**
NOTICES
 55003 Privacy Act; system of records; matching program
- Employment and Training Administration**
NOTICES
 Adjustment assistance:
 55051 ALU Textile Combining Corp. et al.
 55052 Bitner Lincoln Mercury
 55053 Gibson, Inc.
 55052 Manhattan Fashions, Inc.
- Energy Department**
See Economic Regulatory Administration; Federal Energy Regulatory Commission.
- Environmental Protection Agency**
RULES
 Air quality implementation plans; approval and promulgation; various States, etc.:
 54933 New Mexico
 54934 North Carolina
 54936 Tennessee
PROPOSED RULES
 Air quality implementation plans; approval and promulgation; various States, etc.:
 54984 Oklahoma
NOTICES
 Committees; establishment, renewals, terminations, etc.:
 55031 National Air Pollution Control Techniques Advisory Committee and Construction Grants Program Management Advisory Group
- Federal Communications Commission**
RULES
 Common Carrier Services:
 54944 Alaskan interstate MTS-WATS market structure; entry policy
NOTICES
 55071, Meetings; Sunshine Act (3 documents)
 55072
- Federal Deposit Insurance Corporation**
NOTICES
 55031, Agency forms submitted to OMB for review (3 documents)
 55032
- Federal Election Commission**
NOTICES
 55072 Meetings; Sunshine Act
- Federal Emergency Management Agency**
RULES
 Flood elevation determinations:
 54941 Pennsylvania et al.

- Flood insurance; special hazard areas:
54941 New Mexico et al.
- Federal Energy Regulatory Commission**
RULES
Natural Gas Policy Act; ceiling prices for high cost natural gas produced from tight formations; various States:
54928 Colorado
PROPOSED RULES
Practice and procedure:
54981 Petition denied
NOTICES
Hearings, etc.:
55024 Arizona Public Service Co.
55024 Bangor Hydro-Electric Co.
55024 Cleveland Electric Illuminating Co.
55025 Columbia Gulf Transmission Co. et al.
55025 Edison Sault Electric Co.
55025 Folchi, James A., Jr.,
55025 Illinois Power Co.
55026 Iowa Power & Light Co.
55026 Louisiana Power & Light Co.
55026 Montana Dakota Utilities Co.
55027 Montaup Electric Co. (3 documents)
55027, New York State Electric & Gas Corp. (2
55028 documents)
55028 Niagara Mohawk Power Corp. (2 documents)
55029 Pacific Gas & Electric Co. (2 documents)
55029 Southwestern Public Service Co.
55029 Union Light, Heat & Power Co.
55030 Western Massachusetts Electric Co.
55030 Wisconsin Public Service Corp.
55030 Wright, James B.
Natural Gas Policy Act:
55006- Jurisdictional agency determinations (2
55013 documents)
- Federal Home Loan Bank Board**
NOTICES
55072 Meetings; Sunshine Act
- Federal Maritime Commission**
NOTICES
55032 Agreements filed, etc.
- Federal Reserve System**
PROPOSED RULES
Securities credit by persons other than banks, brokers, or dealers (Regulation G), etc.:
54980 Financial markets margin, study; extension of time
NOTICES
Applications, etc.:
55033 First Tennessee National Corp.
55033 Key Banks, Inc.
55034 Preferred Equity Investors of Florida, Inc., et al.
Bank holding companies; proposed de novo nonbank activities:
55033 Chemical New York Corp. et al.
Federal Open Market Committee:
55032 Domestic open market operations, authorization
- Federal Trade Commission**
NOTICES
55073 Meetings; Sunshine Act
- Fish and Wildlife Service**
RULES
Endangered Species Convention:
54968 Lynx, river otter, Alaskan brown bear and gray wolf, and American alligator taken in 1982-1983 season
NOTICES
55039 Agency forms submitted to OMB for review
- Food and Drug Administration**
RULES
Animal drugs, feeds, and related products:
54929 Tylosin
PROPOSED RULES
Human drugs:
54981 Antifungal drug products, topical (OTC); monograph establishment; advance notice and reopening of administrative record; correction
54982 External analgesic drug products (OTC); monograph establishment; advance notice and reopening of administrative record; correction
55074 Menstrual drug products (OTC); monograph establishment; advance notice
54981 Topical antimicrobial drug products (OTC); monograph establishment; advance notice and reopening of administrative record; correction
NOTICES
Meetings:
55034 Formaldehyde, consensus workshop
- General Accounting Office**
PROPOSED RULES
Personnel Appeals Board procedures:
54972 Ex parte communications, filing of pleadings on petitions, and compliance with orders
- General Services Administration**
RULES
Property management:
54937 ADP and telecommunications; Federal information processing standard languages and procedures
- Health and Human Services Department**
See also Food and Drug Administration; Health Care Financing Administration; Human Development Services Office; National Institutes of Health.
NOTICES
Grants; availability, etc.:
55035 Pension provision project
- Health Care Financing Administration**
RULES
Medicare:
54939 Vertebral artery surgery; coverage ruling
- Housing and Urban Development Department**
RULES
Low-income housing:
55136 Public housing (including Indian housing) projects development; prototype cost determinations
- Human Development Services Office**
NOTICES
Grant applications and proposals; closing dates:
55112 Discretionary funds programs

Interior Department

See also Fish and Wildlife Service; Land Management Bureau; National Park Service.

NOTICES

- 55039 Privacy Act; system of records; annual publication

International Trade Administration**NOTICES**

Antidumping:

- 54996 Bicycle tires and tubes from Taiwan
Countervailing duties:
54987 Pectin from Mexico; investigation suspension
54992 Polypropylene film from Mexico; investigation suspension
Export privileges, actions affecting:
54997 Geophysical Co. of Norway A.S.
Scientific articles; duty free entry:
54995 Arkansas State University et al.
54996 University of California; application discontinued
54998 Yale University et al.
54990 Standards related activities; State and local governments and private sector organizations; voluntary guidelines

Interstate Commerce Commission**PROPOSED RULES**

Rail carriers:

- 54985 Consolidated Rail Corp.; exemption from regulation movements in boxcars; environmental statement availability

NOTICES

Motor carriers:

- 55044 Finance Applications
55045, 55046 Permanent authority applications (2 documents)
55044 Petitions, applications, finance matters (including temporary authorities), alternate route deviations, intrastate applications, gateways, and pack and crate
Railroad operation, acquisition, construction, etc:
55051 Prairie Trunk Railway Co.; exemption

Justice Department

See Parole Commission; Prisons Bureau.

Labor Department

See Employment and Training Administration.

Land Management Bureau**NOTICES**

- 55037 Forest management; Public Domain Woodlands Policy Statement, availability
Management framework plans, review and supplement, etc. and resource management plan:
55038 San Augustine Coal Area, N. Mex.
Meetings:
55037 National Public Lands Advisory Council
55037 Socorro District Advisory Council

Legal Services Corporation**RULES**

By-laws:

- 54943 Board of Directors; regular meetings and establishment of position

National Communications System**NOTICES**

Meetings:

- 55053 National Security Telecommunications Advisory Committee

National Institutes of Health**NOTICES**

- 55104 Recombinant DNA molecules research: Risk assessment; proposed second annual update

National Oceanic and Atmospheric Administration**PROPOSED RULES**

- 54985 Fishery conservation and management: Atlantic surf clam and ocean quahog

National Park Service**RULES**

Special regulations:

- 54932 Herbert Hoover National Historic Site, Iowa: snowmobile regulations
54930 Olympic National Park, Wash.; snowmobile regulations
54931 Pictured Rocks National Lakeshore, Mich.: snowmobile regulations

NOTICES

- Environmental statements; availability, etc.:
55039 Badlands National Park, S. Dak.; development concept plan, Cedar Pass; record of decision
55039 East Potomac Park, Washington, D.C.; development concept plan
Historic Places National Register; pending nominations:
55039 Pennsylvania

National Science Foundation**RULES**

- 54943 Freedom of Information Act; withholding records describing potentially patentable inventions

NOTICES

- Committees; establishment, renewals, terminations, etc.:
55053 Biological, Behavioral, and Social Sciences Advisory Committee.

National Technical Information Service**NOTICES**

- 54999 Patent Licenses, exclusive: Beecher Co.

National Transportation Safety Board**NOTICES**

- 55073 Meetings; Sunshine Act

Navy Department**NOTICES**

- 55001 Agency forms submitted to OMB for review

Nuclear Regulatory Commission**NOTICES**

Applications, etc.:

- 55053 Alabama Power Co.
55054 Consolidated Edison Co. of New York, Inc., et al.
55054 Florida Power Corp. et al.
55055 Virginia Electric & Power Co.
55055-55056 Washington Public Power Supply System et al. (3 documents)
55057 Wisconsin Public Service Corp. et al.

- Pacific Northwest Electric Power and Conservation Planning Council**
NOTICES
 Meetings:
 55058, Scientific and Statistical Advisory Committee (3
 55059 documents)

- Parole Commission**
PROPOSED RULES
 Federal prisoners; paroling, releasing, recommitting, and supervising:
 54982 Representative at parole hearings; qualification

- Personnel Management Office**
PROPOSED RULES
 Excepted service:
 54974 Schedule A appointment authority for research positions
 Health benefits, Federal employees:
 54974 Medically underserved areas
NOTICES
 Meetings:
 55057 Federal Employees Pay Council
 55058 Federal Prevailing Rate Advisory Committee
 Senior Executive Service:
 55058 Bonus awards schedule

- Prisons Bureau**
RULES
 Inmate control, custody, care, treatment, and instruction:
 55128 Sexually explicit material in incoming publications; specific criteria for rejection
PROPOSED RULES
 Inmate control, custody, care, treatment, and instruction:
 55131 Business conducted by inmates, prohibition; and emergency signaling devices in inmate housing units

- Securities and Exchange Commission**
NOTICES
 55059, Agency forms submitted to OMB for review (5
 55060 documents)
 Hearings, etc.:
 55060 Middle South Utilities, Inc.
 55061 Pittsburgh National Discount Corp.
 55062 Security Cash Fund et al.
 55064 Temporary Investment Fund, Inc., et al.
 Self-regulatory organizations; proposed rule changes:
 55061 Pacific Securities Depository Trust Co.
 Self-regulatory organizations; unlisted trading privileges:
 55060 Midwest Stock Exchange, Inc.

- Small Business Administration**
NOTICES
 Applications, etc.:
 55065 Great Eastern Finance & Investment Co.
 55066 Minority Broadcast Investment Corp.
 55067 Seaport Venture, Inc.
 55066 Trans Florida Capital Corp.
 55067 Tuskegee Capital Corp.
 Small business investment companies:
 55067 Maximum annual cost of money to small business concerns; Federal Financing Bank rate

- State Department**
NOTICES
 55068 Iran, claims against; Tribunal procedure rules

- Textile Agreements Implementation Committee**
NOTICES
 55000 Bilateral textile negotiations during 1983; cotton, wool, and man-made products from various countries; inquiry
 Cotton, wool, or man-made textiles:
 54999 China

- Treasury Department**
NOTICES
 55068 Agency forms submitted to OMB for review

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

4 CFR		50 CFR	
Proposed Rules:		23.....	54968
28.....	54972	Proposed Rules:	
5 CFR		652.....	54985
Proposed Rules:			
213.....	54974		
890.....	54974		
7 CFR			
53.....	54925		
905.....	54926		
Proposed Rules:			
967.....	54975		
1106.....	54977		
1135.....	54978		
12 CFR			
Proposed Rules:			
207.....	54980		
220.....	54980		
221.....	54980		
224.....	54980		
16 CFR			
1000.....	54927		
18 CFR			
271.....	54928		
Proposed Rules:			
385.....	54981		
21 CFR			
558.....	54929		
Proposed Rules:			
333 (2 documents).....	54981		
348.....	54982		
357.....	55076		
24 CFR			
805.....	55136		
841.....	55136		
28 CFR			
540.....	55128		
Proposed Rules:			
2.....	54982		
540.....	55131		
551.....	55131		
32 CFR			
1285.....	54929		
36 CFR			
7 (3 documents).....	54930- 54932		
40 CFR			
52 (3 documents).....	54933- 54936		
Proposed Rules:			
52.....	54984		
41 CFR			
101-36.....	54937		
42 CFR			
401.....	54939		
405.....	54939		
44 CFR			
65.....	54941		
67.....	54941		
45 CFR			
612.....	54943		
1601.....	54943		
47 CFR			
63.....	54944		
49 CFR			
Proposed Rules:			
Ch. X.....	54985		

MEMORANDUM

TO : _____

FROM : _____

SUBJECT : _____

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

31. _____

32. _____

33. _____

34. _____

35. _____

36. _____

37. _____

38. _____

39. _____

40. _____

41. _____

42. _____

43. _____

44. _____

45. _____

46. _____

47. _____

48. _____

49. _____

50. _____

51. _____

52. _____

53. _____

54. _____

55. _____

56. _____

57. _____

58. _____

59. _____

60. _____

61. _____

62. _____

63. _____

64. _____

65. _____

66. _____

67. _____

68. _____

69. _____

70. _____

71. _____

72. _____

73. _____

74. _____

75. _____

76. _____

77. _____

78. _____

79. _____

80. _____

81. _____

82. _____

83. _____

84. _____

85. _____

86. _____

87. _____

88. _____

89. _____

90. _____

91. _____

92. _____

93. _____

94. _____

95. _____

96. _____

97. _____

98. _____

99. _____

100. _____

Rules and Regulations

Federal Register

Vol. 47, No. 235

Tuesday, December 7, 1982

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.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 53

Changes in Fees for Federal Livestock Grading and Certification Services

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: The Agricultural Marketing Service revises the rates for Federal live animal grading and certification services because of increased program costs and establishes a minimum 1 hour charge for the service. This amendment is being implemented on an interim basis without a prior proposal because of the Agency's immediate need to increase these fees to cover increased costs of providing service. It is also being published for comment as a means of providing full public participation in the rulemaking process.

DATES: Interim rule effective December 1, 1982. Comments must be received on or before January 6, 1983.

ADDRESS: Written comments may be mailed to James A. Ray, Chief, Livestock and Grain Market News Branch; Livestock, Meat, Grain, and Seed Division; Agricultural Marketing Service; U.S. Department of Agriculture; Room 2623, South Agriculture Building; Washington, D.C. 20250. For further information regarding comments, see "Comments" under Supplementary Information.

FOR FURTHER INFORMATION CONTACT: James A. Ray (202/447-6231).

SUPPLEMENTARY INFORMATION: Executive Order 12291

It has been determined that this final rule is not a major rule under Executive Order 12291. It will not result in an

annual effect on the economy of \$100 million or more; a major increase in production costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This regulation has been reviewed for cost effectiveness under USDA Secretary's Memorandum 1512-1 implementing Executive Order 12291. It increases fees to cover escalating costs of providing Federal livestock grading and certification services. Federal law requires that users pay for these services. It is anticipated that these increases will not have a significant economic effect on producers, meatpackers, and other members of the livestock industry. An alternative to increasing fees would be to significantly reduce the amount of supervision and training of livestock grading and certification personnel. This could result in nonuniform application of U.S. grade standards and specifications causing economic inequities among segments of the livestock industry. The uniform and accurate application of grade standards and specifications nationwide is essential to maintaining the effectiveness and integrity of grading and certification services.

Further, the Administrator has determined that a situation exists which warrants publication of this action without the opportunity for a prior public comment period and to be effective in less than 30 days. Because the fiscal status of the program is such that revenues do not cover costs, the operating reserve is almost depleted, and unless immediate action is taken to increase revenue, services will have to be curtailed. Accordingly, pursuant to the authority in 5 U.S.C. 553, it is found upon good cause that other public procedure and notice with respect to this action is impracticable and unnecessary and contrary to the public interest because of the fiscal status of the program, and good cause is found for making these amendments effective.

Effect on Small Entities

The Department has determined that this action will not have a significant economic impact on a substantial number of small entities, because the fees merely reflect a minimal increase in the cost-per-unit graded and/or certified currently borne by those entities utilizing the services. Additionally, the increased fees will not affect normal competition in the marketplace.

Comments

Interested persons are invited to submit written comments concerning these interim amendments. Comments must be sent in duplicate to the Livestock and Grain Market News Branch and should bear a reference to the date and page number of this issue of the *Federal Register*. Comments submitted pursuant to this document will be made available for public inspection in the Washington, D.C., Livestock and Grain Market News Branch office during regular business hours.

Background

The Agricultural Marketing Act of 1946, as amended, provides for the collection of fees approximately equal to the cost of providing livestock grading and certification services. The fees for these services are determined by the grader's salary and fringe benefits, cost of supervision, travel, training, and other overhead and administrative costs.

Since the last fee increase on November 29, 1981, program costs have continued to rise. Federal employees have received pay increases in conformity with the Federal Pay Comparability Act of 1970. In addition, the grade level or pay scale of graders currently performing service has shifted to a higher level due to longevity and progressive promotion to the journeyman market reporter level. Similarly, there have been significant increases in other costs such as supervisory travel, rent, training, and other associated overhead and administrative costs. In addition, requests for service and annual delivery units have continued to diminish and at the same time minimum staffing requirements have increased costs per unit.

In view of the situations described above, the base hourly rate for livestock

grading and certification services performed between the hours of 6 a.m. and 6 p.m., Monday through Friday, except on legal holidays, is increased from \$23.20 to \$29.40 per hour. For work performed on Saturday or Sunday and before 6 a.m. or after 6 p.m., Monday through Friday, except on legal holidays, the hourly rate is increased from \$28.20 to \$32.80 per hour. For all work performed on legal holidays, the hourly rate is increased from \$46.40 to \$58.80 per hour.

It has been found over the course of time that the minimum charge of one-half hour is not sufficient to recover minimum operating costs, including services not directly related to the actual delivery procedure. Further, the cost projections for the hourly fee are based on a minimum 1-hour charge to effectively recover operating costs of the program. The minimum hourly fee has a minor impact on the value of a par delivery unit. The cost of grading and certification represent less than 0.2 percent of the value of a delivery unit.

Because increased revenues are needed immediately to cover the costs of providing services for the reasons stated above, it has been determined that the following amendment must be adopted effective December 13, 1982, on an interim basis. A final rule will be promulgated after evaluation of comments received in response to this notice.

List of Subjects in 7 CFR Part 53

Cattle, Hogs, Livestock, Sheep.

Accordingly, under the authority contained in sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), the U.S. Department of Agriculture hereby amends the Regulations Governing the Grading and Certification of livestock (7 CFR Part 53) as follows:

PART 53—LIVESTOCK (GRADING, CERTIFICATION, AND STANDARDS)

1. Section 53.18 is amended by revising paragraph (a) to read as follows:

§ 53.18 Fees and other charges for services.

(a) *Fees based on hourly rates.* Except as otherwise provided in this section, fees for service shall be based on the time required to render the service, calculated to the nearest 15-minute period, including time required for the preparation of certificates and travel of the official grader in connection with the performance of service. A minimum charge for 1 hour shall be made for

service pursuant to each request notwithstanding that the time required to perform service may be less than 60 minutes. The base hourly rate shall be \$29.40 per hour for work performed between the hours of 6 a.m. and 6 p.m., Monday through Friday, except on legal holidays; \$32.80 per hour for work performed before 6 a.m. or after 6 p.m., Monday through Friday, and anytime Saturday or Sunday except on legal holidays; and \$58.80 per hour for all work performed on legal holidays.

[Agricultural Marketing Act of 1946, as amended, Secs. 203 and 205, 60 Stat. 1087, 1090; 7 U.S.C. 1622, 1624]

Done at Washington, D.C., December 2, 1982.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 82-33269 Filed 12-6-82 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 905

[Orange, Grapefruit, Tangerine and Tangelo Regulation 6, Amdt. 16]

Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Amendment of Tangerine Size Requirements and Grapefruit Grade Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation increases the minimum grade requirement applicable to fresh domestic and export shipments of white and pink seedless grapefruit from Improved No. 2 to U.S. No. 1 (internal) and Improved No. 2 (external). This regulation also decreases the minimum size requirement applicable to fresh shipments of Honey variety tangerines from 2 $\frac{1}{16}$ inches to 2 $\frac{3}{16}$ inches in diameter for domestic shipments and from 2 $\frac{3}{16}$ inches to 2 $\frac{5}{16}$ inches for export shipments. Such action is necessary to promote orderly marketing of suitable grades of seedless grapefruit and sizes of tangerines.

EFFECTIVE DATE: December 13, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone (202) 447-5975.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under USDA procedures and Executive Order 12291 and has been designated a "non-major" rule. The Deputy Administrator,

Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This action is designed to promote orderly marketing of the Florida seedless grapefruit crop and Honey tangerine crop for the benefit of producers, and will not substantially affect costs for the directly regulated handlers.

An interim rule was published in the *Federal Register* (47 FR 44704) on October 12, 1982, which specified the minimum grade requirement applicable to fresh shipments of seedless grapefruit and the minimum size requirement applicable to fresh shipments of Honey tangerines. That rule provided an opportunity to submit comments through November 12, 1982. No comments were received. This final rule contains the same requirements as specified in the interim rule. The rule is effective on and after December 13, 1982.

This regulation is issued under the marketing agreement and Order No. 905 (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This action is based upon the recommendation and information submitted by the Citrus Administrative Committee, and upon other available information. It is hereby found that the regulation of the Florida seedless grapefruit and Honey tangerine crops, as hereinafter provided, will tend to effectuate the declared policy of the Act.

This regulation continues limitations on the handling of white and pink seedless grapefruit by permitting each handler, on and after December 13, 1982, to ship U.S. No. 1 (internal) and Improved No. 2 (external) seedless grapefruit to domestic and export markets.

The minimum grade requirements, specified herein, reflect the committee's and the Department's appraisal of the need to revise the grade requirements applicable to Florida seedless grapefruit in recognition of the two preceding seasons in which severe freezes occurred. Such freezes result in some grapefruit damage in the production area. This slightly more restrictive internal grade requirement (U.S. No. 1) aids in preventing both domestic and export shipments of lower quality or damaged fruit in the event such a freeze occurs. Specification of such a requirement assures that the available supply of marketable fruit reaches the consumer.

Further, this regulation continues limitations on the handling of Honey tangerines by permitting each handler, on and after December 13, 1982, to ship Honey tangerines for domestic shipment of 150 size (2 5/8 inches) or larger and to ship 176 size (2 5/8 inches) or larger to export markets. The committee indicates that this relaxation of size restrictions would be in conformance with the U.S. Department of Agriculture's Guidelines, allowing a greater percentage of the crop to be marketed in fresh domestic and export channels.

Under section 8e of the Act (7 U.S.C. 608e-1), whenever specified commodities, including grapefruit, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality, or maturity requirements as those in effect for the domestically produced commodity. Thus, grade requirements for imported white and pink seedless grapefruit will also change to conform to the grade requirements for domestic shipments of Florida white and pink seedless grapefruit. It is hereby found that this regulation will tend to effectuate the declared policy of the Act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date of this final rule until 30 days after publication in the Federal Register (5 U.S.C. 553), and good cause exists for making these regulatory provisions effective as specified in that: (1) An interim rule was published in the Federal Register (47 FR 44704) and no comments were received during the period provided; (2) the requirements of this final rule are the same as those currently in effect; (3) Florida citrus handlers have been apprised of these requirements for seedless grapefruit and Honey tangerines and the effective date; and (4) these requirements will not require any additional preparation by handlers which cannot be effective by the date hereof.

List of Subjects in 7 CFR Part 905

Marketing Agreements and Orders, Florida, Grapefruit, Oranges, Tangelos, Tangerines.

PART 905—[AMENDED]

Accordingly, the provisions of § 905.306 (Orange, Grapefruit, Tangerine and Tangelo Regulation 6 (46 FR 60170; 60411; 61441; 47 FR 589; 5912; 5699; 6248; 7203; 10065; 21755; 25935; 34351; 44538; 44704; 49951; 52115)) are amended by revising the following entries in Table I, paragraph (a), applicable to domestic

shipments and Table II, paragraph (b), applicable to export shipments:

§ 905.360 Orange, grapefruit, tangerine and tangelo regulation 6.

(a) * * *

TABLE I

(1) Variety	(2) Regulation period	(3) Minimum grade	(4) Minimum diameter (inch)
Grapefruit:			
Seedless, except pink	On and after—12/13/82	Improved No. 2 (External) U.S. No. 1 (Internal).	3 5/8
Seedless, pink	On and after—12/13/82	Improved No. 2 (External) U.S. No. 1 (Internal).	3 5/8
Tangerines: Honey	On and after—12/13/82	U.S. No. 1	2 5/8

(b) * * *

TABLE II

(1) Variety	(2) Regulation period	(3) Minimum grade	(4) Minimum diameter (inch)
Grapefruit:			
Seedless, except pink	On and after—12/13/82	Improved No. 2 (External) U.S. No. 1 (Internal).	3 5/8
Seedless, pink	On and after—12/13/82	Improved No. 2 (External) U.S. No. 1 (Internal).	3 5/8
Tangerines: Honey	On and after—12/13/82	U.S. No. 1	2 5/8

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

Dated: November 30, 1982.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82-33119 Filed 12-6-82; 8:45 am]

BILLING CODE 3410-02-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1000

Revision to Statement of Organization and Function

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: The Consumer Product Safety Commission is revising its Statement of Organization and Functions to reflect a change in its main Hotline telephone number.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT: Joseph F. Rosenthal, Office of the General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207. Telephone (301) 492-6980.

SUPPLEMENTARY INFORMATION: 16 CFR 1000.3 describes the Commission's toll-free telephone Hotline by which the public can communicate with the Commission. The three current Hotline telephone numbers will be consolidated into a single new number and § 1000.3 is revised by this rule to reflect the new telephone number. Persons calling the old numbers will hear a recording referring them to the new number. The Commission anticipates that this referral will remain in effect through November 10, 1983.

Since this rule relates solely to internal agency organization and management, the Administrative Procedure Act (APA) (5 U.S.C. 553) does not require the Commission to apply the notice and comment provisions of the APA.

Further, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612, and thus is exempt from the provision of that Act.

List of Subjects in 16 CFR Part 1000

Organization and functions
(Government Agencies)

PART 1600—[AMENDED]

Accordingly, Part 1000 of Title 16 of the Code of Federal Regulations is amended as shown.

1. The authority citation for Part 1000 reads as follows:

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

2. Section 1000.3 is revised to read as follows:

§ 1000.3 Hotline.

(a) The Commission operates a toll-free telephone Hotline by which the public can communicate with the Commission. The number for use in all 50 states, Puerto Rico, and the U.S. Virgin Islands, is 800-638-CPSC (800-638-2772).

(b) The Commission also operates a toll-free Hotline by which deaf or speech-impaired persons can communicate by teletypewriter with the Commission. The teletypewriter number for use in all states except Maryland is 800-638-8270. The teletypewriter number for use in Maryland is 800-492-8104.

Dated: December 1, 1982.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 82-33327 Filed 12-6-82; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****18 CFR Part 271**

[Docket No. RM79-76-132 (Colorado-1 Addition II)]

High-Cost Gas Produced From Tight Formations; Final Rule

Issued: December 2, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Regulatory Energy Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from

tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the Colorado Oil and Gas Conservation Commission that an additional area of the J Sand Formation be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: This rule is effective December 2, 1982.

FOR FURTHER INFORMATION CONTACT: Steven Ross, (202) 357-8571 or Victor Zabel, (202) 357-8616.

SUPPLEMENTARY INFORMATION:
Order No. 271

The Commission hereby amends § 271.703(d) of its regulations to include an additional area of the Wattenberg J Sand Formation called the J Sand Formation, underlying lands in Adams County, Colorado, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer Regulation, issued August 23, 1982 (47 FR 37562, August 26, 1982),¹ based on a recommendation by the Colorado Oil and Gas Conservation Commission (Colorado) in accordance with § 271.703, that the additional area of the J Sand Formation be designate as a tight formation.

Evidence submitted by Colorado supports the assertion that the additional area of the J Sand Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Colorado recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553)

¹ Comments were invited on the proposed rule and one comment supporting the recommendation was received. No party requested a public hearing and no hearing was held.

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, *Code of Federal Regulations*, is amended as set forth below, effective December 2, 1982.

By the Commission.

Lois D. Cashell,

Acting Secretary.

PART 271—[AMENDED]

Section 271.703(d) is amended by revising subparagraph (11) to read as follows:

§ 271.703 Tight formations.

(d) Designated tight formations. * * *
(11) Wattenberg J Sand Formation in Colorado. RM79-76 (Colorado-1).

(i) Wattenberg J Sand Formation.

(A) *Delineation of formation.* The Wattenberg J Sand Formation is located north and east of Denver, Colorado, on the western flank of the Denver-Julesberg Basin, underlying approximately 702,000 acres of land in Boulder, Adams, Larimer, and Weld Counties, Colorado. This formation underlies portions of Township 1 South, Range 64 through 68 West; Township 2 South, Ranges 64 and 65 West; Townships 1 and 2 North, Ranges 63 through 69 West; Townships 3 and 4 North, Ranges 63 through 68 West; Township 5 North, Ranges 63 through 69 West, 6th P.M.

(B) *Depth.* The Wattenberg J Sand Formation ranges in depth from 7,600 feet to 8,400 feet. The average depth is 8,000 feet.

(ii) *The J Sand Formation.* RM79-76 (Colorado-1 Addition).

(A) *Delineation of formation.* This formation underlies all or portions of Townships 1 and 2 South, Ranges 69 and 70 West; Townships 1 and 2 North, Range 70 West; Townships 3 and 4 North, Ranges 69 and 70 West; Township 5 North, Range 63 West; Township 6 North, Ranges 63 through 69 West, 6th P.M., in Boulder, Larimer, Jefferson and Weld Counties, Colorado.

(B) *Depth.* The J Sand Formation ranges from a depth of 7,600 feet to 8,400 feet. The average depth is approximately 8,000 feet.

(iii) *The J Sand Formation.* RM79-76 (Colorado-1 Addition II).

(A) *Delineation of formation.* This formation underlies all or portions of Township 1 South, Range 63 West, and Township 2 South, Ranges 63 and 64 West, 6th P.M., in Adams County, Colorado.

(B) *Depth.* The J Sand Formation ranges from a depth of 7,600 feet to 8,400

feet. The average depth is approximately 8,000 feet.

[FR Doc. 82-33224 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Tylosin

AGENCY: Food and Drug Administration.
ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed for Feed Fortifiers, Inc., providing for safe and effective use of 8-, 5-, 4-, 2-, and 1-gram-per-pound tylosin premixes for making complete swine, beef cattle, and chicken feeds.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-128), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857; 301-443-4317.

SUPPLEMENTARY INFORMATION: Feed Fortifiers, Inc., #1 Industrial Rd., Manson, IA 50563, is sponsor of supplemental NADA 93-518 submitted on its behalf by Elanco Products Co. The supplemental NADA Provides for use of premixes containing 8, 5, 4, 2, and 1 gram of tylosin (as tylosin phosphate) per pound for making complete feeds for swine, beef cattle, and chickens. The firm currently holds approval for use of a 10-gram-per-pound premix for the same conditions of use. The supplement provides for use of the additional premix concentrations in swine feed for increased rate of weight gain and improved feed efficiency, for prevention, treatment, and control of swine dysentery, and to maintain weight gains and feed efficiency in the presence of atrophic rhinitis; in beef cattle feed for reduction of incidence of certain liver abscesses; in chicken feed for increased rate of weight gain and improved feed efficiency; and in layer feed for improved feed efficiency.

Approval of this supplemental NADA is based on safety and effectiveness data contained in Elanco's approved NADA 12-491. Elanco has authorized use of the data in NADA 12-491 to support approval of this application. This approval does not change the approved

uses of the drug. Consequently, approval of this supplemental NADA poses no increased human risk from exposure to residues of the animal drug, nor does it change the conditions of the drug's safe use in the target animal species.

Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this is a Category II supplemental approval which does not require reevaluation of the safety and effectiveness data in NADA 12-491.

The supplement is approved and the regulations are amended accordingly.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 558.625 is amended by revising paragraph (b)(2) to read as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

§ 558.625 Tylosin.

(b) ***
(2) To 017255: 1, 2, 4, 5, 8, and 10 grams per pound; paragraph (f)(1)(i) through (vi) of this section.

Effective date December 7, 1982.
(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: November 30, 1982.

Robert A. Baldwin,
Associate Director for Scientific Evaluation.

[FR Doc. 82-33199 Filed 12-6-82; 8:45 am]
BILLING CODE 4160-01-M

DEFENSE LOGISTICS AGENCY

32 CFR Part 1285

[DLAR 5400.14]

Availability to the Public of Official Information

AGENCY: Defense Logistics Agency (DLA).

ACTION: Final rule.

SUMMARY: The Defense Logistics Agency has changed its Freedom of Information Act regulation to add a provision for establishing a specific time in which an appeal to an initial denial may be filed. This change implements DoD Directive 5400.7 "DoD Freedom of Information Act Program" and is applicable to HQ DLA and all DLA field activities.

EFFECTIVE DATE: October 14, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Preston B. Speed, Commercial—AC 202-274-6234, AUTOVON—284-6234.

List of Subjects in 32 CFR Part 1285

Freedom of information.

Authority. This regulation is issued pursuant to Department of Defense Directive 5400.7 and in accordance with Title 5, U.S.C. 552.

By Order of the Director.
R. F. McCormack,
Colonel, USA Staff Director, Administration.

Part 1285, Subchapter B, Chapter XII of Title 32 of the Code of Federal Regulations is amended to read as follows:

PART 1285—AVAILABILITY TO THE PUBLIC OF OFFICIAL INFORMATION

Section 1285.8(b)(13) is amended by adding the following sentence at end of the paragraph:

§ 1285.8 Procedures.

(b) ***
(13) *** This appeal shall be made within 45 calendar days of the receipt of such a response.

[FR Doc. 82-33197 Filed 12-6-82; 8:45 am]
BILLING CODE 3620-01-M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Special Regulations, Areas of the National Park System; Olympic National Park; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: The final regulation set forth below is necessary to designate locations within Olympic National Park where snowmobiles may be used for recreational purposes when portions of motor roads are covered by snow and closed to use by normal motor vehicle traffic. It is the objective of this regulation to provide for the preservation and enjoyment of Olympic National Park in a way that is consistent with both the snowmobile policy of the National Park Service and off-road vehicle policy of the Department of the Interior.

EFFECTIVE DATE: January 6, 1983.

FOR FURTHER INFORMATION CONTACT:

Roger J. Contor, Superintendent, Olympic National Park, Telephone: (206) 452-4501.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on the Public Lands) directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such area must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and, in the case of national parks, not adversely affect scenic, natural and aesthetic values.

In response to Executive Order 11644, the Secretary of the Interior issued a Departmental memorandum on May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34(c) on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by Federal Register notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a servicewide policy revision which was published in the Federal Register on August 13, 1979 (44

FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for visitors to see, sense and enjoy the special qualities of the park in the winter. The snowmobile use must be consistent with the park's natural, cultural, scenic and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobile use shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during other seasons. Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulations in the Code of Federal Regulations.

This regulation is necessary to comply with servicewide policy. Its promulgation also is a liberalization of the present no snowmobiling situation and allows additional recreational opportunities along designated motor road surfaces within Olympic National Park when snow conditions are such that the motor road is closed to public automobile travel. The designated routes for snowmobiles will be that portion of Staircase Road from the park boundary to the Staircase Ranger Station; Whiskey Bend Road from the junction of Elwha Road to the Whiskey Bend trailhead; Boulder Creek Road from Glines Canyon Dam to the end of the road; North Fork Quinault Road from the end of the plowed portion to the North Fork Ranger Station; South Shore Road from the end of the plowed portion to the Graves Creek Ranger Station.

There have been no changes the of final rule from the proposed rule published in the Federal Register on Wednesday, April 21, 1982 (47 FR 17077). Public comment was received in the form of written letters expressing approval of the proposed rule. All public input favored the proposed regulation. The rule promulgated here is the same as the one proposed.

Compliance With Other Laws

The Service has determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291, 47 FR 13193 (February 19, 1981). It has also found this rulemaking would have no "significant economic effect on a substantial number of small entities," within the meaning of the Regulatory Flexibility Act (94 Stat. 1164; 5 U.S.C. 601 *et seq.*). This finding is based on the limited number of area snowmobile dealers and support services. There are

no dealers on the Olympic Peninsula, and only six in the Seattle metropolitan area.

This rulemaking contains no provisions that would entail the collection of information in such manner as would be subject to the Paperwork Reduction Act of 1980 (94 Stat. 2812; 44 U.S.C. 3501 *et seq.*).

Pursuant to the National Environmental Policy Act (42 U.S.C. 4332) the Service has prepared an Environmental Assessment and a Finding of No Significant Impact on this regulation which are available at the address noted above.

Drafting Information

The following persons participated in the writing of this regulation: Gordon D. Boyd, Chief Ranger; Paul Crawford, Resource Management Specialist; Robert C. Marriott, Park Ranger; all of Olympic National Park.

Authority

Section 3 of the Act of August 25, 1916 (39 Stat. 535 as amended; 16 U.S.C. 3).

List of Subjects in 36 CFR Part 7

National parks.

In consideration of the foregoing, 36 CFR 7.28 is amended by adding a new paragraph (f) as follows:

PART 7—[AMENDED]

§ 7.28 Olympic National Park

* * * * *

(f) *Snowmobile use.* (1) The use of snowmobiles is prohibited except in areas and on routes designated by the superintendent by the posting of appropriate signs or by marking on a map available at the office of the superintendent, or both. The following routes have been designated for snowmobile use within Olympic National Park:

(i) Staircase Road from the park boundary to the Staircase Ranger Station.

(ii) Whiskey Bend Road from the junction of the Elwha Road to the Whiskey Bend trailhead.

(iii) Boulder Creek Road from Glines Canyon Dam to the end of the road.

(iv) North Fork Quinault Road from the end of the plowed portion to the North Fork Ranger Station.

(v) South Shore Road from the end of the plowed portion to the Graves Creek Ranger Station.

(2) On roads designated for snowmobile use, only that portion of the roadway intended for wheeled vehicle use may be used by snowmobiles. Such roadway is available for snowmobile

use only when the designated roadway is closed to all other public motor vehicle use by snow.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

November 10, 1982.

[FR Doc. 82-33259 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-70-M

36 CFR Part 7

Special Regulations, Areas of the National Park System, Pictured Rocks National Lakeshore, Michigan; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: On April 14, 1982, the National Park Service, Department of the Interior, published in the *Federal Register* (47 FR 16047) a proposed rule to designate those locations within the Pictured Rocks National Lakeshore where snowmobiles may be used for recreational purposes on designated routes. This proposal was made available for public review and comment for a period of thirty (30) days following publication in the *Federal Register*, and ending on March 31, 1982. Comments received consideration during preparation of the final rule. As a result of this rulemaking process, the final regulation is published to provide for the preservation and enjoyment of the National Lakeshore in a way that is consistent with both the snowmobile policy of the National Park Service and the off-road policy of the Department of the Interior.

EFFECTIVE DATE: January 6, 1983.

FOR FURTHER INFORMATION CONTACT: Grant Petersen, Superintendent, Pictured Rocks National Lakeshore, Post Office Box 40, Munising, Michigan 49862, Telephone: (906) 387-2607.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands), issued on February 9, 1972, 37 FR 2877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and in the case of national parks, not adversely affect scenic, natural, and aesthetic values. In response to Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) the Secretary of the Interior issued a Departmental Memorandum of May 5,

1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by *Federal Register* notice of special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the *Federal Register* on August 13, 1979 (44 FR 47412).

This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for the visitors to see, sense, and enjoy the special qualities of the park in winter; natural, cultural, scenic, and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces, which are used by motorized vehicles or motorboats during other seasons. Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulations in the "Code of Federal Regulations." Pictured Rocks National Lakeshore's proposed snowmobile routes would conform to the National Park Service management policy, with the exception of one woodlands road not open to the public during non-snow seasons. This route is approximately 2½ miles long and is maintained by the park as an emergency access road. This route has been used traditionally for access to Lake Superior from the Carmody Road area.

The second exception proposed is the use of road shoulders of plowed park roads in conformance with State law. The purpose of this exception is to permit snowmobilers to use this means as connecting routes from State and county routes to permitted park routes.

This regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in additional recreational opportunities in Pictured Rocks National Lakeshore. The designated routes for snowmobiles will be confined to the frozen waters of Lake Superior and Grand Sable Lake (where motorboats are permitted during other seasons), on the major Lakeshore visitor use roads that are unplowed, or on road shoulders

of plowed roads in conformance with State law, along with one woodlands road not open to public use during non-snow periods.

These routes are described as follows:

- a. The Sand Point Road from the park boundary to Lake Superior.
- b. The woodlands road from the park boundary off City Limits Road southwest to Becker Farm and down to the Sand Point Road.
- c. The road to Miner's Falls, Miner's Castle parking area, and the Miner's Beach parking area.
- d. The road from the park boundary in Section 32, T48N, R17W, to the end of the road at Chapel Falls.
- e. The road from County Road H-58 at the park boundary to the Little Beaver Lake Campground.
- f. The road from County Road H-58 to the Twelvemile Beach Campground.
- g. The road from County Road H-58 to the Hurricane River Campground.
- h. The road from County Road H-58 to the Log Slide.
- i. The section of Michigan Dimension Road from the park boundary to the Log Slide.
- j. The frozen waters of Lake Superior and Grand Sable Lake.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, a news release was distributed on April 27, 1982, to over 77 local newspapers, radio and television stations, and individuals inviting their comments on the proposed rule.

During the thirty (30) day public review and comment period, the National Park Service received one written comment from an individual supporting the proposal. One national organization also responded in favor of the proposal. No responses came from State governmental agencies and no local governmental units responded to the proposal. There were no responses opposed to the proposal. Consequently, the rule promulgated here is the same as the one proposed on April 14, 1982.

Drafting Information

The following persons participated in the writing of this regulation: Grant Petersen, Superintendent; Deryl B. Stone, Chief of Interpretation Management and Visitor Protection; Robert Lanane, District Ranger; Frederick Young III, District Ranger; and Bruce Peterson, Staff Park Naturalist, Pictured Rocks National Lakeshore.

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Compliance With Other Laws

Pursuant to the National Environmental Policy Act, 43 U.S.C. 4332, the Service has prepared an Environmental Assessment. Copies of the Environmental Assessment and the Finding of No Significant Impact are available for public review at the address noted above.

The Department of the Interior has determined that this document is not a "major rule" under Executive Order 12291 and certifies that this document would not have a "significant economic effect on a substantial number of small entities," under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Snowmobiling is an already extensive activity in this area. The 12.3 miles added to the existing 140-mile trail system in the vicinity will have a slight, though positive impact, on local users and businesses. No additional costs will result from these regulations.

Authority

Section 3 of the Act of August 25, 1916, 39 Stat. 535 as amended (16 U.S.C. 3).

List of Subjects in 36 CFR Part 7

National parks.

PART 7—SPECIAL REGULATIONS AREAS OF THE NATIONAL PARK SERVICE

In consideration of the foregoing, Part 7 of Title 36 of the Code of Federal Regulations is amended by adding a new § 7.32 follows:

§ 7.32 Pictured Rocks National Lakeshore.

(a) *Snowmobiles.* (1) Snowmobile use is permitted on designated portions of roadways and lakes in Pictured Rocks National Lakeshore. The designated routes for snowmobiles will be confined to the frozen waters of Lake Superior, Grand Sable Lake, on the major lakeshore visitor use roads that are unplowed, or on road shoulders of plowed park roads in conformance with State law. The designated snowmobile routes are:

- (i) The Sand Point Road from the park boundary to Lake Superior.
- (ii) The woodlands road from the park boundary off City Limits Road southwest to Becker Farm and down to the Sand Point Road.

(iii) The road to Miner's Falls, Miner's Castle parking area, and the Miner's Beach parking area.

(iv) The road from the park boundary in Section 32, T48N, R17W, to the end of the road to Chapel Falls.

(v) The road from County Road H-58 at the park boundary to the Little Beaver Lake Campground.

(vi) The road from County Road H-58 to the Twelvemile Beach Campground.

(vii) The road from County Road H-58 to the Hurricane River Campground.

(viii) The road from County road H-58 to the Log Slide.

(ix) The section of Michigan Dimension Road from the park boundary to the Log Slide.

(x) The frozen waters of Lake Superior and Grand Sable Lake.

(2) Maps showing designated routes shall be available at park headquarters and at ranger stations.

(3) Snowmobile use outside designated routes is prohibited. The prohibition shall not apply to emergency administrative travel by employees of the National Park Service or law enforcement agencies.

Dated: November 8, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-33258 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-70-M

36 CFR Part 7**Herbert Hoover National Historic Site, Iowa; Snowmobile Regulations**

AGENCY: National Park Service, Interior.
ACTION: Final rule.

SUMMARY: On March 1, 1982, the National Park Service, Department of the Interior, published in the *Federal Register* (47 FR 8602-3) a proposed rule to designate the location in the Herbert Hoover National Historic Site where snowmobiles may be used for transportation purposes when that portion of Parkside Drive and its shoulder are covered by snow and ice. This proposal was made available for public review and comments for a period of thirty (30) days following publication in the *Federal Register*, and ending on April 15, 1982. Comments received consideration during preparation of the final rule. As a result of this rulemaking process, a final regulation is being published to provide a link between local snowmobile routes situated adjacent to the Herbert Hoover National Historic Site in a way that is consistent with both the snowmobile policy of the National Park Service and

the off-road vehicle policy of the Department of the Interior.

EFFECTIVE DATE: January 6, 1983.

FOR FURTHER INFORMATION CONTACT: Malcolm J. Berg, Superintendent, Herbert Hoover National Historic Site, P.O. Box 607, West Branch, Iowa 52358, Telephone: (319) 643-2541.

SUPPLEMENTARY INFORMATION:**Background**

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands), issued on February 9, 1972, 37 FR 2877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and in the case of national parks, not adversely affect scenic, natural, and aesthetic values. In response to Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) the Secretary of the Interior issued a Departmental memorandum of May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by **Federal Register** notice of special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the *Federal Register* on August 13, 1979 (44 FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for the visitors to see, sense, and enjoy the special qualities of the park in winter; natural, cultural, scenic, and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces used by motorized vehicles during other seasons. Routes to be designated for snowmobile use are to be promulgated as special regulations in the "Code of Federal Regulations." This regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in a snowmobile route through Herbert

Hoover National Historic Site linking the Town of West Branch with Cedar County when weather conditions are such that the roadway shoulder is snow covered. The designated route for snowmobiles will be that portion of Parkside Drive between Main Street, West Branch, and Interstate Highway 80, in conformance with State law.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, a news release was distributed on March 15, 1982, to over five local newspapers and various individuals inviting their comments on the proposed rule.

During the thirty (30) day public review and comment period, the National Park Service received written comments from three organizations. All comments were favorable and supportive of the proposed rule. Consequently, the rule promulgated here is the same as the one proposed on March 1, 1982.

Drafting Information

The following persons participated in the writing of this regulation: Richard H. Saunders, Chief, Resource Management and Visitor Protection, and Ted Deets, Park Technician, Herbert Hoover National Historic Site.

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Compliance With Other Laws

Pursuant to the National Environmental Policy Act, 43 U.S.C. 4332, the Service has prepared an Environmental Assessment. Copies of the Environmental Assessment and the Finding of No Significant Impact are available for public review in the Office of the Park Superintendent.

The Department of the Interior has determined that this document is not a "major rule" under Executive Order 12291, and certifies that this document would not have a "significant economic effect on a substantial number of small entities," under the Regulatory Flexibility Act, (5 U.S.C. section 601 *et seq.*). Snowmobiling is not an extensive activity in this area and no additional costs will result from its permitted use. Limited positive economic effects may result for businesses associated with snowmobiles.

Authority

Section 3 of the Act of August 25, 1916, 39 Stat. 535 as amended (16 U.S.C. 3).

List of Subjects in 36 CFR Part 7

National parks.

PART 7—SPECIAL REGULATIONS AREAS OF THE NATIONAL PARK SERVICE

In consideration of the foregoing, Part 7 of title 36 of the Code of Federal Regulations is amended by the addition of § 7.60 as follows:

§ 7.60 Herbert Hoover National Historic Site.

(a) Snowmobiles—After consideration of existing special situations, i.e., depth of snow, and depending on local weather conditions, the Superintendent may permit the use of snowmobiles on the shoulder of the paved motor road known as Parkside Drive between Main Street of West Branch, Iowa and Interstate Highway 80, which is used by motor vehicle traffic during other seasons in conformance with State law.

Dated: November 5, 1982.

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-33257 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-70-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-6-FRL 2253-3]

Approval and Promulgation of Implementation Plans; New Mexico State Implementation Plan Amendments to New Mexico Air Quality Control; Nonferrous Smelters—Sulfur

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action approves revisions to New Mexico Air Quality Control Regulation 652, Nonferrous Smelters—Sulfur, submitted to EPA by the Governor on July 26, 1982. The revision was submitted in response to deficiencies in Regulation 652 as submitted to EPA on June 22, 1981 and noted in EPA's proposed approval of December 17, 1981 (46 FR 61491). The revision adds a more stringent continuous emission monitoring data capture requirement (from 90 to 95 percent), and adds new language, to

clarify what constitutes a violation of the regulation's three hour emission average limitation.

EFFECTIVE DATE: This action will be effective on February 7, 1983 unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

ADDRESS: Written comments on this action may be submitted to the following address: Environmental Protection Agency, Region 6, Air and Waste Management Division, Air Branch, Attn: Richard Raybourne, 1201 Elm Street, Dallas, Texas 75270.

The state's submittal is available for inspection during normal business hours at the following locations:

Environmental Protection Agency, Public Information Reference Unit, Room 2922, EPA Library, 401 M Street, SW., Washington, D.C. 20460; the Office of the Federal Register, 1100 L Street NW., Washington, D.C., Room, 8401; State of New Mexico Environmental Improvement Division, Crown Building, Santa Fe, New Mexico, and at the EPA Region 6 Office address above. EPA's evaluation of the State's submittal, "EPA Review of New Mexico State Implementation Plan Revision Regarding Amendments to New Mexico Air Quality Control Regulation 652, Nonferrous Smelters—Sulfur, of July 26, 1982"; October, 1982, is available at the Region 6 address listed above.

FOR FURTHER INFORMATION CONTACT: Richard Raybourne, SIP Section, 6AW-AS, Environmental Protection Agency, Region 6 Office, (214) 767-9850.

SUPPLEMENTARY INFORMATION: On June 22, 1981, the Governor of New Mexico submitted a revised Regulation 652, Nonferrous Smelters—Sulfur. This submittal, which revised the primary and secondary sulfur dioxide standards for Grant County, New Mexico, primarily affects emission limitations from the Chino Mines Company primary copper smelter at Hurley, New Mexico. The revision was subject to EPA review, and the evaluation report "EPA Review of New Mexico State Implementation Plan Revision for SO₂ in Grant County of June 22, 1981," August, 1981¹ analyzed the revision in detail. In evaluating the revision, EPA developed general technical criteria that evolved from review of a September 1979 Arizona State Implementation Plan (SIP) revision for copper smelters. EPA's August, 1981 evaluation identified a deficient area in the State's revision that required a SIP revision to correct, and noted other

¹This evaluation is available at the EPA Region 6 Office address given in this notice.

areas that required clarification to allow for federal enforcement of the regulation. The deficient area concerned the amount of continuous emission monitoring (CEM) downtime allowed by the regulation. The June 22, 1981 revision specified that CEMS must operate a minimum of 90 percent of time, and the regulations's allowable cumulative occurrence emission limits were reduced by 10 percent to account for the missing data. However, EPA's general technical criteria require a minimum of 95 percent CEM operation, and measures adequate to secure even better data capture (such as reduced allowable cumulative occurrence emission limits). In the December 17, 1981 issue of the *Federal Register*, (at 46 FR 61491), EPA proposed approval of Regulation 652 with the understanding that the State would correct the deficiency by submitting a SIP revision. Further, the State agreed to provide EPA with written clarification for several areas in the regulation to allow for federal enforcement. Approval was proposed without conditioning final approval on the State's action to correct the deficiency. In view of this EPA approved Regulation 652 in a final rule on May 5, 1982 (47 FR 19332).

Revision of July 26, 1982: On June 11, 1982, the New Mexico Environmental Improvement Board adopted revisions to correct the deficiency in Regulation 652 as noted by EPA's December 17, 1981 proposed approval. Specifically, the CEM data capture requirement was revised to reflect the 95 percent requirement in EPA's technical criteria. The requirement that measures adequate to secure even better data capture (than 95 percent) is met as the regulation's allowable cumulative occurrence emission limits were not raised upon establishment of the 95 percent data capture requirement.

In addition to the above, the State opted to revise Regulation 652 with regard to one of the areas that required clarification. Additional language was added to clarify what constitutes a violation of the three hour emission average. On July 26, 1982, after reasonable notice and public hearing, the Governor of New Mexico submitted the SIP revision to EPA.

Action: By this notice, EPA is approving the revision as submitted on July 26, 1982.

The public should be advised that this action will be effective 60 days from the date of the *Federal Register* notice. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments this action will be withdrawn and a subsequent notice will be published before the effective date. The subsequent notice

will withdraw the final action and begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under 5 U.S.C. 605(b), I hereby certify that this action will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709).

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 6, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

Incorporation by reference of the State Implementation Plan for the State of New Mexico was approved by the Director of the Federal Register on July 1, 1982.

This notice of rulemaking is issued under the authority of sections 110 and 172 of the Clean Air Act as amended.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Dated: December 1, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart GG—New Mexico

1. Section 52.1620 is amended by adding new paragraph (c)(32) as follows:

§ 52.1620 Identification of Plan.

* * * * *

(c) * * *

(32) Revisions to Air Quality Control Regulation 652, Nonferrous Smelters—Sulfur were adopted by the New Mexico Environmental Improvement Board on June 11, 1982 and submitted to EPA by the Governor of New Mexico on July 26, 1982.

[FR Doc. 82-33250 Filed 12-6-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-4-FRL 2239-3; NC-001]

Approval and Promulgation of Implementation Plans; North Carolina: Revised SO₂ Emission Limits

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA is today announcing approval, with specified exceptions, of revised sulfur dioxide (SO₂) emission limits for lightweight aggregate processes and other fuel-burning installations in North Carolina. The North Carolina State Implementation Plan (SIP) approved in 1972 specified an SO₂ limit of 1.6 pounds per million British thermal units (#/MBTU) of heat input. North Carolina submitted revisions to the SIP on March 22, 1977, and additional information on January 11, 1982, relaxing the limit to 2.3 #/MBTU for all but 24 of the affected sources. These 24 sources will continue to be subject to the applicable 1.6 #/MBTU SO₂ limit. This change will have only a minor effect on ambient air quality and will not cause any violation of the NAAQS for SO₂.

DATE: This action is effective January 6, 1983.

ADDRESSES: Copies of the materials submitted by North Carolina may be examined during normal business hours at the following locations:

The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408

Public Information Reference Unit, Library Systems Branch, Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460

Air Management Branch, EPA, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365

Div of Environmental Mgmt, N.C. Dept. of Natural Resources and Community Development, Archdale Building, 512 N. Salisbury Street, Raleigh, North Carolina 27611

Copies of the public comments received on the proposal notice may be seen at the two EPA offices.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond S. Gregory, Air Management Branch, EPA Region IV at the above address, telephone 404/881-3286 (FTS 257-3286).

SUPPLEMENTARY INFORMATION: On March 22, 1977, North Carolina submitted to EPA SIP revisions changing the SO₂ emissions limits in regulations

15 NCAC 2D .0511 and .0516. A public hearing had been held on these revisions on December 8, 1976. They were made effective as of April 1, 1977, by the North Carolina Environmental Management Commission. The revisions removed the requirement that fuel-burning sources of SO₂ reduce their emissions from 2.3 #/MBTU of heat input to 1.6 #/MBTU by July 1, 1980, as required by regulation .0516. In addition, the SO₂ limit for lightweight aggregate processes in regulation .0511 was relaxed from 1.6 to 2.3 #/MBTU.

After review of the revisions submitted by North Carolina, EPA requested additional information. In response to EPA's request, North Carolina on January 11, 1982, submitted air quality dispersion modeling and related analyses of the impact of SO₂ emissions from the affected sources. The submittal identified 24 sources for which approval of the 2.3 # limit could not be granted based upon the information submitted. The analyses showed that the NAAQS probably would not be protected, based on the initial modeling, if the 24 sources were allowed to emit at the higher limit. EPA proposed approval of these revisions except for their application to those 24 sources in the Federal Register of June 28, 1982 (47 FR 27873). In the same Federal Register notice, EPA called for public comments on the proposed action. There were 11 responses to the call for comments. The following is a discussion of these comments:

Comment

Several sources and the State commented that the stack parameters used for the air quality modeling of 13 of the 24 sources were erroneous. Air quality modeling was submitted to demonstrate that these 13 sources could emit SO₂ at the higher limit of 2.3 #/MBTU while protecting the NAAQS.

Response

On the basis of North Carolina's January 11, 1982 submittal, EPA did not propose action on these 24 sources. Therefore, EPA cannot take final action on these sources in today's notice. EPA's preliminary review of the materials submitted, including new information submitted by North Carolina on July 27 and August 26, 1982 shows that the following 8 sources can be allowed to limit SO₂ at the 2.3 #/MBTU limit:

Source	County
Pfizer	Brunswick
Cranston Print Works	Henderson
Dorothea Dix	Wake
Estech General Chemical	Brunswick
USS Agrichem	Brunswick
Cannon Mills #1	Cabarrus
Seymour Johnson AFB	Wayne
Duke Allen	Gaston

EPA will take action on these 8 sources in a separate Federal Register notice. In the meantime, they will continue to be subject to the 1.6 #/MBTU SO₂ limit.

Comment

One source commented that the model used for their plant was incorrect. They indicated that additional modeling would be submitted at a later date.

Response

This source will still be subject to the SO₂ emission limit of 1.6 #/MBTU until submittal by the State of a SIP revision.

Comment

A modified revision of an approved EPA model was submitted which indicated as allowing one source to emit at the higher SO₂ limit of 2.3 #/MBTU.

Response

The modified model is being reviewed. Until action is taken to approve or disapprove the modified model this source will remain subject to the SO₂ emission limit of 1.6 #/MBTU.

Comment

One source located in a complex terrain area commented that the model used for their source (Valley) was "extremely conservative".

Response

The Valley is an approved model for use in complex terrain. Unless a different and appropriate model is demonstrated for use in a particular complex terrain situation the use of the Valley is acceptable.

Comment

One commenter expressed concern over the effect of the 2.3 #/MBTU SO₂ limit on acid rain. The same commenter pointed out that there was no scientific data or compelling social reason for the revision and that such variances (revisions) should be approved on a case-by-case basis only.

Response

The control strategy demonstration showed through mathematical dispersion modeling that the NAAQS would be protected. This was the only information EPA could consider in acting on this revision since all procedural requirements had been met, and since there are presently no CAA provisions for limiting SO₂ levels below the NAAQS out of concern for acidic deposition.

North Carolina stated in the submittal of additional information (January 11, 1982) that the 24 sources would be

further analyzed. Based on new information submitted by North Carolina on July 27, 1982, and August 26, 1982, 8 of the 24 sources as indicated above will be proposed for approval by EPA in a separate Federal Register notice. In addition, 9 of the 24 sources are considering permit conditions limiting their emissions so that the NAAQS will be protected at the 2.3 #/MBTU limit for SO₂:

Source	County
Burlington	Durham
Liggett-Meyers	Durham
Fiber Industries	Rowan
Fiber Industries	Cleveland
American Enka	Buncombe
Hercofina	New Hanover
Cannon Mills	Catawba
Alba Waldensian, P&W Plant	Burke
Valdese Manufacturing	Burke

Meanwhile, these 9 sources will continue to be subject to the original Federally approved SO₂ emission limit of 1.6 #/MBTU.

There is one source, Duke Cliffside, for which the State has adopted a permit restricting the emission limit for SO₂ to 2.2 #/MBTU in order to protect the NAAQS (submitted September 24, 1982). Appropriate EPA action will be taken when the review of this permit is completed.

Action. EPA today is approving revisions to the North Carolina Air Quality Regulations 15 NCAC 2D.0511 and .0516 except for their application to the following sources:

Source	County
Cannon Mills	Catawba
Fiber Industries	Cleveland
Texasgulf	Beaufort
Duke-Cliffside	Rutherford/Cleveland
American Enka	Buncombe
Dayco Southern	Haywood
Olin Corporation	Transylvania
Appalachian State Univ	Watauga
Travenol Labs	McDowell
Alba Waldensian, P&W Plant	Burke
Valdese Manufacturing	Burke
Hercofina	New Hanover
Liggett & Meyers	Durham
Burlington	Durham
Reynolds-Whitaker Park	Forsyth
Fiber Industries	Rowan
Pfizer	Brunswick
Cranston Print Works	Henderson
Dorothea Dix	Wake
Estech General Chemical	Brunswick
USS Agrichem	Brunswick
Cannon Mills #1	Cabarrus
Seymour Johnson AFB	Wayne
Duke Allen	Gaston

These sources will continue to be subject to the 1.6 #/MMBTU SO₂ standard pending further analysis. As indicated earlier, corrected modeling input for 8 of the 24 sources indicates they can be approved for the 2.3 #/MBTU limit; these 8 sources will be dealt with in another notice. In addition,

it is anticipated that of the remaining 16 sources, 9 could be allowed to emit SO₂ at 2.3 and 1 at 2.2 #/MBTU at a later date with appropriate permit conditions and EPA action.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 7, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Note.—Incorporation by reference of the State Implementation Plan for the State of North Carolina was approved by the Director of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR Part 52

Air pollution control, Intergovernmental relations, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Sec. 110 of the Clean Air Act (42 U.S.C. 7410))

Dated: December 1, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart II—North Carolina

In § 52.1770, paragraph (c) (32) is added to read as follows:

§ 52.1770 Identification of plan.

* * * * *

(c) The plan revisions listed below were submitted on the dates specified.

* * * * *

(32) Revised SO₂ limit for all but 24 (see FR of December 7, 1982) fuel-burning sources (changes in regulations 2D.0511 and .0516), submitted on March 22, 1977, and January 11, 1982, by the North Carolina Department of Natural Resources and Community Development.

[FR Doc. 82-33249 Filed 12-6-82; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 52

[TN-001; A-4-FRL-2253-5]

Approval and Promulgation of Implementation Plans; Tennessee: Approval of Plan Revisions

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA is today announcing approval of State Implementation Plan (SIP) revisions submitted by the Tennessee Department of Public Health, pursuant to the requirements of Part D of Title I of the Clean Air Act (CAA) of 1977, for the Kingsport particulate nonattainment area. EPA is also today announcing approval of a visible emission reading technique for nontraditional fugitive dust sources, and state-adopted standards of performance for storage vessels for petroleum liquids. EPA proposed approval of these plan revisions on September 7, 1982, (47 FR 39203), and invited public comments on that action. No comments were received.

DATE: These actions are effective January 6, 1983.

ADDRESSES: Copies of the materials submitted by the State may be examined during normal business hours at the following locations:

Public Information Reference Unit,
Library Systems Branch,
Environmental Protection Agency, 401
M Street, SW., Washington, D.C.
20460

Air Management Branch, EPA, Region
IV, 345 Courtland Street, NE., Atlanta,
Georgia 30365

Library, Office of the Federal Register,
1100 L Street NW., Room 8401,
Washington, D.C. 20005

Division of Air Pollution Control,
Tennessee Department of Public
Health, 150 9th Avenue North,
Nashville, Tennessee 37203

FOR FURTHER INFORMATION CONTACT:

Mr. Raymond S. Gregory, Air Management Branch, EPA Region IV at the above address and telephone number 404/881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: On March 3, 1978 (43 FR 8962 at 9035), September 11, 1978 (43 FR 40412 at 40432), and August 27, 1979 (44 FR 50098), EPA designated a number of areas in the State of Tennessee as not attaining certain national ambient air quality standards (NAAQS). A portion of Kingsport was designated nonattainment for the primary and secondary NAAQS for particulate matter. Implementation plan revisions for attainment of the particulate matter NAAQS were conditionally approved

for Kingsport on November 17, 1980 (45 FR 75660 at 75661), and final approval was given on May 27, 1982 (47 FR 23160 at 23162).

As part of the original approval, the State was required to submit permits without expiration dates. As the subject permits have periodically expired, the State has reissued them without expiration dates. On May 10, 1982, the State submitted certain reissued permits. With that submittal, permits for some additional minor fugitive dust sources and certain permits with minor changes not affecting emissions amounts were included. There will be a net air quality benefit from these changes.

Included in the May 10, 1982, submittal was a technique for reading visible emissions from nontraditional fugitive dust sources. The opacity determined using this method will be based on an average of 8 consecutive observations recorded at 15-second intervals. This method is to be used for reading the opacity of emissions from roads and parking areas in the Kingsport particulate nonattainment area.

The State submitted on May 5, 1982, a revision which is entitled "Standards for Performance for Storage Vessels for Petroleum Liquids Constructed after May 18, 1978." This rule (1200-3-16-.09a) is substantially the same as EPA's New Source Performance Standard of the same title (40 CFR Part 60 Subpart Ka) except for two items. The first item of concern is in the section on testing and procedures. It includes a requirement for testing of secondary seal gaps. The regulation states: "Determine the gap areas and maximum gap widths between the primary seal and the tank wall, and the secondary seal and the tank wall according to the following frequency and furnish the Technical Secretary with a written report of the results within 60 days of performance of gap measurements * * * However, the State failed to include a schedule ("frequency") for testing the secondary seals. For the primary seals, Tennessee's regulation states, "Gap measurements shall be performed within 60 days of the initial fill with petroleum liquid and at least once every year thereafter." This frequency should have been specified for the secondary seals also. EPA is approving this standard with the understanding that the State will require the secondary seals to be tested on the same frequency as the primary seals.

The second item concerns the prior notice given to the State before the gap measurement is made in order to afford the State an opportunity to have an

observer present. EPA's standard requires 30 days prior notice. The State's standard does not specify a minimum time period of prior notice. EPA is approving this standard with the understanding that the State will require a minimum time period of prior notice of 30 days before the gap measurement is to be made.

EPA proposed approval of the above plan revisions on September 7, 1982, **Federal Register** (47 FR 39203), and invited public comments on the proposed action. No comments were received.

Action. Based on the foregoing, EPA is today approving revisions to the Tennessee State Implementation Plan concerning source permits for the Kingsport particulate nonattainment area, a visible emission reading technique for nontraditional fugitive dust sources, and standards of performance for storage vessels for petroleum liquids constructed after May 18, 1978. The last approval is made with the understanding that the State will require the secondary seal gaps to be measured on the same frequency as the primary seal gaps, and that the State will require sources to give 30 days prior notice of seal gap measurements. This action is effective January 6, 1983.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 7, 1983. This action may not be challenged later in proceedings to enforce its requirements.

The Office of Management and Budget has exempted this rule from the requirement of Section 3 of Executive Order 12291.

Note.—Incorporation by reference of the State Implementation Plan for the State of Tennessee was approved by the Director of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR Part 52

Air pollution control, Intergovernmental relations, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

Dated: December 1, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart RR—Tennessee

In § 52.2220, paragraph (c)(50) is added to read as follows:

§ 52.2220 Identification of plan.

(c) The plan revisions listed below were submitted on the dates specified.

(50) Certain State permits for the Kingsport area, and a visible emission technique for nontraditional fugitive dust sources (Method 1) submitted on May 10, 1982; and a revision entitled Standard of Performance for Storage Vessels for Petroleum Liquids Contracted after May 18, 1978, (1200-3-16-.09a) submitted May 5, 1982, by the Tennessee Department of Public Health.

[FR Doc. 82-33251 Filed 12-6-82; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-36

[FPMR Amdt. F-55]

Federal Information Processing Standard Languages and Procedures

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: This regulation provides implementation provisions for Federal use of the three programming languages that have been adopted as Federal Information Processing Standards (FIPS). FIPS PUB 21-1 COBOL is currently in effect; FIPS PUB 68 Minimal BASIC and FIPS PUB 69 FORTRAN became effective on September 4, 1980 and are applicable to all compilers delivered on or after March 4, 1982. Standard terminology for use in requirements documents, including solicitations, is provided to ensure that compilers acquired by the Government and those used by Government contractors in the performance of ADP services have been validated and are in compliance with the applicable standard insofar as the language elements included in a FIPS PUB are tested. The intended effect is to increase portability of application programs and thereby increase economy and efficiency.

EFFECTIVE DATE: March 4, 1982.

FOR FURTHER INFORMATION CONTACT: P. Patton, Procurement Policy and Regulations Branch, Office of Policy and Planning, ADTS (202-566-0194).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981. The General Services Administration's decisions are based on adequate information

concerning the need for, and consequences of, this rule. This rule has been structured to maximize the benefits to Federal agencies. This is a government-wide management regulation that will have little or no effect on society.

List of Subjects in 41 CFR Part 101-36

ADP, Computer technology, Government procurement and property management, Security measures.

PART 101-36—ADP MANAGEMENT

1. The table of contents of Part 101-36 is amended by revising two entries and adding eight entries as follows:

Subpart 101-36.13—Implementation of Federal Information Processing and Federal Telecommunication Standards Into Solicitation Documents

Sec.

- 101-36.1303-6 Compiler.
- 101-36.1303-7 Validation of compilers.
- 101-36.1305 Software standards other than programming languages.
- 101-36.1305-1 [Reserved]
- 101-36.1310 Federal Information Processing Standards (FIPS) programming languages.
- 101-36.1310-1 FIPS PUB 21-1, Federal Standard COBOL.
- 101-36.1310-2 FIPS PUB 68, Federal Standard Minimal BASIC.
- 101-36.1310-3 FIPS PUB 69, Federal Standard FORTRAN.
- 101-36.1310-4 Development or acquisition of application programs.
- 101-36.1311 Validation of compilers.

2. Section 101-36.1303-6 is added as follows:

§ 101-36.1303-6 Compiler.

"Compiler" means the combination of equipment and software/firmware elements used to convert a source program written in a high level programming language into a form capable of being executed by a computer, or to cause a source program written in a high level programming language to be executed on a computer. The terms "interpreter" and "processor" can be used interchangeably with the term "compiler."

3. Section 101-36.1303-7 is added as follows:

§ 101-36.1303-7 Validation of compilers.

"Validation of compilers" means the process of testing a given compiler against certain predetermined conditions and specifying which, if any, conditions are not met.

4. Section 101-36.1305 is recaptured and revised as follows:

§ 101-36.1305 Software standards other than programming languages.

This section provides standard terminology for use in requirements documents, including solicitations, in the areas of standardization listed in § 101-36.1303-3, except programming languages (see § 101-36.1310).

§ 101-36.1305-1 [Reserved]

5. Section 101-36.1305-1 is removed and reserved.

6. Section 101-36.1310 is added to establish a separate section for Federal Information Processing Standard (FIPS) programming languages as follows:

§ 101-36.1310 Federal Information Processing Standards (FIPS) programming languages.

Agencies use high level languages for certain computer application programs. When a FIPS PUB is applicable to any of those languages, the provisions of the related subsection of this section shall be followed.

7. Section 101-36.1310-1 is added to replace § 101-36.1305-1 as follows:

§ 101-36.1310-1 FIPS PUB 21-1, Federal Standard COBOL.

FIPS PUB 21-1 specifies the use of American National Standard Programming Language COBOL, X3.23-1974, as the Federal Standard COBOL. The standard terminology for use in requirements documents, including solicitations, is:

Acquisition of COBOL Language Compilers

COBOL compilers offered as a result of the requirements of which this is a part shall implement all of the language elements of the level of Federal Standard COBOL specified elsewhere in this requirements document (insert reference here) as well as any additional language elements specified elsewhere in this document (insert reference). The compiler shall enable the user to specify optionally a level of Federal Standard COBOL that will monitor the source program at compile time. The compiler shall have the capability to monitor each level at or below the highest level of implementation for the compiler. The monitoring capability shall consist of an analysis of the syntax included in the level as selected for monitoring. Any syntax not conforming to the specified level shall be identified through a diagnostic message in the source program listing. The diagnostic message shall contain at least the identification of the source program line number for each nonconforming syntax and identify the level of Federal Standard COBOL that supports the syntax, or shall indicate that the syntax is nonstandard COBOL.

(End of Requirements Provision)

8. Section 101-36.1310-2 is added to implement Federal Standard Minimal BASIC as follows:

§ 101-36.1310-2 FIPS PUB 68, Federal Standard Minimal BASIC.

FIPS PUB 68 specifies the use of American National Standard Minimal BASIC, X3.60-1978, as the Federal Standard Minimal BASIC. The standard terminology for use in requirements documents, including solicitations, is:

Acquisition of BASIC Language Compilers

BASIC compilers offered as a result of the requirements of which this is a part shall implement Federal Standard Minimal BASIC, as well as any additional language elements as specified elsewhere in the requirements document (insert reference here).

(End of Requirements Provision)

9. Section 101-36.1310-3 is added to implement Federal standard FORTRAN as follows:

§ 101-36.1310-3 FIPS PUB 69, Federal Standard FORTRAN.

FIPS PUB 69 specifies the use of American National Standard Programming Language FORTRAN, X3.9-1978, as the Federal Standard FORTRAN. The standard terminology for use in requirements documents, including solicitations, is:

Acquisition of FORTRAN Language Compilers

FORTRAN compilers offered as a result of the requirements of which this is a part shall implement all of the language elements of the level of Federal Standard FORTRAN specified elsewhere in this requirements document (insert reference here), as well as any additional language elements as specified elsewhere in this document (insert reference). The compiler shall enable the user to monitor any statement appearing in the source program that does not conform syntactically to the specifications of Federal Standard full FORTRAN.

(End of Requirements Provision)

10. Section 101-36.1310-4 is added to incorporate requirements terminology when application programs and programming services are to be developed or acquired as follows:

§ 101-36.1310-4 Development or acquisition of application programs.

Requirements documents for the development or acquisition of application programs shall specify the use of Federal Information Processing Standards (FIPS) programming languages unless the agency determines under procedures established by its Senior Official designated under the Paperwork Reduction Act of 1980 (see 44 U.S.C. 3506(b)) that the purpose of economy and efficiency in the use of ADP will not be served through the use of a Federal Standard language. The standard terminology for use in requirements documents, including solicitations, when application programs are to be

developed or acquired using Federal Standard programming languages is:

Development or Acquisition of Application Programs

When computer application programs are developed or acquired as a result of the requirements of which this is a part, and one of the Federal Standard programming languages is specified elsewhere in this requirements document (insert reference here), only the language elements of that Federal Standard, as well as any additional language elements as specified elsewhere in this document (insert reference) shall be used. In these cases, if services provided include compilation(s), compilers used to perform these services shall be validated in accordance with FPMR § 101-36.1311.

(End of Requirements Provision)

11. Section 101-36.1311 is added as follows:

§ 101-36.1311 Validation of compilers.

(a) The party offering a compiler asserted to conform to one of the Federal Standard languages shall be responsible for securing validation of the compiler when: (1) Offered to the Federal Government for purchase, lease, or use in connection with ADP services, or (2) used to develop computer programs when providing programming services or compilation.

(b) A Compiler, which is offered or used by vendors as a result of requirements set forth by Federal agencies in requirements documents, including solicitations, shall meet the language elements of the designated FIPS PUB. To confirm that the specifications of the designated FIPS have been met, compiler test cases have been developed and approved for use.

Separate Compiler Validation System (CVS) routines for each Federal standard language are maintained by the General Services Administration's Federal Compiler Testing Center (FCTC).

(c) Federal agencies shall use these test results to confirm that the compiler meets the language elements specifications of that Federal Standard. When an agency has indicated in a requirements document that a waiver applies to a Federal Standard language specification, only the portions of the language that have been waived are excluded from the validation requirements.

(d) The FCTC will conduct compiler validations, as specified in the Compiler Testing Procedures, for each requestor. These validations normally shall be conducted annually. Recertification of a previous validation may be substituted for a new validation (at the discretion of the FCTC) if no errors were identified

during the previous validation and if no change has been made to the compiler, its supporting system software, or the CVS in the interim.

(e) The requestor is responsible for providing the test facilities necessary to perform the validation. The FCTC conducts a validation test using the appropriate CVS and provides a Validation Summary Report summarizing the test results. If the validation results warrant, a Certificate of Validation is issued.

(f) Validation is performed on a cost-reimbursable basis. The FCTC will send the requestor an estimate of validation cost that must be approved before beginning the validation process.

(g) Unresolved questions and/or any ambiguities that are identified by the FCTC or by the requestor shall be referred to the National Bureau of Standards (NBS) for resolution in accordance with FIPS PUB 29-1 Interpretation Procedures for Federal Information Processing Standard Languages.

(h) Requests for, and questions on, validation service should be addressed to:

General Services Administration (CFT),
Office of Software Development, Federal
Compiler Testing Center, 5203 Leesburg
Pike, Suite 1100, Falls Church, VA 22041,
telephone: (703) 756-6153.

(i) When an agency determines that the nature of the requirement is such that a compiler may be offered that has not yet been validated, the requirements provision in paragraph (j) of this section shall be included in the requirements documents, including solicitations. This alternative allows a vendor to be responsive to the document if a request for validation of the offered compiler has been made. However, if an agency determines that it is essential for a compiler to be validated before being offered, the requirements provision in paragraph (k) of this section shall be included in the document. This latter alternative may tend to restrict competition. The requirements provision in paragraph (k) of this section will not be used before July 1, 1983 for requirements for BASIC compilers because the validation of BASIC compilers will not begin until July 1, 1982. This limitation on use of the requirements provision does not apply to COBOL or FORTRAN compilers.

(j) The standard terminology for allowing delayed validation is:

Delayed Validation of Compilers

In addition to the compiler requirements specified elsewhere in this requirements document, all compilers for Federal Standard programming languages brought into the

Federal inventory as a result of this document and those compilers used by vendors to develop programs or provide services shall be tested using the official Compiler Validation System (CVS). Validation shall be in accordance with Federal Property Management Regulations (FPMR) § 101-36.1311.

The results of the validation shall be used to confirm that the compiler meets the requirements of the applicable Federal standard specified elsewhere in this document. To be considered responsive, the vendor shall:

(1) Certify in the proposal that all Federal Standard programming language compilers offered in response to this document have been submitted for validation as set forth in FPMR § 101-36.1311, or have been previously validated and listed in the latest Federal Compiler Testing Center (FCTC) Certified Compiler List. Proof of current validation will be provided in the form of a Certificate of Validation from the FCTC. Unless specified elsewhere in the requirements document, proof of submission for validation will be in the form of a letter from the FCTC scheduling the validation.

(2) Agree to correct all deviations from the applicable Federal Standard reflected in the Validation Summary Report (VSR) not previously covered by a waiver. All deviations must be corrected within 12 months from the date of contract award unless otherwise specified elsewhere in this document. If an interpretation of the Federal Standard is required that will invoke the procedures set forth in FIPS PUB 29-1, such a request for interpretation shall be made within 30 calendar days after contract award. Any corrections that are required as a result of decisions made under the procedures of FIPS PUB 29-1 shall be completed within 12 months of the date of formal notification to the contractor of the approval of the interpretation. Proof of correction in either case will be in the form of a Certificate of Validation from the FCTC for the corrected compiler. Failure to make required corrections within the time limits set forth above shall be deemed a failure to deliver required software. The liquidated damages as specified for failure to deliver the operating system or other software shall apply.

(End of Requirements Provision)

(k) The standard terminology for requiring prior validation is:

Prior Validation of Compilers

In addition to the compiler requirements specified elsewhere in this requirements document, all compilers for Federal Standard programming languages brought into the Federal inventory as a result of this document and those compilers used by vendors to develop programs or provide services shall have been tested using the official Compiler Validation System (CVS). Validation shall be in accordance with Federal Property Management Regulations (FPMR) § 101-36.1311.

The results of the validation shall be used to confirm that the compiler meets the requirements of the applicable Federal Standard specified elsewhere in this

document. To be considered responsive, the vendor shall:

(1) Certify in the proposal that all Federal Standard programming language compilers offered in response to this document have been previously validated as set forth in FPMR § 101-36.1311 and listed in the latest Federal Compiler Testing Center (FCTC) Certified Compiler List. Proof of current validation will be provided in the form of a Certificate of Validation from the FCTC.

(2) Agree to correct all deviations from the applicable Federal Standard reflected in the Validation Summary Report (VSR) not previously covered by a waiver. All deviations must be corrected within 12 months from the date of contract award unless otherwise specified elsewhere in this document. If an interpretation of the Federal Standard is required that will invoke the procedures set forth in FIPS PUB 29-1, such a request for interpretation shall be made within 30 calendar days after contract award. Any corrections that are required as a result of decisions made under the procedures of FIPS PUB 29-1 shall be completed within 12 months of the date of formal notification to the contractor of the approval of the interpretation. Proof of correction in either case will be in the form of a Certificate of Validation from the FCTC for the corrected compiler. Failure to make required corrections within the time limits set forth above shall be deemed a failure to deliver required software. The liquidated damages as specified for failure to deliver the operating system or other software shall apply.

Note.—This requirements provision cannot be used before July 1, 1983 for requirements for BASIC compilers because the validation of BASIC compilers will not begin until July 1, 1982.

(End of Requirements Provision)

(l) If the party offering the compiler is an activity of the Federal Government, the Federal agency shall be responsible for securing the validation of the compiler in accordance with this § 101-36.1311.

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

Dated: November 15, 1982.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82-33140 Filed 12-6-82; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 401 and 405

Medicare Program; Conditions for Medicare Coverage of Surgery To Relieve Obstructions to Vertebral Artery Blood Flow (Vertebral Artery Surgery)

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of HCFA ruling.

SUMMARY: This notice announces a HCFA ruling that restates Medicare policy on coverage of vertebral artery surgery. Medicare covers medical procedures only if the procedures are safe and effective. Available evidence shows that five types of surgical procedures performed to relieve an obstruction of the vertebral artery blood flow are safe and effective, but only if each of four conditions is met.

EFFECTIVE DATE: Effective for services furnished on or after September 1, 1978.

FOR FURTHER INFORMATION CONTACT: Sheila Ryan, Director, Division of Medical Services Coverage Policy, (301) 594-8561

SUPPLEMENTARY INFORMATION: We plan to compile and publish all HCFA rulings in the "Health Care Financing Administration Rulings" booklet which will be indexed for citation purposes. When this ruling is republished in the booklet, it will be known as HCFAR 82-3. The text of the HCFA ruling is as follows:

Conditions for Medicare Coverage of Surgery To Relieve Obstructions to Vertebral Artery Blood Flow (Vertebral Artery Surgery)

[HCFAR 82-3]

Purpose: This ruling restates policy on Medicare coverage of vertebral artery surgery.

Citations: Section 1862(a)(1) of the Social Security Act (42 U.S.C. 1395y(a)(1)); 42 CFR 405.310(k); 42 CFR 401.108.

Pertinent History: Section 1862(a)(1) of the Social Security Act prohibits payment for any expenses incurred for items or services "which are not reasonable and necessary for the diagnosis or treatment of illness or injury or to improve the functioning of a malformed body member". HCFA has interpreted this provision to exclude from Medicare coverage, health care services and items that are not demonstrated by acceptable clinical evidence to be safe and effective. A variety of standards are used to determine whether there is acceptable clinical evidence to warrant a service or procedure. These include approval by the National Institutes of Health, testing by university medical centers, reports published in major medical journals, and general acceptance by the medical community. HCFA's source of medical advice on issues of medical safety and efficacy of items and services is the Public Health Service (PHS).

In 1978, in response to a request by HCFA, PHS advised that five types of

vertebral artery surgery can be medically reasonable and necessary, provided that certain conditions are met. This advice was incorporated in instructions to carriers and intermediaries, effective for services furnished on or after September 1, 1978. (See *Part A Intermediary Manual*, Chapter II, Coverage of Services, Coverage Issues Appendix, § 35-32; *Medicare Carriers Manual*, Chapter II, Coverage and Limitations, Coverage Issues Appendix, § 35-32; and *Medicare Hospital Manual*, Chapter II, Coverage of Hospital Services, Coverage Issues Appendix, § 35-32.)

Since that time, it has come to our attention that these instructions have been challenged in hearings before Administrative Law Judges (ALJs). These hearings provide an opportunity to appeal determinations by a carrier or intermediary that a procedure is not medically reasonable and necessary in a particular case. Because it is not feasible administratively to present expert medical advice at each hearing in which this issue may arise, we are adopting these instructions as a ruling in order to make them binding on ALJs. This will also assure that HCFA's policy on this issue is applied uniformly.

Held: The following five surgical procedures are performed to relieve obstructions to vertebral artery blood flow—

1. Vertebral artery endarterectomy, a procedure that removes arteriosclerotic plaques that are inside the vertebral artery;
2. Vertebral artery by-pass or resection with anastomosis or graft;
3. Subclavian artery resection, with or without endarterectomy;
4. Removal of laterally located osteophytes anywhere in the C₆(C₇)-C₂ course of the vertebral artery; and
5. Arteriolytic that frees the artery from surrounding tissue, with or without arterioplasty (fixation of the vessel).

These procedures are safe and effective and, as such, are covered Medicare services, only if each of the following conditions is met:

1. Symptoms of vertebral artery obstruction exist. These symptoms include vertigo (sometimes called "dizziness"), vision or speech defects, transient basilar ischemia, stroke, ataxia, and mental confusion. Rotation of the patient's head during physical examination may elicit or accentuate the symptoms.
2. Conditions other than obstructions resulting in blocked vertebral artery blood flow have been considered and ruled out. Other possible causes include orthostatic hypotension, acoustic neuroma, labyrinthitis, diabetes

mellitus, various degenerative and systemic disorders of the brain and nervous system, and hypoglycemia-related disorders.

3. There is radiographic evidence of a valid vertebral artery obstruction. If angiograms are used, they should show the aortic arch with the vessels off the arch and the vessels of the head and neck, providing biplane views of the carotid and vertebral vascular system. Serial views are also needed to be able to diagnose subclavian artery obstruction. Obstructions include—

- a. Intravascular obstructions, that is, arteriosclerotic lesions within the vertebral artery or in other arteries;
- b. Extravascular obstructions such as—
 - i. Bony tissue or osteophytes, located laterally in the C₆(C₇)-C₂ cervical vertebral area course of the vertebral artery, most commonly at C₅-C₆;
 - ii. Anatomical variations, that is, anomalous location of the origin of the vertebral artery, and tortuosity and kinks of the vertebral artery; and
 - iii. Fibrous tissue, that is, connective tissue changed as a result of manipulation of the neck for neck pain or injury associated with bematoma (also called "external bands", "tendinous slings", and "fibrous bands").

Connective tissue along the course of the vertebral artery and vertebral artery tortuosity and kinks only rarely result in symptoms of vertebral artery obstruction.

4. Contraindications to the procedure are not present. For example, coexistent obstructions of multiple cerebral vessels would prevent increased blood flow through the vertebral artery from significantly benefiting the patient.

Further Held: Vertebral artery surgery not meeting the conditions described in this ruling is excluded from Medicare coverage under the authority of section 1862(a)(1) of the Act.

Effective Date: As explained above, we have previously issued policy in general instructions providing for Medicare coverage of vertebral artery surgery within certain limitations, effective for services furnished on or after September 1, 1978. Since this ruling is a restatement of policy that has been in effect since that date, this ruling is effective for services furnished on or after September 1, 1978.

(Secs. 1102 and 1862(a)(1) of the Social Security Act, 42 U.S.C. 1302 and 1395y(a)(1))

(Catalog for Federal Domestic Assistance Program No. 13.773, Medicare-Hospital Insurance and No. 13.774, Medicare-Supplementary Medical Insurance)

Dated: November 30, 1982.

Carolyn K. Davis,
Administrator.

[FR Doc. 82-33309 Filed 12-6-82; 8:45 am]

BILLING CODE 4120-03-M

**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 65

[Docket No. FEMA-6456]

**Communities With Minimal Flood
Hazard Areas for the National Flood
Insurance Program**

AGENCY: Federal Emergency
Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency, after consultation with local officials of the communities listed below, has determined, based upon analysis of existing conditions in the communities, that these communities' Special Flood Hazard Areas are small in size, with minimal flooding problems. Because existing conditions indicate that the area is unlikely to be developed in the foreseeable future, there is no immediate need to use the existing detailed study methodology to determine the base flood elevations for the Special Flood Hazard Areas.

Therefore, the Agency is converting the communities listed below to the Regular Program of the National Flood Insurance Program (NFIP) without determining base flood elevations.

EFFECTIVE DATE: Date listed in fourth column of list of Communities with Minimal Flood Hazards Areas.

FOR FURTHER INFORMATION CONTACT: Dr. Brian Mrazik, Acting Chief, Engineering Branch, Natural Hazards Division (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: In these communities, the full limits of flood insurance coverage are available at actuarial, non-subsidized rates. The rates will vary according to the zone designation of the particular area of the community.

Flood insurance for contents, as well as structures, is available. The maximum coverage available under the Regular Program is significantly greater than that available under the Emergency Program.

Flood insurance coverage for property located in the communities listed can be purchased from any licensed property insurance agent or broker serving the

eligible community, or from the National Flood Insurance Program. The effective date of conversion to the Regular Program will not appear in the Code of Federal Regulations except for the page number of this entry in the Federal Register.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have significant economic impact on a substantial number of small entities.

This rule provides routine legal notice regarding the completed stage of engineering tasks in delineating the special flood hazards areas of the specified community and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, Flood plains.

PART 65—[AMENDED]

The entry reads as follows:

§ 65.7 List of communities with minimal flood hazard areas.

State	County	Community	Date of conversion to regular program
New Mexico	Bernalillo	Village of Los Ranchos de Albuquerque	Jan. 3, 1983.
Illinois	Marshall	City of Henry	Jan 7, 1983.
Maryland	Carroll	Town of Hampstead	Do.
Michigan	Oakland	City of Orchard Lake Village	Do.
Minnesota	Chisago	City of Chicago City	Do.
Minnesota	Chisago	City of Lindstrom	Do.
New Jersey	Salem	Township of Oldmans	Do.
Pennsylvania	Crawford	Township of Rome	Do.
Pennsylvania	Schuylkill	Township of Rush	Do.
Illinois	Bureau	Village of Cherry	Jan. 14, 1983
Illinois	Will	Village of Peotone	Do.
Illinois	Cook	Village of Wilmette	Do.
Mississippi	Washington	City of Hollandale	Do.
Pennsylvania	Carbon	Township of Lehigh	Do.
West Virginia	Uninc. area	Monroe County	Do.
Arkansas	Grant	City of Sheridan	Jan. 18, 1983.
Indiana	Gibson	City of Princeton	Jan. 21, 1983.
Michigan	Alpena	Township of Alpena	Do.
Michigan	Monroe	Township of Ida	Do.
New Jersey	Burlington	Township of Chesterfield	Do.
New Jersey	Warren	Township of Hardwick	Do.
New Jersey	Salem	Township of Upper Pittsgrove	Do.
New York	Dutchess	Town of Stamford	Do.
Pennsylvania	Mercer	Township of West Salem	Do.
California	Uninc. area	Del Norte County	Jan. 24, 1983.
Illinois	Bureau	Village of Manlius	Jan. 28, 1983.
Minnesota	Chisago	City of Center City	Do.
New Jersey	Burlington	Township of Springfield	Do.
Pennsylvania	Crawford	Township of Sparta	Do.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 [33 FR 17804, November 28, 1968], as amended; 42 U.S.C. 4001-4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support).

Issued: November 16, 1982.

Dave McLoughlin,

Acting Associate Director, State and Local Programs and Support.

[FR Doc. 82-33026 Filed 12-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

**National Flood Insurance Program;
Final Flood Elevation Determinations**

AGENCY: Federal Emergency
Management Agency.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the nation.

These base (100-year) flood elevations are the basis for the flood plain management measures that the

community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base (100-year) flood elevations, for the community. This date may be obtained by contacting the office where the maps are available for inspection indicated on the table below.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Dr. Brian R. Mrazik, Acting Chief,

Engineering Branch, National Flood Insurance Program, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0237.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determinations of flood elevations for each community listed.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR Part 67. An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided,

and the Agency has resolved the appeals presented by the community.

The Agency has developed criteria for flood plain management in floodprone areas in accordance with 44 CFR Part 60.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the final flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future

construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts flood plain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the flood plain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

The final base (100-year) flood elevations for selected locations are:

FINAL BASE (100-YEAR) FLOOD ELEVATIONS

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
Pennsylvania.....	Silver Spring, Township Cumberland County (Docket No. FEMA-5955).	Conodoguinet Creek.....	Downstream Corporate Limit.....	*359	
			Confluence of Hogestown Run.....	*369	
			Downstream side of Willow Mill Road.....	*376	
			Confluence of Beech Cliff Run.....	*384	
			Confluence of Potteiger Run.....	*390	
			Upstream Corporate Limit.....	*393	
			Trindle Spring Run.....	Confluence with Conodoguinet Creek.....	*359
				Downstream side of dam located approximately 650 feet from confluence with Conodoguinet Creek.....	*359
				Upstream side of dam located approximately 650 feet from confluence with Conodoguinet Creek.....	*364
				Downstream side of U.S. Route 11.....	*371
				Upstream side of U.S. Route 11.....	*378
				Upstream side of Private Road.....	*381
				Downstream side of Silver Spring Road.....	*390
				Downstream side of second crossing of Mulberry Drive from confluence with Conodoguinet Creek.....	*397
				Downstream side of Hogestown Road.....	*404
		Upstream side of Hogestown Road.....		*408	
		Upstream side of Conrail.....		*414	
		Downstream Corporate Limit and Church Road.....		*422	
		Confluence with Conodoguinet Creek.....		*369	
		Downstream side of New Willow Mill Road.....		*380	
		Upstream side of New Willow Mill Road.....		*388	
		Upstream side of old Route 11.....	*392		
		Upstream side of Woods Drive.....	*402		
		Downstream side of Hempt Road.....	*410		
		Downstream side of Conrail.....	*412		
		Upstream side of Conrail.....	*421		
		Downstream side of first crossing of Township Route 571.....	*429		
		Downstream side of Private Road.....	*435		
		Upstream Corporate Limit.....	*444		
		Approximately 100' upstream of corporate limit.....	*448		
		Confluence with Hogestown Run.....	*425		
		Approximately 4,800 feet upstream of confluence with Hogestown Run.....	*432		
		Approximately 2,600 feet downstream of Trindle Spring Road.....	*434		
		Potteiger Run.....	Trindle Spring Road and Corporate Limits.....	*453	
			Confluence with Conodoguinet Creek.....	*390	
			Downstream side of Locust Point Road.....	*402	
			Upstream side of Locust Point Road.....	*406	
			Approximately 2,000 feet downstream of Interstate 81.....	*413	
			Downstream side of Interstate 81.....	*423	
			Upstream side of Interstate 81.....	*432	
			Approximately 1,600 feet upstream of Township Route 574.....	*440	
			Downstream side of Harrisburg Pike.....	*450	
			Corporate Limits.....	*454	
		Green Ridge Run.....	Confluence with Conodoguinet Creek.....	*381	
			Downstream side of Interstate 81 Northbound.....	*391	
Upstream side of Interstate 81 Southbound.....	*398				
Downstream side of Green Ridge Road.....	*408				
Upstream side of Green Ridge Road.....	*411				
Downstream side of Pleasant Grove Road.....	*421				
Approximately 50' upstream of Pleasant Grove Road.....	*422				
Beech Cliff.....	Confluence with Conodoguinet Creek.....	*384			

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Approximately 1,200 feet upstream of interstate 81 southbound.	*390
			Downstream side of Green Ridge Road	*399
			Approximately 50' upstream of Green Ridge Road	*401
Maps available for inspection at the Silver Spring Township Building, 6475 Carlisle Pike, Mechanicsburg, Pennsylvania.				
Washington	Union Gap (City), Yakima County, FEMA-5978	Ahtanum Creek	100 feet upstream from the center of an unnamed road (which is approximately 0.82 miles above the mouth of Ahtanum Creek).	*962
		Wide Hollow Creek	Intersection of Creek and Main Street	*958
		Spring Creek	Area at east end of Washington Street (east of Main Street).	*957
Maps available for inspection at City Hall, 102 West Ahtanum, Union Gap, Washington.				

(National Flood Insurance Act of 1968 [Title XIII of Housing and Urban Development Act of 1968], effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director.)

Issued: November 17, 1982.

Dave McLoughlin,

Acting Associate Director, State and Local Programs and Support.

[FR Doc. 82-33027 Filed 12-6-82; 8:45 am]

BILLING CODE 6718-03-M

NATIONAL SCIENCE FOUNDATION

45 CFR Part 612

Availability of Records and Information

AGENCY: National Science Foundation.

ACTION: Final rule.

SUMMARY: Representatives of several universities have requested that NSF revise its policies and procedures for the handling of records to assure greater protection from premature disclosure of technical information that describes potentially patentable inventions. NSF is amending 45 CFR Part 612—Availability of Records and Information—to reflect the fact that it is the policy of the Foundation to withhold portions of records describing patentable inventions as authorized by 35 U.S.C. 205.

EFFECTIVE DATE: December 1, 1982.

FOR FURTHER INFORMATION CONTACT: Jesse E. Lasken, Assistant to the General Counsel National Science Foundation, 1800 G Street, NW., Washington, D.C. 20550 (202-357-9442).

SUPPLEMENTARY INFORMATION: Representatives of several universities have requested that NSF revise its policies and procedures for the handling of records to assure greater protection from premature disclosure of technical information that describes potentially patentable inventions. In conjunction with the rule change, NSF will, as a regular procedure, consult with the organizations that have submitted

technical proposals to NSF before releasing copies of proposals that have resulted in awards to assist NSF in identifying potentially patentable subject matter.

While some parts of the Foundation were already consulting in this manner, others did not always do so. This revision in procedures is also considered by the Foundation to be responsive to Recommendation 82-1 of the Administrative Conference of the United States. Because this change involves only a rule of agency procedure, it has not been made subject to prior public comments.

List of Subjects in 45 CFR Part 612

Freedom of information.

PART 612—[AMENDED]

Specifically, 45 CFR 612.9(a)(3) is amended by adding the following sentence at the end of that subsection:

§ 612.9 Records not available.

(a) * * *

(3) * * * This also includes records that disclose any invention in which the Federal Government owns or may own a right, title, or interest (including a nonexclusive license) as provided in 35 U.S.C. 205.

* * * * *

Edward A. Knapp,
Director, National Science Foundation.
November 30, 1982.

[FR Doc. 82-33095 Filed 12-6-82; 8:45 am]

BILLING CODE 7555-01-M

LEGAL SERVICES CORPORATION

45 CFR Part 1601

Rescheduling of Meetings and Establishment of Board Positions and Procedures

AGENCY: Legal Services Corporation.

ACTION: Final rules.

SUMMARY: This document amends the Legal Services Corporation Bylaws to (1) change the regular meeting dates for the Board of Directors from March, June, October, and December to March, June, September, and December to better accommodate the budget decision process; and (2) to establish the position of Vice Chairman of the Board of Directors to provide for orderly direction of the Board in case of the Chairman's inability to do so.

EFFECTIVE DATE: October 29, 1982.

ADDRESS: Office of General Counsel, Legal Services Corporation, 733 Fifteenth Street, NW., Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT: Mary Wieseman, (202) 272-4010.

SUPPLEMENTARY INFORMATION: Pursuant to § 1601.44 of the Corporation's bylaws, the following bylaw changes were published in proposed form in the *Federal Register* (47 FR 32956) for comment on Friday, July 30, 1982.

Comments were due by August 30, 1982. No comments were received. At its October 29, 1982 meeting, the Corporation's Board of Directors

adopted the changes pursuant to Section 1601.44 of the Corporation's bylaws.

List of Subjects in 45 CFR Part 1601

By-laws.

PART 1601—BY-LAWS OF THE LEGAL SERVICES CORPORATION

45 CFR Part 1601 is amended by revising Sections 1601.9, 1601.10, 1601.15, and 1601.20 to read as follows:

§ 1601.9 Chairman and Vice Chairman of the Board.

(a) Annually or at such other time as there may be vacancies in such offices, the Board shall elect a Chairman and a Vice Chairman of the Board from among its voting members who shall serve in such capacities until their successors have been duly elected and qualified, or until they shall resign of otherwise vacate their offices or Board membership.

(b) The Chairman of the Board shall, if present, preside at all meetings of the Board, shall carry out all other functions required of him by the Act and these By-laws, and shall perform such other duties as from time to time may be assigned to him by the Board.

(c) The Vice Chairman of the Board shall, in the absence of the Chairman, preside at meetings of the Board and shall, for purposes of these By-laws, be considered the Chairman of any meeting at which he so presides. In addition, the Vice Chairman shall carry out all other functions required of him by these By-laws and shall perform such other duties as from time to time may be delegated to him by the Chairman or assigned to him by the Board.

§ 1601.10 Qualification.

A person shall be deemed to have qualified as a Director, or as the Chairman or Vice Chairman of the Board, when upon his appointment or selection, as the case may be, he has affirmed or executed a statement, in a form provided by the Board, to discharge his duties faithfully.

§ 1601.15 Regular meetings.

Regular meetings of the board shall be held at least four times a year, on the first Friday of March, June, September, and December, if not a legal holiday, or if a legal holiday, then on the next business day following at 10 a.m., or at such other date and time as shall be determined by a majority of the members of the Board. Such regular meetings shall be held in the District of Columbia unless a majority of the members of the Board otherwise determine. Notice of the place of a regular meeting shall be mailed to each

director at least seven days before the date of the meeting unless a majority of the members determines that Corporation business requires a meeting on fewer than seven days notice. In that event, notice shall be mailed at the earliest practicable time.

§ 1601.20 Organization of directors' meetings.

At each meeting of the Board, the Chairman of the Board, or in his absence the Vice Chairman, shall preside. The Secretary of the Corporation shall act as secretary at all meetings of the Board. In the absence from any such meeting of the Secretary, the chairman of the meeting shall appoint a person to act as secretary of the meeting.

(Sec. 1008(e), 88 Stat. 387 (42 U.S.C. 296g(e))

Dated: November 18, 1982.

Mary F. Wieseman,
Acting General Counsel.

[FR Doc. 82-33141 Filed 12-6-82; 8:45 am]

BILLING CODE 6820-35-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 63

[CC Docket No. 78-72; Phase 2; 82-515]

MTS-WATS Market Structure Inquiry

AGENCY: Federal Communications Commission.

ACTION: Policy statement (Second Report and Order).

SUMMARY: The Commission adopted its final order establishing an open entry policy for the Alaskan interstate MTS-WATS market. This extends the entry policy applicable to the other 49 States to Alaska. This action is necessary to allow Alaskan ratepayers to receive the benefits the Commission foresees flowing from a policy of competitive entry. The order concludes the further inquiry established in the *Report and Third Supplemental Notice of Inquiry and Proposed Rulemaking*.

EFFECTIVE DATE: November 30, 1982.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Douglas Slotten, 202-632-9342.

SUPPLEMENTARY INFORMATION:

In the matter MTS-WATS Market Structure Inquiry's CC Docket No. 78-72, Phase 2.

Second Report and Order

Adopted: November 18, 1982.
Released: November 30, 1982.

TABLE OF CONTENTS

Section No.	Paragraph No.	Title
I.....	4	Background.
II.....	15	The Alaskan Market.
III.....	22	Party's Comments.
IV.....	31	Status of Previous Decisions on Alaska.
V.....	42	Legal Standard and Burden of Proof.
VI.....	60	Adequacy of the Findings of Benefits, Analysis of Alascom's Economic Model.
VII.....		
A.....	70	Methodology.
B.....	82	Model Analysis.
VIII.....		Analysis of Alascom's Other Detrimental Effect, Arguments.
A.....	122	Detriments of Intrastate Competition.
B.....	124	Inefficiencies in Trunking and Network Management.
C.....	128	Analysis of Economy of Scale Argument.
D.....	137	Impact on Exchange Rates.
E.....	140.	Deaveraged Rate in a Competitive Environment.
F.....	143	AT&T/Justice Department Consent Decree.
G.....	148	Analysis of Unique Conditions in Alaska.
IX.....	152	Conclusion.

1. On January 8, 1981, Alascom, Inc., filed supplemental comments in response to the Commission's *Report and Third Supplemental Notice of Inquiry and Proposed Rulemaking*, 81 FCC 2d 177 (1980) [hereinafter cited as *Third Supplemental Notice*], in the above-captioned proceeding. These comments, including a study alleging substantial economic impact from competitive entry, presented Alascom's arguments that entry in the Alaskan MTS-WATS market should be restricted. On March 25, 1981, the National Telecommunications and Information Administration (NTIA), General Communication, Inc. (GCI), Southern Pacific Communications Company (SPCC), MCI Telecommunications Corporation (MCI), and OTZ Telephone Cooperative, Inc., and Mukluk Telephone Company, Inc. (OTZ/Mukluk), jointly, filed responses opposing Alascom's supplemental comments. Alascom filed rebuttal comments on June 22, 1981.

2. On July 7, 1982, Alascom filed a pleading requesting the Commission to seek additional information concerning the direct and indirect effects of the settlement of the Department of Justice's antitrust suit against the American Telephone and Telegraph Company¹ *U.S. v. AT&T*, No. 74-1698 (D.D.C., filed November 20, 1974), on support for statewide service in Alaska. It also submitted a study by SRI International

¹ On August 24, 1982 the United States District Court for the District of Columbia issued an order entering the decree as modified in accordance with an August 11, 1982 order of that court.

entitled "Telecommunications Alternatives for Rural Alaska: Commercial Feasibility and Social Benefits" for the Commission's consideration. GCI filed an opposition to Alascom's motion on July 19, 1982. Alascom filed a reply to GCI's opposition on July 29, 1982.

3. In this decision, the Commission evaluates Alascom's contentions regarding the Commission's tentative conclusion in the *Third Supplemental Notice* that the Alaskan MTS-WATS market should be subject to the same open entry policy applicable in the contiguous states. The order considers whether benefits to the public interest will accrue from an open entry policy and finds that significant benefits can be anticipated. The Commission also reviews Alascom's economic study alleging detrimental impacts from competitive entry and concludes that the model contains serious deficiencies that invalidate its results. The Commission also concludes that other allegations of adverse effects from an open entry policy are invalid or of negligible significance. The Commission ultimately affirms its tentative conclusion that an open entry policy in the Alaskan interstate MTS-WATS market will be in the public interest.

I. Background

4. This proceeding was instituted in February 1978 in order to determine "whether the public interest requires that . . . MTS and/or WATS, or their functional equivalents, should be provided on a sole source basis (i.e., free from direct competition)." *Notice of Inquiry and Proposed Rulemaking*, 67 FCC 2d 757 (1978). We subsequently issued a *Supplemental Notice of Inquiry and Proposed Rulemaking*, 73 FCC 2d 222 (1979) [hereinafter cited as *Supplemental Notice*], which invited interested persons to submit comments describing an optimal industry structure for the MTS-WATS market, including an entry policy and other related regulatory policies (e.g., allocations of investments and expenses among jurisdictions, contractual arrangements among carriers for the distribution of interstate revenues, and charges to carriers for the use of facilities of other carriers) which in combination will be most likely to produce results that further the goals of the Communications Act.

5. In *Memorandum Opinion and Order*, 75 FCC 2d 644 (1980), the Commission rejected Alascom's request that Alaska be excluded from the inquiry into the appropriate MTS-WATS market structure. The Commission concluded that Alascom's

predecessor,² RCA Alaska Communications, Inc., had not any sole-source rights when it acquired facilities from the United States Air Force in 1971. It also concluded that the decision in *Domestic Communications-Satellite Facilities*, 38 FCC 2d 665 (1972) [hereinafter cited as *Domsat III*], had not established a sole-source policy for MTS-WATS service to Alaska, although even if it had, the Commission could reevaluate any such policy in light of changed circumstances.

6. After the industry model comments were filed, we concluded that certain questions relating to the compensation of local exchange carriers for the origination and termination of interstate telecommunications and the allocation of exchange plant investment and associated expenses between interstate and intrastate services should be resolved as soon as possible. We accordingly issued a *Second Supplemental Notice of Inquiry and Proposed Rulemaking*, 77 FCC 2d 224 (1980) [hereinafter cited as *Second Supplemental Notice*], which invited interested persons to comment upon a tentative plan for prescribed access charges. In a separate proceeding, we established a joint board to consider revisions to the Jurisdictional Separations Manual with respect to exchange plant and related expenses. *Amendment of Part 67 of the Commission's Rules and Establishment of a Joint Board*, 78 FCC 2d 837 (1980) [hereinafter cited as *Docket No. CC 80-286*].

7. In the *Third Supplemental Notice* the Commission concluded that a general policy of open entry in the domestic MTS-WATS market, including Hawaii, would be in the public interest,³

²The United States Air Force provided telecommunications service to Alaska prior to 1971 as an adjunct to its defense communications system. In 1971, pursuant to the *Alaskan Disposal Act*, 44 U.S.C. 771 et seq., the Air Force facilities were transferred to RCA Alaska Communications, Inc. In 1979, the RCA facilities were transferred to Alascom, which is a wholly-owned subsidiary of Pacific Power and Light Company. In 1982, Alascom was transferred to Pacific Telecom, which is a subsidiary of Pacific Power and Light Company.

³Alascom contends that the Commission failed to fulfill its statutory obligations in adopting an open entry policy for the contiguous states' MTS/WATS market. If the Commission should modify its contiguous states' policy, Alascom submits that the Commission would be compelled not to adopt an open entry policy for Alaska. It argues that the Commission must affirmatively determine the public interest by balancing the benefits and detriments of an open entry policy; that a public interest determination cannot rest on the failure of industry participants to oppose an open entry policy; that the Commission dismissed detrimental effects through legal theories which were never subjected to public comment and on factual assumptions not supported by the record; and that the Commission failed to take adequate steps to obtain the record to support

while providing for further consideration of issues relating to the Alaskan submarket. (See paragraph 11-14, *infra*.) No party argued for sole-source supply for the contiguous states and Hawaii, although some of the detrimental effects of competition that had been alleged over the years were mentioned. The parties presumably concluded that these did not offset the benefits perceived to flow from a competitive marketplace. However, the Commission examined these alleged detrimental impacts to ensure that a general policy of open entry would be consistent with the public interest.

8. The Commission concluded that competitive entry can best assure adequate facilities in the long run, and that such competitive entries more likely to result in an efficient allocation of resources than is a monopoly structure. The Commission specifically found that the record did not show that unrestricted competition in the interstate interexchange market would result in any meaningful losses of economies of scale, nor would it produce any detrimental effects on the national defense or safety of life and property.

9. The Commission observed that independent telephone companies were engaged largely in the provision of local exchange service. It noted that if competing interstate interexchange carriers pay comparable rates for the same local exchange facilities, there can be no substantial threat to local exchange carriers. The aggregate compensation received by exchange carriers for the origination and termination of interstate services is determined by the jurisdictional separations process. This allocation between interstate and intrastate jurisdictions is currently being considered by a Joint Board in *Docket No. CC 80-286*. Any access charge plan would allocate the costs assigned to the interstate jurisdiction to services which would produce an amount equal to the aggregate revenue requirement for local

the findings it made. To the extent that these arguments suggest that the Commission should reconsider its decision in the *Third Supplemental Notice*, Alascom's comments were not filed within the statutory thirty (30) days in which petitions for reconsideration must be filed. 47 U.S.C. 405(a). Accordingly, Alascom's suggestion that the *Third Supplemental Notice* should be reconsidered is not timely. Moreover, we believe that a careful review of the *Third Supplemental Notice* reveals that the Commission, in the exercise of its judgment-based on its experience and expertise, did in fact carefully evaluate the benefits and detriments perceived to flow from an open entry policy and made the public interest determination that an open entry policy for the provision of MTS/WATS in the contiguous states and Hawaii would be beneficial.

exchange carriers assigned to the interstate jurisdiction. Therefore, interstate interexchange competition is not likely to impair the ability of independent telephone companies to provide service to their subscribers and will not cause an increase in local exchange or other intrastate rates.

10. Addressing concerns over potential rate deaveraging, the Commission found that decisions striking down deaveraged rates were based on eliminating rate discriminations prohibited by Section 202(a) of the Communications Act of 1934, as amended, 47 U.S.C. 202(a), rather than on a Commission policy requiring rate averaging. A move to deaveraged rates as a result of interexchange competition was considered improbable, at this time, particularly in light of AT&T's statement that it did not foresee deaveraged NTS-WATS rates in the near future. The Commission noted that there are substantial administrative costs involved in providing cost justification of deaveraged MTS-WATS rates and that averaged costs are used in many competitive industries. In any case, the Commission further noted that the record did not support a finding that rate deaveraging would be contrary to the public interest. The Commission rejected the theory that the specialized carriers will adopt a cream-skimming approach to service, observing that the specialized carriers have adopted policies of rapidly expanding their service areas.

11. Alascom's comments with respect to entry in the MTS-WATS market between Alaska and the contiguous states essentially raise the same arguments for restricting entry as were made for restricting entry generally. The Commission found that new entrants would be likely to lease Alascom's facilities. Under such a scenario, intrastate toll and exchange rates would not be affected, although its interstate profits might be affected because of lower earning levels for private line than for message services. Such a shift in interstate profits would not affect intrastate rates because interstate profits cannot be considered in setting intrastate rates. The Commission then stated that it could not foresee circumstances that would cause it to waive the policy integrating Alaskan MTS-WATS rates into the uniform pattern for the contiguous states, which policy constituted a Section 214(c) condition that Alascom had accepted.

12. Although Alascom had not performed the requested quantitative analysis to support its allegations of

detrimental effects from competitive entry, the Commission concluded that Alascom should be allowed a further opportunity to make such a showing since settlements, separations, and rates had been in a state of flux at the time the industry model comments were filed. The Commission then concluded that if Alascom "fails to make a threshold showing that the competitive offering of voice services will have a crippling effect upon Alascom which will impair the availability or quality of services available in Alaska, we will terminate the entry policy inquiry." *Third Supplemental Notice, Supra* at 198. If such a showing were made, the effects would be weighed in determining whether service restrictions in the Alaskan submarket would serve the public interest.

13. The Commission rejected Alascom's contention that competing carriers should be required to show that competition will produce quantifiable beneficial effects before the Commission would weigh the costs and benefits of competition. It noted that a regulatory agency may draw on competition for complementary or auxiliary support. Staged otherwise, competition is an affirmative benefit that may be weighed against detrimental effects in making a public interest determination. Moreover, substantial consideration must be given to competitive factors in making public interest determinations. The Commission adopted a standard that any action that prevents or lessens competition is deemed to be contrary to the public interest in the absence of a showing that the action is necessary to avoid evils that the regulatory statute was designed to prevent or to produce results that the regulatory statute was designed to achieve. The Commission concluded that the public interest must be interpreted as creating a presumption in favor of competition unless the language or history of the statute demonstrates a Congressional purpose to restrict competition, which purpose is not demonstrated by the 1934 Act.

14. The Commission found that public interest benefits would accrue from competitive entry in the Alaskan submarket and that Alascom would be required to show detrimental effects outweighing these competitive benefits even if Alascom's interpretation of the relevant case law were accepted. The Commission observed that it had noted benefits from lowering barriers to entry in other regulatory areas and anticipated that similar benefits would accrue from the lowering of the regulatory barriers to entry in the MTS-WATS market in Alaska. The

Commission concluded that competition would result in telecommunications service provided at the lowest possible cost, reduction or elimination of waste, an increase in the responsiveness of carriers to the needs and desires of the consumers, and more rapid and efficient responses by the carriers to technological change and innovation. The Commission noted that viable competition would be most likely to succeed when all services within an industry are subject to competitive forces, thereby constraining the behavior of the dominant firm. The Commission concluded that preserving the possibility of competition would be as beneficial in the Alaskan submarket as it is in the contiguous states, that a decision to designate the Alaskan submarket as a protected enclave would be a departure from the general policy, and that we did not intend to depart from that policy in the absence of clear and convincing evidence that the creation of a protected enclave was necessary to avoid evils that the Communications Act was designed to prevent.

II. The Alaskan Market

15. The State of Alaska is the largest state in the Union, containing approximately 586,000 square miles. Its population in 1980 was approximately 403,000, which represents a 33 percent growth over 1970. Much of this population is concentrated in the three principal cities, Anchorage, Fairbanks, and Juneau. According to testimony in 1977 before the Alaska Public Utilities Commission, as referenced by Alascom in Appendix A, p. 98, of its Supplemental Comments, personal income in Alaska exceeds that of the rest of the nation by 42 percent, and living costs are forty percent higher. However, many residents of the bush communities are native Alaskans, who, according to Alascom, exist at subsistence levels.

16. Interexchange telecommunications service in Alaska is provided over a combination of satellite, microwave, and cable facilities. Microwave facilities are used for trunking between the three major toll switching centers, located in Anchorage, Fairbanks, and Juneau, and for a limited number of terrestrial communications lines with the contiguous states. The majority of communications lines are provided by satellite facilities, with all service to the bush being via satellite. Alascom's satellite earth station network has two gateway facilities—the Bartlett and Eagle River earth stations—which are located near Fairbanks and Anchorage,

respectively. There are also mid-route and bush earth stations. The mid-route facilities serve communities with demand greater than that of bush communities. One of these, Lena Point, which is located near Juneau, receives direct interstate communications while all other mid-route facilities receive interstate MTS-WATS transmissions after such transmissions have been switched at one of the three toll switching centers associated with the Anchorage, Fairbanks, and Juneau earth stations. All telecommunications service to the bush earth station facilities must pass through the Bartlett earth station and are transmitted over FM, single channel per carrier systems.

17. In 1979, Alascom served approximately 160 bush communities. More than 100 of these were served by small earth stations with 41 communities being served by improved mobile telephone service. Health services to many of these communities are provided by the Native Health Service which utilizes private line circuits priced at intrastate rates to communicate with doctors located in larger cities. Exchange service is provided in Alaska by 26 operating companies which have loans from the Rural Electrification Administration totalling more than \$50 million. Many of these exchange companies are municipally owned or are small cooperatives. Telephone penetration in Alaska is 76 main telephones per 100 households compared to 96 per 100 households in the contiguous states.

18. Alascom has been the sole supplier of interstate and intrastate interexchange service in Alaska since 1971. Alascom settles with the exchange carriers on the basis of the NARUC/FCC separations manual, 47 CFR 67.01, and receives settlements for interstate MTS-WATS service from the interstate MTS-WATS settlements pool. Interstate MTS-WATS rates in Alaska are partially integrated at the present time with the rates applicable in the contiguous states. The final step of MTS-WATS rate integration is scheduled to occur on January 1, 1985.

19. Private line rates are established by Alascom to recover the costs assigned to the private line service. Alaskan private line rates are not integrated with contiguous states' private line rates and Alascom does not receive settlements from the interstate private line pool for the cost and return associated with private line service. Rather, rates are established on an end-on-end basis with applicable contiguous states' rates, and settlements are based upon the underlying tariff rates.

20. Alascom also provides record service to Alaska. Some television transmission service to Alaska is provided over the facilities of the Western Union Telegraph Company. Several carriers have been authorized to provide resale services to Alaska, e.g., *Applications of DHL Communications, Inc.*, released December 30, 1980. GCI has been authorized to construct earth station facilities to provide common carrier service between Seattle and the cities of Anchorage, Fairbanks, and Juneau. *Applications of General Communications, Inc.*, Mimeo No. 001099, released May 27, 1981. These authorizations are conditioned on the outcome of this proceeding.

21. Alascom's revenues for 1981, net of uncollectibles, were \$200,329,096. This was a \$34,464,405 increase over 1980. This was broken down among services as follows: local service, \$188,794; interstate and foreign MTS, \$129,613,131; interstate and foreign WATS, \$1,548,706; interstate and foreign private line, \$29,686,691; intrastate MTS, \$20,542,826; intrastate private line, \$9,579,301; and total miscellaneous revenues, \$10,179,093. Uncollectible revenues amounted to \$1,076,828. Revenues from foreign telecommunications services were \$2,732,520. Alascom's operating income was \$35,797,918 on total plant in service of \$370,105,909 and work in progress of \$45,785,739 as of December 31, 1981.

III. Party's Comments

22. Before addressing the issues in detail, we shall briefly summarize the parties' positions. Their detailed arguments will be addressed as relevant to the consideration and resolution of the various issues.

23. Alascom contends that the Commission relied on factual assumptions not supported by the record and on legal conclusions that conflict with Section 214 and relevant judicial interpretations thereof. Alascom argues that the Commission has in the past made clear and lawful policy determinations, based on a full factual record, that there should not be new MTS-WATS entry and that there should be new private line entry only on a special showing that the public benefits would outweigh the harms, including injury to Alascom. Alascom contends that it has relied on those findings and that nothing in the record supports reversing them. In light of unique historical and factual circumstances relating to Alaska, it is asserted that the detrimental effects of premature competitive entry in the Alaskan submarket outweigh the alleged benefits of such entry. Alascom contends that

the Commission in adopting a presumption in favor of competitive entry has misapplied the holdings in *FCC v. RCA Communications, Inc.*, 346 U.S. 86 (1953) [hereinafter cited as *FCC v. RCAC*], and *Hawaiian Telephone Company v. FCC*, 498 F. 2d 771 (D.C. Cir. 1974) [hereinafter cited as *Hawtel v. FCC*], and thus has not met its burden under Section 214 of determining that facility authorizations for competitive entrants are required by the public convenience and necessity. Alascom also contends that the Commission erred in placing the burden of proving detrimental impact on it, rather than requiring entrants to demonstrate that their services will be in the public interest.

24. Alascom has submitted several studies which it contends demonstrate that competitive entry, either on facilities leased from Alascom or on separate facilities, decreases the efficiency of traffic carriage, leading to wasteful resource allocations, that its earth stations and terrestrial microwave facilities are adequate to handle traffic for a considerable future period at the cost of adding only channel equipment, and that it would be deprived of important economies of scale if entry were authorized. Alascom also states that sixty percent of its interstate MTS revenues are attributable to Anchorage, Fairbanks and Juneau, while close to eighty percent of its circuit costs are associated with circuits to serve other parts of the State, thereby creating a significant reliance on revenues from the dense routes.

25. Alascom asserts that its economic model demonstrates that significant detrimental impact to Alascom and Alaskan ratepayers will result from the extension of the Commission's open entry policy to Alaska. These impacts assertedly will affect both intrastate and interstate services through the allocative procedures used by the separations manual—particularly the use of equivalent circuit miles. The methodology used by Alascom in its economic study and the results of that study are presented in Section VII of the item.

26. Alascom contends that competitive entry, either on leased or separately constructed facilities, will result in significant revenue shortfalls by 1985 with full competitive entry; adverse affects on Alaskan exchange carriers, resulting in higher local exchange rates; authorization of intrastate competition with consequential increased detrimental impacts; increased assignment of costs to the intrastate jurisdiction through the

operation of the separations manual resulting in the need to increase intrastate rates; and increased subsidies from the interstate settlements pool as a result of lower utilization of the same facilities. If entry is authorized on separate facilities, Alascom contends it will be forced to deaverage its rates on the dense private line routes and increase rates on the thin private line routes which will result in significant revenue short falls.

27. Alascom argues that MTS-WATS equivalents, if permitted, must be furnished on a basis that requires competitive entrants to shoulder a *pro rata* share of the cost of statewide service. It suggests that competitive entry be limited to the resale of WATS service or through the leasing of Alascom circuitry pursuant to a tariff which would charge entrants on the same basis as that upon which MTS-WATS settlements from AT&T now rest.

28. The parties responding to Alascom's *Supplemental Comments* generally dispute Alascom's interpretation of the relevant standard to be applied in determining whether to allow additional entry in the Alaskan MTS-WATS market. MCI submits that *FCC v. RCAC* holds that the Commission must at least warrant that competition will serve some beneficial interest, and that the Commission's **conclusion** in the *Third Supplemental Notice* is grounded in the many specific benefits of competition which the Commission in many other proceedings has found to exist. NTIA states that the standard the Commission must apply is the public interest and that competition is one among many elements that must be considered in its determination. NTIA distinguishes *FCC v. RCAC* and *Hawtel v. FCC* as cases in which the Commission relied on competition *per se* as a basis for determining the public interest, while in this proceeding the Commission has not relied on competition as the only factor it will consider. SPCC and GCI argue that Alascom has never been granted a sole-source status as supplier of telecommunications service to Alaska and that the Commission, therefore, would not be changing its policy if it authorized additional entry. Several parties argue that the findings in the *Third Supplemental Notice* apply to Alaska unless Alascom demonstrates a substantial adverse impact in its *Supplemental Comments*, a threshold that has assertedly not been met. Several parties also state that the Commission is free to make the entry determination in a rulemaking proceeding and to apply these findings

to subsequent cases before the Commission.

29. Every party opposing Alascom's *Supplemental Comments* argues that substantial benefits will accrue from an open entry policy. OTZ/Mukluk, Alaskan local exchange carriers, argue that the award of a monopoly to Alascom would be contrary to the rapid development of modern, efficient and innovative communications in Alaska, particularly in the bush.⁴ OTZ/Mukluk are uncertain whether subsidies actually exist and, if so, in which direction they flow, and question the desirability of maintaining such subsidies because restricting entry leads to "allocative and equitable costs." MCI states that ease of regulation and fostering of innovation are appropriate reasons for determining competition to be in the public interest and need not be based exclusively on a determination that a market is so large as to mandate such competition. NTIA believes that the pricing incentives that exist in a free competitive market generally serve the public interest by promoting cost based pricing which encourages economically more efficient supply and consumption of facilities and services. NTIA favors a direct subsidy through a surcharge on access charges to ensure socially reasonable prices for service to bush communities which, in a competitive marketplace, may not be economically sustainable without such support. NTIA finds legal support for such a direct subsidy in Section 1 of the Act. All parties cite the numerous Commission decisions finding benefits from competitive entry in other services and markets as supporting a finding that benefits will accrue from competitive entry in the Alaskan MTS-WATS market. Several parties contend that Alascom is using the regulatory process to maintain a monopoly that is contrary to the public interest and that monopoly supply introduces additional costs, such as uneconomic construction and unnecessary administrative costs engendered in the regulatory process.

30. Several parties criticize the methodology and assumptions used by Alascom in constructing its economic model. These criticisms are outlined in Section VII in conjunction with the outline of Alascom's model. All parties responding to Alascom's *Supplemental*

⁴ OTZ/Mukluk raised the issue of ownership of the bush earth station facilities. This question is under consideration in *Docket No. CC 80-584, Policies governing the ownership and operation of domestic satellite earth station in the Bush communities in Alaska*, 81 FCC 2d 304 (1980). Since competing service is not the issue in that *Docket*, there is not direct impact on the entry question. Accordingly, the issues raised concerning that proceeding are not considered herein.

Comments conclude that Alascom has not demonstrated that the public interest would be served by a restrictive entry policy, and that, therefore, the Commission should conclude that Alaska should be subject to the same entry policy that applies to the other forty-nine states.

IV. Status of Previous Decisions on Alaska.

31. Alascom argues that the Commission has adopted special policies regarding telecommunications services to Alaska because of the unique conditions in Alaska and that Alascom has a special status arising from its acquisition of the facilities of the United States Air Force in 1971 pursuant to the *Disposal Act*. Alascom contends that the Commission's decisions relating to Alaska since 1971 have established a policy favoring sole-source supply, in order to give it every legitimate opportunity to improve and expand interstate communications and to ensure that the carrier was financially able to meet its obligations to develop and maintain statewide service, and maintains that, absent this federal intervention, this system would not have been constructed as it was. It contends that the record in *Domsat III* contains sufficient discussion of the unique conditions in Alaska to support a public interest finding restricting MTS-WATS entry in the Alaskan market.

32. The Commission has previously addressed the special status claims of Alascom in *Memorandum Opinion and Order, supra*. In that decision, the Commission concluded that "Alascom did not obtain any special status when it acquired the Air Force facilities." *Id.* at 646. This point is emphasized by the Commission's language in approving the application of RCA Alaska Communications, Inc., to acquire the Alaskan Communication Service from the United States Air Force pursuant to the *Disposal Act*, where it stated:

While the situation with respect to initial licensing of these facilities is unique, we do not intend, once these facilities are operated by private ownership, to perpetuate this unique status. This Commission does not grant franchise or exclusive service areas as do many State commissions. Each application of RCAA or other entities for new facilities will therefore be considered on its own merits pursuant to the requirements of the Communications Act.

Applications of RCA Alaska Communications, Inc., 22 FCC 2d 200, 204 (1970). There can therefore be little doubt that the Commission at that time believed that RCA Alaska Communications, Inc., had not obtained

any *de jure* rights under the *Disposal Act* to operate the acquired facilities as a monopoly. Furthermore, the decision in *RCA Alaska Communications, Inc., et al.*, 26 FCC 2d 466 (1970), concluded that the facilities RCA Alaska Communications, Inc., purchased from the U.S. Government had been interconnected at the earth station in the contiguous states rather than at the satellite, and that this interconnection arrangement should continue for the acquired facilities. It is an erroneous reading of the case to say that the decision to require continue interconnection at the earth station equates to a finding of a sole-source policy for Alaska.

33. The two decisions dealing with record communications that Alascom cites are distinguishable. In *Western Union International, Inc., et al.*, FCC 71M-1405 (August 30, 1971), the Commission denied applications of Western Union International and ITT World Communications, Inc. for authority to provide certain record services between Alaska and other points. Alascom notes that the 1971 order said "that the communications market in Alaska now, and for the foreseeable future, is too marginal to support a reasonable expectation that competition may have some beneficial effects." Alascom asserts that conditions have not changed in any material way since that order was issued. That order, in and of itself, cannot be construed as granting Alascom sole source status with respect to any service. It reflects an appraisal of market conditions at a particular time and does not purport to establish a closed entry policy for all time.

34. Alascom contends that the reconsideration of *Domestic Public Message Services*, 73 FCC 2d 151, 155-6 (1979), found that a record for open entry in the public message services in Alaska had not yet been compiled and that a sole-source policy for record service existed in Alaska. In *Domestic Public Message Services*, 71 FCC 2d 471, the Commission evaluated the public message service market, found that the benefits of entry would outweigh any potential harms, concluded that the public interest would be served by an open entry policy in the public message service, and authorized Graphnet, Inc., certificates of convenience and necessity to carry the domestic portion of international public message service. Alascom attempts to read too much into the reconsideration decision in *Domestic Public Message Services, supra*. That decision found that the Commission had not investigated record

service to Alaska. Thus, there was no record on which to make a decision. Since no policy was adopted with respect to record service in Alaska in that proceeding, the policy remains the same as it had been prior to that proceeding. That policy was that the Commission reviewed applications for record service to Alaska on an ad hoc basis to determine whether they would serve the public convenience and necessity. Since there was no record developed in that proceeding concerning record service to Alaska, it cannot be argued that the Commission adopted a sole-source policy in that proceeding.

35. *Domsat III* expressly reaffirmed the decision to entertain domestic satellite applications from entities other than telephone companies that might wish to use such facilities to provide specialized services to Alaska. That order said:

We do not regard this policy as unduly prejudicial to RCA Alascom, since no duplicate facilities will be authorized for the provision of the interstate MIT³ service which concededly constitutes the bulk of the interstate business and revenues that are its 'life blood.' Furthermore, such applicants will be required to show with specificity how a grant of their application will serve the public interest and how they will provide tangible benefits in the form of new and better service, lower rates, etc. We will also consider the impact of a grant on the ability of RCA Alascom to discharge its responsibility to Alaska. *Id.* at 696.

Alascom contends that by this language the Commission created a sole-source policy for the provision of MTS-WATS service to Alaska, and a special showings policy for entrants seeking to provide specialized services. It asserts that no carrier can be authorized until the Commission meets the requirements of Section 214(a), and if entry is authorized for the provision of specialized services, it believes the analysis in *Domsat III* is sufficient to support a Section 214(c) condition precluding an entrant from offering MTS-WATS equivalent service.

36. The *Execunet I* court, in interpreting Section 214 of the Act, rejected the proposition that carriers could not offer services that were not contemplated at the time their facility applications were granted and held that a Section 214(a) authorization permits a carrier to offer any service which the authorized facility can be used to provide in the absence of a Section 214(c) condition. *MCI*

Telecommunications Corp. v. FCC, 561 F. 2d 365 (D.C. Cir. 1977), cert. denied, 434 U.S. 1040 (1978). The court also

³ MTS was formerly referred to as MIT.

concluded that a Section 214(c) condition cannot be imposed unless the Commission finds that a carrier's provision of a particular service will be likely to produce results that are detrimental to the public interest. In *Memorandum Opinion and Order, supra*, we concluded that:

The *Execunet I* decision would preclude this Commission from imposing any condition that prohibits the use of authorized facilities to provide MTS-WATS or any other service in the Alaska interstate market in the absence of such a detrimental effect finding. The *DOMSAT III* statement that duplicate facilities will not "be authorized for interstate MIT service" indicates that this Commission may have believed in 1972 that such competition would have detrimental effects. However, the *DOMSAT III* opinion does not provide any explanation of the reasons for such a belief. The *Execunet I* opinion at least implicitly requires that any Section 214(c) condition restricting service offerings be supported by an articulated explanation of the reasons for the restriction. Such a Section 214(c) condition could not be imposed on the basis of a single conclusory sentence in the *DOMSAT III* order.

Memorandum Opinion and Order, supra, at 648.

37. A review of the industry and regulatory posture at the time of the Commission's decision in *Domsat III* will be helpful in determining the breadth of the holding therein. Satellite communication was in its infancy and offered an uncertain potential of reduced costs due to distance insensitive costs. Alascom was the sole provider of basic telecommunications service to Alaska. In the contiguous states, AT&T provided the basic interstate MTS-WATS service in conjunction with independent telephone companies who concurred in AT&T's interstate MTS-WATS tariffs. Finally, the Commission had just adopted the policy authorizing new common carriers to provide specialized private line telecommunications services in the contiguous states.

38. In *Domsat III* the Commission affirmed the policy integrating Alaskan MTS-WATS rates with those of the contiguous states and provided that specialized services could be provided by independent carriers. The decision directed that AT&T and Alascom should provide MTS-WATS service at integrated rates to be developed in the future and indicated that no duplicative MTS facilities would be authorized. The ultimate question is whether the Commission considered or made any decision concerning the possible benefits of competition in MTS-WATS service in this decision. Given

Commission policy and understandings at that time, the apparent answer is no.

39. In the early 1970s, as we have noted, AT&T and Alascom were the only carriers offering MTS-WATS service. It was, therefore, quite logical for the Commission, in adopting a rate integration policy, to direct these two carriers to develop and offer such a service at integrated rates. Moreover, the Commission believed that in authorizing specialized private line services by new carriers it had not adopted a policy that would in any way affect the offering of MTS-WATS by traditional telephone carriers. Thus, to argue that the Commission considered the possibilities of competition in the MTS-WATS market and rejected it is to impute to the Commission precognition that it clearly did not possess. Furthermore, given the conclusory nature of the statements in the decision, it is clear that the Commission's decision is not based on an analysis of any possible competitive alternatives. The Commission, therefore, merely recognized the existing *de facto* monopoly and cannot be said to have created a sole-source policy based on a reasoned analysis of the public interest ramifications of competitive supply. Under this reading of the decision, it is clear that the analysis at that time would be inadequate to support the imposition today of a 214(c) condition on facility authorizations for specialized services to Alaska. It is clearly appropriate for the Commission to now consider whether competitive entry in the Alaskan MTS-WATS market would be in the public interest.

40. Even if *Domsat III* were interpreted to mean that a sole-source policy had been adopted for the Alaskan MTS-WATS market, we did as noted in *Memorandum Opinion and Order, supra*, choose to make a reevaluation of that policy today in light of changed circumstances. It is clear that the Commission may reevaluate previous policy decisions in light of circumstances or conditions that exist at the time of the reevaluation. *Geller v. FCC*, No. 77-1093 (D.C. Cir. November 7, 1979). In fact, Alascom's comments recognize the Commission's right to reevaluate its policy decisions to consider changing conditions.

41. Consideration of the structure for the MTS-WATS market in Alaska is particularly appropriate at this time. In the early 1970's the transfer of the U.S. Government's communications facilities to Alascom's predecessor had just occurred, the introduction of satellite technology and its application to the Alaskan telecommunications market

was in its infancy, and the Commission was embarking upon the initial policy decision to integrate Alaskan MTS-WATS rates with those of the contiguous states. Since then, satellite technology has proven extremely successful in serving Alaska, rate integration has proceeded with the final phase to be completed by January 1, 1985, *Integration of Rates and Services for the Provision of Communications by Authorized Common Carriers between the United States Mainland and Hawaii and Alaska*, 87 FCC 2d 18 (1981), and the Commission has adopted a general open entry policy for the remainder of the United States. Furthermore, the population of Alaska and the telecommunications market for Alaska have both grown considerably in the past decade.

V. Legal Standard and Burden of Proof

42. Alascom contends that the Commission erred when it found that antitrust cases dealing with other regulated industries established competition as the fundamental national economic policy which must or can be read into the public interest standard of the Act unless the language or history of the Act reflects a Congressional purpose to restrict competition. It believes that the Commission erred when it held that the Communications Act created a presumption that competition produced public interest benefits. The Commission and Alascom have assertedly been denied vital information by requiring Alascom to prove the negative impact of entry without requiring would-be competitors to provide any information about their services, rates, or other characteristics or to show that benefits will accrue to the public interest from the introduction of these services.

43. We believe that Alascom has misconstrued the scope of the Commission's holding in the *Third Supplemental Notice*. We only held that the Act contained a presumption that competition would produce benefits to the public interest and that, therefore, Alascom must come forward with an adequately documented showing that competitive entry would produce detrimental effects offsetting the presumed competitive benefits.

44. Alascom contends that Section 214 requires the Commission to make an affirmative finding that additional entry will serve the public interest and that if Congress had intended to have competition be the entry standard it would have drafted a considerably different provision. In Alascom's view, a presumption of competitive benefits is not deducible, given the legislative

history of the Act and the "to regulate" requirement of Section 1.

45. The language of Section 214 would be compatible with either a monopoly or a competitive market structure. In that Section, Congress was merely giving the Commission a vehicle through which it could control exit and entry to the market place. It does not mandate a particular market structure. Nor does the "to regulate" language of Section 1 add any clarity to the meaning of Section 214 since the Commission could regulate multiple providers. The legislative history of the Communications Act does not provide any clarification as to the intent of Congress in adopting Section 214. The principal sections of Title 2 of the Communications Act are derived from similar provisions of the Interstate Commerce Act, and as stated by the Senate report any "variations or departures from the text of the Interstate Commerce Act are made for the purpose of clarification in their application to communications rather than a manifestation of Congressional intent to attain a different objective." S. Report No. 781, 73rd Cong. 2d Sess. 2; see also H. R. Report No. 1850, 73rd Cong. 2d Sess. 3-7. Thus, the language of the Communications Act and its legislative history are not dispositive of the role competition may play in the Commission's public interest determinations.

46. Alascom submits that several judicial decisions directly contradict the Commission's conclusion in the *Third Supplemental Notice* that Section 214 must be construed to contain a presumption that competition will benefit the public interest. It observes that several courts have held that competition may not be equated with the public interest, e.g., *FCC v. RCAC, Home Box Office v. FCC*, 567 F. 2d 9 (D.C. Cir. 1977), *Hawtel v. FCC*, and *Mackay Radio and Telegraph Company, Inc., v. FCC*, 97 F. 2d 641 (D.C. Cir. 1938). It also argues that courts have declared presumptions for and against competition unlawful, e.g., *MCI Telecommunications Corp. v. FCC*, *supra*. These cases address the reliance that the Commission may place on competition in making the ultimate determination of whether to allow or restrict entry in a market where significant allegations of detrimental impact from such additional entry have been alleged. These cases do not, however, address the critical question of whether the Commission, in structuring a rulemaking proceeding, may rely on a presumption attained from court interpretations of public interest criteria in other regulatory statutes which infer

that competition will produce benefits to the public interest. Alascom has cited no case that addresses this question.

47. Alascom contends that *U.S. v. Philadelphia National Bank*, 374 U.S. 321 (1963), *FMC v. Svenska Amerika Linien*, 390 U.S. 238 (1968), and *Gulf States Utilities Company v. FPC*, 411 U.S. 747 (1973), the cases cited by the Commission, only reiterate the conclusion that the Commission may consider competitive effects in making the public interest determination. These cases, Alascom contends, do not suggest that because the Commission may consider anticompetitive effects under the public interest standard, anything that prevents or lessens competition is deemed to be contrary to the public interest unless an affirmative showing is made to the contrary. Alascom's characterization of these cases also does not address the scope of the presumption that was set forth in the *Third Supplemental Notice*. Instead, as we noted in the preceding paragraph, Alascom has focused its discussion on an interpretation of the presumption as extending to the ultimate public interest determination rather than merely to the question of whether the Commission may presume competitive benefits in light of court interpretations of the public interest standard in allocating the burden of going forward in a proceeding, or in making a public interest determination in an uncontested or summarily contested proceeding. Alascom has not presented any case which suggests that the Commission does not have such discretion in a rulemaking proceeding. Accordingly, we conclude that the standard adopted in the *Third Supplemental Notice* is a valid exercise of the Commission's discretion to assign to burden of going forward in rulemaking proceedings.

48. However, even if the Commission is incorrect in believing that the "public interest" standard contains a presumption that competition will produce benefits, we would have required Alascom to come forward with a showing of alleged detrimental impacts. The Commission policy regarding the showings to be required of interested parties was clearly set forth in the *Supplemental Notice, supra* at 231, where we stated:

[W]e must, of course, establish an adequate factual predicate for the adoption of any rules. Persons who might benefit from the adoption of a particular rule have an incentive to develop and present information which supports the adoption of such a rule. Each participant should assume that any gaps in the record which might preclude this Commission from reaching a conclusive determination with respect to the effects of

any regulatory policy will not inure to his benefit.

In a similar situation, the Commission assigned the party claiming the adverse impact the burden of demonstrating the alleged impact, stating:

[t]he burden should not be upon AT&T to prove a negative—that its unconditional use of satellite facilities for competitive services will not adversely affect other carriers' domestic satellite undertakings in such a way as to run counter to the public interest. These other carriers are in the most appropriate position to advance any claim of adverse impact affecting the public interest, and the burden is upon them to come forward with a detailed, convincing showing for the continuation of this limitation upon AT&T * * *

Domsat III, supra, at 678.

49. The requirement that Alascom advance any claim of an adverse impact from competitive entry is clearly appropriate in this proceeding. In rejecting an argument that because the Commission had interjected an issue in a proceeding, it had the burden in the first instance of establishing the technological feasibility of the shared paging system before Telocator had any obligation to produce evidence to the contrary, the United States Court of Appeals stated:

[W]e think this view is manifestly unsound. Telocator well knew that the performance of the 'guardband' operations was a material part of the Commission's analysis; if it had evidence on the point, it should have submitted it. Compare *NAACP v. FCC, supra* note 105, at 12-13, *City of Chicago v. FCC, supra* note 105, 147 U.S. App. D.C. at 328-329, 458 F. 2d at 747-748. Whatever lingering vitality the 'sporting theory' of justice may retain in the trial courtroom, it has no place in a rulemaking proceeding, in which one's cards, to be of any value, must all be laid on the table at the outset.

Telocator Network of America v. FCC, No. 78-2218 (D.C. Cir. Oct. 5, 1982), slip op. at 29, n.114. The Commission has evaluated the benefits that will accrue and the detriments alleged to flow from an open entry policy for the MTS-WATS market in the contiguous states and Hawaii and has concluded that the public interest would be best served by allowing competitive entry. For the Alaskan MTS-WATS market, the Commission has evaluated the benefits that may arise from an open entry policy, and has concluded that a competitive policy would produce benefits to the public interest. After making this finding, the Commission provided Alascom an additional opportunity to document the alleged detrimental effects of such entry. If Alascom submitted a quantitative showing alleging detrimental effects, the

Commission would evaluate the benefits and the alleged detriments and make the ultimate public interest determination.

50. Pending before the Commission are several applications of competing carriers wishing to provide competitive services, including MTS-WATS equivalents, to residents of Alaska. It is therefore incumbent upon the Commission to determine whether there are any effects contrary to the public interest from competitive entry in the Alaskan MTS-WATS market before depriving Alaskans of the services proposed by these new entrants. Even if adverse impacts are to come from competitive entry, there may be other remedial measures, short of prohibition of competitive services, to prevent or mitigate any adverse impacts. Alascom is the party in possession of the underlying data which would be necessary to demonstrate any adverse impact that may arise from open entry in the MTS-WATS market in Alaska. It is inconsistent for Alascom to argue that the Commission is not seeking to develop an adequate factual record upon which to base a decision while at the same time arguing that it should not be required to advance and document its claims of adverse impact. If the adverse effects alleged by Alascom exist, it has every incentive to place before the Commission credible evidence demonstrating these effects. In the absence of an adequately documented showing the Commission is justified in concluding that there are not detrimental effects outweighing the benefits it found in the *Third Supplemental Notice*.⁶

51. In the instant case, Alascom has come forward with a lengthy supplemental filing alleging substantial detrimental impact if the Commission were to authorize competitive entry in the Alaskan MTS-WATS market. The Commission must, therefore, evaluate these arguments and make the ultimate public interest determination. We turn now to the standard for making that evaluation.

⁶If the Commission does not accept Alascom's alternative entry suggestion, Alascom contends that the Commission must hold evidentiary hearings to allow it discovery from proponents of competition who relied on the burden of proof rather than providing information in the proceeding. *Washington Utilities and Transportation Commission v. FCC, supra*, held that the Commission need not conduct an evidentiary hearing when making general policy in a rulemaking proceeding. Alascom has not substantiated that an evidentiary hearing would produce additional relevant information that could not have been presented through rulemaking procedures. Accordingly, Alascom's request for an evidentiary hearing is denied.

52. Alascom argues that Section 214(a) of the Act requires the Commission to certify that the public convenience and necessity require construction or operation of a line, whether on facilities leased from Alascom or on separately constructed facilities. The language, it contends, demonstrates a clear mandate for an affirmative Commission decision, based on a showing of need by the applicant, before entry can be authorized, irrespective of whether the Commission proceeds by general rulemaking or on individual applications. Alascom maintains that Section 1 looks towards the interweaving of the economic and social welfare through regulatory supervision. Alascom further contends that the Supreme Court in *FCC v. RCAC* expressly found that an affirmative public interest finding is essential under Section 214, that the Commission has interpreted this decision to require a finding that competition is feasible and that entry of additional carriers would not impair existing service to the public, and that the Commission must determine whether the public interest requires more or different service before determining who should provide any additional service.

53. The standard to be applied in evaluating the Alaskan entry question is concededly derived from the holding of the Supreme Court in *FCC v. RCAC*. In that case, the Court noted that "the fact that there is substantial regulation does not preclude the regulatory agency from drawing on competition for complementary or auxiliary support." *Id.* at 93. After noting that the Commission could rely on its expertise gained in the regulatory process, the Court stated:

In the nature of things, the possible benefits of competition do not lend themselves to detailed forecast, *cf. Labor Board v. Seven-Up Company*, 344 U.S. 344, 348, but the Commission must at least warrant, as it were, that competition would serve some beneficial purpose such as maintaining good service and improving it. Although we think RCAC's contention that an applicant must demonstrate tangible benefits is asking too much, it is not too much to ask that there be ground for reasonable expectation that competition may have some beneficial effect.

Id. at 96-7.

54. The United States Court of Appeals set forth the Commission's duty in affirming the Commission's general policy authorizing entry in the specialized common carrier field when it state:

[t]he Commission's policy determination that the public interest would be served by entry of new carriers in the specialized communications field is based upon its own

judgment that such authorizations are desirable, a decision reached in the conscientious exercise of the discretion vested in the Commission by Congress * * *. Against their benefits, the Commission carefully weighed possible adverse effects of competition upon existing carriers and their services * * * before finally concluding that a general policy of new entry would serve the public interest, convenience, and necessity.

Washington Utilities and Transportation Commission v. FCC, *supra* at 1159.

55. Recently, the applicable standard governing rulemaking proceedings determining entry policy was restated:

[T]he Commission may not authorize competitive duplication of communications facilities merely on the assumption that competition is, as a general matter, a good thing. As the cases to which we earlier referred illustrate, however, the Commission may lawfully allow, and indeed encourage, entry of multiple carriers offering overlapping services, if it has reviewed the characteristics of the particular communications field involved and rationally concludes that competition in that field predictably would further the public interest in larger, more economical, and more effective service. Essentially, the Commission must be able reasonably to forecast, first, that new entry will not so severely impair the economic base of existing carriers that the industry would experience an incidence of failure so high as to impair provision of service to the public and, second, that injection of new providers will probably result in better, cheaper, or more innovative communications offerings. These forecasts must have some ascertainable foundation in the record; at the same time, however, conclusions on the future conduct of licensees, the anticipated reaction of investors, the expected course of technological development, and other assumptions about the functioning of tomorrow's communications market are unavoidably exercises in prediction. For such prognoses, we can require only that the agency's decisional memoranda reveal that it identified all relevant issues, gave them thoughtful consideration duly attentive to comments received, and formulated a judgment which rationally accommodates the facts capable of ascertainment and the policies slated for effectuation. [Footnotes omitted]

Telocator Network of America v. FCC, *supra* at 40-41.

56. These cases clearly indicate that it is within the Commission's discretion to determine whether to use competition as a complement to the regulatory processes of the Commission. The courts have held that where the Commission chooses to allow competition, it must warrant that the competition would benefit the public interest. Such a warranty must be based on a reasoned analysis of the factors leading the Commission to its decision. In making such determinations, the Commission

may draw on its experience and expertise gained through years of involvement in the regulatory process. The obligation of the Commission is to weigh the benefits and detriments perceived to flow from a competitive marketplace in determining whether to authorize competitive entry in a given market pursuant to the public interest criteria of Sections 1 and 214(a) of the Act.

57. It is settled law that in general rulemaking proceedings, the Commission may evaluate a market, and need not make a route-by-route analysis in order to comply with the strictures of Section 214(a), *Western Union Telegraph Company v. FCC*, No. 79-2494 (D.C. Cir. 1981) and *Washington Utilities and Transportation Commission v. FCC*, *supra*. Of necessity, the Commission's consideration in a rulemaking proceeding will be more generalized than would occur in an application for construction of specific facilities. Compare *Washington Utilities and Transportation Commission v. FCC*, *supra*, and *Hawtel v. FCC*. That, however, does not undermine the validity of policy determinations through the rulemaking process where the Commission adequately weighs the public interest considerations in its decision. Where a party in a Section 214(a) proceeding demonstrates unusual or divergent circumstances from those considered in the general rulemaking proceeding, the Commission may authorize a departure from the general rule. However, the party must make a convincing showing that the considerations underlying the general rule are inapplicable in the individualized case under consideration.

58. Alascom alleges that *Hawtel v. FCC* requires the FCC to determine whether more or better service is needed before considering the amount of additional service required and who should provide it. We do not believe the Court's holding is as restrictive as Alascom urges. The United States Court of Appeals for the District of Columbia on two occasions rejected arguments along the lines of that proffered by Alascom. It has explained that it really means facilities when it said services. *MCI Telecommunications Corp. v. FCC*, *supra*. In affirming a Commission order requiring Lincoln Telephone & Telegraph Co. to interconnect with MCI, it stated that "[t]here is little doubt that the FCC may satisfy Section 214(a)'s requirement of a public interest finding through a single rulemaking proceeding." *Lincoln Telephone & Telegraph Co. v. FCC*, 659 F.2d 1092, 1101 (D.C. Cir. 1981). In an explanatory footnote the Court stated

that "Hawaiian Telephone thus stands for the proposition the Section 214(a) requires a finding of affirmative public interest rather than merely a finding of enhanced competition. Nothing in *Hawaiian Telephone* suggests that the FCC may not satisfy Sec. 214(a)'s requirements of an affirmative public interest finding in individual cases through a single rulemaking proceeding." *Id. Hawtel v. FCC*, therefore, clearly did not go beyond the holding of *FCC v. RCAC* in the Court's view.

59. The Commission has allowed Alascom and other interested parties a further opportunity to make a quantified showing of detrimental impact. The remainder of this item is devoted to evaluating the benefits and detriments in the process of making the required public interest determination.

VI. Adequacy of the Findings of Benefits

60. Alascom contends that the record does not contain any information supporting a finding that competition will be beneficial or feasible in Alaska. It argues that both MCI and SPCC, who have expressed interest in the Alaskan submarket, only addressed general benefits that MTS-WATS competition would produce and did not make specific mention of Alaska. It further contends that the basis for the Commission's findings of beneficial effects results from its experience and findings in other service markets, which conclusions Alascom contends are irrelevant to the Alaskan submarket. Alascom finds the Commission's conclusions indistinguishable from those struck down in *FCC v. RCAC* and *Hawtel v. FCC*.

61. Alascom's argument that the comments, particularly MCI's and SPCC's, only discuss general benefits of competition and did not specifically consider Alaska misses the point. This proceeding was initiated to consider the structure for the MTS-WATS market for all 50 states. The Commission made this clear in response to Alascom's petition for clarification. *Memorandum Opinion and Order, supra*. Parties were specifically requested to indicate where particular submarkets might have different characteristics that would justify a different regulatory policy. Where a party makes an unqualified claim that competition will produce benefits for the public interest, the only reasonable construction is that the party believes that such benefits will accrue in all markets under consideration, including the Alaskan submarket. Moreover, in the reply comments to Alascom's supplemental comments, every commenting party has indicated

that competitive benefits would accrue from the entry of additional suppliers in the Alaskan MTS-WATS submarket. See paragraph 29, *supra*.

62. In reaching its decision that there would be competitive benefits from an open entry policy in the Alaskan MTS-WATS submarket, the Commission relied upon an adequate record. The Commission noted its experience in other telecommunications markets where it had found competition to be beneficial in that it had spurred innovation and efficiency and had led to lower prices and more and better service. The Commission then found that the record supported "our reasoned expectation that competition and the elimination of barriers to entry here will ultimately result in the provision of telecommunications service at the lowest possible cost, in the reduction or elimination of waste, in making carriers more responsive to the needs and desires of consumers, and in making carriers respond more rapidly and efficiently to technological change and innovation." *Third Supplemental Notice, supra* at 202. See *FCC v. RCAC*. The Commission concluded that these benefits were equally likely to occur in the Alaskan MTS-WATS submarket based on the record in this proceeding and the experience gained through its regulation of interstate communications to and from Alaska.⁷

63. Alascom argues that most of the benefits alleged are inapplicable to MTS-WATS, Alaska, or both. It states that no party has shown any innovation or efficiency that will result from MTS-WATS competition, that the record does not show that Alascom has not been responsive to the needs of its customers, or that new services will be offered. While each of the benefits of entry that is cited may not occur immediately or contemporaneously, the record in this proceeding, our experience, and the teachings of economic theory lead us to conclude that it is reasonable to anticipate that the public interest will be served more effectively and efficiently

⁷GCI argues that subsequent court decisions have extended the findings of the *Specialized Common Carrier Decision*, 29 FCC 2d (1971), to all markets, and that the Commission therefore is not required to find beneficial effects. We believe this reading of the subsequent court cases, e.g. *MCI Telecommunications Corp. v. FCC, supra*, is unsupported. The Commission has maintained a distinction between the policies applying to terrestrial and satellite facilities. Moreover, *Execunet I, supra*, applies only to facilities that have been authorized. At the time this proceeding was instituted, no competitive facilities had been authorized in Alaska. GCI's construction is therefore rejected. However, we are not constrained to ignore experience obtained in other competitive markets in reaching a determination as to whether competitive entry will produce benefits.

through a competitive environment that complements our regulatory processes. It is the provision of effective, efficient telecommunications service in the future that the Commission is concerned with in this proceeding. Competitive entry will immediately offer consumers options with respect to price and quality of the service they desire. These service options provide the incentive for all carriers to respond promptly to future consumer needs and to develop new services as demand and technology permit. Additionally, subscribers to Alaskan telecommunication services are in essentially the same position to receive the benefits of competition as are subscribers to services of contiguous states' carriers who concur in AT&T's tariffs.

64. The Commission was clearly within the bounds of its permitted discretion when it considered the experience it had gained in other deregulatory proceedings in deciding the approach to take in MTS-WATS market evaluation. In fact, failure to consider this accumulated experience could be viewed as being contrary to the statutory responsibility conferred on the Commission by the Communications Act and the purpose of regulatory bodies. *FCC v. RCAC*.

65. While competition is in its infancy in the MTS-WATS market, the Commission has every reason to believe that benefits will be achieved as new entrants increase their market penetration. The competitive carriers' market share has grown to approximately two percent of the contiguous states' telecommunications market in the approximate four years since *Execunet II, MCI Telecommunications Corp. v. FCC*, 580 F. 2d 590 (D.C. Cir.), cert. denied, 439 U.S. 980 (1978).⁸ We believe that initial pricing and service responses to the Commission's competitive initiatives are beginning to be seen in the telecommunications markets. We believe that this trend is likely to continue. To date, no adverse effects attributable to competitive entry have been discerned in the contiguous states.

66. The implementation of the consent decree in *U.S. v. AT&T, supra*, speed up the recognition of the anticipated benefits of an open entry policy. While not directly affecting Alaskan telecommunications service, the divestiture of the Bell operating companies with the attendant interconnection and access charge

⁸The two percent figure is based on revenues. If based on traffic diversion, it would equate with an approximate 3.3 to 3.5 percent market share.

provisions will result in an environment more conducive to achieving competitive benefits throughout the United States. Alaskan telecommunications service can be expected to benefit from the expansion of competitors in the markets directly affected by the settlement agreement's pro-competitive approach.

67. Alascom argues that competition will not increase technological innovation because Alascom has been a leader in employing new satellite technology in providing service to Alaska, particularly in the Alaskan bush. We do not challenge Alascom's observation that it has employed satellite technology in Alaska. However, only a very limited network had existed previously, while today a considerable network is in place. Our examination of the Alaskan market in its present stage of development indicates that the forces of competition, rather than the regulatory hand, will be more efficient in ensuring that future technological developments will be utilized by Alascom in serving Alaska. The finding that competition increases the likelihood and pace of technological innovation does not rest on a determination of either improper or inadequate action by the existing supplier. Rather, it relies on the incentives of the marketplace to insure that economic technological innovations are utilized in providing service.

68. Alascom also argues that the benefits of competition can be achieved in Alaska by limiting entry to the resale of its services. In its view, this will avoid the detrimental effects of entry on separate facilities. Alascom is wrong in its belief that all the benefits perceived to flow from an open entry policy can be achieved by resale. Resale will, to some degree, reduce noncost-based price discriminations among and between service categories. However, it may have little, if any, effect on the overall level of cost incurrence, on the rate of technological innovation, or on the elimination of waste. In fact, the possibility of entry via both resale and separately constructed facilities may produce the strongest incentives since efficient operation is encouraged by entry over separately constructed facilities while resale arbitrage will constrain a carrier to price services at or near cost. Thus, it clearly cannot be said that all of the possible benefits of entry are achievable through resale.

69. In the *Third Supplemental Notice* the Commission provided Alascom the opportunity to document the alleged detrimental effects flowing from a policy of open entry in the Alaskan MTS-

WATS market. Unless such adverse effects can clearly be demonstrated by credible evidence, the benefits perceived and reasonably expected to flow from entry in the MTS-WATS market clearly dictate a finding that such entry is in the public interest. Accordingly, to make the public interest determination required by *FCC v. RCAC* it is necessary to evaluate Alascom's arguments and economic model that allege that detrimental effects outweighing any foreseeable benefits will result from a policy of open entry. The following two sections evaluate Alascom's economic model and its other related arguments.

VII. Analysis of Alascom's Economic Model

A. Methodology

70. Alascom's model is presented in two major sections: (1) Estimates of Traffic Diversion and (2) Estimates of the Financial Impact on Alascom. Each section attempts to measure impact for First Phase First Competitive Entry and for Full Competitive Entry.⁹ First Phase First Competitive Entry assumes entry by a competitor whose network serves a limited area(s) in the contiguous states. Full Competitive Entry refers to an entrant who serves all metropolitan areas.

71. First Phase First Competitive Entry. Alascom took SPCC as a typical first competitive entrant, assumed that SPCC would expand service to Seattle because of the high community of interest between Alaska and Seattle, and attempted to model the volume of telephone calls that could be made more cheaply using SPCC rather than Alascom.¹⁰ A five percent sample was used to determine the 1979 volume of traffic between Anchorage, Fairbanks, and Juneau [hereinafter AFJ]—the markets in which Alascom believes competitive entry to be likely—and SPCC-served cities (including Seattle).

⁹In order to simplify model development, Alascom has assumed in each case that entrants achieve their full potential immediately. However, it recognizes that the projected impact will be attained only after an entrant has been in the market for some time. As we note later, this assumption significantly affects the interpretation of the model.

¹⁰Alascom's assumption is that any time a service is offered more cheaply by a competitor, the customer will purchase the competitive service. If that were true, the specialized common carriers would carry a significant percentage of the contiguous states traffic. AT&T would only carry traffic between points not served by a specialized common carrier, where operator assistance is required, or where a customer had insufficient calling volume to justify incurring the recurring monthly charge. The contiguous states' experience does not indicate that diversions of that magnitude are likely to occur in the short run.

Alascom segregated the calls by the AFJ telephone subscriber originating or terminating the calls. After linearly extrapolating SPCC's SPRINT tariff to estimate rates for the longer distances necessary to serve Alaska, the cost of the calls to Seattle and cities served by SPCC was recalculated at SPCC's projected rates. Alascom presented estimates of traffic diversion for three models containing subscribers who made more than twenty, ten, or three calls per month.¹¹ To account for northbound traffic diversion, Alascom assumed any northbound traffic terminating with a subscriber who could benefit by subscribing to an entrant's service for southbound calling would be diverted to the first phase entrant.¹² Using this methodology, Alascom's study estimated traffic diversion at 8.1 percent, 9.6 percent, and 11.2 percent of the total Alaskan interstate market¹³ for the twenty, ten, and three call models, respectively.

72. *Full Competitive Entry*. In order to estimate the traffic diversion that would result when competitive entrants served all major metropolitan areas, Alascom attempted to develop a factor that would reflect the relationship between the size of the initial entrant's limited market and the size of the potential market when the entrant had expanded to serve all major metropolitan areas. It then used this factor to extrapolate the first phase results to reflect the impact of full competitive entry.

73. Alascom developed its traffic-based multiplier by deriving the number of calls between AFJ and all metropolitan areas in the contiguous states, purportedly using traffic patterns between AFJ and the State of Washington to determine the ratio of metropolitan calls to total calls. It divided this metropolitan traffic figure by a proxy purportedly representing traffic to the metropolitan areas served by the first phase entrant. This yielded a factor of 4.42, which Alascom believed to be the additional traffic diversion

¹¹At some points in the text, Alascom discussed the models in terms of more than twenty, ten to nineteen, three to nine calls per month. However, our textual characterization corresponds with the usage of the model results, and is accordingly used in describing the methodology.

¹²Alascom states that northbound calling constitutes forty percent of the traffic between Alaska and the contiguous states. It nowhere explains why it believes that northbound traffic terminating with subscribers who would benefit from subscribing to SPCC is a valid representation of the amount of northbound traffic that will be diverted as a result of competitive entry. It is not clear that this is a valid assumption.

¹³If the diversion estimates had been based on diversion of AFJ traffic, the range would have been approximately 13.5 to 18.6 percent.

multiple resulting from the expansion of the first phase entrant's network to serve all metropolitan areas in the contiguous states. Using the 4.42 multiplier, Alascom's study estimated traffic diversion at 35.6 percent, 42.3 percent, and 49.3 percent of the total Alaskan Market¹⁴ for the twenty, ten, and three call models, respectively.

74. Combining population data and traffic data, Alascom developed a second extrapolation factor as a check against the first. Alascom calculated the number of anticipated calls to metropolitan areas by multiplying total calls between Alaska and the contiguous states by the 1970 urban population ratio, which it weighted to reflect calling patterns. It then divided the number of metropolitan calls by the number of calls diverted to SPCC's limited network (including Seattle) yielding a population-based multiplier of 5.2

75. In its rebuttal comments, Alascom calculated a second population-based multiplier, the ratio of total standard metropolitan statistical area (SMSA) population in the U.S. to the population of SPCC-served cities, including Seattle. This produced a 5.42 multiplier.

76. *Financial Impact on Alascom.* Alascom used the estimate of traffic diversion based on the three call model to determine the financial impact of entry on Alascom under various scenarios.¹⁵ The scenarios include alternatives such as the time frame, 1980 versus 1985, whether or not the entrant leases its facilities from Alascom or constructs separate facilities, and whether entry is First Phase First Competitive Entry or Full Competitive Entry. The financial impact was calculated in the following manner: (1) Alascom estimated its revenue requirement for the year in question, assuming no entry; (2) it compared this to its estimate of revenue received (including both billed revenue and revenue received through settlements) under the appropriate competitive model; and (3) it determined the consequent surplus or deficit of revenue (adjusted or changes in settlements with exchange carriers). Thus, when Alascom speaks of deficits or shortfalls caused by entry, it is referring to the amount of revenue necessary to bring its actual rate of return up to the allowed rate of return, under an assumption that its

costs, excluding exchange settlements, would not decrease despite having sustained some traffic diversion through competitive entry. Table 1 summarizes the impact Alascom calims its economic

model shows. A more complete depiction of Alascom's alleged detrimental impact showings is contained in Appendix A.

TABLE 1.—ALASCOM'S ESTIMATES OF THE IMPACT OF COMPETITION

	Base year 1980		Fifth year 1985	
	Surplus (deficit) (million dollars)	Actual return (percent)	Surplus (deficit) (million dollars)	Actual return (percent)
No Competition.....	\$3.3	10.3	\$(14.3)	11.2
First phase:				
(1) Leasing.....	1.4	10.0	(18.8)	10.7
(2) Separate facilities.....	0.2	9.7	(20.6)	10.5
Full Competition:				
(1) Leasing:				
1(a) At averaged rate of \$2700.....			(34.1)	8.8
1(b) At deaveraged rate of \$964.....			(39.7)	8.2
(2) Separate facilities.....			(42.2)	7.9
(3) Separate facilities and loss of state MTS.....			(51.6)	6.7

77. Several parties have criticized the methodology and assumption employed by Alascom in constructing its model. Major criticisms are set forth below.

78. MCI states that Alascom's assumption of the market share that competitive carriers would obtain is fatally flawed, in that it extrapolates the market share from the three major cities to all interstate traffic. It believes that Alascom's extrapolation is contraindicated by the experience in the rest of the United States where competition has simply served to stimulate demand, with no adverse consequences resulting from competition.

79. NTIA states that there are questionable assumptions and techniques used by Alascom which combine to raise considerable doubt about Alascom's estimate of the adverse impact of competition on Alascom and its customers. NTIA argues that the calculation of the break-even point where a customer would gain by switching to SPCC assumes total parity in dialing convenience and service quality and an absence of inertia on the part of consumers. It states that some price differential will be necessary to overcome these factors. Therefore, NTIA asserts that Alascom has overstated the revenue and rate impact by its choice of assumptions. NTIA states that the penetration rate selected by Alascom is inconsistent with the one to two percent market share obtained by OCCs in the contiguous states. While it admits that some differences exist between the Alaska market and the contiguous states' market, it believes the penetration share is overstated. It also questions the use of a constant price level in Alascom's studies, observing that under rate integration the prices

will fall in constant dollars even without competition. NTIA also questions the statistical validity of the three call models, the extrapolation of the results of the first phase entry studies to predict the Alaskan traffic that would be vulnerable to full competition to all metropolitan areas, the inconsistent use of data from the ten call model and the three call model, and apparently inconsistent assumptions regarding the scope of competition within the state of Alaska at various points within the model. NTIA recognizes that competition in Alaska may have a negative effect on Alascom's market share and rate of return. It also recognizes that competition will have its most significant impacts in the most densely populated areas of Alaska. However, NTIA does not believe that Alascom's model has properly forecast a likely impact of competition and believes Alascom's estimates should be viewed as an upper limit on the market segment that may be lost.

80. SPCC argues that Alascom's economic study is flawed. The flaws are stated to be: the first competitor will compete fully in 1980; SPCC's rates were extended to incorporate the longer distances necessary to serve Alaska without cost support; the breakeven analysis utilized invalidates the three to nine call model; SPCC's tariff was improperly applied because one tenth rather than one half minute billings were utilized and the \$.10 per call charge was not included; all customers are assumed to be able to access the SPRINT network; customers are assumed to subscribe for a full year even though distinct peaks in calling exist; highly questionable multipliers are used to extrapolate its results; the estimates of market share are unrealistic; and

¹⁴ If the diversion estimates had been based on diversion of AFJ traffic, the range would have been approximately 59.3 to 82.2 percent.

¹⁵ Alascom used the three call model results despite stating that it was not sure of the reliability of the three call model and despite having developed data for both a ten call and a twenty call model.

misleading references are made to a \$19 million deficit in 1985 with the first competitor due to a change in the assumed rate of return from ten to thirteen percent. SPCC claims that these faulty assumptions make it impossible to determine the impact of competition on Alascom, and, in any event, tend to seriously overstate the impact that may be anticipated from competitive entry in the Alaskan MTS-WATS market. Finally, it argues that the efficiency of Alascom's network will not be harmed by the competition.

81. GCI asserts that Alascom's claims of economic harm and adverse consequences from MTS-WATS competition are not substantiated by its filings and economic model. It asserts that Alascom's model is a monopoly model which is designed to, and can only result in, some showing of impact if the monopoly carrier is not the only carrier in the market. It contends that the Commission has repeatedly rejected such monopoly models because, in addition to their predetermined impact showing, they fail to take into account several important factors in a competitive market, such as increased volumes through new services and innovations, the efficiencies of the new entrants' technology, and stimulation of the overall market by reason of the competition and services of new entrants. GCI cites the following alleged major erroneous assumptions, steps, or calculations, distorting dramatically Alascom's purported impact showing: a new entrant will immediately penetrate fully the Alaskan MTS-WATS market and capture as much as sixty percent of Alascom's traffic; new entrants by 1985 will service the entire MTS-WATS market in the lower 48 states (with no allowance for facility, equipment or financial constraints); and the use of improper population figures and calculations to achieve a multiplier, impact effect, and the use of unauthorized rate of return levels (thirteen percent rather than ten percent). Even if Alascom's "monopoly" model were to be corrected and used insofar as possible, GCI submits that Alascom can only show that its interstate revenues would be decreased by about thirteen percent in 1985, or significantly less than the estimated average annual growth of fifteen percent in the Alaskan submarket over the next three to five years (without any stimulus from competition).

B. Model Analysis

82. Alascom's presentation of its economic model lacks supporting documentation for many key assumptions. In several instances

explanations of its methodology appear to contradict the numbers provided and the numerical calculations undertaken. These deficiencies undermine the credibility of the study.¹⁶ See, e.g., paragraph 100, *infra*.

83. The first phase traffic diversion estimates are based on unrealistic assumptions that almost invariably overstate the potential adverse impact of entry on Alascom's market share. The assumptions with regard to relative product quality and prices are particularly questionable. Furthermore, the extrapolation of first phase results to show the effect of full competition is riddled with logical errors which further exaggerate the projected impact of entry on Alascom. Alascom calculates the extrapolation factor or multiplier using three different methodologies, but all are defective. NTIA employs a more acceptable methodology and projects a far smaller impact than any of Alascom's estimates. In the process of translating the traffic diversion estimates into a financial impact statement, Alascom makes further unsupported assumptions that act to overstate the financial impact of entry on Alascom. First, it does not allow for cost shifts other than exchange carrier settlements despite projecting significant traffic diversion. Second, the failure to consider the gradual accumulation of market penetration by the entrant significantly overstates the impact of entry in a growing market.

84. *First Phase First Competitive Entry*. Alascom's first phase model assumes that any telephone subscriber who can save money by using a competitive service will do so. Thus, this analytical model assumes a parity of service quality and a lack of inertia on the part of customers and is very sensitive to the rates used in calculating the break-even point. We shall explore these considerations below.

85. Specialized carriers currently interconnect at nearly all exchange switches through termination on the lineside of the exchange switch.¹⁷ The

¹⁶ Alascom argues that the scope of its study and its rebuttal comments were restricted by the limited amount of time allowed by the Commission for their preparation. It particularly believes that the two weeks notice of the time rebuttal comments would be due was unreasonable and that failure to discuss an issue raised by the reply comments should not be construed to be agreement. We do not believe Alascom was prejudiced in any way. First, it did not file a request to file rebuttal comments for more than five weeks after the reply comments were filed. Second, Alascom was seeking to file a complete, new study with an expanded data base and a revised methodology. The rebuttal phase of the proceeding is not the time to introduce completely new material of that scope.

¹⁷ Alascom's entire analysis would be altered if trunk-side interconnections are provided to the

quality of this type of interconnection could be considered inferior by users for several reasons. The customers of the new service would need a touchtone phone or tone generator, and would have to dial approximately twice as many digits as the Alascom customer. Acquisition of a touchtone phone is not costless. Furthermore, experience indicates that customers of specialized common carriers services get busy signals and "bad connections" more frequently than do customers of the traditional telephone companies. While some types of smart terminal equipment may offset some of these factors for some larger enterprises, we believe that these factors cannot be totally discounted as a consideration in the break-even analysis.

86. In addition, due to customer loyalty or lack of information, a customer may not switch to a specialized common carrier (SCC) service if the price advantage of the SCC is slight. In order to make an intelligent choice among competing services with differing rate schedules, consumers must forecast the number of long distance call-minutes they will incur each month. The uncertainty associated with such forecasting will probably work to Alascom's advantage in the cases where the expected savings are slight or where calling patterns are irregular. One such circumstance is in Juneau, where the calling patterns have seasonal peaks due to the impact of the state legislative sessions.

87. Several of Alascom's assumptions about pricing are critically sensitive. Alascom linearly extrapolated a current SPCC tariff. Since the record contains no evidence to indicate how SPCC would expand its tariff, Alascom cannot be criticized for making this assumption. However, it is the assumption most favorable to Alascom's position. SPCC's comments raise doubts about whether it would use a linear extension in light of higher costs it would incur in extending its network to Alaska on separately constructed facilities. No sensitivity analysis showing how alternative price differentials would generate different levels of market penetration by the entrant was provided by Alascom.¹⁸

specialized carriers. The competitor's quality of service presumably would be increased, although its cost of accessing the local exchange network would presumably increase as well to become equivalent to that incurred by Alascom. This upward shift in access costs would undoubtedly result in price increases by the specialized carriers, which would invalidate Alascom's analysis of the customers who would find it beneficial to switch to a competitive service.

¹⁸ NTIA's comments suggest that a ten percent discount in price would raise the breakeven calling

88. Alascom has not considered the implementation of complete rate integration between Alaska and the lower 48 states, scheduled for 1985, in any of its impact models, despite strenuously arguing that such rate integrations should continue. This integration will significantly reduce the price of MTS-WATS service to Alaska, thereby reducing the differential between Alascom's price and a competitor's price. Such a change has a significant impact on the break-even point calculated by Alascom and, thereby, on the estimates of traffic diversion. A similar effect may occur due to the implementation of an access charge for all carriers, or from the effects that may result from any changes in the separations manual. An entrant is likely to consider these potential pricing factors in determining whether to enter the market on separately constructed facilities. Where it believes these changes to be significant in its planning process, an entrant is much more likely to enter via resold facilities.

89. Alascom argues that it did not consider the effects of full rate integration due to become effective in 1985 because it assumed that AT&T would raise its rates to eliminate the spread by 1985. While this assumption could become true, it does not justify not presenting the effect on traffic diversion that would result from a rate reduction under existing circumstances in order to give the Commission an idea of the sensitivity that rate adjustments would have on the impact shown by Alascom's study. Moreover, if AT&T's rates increase to that extent, it is reasonable to assume that the competing carriers in Alaska would also raise their rates by an amount proportional to that by which AT&T raised its rates. This has the same effect as if AT&T kept its rates static and the reduction in Alascom's rates through the implementation of Phase III of rate integration went into effect. Therefore, we conclude that a failure to consider the effects of rate integration undermines the credibility of the 1985 results.

90. Alascom assumed that operator-assisted calls were subject to diversion by competitors much the same as direct dial calls. Alascom argued that the entrant's use of an authorization code eliminates the need for credit card, collect, and third number billing, such that these categories of operator-handled calls would be highly

level from 76.9 minutes to 113.4 minutes per month, and for a twenty percent discount the breakeven point would rise to 187.5 minutes per month. These are significant shifts in the breakeven calling level, indicating the extreme sensitivity of the assumptions underlying breakeven analysis.

vulnerable to competition. Collect, third number, or person-to-person calls are desired features that frequently cannot be accomplished within the structure of a specialized carrier's service. Thus, this assumption worked to overstate the potential traffic diversion that would result from entry.

91. Alascom has contended that the assumptions it made in constructing its model were conservative ones. However, as the discussion in this section indicates, the assumptions selected almost invariably create the largest potential impact possible. This is done even where it is clear that the assumed circumstances will not occur. Given the deficiencies in the assumptions used by Alascom, the first phase traffic diversion estimates are unreliable and, at best, produce an exaggerated estimate of the potential worst case.

92. Alascom's three-call model estimates traffic diversion for a first phase entrant at 11.2 percent of all Alaskan traffic. If, as assumed by Alascom, the entrant's price would on average be 55 percent of Alascom's price, then the 11.2 percent diversion of traffic would imply at least a six percent share of total market revenue. This is more than three times the approximate two percent share that all specialized common carriers have achieved in the contiguous states telecommunications market in the roughly four years since *Execunet II, supra*. Nothing in the record, or in our evaluation of the market, leads to the conclusion that the Alaskan experience will be significantly different in the short run from the experience in the contiguous states.

93. Alascom argues that competition is in its infancy and that it was trying to develop a mature competitive model. While Alascom appears to have attempted to construct a mature first phase model, the fact that competition is in its infancy is a critical factor which Alascom's model does not incorporate. Since competition is in its infancy, new entrants are likely to achieve market penetration gradually rather than achieving a mature penetration rate immediately. Accordingly, we believe that the experienced contiguous states' diversion is a better short-run, first phase estimate than is Alascom's first phase model. This is not to say that we believe competitive entrants have achieved their maximum penetration. Rather, the contiguous states' experience is a better guide to what may be expected in the short run. Future competitive penetration, if it occurs, will be gradual, allowing the facilities

planning necessary to prevent uneconomic construction.

94. Alascom's argument that Alaskan telephone users are more aware of telephone alternatives due to media coverage of recent intrastate rate proceedings is not persuasive. In the contiguous states, mass advertising campaigns by the specialized carriers have raised the awareness of potential users. Furthermore, the contention that the higher interstate average length of haul in Alaska will lead to greater price differentials between competitors' services and Alascom's services than exists in the contiguous states' market does not support a diversion estimate of the magnitude projected by Alascom's study. The relative differential between the services of the various carriers is likely to be uniform over distance. Moreover, to the extent that "bad connections" may occur more frequently on an entrant's facilities, such connections are likely to affect the longer distance calls more than calls of a shorter distance due to the additional switching and amplification that occurs over longer distances.

95. *Full Competitive Entry*. Since Alascom's full competitive model is an extrapolation of the first phase model, its full competition model suffers from all the deficiencies we have noted for the first phase model. Alascom has compounded these deficiencies in the process of developing its multiplier. The multiplier was intended to reflect the increased traffic diversion Alascom anticipated when the first phase entrant expanded its limited network to reach all major metropolitan areas in the contiguous states. Table 2 below sets forth the methodology Alascom used in developing its 4.42 traffic-based multiplier.

Table 2.—Traffic—Based Competition Impact Factor

- 10 Calls Model Msgs (68,009) (with Seattle) - 10 Call Model (26,581) = (without Seattle) SPCC Seattle Msgs (41,428)
- Seattle Msgs (41,428) ÷ Washington State Msgs (124,407) = % Metropolitan (33%)
- % Metropolitan (.33) × Total Conus Msgs (902,885) = CONUS Metropolitan (300,664)
- Conus Metropolitan (300,664) ÷ 10 Call Model (68,009) = (with Seattle) Ratio to SPCC (4.42)

Source: Supplemental Comments of Alascom, Vol. II, Appendix 2, p. A6.

96. As conceived by Alascom, the traffic-based multiplier required it to estimate the share of contiguous states' traffic with AFJ that was to metropolitan areas, which represents the size of the market under full competition. Lacking

data on calling to and from metropolitan areas in the contiguous states. Alascom used data from its ten-call model to develop a proxy for the share of total traffic that was metropolitan. Alascom used Seattle traffic diverted to SPCC as a proxy to represent metropolitan traffic, and Washington State traffic as a proxy to represent total traffic to and from Alaska. The result, 33 percent, was said to represent the percentage of traffic that was metropolitan. This percentage was applied to total messages between Alaska and the contiguous states to determine the number of messages between Alaska and contiguous states' metropolitan areas. Alascom then divided the number of messages between Alaska and the contiguous states' metropolitan areas by the number of calls diverted to SPCC's service (including Seattle) which it believed was a proxy for the size of the first phase market.

97. Alascom's analysis appears to rely on two major assumptions. Alascom first assumes that traffic patterns between Alaska and the State of Washington are representative of traffic patterns between Alaska and the contiguous states. Alascom does not explain why it believes this assumption to be valid. In fact, its comments indicate that a high community of interest exists between Alaska and Seattle. In light of this, the assertion that traffic patterns between Alaska and the State of Washington would match those between Alaska and the contiguous states is questionable. The high community of interest would appear to inflate the model's estimate of calling between metropolitan areas, thereby increasing the traffic diversion Alascom's model would anticipate from expanding a first entrant(s) network to encompass all metropolitan areas.

98. Second, Alascom apparently believes that by using the ten-call model traffic diversion data for Seattle and for SPCC's current network (including Seattle) it has maintained a theoretical consistency between the proxies used to represent calling to metropolitan areas. The high community of interest referred to in the preceding paragraph also calls into question the reliability of diversion figures to SPCC's network as representing metropolitan calling. This is particularly true when used as a proxy for the size of the first phase entrant(s) market. While the use of data reflecting diversion of Seattle traffic to SPCC's network in determining the percent metropolitan calling would understate the percentage of traffic considered metropolitan, the use of data reflecting diversion to SPCC's network

(including Seattle) as the denominator in the final step would tend to offset the low percentage of metropolitan calling determined in the second step. However, it is impossible to determine whether the calculations exactly offset each other or whether some error is introduced through the use of these proxies. Therefore, there is considerable uncertainty about the reliability that may be attached to the assumptions underlying the traffic-based multiplier.

99. Alascom used data from the ten call model in calculating the 4.42 multiplier. It did this despite using the three call model to determine the financial impact. Alascom does not explain the reason for selecting the ten-call-model results. It also does not indicate whether the three and ten call models would be expected to have similar percentages of metropolitan calling. In fact, it would not be unreasonable to anticipate that the ten call model would have a higher percentage of metropolitan calling than would the three call model due to the larger percentage of businesses that would be anticipated to be included in the ten call model. Therefore, it is very possible that Alascom's decision to use data from the ten call model works to overstate the estimated traffic diversion.

100. Alascom appears not to have always used the numbers generated in its study in determining the 4.42 multiplier. For example, in arriving at the estimate of SPCC's Alaskan/Seattle traffic, Alascom uses 68,009 as the ten call model estimate of messages diverted with Seattle included in SPCC's network. Table 6 on page 27 of Volume II shows the number to be 86,764. Alascom uses 26,581 as the ten call model estimate of messages diverted by SPCC's current network, without Seattle. Table 6A on page A49 of Volume II shows the number to be 31,570. Further, Alascom uses 124,407 calls for Alaska/Washington state messages although Alascom's comments indicate Alaska/Washington state messages to be 279,433 on page A7, Attachment 2 of Volume II. No explanation for the use of these divergent figures is contained in the record. If Alascom had used the numbers generated by its model a multiplier of 2.06 would have been produced. Because of the cited deficiencies, the traffic-based multiplier of 4.42 cannot be considered to measure reliably the increased traffic diversion under conditions of full competitive entry.¹⁹

¹⁹In its rebuttal comments Alascom observes that the reply comments had brought to its attention that "its multipliers contained logical errors which

101. Careful review of the methodology leading to the 5.2 population-based multiplier, which we present in condensed form in Table 3 below, shows that the actual calculations do not relate the size of the first phase market to the size of the mature market, which Alascom was trying to measure. Alascom calculates the ratio of contiguous states' metropolitan traffic with Alaska to SPCC's estimated share of total traffic between Alaska and the cities served by SPCC, including Seattle, as reflected by the three-call model. In the current context, this ratio has no apparent relevance, reflecting only that the total market is 5.2 times larger than the estimated first phase traffic diversion reflected by the three call model. This methodology of calculating a multiplier therefore does not corroborate the 4.42 traffic based multiplier.

Table 3.—Population Based Multiplier

1. % Metropolitan (urban ratio) = 58%
2. % Metro (.58) × Total Conus Msgs. (902,885) = Conus Metropolitan (523,673)
3. Conus Metro (523,673) ÷ 3 Call Model Msgs (100,753) = (with Seattle) Ratio to 1st Entrant (5.2)

Source: Supplemental Comments of Alascom, Vol II, Appendix 2, pA7.

102. While the previous two methods for calculating a multiplier were criticized in several parties' reply comments, Alascom did not attempt to address the particulars of any of the criticisms of its methods. Rather, it set forth a third method for calculating a multiplier. Alascom simply calculates the ratio of total SMSA population in the U.S. to the population of SPCC-served cities and presents this ratio (5.42) as the multiplier.

103. Thus, it can be seen that Alascom attempts to develop a multiplier by using SMSA data in the numerator while using data reflecting the size of the cities served by SPCC in the denominator. This works to produce a larger multiplier because in entering a particular SMSA, a carrier will serve those segments initially that offer the highest volume of business, presumably the central city areas where businesses are concentrated. Expansion to serve the remainder of an SMSA is unlikely to provide the same growth characteristics as would expansion to a new SMSA. Moreover, as Alascom noted in its rebuttal comments, the use of cities served does not reflect the existence of extended area service which would expand the service capability of an entrant. The more conservative

interfered with their usefulness." *Rebuttal Comments*, p. 34.

approach would be to utilize consistent data in both the numerator and the denominator.

104. Consistently employing SMSA data, NTIA calculated a population-based multiplier and found it to be 2.2. This was calculated by taking the population of all SMSAs (158 million) and dividing this by the SMSA population of SPCC-served areas (71.4 million). This method does not allow for population weighting to reflect concentrated calling patterns between specified communities of interest. NTIA's methodology is a simplified and rough estimation procedure, which we believe provides a closer approximation of the additional traffic diversion that may result from network expansion than do any of Alascom's methods.

105. It is unquestionable that as competitors expand their networks to include more metropolitan areas, the percent of the total Alaskan MTS-WATS traffic diverted will increase. No party has controverted this proposition. However, Alascom's methodologies for developing a multiplier are defective, and there appears to be no rational basis for believing that the multipliers presented indicate the increased traffic diversion to be anticipated from a specialized carrier's network expansion. Accordingly, little weight can be attached to the traffic diversion estimates resulting from Alascom's use of the 4.42 multiplier.

106. *Financial Impact On Alascom.* Alascom's financial impact model is flawed for reasons over and above the ramifications of the flaws that we have already documented in the traffic diversion estimates. Despite estimates of traffic diversion by competitors of up to 49.3 percent of Alascom's interstate market, Alascom assumes that total costs are unaffected. The constant total cost assumption can be seen from the fact that when Alascom compares its revenue requirement before and after entry, the only difference in the revenue requirement in the case of entry is a reduction due to reduced settlements paid by Alascom to the local companies. Since the revenue requirement is an amount necessary to cover all costs, including a fair return on investment, the direct implication is that total costs are assumed constant despite projections of significant loss of market share. While in the short run costs may be unaffected, in the long run, or given significant usage changes, costs will change to reflect usage conditions. The failure to allow for such cost reductions causes Alascom's model to overstate the detrimental financial impact of entry on Alascom and is particularly significant

because Alascom argues that it was developing mature models which should reflect long run conditions.

107. A second assumption that critically affects the interpretation of the model is that a mature penetration rate will be achieved instantaneously in both the first phase and full competition models. While Alascom has noted that a competitive entrant would achieve a mature penetration rate only after operating in the market for some time, the failure to account for that factor grossly distorts the potential effects of entry. Alascom estimates that the year to year growth in demand from 1981 to 1985 for interstate calling for Anchorage, Fairbanks, and Juneau ranges from 10.9 to 11.9 percent, 15.5 to 17.0 percent, and 13.0 to 14.1 percent, respectively, assuming no competitive entry. It is therefore apparent that unless there is a traffic diversion greater than these growth rates, the most significant effect will be a reduction in the rate of growth Alascom will experience. While a mature model provides information concerning the potential share of the market that a new entrant may capture in the long run, the actual penetration that can be anticipated in the initial year or two and the time it will take to achieve a mature penetration are more relevant in determining the dynamics resulting from the introduction of competition.

108. The most relevant evidence relating to the initial penetration that may be anticipated is provided by the contiguous states' experience of the existing competitive carriers. As we have noted earlier, the contiguous states' competitive carriers in the approximate four years since *Execunet II, supra*, have achieved approximately a two percent share of the market—as measured by revenues—which translates to a 3.3 to 3.5 percent volume share because of the discounted rates charged by the competitive carriers. The projected growth rates for Alaska are more than three times the contiguous states' experience. There, therefore, appears to be little reason to anticipate an initial penetration greater than the estimated growth rate. Alascom will have to adjust its construction program. However, facilities currently used should not become idle because of traffic diversion to an entrant. Even if the worst case happens and some facilities did become unused because of traffic diversion, such a phenomenon would be of short duration. The record in this proceeding does not establish that a reduction in Alascom's growth rate would produce consequences adversely affecting the public interest

and thus does not require the establishment of a monopoly supply policy for Alaska.

109. Alascom contends that the traffic diversion resulting from competitive entry will result in a shift of costs to the intrastate jurisdiction. This, Alascom argues, will occur because the separations manual uses equivalent circuit miles²⁰ in assigning satellite facility costs between intrastate and intrastate jurisdictions. This additional assignment of cost to the intrastate jurisdiction will, according to Alascom, force it to raise intrastate rates, thereby exacerbating the already high toll rate disparity.²¹

110. Alascom's study methodologies and assumptions have seriously overstated the diversion to be anticipated and have created the appearance of significant revenue shifts to the intrastate jurisdiction. If one applies the findings of the preceding paragraphs to the model, a considerably different perspective surfaces.

111. Whenever an existing rate structure is revised to a significant degree, usage patterns are likely to be affected. Since the Separations Manual assigns costs in significant part based on usage factors, such a shift is likely to result in some allocational shifting of costs between jurisdictions. This results because the growth rate on routes subject to competition will decline while the growth rate on unaffected routes will remain the same. This shift in relative growth may cause a slight increase in

²⁰ Equivalent circuit miles is a concept used in Section 23.54, *et. seq.* of the Separations Manual. It is used to allocate interexchange facilities used for interstate and intrastate MTS, WATS and private line services between federal and state jurisdictions. Its significance in Alaska is that satellite facilities comprise the majority of interexchange transmission facilities. The number of equivalent circuit miles, for satellites, is the summation of the route by route product of the number of circuits times the airline miles between earth stations. Thus, a circuit between earth stations 2000 miles apart is assigned twice the circuit miles that a circuit between earth stations 1000 miles apart is assigned. Since a significant percentage of the satellite circuits run to the contiguous states and since these circuits have large equivalent circuit mile values due to the long distances between earth stations, the use of equivalent circuit miles results in the assignment of a significant proportion of the interexchange facility costs to the interstate jurisdiction.

²¹ The toll rate disparity is stated by Alascom to be the ratio reflecting the difference between intrastate and interstate rates. This ratio is calculated by subtracting intrastate revenues at interstate rates from intrastate revenues calculated at intrastate rates and dividing the difference by intrastate revenues at interstate rates. For 1977, Alascom shows Mississippi with the highest disparity in the contiguous states at approximately 37 percent. Using 1978 data for Alaska, Alascom states the disparity to be approximately 51 percent for Step 2 integrated rates and approximately 66 percent for Step 3 integrated rates.

the percentage of costs assigned to intrastate services.

112. While it cannot be said that absolutely no shift of costs to the intrastate jurisdiction will occur, it can certainly be concluded that such shifts will be small, if they occur, and will occur gradually over time. This result can be anticipated because we believe that the interstate circuits in Alascom's network will continue to grow, albeit at a slower rate. Alascom's circuits from AFJ to other Alaskan points will also continue to expand. The relative differential between these growth rates and the relationship between the distance between earth station points all affect the allocation procedures. The exact mix of these factors cannot be precisely estimated, but the continued growth of the interstate circuits will work to substantially mitigate any adverse effects.

113. Assuming that a small shift of cost to the intrastate jurisdiction occurs, a significant change on the toll rate disparity should not occur. Additional facilities on physically intrastate routes will be built only if the combined interstate and intrastate demand justifies the additional facilities. Many of these routes are extremely low density routes. Thus, if Alascom's economy of scale argument has any validity it must be in connection with these low density routes where increased demand should reduce the average facility cost per circuit and thereby relieve upward rate pressure to some extent.

114. Alascom contends that in a competitive environment it would be forced to deaverage its private line rates,²² thereby almost doubling private line rates to the bush. It states that while the provision of MTS-WATS equivalent services over resold private lines would not shift significant amounts from the interstate to the intrastate jurisdiction, payments from the interstate revenue pool for MTS-WATS generate more settlement payments for Alascom than Alascom would be able to charge through private line rates established in a competitive environment. In Alascom's view, this results because its interstate private line services are not part of the interstate private line pool,

²²In a strict sense, it is not MTS-WATS entry that creates the incentive for Alascom to deaverage its private line rates. Rather, it is the existence of a competitor offering private line service over separately constructed facilities. Such an entry possibility was clearly recognized in Domsat III. However, because the potential to offer both private line and MTS-WATS like services may make entry over separately constructed facilities more feasible, we consider the impacts herein.

and thus, it must recover all of its private line costs from private line rates.

115. In analyzing the separations and settlements impact of competition on Alaska it is necessary to consider whether Alascom is facing competition only from competitors leasing Alascom's facilities, or whether it is facing competition from competitors providing separately constructed facilities. Where Alascom is facing only resale competition, a shift of interstate traffic from MTS-WATS or private line to a resale carrier will not significantly affect the allocation of interexchange facilities to the interstate jurisdiction.²³ Moreover, when facing only resale competition, it is highly unlikely that Alascom will be pressured to deaverage its private line rates. Thus, in this environment, no detrimental effects are discernible from the adoption of an open entry policy.

116. Our assumption in the *Third Supplemental Notice* that entry would be on facilities leased from Alascom was a more constricting assumption on the analysis than was warranted. GCI has been authorized to provide service to AFJ over separate facilities. Accordingly, we must analyze the competitive effects of entry on the need to deaverage private line rates in an environment where competition exists over separately constructed facilities. However, we continue to believe that a significant portion of any competitive entry in the MTS-WATS market in Alaska is likely to be through the resale of Alascom's facilities.

117. Alascom may desire to deaverage its private line rates since separations assigns costs to the private line category on the basis of average cost, while a competitive carrier could price its service in accordance with the costs associated with the routes in question. Alascom suggests that it would be required to reduce its interstate private line rate from \$2700 per month to \$964 per month. There is scant record evidence to support a reduction of this magnitude. It is highly unlikely that an established carrier facing initial competitive entry would choose to deaverage its rates to this extent. Accordingly, little weight can be attached to the projections made on the \$964 rate.

118. Alascom appears to have failed to recognize the traffic and revenue shifts that would result under its assumption that private line rates would

²³There will be no impact assuming that the resale carrier operates at the same efficiency as Alascom. To the extent that the resale carrier achieves more efficient operation, the allocation to the interstate jurisdiction may be reduced slightly. However, the more efficient utilization of the given resource is a competitive benefit.

be deaveraged in the face of competitive entry over separately constructed facilities. Alascom assumes that 50 percent of the private line use to the bush will be lost because of increased rates for private line users in the bush. From this, Alascom concludes that there will be significant revenue losses from deaveraging rates. However, the private line users in the bush presumably had a reason for utilizing private line telecommunications. While they may discontinue private line service because of the increased price, a significant percentage of these calls would shift to either the MTS or WATS service of Alascom thereby increasing the revenues from those services. This would also serve to continue the assignment of many of these facility costs to the interstate jurisdiction, which, in the MTS-WATS service area, would be recoverable from the interstate pool. Alascom's failure to recognize this shift seriously overstates the impact that competitive entry over separately constructed facilities would have on telecommunications service in Alaska.

119. As the preceding discussion has demonstrated, the projected growth rates for Alaskan telecommunication service are a significant factor in evaluating the potential effects of competitive entry. Equally significant in the evaluation process is the recognition that entrants will achieve market penetration gradually. Alascom's failure to properly consider the interrelationship of these two factors in constructing its economic model seriously undermines any conclusion it attempts to draw from the model. Accordingly, it must be concluded that any detrimental effects alleged by Alascom have not been sufficiently documented. Moreover, the above analysis suggests that the effects will be nonexistent or insignificant. We must conclude that the overall cost of telecommunication service to Alaska will not be increased in any significant way, nor can it be projected that additional support from the interstate MTS-WATS settlements pool will be necessary as a result of new entry.

120. For the 1985 financial impact model, Alascom raises the allowed rate of return from ten percent to thirteen percent and calculates deficits on that basis. To isolate the impact of entry, the rate of return adjustment should have been omitted from the analysis.²⁴ If no entry is assumed for 1985, Alascom's model shows a fourteen million dollar

²⁴This is only to isolate the effect of entry. It in no way attempts to determine what an appropriate rate of return will be in 1985.

deficit. Presumably, this represents the effect of the rate of return change; yet, when discussing the financial impact resulting from competitive entry, Alascom does not adjust the numbers to reflect this fact. Its inclusion serves only to create the appearance that the impact of full competitive entry will be greater than it actually would be.

121. Alascom's own estimates show the financial impact to be far less than crippling for the model's first phase of entry. For example, if the entrant leases its facilities from Alascom, competition is expected to reduce Alascom's revenue in 1980 by \$5.2 million (2.5 percent of total company revenue). If the entrant does not lease its facilities from Alascom, competition is expected to reduce Alascom's revenue by \$6.5 million (3.2 percent of total company revenue). Yet these numbers represent a worst case scenario. The analysis assumes traffic diversion of 11.2 percent, which implies a revenue diversion which is several times larger than that experienced in the contiguous states, and does not allow for any reduction in revenue requirements beyond settlements with exchange carriers. Furthermore, since Alascom's facility growth rate is larger than a reasonable estimate of anticipated traffic diversion, most, if not all, of this loss will appear as a reduction in Alascom's rate of growth, rather than any absolute loss.

VIII. Analysis of Alascom's Other Detrimental Effect Arguments

A. Detriments of Intrastate Competition

122. Alascom assumes that if the Commission adopts an open entry policy for interstate MTS-WATS, Alaska will be forced to permit intrastate competition. It contends that this will result in significant shortfalls in meeting state revenue requirements, leading to state rate increases. Although the FCC cannot control intrastate rates, Alascom argues that the Commission must take into account the effects that will occur from intrastate competition in determining whether to allow interstate competitive entry.

123. While we believe that the intrastate study suffers from many of the same deficiencies from which the interstate study suffers we need not resolve the question of intrastate competitive entry and its effects. This is the responsibility of the Public Utility Commission of the State of Alaska, as long as the state Commission does not adopt a policy that frustrates or interferes with a policy of this Commission. Presumably, in exercising its statutory responsibilities, it will undertake to determine whether

competitive entry in the Alaskan intrastate MTS-WATS market will be beneficial to the public. If it determines that the adverse impact alleged by Alascom in the intrastate market does exist, it will presumably deny competitive entry. On the other hand, if it determines that competitive entry will be in the public interest, it will authorize such entry. In either case, for purposes of this Commission's analysis, any detrimental effects of intrastate entry, even if they existed, would not be mandated by this decision and should not be considered in evaluating the question of interstate entry.

B. Inefficiencies in Trunking and Network Management

124. Alascom contends that the effect of competitive entry is to reduce the trunking efficiency obtained by concentrated traffic loading. It states that a single entrant serving all metropolitan areas in the contiguous states will lead to the use of close to 4½ percent more facilities to carry equivalent traffic in the first year of full competitive entry. As more carriers enter the market, increased losses in efficiency assertedly will occur because of the increased fragmentation of the market. Furthermore, Alascom contends that open entry will interfere with the centralized network planning necessary for an efficient statewide satellite network, with adequate provision for essential civilian and defense communications, including an appropriate redundancy factor.

125. Alascom considerably overstates the significance of trunking inefficiencies and network management problems that will arise from competitive entry. Its model is based upon trunking measurements that assume existing demand, pricing, technological utilization and other characteristics associated with sole source supply of telecommunications services. Network planning in a competitive environment requires consideration of additional demand, facility, and pricing elements. It is through such processes that the competitive marketplace introduces the incentives that lead to efficient resource allocation and rational pricing decisions. We believe that competitive entry will produce demand, supply, technological, and service quality differentials which, in the long run, will provide for greater overall facility utilization and greater customer choice over price and service quality which will significantly offset any initial inefficiencies that may result from entry.

126. Alascom contends that entrants will offer a high blockage service that

relies on Alascom, as the carrier of last resort, to provide facilities to meet entrant's excess peak load demands, to accommodate service outages on entrant's facilities, and to provide for the eventuality that an entrant may exist the market. It is not clear that Alascom will provide any more redundancy, as it has suggested. It seems very unlikely that Alascom would provide additional facilities to meet occasional short-term service outages that may be experienced by competitive carriers. Nothing in our experience would indicate that serious long-term outages of entrant's facilities are likely or that an entrant would not provide some backup option to meet such uncertainties. Moreover, in a competitive environment, a firm would be very unlikely to provide capacity in response to some uncertain possibility that a competitor will exit the market. Thus, we would not expect Alascom to provide facilities in anticipation of these eventualities. A competitive marketplace should provide a better assessment of the amount of redundancy that is desired than can be obtained through the regulatory process. To the extent that Alascom's argument may be valid, entry on facilities other than Alascom's will provide some redundant telecommunications capacity, in the event Alascom's facilities suffer an outage. This will minimize the redundancy that Alascom would need to provide and should increase the overall efficiency of the telecommunications system.

127. The amount of redundancy necessary at the end of the line may be significantly less than the redundancy necessary in the core network because any fringe area outage involves a substantially smaller number of individuals, with consequent diminished economic impact. Where a particular customer desires a level of redundancy to meet specific security or emergency considerations beyond that which the network as a whole provides, such redundancy may be purchased by that entity, rather than placing the burden on telecommunications users in general. Additionally, where satellite circuits are involved, additional circuits may be activated with minimal delay.

C. Analysis of Economy of Scale Argument

128. Alascom claims that competition will result in a wasteful duplication of facilities because additional entry will deprive Alascom of economies of scale²⁵ that exist in the Alaskan market.

²⁵ The term economies of scale relates to reductions in average unit costs with increases in

In support of this contention, Alascom submitted two charts depicting the cost per circuit at various levels of circuit activation for satellite and microwave facilities that purport to show that economies of scale exist to that level. Alascom then attempts to show, using 1979 facilities data, that the economies of scale for Alaskan interstate traffic have not been exhausted.

129. The analysis presented by Alascom does not prove that untapped economies of scale exist in every portion of the Alaskan telecommunications market. The undocumented charts appear to indicate that, given the state of technological development, economies of scale exist at low levels of facility utilization. However, they are not particularly helpful in determining whether, or where, economies of scale might exist in the Alaskan telecommunications market. The critical question of the point at which the benefits of economies of scale are less than the benefits of competitive entry cited in Section VI has not been addressed by Alascom beyond arguing that the crossover point, wherever it is, has not yet been reached.

130. The first step in properly analyzing the economy of scale question is to determine the relevant factors to be analyzed. Alascom uses interstate circuits as the relevant market for determining whether economies of scale exist. However, from the standpoint of facility utilization, the entire intercity market must be analyzed to determine whether untapped economies of scale exist. Most of the facilities in Alaska, be they satellite earth stations or terrestrial microwave facilities, provide both interstate and intrastate telecommunications service. Therefore, an analysis that attempts to look only at interstate circuits omits significant facility utilization from consideration. The omission of a portion of the facility utilization is a major analytical flaw that totally undermines any conclusions drawn from the analysis.

131. A second deficiency in Alascom's analysis is that it purports to show that significant economies of scale exist through the utilization of 2,000 voice grade circuits for both satellite and microwave facilities. However, a careful analysis of the charts indicates that significant economies of scale are exhausted at utilization levels well below the 2,000 voice grade circuit level

output using the lowest cost technology. However, Alascom is actually looking at changes in average cost at changing levels of output given the level of certain facilities currently in use. Although we question whether or not this depicts true economies of scale, we adopt Alascom's characterization for purposes of this order.

depicted in the chart. The analysis of earth station economies using the 2000 voice grade circuit base indicates that more than 90 percent of the economies are exhausted at only 500 circuits and more than 95 percent are exhausted at a utilization level of 1000 circuits. The analysis of microwave economies using Alascom's data indicates that approximately 95% of the economies will be achieved at the 1000 voice grade circuit utilization level.²⁶ Although Alascom has not provided data that includes intrastate facility utilization, private line utilization, or television transmission utilization, a review of other Alascom filings suggests that circuit utilization approaches or exceeds the level at which the majority of the economies of scale are exhausted for Anchorage, Fairbanks and Juneau.

132. The achieved economies on terrestrial microwave facilities are the most difficult to ascertain given the deficiencies in the record. However, even if fewer economies are achieved here than have been achieved in connection with earth stations, that factor should not be given undue weight. The prevailing technology for telecommunications services in Alaska is that associated with satellite communications. It is the economies associated with this newer technology that must be given the greatest weight in reaching a determination of what is in the public interest.

133. The Alaskan telecommunications market has been, and we believe will continue to be, a growing market. Regulatory policy must take cognizance of the dynamic factors existing in the marketplace. It should not be based solely on static conditions existing today. The fact that it may be demonstrated that some minor economies of scale can yet be achieved given current utilization is not controlling in a proper analysis.²⁷ Any

²⁶ See also Leonard Waverman, "The Regulation of Intercity Telecommunications," in *Promoting Competition in Regulated Markets*, Almarin Phillips, Editor, 1975, for evidence that significant economies are exhausted at 1000 voice grade circuits on terrestrial microwave facilities.

²⁷ The public interest determination for entry on separately constructed facilities is not of necessity controlled by whether all economies of scale have been achieved. There may be instances where, on a particularized showing, it can be shown that the public interest would be served by entry on separately constructed facilities on low-density routes, e.g., where a carrier seeks to round out its service area, or for operational reasons, might not find resale to be a suitable means. Moreover, the economy of scale argument, as stated by Alascom, only addresses the facility question. It ignores all other operational aspects of a business enterprise. Alascom's analysis is also based on the existing embedded technology. It fails to consider possible future technological developments that could

competitive entrant will achieve a market share gradually over a period of time, as Alascom has recognized. Thus, to await the time when it can unequivocally be demonstrated that no additional economies of scale can be achieved would only mean that the public would unnecessarily be deprived of the dynamic advantages of a competitive market. Given the existing utilization and the anticipated growth we do not believe that Alascom has demonstrated that significant untapped economies of scale exist at the three cities competitors are initially likely to enter.

134. Alascom's economy of scale argument actually undermines Alascom's arguments concerning wasteful entry. If economies of scale exist at the appropriate levels of output, the principal carrier will probably be able to underprice any competitive entrant. Therefore, a competitive entrant would be unlikely to enter using its own facilities. This supports the Commission's belief, as stated in the *Third Supplemental Notice*, that competitive entry would be likely to occur on a resale basis. If more than one competitive entrant seeks to enter the market, an entrant will be more likely to resell Alascom's facilities since each entrant would be seeking to obtain business from the same group of potential customers. The entry of a competitor through the resale of Alascom's facilities does not affect the achievement of any remaining economies of scale.

135. Entry to the bush communities or to other smaller communities through separate facilities is extremely unlikely absent a significant technological improvement that considerably alters cost considerations. Alascom's comments indicate that it believes only AFJ are susceptible to competitive entry over separate facilities. Any competitive entrant seeking to provide service to communities other than the three principal cities should find it economically beneficial to provide service through the resale of Alascom's facilities, particularly if averaged rates are used by Alascom. Thus, any growth that occurs in telecommunications services to these communities will presumably be over Alascom's facilities.

136. Alascom contends that duplicative facilities should not be built because it has the capacity to provide service for thirty years through the addition of only channel equipment. As Alascom has conceded, the question of

significantly shift the cost parameters for providing service.

whether the existing carrier can provide the facilities is not the ultimate test in determining whether additional entry should be authorized. *Washington Utilities and Transportation Comm v. FCC, supra*. While the capacity of equipment may at times dictate the purchase of equipment that results in excess capacity existing in the network, the possibility or reality of competitive entry may more effectively constrain the dominant carrier's acquisition of facilities than can regulatory oversight alone. The fact that several entities have sought authorization to provide service to Alaska indicates that these entities believe that such competition is feasible. The record in this proceeding has not established that such entry would be infeasible or destructive.

D. Impact on Exchange Rates

137. Alascom contends that unless the Commission orders competitive carriers to pay local access charges equivalent to that which exchange carriers receive from MTS-WATS settlements, exchange carriers will be required to raise exchange rates to compensate for a loss in settlements. Alascom is incorrect in claiming that local exchange rates will have to be increased if entry is authorized. Under separations procedures, minutes of use by competitive entrants are interstate minutes and have resulted in the assignment of costs to the interstate jurisdiction. The costs of exchange access for competitive carriers are not recovered from the interstate settlements pool. Rather, competitive carriers pay the exchange carrier for accessing the local exchange network.

138. The Commission has approved exchange access rates²⁸ to be charged specialized common carriers by AT&T and GTE. *Exchange Network Facilities*, 71 FCC 2d 440 (1979). In that decision, the Commission indicated that other carriers could concur in these ENFIA rates, or could file separate tariffs for exchange access, as long as any such rates were properly cost-justified. Since no exchange carrier in Alaska has indicated which approach it will follow, it is not possible to determine what the access costs of a competitive entrant will be. In Phase I of this proceeding, the Commission is addressing the question of appropriate access charges. When the Commission prescribes access charges a policy of open entry in the Alaskan MTS-WATS market will not have an adverse impact on exchange rates since

these charges will recover the interstate revenue requirement.

139. In setting rates, a jurisdiction may consider only those costs and revenues subject to its jurisdiction. The U.S. Supreme Court recognized this in *Smyth v. Ames*, 169 U.S. 466, 541 (1898), when it stated:

The state cannot justify unreasonably low rates for domestic transportation considered alone, upon the ground that the carrier is earning large profits on its interstate business over which, so far as rates are concerned, the state has no control. Nor can the carrier justify unreasonably high rates on domestic business upon the ground that it will be able only in that way to meet losses on its interstate business.

Thus, if an access charge for a competitive entrant would be less than the settlement received from MTS-WATS usage the exchange carrier would not be able to increase local exchange rates to make up for a shortfall in interstate revenues.

E. Deaverage Rates in a Competitive Environment

140. Alascom challenges the Commission's conclusion in the *Third Supplemental Notice* that since Alascom accepted the rate integration policy as a Section 214(c) condition on its authorization, it is bound by that condition unless it is waived. It also challenges the finding that the Commission could not envision circumstances that would induce it to grant such a waiver, arguing that the Commission cannot prohibit Alascom perpetually from deaveraging its rates in the face of competitive. It states that its acceptance of integrated rates was based on the Commission's other holdings in *Domsat III*, including the sole-source policy for MTS-WATS, and the special showings policy for private line.

141. Alascom's concern regarding the Commission's statement that it did not foresee circumstances in which rate deaveraging would be permitted gives undue emphasis to the Commission's statement in the *Third Supplemental Notice*. That statement was directed at the MTS-WATS rates which are subject to the Commission's rate integration policy for rates to Alaska, Hawaii, and other offshore points. The *Third Supplemental Notice* found that rate deaveraging in the contiguous states for MTS-WATS services was unlikely at that time. Therefore, the Commission believed that it would be unlikely that it would find the public interest to be served if it allowed selective deaveraging of MTS-WATS rates to Alaska. Nothing in that section went so far as to propose that Alascom could not

file tariff changes when it thought such filings were necessary, as Alascom has argued it did, nor did it seek to necessarily limit Alascom's discretion in determining rate structures.

142. Alascom contends that if the rate integration policy was based on a desire to prevent rate discrimination, an order should be issued requiring it to be included in the interstate private line pool. However, the policies applicable to MTS-WATS rates are not equally applicable to private line rates. Commission policy recognizes the possibility of the need in a competitive environment to deaverage private line rates. In the *Specialized Common Carrier decision, supra*, the Commission indicated that it did not find deaveraged private line rates to be contrary to the public interest where such rates reflected differentials in service costs and where such deaveraged tariffs are properly justified by adequate cost support material. Nothing in the record suggests that cost justified, deaveraged private line rates would be contrary to the public interest in connection with interstate private line service in Alaska.

F. AT&T/Justice Department Consent Decree

143. Alascom has petitioned the Commission to seek additional information to evaluate the direct and indirect effects that it believes will flow from the entry of the consent decree agreed to by AT&T and the Justice Department. It contends that the implementation of the consent decree could adversely affect Alaskan telecommunications service by depriving Alaskan ratepayers of the subsidy provided by the existing separations/settlements procedures and could result in substantial rate deaveraging that would increase the cost of telecommunications service to Alaskan ratepayers. As evidence of this, Alascom cites a tentative Common Carrier Bureau analysis of the consent decree which indicated that the consent decree could impact the present rate integration procedures for Alaska.

144. Alascom is not directly subject to the courts' decree in the antitrust proceeding, as it has noted. Alascom's concerns relate to possible changes in separations, settlements, or tariffing procedures that may be necessitated or occasioned through the implementation of the court's decree. While the consent decree will necessitate changes in settlements and tariffing procedures for BOCs, and may do so for Alascom as well, the appropriate place to address any such changes is in conjunction with the specific proceeding looking at the

²⁸The Commission extended the initial agreement on April 14, 1982 for a maximum period of an additional two years. *Extension of ENFIA Agreement*, 90 FCC 2d 8 (1982).

specific change. That would also be the appropriate time to evaluate the effect of the change on telecommunications service to Alaska as well as any procedures or mechanisms to ensure that telecommunications service to Alaska will continue to be provided on terms and conditions that are consistent with the public interest.

145. Alascom's reliance on the Common Carrier Bureau's preliminary analysis of the consent decree is misplaced.²⁹ That analysis only indicated that under some implementation options it would be necessary to consider the effects it would have upon existing mechanisms involved in settlements and tariff structure for Alaska. While the preliminary analysis did indicate that some implementation scenarios could result in some degree of rate deaveraging, it did not conclude that such deaveraging was inevitable. In fact, under a variety of tariff structuring options, the continued use of highly averaged rates would seem to be highly likely for some period of time. While the consent decree may create new incentives for deaveraging rates that did not exist at the time of the *Third Supplemental Notice*, we concluded therein that the record did not indicate that deaveraged rates would necessarily be contrary to the public interest. The record with respect to the Alaskan portion of the inquiry also fails to show that some degree of deaveraged rates would necessarily be contrary to the public interest.

146. In light of the foregoing, we conclude that none of the assertions of Alascom affect whether competitive entry should be allowed in the MTS-WATS market. Accordingly, Alascom's request that the Commission seek comment on the direct or indirect effects of the consent decree is rejected.

147. In a similar vein, Alascom has argued that several proposed changes to the Separations Manual affecting interexchange plant and expenses, e.g., the allocation of satellite earth station costs based on circuits rather than circuit miles, would adversely affect telecommunications service to Alaska. It argues that the Commission should consider these possible future changes in determining whether to allow competitive entry in the MTS-WATS market. Alascom's contention is not well taken. It will have an opportunity at the time any such changes are proposed to comment on the effects and the Commission will be able at that time to

make an appropriate decision to ensure that the public interest will be served by any changes that may be made to the Separations Manual.³⁰ Alascom's raising of this subject seems to obfuscate the real issues in this proceeding and could be viewed as an effort to delay the adoption of any policy authorizing open entry.

G. Analysis of Unique Conditions in Alaska

148. Alascom argues that several factors make the provision of telecommunications service to Alaska unique and require that the Commission establish a sole source basis of supply for Alaska. Among these factors are the vast size of the State, the rugged terrain, the harsh climate, the thin and unevenly distributed population, and the unique demographic makeup of the State. Additionally, Alascom notes that many bush communities are accessible only by air, making these communities more dependent on telecommunications. It was these factors, Alascom alleges, that led the Federal Government to intervene in telecommunications in Alaska to counteract marketplace failure and to adopt the policies that it has adopted with respect to Alaska. Alascom also contends that the elasticities of demand that exist in the contiguous states do not exist in Alaska and that many residents of Alaska must use intrastate toll service to accomplish purposes for which contiguous states subscribers use exchange service. Alascom further contends that the average length of haul in Alaska is substantially greater than that for the contiguous states: 2,187 miles for Alaskan interstate compared with 529 miles for the contiguous states in 1976 and 230 miles for Alaska intrastate compared with 50 miles for the contiguous states. Alascom contends that service to the bush is considerably more expensive than service to the rest of Alaska or to the contiguous states, citing toll revenue requirements per main telephone of \$32,618 per year for the bush, \$1,083 per year for the rest of Alaska and an estimated \$296 per year for the Bell System. Furthermore, Alascom contends that exchange rates are two to four times higher for exchanges outside the four largest exchanges, even though an inferior grade of service may be being provided. Alascom contends that these unique characteristics make telecommunications service to Alaska

³⁰In *Docket No. CC 80-286, supra*, the Commission indicated that changes to the Separations Manual relating to interexchange plant and expenses would be considered in a subsequent proceeding.

riskier than the provision of such service in the contiguous states.

149. A close analysis reveals that most of these characteristics relate principally to the remote, isolated bush communities in Alaska, rather than to the entire state. The bush communities are undoubtedly remote, thinly populated, and costly to serve. In the balancing equation, therefore, telecommunications service offered by more than one entity would in many instances not be either economically feasible, nor would it necessarily maximize the social welfare. As we note elsewhere, in these circumstances, we believe entrants would be most likely to choose to extend telecommunications service to bush communities over resold Alascom facilities. However, we do not choose to preclude new entrants from applying to serve bush communities over separately constructed facilities. Even the potential that some new entrants may be authorized to serve the bush communities over separately constructed facilities provides incentives to Alascom to ensure that such service is provided as efficiently and economically as possible. This can result even though the demand characteristics of the bush indicate that some support mechanism may be necessary in the foreseeable future if reasonably priced telecommunications services to the bush are to be maintained. Any such applications will be scrutinized closely to determine that the public interest will be benefitted by the authorization of such duplicative entry.³¹

150. The non-bush communities do not share these same characteristics. Admittedly, the average length of haul for Alaskan interstate communications is longer than that for the contiguous states because of the geographic location of Alaska. This fact is offset through the use of primarily distance insensitive, satellite communications technology. Many of the communities served by mid-route stations are located along the coastal plain which has a considerably more moderate climate and are more accessible than bush communities. While the costs for these

³¹In *Docket No. CC 80-584, supra*, the Commission is considering the question of the appropriate ownership structure for bush earth station facilities. In that proceeding we are attempting to fashion a policy that will ensure continued service in as efficient and economic manner as possible. In a companion item, we are adopting a tentative decision providing for joint ownership of bush earth station facilities by Alascom and the appropriate bush exchange carrier in an effort to respond in the best manner possible to the telecommunication needs of the bush inhabitants.

²⁹We note that this was a preliminary, internal staff memo and as such does not reflect official Commission policy.

non-bush communities are higher than the national average in many instances, they are not necessarily outside the range of reasonableness when compared with the ranges that exist in the contiguous states and the considerably higher average income of Alaskan residents compared to the national average. Finally, the non-bush Alaskan communities are similar to communities that may be located in rural or other non-metropolitan areas of the contiguous states. We are therefore unable to find that the record demonstrates any unique characteristics for the non-bush communities that would justify concluding that the Commission should adopt a special policy for Alaska that would restrict competitive entry in the Alaskan MTS-WATS market.

151. Alascom has requested that the Commission consider an SRI International study concerning options for exchange service to bush communities. While that study's discussion of the three options for providing improved exchange service to bush communities may be helpful in resolving some questions regarding telecommunications service to the bush, it is marginal in providing relevant information concerning the entry question. Since we anticipate that any competitor wishing to serve a bush community will do so through the resale of Alascom's facilities, we find no reason to expand the record in this proceeding, and Alascom's petition to have the SRI study considered is accordingly denied.

IX. Conclusion

152. In this proceeding, the Commission has undertaken to evaluate the Alaskan interstate MTS-WATS market in order to make a public interest determination on the question of whether a policy of open entry in that market should be adopted. In this connection, we concluded in Section V that the appropriate standard to apply is that which the United States Supreme Court set forth in *FCC v. RCAC*, and the United States Court of Appeals decisions that have applied that standard in a general rulemaking context. In this Section we shall synthesize the many factors discussed in this decision and make the ultimate public interest determination.

153. In making this public interest determination, the Commission must balance the benefits that will accrue from an open entry policy against any discernible detriments that may result from such a policy. A major portion of this decision has dealt with an evaluation of the possible benefits and

the possible detriments that could arise from an open entry policy.

154. In the *Third Supplemental Notice*, the Commission considered the public interest benefits that an open entry policy in the MTS-WATS market could provide, both in the context of the contiguous states and for Alaska. In that decision, the Commission concluded that substantial benefits would accrue from the discipline that competition would provide to the marketplace. Relying on experience gained from other telecommunications areas where competitive entry had been found to provide benefits to the public interest, the Commission concluded that an open entry policy would spur innovation and efficiency, and would lead to lower prices and more and better service. The Commission also found that it was reasonable to expect that competition and the elimination of barriers to entry would result in the provision of telecommunications services at the lowest possible cost, eliminate or reduce waste, make carriers more responsive to the needs and desires of consumers, and cause carriers to respond more efficiently to technological innovation. At that time, the Commission did not see any reason why these benefits would not be achieved in Alaska. Alascom's supplemental comments and rebuttal comments have not advanced any sustainable reason why these benefits will not be achieved in the Alaskan MTS-WATS market if an open entry policy is adopted. These benefits are important considerations to the Commission and will provide significant complementary support to the Commission's regulatory policies regarding telecommunications common carriers. As we noted in the *Third Supplemental Notice*, to deprive the residents of Alaska of these benefits would require a clear and convincing showing that the detriments of an open entry policy outweigh these benefits.

155. After reviewing the public interest benefits that the Commission foresees arising from competitive entry, we turned to evaluate the alleged detriments of such entry. The Commission reviewed Alascom's assertions of detrimental impact. The Commission also reviewed Alascom's claims that detrimental effects would result from the likelihood of intrastate competition, trunking and network management inefficiencies, the loss of economies of scale, impacts on exchange rates, the need to deaverage private line rates as a result of an open entry policy in the MTS-WATS market, the impact of the consent decree in the AT&T/Justice Department antitrust suit,

and allegations of unique conditions in Alaska.

156. From the analysis of Alascom's allegations, several conclusions can be drawn.

(a) Alascom's economic model is based on assumptions which, contrary to its assertions, are not conservative in any sense. In almost every instance, the assumption chosen was the assumption that would demonstrate the greatest amount of detrimental impact. Thus, Alascom's model can be seen as only an indication of an extreme worst case situation.

(b) Alascom's economic model fails to reflect the effect of gradual market penetration or of various cost factors resulting from this penetration. Thus, Alascom's impact showings must be significantly discounted and can only be viewed as an extreme worst case scenario.

(c) Alascom's results run contrary to the experience that the Commission has observed in the contiguous states telecommunications market, an experience that supports our earlier findings and order in this Docket. The record does not support a finding that a competitive entrant will initially achieve dramatically more than the approximate two percent market share obtained by competitive entrants in the contiguous states.

(d) As a competitive entrant expands its network, some additional traffic diversion can be anticipated. Alascom's estimate of this additional diversion derived using their 4.42 multiplier must be discounted because of its flawed methodology. It is likely that NTIA's 2.2 multiplier is closer to the mark.

(e) The incremental market share an entrant would be expected to achieve, even given a complete network, is considerably less than the double digit traffic growth rate Alascom has projected for the next few years. Therefore the principal effect of entry will be that Alascom's rate of growth will be less than it would have been in a monopoly environment.

(f) There will be traffic growth for all of Alascom's services, both interstate and intrastate. While this traffic growth will occur in all services, the relative mix may show that the intrastate services constitute a slightly larger percentage of the growth than at present.

(g) As traffic increases to bush and mid-route communities (other than Juneau), the network will achieve unit cost reductions because of unexhausted economies of scale existing in that portion of the network.

(h) The relevant market for analyzing economies of scale is the total interexchange market, not just the interstate market. All significant economies of scale are achieved well below the 2,000 circuit level used by Alascom. Examining the record data, making reasonable assumptions for intrastate facility usage, and allowing for facility growth, the record indicates that the level of traffic needed to achieve significant economies of scale will be approached or exceeded for the three cities most likely to face competitive entry. Entrants to other Alaskan points will probably find it to their advantage to resell Alascom's facilities rather than to enter on separately constructed facilities because of apparently untapped economies of scale associated with existing technology and low traffic density on routes serving these points.

(i) Entry through the resale of Alascom's facilities is likely to occur, even if some entrants enter on separately constructed facilities. The impact on Alascom of resale entry is negligible.

(j) Local exchange rates will probably not rise because of competitive entry.

(k) Alascom is not precluded from deaveraging its private line rates. To the extent that such deaveraging will result in higher bush rates, MTS-WATS service at integrated rates exists to provide basic service to bush residents.

(l) Any trunking or network management inefficiencies resulting from an open entry policy will be minimal. We believe that increased network operating efficiencies resulting from competitive constraints will significantly offset such trunking inefficiencies. Furthermore, separately constructed facilities offer some redundant facility protection in case of emergency or natural disaster.

(m) The question of impact from the introduction of intrastate competition is one that is within the domain of the Alaskan Public Utilities Commission and is therefore not a proper matter for consideration by this Commission.

(n) All the benefits of competition cannot be achieved by only allowing new entrants to resell Alascom's facilities.

(o) The consent decree in the Department of Justice's antitrust suit against AT&T will not of necessity have any adverse effects on telecommunications service to Alaska. The proceedings considering any implementation plan selected will consider Alascom's arguments concerning potential effects on Alaskan telecommunications service.

(p) The unique characteristics of Alaskan telecommunications cited by Alascom are primarily attributable to bush areas. Characteristics of nonbush areas in Alaska are not significantly different from the characteristics existing in some locations in the contiguous states.

157. The above findings indicate that a policy of open entry in the Alaskan interstate MTS-WATS market will have very few detrimental effects. The most significant effect, the loss of a small percentage of market share, will only reduce the rate of growth that Alascom can be expected to achieve in the future and cannot be considered a *per se* detriment to the public interest. Other detriments that may result are offset by foreseen benefits of the constraining influences of competition, *i.e.*, the incentive to operate facilities more efficiently and the incentive to control costs. The record clearly does not support a finding that any adverse effects resulting from entry, if they occur, will be so significant as to "severely impair the economic base of existing carriers [such] that the industry would experience an incidence of failure so high as to impair provision of service to the public . . ." *Telocator Network of America v. FCC*, No. 78-2218 (D.C. Cir. Oct. 5, 1982), *supra* at 40.

158. Based on our experience, and an evaluation of the record in the light of the expertise the Commission has gained through the regulatory process, we warrant that an open entry policy in the Alaskan interstate MTS/WATS market will produce benefits that outweigh any likely detriments of such a policy and conclude that such entry is in the public interest. An open entry policy in this instance is especially compelling because the denial of the benefits of competitive entry to residents of Alaska would deprive them of access to service options available in the contiguous states.

159. Alascom has urged that the benefits of entry can be obtained without the detriments by either leasing Alascom's private line facilities to competitive carriers with a surcharge to support statewide service or through allowing the resale of WATS to entrants to provide MTS-WATS equivalents. Alascom cites the Commission decision requiring international record carriers to utilize the tariffed facilities of existing carriers in extending their service to hinterland points, *International Record Carrier's Scope of Operations*, 76 FCC 2d 115, 137 (1980), as precedent for its position. It further contends that the record establishes that a subsidy is necessary to make Alaskan telephone rates affordable and that no mechanism

presently exists to provide such subsidy. Until such subsidy mechanism is in place, Alascom argues it would be premature on the part of the Commission to authorize competitive entry on a basis other than one of its two options.

160. As we noted in discussing the benefits anticipated from entry, the benefits of entry are not entirely achieved through the resale of a monopoly supplier's facilities. In fact, several of the more important benefits, *e.g.*, cost control and introduction of technological innovation, would not be affected at all if entry were limited to the resale of Alascom's facilities. As a review of Alascom's detrimental effect argument in Sections VII and VIII has indicated, the record does not demonstrate that significant detrimental effects will result if entry is authorized over separately constructed facilities. Accordingly, we can find no basis for adopting Alascom's suggestion that entry be limited to the resale of WATS or to the lease of its private line facilities at rates which would include a charge to help support the cost of state wide service.

161. Alascom's argument that a subsidy mechanism needs to be put into place before entry is authorized is equally unpersuasive. In fact, the mechanisms attendant to the rate integration policy applicable in Alaska provide an indirect mechanism for providing support to Alascom and thereby Alaskan ratepayers for the high cost of telephone service in Alaska. NTIA's proposal would only substitute a direct mechanism rather than indirect mechanism of rate integration, as the vehicle by which the subsidy was conveyed. We do not find that such a mechanism as that proposed by NTIA need be adopted at the present time. While an alternative support mechanism may be necessary if certain implementation options relating to access charges arising from Phase I of this proceeding or from the implementation of the AT&T/Department of Justice consent decree, are adopted, consideration of an alternative, if it is deemed to be necessary, is more appropriate in conjunction with that particular proceeding. We find nothing in the record that indicates that the authorization of entry in the Alaskan MTS-WATS market today would produce any irreversible effects which justify limiting the degree of entry at this time.

162. Even if the Commission perceived that some detrimental effects would result in bush service through the

adoption of an open entry policy, it is not clear that the restriction of entry would be the best solution to deal with those detrimental effects. As NTIA has indicated, there are instances where direct subsidies may be a more appropriate and more effective approach to dealing with such effects than is a policy of restricting entry. While the Commission foresees no substantial detrimental effects to bush inhabitants, and thus does not propose any special action regarding their services, the Commission has ample regulatory jurisdiction to deal with unforeseen consequences should they arise. It is clear, however, that choosing a remedy which would single out the residents of the state of Alaska to bear its burden is neither the only nor, necessarily, the preferred option. Indeed, a policy that denied the benefits of competition to the residents of a single state would raise serious problems of legality and equity.

Moreover, if unforeseen impacts do result for which the Commission does not have regulatory jurisdiction, a legislative solution could be sought to provide the necessary remedial action. 163. The open entry policy adopted in this order for the Alaskan interstate MTS-WATS market creates several obligations. Alascom and the Alaskan exchange carriers must provide interconnection arrangements to a carrier holding a valid Section 214 authorization, upon appropriate request. The interconnection policies applicable to the contiguous states shall be equally applicable to Alascom and Alaskan exchange carriers. The procedures allowing parties to petition for declaratory ruling and rulemaking proceedings and the complaint procedures in Sections 206-9 of the Act, 47 U.S.C. 206-9, are available to resolve any disputes that may arise regarding the terms or conditions of interconnection.

164. Accordingly, it is ordered, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. 214(a), that the Commission finds an open entry policy for the Alaskan interstate MTS-WATS market to be in the public interest.

165. It is further ordered, that the petition filed by Alascom, Inc. requesting the Commission to hold further proceedings to consider the effects of the consent decree between the American Telephone and Telegraph Company and the Department of Justice and to consider further comments concerning exchange service to bush communities is denied.

166. It is further ordered, that Phase 2 of Docket No. CC 78-72 is terminated.

Federal Communications Commission.
William J. Tricarico,
Secretary.

Appendix A

TABLE 1.—ALASCOM'S ESTIMATES OF THE IMPACT OF COMPETITION BASE YEAR 1980

[Millions of dollars]

	State	Alaska/ Conus	Foreign	Total company
(1) No Competition				
Revenue Requirement.....	64.1	145.0	5.5	214.6
Total Revenue.....	59.0	151.3	7.6	217.9
Surplus (Deficit) at 10% RR.....	(5.1)	6.3	2.1	3.3
Rate of Return (percent).....	5.5	11.3	64.0	10.3
(2) First Phase-Entrant Leases Facilities				
Revenue Requirement.....	64.5	141.3	5.5	211.3
Total Revenue.....	59.0	146.1	7.6	212.7
Surplus (Deficit) at 10% RR.....	(5.5)	4.8	2.1	1.4
Rate of Return (percent).....	5.2	10.9	65.3	10.7
(3) First Phase-Entrant Uses Separate Facilities				
Revenue Requirement.....	66.1	139.6	5.5	211.3
Total Revenue.....	59.0	144.8	7.6	211.4
Surplus (Deficit) at 10% RR.....	(7.1)	5.2	2.1	0.2
Rate of Return (percent).....	4.1	11.0	60.3	10.5

TABLE 2.—ALASCOM'S ESTIMATES OF THE IMPACT OF COMPETITION

[5th Year 1985, first phase—In millions of dollars]

	State		Alaska/Conus		All other	Total company
	MTS	PL	MTS	PL		
(1) No Competition						
Revenue requirement.....	95.0	20.2	229.2	42.4	24.2	411.1
Billed revenue.....	89.6	17.8	114.9	39.7	20.4	262.3
Settlement revenue.....			114.3			114.3
Surplus (deficit) at 13 percent RR.....	(5.4)	(2.4)		(2.7)	(3.8)	(14.3)
Rate of return (percent).....	8.4	9.2	13.0	11.1	1.6	11.2
(2) First Phase-Entrant Leases Facilities						
Revenue requirement.....	96.0	19.8	207.0	57.5	24.2	404.4
Billed revenue.....	89.6	17.8	100.0	50.9	20.4	278.6
Settlement revenue.....			107.0			107.0
Surplus (deficit) at 13 percent RR.....	(6.4)	(2.0)		(6.6)	(3.8)	(18.8)
Rate of return (percent).....	7.6	9.8	13.0	9.5	1.6	10.7
(3) First Phase-Entrant Uses Separate Facilities						
Revenue requirement.....	97.8	21.3	216.3	44.7	24.4	404.4
Billed revenue.....	89.6	17.8	100.0	39.7	20.4	267.5
Settlement revenue.....			116.3			116.3
Surplus (deficit) at 13 percent RR.....	(8.2)	(3.5)		(5.0)	(4.0)	(20.7)
Rate of return (percent).....	6.5	7.8	13.0	9.6	1.2	10.5

TABLE 3.—ALASCOM'S ESTIMATES OF THE IMPACT OF COMPETITION

[5th Year 1985, Full competition—In millions of dollars]

	State		Alaska/Conus		All other	Total company
	MTS	PL	MTS	PL		
(1) No Competition						
Revenue requirement.....	95.0	20.2	229.2	42.4	24.2	411.1
Billed revenue.....	89.6	17.8	114.9	39.7	20.4	282.3
Settlement Revenue.....			114.3			114.3
Surplus (deficit) at 13 percent RR.....	(5.4)	(2.4)		(2.7)	(3.8)	(14.3)
Rate of return (percent).....	8.4	9.2	13.0	11.1	1.6	11.2
(2) Full Competition—Entrant Leases Facilities at \$2,700 per month						
Revenue requirement.....	99.2	18.5	131.1	109.0	24.1	381.9
Billed revenue.....	89.5	17.8	49.2	89.0	20.4	265.9
Settlement Revenue.....			81.9			81.9
Surplus (deficit) at 13 percent RR.....	(9.7)	(0.7)		(20.0)	(3.7)	(34.1)
Rate of return (percent).....	5.1	11.8	13.0	7.6	1.6	8.8
(3) Full Competition—Entrant Leases Facilities at \$964 per month (Deaveraged private line rates)						
Revenue requirement.....	104.7	23.2	160.4	68.9	24.7	381.9
Billed revenues.....	89.5	17.8	49.2	54.0	20.4	230.9
Settlement Revenue.....			111.2			111.2
Surplus (deficit) at 13 percent RR.....	(15.2)	(5.4)		(14.9)	(4.3)	(39.7)
Rate of return (percent).....	1.6	5.1	13.0	7.7	0.2	8.2
(4) Full Competition—Entrant Uses Separate Facilities						
Revenue requirement.....	107.0	25.1	172.3	52.5	25.0	381.9
Billed revenues.....	89.5	17.8	49.2	39.7	20.4	216.6
Settlement Revenue.....			123.1			123.1
Surplus (deficit) at 13 percent RR.....	(17.5)	(7.3)		(12.8)	(4.6)	(42.2)
Rate of return (percent).....	1.2	4.0	13.0	5.6	0.05	7.9

[FR Doc. 82-33090 Filed 12-6-82; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 23

Export of Lynx, River Otter, Alaskan Gray Wolf, Alaskan Brown Bear, and American Alligator Taken in 1982-1983 Season

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final findings and rule.

SUMMARY: The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is a treaty regulating the international shipment of certain wildlife and plant species. Exports of wildlife or plants listed in Appendix II of CITES may occur if a Scientific Authority has advised a permit-issuing Management Authority that such exports will not be detrimental to the survival of the species, and if a Management Authority is satisfied that the wildlife or plants were not obtained in violation of laws for their protection.

This notice announces final findings by the Scientific and Management Authorities for the United States concerning the export of certain native

Appendix II species from this country. These are final determinations on the export of specimens taken in the 1982-1983 harvest season. Such findings are made annually on a state-by-state basis.

DATE: These findings are effective on December 7, 1982.

ADDRESS: Please send correspondence concerning this notice to the Office of the Scientific Authority, U.S. Fish and Wildlife Service, Washington, D.C. 20240. Materials received will be available for public inspection from 7:45 a.m. to 4:15 p.m., Monday through Friday, at the Office of the Scientific Authority, room 537, 1717 H Street, NW., Washington, D.C., or at the Federal Wildlife Permit Office, room 621, 1000 N. Glebe Road, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT:

Scientific Authority Finding—Dr. Richard M. Mitchell, Office of the Scientific Authority, U.S. Fish and Wildlife Service, Washington, D.C. 20240, telephone (202) 653-5948.

Management Authority Findings—Mr. S. Ronald Singer, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240, telephone (703) 235-2418.

Export Permits—Ms. Maggie Tieger, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service,

Washington, D.C. 20240, telephone (703) 235-1903.

SUPPLEMENTARY INFORMATION: This is the last of three notices concerning the Service's findings on export of lynx (*Lynx canadensis*), river otter (*Lutra canadensis*), Alaskan gray wolf (*Canis lupus*), Alaskan brown bear (*Ursus arctos*), and American alligator (*Alligator mississippiensis*) taken in the 1982-83 season. The first notice (47 FR 14664; April 5, 1982) announced the Service's intention to develop findings on export of specimens of these species, and invited comment on the criteria to be used in making Scientific Authority findings on whether export will not be detrimental to the survival of the species, and for Management Authority findings on whether animals or plants were not obtained in violation of laws for their protection.

The second notice (47 FR 38369; August 31, 1982) discussed comments received on the criteria and announced the proposed export findings for each species on a State-by-State basis. The present notice establishes final export findings for these species, based on current information about their population status, management, and utilization.

Scientific Authority Advice

CITES regulates international trade in species included in Appendix II through a system of permits issued by designated Management Authorities in each Party nation. Export permits are to be issued only if a Management Authority receives advice from a Scientific Authority that the export will not be detrimental to the survival of the species.

The Endangered Species Act of 1973, as amended in 1979, designates the Secretary of the Interior as both Management Authority and Scientific Authority of the United States, for purposes of CITES. These functions are carried out by the Fish and Wildlife Service. Management Authority responsibilities are delegated to the Associate Director-Federal Assistance. Scientific Authority responsibilities are delegated to the Associate Director-Research.

Criteria for Scientific Authority advice were elaborated in the August 31, 1982 *Federal Register*. Advice on the export of species addressed in these findings is given in a general way, applicable to any specimen harvested in particular states in a given season, rather than on a permit-by-permit basis. The reasons for this practice are that (1) the individual exporters who apply for permits are unable to supply much information about the sources of specimens or the effect of their harvest on the populations of the species, (2) the species in question are subject to commercial exploitation, and it would be burdensome to both the industry and the Service to make separate Scientific Authority decisions on each of the many permits, and (3) the development of general advice on a state-by-state basis enables the Service to conduct a comprehensive review of the status of the species in question and the effect of international trade on its survival. Advice based on such a review is more meaningful than it would be if it were based only on information supplied in connection with individual permit requests.

Criteria used by the Service in determining if export of lynx, river otter, and alligator will not be detrimental to the survival of the species are as follows:

1. Whether similar export has occurred in the past and has not reduced the numbers or distribution of the species, nor caused signs of ecological or behavioral stress within the species, or in other species of the affected ecosystem.

2. Whether life history parameters of the species and the structure and

function of its ecosystem indicate that the present frequency of export will not appreciably reduce the numbers or distribution of the species, nor cause signs of ecological or behavioral stress within the species or in other species of the affected ecosystem.

3. Whether such export is expected to increase, decrease, or remain constant in frequency.

In using these general criteria, the Service adopted minimum requirements, previously used by the Endangered Species Scientific Authority (ESSA), in giving such advice on export of lynx, river otter, and alligator. These requirements, recommended by a working group of wildlife biologists convened by the ESSA in 1977, are as follows:

A. Minimum requirements for biological information.

- (1) Population trend information, the method of determination to be a matter of State choice.

- (2) Information on total harvest of the species.

- (3) Information on distribution of harvest.

- (4) Habitat evaluation.

B. Minimum requirements for a management program:

- (1) There should be a controlled harvest, methods and seasons to be a matter of State choice.

- (2) All pelts should be registered and marked.

- (3) Harvest level objective should be determined annually.

CITES provides that species may be listed in Appendix II for two reasons: because the species is potentially threatened by international trade, or because international trade in the species must be regulated in order to effectively control trade in other species. The latter type of listing is generally to control trade in species whose appearance either as whole specimens, parts (skins, etc.), or manufactured products, closely resembles that of other threatened or potentially threatened species. The lynx, river otter, and American alligator were listed for a combination of these two reasons. The Alaskan populations of gray wolf and brown bear were listed only for the latter reason (similarity in appearance). Accordingly, the Service has considered the impact of trade in these species on the effectiveness of CITES in controlling trade in other related species or populations, in determining conditions under which export may be allowed.

The Service has received no information to indicate that the export of species named above has reduced the effectiveness of CITES in controlling trade in other listed species or

populations. Marking requirements, described below in connection with Management Authority findings, help to minimize problems for identification caused by similarity in appearance when specimens are exported from the United States and when they are imported into other countries. Therefore, such marking is a condition on any Scientific Authority advice in favor of exports of each species addressed in this notice.

The Service finds that current information on population status, management, and harvest submitted by the states, as well as that collected by the Service, fully support its export findings. The Service has summarized this information in documents that detail the basis for Scientific Authority advice for each state. These documents are available for public inspection at the Office of the Scientific Authority (address given above).

Management Authority Findings

Exports of Appendix II species are to be allowed under CITES only if a Scientific Authority has advised that they will not be detrimental to the survival of the species and only if a Management Authority is satisfied that the specimens were not obtained in contravention of laws for the protection of wildlife or plants.

The Service, therefore, must be satisfied that specimens were not obtained in violation of state or Federal law, in order to allow export. Evidence of legal taking for lynx, river otter, Alaskan gray wolf, Alaskan brown bear, and American alligator is provided by state tagging systems. For the 1982-83 season, the Service has required the use of locking plastic strip tags with embossed legends. The Service has arranged for the manufacturing of such tags for the majority of the states. Other states already use similar tags. Several states were permitted to use state purchased, nonconforming tags for the current season because of tags-on-hand, or mistakes in their tag orders. New Hampshire's tag, while different from the recommended style, does satisfy all Management Authority criteria for pelt export tags. The few remaining nonconforming states are being notified that their tags must fully comply with Service requirements for the 1983-84 season or be subject to a nonexport finding for the involved species.

The Service would like to see state programs for CITES listed animal species mandate both a possession tag for all listed animals harvested and presentation of each possession tagged pelt to a state management agent for

removal of the possession tag and application of a permanent locking tag suitable for export purposes.

Recognizing that such a program could not be implemented in all states for the 1982-83 harvest season, the Service accepted certain less comprehensive programs as evidence that pelts of listed species were lawfully acquired within certain states during the 1982-83 season.

The states receiving export, approval for the 1982-83 season had to satisfy the following criteria:

(1) Each skin must be marked with a tag that is:

(a) Made of some permanent material in a style recommended by the Service;

(b) Applied within a specific time of taking that is established by the state; and

(c) Permanently attached to each skin by the state, state registered dealer, or taker. (Dealer and taker must be accountable for all tags received).

(2) The tags must show state of origin, year of take, species, and be serially unique.

(3) Report of take and tagging must be required by state law.

(4) A sample of each tag must be received by WPO.

Any deviations from these criteria are being brought to the state's attention along with suggestions for change or improvements for the 1983-84 harvest season.

The Service will propose early in 1983, the following Management Authority export criteria for the 1983-84 taking season:

(1) Current state trapping regulations on file with the Service;

(2) Sample 1983-84 season export tag on file with the Service;

(3) Export tag of a material, color, and style approved by the Service;

(4) Export tag shows state of origin, year of take, species, and be serially unique;

(5) Reporting and tagging of each listed animal harvested during the harvest season is required by state law;

(6) Export tag must be applied within a minimum specified time after take;

(7) Export tag permanently attached by state registered dealer, or state licensed taker;

(8) A possession tag applied to pelt (and parts) at take be required where state applies permanent export tag; and

(9) State registered dealers or state licensed takers must account for export tags received and must return unused tags to state within a specified time after taking season closes.

Export Approval

The Service received no comments in response to the notice of proposed

findings with the exception of information provided by state wildlife agencies, which has been mentioned above. The Service approves exports of these species lawfully taken during the 1982-83 season in the following states, on the grounds that both Scientific Authority and Management Authority criteria have been met:

Lynx—Alaska, Idaho, Minnesota, Montana, and Washington.

River otter—Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, New Hampshire, New Jersey, New York, North Carolina, Oregon, South Carolina, Vermont, Virginia, Washington, and Wisconsin.

Alaskan gray wolf—Alaska.

Alaskan brown bear—Alaska.

American alligator—Florida and Louisiana.

For all other states not named above, either the taking of these species is not allowed by the state during the 1982-83 season, the species do not occur in the state, or the state did not provide the Service with information on which to base Scientific Authority and Management Authority findings. The Service does not grant general approval for export of specimens of these species originating in such states.

The findings announced in this notice are effective immediately. It is the Service's opinion that a delay in the effective date of the regulations after this final rulemaking is published could affect the harvest season already begun in several states. It could adversely impact the species by reducing compliance with state certification and documentation requirements. The Service, therefore, finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedures Act, for these regulations to take effect immediately upon publication.

Based on a review and evaluation of information contained in an Environmental Impact Assessment, it has been determined that the final findings on the export of lynx, river otter, Alaskan gray wolf, Alaskan brown bear, and American alligator taken in the 1982-83 seasons are not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an Environmental Impact Statement on this proposal is not required.

This rule is issued under authority of the Endangered Species Act of 1973 (16

U.S.C. et seq.; 87 Stat. 884 as amended), and was prepared by Dr. Richard M. Mitchell, Office of the Scientific Authority, and Mr. S. Ronald Singer, Federal Wildlife Permit Office.

Note.—The Department has determined that this is not a major rule under Executive Order 12291 and does not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601).

List of Subjects in 50 CFR Part 23

Endangered and threatened wildlife, Exports, Fish, Imports, Plants (agriculture), Treaties.

Accordingly, Part 23, of Title 50, Code of Federal Regulations, is amended as set forth below:

PART 23—ENDANGERED SPECIES CONVENTION

Subpart F—Export of Certain Species

1. In § 23.53, add new paragraph (f) as follows:

§ 23.53 *River otter (Lutra canadensis).*

* * * * *

(f) *1982-83 Harvest:* Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, New Hampshire, New Jersey, New York, North Carolina, Oregon, South Carolina, Vermont, Virginia, Washington, and Wisconsin.

Condition on export: Each pelt must be clearly identified as to state of origin and season of taking by a permanently attached state tag of a type approved by the Service and attached under conditions established by the Service.

2. In § 23.54, add new paragraph (f) as follows:

§ 23.54 *Lynx (Lynx canadensis).*

* * * * *

(f) *1982-83 Harvest:* Alaska, Idaho, Minnesota, Montana, and Washington.

Condition on export: Each pelt must be clearly identified as to state of origin and season of taking by a permanently attached state tag of a type approved by the Service and attached under conditions established by the Service.

3. In § 23.55, add new paragraph (f) as follows:

§ 23.55 *Gray wolf (Canis lupus).*

* * * * *

(f) *1982-83 Harvest:* Alaska.
Condition on export: Each pelt must be clearly identified as to state of origin and season of taking by a permanently attached state tag of a type approved by

the Service and attached under conditions established by the Service.

4. In § 23.56, add new paragraph (f) as follows:

§ 23.56 **Brown bear (*Ursus arctos*).**

* * * * *

(f) 1982-83 Harvest: Alaska.

Condition on export: Each pelt must be clearly identified as to state of origin and season of taking by a permanently attached state tag of a type approved by

the Service and attached under conditions established by the Service.

5. In § 23.57, add new paragraph (d) as follows:

§ 23.57 **American alligator (*Alligator mississippiensis*).**

* * * * *

(d) 1982-83 Harvest: Florida, Louisiana.

Condition on export: Hides must be clearly identified as to state of origin

and year of take and must be tagged by a permanently attached state tag of a type approved by the Service that is attached under conditions established by the Service.

Dated: November 22, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-33117 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-55-M

Proposed Rules

Federal Register

Vol. 47, No. 235

Tuesday, December 7, 1982

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.

GENERAL ACCOUNTING OFFICE

4 CFR Part 28

General Accounting Office Personnel Appeals Board—Procedures

AGENCY: General Accounting Office Personnel Appeals Board.

ACTION: Proposed rule.

SUMMARY: This proposed rule would amend the Board's regulations (1) to clarify existing procedures concerned with the filing of pleadings on petitions before the Board, (2) to clarify existing procedures concerned with assuring compliance with the Board's orders as well as those concerned with the time period for seeking judicial review of the Board's decisions (3) and, to add a new subpart I to part 28 of title 4 CFR, to establish policy and procedures governing ex parte communications with Board members and their staff. This is necessary in order to correct problems encountered by the Board in its daily operations under existing procedures.

DATE: The Board will consider comments received on or before January 6, 1983.

ADDRESS: Send comments to Personnel Appeals Board, General Accounting Office, Room 4057, 441 G Street, NW., Washington, D.C. 20548.

FOR FURTHER INFORMATION CONTACT: Harry L. Gastley, Attorney-Advisor, Personnel Appeals Board, by telephone (202) 275-6137.

SUPPLEMENTARY INFORMATION: The purpose of the proposed changes at section 28.19(b) is to establish a reasonable time period—20 calendar days—for a party to a Board proceeding to respond to motions filed with the hearing officer conducting the proceeding. Similarly, the purpose of the proposed changes at section 28.21(m) is to permit the parties to file motions and responses to motions on requests for attorney's fees and costs pending before the Board, consistent with the proposed changes to section 28.19(b) discussed above.

The purpose of the proposed changes starting at section 28.25, is to address problems which have arisen in the enforcement of Board orders. Specifically, in at least two cases questions have arisen as to how an order of the Board would be enforced in the event of non-compliance or compliance which does not appear to fully comport with the terms of the pertinent order of the Board. Therefore, these particular provisions propose a set of procedures to permit any party to a Board proceeding to petition the Board in the event that party believes that an order or decision of the Board has not been fully complied with. The procedure includes provision for a hearing to determine whether there indeed has been a failure or refusal to comply fully with an order or decision of the Board. The procedures so outlined are similar to those in use by the Merit Systems Protection Board.

An additional change has been proposed to existing § 28.25(f), which has been renumbered as § 28.25(i). Currently, § 28.25(f) refers to appeals to the "United States Court of Appeals." This should be changed to "Federal Courts" to reflect the fact that certain Board decisions pertaining to employment discrimination are appealable to United States District Courts. Hence, we propose to substitute the term "Federal Courts" since it encompasses both United States District Courts and United States Courts of Appeals.

The second proposed rule pertains to an amendment to paragraph (h) of § 28.27 of the Board's regulations. We propose to insert at the end of the paragraph the words, "within 30 days after the date the petitioner receives notice from the Board of the final decision." The purpose of this change is to set forth in the regulations the statutory requirement that any appeal to a United States Court of Appeals must be filed within 30 days after receipt by the petitioner of the final decision of the Board on petitioner's case.

A change has also been proposed to paragraph (b) of § 28.65 with respect to petitions from labor organizations seeking to represent employees of the General Accounting Office. The original provision set forth a time limit for the filing of such a petition of not more than 105 days and not less than 60 days prior to the expiration of an existing

collective bargaining agreement. Since this deviated from the statutory language applicable to the Executive Branch, the Board proposes to amend the regulations to be more comparable to that statutory language. Specifically, the proposed language makes it clear that a petition may be filed between 105 days and 60 days before the expiration of a collective bargaining agreement, or between 105 days and 60 days prior to the third anniversary or subsequent anniversaries for contracts that have a term of more than three years, subject to the general requirement that no petition may be filed within 12 months of a representation election. Thus, the additional language proposed for inclusion in § 28.65(b) clarifies the requirement as to when such a petition may be filed during the initial contract as well as after the expiration of that initial contract.

Finally, the Board has proposed a new Subpart I on ex parte communications. In reviewing its regulations, the Board discovered that it had no published statement of policy or published procedures governing the standards that apply to ex parte communications involving administrative agencies/officials involved in adjudicatory functions. Using essentially the Merit Systems Protection Board regulations as a model, the Board proposes a similar set of procedures to avoid the compromising of cases which are filed with the Board by regulating contacts between parties and counsel for parties on pending cases and members of the Board, as well as employees of the Board who are involved in the adjudicatory functions of the Board.

List of Subjects in 4 CFR Part 28

Administrative practice and procedure, Equal employment opportunity, General Accounting Office, Government employees, Labor management relations.

PART 28—[AMENDED]

Accordingly, it is proposed that 4 CFR Part 28 be amended as follows:

1. The table of contents to Part 28 be amended by adding immediately beneath "28.113 Performance based actions." the following:

Subpart I—Ex Parte Communications

Sec.
28.117 Policy.

Sec.

- 28.119 Explanation and definitions.
28.121 Prohibited communications.
28.123 Reporting of communications.
28.125 Sanctions.

2. That § 28.19 be amended by revising paragraph (b), as follows:

§ 28.19 Board procedures—prehearing.

(b) All motions of the parties shall be filed with the hearing officer assigned by the Board after receipt of the petition, and copies shall be served simultaneously upon the other parties to the petition. Responses in opposition to such motions may be filed with the hearing officer and served simultaneously upon the other parties to the petition within 20 days of receipt of the motion. A certificate of service will be filed with all pleadings showing service by mail or personal delivery of the pleadings to the other parties. Additional responsive pleadings may only be filed with the approval of the hearing officer.

3. That § 28.21 be amended by revising paragraph (m), as follows:

§ 28.21 Board procedures—formal hearings.

(m) Within 20 days after receipt of a final decision by the Board, the employee-petitioner may submit a request for the award of reasonable attorney's fees and costs. GAO may file a response to said request within 20 days after receipt of said request. Motions of the parties shall be filed in accordance with § 28.19(b) of these regulations. Ruling of the Board on attorney's fees and costs shall be consistent with the standards set forth at 5 U.S.C. § 7701(g). The Board's decision on attorney's fees and costs shall be a final decision, in accordance with § 28.27.

4. That § 28.25 be amended by revising paragraph (f) and adding paragraphs (g), (h) and (i), as follows:

§ 28.25 Board procedures—decisions and orders.

(f) A person required to take any action under the terms of a Board Order or Decision shall carry out its terms promptly, and shall, within 30 days after the Order or Decision becomes final, provide the Board with a compliance report specifying:

(1) The manner in which the provisions of the Order or Decision have been complied with;

(2) The reasons any provisions have not yet been fully complied with; and

(3) The steps being taken to ensure full compliance.

A copy of the report shall be served on all parties to the proceeding.

(g) Any person may petition the Board for enforcement of a final Order or Decision issued by a Hearing Officer, Board Member, Panel of Board Members, or the Board. The petition shall specifically set forth the reasons why the petitioner believes there is noncompliance.

(h) In enforcing a Board Order or Decision the following procedures will apply:

(1) The Board may issue a notice to any person who has failed to comply with an Order or Decision to show cause why there was noncompliance. This notice may require the person or his/her representative to appear before the Board and/or to respond to the notice in writing.

(2) If the Board determines to hold a hearing on a notice to show cause, it will be on the record.

(i) Where the Board's Decision and Order is being appealed to the Federal courts in accordance with section 4(11)(1) of the Act, the person so appealing shall be afforded a delay in filing the compliance report required under paragraph (e) of this section; however, such a delay shall apply only to those matters which are the subject of the appeal.

5. That in § 28.27, paragraph (a) be revised to read as follows:

§ 28.27 Board procedures—judicial review.

(a) Appeals other than discrimination complaints. A final decision by the Board under subsections 4(h)(1), (2), (3), (6), and (7) of the Act may be appealed to the United States Court of Appeals in which the petitioner resides or to the United States Court of Appeals for the District of Columbia within 30 days after the date the petitioner receives notice from the Board of the final decision.

6. That in § 28.65, paragraph (b) be amended to read as follows:

§ 28.65 Who may file petitions.

(b) Notwithstanding the provisions of paragraph (a) of this section, no petition may be filed which seeks representation rights for employees in a unit—

(1) Where an election has been held within the previous 12 calendar months and in such election a majority of the employees voting chose a labor organization for certification as the unit's exclusive representative or

(2) Where an existing collective bargaining agreement is in effect, unless the petition for exclusive recognition is filed not more than 105 days and not

less than 60 days before the expiration of the collective bargaining agreement or

(3) Where an existing collective bargaining agreement is in effect for more than three years, then the petition for recognition shall be filed not more than 105 days and not less than 60 days before the third anniversary and each subsequent anniversary of the collective bargaining agreement.

7. That a new subpart I be added to part 28 to read as follows:

Subpart I—Ex Parte Communications

§ 28.117 Policy.

It is the policy of the Board to strictly regulate ex parte communications between members of the Board and their staff and any interested party to a proceeding before the Board. In addition, it is the policy of the Board to avoid ex parte communications regarding matters that may potentially be filed with the Board. Accordingly, any interested party intending to initiate an inquiry to the Board or any Board member is advised that all such inquiries are to be directed only to the General Counsel of the Board.

§ 28.119 Explanation and definitions.

(a) Ex parte communications are oral or written communications between decision-making personnel of the Board and an interested party to a proceeding without providing the other parties to the proceeding a chance to participate. Not all ex parte communications are prohibited, however; only those which involve the merits of the case or those which violate other rules requiring submissions to be in writing. Accordingly, interested parties may make inquiries about such matters as the status of a case, when it will be heard, and the method for transmitting evidence to the Board. Such communications should be directed to the Administrative Officer to the Board. Parties may not inquire about such matters as what defense they should use, whether their evidence is adequate, make a submission orally which is required to be in writing, or otherwise inquire as to the merits of a pending case.

(b) In this Subpart—

(1) "Interested party" includes:

(i) Any party or representative of a party involved in a proceeding before the Board;

(ii) Any person desiring to intervene in any proceeding before the Board; or

(iii) Any other person who might be affected by the outcome of a proceeding before the Board.

(2) "Decision-making personnel" means the Board, a panel of Board members, a Board member, a hearing officer and/or an employee of the Board who reasonably can be expected to participate in the decision-making process of the Board.

§ 28.121 Prohibited communications.

Ex parte communications concerning the merits of any matter potentially or presently before the Board for adjudication or which would otherwise violate rules requiring written submissions are prohibited from the time the interested party(s) involved has knowledge that the matter may be considered by the Board until the Board has rendered a final decision on the case.

§ 28.123 Reporting of communications.

Any communication made in violation of this section shall be made a part of the record in the proceeding and an opportunity for rebuttal allowed. If the communication was oral, a memorandum stating the substance of the discussion shall be placed in the record.

§ 28.125 Sanctions.

The following sanctions shall be available for violations of this Subpart:

(1) The Board, a panel of Board members, a Board member or a hearing officer, as necessary, may, in the interest of justice, require the offending party to show cause why his/her claim, interest, motion or petition should not be dismissed, denied or otherwise adversely affected.

(2) The Board, a panel of Board members, a Board member or a hearing officer, as necessary, may invoke such sanctions against any offending party as may be appropriate under the circumstances.

[FR Doc. 82-33310 Filed 12-6-82; 8:45 am]

BILLING CODE 1610-01-M

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 213

Excepted Service

AGENCY: Office of Personnel Management.

ACTION: Proposed regulations.

SUMMARY: These proposed regulations would amend the Schedule A excepted service appointing authority for research positions filled through the Research Associate Program of the National Research Council to permit appointments of 2 year duration.

DATE: Comments must be received on or before February 7, 1983.

ADDRESS: Written comments may be sent to Richard B. Post, Associate Director, Staffing Group, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415, or delivered to Room 6F08, 1900 E Street NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: William Bohling, Noncompetitive Staffing Branch, Staffing Group, (202) 632-6000.

SUPPLEMENTARY INFORMATION: The National Research Council each year announces competition for postdoctoral research associateships in participating scientific organizations. The Council evaluates and ranks the applicants and refers them to the participating organizations. Federal organizations participating in this program appoint associates under 5 CFR 231.3102(aa), which permits initial appointment for 1 year, with a possible 1-year extension. Participating agencies and the National Research Council have found that projects undertaken by research associates typically require 2 years to complete and that appointments are routinely extended. The proposed amendment to the appointing authority would, therefore, more accurately reflect actual employment which research associates may expect.

E.O. 12291, Federal Regulation

OPM has determined that this is not a major rule as defined under Section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it affects only the length of appointment of certain nonpermanent Federal employees.

List of Subjects in 5 CFR Part 213

Government employees.

Office of Personnel Management.

Donald J. Devine,

Director.

PART 213—[AMENDED]

Accordingly, the U.S. Office of Personnel Management proposes to revise 5 CFR 213.3102(aa), to read as follows:

§ 213.3102 Entire executive civil service.

(aa) Scientific and professional research associate positions at GS-11 and above when filled on a temporary basis by persons having a doctoral degree in an appropriate field of study

for research activities of mutual interest to appointees and their agencies. Appointments are limited to persons referred by the National Research Council under its post-doctoral research associate program, may not exceed 2 years, and are subject to satisfactory outcome of evaluation of the associate's research progress during the first year.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

[FR Doc. 82-33312 Filed 12-6-82; 8:45 am]

BILLING CODE 6325-01-M

5 CFR Part 890

Federal Employees Health Benefits Program; Benefits for Medically Underserved Areas

AGENCY: Office of Personnel Management.

ACTION: Proposed regulations.

SUMMARY: The Office of Personnel Management (OPM) proposes to amend its regulations on benefits under the Federal Employees Health Benefits (FEHB) program for individuals in medically underserved areas. This amendment is necessary to comply with the January 2, 1980, amendment to the FEHB law, which mandates special consideration for enrollees of certain FEHB plans who receive covered health services in states with critical shortages of primary care physicians.

DATE: Comments will be considered if received no later than January 6, 1983.

ADDRESS: Send or deliver comments to Craig B. Pettibone, Assistant Director for Pay and Benefits Policy, Compensation Group, Office of Personnel Management, 1900 E Street NW. (Rm. 4351), Washington, D.C. 20415.

FOR FURTHER INFORMATION CONTACT: Barbara Myers, Pay and Benefits Specialist, Issuances and Instructions Branch, Office of Pay and Benefits Policy, (202) 632-4684.

SUPPLEMENTARY INFORMATION: On July 18, 1980, OPM published in the Federal Register (45 FR 48098) a new Subpart G under 5 CFR Part 890, as final regulations. Subpart G pertains to administration of 5 U.S.C. 8902(m)(2), as added to the law by Pub. L. 95-368, approved September 17, 1978, and amended by Pub. L. 96-179, approved January 2, 1980. The law provides that effective January 1, 1980, and continuing through December 31, 1984, FEHB plans (except comprehensive prepayment medical plans), whose contracts specify payment or reimbursement for care or treatment of a particular health

condition, must also provide benefits up to the limits of their contracts in return for health services rendered by any medical practitioner who is properly licensed to render such service, when the health service is provided to a plan member "in a State where 25 percent or more of the population is located in primary medical care manpower shortage areas designated under section 332 of the Public Health Service Act."

By comparing State-by-State statistics furnished by the Department of Health and Human Services (Selected Statistics on Health Manpower Shortage Areas—December 31, 1981, Report No. 9-82) with U.S. Census figures on State resident populations (Provisional Estimates of the Population of States: July 1, 1981), OPM has determined that 5 U.S.C. 8902(m)(2), as amended by Pub. L. 96-179, is applicable in the following 13 States as of January 1, 1983: Alabama, Alaska, Arkansas, Georgia, Kentucky, Mississippi, Missouri, North Carolina, North Dakota, Oklahoma, South Dakota, West Virginia, and Wyoming. The determination differs from OPM's 1982 determination in that the states of Arkansas, Georgia, and Wyoming have been added and the state of South Carolina has been dropped.

Each year while this provision of the FEHB law remains in effect, OPM will review current data on primary medical care manpower shortage areas and State populations. If OPM determines that the status of any State has changed for purposes of 5 U.S.C. 8902(m)(2), OPM will again publish an amendment to its regulations (5 CFR Part 890, Subpart G).

Reduction of Comment Period for Proposed Rulemaking

The Director finds that since these regulations affect medically underserved areas for Calendar Year 1983, the final regulations should be published before January 1, 1983. Therefore, good cause exists for setting the comment period on this proposed rulemaking at 30 days.

E.O. 12291, Federal Regulation

OPM has determined that this is not a major rule as defined under Section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it will affect only a small number of Federal employees and annuitants.

List of Subjects in 5 CFR Part 890

Administrative practice and procedure, Claims, Government

employees, Health insurance, Retirement.

Office of Personnel Management.
Donald J. Devine,
Director.

PART 890—[AMENDED]

Accordingly, OPM proposes to amend 5 CFR 890.701 by revising the definition of "medically underserved area" to read as follows:

§ 890.701 Definitions.

"*Medically underserved area*" includes any of the 50 States of the United States where the Office of Personnel Management determines that 25 percent or more of the residents are located in primary medical care manpower shortage areas designated pursuant to section 332 of the Public Health Service Act (42 U.S.C. 254e). The Office has determined that effective January 1, 1983, the following states are "medically underserved areas" for purposes of this subpart: Alabama, Alaska, Arkansas, Georgia, Kentucky, Mississippi, Missouri, North Carolina, North Dakota, Oklahoma, South Dakota, West Virginia, and Wyoming.

(Pub. L. 96-179).

[FR Doc. 82-33311 Filed 12-6-82; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 967

Celery Grown in Florida; Recommended Decision on Proposed Amendment of Marketing Agreement and Order and Opportunity To File Written Exceptions

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: The recommended decision proposes an amendment to the marketing agreement and order regulating celery grown in Florida, and provides interested persons an opportunity to file written exceptions to the proposal. The proposed amendment would authorize changes in the number of producer and handler members serving on the Florida Celery Committee. This proposal is designed to improve the program's administration.

DATE: Written exceptions to this recommended decision may be filed by January 6, 1983.

ADDRESSES: Written exceptions should be filed in duplicate with the Hearing

Clerk, Room 1077-S, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions will be made available for public inspection at the office of the Hearing Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Charles W. Porter, Chief, Vegetable Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447-2615.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding: Notice of Hearing—Issued October 5, 1982, and published October 13, 1982 (47 FR 45020).

This formal rulemaking action is governed by the provisions of Sections 556 and 557 of Title 5 of the United States Code and therefore is not subject to the requirements of Executive Order 12291.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This proposed action relates to industry representation on the marketing order administrative committee and to the voting procedures of that committee, and will not affect costs for the handlers regulated under the program.

It has been determined that a comment period of less than 60 days is warranted. The proposal has been discussed at industry meetings, and industry members are familiar with its provisions. Additionally, the proposal was considered at a public hearing on November 1, 1982, and interested persons were allowed to file written comments through November 15. No briefs were filed during this period. Under these circumstances, it is hereby determined that a comment period of 30 days is sufficient and will effectuate the declared policy of the act.

Preliminary statement. Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to a proposed further amendment of the marketing agreement and Order No. 967 regulating the handling of celery grown in Florida.

The above notice of filing of the decision and of opportunity to file exceptions to it is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

This proposed amendment was formulated on the record of a public hearing held in Orlando, Florida, on November 1, 1982. Notice of the hearing was published in the October 13, 1982, issue of the *Federal Register*. The notice set forth a proposed amendment submitted by the Florida Celery Committee on behalf of celery producers and handlers in the production area.

Material issues. The material issues of record are as follows:

(1) Authorizing the reestablishment of the number of producer and handler members on the Florida Celery Committee;

(2) Authorizing the reestablishment of groups and the reapportionment of committee membership among groups;

(3) Providing that a majority of committee members constitute a quorum and that a majority vote be required for committee decisions;

(4) Making such changes in the agreement and order as may be necessary to bring them into conformity with any amendment that may result from the hearing.

Findings and conclusions. The following findings and conclusions on the material issues are based on the record of hearing:

(1) The Florida Celery Marketing Agreement and Order (hereinafter in the text of findings and conclusions referred to as the "order") should be amended to authorize the reestablishment of the number of industry members on the committee. To effectuate such a change, a new paragraph (b) containing this authority should be added to § 967.25 of the current order which provides for the establishment and membership of the Florida Celery Committee.

Record evidence indicates that the number of Florida celery producers has declined since the order's inception in 1965 when there were 60 growers. The number had been reduced to 41 in the 1977-78 season, and by 1981-82 the total number of celery growers in Florida had fallen to 21.

This decline is attributed to the consolidation of farm operations and growers leaving celery production as a result of economic losses experienced by the industry. Among other factors, adverse weather conditions and infestations of the insect leafminer in recent growing seasons have resulted in poor quality and low yields, thereby reducing production and profitability.

The order, which currently provides for fifteen industry members and their alternates on the administrative committee, should be amended so that committee membership can reflect such changes in the composition of the celery industry. Changes in the number of

industry members on the committee should be made by the Secretary upon recommendation by the Florida Celery Committee. In making such recommendations, the committee should consider the total number of celery growers and handlers in the production area and other factors relevant to assuring adequate industry representation on the Florida Celery Committee. Any such change should be made effective at least 30 days prior to the date on which nominations are held.

(2) Paragraph (a) of § 967.27 "Nominations" should be revised and a new paragraph (g) should be added to authorize the reestablishment of groups and the reapportionment of committee membership among the various groups.

Record evidence indicates that although no drastic change in the areas producing celery has occurred, the Sanford and Island Grove areas, active when the order was promulgated, are no longer in celery production. The committee should be authorized to recommend changes in groups and reapportionment of committee membership among groups to reflect any further changes in celery production. Additionally, authority for reapportionment would be necessary if changes are made in the total number of committee members.

In recommending such changes to the Secretary, the committee should consider changes in the relative positions of groups with respect to celery production and shipments, changes in the numbers of producers and handlers in each group, and other factors relevant to providing fair, adequate and equitable representation on the Florida Celery Committee. Any change in the establishment of groups or the apportionment of members among groups should become effective at least 30 days prior to the date on which nominations are held.

(3) Section 967.29 "Procedure" should be amended to provide that a majority of committee members constitute a quorum and that a majority vote be required for committee decisions.

The record indicates that membership on the administrative committee provides for representation of all segments of the Florida celery industry affected by its decisions. All matters coming before the committee are thoroughly discussed and all information generated at committee meetings is forwarded to the Secretary along with committee recommendations. In view of these factors, a majority of members constituting a quorum and a majority vote passing decisions would be adequate in reaching sound and equitable committee decisions.

(4) Certain conforming changes should be made if necessary so that the order, as amended, would be consistent. All such changes should be incorporated in the recommended amendment of the order.

Rulings on briefs of interested persons. At the conclusion of the hearing, the Administrative Law Judge fixed November 15, 1982, as the final date for interested persons to file proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing. No briefs were filed.

General findings. (1) The following are supplementary, and in addition to the findings and determinations which were made in connection with the issuance of the marketing agreement and order and each previously issued amendment thereto. Except for those findings and determinations which may be in conflict with the findings and determinations set forth herein, all of these findings and determinations are hereby ratified and affirmed;

(2) The marketing agreement and order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions of it, will tend to effectuate the declared policy of the act.

(3) The marketing agreement and order, as amended, and as hereby proposed to be further amended, regulate the handling of celery grown in the production area in the same manner as, and are applicable only to persons in the respective classes of commercial activity specified in the marketing agreement and order upon which hearings have been held;

(4) The marketing agreement and order, as amended, and as hereby proposed to be further amended, are limited in their application to the smallest regional production area which is practicable consistent with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(5) The marketing agreement and order prescribe, so far as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the difference in the production and marketing of celery grown in the production area; and

(6) All handling of celery grown in the production area as defined in the marketing agreement and order, as amended, and as hereby proposed to be further amended, is in the current of interstate or foreign commerce or

directly burdens, obstructs, or affects such commerce.

List of Subjects in 7 CFR Part 967

Marketing agreements and orders, Celery, Florida.

Recommended Amendment of the Marketing Agreement and Order

The following amendment of the marketing agreement and order is recommended as the detailed means by which the foregoing conclusions may be carried out:

PART 967—CELERY GROWN IN FLORIDA

(1) Section 967.25 is amended by adding paragraph (b) to read:

§ 967.25 Establishment and membership.

(b) The Secretary, upon the recommendation of the committee, may reestablish the number of producer or handler members on the committee. In recommending any such change, the committee shall give consideration to the total number of growers and handlers in the production area during the current or previous season, and other relevant factors. A change in the number of committee members can become effective at any time, provided, the effective date is more than 30 days prior to the date on which nominations are held.

(2) Section 967.27 is amended by revising paragraph (a), and adding (g) to read:

§ 967.27 Nominations.

(a) Growers in each group, as established in paragraph (d) or as reestablished pursuant to paragraph (g) of this section, may nominate persons for each member and alternate position in their respective group.

(g) The Secretary, upon recommendation of the committee, may reestablish groups and may reapportion committee membership among the various groups. In recommending such changes, the committee shall give consideration to (1) changes in the relative positions of existing groups with respect to celery production and shipments; (2) changes in the numbers of producers and handlers in each group; and (3) other relevant factors. A change in the establishment of groups or in apportionment of members among groups can become effective at any time, provided, the effective date is more than 30 days prior to the date on which nominations are held.

(3) In § 967.29, paragraph (a) is revised to read:

§ 967.29 Procedure.

(a) At an assembled meeting, all votes shall be cast in person, and a simple majority of committee members (including alternates acting for absent members) shall constitute a quorum. Decisions of the committee shall require the concurring vote of a majority of the members and alternates in attendance and entitled to vote.

Signed at Washington, D.C., on December 2, 1982.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 82-33268 Filed 12-6-82; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 1106

Milk in the Oklahoma Metropolitan Marketing Area; Proposed Suspension of Certain Provisions of the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed suspension of rules.

SUMMARY: This notice invites written comments on a proposal to suspend certain provisions concerning the shipping standards for supply plants and the limits on the amount of milk from individual producers that may be diverted directly to nonpool plants and still be priced under the order. For the month of December 1982, the proposed suspension would reduce the amount of milk that a supply plant must ship to pool distributing plants in order to qualify as a pool plant. Also, the proposed action would increase the amount of milk that may be moved directly from farms to nonpool plants for manufacturing. The action was requested by two cooperative associations because of increased milk production and an anticipated decline in fluid milk sales due to school closings during the Christmas holidays. The cooperatives contend that the suspension will be necessary to assure the efficient disposition of reserve milk supplies that will be available in December and to assure that dairy farmers who have regularly supplied the fluid milk needs of the market will continue to have their milk pooled and priced under the order.

DATE: Comments are due not later than December 14, 1982.

ADDRESS: Comments (two copies) should be filed with the Hearing Clerk, Room 1077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT:

Robert F. Groene, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-4824.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified as a "non-major" action.

It has been determined that any need for suspending certain provisions of the order on an emergency basis precludes following certain review procedures set forth in Executive Order 12291. Such procedures would require that this document be submitted for review to the Office of Management and Budget at least 10 days prior to its publication in the *Federal Register*. However, this would not permit the completion of the required suspension procedures on the timely basis necessary to make the suspension effective for the month of December 1982, if this is found necessary. The initial request for the action was received on November 29, 1982.

It has also been determined that this proposed action would not have a significant economic impact on a substantial number of small entities. Such action would lessen the regulatory impact of the order on certain milk handlers and would tend to insure that dairy farmers would continue to have their milk priced under the order and thereby receive the benefits that accrue from such pricing.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, (7 U.S.C. *et seq.*), the suspension of the following provisions of the order regulating the handling of milk in the Oklahoma Metropolitan marketing area is being considered for the month of December 1982:

1. In § 1106.7(b), that part of the provisions that reads "in an amount not less than 50 percent of milk received at the supply plant from dairy farmers who would be eligible as producers under § 1106.12 if such plant qualifies pursuant to this paragraph and milk of such dairy farmers diverted from such plant by the plant operator".

2. In § 1106.13(e)(1), that part of the provisions that reads "subject to the conditions of paragraph (e)(3) of this section, a total quantity of milk not in excess of total" and "received at all pool plants during the month. Diversions in excess of such quantity shall not be eligible under this section and the diverting cooperative shall specify the dairy farmers whose diverted milk is not

so eligible. If the cooperative association fails to designate such persons, status under this section shall be forfeited with respect to all milk diverted by such cooperative association".

3. In § 1106.13(e)(2), that part of the provisions that reads "subject to the conditions of paragraph (e)(3) of this section," and "in a total quantity not in excess of the milk of producers not members of such cooperative association received at such pool plant(s) during the month. Milk diverted in excess of such quantity shall not be eligible under this section and the diverting handler shall specify the dairy farmers whose diverted milk is not so eligible. If a handler fails to designate such persons, status under this section shall be forfeited with respect to all milk diverted by such handler".

4. In § 1106.13, paragraph (e)(3).

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file two copies of such material with the Hearing Clerk, Room 1077, South Building, United States Department of Agriculture, Washington, D.C. 20250, not later than 7 days from the date of publication of this notice in the *Federal Register*. The period for filing comments is limited to 7 days because a longer period would not permit the completion of the required procedures on the timely basis necessary to make the suspension effective for the month of December 1982, if this is found necessary.

The comments that are sent will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Statement of Consideration

The proposed suspension would reduce the amount of milk that supply plants must ship to pool distributing plants to attain pool plant status under the order. Under the suspension, a supply plant would need to make but one shipment to a pool distributing plant to qualify as a pool plant.

The action also would increase the amount of milk that may be moved directly from farms to nonpool manufacturing plants and still be priced under the order. Without the suspension, diversions would be limited to producers who deliver not less than 15 percent of their producer milk to pool plants. In addition, diversions to nonpool plants by proprietary handlers and cooperatives could not exceed the quantity of milk received at pool plants.

This action was requested by two cooperative associations that represent producers supplying the market. The cooperatives contend that the

suspension is needed because increases in fluid milk sales have not kept pace with increases in production. The cooperatives contend that the imbalance between fluid milk sales and producer receipts will become worse because of a decline in Class I sales to schools as a result of school closings for the Christmas holidays. As a result, the cooperatives indicate that additional supplies of milk will have to be moved to manufacturing outlets during December. In the absence of any suspension action, the cooperatives contend that it will be necessary to make costly and inefficient movements of milk solely for the purpose of pooling the milk of dairy farmers who have regularly supplied the fluid milk needs of the market.

List of Subjects in 7 CFR Part 1106

Milk marketing orders, Milk, Dairy products.

Signed at Washington, D.C., on December 2, 1982.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 82-33267 Filed 12-6-82; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 1135

[Docket No. AO-380-A3]

Milk in the Southwestern Idaho-Eastern Oregon Marketing Area; Decision on Proposed Amendment to Marketing Agreement and to Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This emergency decision provides for the indefinite continuation of the Class I pricing provisions of the Southwestern Idaho-Eastern Oregon Federal milk order. The order became fully effective on July 1, 1981, and the Class I price provisions were established on a temporary basis through December 31, 1982, so that the appropriateness of the price level could be reviewed in light of market experience. Continuation of the pricing provisions was requested by cooperative associations that represent a substantial number of dairy farmers who supply milk to the market. Because of the limited time to complete the rulemaking procedures, a recommended decision and the opportunity to file exceptions thereto have been omitted. Cooperative associations will be polled to determine whether producers favor the issuance of the proposed amended order.

FOR FURTHER INFORMATION CONTACT: Maurice M. Martin, Marketing Specialist, Dairy Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250, 202/447-7183.

SUPPLEMENTARY INFORMATION: This administrative action is governed by the provisions of Sections 556 and 557 of Title 5 of the United States Code and, therefore, is excluded from the requirements of Executive Order 12291.

This action will not have a significant economic impact on a substantial number of small entities. The amendment will promote orderly marketing of milk by producers and regulated handlers.

Prior document in this proceeding: Notice of Hearing: Issued October 8, 1982; published October 14, 1982 (47 FR 45884).

Preliminary Statement

A public hearing was held upon a proposed amendment to the marketing agreement and the order regulating the handling of milk in the Southwestern Idaho-Eastern Oregon marketing area. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 610 *et seq.*), and the applicable rules of practice (7 CFR Part 900), at Boise, Idaho, on October 21, 1982. Notice of such hearing was issued on October 8, 1982, and published on October 14, 1982 (47 FR 45884).

Interested parties were given until November 5, 1982, to file post-hearing briefs on proposal No. 1 as published in the hearing notice and on whether the proposal should be considered on an expedited basis.

The material issues on the record relate to:

1. Class I price after December 31, 1982.
2. Whether an emergency exists to warrant the omission of a recommended decision and the opportunity to file written exceptions thereto with respect to issue No. 1.

Findings and Conclusions

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Class I price after December 31, 1982.* The Class I price provisions now provided by the order should be extended indefinitely beyond the current expiration date of December 31, 1982.

When the order was initially issued, the Class I price provisions were made effective for 18 months following the date on which the order became fully effective (July 1, 1981). This was done to

insure a review of the Class I price level after a year of order operation to determine whether such price level properly reflects prevailing marketing conditions. This is a customary practice when new orders are established.

Presently, the Southwestern Idaho-Eastern Oregon Class I price is determined each month by adding a Class I differential of \$1.50 to a basic formula price, which is the average of prices paid during the second preceding month for manufacturing grade milk in Minnesota and Wisconsin.

A cooperative association that supplies a substantial part of the market's fluid milk needs proposed that the present Class I price provisions be extended indefinitely. Proponent's witness cited two basic reasons for continuing the current provisions. First, the present Class I price has maintained an adequate supply of high quality milk to meet the total fluid milk requirements of the market. Second, it is in reasonable alignment with existing Class I prices in surrounding Federal order markets. In proponent's view, continuation of the present Class I price on a long-term basis will assure continued market stability.

The other principal cooperative that supplies substantial quantities of fluid milk to the market supported proponent's position and testified that no change should be made in the order's present Class I price level. It was the cooperative's contention that the present Class I price has attracted an adequate supply of milk for the fluid market and has maintained proper price alignment with nearby markets.

There was no testimony opposing proponent's Class I price proposal.

In considering an appropriate long-term price level for the market, the Class I price must be maintained at a level which, in conjunction with other class prices, results in returns to producers sufficient to assure an adequate supply of high quality milk to meet the fluid requirements of all handlers associated with the market. Additionally the Class I price under the order must reflect the proper relationship with other nearby Federal milk order markets.

Concerning the availability of milk supplies for the market, the record demonstrates that the Southwestern Idaho-Eastern Oregon marketing area is adequately supplied. During the 15-month period since the order became fully operative on July 1, 1981, more than 702 million pounds of producer milk were pooled under the order. Of this total, 131 million pounds, or 19 percent, were used in Class I products. Moreover, the percentage of Class I

utilization for the market has been declining. In view of this supply-demand situation, it is apparent that the present Class I price level in the order is inducing an adequate supply of milk for the market.

To assure that an adequate milk supply is available to handlers throughout the market, it is essential that the Class I price under the Southwestern Idaho-Eastern Oregon order be reasonably aligned with similar prices in nearby markets which represent alternative outlets for the supply of milk produced locally. These nearby markets are Great Basin and Oregon-Washington. Also, it is necessary that milk for Class I use in the local market be competitively priced with milk supplies in nearby markets that are distributed in the Southwestern Idaho-Eastern Oregon area in competition with local producer milk.

It is apparent from the record evidence that the current Class I price is in reasonable alignment with similar prices in other nearby Federal order markets. There is considerable intermarket movements of milk between the Southwestern Idaho-Eastern Oregon market and the Great Basin and Oregon-Washington markets, both with respect to the movements of Class I packaged products and producer milk supplies. There is no indication that local handlers are being placed in an unfavorable competitive position because of a misalignment of prices. Rather, the record suggests that such movements of Class I products and milk supplies are normal milk marketing practices by handlers, and the order's Class I price facilitates such intermarket milk movements.

From the foregoing, it is concluded that the current Class I price level appropriately reflects prevailing marketing conditions and is providing orderly marketing for the market. Hence, the present Class I differential of \$1.50 should be incorporated in the order on a permanent basis.

2. *Omission of a recommended decision and the opportunity to file exceptions thereto.* The omission of a recommended decision was proposed at the hearing by proponent of proposal No. 1 and supported by a spokesman for another cooperative association. No testimony was received in opposition to emergency action. Emergency action is necessary if the order is to remain in operation after December 31, 1982, since a Class I price cannot be applied after that date without amending the order. The normal procedure of issuing a recommended decision and providing

time to file exceptions thereto will not permit the implementation of the amendment in time for it to be effective on January 1, 1983.

It is therefore found that due and timely execution of the Secretary's function in this proceeding imperatively and unavoidably requires omission of the recommended decision and the opportunity for filing exceptions thereto.

Rulings on Proposed Findings and Conclusions

A brief and proposed findings and conclusions were filed on behalf of the proponent cooperative association. This brief, proposed findings and conclusions and the evidence in the record were considered in making the findings, and conclusions set forth above.

General Findings

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing Agreement and Order

Annexed hereto and made a part hereof are two documents, a Marketing

Agreement regulating the handling of milk, and an ORDER amending the order regulating the handling of milk in the Southwestern Idaho-Eastern Oregon marketing area which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the attached marketing agreement, be published in the **Federal Register**. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which is published with this decision.

Determination of Producer Approval and Representative Period

August 1982 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Southwestern Idaho-Eastern Oregon marketing area is approved or favored by producers, as defined under the terms of the order (as amended and as hereby proposed to be amended), who during such representative period were engaged in the production of milk for sale within the aforesaid marketing area.

List of Subjects in 7 CFR Part 1135

Milk marketing orders, Milk, Dairy products.

Signed at Washington, D.C., on: December 1, 1982.

C. W. McMillan,

Assistant Secretary, Marketing and Inspection Services.

Order¹ amending the order, regulating the handling of milk in the Southwestern Idaho-Eastern Oregon marketing area.

Findings and Determinations

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations be in conflict with the findings and determinations set forth herein.

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

(a) *Findings*. A public hearing was held upon a proposed amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Southwestern Idaho-Eastern Oregon marketing area. The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure (7 CFR Part 900).

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Southwestern Idaho-Eastern Oregon marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby amended, as follows:

PART 1135—MILK IN THE SOUTHWESTERN IDAHO-EASTERN OREGON MARKETING AREA

1. Section 1135.50(a) is revised to read as follows:

§ 1135.50 Class prices.

* * * * *

(a) The Class I price shall be the basic formula price for the second preceding month plus \$1.50.

* * * * *

[FR Doc. 82-33265 Filed 12-6-82; 8:45 am]

BILLING CODE 3410-02-M

FEDERAL RESERVE SYSTEM

12 CFR Parts 207, 220, 221, and 224

[Docket No. R-0427]

Regulations G, T, U, and X; Extension of Period for Commenting on Questions Raised in Connection With Special Study of Federal Margin Regulation

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Special study of Federal margin regulation; extension of comment period.

SUMMARY: On October 21 1982, (47 FR 47464; October 26, 1982), the Board announced that its staff, in cooperation with staffs of Securities and Exchange Commission and Commodities Futures Trading Commission, was undertaking a study of Federal regulation and oversight of margins in financial markets. In connection with this study, interested persons were asked to submit, by December 20, 1982 their views on a number of questions pertaining to Federal regulation of margins. The Board has been asked for additional time for comment and has accordingly extended the comment period from December 20, 1982 to February 18, 1983.

DATE: Comments must be received on or before February 18, 1983.

ADDRESS: Comments, which should refer to Docket No. R-0427, may be mailed to William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, Washington, D.C. 20551 or delivered to Room B-2223 between 8:45 a.m. and 5:15 p.m. Comments received may also be inspected at Room B-1122 between 8:45 a.m. and 5:15 p.m.

FOR FURTHER INFORMATION CONTACT: Frederick M. Struble, Assistant Director, Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C. 20551; (202) 452-3794.

Accordingly, pursuant to sections 3, 7, 8, and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78 c, g, h, and w), the Board extends the comment period on questions raised in connection with the Board's Special Study of Margin Regulation.

By order of the Board of Governors, acting through its Secretary under delegated authority, December 1, 1982.

William W. Wiles,
Secretary of the Board.

[FR Doc. 82-33206 Filed 12-6-82; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

18 CFR Part 385

[Docket No. RM80-58-000]

Gulf States Utilities Company; Denial
of Petition for Rulemaking

Issued: December 2, 1982.

AGENCY: Federal Energy Regulatory
Commission, DOE.**ACTION:** Denial of petition for
rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is denying, as unnecessary, a petition by Gulf States Utilities Company requesting an amendment of the Commission's Rules of Practice and Procedure to allow only "participants" to appeal actions taken by the staff pursuant to delegated authority. In a recent revision of the Rules of Practice and Procedure, the Commission amended the relevant rule (Rule 1902) in a manner consistent with the petitioner's request.

ADDRESS: Copies of the petition, related correspondence, and other documents are available for public inspection at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT:

Fredric D. Chanania, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426; (202) 357-8033.

SUPPLEMENTARY INFORMATION: On June 23, 1980, Gulf States Utilities Company ("Petitioner") filed with the Commission a petition for rulemaking to amend § 1.7(d) of the Rules of Practice and Procedure, 18, CFR 1.7(d).¹ The principal amendment sought by Petitioner is to allow only "participants," and not "interested persons," to appeal actions of the staff that fall within the scope of § 1.7(d).² The Petitioner also proposed several minor editorial clarifications to § 1.7(d).

Section 1.7(d) has been revised and replaced by Rule 1902 of the current Rules of Practice and Procedure, 18 CFR 385.1902.³ Rule 1902 now permits an

¹ The filing is styled "Petition of Gulf States Utilities Company for an Amendment to Section 1.7(d) of Title 18, Code of Federal Regulations."

² Two comments in support of this change to § 1.7(d) were received from Iowa Southern Utilities Company and Interstate Power Company.

³ The revised Rules of Practice and Procedure became effective on August 26, 1982. See Final Rule, "Revisions to Rules of Practice and Procedure to

appeal of a delegated staff action only by a "party," which is defined in Rule 102(c) as follows:

"Party" means, with respect to a proceeding:

(1) A person filing any application, petition, tariff or rate filing, complaint, or any protest under section 19a(i) of the Interstate Commerce Act (49 U.S.C. 19(a)(i));

(2) Any respondent to a proceeding; or

(3) Any person whose intervention in a proceeding is effective under Rule 214.⁴

Rule 1902 now contains the substance of the major change sought by the Petitioner, and further amendment of Rule 1902 is, therefore, no longer necessary. In addition, when Rule 1902 was promulgated, the Commission made a number of editorial changes to the rule. To the extent Rule 1902 does not now contain the precise editorial changes proposed by the Petitioner, the Commission finds that Rule 1902 is sufficiently clear and that further changes are unnecessary and inappropriate.

The Commission orders, That the Petition of Gulf States Utilities Company for an Amendment to § 1.7(d) of Title 18, Code of Federal Regulations, is hereby denied.

By the Commission.

Lois D. Cashell,
Acting Secretary.

[FR Doc. 82-33225 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND
HUMAN SERVICES

Food and Drug Administration

21 CFR Part 333

[Docket No. 75N-0183]

Topical Antimicrobial Drug Products
for Over-the-Counter Human Use;
Establishment of a Monograph; and
Reopening of Administrative Record;
Correction**AGENCY:** Food and Drug Administration.**ACTION:** Advance notice of proposed
rulemaking and reopening of
administrative record; correction.

SUMMARY: The Food and Drug Administration is making various corrections to its Advanced Notice of Proposed Rulemaking concerning establishment of a monograph for topical antimicrobial drug products for

Expedite Trial-Type Hearings," Docket No. RM78-22-000, Order No. 225, issued April 28, 1982, 47 FR 19,014 (May 3, 1982). The final rule has been clarified and corrected on August 12, 1982. See Order No. 225-A, 47 FR 35,952 (Aug. 18, 1982).

⁴ 18 CFR 385.102(c).

over-the-counter human use. That Notice of Proposed Rulemaking also reopened the Administrative record.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, National Center for Drugs and Biologics (HRN-510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4960.

SUPPLEMENTARY INFORMATION: In FR Doc. 82-24419 at page 39406 in the Federal Register of Tuesday, September 7, 1982 (47 FR 39406), the following changes are made:

- On page 39407 in the first column:
 - In the second line, "repacking" is changed to "repackaging."
 - In the second complete paragraph, 16th line, "issued" is changed to "issues."
 - In the last paragraph, first line, "condition" is changed to "conditions."
- On page 39408: In the first column, second complete paragraph, sixth line, "Thomas DeCillis" is changed to "Thomas Decillis."
- On page 39409 in the third column under "References," in Reference 1, two OTC volume numbers were omitted and should be added. They are 160221 and 160421.

Dated: November 30, 1982.

William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

[FR Doc. 82-33146 Filed 12-6-82; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 333

[Docket No. 80N-0476]

Topical Antifungal Drug Products for
Over-the-Counter Human Use;
Establishment of a Monograph; and
Reopening of Administrative Record;
Correction**AGENCY:** Food and Drug Administration.**ACTION:** Advance notice of proposed
rulemaking and reopening of
administrative record; correction.

SUMMARY: The Food and Drug Administration is making various corrections to its Advanced Notice of Proposed Rulemaking concerning establishment of a monograph for topical antifungal drug products for over-the-counter human use. That Notice of Proposed Rulemaking also reopened the Administrative record.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, National Center for Drug and Biologics (HFN-510), Food and Drug Administration, 5600 Fishers

Lane, Rockville, MD 20857, 301-443-4960.

SUPPLEMENTARY INFORMATION: In FR Doc. 82-24424 at page 39464 in the Federal Register of Tuesday, September 7, 1982 (47 FR 39464), the following changes are made:

1. On page 39464:
 - a. In the second column, last paragraph, third line, "drug" is inserted before "products."
 - b. In the third column, second complete paragraph, 21st line, "as" is changed to "has."
2. On page 39467, in the third column under "References," in Reference 1, two OTC volume numbers were omitted and should be added. They are 160221 and 160421.

Dated: November 30, 1982.

William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

[FR Doc. 82-33147 Filed 12-6-82; 8:45 am]
BILLING CODE 4160-01-M

21 CFR Part 348

[Docket No. 78N-0301]

External Analgesic Drug Products for Over-the-Counter Human Use; Establishment of a Monograph; and Reopening of Administrative Record; Correction

AGENCY: Food and Drug Administration.
ACTION: Advance notice of proposed rulemaking and reopening of administrative record; correction.

SUMMARY: The Food and Drug Administration is making various corrections to its Advanced Notice of Proposed Rulemaking concerning establishment of a monograph for external analgesic drug products for over-the-counter human use. That Notice of Proposed Rulemaking also reopened the Administrative record.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, National Center for Drugs and Biologics (HFN-510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4960.

SUPPLEMENTARY INFORMATION: In FR Doc. 82-24420 at page 39412 in the Federal Register of Tuesday, September 7, 1982 (47 FR 39412), the following changes are made:

1. On page 39415 in the first column in the second sentence, "glycerin" is changed to "glycerin."
2. On page 39416 in the second column under "References", in Reference 1, two OTC volume numbers were omitted and

should be added. They are 160221 and 160421.

3. On page 39425 in the third column, second full paragraph under listings headed "Firms" and "Marketed Products"; "Foxpharmaceutical, Inc., Ft. Lauderdale, FL 33310" and "Secret Mirache" are removed.

4. On page 39426 in the second column in the list under item "3. Other ingredients," "Oil of sage" is added in alphabetical sequence.

Dated: November 30, 1982.

William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

[FR Doc. 82-33145 Filed 12-6-82; 8:45 am]
BILLING CODE 4160-01-M

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Parole, Release, Supervision and Recombitment of Prisoners, Youth Offenders, and Juvenile Delinquents; Proposed Changes in Policy Guidelines

AGENCY: Parole Commission.
ACTION: Proposed rule.

SUMMARY: The U.S. Parole Commission proposes to exercise its statutory rule-making authority with respect to the qualifications of representatives at parole hearings. The proposed rule would (a) permit hearing examiners to bar an otherwise qualified representative from participating in a hearing, if "good cause" justifies such action; (b) provide for disqualification of a representative for up to a five year period upon a formal finding of specific misconduct; and (c) prohibit all former Federal criminal justice employees from becoming representatives for hire for one year after leaving Federal employment. The purpose of this proposal is to permit the Parole Commission to preclude or discipline conduct which is incompatible with the orderliness or integrity of the parole hearing process, and to prevent the possibility that a representative will exploit the fact of recent Federal employment in a criminal justice capacity when representing a convicted Federal prisoner.

DATE: Comments must be received by January 20, 1983.

ADDRESS: Send comments to U.S. Parole Commission, 5550 Friendship Boulevard, Chevy Chase, MD 20815; Attn: Michael A. Stover, Office of General Counsel.

FOR FURTHER INFORMATION CONTACT: Michael A. Stover, Office of General Counsel, U.S. Parole Commission, telephone (301) 492-5959.

SUPPLEMENTARY INFORMATION:

Background

In 1976, the Congress passed the Parole Commission and Reorganization Act, which included a provision authorizing the Parole Commission to make rules and regulations concerning the qualification of representatives. 18 U.S.C. 4208(d)(2) (1976).

At the time this law was passed, professional representation for prisoners was largely confined to attorneys at law, with most other representation being provided on a voluntary basis by prison staff and family members. Recently, however, the Commission has seen the development of a new class of paid representative, which appears to consist primarily of former Federal criminal justice employees, both attorneys and non-attorneys, who specialize in the representation of inmates before the Parole Commission and who actively seek clients in the Federal prisons. Without any apparent relation to the foregoing development, there has also been an increase in the occasional incident of intentionally disruptive, disrespectful, and otherwise unacceptable methods of representation before U.S. Parole Commission hearing examiners. Whereas a court of law possesses the inherent power to preserve decorum through a citation for contempt, the Parole Commission, not having published any rules under the above-cited statutory provision, presently lacks an appropriate sanction for the representative who deliberately engages in conduct not compatible with an orderly search for fairness and truth in the parole decision-making process.

Accordingly, it has become apparent to the Commission that the adoption of basic regulations under section 4208(d)(2) is now warranted both to discipline misconduct and to prevent the kind of abuse which can come from a "revolving door" relationship between Federal criminal justice employment and the newly developing business of representing inmates for hire.

Preventing and Disciplining Misconduct

The proposed rule, the text of which appears below, contains two sections which give the hearing examiners and the Commission the necessary authority to correct abuses of the right to representation.

First, the proposed rule provides that, in accordance with the law, a prisoner or parolee has a free choice of

representative, who will be deemed qualified to perform that function as a matter of course. However, the rule gives to the hearing examiners the authority to bar an otherwise qualified representative from participating in a hearing (either before or during the hearing) if "good cause" necessitates such action. An example of "good cause" would be the case where an inmate selects as his representative a fellow inmate who has been confined in disciplinary segregation following an incident of violent behavior and verbal abuse toward the prison staff. In practice, this provision is likely to be used but rarely; its principal purpose would be to assist the examiners in maintaining order and decorum at the hearings they conduct, through appropriate warnings to disruptive representatives.

Second, the proposed rule would permit the Parole Commission to disqualify any representative from participating in any hearing, for up to a five year period, in response to serious misconduct. Such misconduct would have to be proven at a special disciplinary hearing, and would have to demonstrate "a clear lack of integrity or fitness to practice before the Commission." The type of hearing which the Commission has in mind is that provided by Department of Justice regulations under the authority of 18 U.S.C. 207. See 28 CFR 45.735-7 (1981). That is, the Parole Commission would provide the full process customarily due in such a serious matter as the temporary revocation of a license to practice before a Federal agency.

The Revolving-Door Problem

There is a real possibility of both public and inmate perception that a prisoner who hires a recently departed Federal criminal justice employee, whether a Parole Commission hearing examiner, a former Assistant United States Attorney, a former U.S. Probation Officer, or other such official, has thereby gained an "inside track" in his effort to obtain a parole. The Parole Commission is determined to prevent at the very outset the development of any network of contacts, influence, or special courtesies between such ex-employees and present employees for exploitation on behalf of particular parole applicants. This is a very serious concern in view of the enormous amounts of money now evidently available to many inmates, particularly those who have been involved in the illegal drug importation trade. It is vital that, both in public appearance and in actual fact, the Federal parole system maintain absolute integrity with respect

to prisoners' representatives, particularly in view of the fact that parole hearings are not open to the public. (Although legitimately interested persons, such as victims and their representatives may seek leave to attend, they customarily do not.)

The Commission has carefully studied the effect of 18 U.S.C. 207 (1978), because Congress designed this law to deal with the "revolving door" issue on the criminal level. We have concluded that section 207 does not fully address the particularly sensitive situation with which we are here concerned. Although that law would effectively prevent a former employee from engaging in any representative act in a case in which he or she had participated personally and substantially while a Federal employee, this provision would not cover the large numbers of initial hearings in which a former employee could participate immediately after leaving the Federal Government. Moreover, the one-year absolute prohibition on representation contained in the law at section 207(c) would only apply to high-level employees such as Commissioners, and would not reach such sensitive employees as Parole Commission hearing examiners, Bureau of Prisons case managers, and U.S. Probation Officers. It is the Commission's view that it is necessary to extend a one-year "cooling-off" period to all employees in order to insert some reasonable distance between former employees and their colleagues who have remained in Government employ, and to remove the potent aura of special influence which may be consciously or unconsciously exploited by former Federal criminal justice system employees who take up a practice of representing convicted Federal criminals. (The Commission may wish to consider expanding this period if such appears warranted.)

Implementation

In order to avoid giving special advantages to any person and to further the goal of maintaining the total integrity of the Federal parole system, this proposed rule would apply to all representatives now and in the future practicing before the U.S. Parole Commission.

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Text of the Proposed Rule

PART 2—[AMENDED]

Accordingly, the U.S. Parole Commission proposes to amend its rules

by adding the following rule at 28 CFR 2.61:

§ 2.61 Qualifications of representatives.

(a) A prisoner or parolee may select any person to appear as his or her representative in any proceeding, and any representative will be deemed qualified unless disqualified under paragraphs (b) or (c) of this section. However, an examiner or examiner panel may bar an otherwise qualified representative from participating in a particular hearing on the ground that such participation would be incompatible with the orderliness or integrity of the hearing, provided good cause for that conclusion is found and stated in the record.

(b) The U.S. Parole Commission may disqualify any representative from appearing before the Commission for up to a five year period if, following a hearing on the matter, the Commission finds that:

(1) The representative has engaged in any conduct which demonstrates a clear lack of personal integrity or fitness to practice before the Commission; or

(2) The representative is a former employee of a Federal criminal justice agency, and has solicited clients on the strength of purported personal influence with U.S. Parole Commissioners or staff.

(c) In addition to the prohibitions contained in 18 U.S.C. 207, no former employee of any Federal criminal justice agency (in either the Executive or Judicial Branch of the Government) shall be qualified to act as a representative for hire in any case before the U.S. Parole Commission for one year following termination of Federal employment. However, such persons may be employed by or perform consulting services for a lawyer or law firm with a parole-related practice, to the extent such employment or service does not include the performance of any representational act before the Commission.

Note.—I certify that this proposed rule would not have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Dated: November 17, 1982.

Benjamin F. Baer,
Chairman, United States Parole Commission.

[FR Doc. 82-33271 Filed 12-6-82; 8:45 am]

BILLING CODE 4410-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-6-FRL 2237-7]

Approval and Promulgation of Implementation Plans; Oklahoma

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The State of Oklahoma has submitted regulations for the Prevention of Significant Deterioration (PSD). These regulations are generally equivalent to the Federal requirements contained in 40 CFR 51.24. EPA proposes approval of the State's regulations.

DATE: Interested persons are invited to submit comments on this proposed action on or before January 6, 1983.

ADDRESSES: Written comments should be submitted to the address below: Environmental Protection Agency, Region 6, Air and Waste Management Division, Air Branch, Technical Section, 1201 Elm Street, Dallas, Texas 75270.

Copies of the State submittal are available for inspection during normal business hours at the address above and at the following location: Oklahoma State Dept. of Health, Air Quality Service, N.E. 10th and Stonewall, Oklahoma City, Oklahoma 73105.

FOR FURTHER INFORMATION CONTACT: George I. Kennedy, Technical Section, environmental Protection agency, Region 6, Air and Waste Management Division, Air Branch, 1201 Elm Street, Dallas, Texas 75270, (214) 767-1594.

SUPPLEMENTARY INFORMATION: On April 2, 1979, the Governor of Oklahoma submitted a SIP revision to fulfill the requirements of the Clean Air Act Amendments of 1977. A part of that submittal, Regulation 3 (now codified as 1.3), *Defining Terms Used in Oklahoma Air Pollution Control Regulations*, is Table II, which gives the Significant Deterioration Increments adopted by the State on February 17, 1979. Since the primary interest in the 1979 submittal was the provisions for non-attainment areas, and the State did not submit control regulations for prevention of significant deterioration, EPA deferred action on Table II. On April 12, 1982, the Governor of Oklahoma submitted a SIP revision to fulfill the requirements of Part C of the Clean Air Act, Prevention of Significant Deterioration (PSD). This SIP revision consists of adding Section 1.4.4 to the State's Permit Regulation 1.4 and including Table II with the PSD increments, in Regulation 1.3, which defines terms used in the Air Pollution

Control Regulations. The State, in this submittal, certified that public hearings were held as required by 40 CFR 51.4. In addition, the State submitted a clarification and commitment letter on October 6, 1982.

Although Oklahoma's regulations generally conform to the requirements set forth in 40 CFR 51.24, the language of the State regulations varies from the Federal provisions to a limited extent. The most significant distinctions noted are:

(1) The State's submittal does not require applicants to meet the growth provisions of 40 CFR 51.24(n)(3)(ii) and (o)(2). The State in its letter of October 6, 1982, assured EPA that appropriate correction will be prepared, submitted to the Air Quality Council and the Board of Health for adoption. This will then be submitted to EPA before final approval can be given to this PSD regulation.

(2) The State defined "Baseline Area" as any area designated as attainment or unclassifiable in which the major source or modification establishing the baseline date would construct or would have an air quality impact equal to or greater than 1 microgram per cubic meter (annual average) of the pollutant for which the baseline date is established. Because the designations of the attainment and unclassifiable areas in Oklahoma are State-wide (except for specified non-attainment areas) the State's rule establishes the need for a complex administrative system to track increment usage and baseline dates. As a result, a baseline area smaller than the State's 107 designation will need to be designated pursuant to the procedure in Section 107 of the Act.

(3) The State, in its PSD Regulation, does not require compliance with EPA-issued PSD permits. Therefore EPA will retain enforcement jurisdiction over sources which EPA permitted prior to approval of the State's PSD program. However, the State will assist EPA by inspecting EPA-permitted facilities and observing stack tests and continuous monitoring tests.

(4) In defining "significant," the State does not include any emission rate of a pollutant not specifically listed but which is subject to regulation under the Act. A notice of deficiency will have to be prepared whenever a pollutant is added to the "significance" list by an EPA rulemaking.

(5) The State did not submit the area classification and redesignation portions (40 CFR 51.24 (e) and (g)) as part of the SIP revision. The State can still redesignate Class I and Class II areas as long as the procedures of Section 164 of the Act are followed.

(6) The State provides for public hearings on proposed permits in Section 1.4.2(e)(E), but limits those hearings to several specified issues. The State has indicated that the specified issues are broad enough to include all relevant questions concerning air quality impacts, control technology, and other appropriate permit considerations. The only issues which the State does not have the authority to hear or respond to are issues of land use or zoning.

(7) The State requires that all emissions decreases be enforceable in order to be creditable in Section 1.4.4(b), but does not explicitly state that such decreases must be federally enforceable. The State has previously committed, in relation to its general new source review regulations of which these PSD regulations are a part, that wherever the word "enforceable" appears the State will interpret it to include "federally enforceable."¹ The State has further indicated that it will not credit emissions decreases under Section 1.4.4(b)(3)(C) which EPA previously relied upon in issuing federal PSD permits under 40 CFR 52.21.

EPA has reviewed the State's submittal and prepared an Evaluation Report² based upon the criteria in 40 CFR 51.24. This evaluation is available for inspection by interested parties during normal business hours at the EPA Region 6 Office and the other offices listed above.

In view of the preceding discussion and information provided by the State, EPA proposes to approve the PSD regulations found in Oklahoma Regulation 1.3 Table II and Regulation 1.4, provided that the State submit the change for the growth analysis of 40 CFR 51.24(n)(3)(ii) and (o)(2) as they have indicated. In addition, EPA proposes to include as part of the SIP, the October 6, 1982, letter from the Air Quality Service to EPA. This letter interprets Regulation 1.4 giving clarity and the State's intent to carry out the provisions of the regulations.

The public is invited to comment on whether EPA should approve these Oklahoma PSD regulations as a revision of the Oklahoma SIP, subject to the additional analysis needs being submitted. All comments submitted on or before January 6, 1983, will be considered.

¹ See 47 FR 49872 in which EPA proposes to approve Oklahoma's general new source review regulations.

² Evaluation Report for the Oklahoma State Implementation Plan (SIP) for Prevention of Significant Deterioration (PSD) date October 15, 1982.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709).

This action, if promulgated, is a SIP approval under the authority of Section 110 of the Clean Air Act, as amended, 42 U.S.C. 7410.

List of Subjects in 50 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Dated: October 21, 1982.

Frances E. Phillips,
Acting Regional Administrator.

[FR Doc. 82-33175 Filed 12-6-82; 8:45 am]
BILLING CODE 6560-50-M

INTERSTATE COMMERCE COMMISSION

49 CFR Ch. X

[Ex Parte No. 346 (Sub-No. 8)]

Exemption From Regulation—Boxcar Traffic

AGENCY: Interstate Commerce Commission.

ACTION: Notice of availability of environmental assessment prepared for notice of proposed exemption.

SUMMARY: A Notice of proposed exemption was published January 28, 1982 (47 FR 4100) and a revised notice was published June 25, 1982 (47 FR 27573). The proceeding involves the possible exemption from Commission regulation of either Conrail or all United States boxcar movements. The ICC's Section of Energy and Environment has prepared a document which assesses the environmental impacts of this proposal. On November 26, 1982, copies of this document were served on all parties of record in this proceeding. Other interested members of the public may request a copy of the environmental assessment from the address given below.

DATE: Written comments on the data or conclusions contained in the

environmental assessment may be forwarded to Ms. Dana White at the address given below on or before January 6, 1983.

ADDRESS: Ms. Dana White, Section of Energy and Environment, Room 4415, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Ms. Dana White, 202-275-6869. Agatha L. Mergenovich, Secretary.

[FR Doc. 82-33217 Filed 12-6-82; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 652

[Docket No. 21130-239]

Atlantic Surf Clam and Ocean Quahog Fisheries

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of proposed quotas and request for comments.

SUMMARY: NOAA issues a notice of proposed quotas for the surf clam and ocean quahog fisheries for 1983 and requests public comment. These quotas have been selected from a range defined as the optimum yield for each fishery. The intended effect of this action is to establish allowable harvests of surf clams and ocean quahogs from the fishery conservation zone in 1983; proposed quotas are the same as those for 1982.

EFFECTIVE DATE: Comments will be accepted until January 6, 1983.

ADDRESS: Comments should be sent to the Management Division, Northeast Region, National Marine Fisheries Service, State Fish Pier, Gloucester, Massachusetts 01930-3097. A copy of the report on establishing the quotas is available for public inspection at this address; copies may be requested in writing.

FOR FURTHER INFORMATION CONTACT: Bruce Nicholls, Surf Clam Management Coordinator, 617-281-3600.

SUPPLEMENTARY INFORMATION: Amendment 3 to the Fishery Management Plan for the Surf Clam and

Ocean Quahog Fisheries was implemented by final regulations published on January 29, 1982 (47 FR 4268). One of the provisions of the amendment directs the Secretary of Commerce (Secretary), in consultation with the Mid-Atlantic Fishery Management Council, to specify quotas for surf clams and ocean quahogs on an annual basis from within ranges that have been identified as the optimum yield for each fishery. To implement this regulatory provision for establishing quotas, the Regional Director has considered the following information: stock assessments, catch records and other relevant information concerning exploitable biomass and spawning biomass, fishing mortality rates, incoming recruitment, projected effort and catches, and areas likely to be reopened to fishing. Proposed quotas based on that information are published here for public review and comment; a copy of the report on the methodology used in establishing these quotas is available to the public.

Analyses of stock assessments, catch records, and all other relevant information, indicate there is no change in the status of surf clam and ocean quahog stocks from that of 1982; therefore, the following 1983 quotas are not changed from the quotas established for the fisheries for calendar year 1982:

Fishery	1983 quota in bushels
Mid-Atlantic Surf Clam	2,350,000
New England Surf Clam	50,000
Ocean Quahog.....	4,000,000

The Regional Director expects that a significant portion of the mid-Atlantic surf clam quota will be harvested from the area currently being reopened off Atlantic City, New Jersey. The reopened area is expected to be expanded during the 1983 fishing year through the same process of public review used to establish the reopened area during the summer of 1982.

Comments on these proposed quotas will be accepted for 30 days. Comments will be considered by the Secretary, who will determine appropriate final annual quotas for each fishery and publish those quotas in the **Federal Register**.

Other Matters

This action is taken under the authority of 50 CFR 652.21 and is taken in compliance with Executive Order 12291. The action is covered by the certification for Amendment 3 to the Fishery Management Plan for the Surf Clam and Ocean Quahog Fisheries, under the Regulatory Flexibility Act, that the authorizing regulations do not have a significant economic impact on a substantial number of small entities.

List of Subjects in 50 CFR Part 652

Administrative practice and procedure, Fish, Fisheries, Reporting requirements.

(16 U.S.C. 1801 *et seq.*)

Dated: December 1, 1982.

Carmen J. Blondin,

*Deputy Assistant Administrator for Fisheries
Resource Management, Enforcement
Division.*

[FR Doc. 82-33320 Filed 12-2-82; 4:59 pm]

BILLING CODE 3510-22-M

Notices

Federal Register

Vol. 47, No. 235

Tuesday, December 7, 1982

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 COMMERCE

Agency Forms Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

- Agency: Bureau of the Census
- Title: Survey of Income and Program Participation
- Form No.: Agency—4100X, 4101X, 4102X, 4105X; OMB—None
- Type of request: Preliminary Plan
- Burden: 300 respondents; 150 reporting hours
- Needs and uses: Information collected will be used to determine the distribution of income received directly as money or indirectly as in-kind benefits, and the effect of tax and transfer programs on this distribution. The survey is designed to provide data on a continuing basis so that levels of economic well-being and changes in these levels can be measured over time.
- Affected public: Households in the city of Atlanta, Georgia
- Frequency: Other (Pretest)
- Respondent's obligation: Voluntary
- OMB desk officer: Timothy Sprehe, 395-4814.
- Agency: Bureau of the Census
- Title: Current Industrial Reports Program
- Form No.: Agency—multiple; OMB—multiple
- Type of request: Extension
- Burden: Mandatory portion—25,543 responses; 21,932 reporting hours
- Voluntary portion—46,325 responses; 21,270 reporting hours
- Needs and uses: The Current Industrial Reports Program provides key measures of production, shipments, and/or inventories on a national basis for selected

manufactured products. The resulting data are used extensively by government agencies for economic analyses and projections.

- Affected public: Manufacturing establishments
- Frequency: Monthly, quarterly, annual, biennial
- Respondent's obligation: Mandatory, Voluntary
- OMB desk officer: Timothy Sprehe 395-4814.
- Agency: Minority Business Development Agency
- Title: PROFILE—National Minority Business Data Bank
- Form No.: Agency—None; OMB—0640-0002
- Type of request: Extension
- Burden: 100 respondents; 5,000 reporting hours
- Needs and uses: The PROFILE Data Bank is an automated file listing minority vendor firms with the capability to bid on procurement contract opportunities. The information is provided to companies looking to contract with qualified minority firms. It is also used to match an opportunity with a firm.
- Affected public: Minority vendor firms
- Frequency: On occasion, quarterly
- Respondent's obligation: Voluntary, Required to obtain or retain benefit
- OMB desk officer: Timothy Sprehe, 395-8414.

Copies of the above information collection proposals can be obtained by calling or writing DOC Clearance Officer, Edward Michals (202) 377-4217, Department of Commerce, Room 8622, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Written comments and recommendations for the proposed information collections should be sent to Timothy Sprehe, OMB Desk Officer, Room 3235, New Executive Office Building, Washington, D.C. 20503.

Linda Engelmeir,
Management Analyst, Departmental Clearance Officer,

[FR Doc. 82-33303 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-CW-M

International Trade Administration

Pectin from Mexico; Suspension of Investigation

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of suspension of Investigation.

SUMMARY: The Department of Commerce has decided to suspend the countervailing duty investigation involving pectin from Mexico. The basis for the suspension is an agreement by Pectina de Mexico, S.A., the only known Mexican manufacturer and exporter of pectin, to renounce all countervailable benefits under the CEPROFI, FOMEX and CEDI programs.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT: Mary A. Martin, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20320, (202) 377-1276.

SUPPLEMENTARY INFORMATION: On June 24, 1982, we received a petition from Hercules, Inc. of Wilmington, Delaware, on behalf of the U.S. industry producing pectin. The petition alleged that the government of Mexico provides bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (the Act), directly or indirectly to the manufacturers, producers, or exporters of pectin in Mexico through the following programs: tax credits under the Certificates of Fiscal Promotion (CEPROFI) program, preferential financing under the Fund for the Promotion of Exports of Mexican Manufactured Products (FOMEX), and tax rebates for exports under the Certificado de Devolucion de Impuesto (CEDI) program.

We reviewed the petition, and on July 14, 1982, determined that an investigation should be initiated (47 FR 31414).

We presented a questionnaire concerning the allegations to the government of Mexico at its embassy in Washington, D.C. On August 27, 1982, we received a partial response to the questionnaire. Additional information was supplied on September 7 and 9, 1982.

The government of Mexico requested that its response to our questionnaire be classified pursuant to Executive Order 12356 (effective August 1, 1982). In a letter dated September 27, 1982, we declined to accept the response as classified confidential foreign government information and returned the response to the government of

Mexico. On October 7, 1982, the Mexican government submitted a business confidential and a nonconfidential version of its earlier response. No request for classification pursuant to Executive Order 12356 was included. Between October 25 and November 5, 1982, we verified the response by a review of government documents and company books and records of Pectina de Mexico, S.A. (Pectina), the only known manufacturer and exporter in Mexico of pectin.

Counsel for Pectina in a letter dated August 27, 1982, proposed entering into a suspension agreement pursuant to section 704 of the Act.

On September 17, 1982, we preliminarily determined that the government of Mexico is providing bounties or grants to manufacturers, producers and exporters of pectin. The programs preliminarily found to be countervailable were the FOMEX and the CEDI programs.

Notice of the affirmative preliminary countervailing duty determination was published in the *Federal Register* on September 23, 1982 (42 FR 42014). We directed the U.S. Customs Service to suspend liquidation of all entries, or withdrawals from warehouse, for consumption of the subject merchandise on or after September 23, 1982, and to require a cash deposit or bond in the amount of 8.353 percent of the f.o.b. value of the merchandise.

On October 27, 1982, Pectina and the Department of Commerce initialed a proposed suspension agreement, which was based upon Pectina's agreement to eliminate completely all bounties or grants on exports of pectin under the CEPROFI, FOMEX and CEDI programs. We provided copies of the proposed suspension agreement to the petitioner for its consultation and to other parties to the proceeding for their comments. Written comments were received from counsel for Pectina and from the petitioner.

Pectina's Comments

Comment 1

Amend the agreement to clearly indicate that Pectina is the only known manufacturer and exporter of the subject product in Mexico.

DOC Position

We have no objection to this change.

Comment 2

Amend paragraph 1 of Part B by deleting references to the CEDI and CEPROFI programs. Pectina alleges that the government of Mexico's suspension of the CEDI program has effectively

eliminated any benefit under that program. Further, Pectina believes that the renunciation of CEPROFI benefits is excessively broad.

DOC Position

We believe that Pectina's offer to give the Department advance notice of any decision to apply for or receive benefits under the CEDI or CEPROFI programs is not sufficient to compensate for the proposed changes. During the verification we learned that Pectina received a countervailable CEPROFI in 1982. In addition, Pectina's eligibility for CEDI may be reinstated at any time. We have modified the proposed suspension agreement to provide that Pectina is renouncing only those portions of the CEPROFI which the Department considers to be countervailable.

Petitioner's Comments

Comment 1

Petitioner, which filed on the same day as this case, the petition on polypropylene film that subsequently resulted in the countervailing duty investigation, stated that since the programs investigated are the same and the preliminary countervailing duty determinations were very similar to each other, there is no apparent rationale underlying the wide variation in the text of the proposed agreements for pectin and polypropylene film.

DOC Position

We agree and have amended the polypropylene film suspension agreement to conform to the changes in the pectin suspension agreement.

Comment 2

Petitioner objects to language in paragraph B.1.(d) of the proposed agreement because it permits the foreign manufacturer to apply for and receive bounties or grants from the Mexican government until such time as the Department determines in this proceeding that such benefits constitute bounties or grants for the subject merchandise under the Act and notifies the foreign manufacturer of such determination.

DOC Position

We have amended the provision to provide that (1) the Mexican manufacturer will not apply for or receive benefits under any other program subsequently determined by the Department in this or a subsequent proceeding to constitute bounties or grants; (2) if any additional program is found countervailable in this or a subsequent proceeding, the Department shall officially notify the Mexican

manufacturer; and (3) the Mexican manufacturer shall notify the Department within sixty days, of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Comment 3

Petitioner objects to the provision in paragraph B.1. which provides that the Mexican manufacturer agrees not to apply for or receive any countervailable benefits. Petitioner believes that if a U.S./Mexico subsidies agreement is subsequently entered into, then no benefit would ever be countervailable without an injury determination.

DOC Position

The Department determines whether a program is countervailable. We have added provisions B.1. (e) and (f) which provide that if any additional program is found countervailable in this or a subsequent proceeding we shall notify the Mexican manufacturer. The manufacturer shall notify the Department within sixty days of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Comment 4

Petitioner alleges that the agreement fails to require the Mexican manufacturer to notify the Department and the petitioner if it receives any benefits under CEDI, CEPROFI, FOMEX, or any other program that is a substitute for or supplement to the above Mexican government programs.

DOC Position

Paragraph B.1.(f) requires the Mexican manufacturer to notify the Department within sixty days, of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Comment 5

A provision should be added to the agreement providing that "Should Pectina de Mexico's annual imports account for less than 85 percent of the pectin imported to the United States from Mexico, the Department of Commerce on its own initiative or at the request of the petitioner, may terminate this agreement and reopen the investigation or issue a countervailing duty order, as appropriate under Section 355.32 of the Commerce Department regulations. If reopened, the investigation will be presumed for all pectin exporters as if the affirmative preliminary determination was made on

the date that the Department terminates this agreement."

DOC Position

This addition is unnecessary because section 704(i) of the Act requires the actions included in the comment.

Comment 6

The proposed settlement agreement fails to explicitly provide what benefits under the FOMEX, CEPROFI and CEDI programs the Department of Commerce has already found to be bounties or grants within the meaning of the countervailing duty law.

DOC Position

We preliminarily determine that bounties or grants are being provided to the Mexican manufacturer under the three programs. Because we have not examined all aspects of these programs and we have specifically determined in the Final Affirmative Countervailing Duty Determinations and Countervailing Duty Orders for Litharge, Red Lead and Lead Stabilizers from Mexico that one type of CEPROFI does not provide a bounty or grant, we have not explicitly provided in this agreement what benefits under the programs are bounties or grants.

Comment 7

The suspension of a countervailing duty investigation without the elimination of all alleged subsidies clearly does not serve the interest of the affected domestic industry as Congress stated it should.

DOC Position

We believe that the suspension agreement eliminates all alleged subsidies.

Comment 8

The fact that petitioner did not have thirty days to respond to changes from the initialed agreement may constitute a procedural defect serious enough to cast doubt upon the validity of the entire proceeding.

DOC Position

Petitioner had thirty days notice of the proposed suspension agreement. There is no requirement in the Act which prevents the Department from modifying the initialed agreement. The requirements of the Act that the Department consult with the petitioner and consider the comments from interested parties contemplate that a final suspension agreement will include modifications suggested by the comments.

The Department has considered the comments submitted with respect to the proposed suspension agreement. We have determined that the agreement eliminates the bounties or grants completely with respect to the subject merchandise exported directly or indirectly to the United States, can be monitored effectively, and is in the public interest. Therefore, we find that the criteria for suspension of an investigation pursuant to section 704 of the Act have been met. The terms and conditions of the agreement are set forth in Annex 1 to this notice.

Pursuant to section 704(f)(2)(A) of the Act, the suspension of liquidation of entries, or withdrawals from warehouse, for consumption of pectin from Mexico effective September 23, 1982, as directed in the Preliminary Affirmative Countervailing Duty Determination, is hereby terminated. Any cash deposits on entries of pectin from Mexico pursuant to that suspension of liquidation shall be refunded and any bonds or other security shall be released.

The Department intends to conduct an administrative review within 12 months of the publication of this suspension as provided in section 751 of the Act.

Notwithstanding the suspension agreement, the Department will continue the investigation, if we receive such a request in accordance with section 704(g) of the Act within 20 days after the date of publication of this notice.

This notice is published pursuant to section 704(f)(1)(A) of the Act.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

December 1, 1982.

Annex I—Suspension Agreement Pectin From Mexico

Suspension Agreement

Pectin From Mexico

Pursuant to the provisions of section 704 of the Tariff Act of 1930 (the Act) and § 355.31 of the Commerce Regulations, the United States Department of Commerce (the Department) enters into the following suspension agreement with Pectina de Mexico, S.A., Av. Mexico No. 2436-102, Sector Hidalgo, Guadalajara, Jalisco, Mexico. On the basis of this agreement, the Department shall suspend its countervailing duty investigation initiated on July 14, 1982, with respect to pectin from Mexico in accordance with the terms and provisions set forth below:

A. Product Coverage

The suspension agreement is applicable to all pectin manufactured by Pectina de Mexico, S.A., and directly or indirectly exported to the United States (hereinafter referred to as the subject product). Pectin is used as an ingredient in food and drugs. In food, pectin is used principally as a jelling agent for jams, jellies, and confectionery and as an ingredient in dairy products. Pectin is currently provided for in item number 455.04 of the *Tariff Schedules of the United States*.

B. Basis of the Agreement

1. Pectina de Mexico is the only known manufacturer and exporter of the subject product. Pectina de Mexico voluntarily agrees not to apply for or receive any countervailable benefits from the Mexican government's CEDI, CEPROFI or FOMEX programs. Specifically:

(a) Pectina de Mexico will not apply for or receive any pre-export or export loans or loan guarantees from the Fund for the Promotion of Exports of Mexican Manufactured Products (FOMEX) with respect to shipments of the subject product entering the United States, or withdrawn from warehouse, for consumption on or after the effective date of this agreement.

(b) Pectina de Mexico will not apply for or receive any benefits that the Department has determined or determines to be countervailable from the Certificates of Fiscal Promotion (CEPROFI) program with respect to shipments of the subject product entering the United States, or withdrawn from warehouse, for consumption on or after the effective date of this agreement.

(c) Effective August 25 1982, the Certificado de Devolucion de Impuesto (CEDI) program discontinued the eligibility of pectin for CEDI tax rebates. Pectina de Mexico will not apply for or receive any countervailable benefits under this program if the eligibility is reinstated.

(d) Pectina de Mexico will not apply for or receive benefits under any other program subsequently determined by the Department in this or a subsequent proceeding to constitute bounties or grants under the Act to the subject product.

(e) If any additional program is found countervailable in this or a subsequent proceeding, the Department shall officially notify Pectina de Mexico.

(f) Pectina de Mexico shall notify the Department, within sixty days before taking any action, of any benefits it

intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Renunciation of the receipt of these benefits does not constitute an admission by Pectina de Mexico that such benefits are bounties, grants or subsidies within the meaning of the U.S. countervailing duty law or any other U.S. law.

Pectina de Mexico certifies that no new countervailing benefits will be applied for or received for the subject product as a substitute for or supplement to any benefits eliminated by this agreement.

2. In accordance with the provisions of the Act and applicable regulations, this agreement applies to the product described in Paragraph A which is produced in Mexico and exported directly or indirectly to the United States.

3. The effective date of this agreement is the date it is published in the **Federal Register**.

C. Pectina de Mexico agrees to supply to the Department such information as the Department deems necessary to demonstrate that it is in full compliance with this agreement. Pectina de Mexico will notify the Department if it: (1) Transships the subject product through third countries, (2) alters its position with respect to any terms of the agreement,

(3) applies for or receives directly or indirectly the benefits of the programs described in Paragraph B for the manufacture of the subject products exported to the United States.

Pectina de Mexico agrees to permit such verification and data collection as deemed necessary by the Department in order to monitor this agreement. The Department shall request such information and perform such verifications periodically pursuant to administrative reviews conducted under section 751 of the Act.

D. Violation of the Agreement

If the Department determines that the agreement is being or has been violated or no longer meets the requirements of section 704(b) or (d) of the Act, then the provisions of section 704(i) shall apply.

Signed on this 1st day of December 1982.
For Pectina de Mexico.

By: James M. Lyons,
Special Counsel, Pectina de Mexico.

I have determined that the provisions of Paragraph B completely eliminate the bounties or grants being provided in Mexico with respect to pectin exported directly or indirectly to the United States and that the provisions of Paragraph C ensure that this agreement

can be monitored effectively pursuant to section 704(d) of the Act. Furthermore, I have determined that this agreement meets the requirements of section 704(b) of the Act and is in the public interest as required in section 704(d) of the Act.

Department of Commerce.

By: Gary N. Horlick,
Deputy Assistant Secretary for Import Administration.

[FR Doc. 82-33305 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

[Docket No. 21019-214]

Voluntary Guidelines for State and Local Governments and Private Sector Bodies Engaged in Standards Development, Product Testing and Certification Systems

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of voluntary guidelines.

SUMMARY: This Notice complies with Section 403 of the Trade Agreements Act of 1979, (19 U.S.C. 2553; Pub. L. 96-39), which requires the President to take reasonable measures to promote the observance by state and local governments and private standards bodies of rules equivalent to those established under the act for federal agencies engaged in standards-related activities.

FOR FURTHER INFORMATION CONTACT: Ms. Robin R. Layton, (202) 377-3681.

SUPPLEMENTARY INFORMATION: The Department published proposed Voluntary Guidelines in the **Federal Register** on April 27, 1982 (47 FR 18014). Comments on the proposed Voluntary Guidelines were received from two individuals, two companies, two testing laboratories, four trade associations and one standards organization. Two of the commenters endorsed the proposed guidelines with no changes, six supported the guidelines with suggested changes and three offered comments on the text without endorsing or opposing the guidelines.

There were five general comments on the proposed voluntary guidelines. Three of the general comments dealt with ensuring reciprocal treatment in the standards, testing and certification area. The purpose of the guidelines is to promote domestic observance of the Agreement on Technical Barriers to Trade (Standards Code) principles and procedures. Therefore these comments were not pertinent. One commenter desired that state and local governments remove barriers to domestic goods. As the guidelines deal with international trade, the comment was not considered

germane. The other general comment concerned consistency between the guidelines and the Standards Code, the Trade Agreements Act of 1979 and the proposed OMB Circular A-119, and further suggested that the guidelines not be finalized until the OMB Circular has been issued in final form. OMB Circular A-119 is addressed to federal government participation in the development and use of voluntary standards while the Voluntary Guidelines are directed toward state, local and private sector standards-related activities that bear on international trade. As the documents have different purposes and audiences, one is not dependent on the other. However, wherever possible, an effort was made to conform the terminology in the guidelines to be consistent with the aforementioned documents.

Several of the commenters were unclear as to the effect of the Voluntary Guidelines. The guidelines are discretionary and have no binding effect. The guidelines offer suggested procedures to be adopted and adapted as appropriate by state, local and private sector standards-related entities who wish to conform their actions to comply with the Standards Code aim of preventing technical barriers to international trade. Therefore, while public comment was solicited in the interest of openness and transparency, it must again be emphasized that the Voluntary Guidelines are not rules and have no regulatory significance.

Comments on the text of the guidelines themselves fell into three general categories:

- The wording and procedures of the guidelines should be conformed, to the greatest extent possible, to the language and obligations of the Standards Code;
- The procedures suggested to provide interested foreign parties knowledge of and access to state, local and private sector standards-related actions should be reasonable and not burdensome; and
- The guidelines should not refer to any particular state, local or private sector organization or publication.

All of these suggestions were taken into account, with necessary modifications for consistency, and are reflected in the final version of the Voluntary Guidelines.

Comments which suggested modifications to the guidelines which went beyond the obligations of the Standards Code were not accepted. The Trade Agreements Act of 1979 requires the President to take "reasonable"

measures to promote the observance of the Standards Code by state and local governments and private standards bodies. It would not be reasonable to suggest that these organizations follow more onerous procedures than those agreed to by the Federal Government.

In addition to comments received from the private sector, one comment was received from a federal agency. The Office of Management and Budget (OMB) suggested inserting an encouragement to send copies of notices of proposed standards of certification systems to the National Bureau of Standards National Center for Standards and Certification Information as a central repository of U.S. standardization and certification information. The OMB suggestion was taken into account, and is reflected in the final guidelines.

The guidelines are intended to assist state and local governments and private sector bodies engaged in standards development, product testing and certification activities which desire to conform their procedures, whenever possible, to the Standards Code aims of promoting the use of standards to facilitate trade and preventing the use of standards, testing and certification systems as barriers to trade.

Voluntary Guidelines for State and Local Governments and Private Sector Bodies Engaged in Standards Development, Product Testing and Certification Systems

Introduction

One result of the recent "Tokyo Round" of Multilateral trade Negotiations (MTN) held under the General Agreement on Tariffs and Trade (GATT) is the "Agreement on Technical Barriers to Trade," popularly known as the Standards Code, which became effective January 1, 1980. The Standards Code aims to promote the use of standards as facilitating trade and to prevent standards, testing and certification systems from becoming technical barriers to trade. To achieve these goals the Code establishes international rules concerning the procedures by which standards and certification systems are prepared, adopted and applied, and by which products are tested for conformity with standards. The provisions of the Code are binding only on central government bodies, but signatories are required to "take such reasonable measures as may be available to them" to promote compliance by regional, state, local and private bodies.

The legislation implementing the Standards Code in the United States is

Title IV of the Trade Agreements Act of 1979, 19 U.S.C. 2531 *et seq.*; Pub. L. 96-39 (the "Act"), which establishes rules for federal agencies engaged in standards-related activities. Section 403 of this legislation requires the President to take reasonable measures as may be available to promote the observance by state agencies and private persons of equivalent rules. To this end, the voluntary procedural guidelines presented below have been prepared for state, local and private bodies involved in three types of activities: developing standards, testing products and operating certification systems. Many state and local governments and private organizations already use substantially identical procedures. They are, therefore, in compliance with the sense of Congress that "no state agency and no private person should engage in any standards-related activity that create unnecessary obstacles to the foreign commerce of the United States."

Additional information concerning the Standards Code and the Act is available from: Trade Advisory Center, Room 1015-C, Department of Commerce, Washington, D.C. 20230.

The following procedural guidelines are intended to help state and local government and private standardizing and certifying bodies see that their activities do not create unnecessary obstacles to the foreign commerce of the United States. For purposes of these guidelines, standardizing and/or certifying body refers to both state and local government agencies and private organizations.

Standards Development

1. Before preparing a new standard or revising an existing one, a standardizing or certifying body should make an effort to determine whether any relevant international standards exist or are in preparation. Toward this end, upon request, the National Bureau of Standards National Center for Standards and Certification Information ("Center") at the U.S. Department of Commerce (301/921-2587) will identify and provide information on relevant existing international standards. If appropriate, relevant international standards should be used in preparing the new standard.

The Standards Code and the Act recognize that the reasons for not using the international standard include, but are not limited to the following:

- National security requirements;
- Protection of human health or safety, animal or plant life or health, or the environment;

- Fundamental climatic or other geographical factors;
- Fundamental technological problems; and
- Prevention of deceptive practices.

The Standards Code does not require that regional standards be taken into consideration. Regional standards are prepared by organizations whose membership is not open to all national bodies.

2. Private standardizing and certifying bodies are encouraged to play a full part within the limits of their resources in the development of international standards. Depending on the rules of the international standards organization, participation should be arranged through the U.S. member body. Some international organizations recognize only one member body. For example, the American National Standards Institute (ANSI) is the U.S. member body to the International Organization for Standardization (ISO), and ANSI's "U.S. National Committee to the IEC" is the U.S. member body to the International Electrotechnical Commission (IEC).

3. Standards should be based on performance criteria rather than design criteria, where appropriate. Performance criteria, for example, are related to the intended use of the product and the level of performance that the product must achieve under defined conditions. Design criteria, for example, are related to the physical form of the product or the types of materials of which the product is made.

4. When standards are proposed, notices to that effect should be published so that interested parties in other countries are informed and afforded the opportunity to comment, as detailed below. This does not apply if international standards are used to prepare the new standards or if it is determined by the standardizing body that the standards will not have a significant effect on the trade of other countries.

4.1 When proposing a new standard or revising an existing standard, the standardizing body should announce the proposed action so as to notify interested parties in the U.S. and other countries. This might be accomplished by publishing notices in trade journals. Whenever possible, copies of notices should be forwarded to the NBS Center.

4.2 Copies of proposed standards should be provided if they are requested to any interested party in foreign countries. A reasonable fee may be charged for this service, including the cost of airmail postage to overseas recipients.

4.3 In order to allow adequate time for interested parties to comment, a period of at least 45 days should be allowed for the submission of comments, except in cases where urgent problems of safety, health, etc., arise or threaten to arise. Comments and other information received should be taken into account in the further processing of the proposed standard.

5. Once adopted, a standard should be published promptly so that interested parties can become familiar with it. In the case of a mandatory standard, a reasonable interval should be allowed between publication and entry into force, so that producers will have time to adapt their products or methods of production to the requirements.

Certification Systems

6. When rules of certification systems are developed, interested parties in foreign countries should be informed and afforded the opportunity to comment. When certification is denied, there also should be the opportunity to comment. The procedures suggested below are much the same as those listed for proposed standards and, as with standards, they are not necessary if the certifying body determines that the proposed rules will not have a significant effect on the trade of other countries.

6.1 When proposing a new certification system or revising an existing system, the certifying body should announce the proposed rules so as to notify interested parties in the U.S. and other countries. This might be accomplished by publishing notices in trade journals. Whenever possible, copies of notices should be forwarded to the NBS Center.

6.2 Copies of the proposed rules of certification systems should be provided, if they are requested, to any interested parties. A reasonable fee may be charged for this service, including the cost of airmail postage to overseas recipients.

6.3 In order to allow adequate time for interested parties to comment, a period of at least 45 days should be allowed for the submission of comments, except in cases where urgent problems of safety, health, etc., arise or threaten to arise. Comments and other information received should be taken into account in the further processing of the proposed rules.

7. If a state or local agency or private organization maintains a certification system, it should provide access to imported products to be certified as long as the suppliers are able to fulfill the requirements of the system. This includes receiving the mark of the

system, if any, under the same conditions that affect domestic products. The certifying body should treat imported products the same as domestic products.

Product Testing

8. When testing is required to determine conformity with technical regulations or standards, the testing agency or organization should treat imported products the same as domestic products. There may, however, be situations when it is not possible to test foreign products on the same basis as U.S. products because of incomparable conditions. For example, if a foreign country uses a pesticide on produce which the United States does not allow, then it may be necessary to test imported produce for a pesticide residue while it would not be necessary to test produce.

8.1 Test methods and administrative testing procedures should be no more complicated or time-consuming for imported products than they are for U.S. products.

8.2 Any fees charged for testing imported products should be on an equitable basis to those charged for U.S. products.

8.3 The sites of testing facilities and the selection of samples for testing should not cause unnecessary inconvenience to importers, exporters or their agents.

8.4 Results of tests should be made available to the party who submitted the product for testing and, if requested and thereafter authorized by the party, to the importer and exporter or their agents.

8.5 Confidential information about imported products should be respected the same way as it is for domestic products.

9. Whenever possible, testing or certifying bodies are encouraged to accept test results or certification marks from their counterpart organizations in other countries or even accept self-certification from producers in other countries. It is recognized that differences in test methods, testing competency, purposes and uses of test results (e.g., safety, health, etc.), and exposure to legal liability may preclude acceptance. Even when acceptance is possible, it may be necessary to hold consultations in the importing and exporting countries in order to reach a mutually-satisfactory arrangement.

Disputes

10. If an interested party in the United States has a problem with a foreign governmental or private standard or certification system, it should bring its complaint to the attention of the GATT

Affairs Division of the Office of the U.S. Trade Representative, Washington, D.C. 20506, (202/395-3063). The Office of the U.S. Trade Representative will then work with its counterpart government agency in the country in question to arrange a mutually satisfactory solution.

11. In the reverse situation, if a foreign country that is a signatory to the Standards Code has a problem with a U.S. state or local government or private standardizing or certifying body, the Office of the U.S. Trade Representative would receive a complaint according to its specific procedures. This includes cooperating with the domestic parties involved in order to reach a mutually satisfactory solution.

Nancy E. Morgan,

Acting Director, GATT Affairs Division,
Office of Multilateral Affairs.

[FR Doc. 82-33304 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

Polypropylene Film From Mexico; Suspension of Investigation

AGENCY: International Trade Administration.

ACTION: Notice of suspension of investigation.

SUMMARY: The Department of Commerce has decided to suspend the countervailing duty investigation involving polypropylene film from Mexico. The basis for the suspension is an agreement by Celulosa y Derivados, a manufacturer of polypropylene film that accounts for over 85 percent of the total exports of the subject merchandise to the United States from Mexico, to renounce all benefits which we preliminarily found to be bounties or grants on exports of the polypropylene film to the United States.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT: Mary A. Martin, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, (202) 377-1276.

SUPPLEMENTARY INFORMATION: On June 24, 1982, we received a petition from Hercules, Inc. of Wilmington, Delaware, on behalf of the U.S. industry producing polypropylene film. The petition alleged that the government of Mexico provides bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended, directly or indirectly to the manufacturers, producers, or exporters of polypropylene film in Mexico through the following programs: tax credits under the Certificates of Fiscal Promotion (CEPROFI) program,

preferential financing under the Fund for the Promotion of Exports of Mexican Manufactured Products (FOMEX), and tax rebates for exports under the Certificado de Devolucion de Impuesto (CEDI) program.

We reviewed the petition, and on July 14, 1982, determined that an investigation should be initiated (47 FR 31414).

We presented a questionnaire concerning the allegations to the government of Mexico at its embassy in Washington, D.C. On August 30, 1982, we received a partial response to the questionnaire. Additional information was supplied on September 7 and 9, 1982.

The government of Mexico requested that its response to our questionnaire be classified pursuant to Executive Order 12356 (effective August 1, 1982). In a letter dated September 27, 1982, we declined to accept the response as classified confidential foreign government information and returned the response to the government of Mexico. On October 7, 1982, the Mexican government submitted a business confidential and a non-confidential version of its earlier response. No request for classification pursuant to Executive Order 12356 was included. Between October 25 and November 5, 1982, we verified the response by a review of government documents and company books and records.

Counsel for Celulosa y Derivados, a manufacturer of polypropylene film that accounts for over 85 percent of the total exports of the subject merchandise to the United States from Mexico, in a letter dated September 9, 1982, proposed entering into a suspension agreement pursuant to section 704 of the Act.

On September 17, 1982, we preliminarily determined that the government of Mexico is providing bounties or grants to manufacturers, producers and exporters of polypropylene film. The programs preliminarily found to be countervailable were the CEPROFI, FOMEX and CEDI programs.

Notice of the affirmative preliminary countervailing duty determination was published in the *Federal Register* on September 23, 1982 (47 FR 42015). We directed the U.S. Customs service to suspend liquidation of all entries, or withdrawals from warehouse, for consumption of the merchandise on or after September 23, 1982, and to require a cash deposit or bond in the amount of 5.945 percent of the f.o.b. value of the merchandise.

On October 27, 1982, Celulosa y Derivados and the Department of

Commerce initiated a proposed suspension agreement, which was based upon Celulosa y Derivados' agreement to eliminate completely all benefits which we preliminarily found to be bounties or grants on exports of the subject merchandise to the United States. We provided copies of the proposed suspension agreement to the petitioner for its consultation and to other parties to the proceeding for their comments. We received written comments from the petitioner opposing the proposed suspension agreement.

Comment 1

Petitioner, which filed on the same day as this case, the petition on pectin from Mexico that subsequently resulted in the countervailing duty investigation, stated that since the programs investigated are the same and the preliminary countervailing duty determinations were very similar to each other, there is no apparent rationale underlying the wide variation in the text of the proposed agreements for pectin and polypropylene film.

DOC Position

We agree and have amended the instant suspension agreement to conform to the changes in the pectin suspension agreement.

Comment 2

Petitioner objects to language in paragraph B.1.(d) of the proposed agreement because it permits the foreign manufacturer to apply for and receive bounties or grants from the Mexican government until such time as the Department determines in this proceeding that such benefits constitute bounties or grants for the subject merchandise under the Act and notifies the foreign manufacturer of such determination.

DOC position

We have amended the provision to provide that (1) the Mexican manufacturer will not apply for or receive benefits under any other program subsequently determined by the Department in this or a subsequent proceeding to constitute bounties or grants; (2) if any additional program is found countervailable in this or a subsequent proceeding, the Department shall officially notify the Mexican manufacturer; and (3) the Mexican manufacturer shall notify the Department within sixty days, of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Comment 3

Petitioner objects to the provision in paragraph B.1. which provides that the Mexican manufacturer agrees not to apply for or receive any countervailable benefits. Petitioner believes that if a U.S./Mexico subsidies agreement is subsequently entered into, then no benefit would ever be countervailable without an injury determination.

DOC Position

The Department determines whether a program is countervailable. We have added provisions B.1.(e) and (f) which provide that if any additional program is found countervailable in this or a subsequent proceeding we shall notify the Mexican manufacturer. The manufacturer shall notify the Department within 60 days of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Comment 4

Petitioner alleges that the agreement fails to require the Mexican manufacturer to notify the Department and the petitioner if it receives any benefits under CEDI, CEPROFI, FOMEX, or any other program that is a substitute for or supplement to the above Mexican government programs.

DOC Position

Paragraph B.1(f) requires the Mexican manufacturer to notify the Department within sixty days, of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Comment 5

A provision should be added to the agreement providing that "Should the foreign manufacturer's annual imports account for less than 85 percent of the subject merchandise imported to the United States from Mexico, the Department of Commerce on its own initiative or at the request of the petitioner, may terminate this agreement and reopen the investigation or issue a countervailing duty order, as appropriate under Section 355.32 of the Commerce Department regulations. If reopened, the investigation will be presumed for all exporters of the merchandise as if the affirmative preliminary determination was made on the date that the Department terminates this agreement."

DOC Position

This addition is unnecessary because section 704(i) of the Act requires the actions included in the comment.

Comment 6

The proposed settlement agreement fails to explicitly provide what benefits under the FOMEX, CEPROFI, and CEDI programs the Department of Commerce have already found to be bounties or grants within the meaning of the countervailing duty law.

DOC Position

We preliminarily determined that bounties or grants are being provided to the Mexican manufacturer under the three programs. Because we have not examined all aspects of these programs and we have specifically determined in the Final Affirmative Countervailing Duty Determinations and Countervailing Duty Orders for Litharge, Red Lead and Lead Stabilizers from Mexico that one type of CEPROFI does not provide a bounty or grant, we have not explicitly provided in this agreement what benefits under the programs are bounties or grants.

Comment 7

The suspension of a countervailing duty investigation without the elimination of all alleged subsidies clearly does not serve the interest of the affected domestic industry as Congress stated it should.

DOC Position

We believe that the suspension agreement eliminates all alleged subsidies.

Comment 8

The fact that petitioner did not have thirty days to respond to changes from the initialed agreement may constitute a procedural defect serious enough to cast doubt upon the validity of the entire proceeding.

DOC Position

Petitioner had thirty days notice of the proposed suspension agreement. There is no requirement in the Act which prevents the Department from modifying the initialed agreement. The requirements of the Act that the Department consult with the petitioner and consider the comments from interested parties contemplate that a final suspension agreement will include modifications suggested by the comments.

The Department consulted with the petitioner and has considered the comments submitted with respect to the proposed suspension agreement. We have determined that the agreement eliminates the bounties or grants completely with respect to the subject merchandise exported directly or indirectly to the United States, can be

monitored effectively, and is in the public interest. Therefore, we find that the criteria for suspension of an investigation pursuant to section 704 of the Act have been met. The terms and conditions of the agreement are set forth in Annex 1 to this notice.

Pursuant to section 704(f)(2)(A) of the Act, the suspension of liquidation of entries, or withdrawals from warehouse, for consumption of polypropylene film from Mexico effective September 23, 1982, as directed in the Preliminary Affirmative Countervailing Duty Determination, is hereby terminated. Any cash deposits on entries of polypropylene film from Mexico pursuant to that suspension of liquidation shall be refunded and any bonds shall be released.

The Department intends to conduct an administrative review within 12 months of the publication of this suspension as provided in section 751 of the Act.

Notwithstanding the suspension agreement, the Department will continue the investigation, if we receive such a request in accordance with section 704(g) of the Act within 20 days after the date of publication of this notice.

This notice is published pursuant to section 704(f)(1)(A) of the Act.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

December 1, 1982.

**Annex I—Suspension Agreement
Polypropylene Film From Mexico
Suspension Agreement**

Polypropylene Film From Mexico

Pursuant to the provisions of section 704 of the Tariff Act of 1930 (the Act) and § 355.31 of the Commerce Regulations, the United States Department of Commerce (the Department) enters into the following suspension agreement with Celulosa y Derivados, Avenue Santa Engracia No. 325, Garza Garcia, N.L., Mexico. On the basis of this agreement, the Department shall suspend its countervailing duty investigation initiated on July 14, 1982, with respect to polypropylene film from Mexico in accordance with the terms and provisions set forth below:

A. Product Coverage

The suspension agreement is applicable to all polypropylene film manufactured by Celulosa y Derivados and directly or indirectly exported to the United States (hereinafter referred to as the subject product). "Polypropylene film" is a thin transparent film made from polypropylene resin. It is currently provided for in items 774.5590 and 771.4316 of the *Tariff Schedules of the*

United States. Polypropylene film is used for packaging a wide variety of articles and in the manufacture of pressure sensitive packaging tape, dielectric material in electrical capacitors and for wrapping power and communication cables.

B. Basis of the Agreement

Celulosa y Derivados is a manufacturer of polypropylene film and accounts for over 85% of the total exports of polypropylene film to the U.S. from Mexico. Celulosa y Derivados voluntarily agrees not to apply for or receive any countervailing benefits from the Mexican government's CEDI, CEPROFI or FOMEX programs. Specifically:

(a) Celulosa y Derivados will not apply for or receive any benefits that the Department has determined or determines to be countervailable from the Certificates of Fiscal Promotion (CEPROFI) program with respect to shipments of the subject product entering the United States, or withdrawn from warehouse, for consumption on or after the effective date of this agreement.

(b) Celulosa y Derivados will not apply for or receive any pre-export or export loans or loan guarantees from the Fund for the Promotion of Exports of Mexican Manufactured Products (FOMEX) with respect to shipments of the subject product entering the United States, or withdrawn from warehouse, for consumption on or after the effective date of this agreement.

(c) Effective August 25, 1982, the Certificado de Devolucion de Impuesto (CEDI) program discontinued the eligibility of polypropylene film for CEDI tax rebates. Celulosa y Derivados will not apply for or receive any countervailable benefits under this program if the eligibility is reinstated.

(d) Celulosa y Derivado will not apply for or receive benefits under any other program subsequently determined by the Department in this or a subsequent proceeding to constitute bounties or grants under the Act to the subject product.

(e) If any additional program is found countervailable in this or a subsequent proceeding the Department shall officially notify Celulosa y Derivados.

(f) Celulosa y Derivado shall notify the Department, within sixty days before taking any action, of any benefits it intends to apply for or of any present or future benefits it is receiving from the government of Mexico.

Renunciation of the receipt of these benefits does not constitute an admission by Celulosa y Derivados that

such benefits are bounties, grants or subsidies within the meaning of the U.S. countervailing duty law or any other U.S. law.

Celulosa y Derivados certifies that no new countervailable benefits will be applied for or received for the subject product as a substitute for or supplement to any benefits eliminated by this agreement.

2. In accordance with the provisions of the Act and applicable regulations, this agreement applies to the product described in Paragraph A which is produced in Mexico and exported directly or indirectly to the United States.

3. The effective date of this agreement is the date it is published in the **Federal Register**.

C. Monitoring

Celulosa y Derivados agrees to supply to the Department such information as the Department deems necessary to demonstrate that it is in full compliance with this agreement. Celulosa y Derivados will notify the Department if it: (1) Transships the subject product through third countries, (2) alters its position with respect to any terms of the agreement, (3) applies for or receives directly or indirectly the benefits of the programs described in Paragraph B for the manufacture of the subject products exported to the United States.

Celulosa y Derivados also agrees to permit such verification and data collection as deemed necessary by the Department in order to monitor this agreement. The Department shall request such information and perform such verifications periodically pursuant to administrative reviews conducted under section 751 of the Act.

D. Violation of the Agreement

If the Department determines that the agreement is being or has been violated or no longer meets the requirements of section 704(b) or (d) of the Act, then the provisions of section 704(i) shall apply.

Signed on this 1st day of December 1982.

For Celulosa y Derivados,
By: V. James Adduci,

Special Counsel, Celulosa y Derivados.

I have determined that the provisions of Paragraph B completely eliminate the bounties or grants being provided in Mexico with respect to polypropylene film exported directly or indirectly to the United States and that the provisions of Paragraph C ensure that this agreement can be monitored effectively pursuant to section 704(d) of the Act. Furthermore, I have determined that this agreement meets the requirements of section 704(b)

of the Act and is in the public interest as required in section 704(d) of the Act.

Department of Commerce.

By: Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 82-33306 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued pursuant thereto (15 CFR Part 301 as amended by 47 FR 32517). A copy of the record pertaining to each of the applications in this consolidated decision is available for public review between 8:30 AM and 5:00 PM in Room 2097, Statutory Import Programs Staff, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Docket No. 82-00333. Applicant: Arkansas State University, P.O. Box 599, State University, Arkansas 72467. Instrument: Electron Microscope, Model JEM-100CX and Accessories. Manufacturer: JEOL Limited, Japan. Intended use of instrument: See Notice on page 41410 in the **Federal Register** of September 20, 1982. Instrument ordered: July 30, 1982.

Docket No. 82-00334. Applicant: Naval Post Graduate School, Monterey, CA 93940. Instrument: Electron Microscope, JEM 100CX and Accessories. Manufacturer: JEOL Limited, Japan. Intended use of instrument: See Notice on page 41410 in the **Federal Register** of September 20, 1982. Instrument ordered: June 17, 1982.

Docket No. 82-00337. Applicant: University of Pennsylvania, School of Veterinary Medicine, Suite 200, 3800 Spruce Street, Philadelphia, Pennsylvania 19104. Instrument: Electron Microscope, EM 10CA and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of instrument: See Notice on page 41410 in the **Federal Register** of September 20, 1982. Application received by Commissioner of Customs: August 17, 1982.

Docket No. 82-00338. Applicant: Yale University School of Medicine, 333 Cedar Street, P.O. Box 3333, New Haven, CT 06510. Instrument: JEM-100CXII Electron Microscope with Accessories. Manufacturer: JEOL

Limited, Japan. Intended use of instrument: See Notice on page 41410 in the **Federal Register** of September 20, 1982. Application received by Commissioner of Customs: August 17, 1982.

Docket No. 82-00342. Applicant: The Society of the New York Hospital, 525 East 68th Street, New York, NY 10021. Instrument: Electron Microscope, JEM-100CX and Accessories. Manufacturer: JEOL Limited, Japan. Intended use of instrument: See Notice on page 41411 in the **Federal Register** of September 20, 1982. Application received by Commissioner of Customs: August 17, 1982.

Docket No. 82-00343. Applicant: Institute of Surgical Research, Ft. Sam Houston, TX 78234. Instrument: Electron Microscope, Model EM 400 and Accessories. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of instrument: See Notice on page 49054 in the **Federal Register** of October 29, 1982. Instrument ordered: May 25, 1982.

Docket No. 82-00345. Applicant: The Ohio State University, 2009 Millikin Road, Columbus, Ohio 43210. Instrument: JEM-200CX Electron Microscope with Accessories. Manufacturer: JEOL Limited, Japan. Intended use of instrument: See Notice on page 41411 in the **Federal Register** of September 20, 1982. Instrument ordered: May 26, 1982.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. Reasons: Each foreign instrument to which the foregoing applications relate is a conventional transmission electron microscope (CTEM). The description of the intended research and/or educational use of each instrument establishes the fact that a comparable CTEM is pertinent of the purposes for which each is intended to be used. We know of no CTEM which was being manufactured in the United States either at the time of order of each instrument described above or at the time of receipt of application by the U.S. Customs Service.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign instruments to which the foregoing applications relate, for such purposes as these instruments are

intended to be used, which was being manufactured in the United States either at the time of order or at the time of receipt of application by the U.S. Customs Service.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 82-33211 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

Disposition of Application for Duty-Free Entry of Scientific Article

Processing of Application Number 82-00211 (47 FR 27390; June 24, 1982) has been discontinued pursuant to a Customs Service ruling that the article is a component ineligible for duty-free entry under 15 CFR 301.2(K) (as amended by 47 FR 32517)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 82-33212 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

Preliminary Determination of Sales at Less Than Fair Value; Bicycle Tires and Tubes From Taiwan

AGENCY: International Trade Administration, Commerce.

ACTION: Preliminary Determination of Sales at Less Than Fair Value: Bicycle Tires and Tubes from Taiwan.

SUMMARY: We have preliminarily determined that bicycle tires and tubes from Taiwan are being sold, or are likely to be sold, in the United States at less than fair value. Therefore, we have notified the U.S. International Trade Commission (ITC) of our determination. We have also preliminarily determined that two of the four companies investigated should be excluded from this preliminary determination because we found no sales at less than fair value for these companies. With respect to the two companies not excluded, we have directed the U.S. Customs Service to suspend the liquidation of all entries of the subject merchandise which are entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice. We have directed the U.S. Customs Service to require a cash deposit or bond for each entry in an amount equal to the estimated dumping margin as described in the "Suspension of Liquidation" section of this notice. If this investigation proceeds normally, we will make our final determination on February 8, 1983.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT: Steven S. Lim, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, D.C. 20230, telephone: (202) 377-1279

SUPPLEMENTARY INFORMATION:

Preliminary Determination

We have preliminarily determined that there is a reasonable basis to believe or suspect that bicycle tires and tubes from Taiwan are being sold, or are likely to be sold, in the United States at less than fair value, as provided in section 733 of the Tariff Act of 1930, as amended (the Act). We have found no sales at less than fair value of bicycle tires and tubes sold by Cheng Shin Rubber Industry Co., Ltd., (Cheng Shin) and Kenda Rubber Industry Co., Ltd. (Kenda). Therefore, we are preliminarily excluding imports from these two companies from this preliminary determination.

For Hwa Fong Rubber Industry Co., Ltd. (Hwa Fong), we have found that the foreign market value exceeded the United States price on 22 percent of sales. These margins ranged from 1.3 percent to 18.3 percent. The weighted-average margin on all sales compared is 7.6 percent.

For Li Hsin Rubber Industry Co., Ltd. (Li Hsin), we have found that the foreign market value exceeded the United States price on 14.3 percent of sales. These margins ranged from 2.1 percent to 8.6 percent. The weighted-average margin on all sales compared is 2.5 percent.

If this investigation proceeds normally, we will make a final determination by February 8, 1983.

Case History

On April 30, 1982, we received a petition from counsel for the Carlisle Tire & Rubber Company, Carlisle, Pennsylvania, which constitutes the United States bicycle tire and tube industry. In compliance with the filing requirements of § 353.36 of the Commerce Regulation (19 CFR 353.36), the petition alleged that bicycle tires and tubes from Taiwan are being sold, or are likely to be sold, in the United States at less than fair value within the meaning of section 731 of the Act, and that such sales are materially injuring, or are threatening to materially injure, a United States industry.

After reviewing the petition, we determined it contained sufficient grounds to initiate an antidumping investigation. We notified the ITC of our

action and initiated an investigation on June 1, 1982 (47 FR 23797). On June 7, 1982, the ITC found that there is a reasonable indication that imports of bicycle tires and tubes from Taiwan are threatening to materially injure a United States industry. We determined this case to be "extraordinarily complicated," as defined in section 733(c) of the Act. Therefore, we extended the period for making a preliminary determination by 50 days until November 26, 1982 (47 FR 41607).

It should be noted that a challenge to an earlier "Final Determination of Sales at Not Less Than Fair Value and Discontinuous of Antidumping Investigation" (43 FR 61066) on bicycle tires and tubes from Taiwan is pending before the U.S. Court of International Trade.

Scope of Investigation

The merchandise covered by this investigation is pneumatic bicycle tires and tubes of rubber or plastic, whether imported as sets or separately, currently classifiable under item numbers 772.48 and 772.57, respectively, *Tariff Schedules of the United States*.

Fair Value Comparison

To determine whether sales of the subject merchandise in the United States were made at less than fair value, we compared the United States price with the foreign market value.

United States Price

As provided in section 772 of the Act, we used the purchase price of the subject merchandise to represent the United States price for each of the four companies investigated because the merchandise was sold to unrelated purchasers prior to its importation into the United States.

We calculated the purchase price based on the f.o.b., c.&f. or the c.i.f., delivered, packed price to unrelated purchasers in the United States. We made deductions, where appropriate, for foreign inland freight, ocean freight, insurance, brokerage charges, United States inland freight, and commissions. We made additions, where applicable, for countervailing duties collected, import duties which were rebated and taxes which were rebated, or not collected, by reason of the exportation of the merchandise to the United States, pursuant to sections 772(d)(1) (B) and (C) of the Act.

Foreign Market Value

In accordance with section 773 of the Act, we calculated foreign market value based on home market sales or, where

appropriate, on third country sales. For purposes of determining similar merchandise under section 771(16) of the Act, we made comparisons based on the cost of raw material inputs.

The home market prices for each of the companies were based on delivered, packed prices to unrelated purchasers. From these prices, we deducted inland freight and stamp taxes. We made adjustments for directly related credit costs and advertising expenses, differences in merchandise, and packing charges. The adjustments for differences in merchandise were based on differences in the costs of raw materials used in the production of tires and tubes. No additional costs are incurred in the production of these products other than for the raw material inputs.

Foreign market value for sales of thornproof tires was based on sales to a third country (Australia) because no sales of this product took place in the home market. We calculated these sales by deducting shipping and f.o.b. charges and stamp tax. We made adjustments for directly related credit costs and advertising expenses, and packing charges.

Kenda claimed an adjustment for a commission in the home market paid to a related party. We made no adjustment, since commissions paid to related parties are not allowable.

Kenda and Hwa Fong also claimed adjustments for a cost-of-production differential due to shorter production runs of tires and tubes sold in the home market. We disallowed these adjustments, since they do not relate to physical differences in the merchandise and, in any event, the available records were unverifiable, as required by section 353.16 of the Commerce Regulations.

Each of the four companies claimed an adjustment for bad debt expense based on the Taiwanese government's allowance of two percent for bad debt losses for income tax purposes. None of the companies were able to show actual bad debt losses directly related to sales during the investigative period and this claim was disallowed.

Verification

In accordance with section 776(a) of the Act, we verified all information used in making this determination. We were granted access to the books and records on the four foreign manufacturers. We used standard verification procedures, including on-site inspection of the manufacturers' operations and examination of accounting records and randomly selected documents containing relevant information.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the United States Customs Service to suspend liquidation of all entries of bicycle tires and tubes from Taiwan, with the exception of bicycle tires and tubes sold by Cheng Shin and Kenda. With respect to bicycle tires and tubes imported from Hwa Fong and Li Hsin this suspension of liquidation applies to all merchandise entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the **Federal Register**. All other manufacturers or exporters not listed in this notice will be subject to the highest rate as listed below. The Customs Service shall require a cash deposit or the posting of a bond equal to the estimated weighted-average margin by which the foreign market value of the merchandise subject to this investigation exceeds the United States price. This suspension of liquidation will remain in effect until further notice. The weighted-average margins are as follows:

Bicycle tires and tubes	Weighted-average margin (percent)
Hwa Fong Rubber Industry Co., Ltd.....	7.6
Li Shin Rubber Industry Co., Ltd.....	2.5
All other Manufacturers and Exporters.....	7.6

ITC Notification

In accordance with section 733(f) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all nonprivileged and nonconfidential information relating to this investigation. We will allow the ITC access to all privileged and confidential information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration.

Public Comment

In accordance with § 353.47 of the Commerce Department Regulations, if requested, we will hold a public hearing to afford interested parties an opportunity to comment on this preliminary determination. Individuals who wish to participate in the hearing must submit a request to the Deputy Assistant Secretary for Import Administration, Room 3099B, within ten days of publication of this notice. Requests should contain: (1) The party's name, address and telephone number;

(2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. All written views should be filed in accordance with 19 CFR 353.46, within 30 days of publication of this notice, at the above address and is at least 10 copies.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

November 26, 1982.

[FR Doc. 82-33213 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

[Case No. 630]

Geophysical Company of Norway A.S., Respondent; Order

The Office of Export Administration,¹ International Trade Administration, United States Department of Commerce (the Department), initiated administrative proceedings, pursuant to Section 11(c) of the Export Administration Act of 1979 (50 U.S.C. app. 2401, *et seq.*) (Supp. III 1979)) (the Act) and Part 388 of the Export Administration Regulations [currently codified at 15 CFR Part 368, *et seq.* (1982)] (the Regulations), against Geophysical Company of Norway A.S. (GECO), by issuing a charging letter (the Charging Letter) alleging that GECO violated §§ 387.4 and 387.6 of the Regulations.

The Department and GECO have entered into a Consent Agreement whereby GECO has agreed to settle this matter: (1) by a denial to GECO of validated export licensing privileges, subject to certain exceptions indicated below, for a period ending three months from the date of this Order; and (2) by payment of a civil penalty by GECO in the amount of \$10,000.

The Hearing Commissioner approves the Consent Agreement.

It is therefore ordered.

First. For a period of three months ending on March 1, 1983, GECO is denied validated export licensing privileges, except for 1) the privilege of applying for an using, if granted, reexport authorizations attendant to the sale and reexport of seismic equipment incorporated onto the vessel GECO Alpha and 2) the privilege of being a party to export transactions involving the export of U.S.-origin seismic equipment to be incorporated onto the vessels Bin Hai 511 and Bin Hai 512.

¹ The enforcement functions of the Office of Export Administration are now performed by the Office of Export Enforcement.

Second. GECCO is assessed a civil penalty, of \$10,000 pursuant to Section 11(c)(1) of the Act, to be paid within thirty days of the date of service of this Order.

Third. the Charging Letter, the Consent Agreement, and this Order shall be made available to the Public, and this Order shall be published in the *Federal Register*.

This Order is effective immediately.

Dated: December 1, 1982.

Thomas W. Hoya,

Hearing Commissioner.

[FR Doc. 82-33216 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

Yale University et al.; Applications for Duty-Free Entry of Scientific Instruments

The following are notices of the receipt of applications for duty-free entry of scientific instruments published pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897) and the regulations issued pursuant thereto (15 CFR Part 301 as amended by 47 FR 32517).

Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the instrument is intended to be used is being manufactured in the United States.

Comments must be filed in accordance with Subsections 301.5(a) (3) and (4) of the regulations. They are to be filed in triplicate with the Director, Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the *Federal Register*.

A copy of each application is on file in the Department of Commerce, and may be examined between 8:30 A.M. and 5:00 P.M., Monday through Friday, Room 2097, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 82-00005R. Applicant: Yale University, P.O. Box 6666, New Haven, CT 06511. Instrument: Nuclear Magnetic Resonance Spectrometer, WM 500S with 42mm RT Bore. Application is a resubmission, notice of which was published in the *Federal Register* of November 18, 1981.

Docket No. 82-00055R. Applicant: Indiana University, Purchasing Department (for Fine Arts), 1101 East Seventeenth Street, Bloomington, IN 47405. Instrument: Infrared Reflectography Equipment. Application

is a resubmission, notice of which was published in the *Federal Register* of December 23, 1981.

Docket No. 83-36. Applicant: University of Alaska, Geophysical Institute, Fairbanks, AK 99701. Instrument: Wide Band Digital Imaging System. Manufacturer: MacDonald Dettwiler & Associates Limited, Canada. Intended Use of Instrument: The instrument is intended to be used for studies of geophysical episodic events such as navigation hazards, wildfires, flood, volcanic eruptions, river freezeup and breakup, and sea-ice morphology. The experiment to be conducted involves acquisition of raw spacecraft data in real-time and the generation of high-resolution photographic images in color and black and-white on an immediate basis without the delays of many weeks which are involved with existing channels for distribution of data from most earth-sensing satellites. The objectives of the research are to develop the means to provide custom-processed satellite data products in near real-time of important episodic events relating to geophysical phenomena in the state of Alaska. Application Received by Commissioner of Customs: November 3, 1982.

Docket No. 83-37. Applicant: The University of Texas at Austin, Electrical Engineering Research Laboratory, 10100 Burnet Road, Austin, TX 78758. Instrument: Reflex Klystron, Frequency 69-75 GHz. Manufacturer: Varian Associates, Canada. Intended Use of Instrument: The instrument is intended to be used for research purposes in the field of radio astronomy. The phenomena studied are the spectral line emissions of interstellar molecules, the continuum radiation of plants and the emission of atmospheric constituents. The instrument will also be used in a sequence of Astronomy courses for graduate students obtaining a Ph.D. in millimeter wavelength radio astronomy. Application Received by Commissioner of Customs: November 3, 1982.

Docket No. 83-44 Applicant: The University of Texas at Austin, Engineering Science Building Room 403, Austin, Texas 78712. Instrument: Electron Microscope, JEM-1200 EX with Accessories. Manufacturer: JEOL, Limited, Japan. Intended Use of Instrument: The instrument is intended to be used for investigation of metals, alloys, ceramics, polymers and other solid materials in various research programs. Experiments will be conducted to gain further knowledge of the properties of materials; their structure, strength, electrical properties etc. as related to their structure. In addition, the instrument will be used for

educational purposes in a course in theory and use of electron microscopy for graduate students from Materials Science and other disciplines. Application Received by Commissioner of Customs: November 8, 1982.

Docket No. 83-48. Applicant: Columbia-Presbyterian Medical Center, Presbyterian Hospital, 622 West 168th Street, New York, New York 10032. Instrument: Linear Accelerator, Therac 6. Manufacturer: Atomic Energy Limited, Canada. Intended Use of Instrument: The instrument is intended to be used for the following three types of investigations with the aim toward a better understanding of radiation therapy in neoplastic diseases:

- (i) Clinical radiotherapy protocols of complex cancer disease.
- (ii) Radiobiological studies with implications to cancer treatment.
- (iii) Research in radiological physics especially dosimetric scrutiny under clinical irradiation conditions and for biological experimentation. The accelerator operation parameters are to be analyzed along with dosimetric measurements.

In addition, the instrument is to be used in teaching residents, technologists, staff physicians, and physicists all aspects of medical physics and to familiarize them with the latest equipment and instrumentation including computer controlled and monitored operation of accelerator and patient setup. Application Received by Commissioner of Customs: November 8, 1982.

Docket No. 83-52. Applicant: Sandia National Laboratories, P.O. Box 5800, Albuquerque, NM 87185. Instrument: Secondary Ion Mass Spectrometer System. Manufacturer: Vacuum Generators Limited, United Kingdom. Intended Use of Instrument: The instrument will be used as a general elemental and chemical near surface material characterization instrument in the materials and process directorate at Sandia National Laboratories. Since this group supports the rest of the laboratory, the materials to be studied will range across the periodic table from hydrogen to uranium. In particular, it will be used for the analysis of corrosion, contact resistance, ion implantation and hydriding properties of nuclear weapons components. The understanding of these phenomena is necessary to assure the required reliability and long shelf life of the components. Application Received by Commissioner of Customs: November 8, 1982.

Docket No. 83-53. Applicant: University of California, San Francisco, School of Medicine, Department of

Anatomy, 3rd & Parnassus Avenue, San Francisco CA 94143. Instrument: Electron Microscope, Model EM 10CA and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended Use of Instrument: The instrument is intended to be used for studies of the following:

- a. The transport and fate of macromolecules from the surface of neurons to intracellular compartments;
- b. The ultrastructural analysis of pain control mechanisms;
- c. Ultrastructural studies of cell surface lectins and intracellular adhesion;
- d. Synthesis and expression of cell surface antigens in the pre-implantation mouse embryo;
- e. Epithelial-mesenchymal interactions in developing urogenital tract;
- f. The structure and regulation of muscle-regulated gene sets.

Application Received by Commissioner of Customs: November 9, 1982.

Docket No. 83-54. Applicant: Dartmouth College, Department of Chemistry, Hanover, NH 03755. Instrument: Excimer Laser, Model TE-861S with Accessories. Manufacturer: Lumonics, Incorporated, Canada. Intended Use of Instrument: The instrument will be used in the study of two different reactive chemistry research problems. The first is the study of chemical reactions which are selectively driven by high-intensity laser fields and the second is a multi-faceted project involving the properties and reactions of van der Waals molecules. Application Received by Commissioner of Customs: November 9, 1982.

Docket No. 83-56. Applicant: Colorado State University, Department of Physics, Fort Collins, Colorado 80523. Instrument: Synchronously Scanned Tandem Mechanical Stage for a Fabry Perot Interferometer, Control Unit for Same, and Segmented Ramp Control Unit. Manufacturer: John Sandercock, Switzerland. Intended Use of Instrument: The instrument is intended to be used to study the magnon dispersion in selected metals and oxides i.e., (1) polycrystalline ferrite, (2) single crystalline ferrite and (3) ferromagnetic metals with the intention to focus on the volume modes. The proposed research is on "Bulk Magnetic Excitation" in which (1) observation of magnons by Brillouin scattering in polycrystalline ferrite and (2) materials characterization, exchange parameter, substitutional effects, B-sublattice canting, and line-widths are two examples of several studies cited. The instrument will also be used on four special effects topics for light scattering investigation e.g., surface anisotropy, Anisotropic Dispersion, nonlinear

effects and relaxation mechanisms. Studies of a wide variety of different magnetic materials such as Bulk YIG single crystal spheres, plates, thick and thin YIG films, Li-Zn ferrite bulk single crystals will be conducted. The instrument will also be used for educational purposes by a Ph.D. candidate in his thesis research. Application Received by Commissioner of Customs: November 12, 1982.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 82-33252 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

National Technical Information Service

Intent To Grant Exclusive Patent License

The National Technical Information Service (NTIS), U.S. Department of Commerce, intends to grant to Beecher Company having a place of business at Silver Spring, Maryland an exclusive right in the United States and selected foreign countries to manufacture, use and sell products embodied in the invention, "Non-Invasive Optical Assessment of Platelet Viability," U.S. Patent Application No. 6-396,057 (dated July 7, 1982). Copies of the Patent Application may be obtained from the Office of Government Inventions and Patents, NTIS, Box 1423, Springfield, VA 22151. The patent rights in this invention have been assigned to the United States of America, as represented by the Secretary of Commerce.

The proposed exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 41 CFR 101-4.1. The proposed license may be granted unless, within sixty days from the date of this Notice, NTIS receives written evidence and argument which establishes that the grant of the proposed license would not serve the public interest.

Inquiries, comments and other materials relating to the proposed license must be submitted to the Office of Government Inventions and Patents, NTIS, at the address above. NTIS will maintain and make available for public inspection a file containing all inquiries, comments and other written materials received in response to this Notice and a record of all decisions made in this matter.

Dated: December 1, 1982.

George Kudravitz,

Acting Program Coordinator, Office of Government Inventions and Patents, National Technical Information Service, U.S. Department of Commerce.

[FR Doc. 82-33254 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-04-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Import Control on Certain Cotton Apparel Products from the People's Republic of China

ACTION: Establishing levels of restraint for men's and boys' cotton suit-type coats in Category 333, men's and boys' wool suits in Category 443, and women's, girls' and infants' man-made fiber coats in Category 635, produced or manufactured in the People's Republic of China and exported during the ninety-day period which began on August 28, 1982 and extends through November 25, 1982 and during the twelve-month period beginning on November 26, 1982 and extending through November 25, 1983.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was established in the *Federal Register* on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963), October 27, 1981 (46 FR 52409), February 9, 1982 (47 FR 5926), and May 13, 1982 (47 FR 20654)).

SUMMARY: Pursuant to the terms of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China, consultations have been held concerning imports into the United States of cotton, wool, and man-made fiber apparel products in Categories 333, 443, and 635, among others, from the People's Republic of China. Notice of the intention to hold these consultations was published in the *Federal Register* on September 3, 1982 (47 FR 38961). Under the terms of the bilateral agreement, the People's Republic of China is obligated to limit its exports to the United States of these products during the designated ninety-day and twelve-month periods to the following amounts.

Category	90-day level of restraint (Aug. 28, 1982 to Nov. 25, 1982)
333	12,924 dozen.
443	3,393 dozen.
635	116,052 dozen.

Category	12-mo. level of restraint (No. 26, 1982 to Nov. 25, 1983)
333	41,538 dozen.
443	7,271 dozen.
635	331,690 dozen.

In the event the limits established for the ninety-day period have been exceeded, such excess amounts shall be charged to the appropriate level defined in the agreement for the subsequent twelve-month period.

Inasmuch as a mutually satisfactory solution has not yet been reached between the two governments, the United States Government has decided, in carrying out the provisions of the agreement, to limit the entry of imports as set forth above. The United States remains committed to finding a mutually satisfactory solution concerning these categories. Should such a solution be reached in consultations with the Government of the People's Republic of China, further notice will be published in the *Federal Register*.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT:

Carl Ruths, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-4212).

SUPPLEMENTARY INFORMATION:

On December 17, 1981 there was published in the *Federal Register* (46 FR 61495) a letter dated December 14, 1981 to the Commissioner of Customs from the Chairman of the Committee for the Implementation of Textile Agreements which established levels of restraint for certain categories of cotton, wool, and man-made fiber textile products, produced or manufactured in the People's Republic of China and exported during the twelve-month period which began on January 1, 1982. The notice document which preceded the letter referred to the consultation mechanism which applies to categories of textile products under the bilateral agreement, such as Categories 333, 443, and 635, which are not subject to specific ceilings and for which levels may be established during the year. In the letter published below, pursuant to the bilateral agreement, the Chairman of the Committee for the Implementation of Textile Agreements directs the

Commissioner of Customs to prohibit entry into the United States for consumption, or withdrawal from warehouses for consumption, of cotton, wool, or man-made fiber textile products in Categories 333, 443, and 635, produced or manufactured in the People's Republic of China and exported during the indicated ninety-day and twelve-month periods, in excess of the designated level of restraint.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

December 1, 1982.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229

Dear Mr. Commissioner: Under the terms of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on December 7, 1982 and for the ninety-day period beginning on August 28, 1982 and extending through November 25, 1982 entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool, and man-made fiber textile products in Categories 333, 443, and 635, produced or manufactured in the People's Republic of China and exported on and after August 28, 1982, in excess of the following levels of restraint:

Category	90-day level of restraint (Aug. 28, 1982 to Nov. 25, 1982) ¹
333	12,924 dozen.
443	3,393 dozen.
635	116,052 dozen.

¹The levels of restraint have not been adjusted to reflect any imports after August 27, 1982.

Textile products in Categories 333, 443, and 635 which have been exported to the United States prior to August 28, 1982 shall not be subject to this directive.

You are further directed to prohibit, effective on December 7, 1982 and for the twelve-month period beginning on November 26, 1982 and extending through November 25, 1983, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Categories 333, 443, and 635, produced or manufactured in the People's Republic of China and exported on and after November 26, 1982, in excess of the following level of restraint:

Category	12-mo. level of restraint ¹
333	41,538 dozen.
443	7,271 dozen.
635	331,690 dozen.

¹The levels of restraint have not been adjusted to reflect any imports after November 25, 1982.

In carrying out this directive, entries of textile products in Categories 333, 443, 635, produced or manufactured in the People's Republic of China, which have been exported to the United States during the period August 28, 1982 through November 25, 1982, shall be charged against the level of restraint established for such goods during this period. Goods in excess of the level of restraint established for that period shall be charged to the level of restraint established for the twelve-month period beginning on November 26, 1982 and extending through November 25, 1983.

Textile products in Categories 333, 443, and 635 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the *Federal Register* on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963), October 27, 1981 (46 FR 52409), February 9, 1982 (47 FR 5926), and May 13, 1982 (47 FR 20654).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the People's Republic of China and with respect to imports of cotton, wool, and man-made fiber textile products from China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the *Federal Register*.

Sincerely,

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 82-33214 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

Costa Rica et al.; Cotton, Wool, and Man-Made Textiles

December 1, 1982.

Soliciting Public Comment on Bilateral Negotiations during 1983. The U.S. Government anticipates holding negotiations during 1983 concerning

expiring bilateral agreements covering certain cotton, wool, and man-made fiber textile and apparel products from Costa Rica, the Dominican Republic, Macau, Sri Lanka, Thailand, and Yugoslavia.

The purpose of this notice is to invite any party wishing to comment or provide data or information regarding these agreements, or to comment on domestic production or availability of textiles and apparel affected by these agreements, to submit such comments or information in ten copies to Mr. Walter C. Lenahan, Chairman, Committee for the Implementation of Textile Agreements, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230. Because the exact timing of the negotiations is not yet established, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, Room 3001, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230. Further comment may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding the bilateral agreements, or the implementation thereof, is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affairs function of the United States."

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 82-33273 Filed 12-6-82; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Public Information Collection Requirement Submitted to OMB for Review

The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following: (1) Type of Submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of respondents; (5) An estimate of

the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; (8) The point of contact from whom a copy of the information proposal may be obtained.

Extension

Visitor Register for Controlled/Restricted Area (AF Form 1109).

This information is used by Air Force Security Police to maintain the security of restricted areas on Air Force installations. Visitors requesting access to such areas are required to furnish identification and their destination within the area. They are also required to sign in and, when leaving, indicate time of departure.

It applies to employees of contractors, including small businesses, and individuals whose business or duty requires access to controlled Air Force areas: 120,000 responses; 6,000 hours.

Forward comments to Edward Springer, OMB Desk Officer, Room 3235, NEOB, Washington, D.C. 20503, and John V. Wenderoth, DOD Clearance Officer, OASD, DIRMS, IRAD, Room 1A658, Pentagon, Washington, D.C. 20301, telephone (202) 697-1195.

A copy of the information collection proposal may be obtained from TSgt. Lawrence E. Timmons, Air Force Office of Security Police, Kirtland AFB, NM 87117, telephone (505) 844-6627.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

December 1, 1982.

[FR Doc. 82-33233 Filed 12-6-82; 8:45 am]

BILLING CODE 6910-01-M

Public Information Collection Requirement Submitted to OMB for Review

The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following: (1) Type of Submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of respondents; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; (8) The point of contact from

whom a copy of the information proposal may be obtained.

Extension

Unescorted Entry Authorization Certificate (AF Form 2586).

This information is needed to identify individuals who require entry into controlled/restricted areas on Air Force installations. It applies to employees of contractors, including small businesses, and individuals whose business or duty requires access to controlled Air Force areas: 120,000 responses; 6,000 hours.

Forward comments to Edward Springer, OMB Desk Officer, Room 3235, NEOB, Washington, D.C. 20503, and John V. Wenderoth, DOD Clearance Officer, OASD, DIRMS, IRAD, Room 1A658, Pentagon, Washington, D.C. 20301, telephone (202) 697-1195.

A copy of the information collection proposal may be obtained from Lt. Col. John W. Ross, Air Force Office of Security Police, Kirtland AFB, NM 87117, telephone (505) 844-6627.

December 1, 1982.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 82-33234 Filed 12-6-82; 8:45 am]

BILLING CODE 3910-01-M

Department of the Navy

Public Information Collection Requirement Submitted to OMB for Review

The Department of the Navy has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract Statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; (8) The point of contact from whom a copy of the information proposal may be obtained.

Extension

Individual MCJROTC Instructor Evaluation Summary.

Provided to commit to writing an evaluation of the overall performance of duty of the Senior Marine Instructors (SMI's) and Marine Instructor (MI's)

who are charged with the responsibility of implementing the Marine Corps Junior Reserve Officers' Training Corps (MCJROTC) Program.

Individuals or households and businesses or other institutions: 171 responses, 86 hours.

Forward comments to Edward Springer, OMB Desk Officer, Room 3235, NEOB Washington, D.C. 20503, and John V. Wendworth, DOD Clearance Officer, OASD (C), IRMS, IRAD, Room 1A658, Pentagon, Washington, D.C. 20301 telephone 202/697-1195.

A copy of the information collection proposal may be obtained from Captain Ronald Fleming, Headquarters, U. S. Marine Corps, Training Division, Professional Development Education Branch, Washington, D.C. 20380.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

December 1, 1982.

[FR Doc. 82-33237 Filed 12-6-82; 8:45 am]

BILLING CODE 3810-01-M

Office of the Secretary

Public Information Collection Requirement Submitted to OMB for Review

The Department of Defense has submitted to OMB for review the following request for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains: (1) Type of Submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract statement of the need for the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

New

Study of Provision of Military Occupational and Training Information In State Career Information Delivery System (CIDS) and Occupational Information System (OIS) Programs. (Career Information Delivery System Assessment).

To Assess State Occupational Information Coordinating Committee(s) Career Information Delivery Systems (CIDS) and Occupational Information System(s) (OIS) program to crosscode military and civilian occupational

information for the development of a computer tape for use by SOICC.

State Occupational Information Coordinating Committee(s) (SOICC): 57 respondents; 57 burden hours.

Forward comments to Mr. Edward Springer, OMB Desk Officer, Room 3235, NEOB, Washington, DC 20503, and Mr. John V. Wenderoth, DOD Clearance Officer, OASD(C), DIRMS, IRAD, Room 1A658, Pentagon, Washington, DC 20301, telephone (202) 697-1195.

A copy of the information collection request may be obtained from Mr. Robert L. Newhart, OASD, MRA&L(PI), Room 3C800, Pentagon, Washington, DC 20301, telephone (202) 695-0643. This survey is under contract.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

December 1, 1982.

[FR Doc. 82-33235 Filed 12-6-82; 8:45 am]

BILLING CODE 3810-01-M

Public Information Collection Requirement Submitted to OMB for Review

The Department of Defense has submitted to OMB for review the following request for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains: (1) Type of Submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract statement of the need for the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

Revision

Application for Discharge—DD Form 2168.

This submission is for the review of the form (revised) used by members of approved civilian groups who participated in a war effort and who are considered to have served equivalent active military duty during a war. The form (DD Form 2168) is used to identify and provide basic information needed to search records and to develop sufficient information to determine the applicant's membership in a group approved by the DOD Civilian/Military Service Review Board for applicant's equivalent active military service status.

Members of approved groups; 600 groups; 125 burden hours.

Forward comments to Mr. Edward Springer, OMB Desk Officer, Room 3235, NEOB, Washington, DC 20503, and Mr. John V. Wenderoth, DOD Clearance Officer, OASD(C), DIRMS, IRAD, Room 4B929, Pentagon, Washington, DC 20301, telephone (202) 697-1195.

A copy of the request may be obtained from Mr. Robert L. Newhart, OASD, MRA&L(PI), Room 3C800, Pentagon, Washington, DC 20301, telephone (202) 695-0643.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

December 1, 1982.

[FR Doc. 82-33236 Filed 12-6-82; 8:45 am]

BILLING CODE 3810-01-M

Public Information Collection Requirement Submitted to OMB for Review

The Department of Defense has submitted to OMB for review the following request for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains: (1) Type of Submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract statement of the need for the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from which a copy of the information proposal may be obtained.

Extension (No Change)

Supplemental Personal Qualifications Statement, DD-2250, designed for computer entry.

To collect personal qualification information from applicants for computer entry by an optical mark reader (OMR) to generate an automated applicant file to be used in determining Qualifications (pass or fail), in addition to rating and ranking applicants for certification.

Individuals; 25,000 respondents; 25,000 burden hours.

Forward comments to Mr. Edward Springer, OMB Desk Officer, Room 3235, NEOB, Washington, DC 20503, and Mr. John V. Wenderoth, DOD Clearance Officer, OASD(C), DIRMS, IRAD, Room 1A658, Pentagon, Washington, DC 20301, telephone (202) 697-1195.

A copy of the information collection request may be obtained from Mr. Robert L. Newhart, OASD, MRA&L(PI), Room 3C800, Pentagon, Washington, DC 20301, telephone (202) 695-0643. Response of this information collection is voluntary on the part of the respondent. No contracting effort is involved.

Dated: December 2, 1982.

M. S. Healy,
OSD Federal Register Liaison Officer,
Department of Defense.

[FR Doc. 82-33323 Filed 12-6-82; 8:45 am]
BILLING CODE 3810-01-M

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Public Law 92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of a panel of the DIA Advisory Committee has been scheduled as follows:

Wednesday, January 12, 1983, Plaza West, Rosslyn, Virginia. The entire meeting, commencing at 0900 hours is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on future intelligence capabilities.

Dated: December 2, 1982.

M. S. Healy,
OSD Federal Register Liaison Officer,
Department of Defense.

[FR Doc. 82-33321 Filed 12-6-82; 8:45 am]
BILLING CODE 3810-01-M

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Pub. L. 92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of a panel of the DIA Advisory Committee is scheduled as follows:

Tuesday, 11 January 1983, Plaza West, Rosslyn, Virginia. The entire meeting, commencing at 0900 hours is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a study on Soviet naval trends.

Dated: December 2, 1982.

M. S. Healy,
OSD Federal Register Liaison Officer,
Department of Defense.

[FR Doc. 82-33322 Filed 12-6-82; 8:45 am]
BILLING CODE 3810-01-M

DEPARTMENT OF EDUCATION

Privacy Act of 1974; Matching Program

AGENCY: Education Department.

ACTION: Notice of Matching Program.

SUMMARY: The Secretary announces a one-time computer match of records of borrowers in default on loans made under the Guaranteed Student Loan and National Direct Student Loan Programs against records of Federal employees (civilian, military, current and retired). This information is contained in systems of records subject to the provisions of the Privacy Act of 1974. Under the requirements of the OMB guidelines, the procedures for conducting the match are set out in this notice. The goal of this matching program is to reduce the amount of outstanding debt owed to the Department by individuals as a result of their participation in student financial assistance programs.

DATE: The match was initiated in August 1982.

FOR FURTHER INFORMATION CONTACT: Robert F. Raspen, or James DeAguiar, Office of the Inspector General, Department of Education, 400 Maryland Avenue, SW. (Switzer Building, Room 4200, Mail Stop 2411), Washington, D.C. 20202.

SUPPLEMENTARY INFORMATION: The Department's Office of Inspector General (OIG) is participating in the President's Council on Integrity and Efficiency matching program entitled, "Federal Employees Receiving Government Assistance." In August, the OIG initiated a matching program for the Department in two areas of defaulted student loans. Names of defaulters identified from Privacy Act Systems of Records of the Guaranteed Student Loan (GSL) and the National Direct Student Loan (NDSL) Programs were matched against personnel records of current and retired military and civilian employees of the United States Government that were provided by four Federal agencies.

A new routine use concerning computer matches of student financial assistance systems of records was published in the *Federal Register* on June 28, 1982 (47 FR 27885). The matching program incorporates strong provisions to assure that records are adequately safeguarded and that

unwarranted disclosures do not occur. Attached to this notice is the Report of a Matching Program as required by paragraph 5.f.1 of the Revised Supplemental Guidance for Conducting Computerized Matching Programs issued by the Office of Management and Budget (47 FR 21656; May 19, 1982). A copy of this notice has been provided to both Houses of Congress and the Office of Management and Budget.

Dated: December 2, 1982.

T. H. Bell,
Secretary of Education.

Report of a Matching Program

a. **Authority:** The legal authority under which the computer match is being conducted is Title 5 United States Code, Section 552a(b) (1) and (3); and the Inspector General Act of 1978 (Pub. L. 95-452).

b. **Program Description:** In August 1982 the Department of Education (ED) Office of Inspector General (OIG) initiated a one-time computer match of Federal personnel files from four Federal agencies with certain Education Department files on defaulted student loans. The specific objectives of the matching program are (1) to locate Federal personnel (civilian, military, current and retired) in default on loans made under the Guaranteed Student Loan and National Direct Student Loan Programs; (2) to increase debt collection and reduce loan defaults by Federal employees by referring cases to their employing agencies for appropriate administrative action; and (3) to refer cases to United States Attorneys for enforced collection where appropriate.

The Veterans Administration (VA) performed the actual match of the files using VA computer equipment and personnel under the direction of the ED/OIG staff. ED's student loan default files were provided to VA which is responsible during the conduct of the match program for providing central storage, duplication, and control for the Federal personnel files involved in the match.

VA provided ED/OIG with the results of the matches. This information was turned over to the Director, Management Services, Office of Student Financial Assistance.

The Office of Student Financial Assistance (OSFA) procedures include a review of the matches to determine whether the accounts are still in default. For each account confirmed to be in default, a letter will be sent to the debtor at his or her Federal employment address. The letter will ask for repayment of the loan and inform the

defaulter of the steps OSFA will take to collect the loan. The envelope containing the letter will be stamped in a prominent location with the following statement: "PERSONAL—Private, to be opened by addressee only." The debtor will be given a brief but reasonable time to make a satisfactory repayment arrangement with OSFA (Regional Offices or collection contractors) or the appropriate guarantee agency. OSFA will enlist the cooperation of guarantee agencies in the collection efforts. OSFA will forward a list to a designated Senior official within each agency identifying all employees of that agency who have not made satisfactory repayment arrangements. This referral is designed to facilitate counseling of the debtor by the employing agency regarding the repayment of the loan. Each case remaining unresolved will be reviewed and, if appropriate, referred to the United States Attorney for legal action to enforce the debt. Where appropriate, salary offsets and wage garnishments will be effected on nonresponsive debtors.

c. Description of Personal Records: The systems of records to be matched include:

- (1) The Department of Education:
 - (a) 18-40-0025 The NDSL Student Loan Files, (b) 18-40-0027 the Guaranteed Loan Program Claims and Collections Master File, (c) 18-40-0030, Guaranteed Loan Program-Loan Control Master File, and (d) 18-40-0045, Student Financial Assistance Collection Files, published in the *Federal Register* on June 2, 1981 (46 FR 29640, 29641 and 29649), April 20, 1982 (47 FR 16832, 16833 and 16835), and June 28, 1982 (47 FR 27886) [New routine use amendment to systems of records].
 - (2) The Office of Personnel Management: (a) OPM/CENTRAL-1, Civil Service Retirement and Insurance Records, and (b) OPM/GOVT-1, General Personnel Records, published in the *Federal Register* on April 16, 1982 (47 FR 16474 and 16489).
 - (3) The Department of Defense: S322.10 DLA-LZ Defense Manpower Data Center published in the *Federal Register* January 18, 1982 (47 FR 2751), April 15, 1982 (47 FR 16193) [New routine use amendment to systems of records].
 - (4) The Department of Transportation: (a) U.S. Coast Guard 525, Active Duty Payroll System, and (b) U.S. Coast Guard 624, Personnel Management Information System (PMIS), published in the *Federal Register* December 7, 1981 (46 FR 59752 and 59766).
 - (5) The Tennessee Valley Authority: (a) TVA-2, Personnel Files, (b) TVA-11, Payroll Records, and (c) TVA-26

Retirement System Records, published in the *Federal Register* February 12, 1980 (45 FR 9428, 9435, 9445), and December 29, 1981 (46 FR 62993) [New routine use amendment to system of records.]

d. Period of the Match: This match program began in August, 1982, and should be completed during calendar year 1983.

e. Security Safeguards: All computer files and printed listings are safeguarded in accordance with the provisions of the National Bureau of Standards, Federal Information Processing Standards 41 and 31, as applicable, and ED's ADP Standards and Policies Manual, Section 8. The procedures for implementing the matching program incorporate strong provisions that assure that the records are adequately safeguarded and unwarranted disclosures do not occur.

Listings of the matches will be retained by OSFA. OSFA will keep copies of address updates and other related correspondence between OSFA and participating agencies in locked file cabinets accessible only to designated senior officials on a need-to-know basis. The materials provided to OSFA will be under the control of a designated official in OSFA responsible for collections activities. This person will designate regional senior officials for coordination of the Federal collection efforts. OSFA will enlist the cooperation of Guarantee Agencies in the collection efforts. The status of collection efforts will be monitored by OSFA and reported to the Inspector General on a quarterly or more frequent basis until all cases have been resolved. Information about individual accounts will be handled in accordance with the Privacy Act of 1974.

f. Disposition of Match Records: No new categories of information will be created by OSFA as a result of the matching program. All records of results of the match will be maintained by OSFA so long as an investigation, either criminal or administrative, is active. Disposal of records will be accomplished in accordance with the requirements of the Privacy Act and the Federal Records Schedule.

[FR Doc. 82-33465 Filed 12-6-82; 9:21 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[Docket No. ERA-FC-82-027]

Powerplant and Industrial Fuel Use Act of 1978: Electric Utility Conservation Plans; Approval

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of Approval of Conservation Plans.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) has received a number of electric utility conservation plans developed and submitted for DOE approval pursuant to section 808 of the Powerplant and Industrial Fuel Use Act of 1978, as amended, 42 U.S.C. 8301 *et seq.* ("FUA" or "the Act"). Pursuant to 10 CFR 508.5(b), DOE hereby gives Notice of Approval of Conservation Plans submitted by the electric utility owners or operators listed in the **SUPPLEMENTARY INFORMATION** section below.

The public file for each of the listed electric utility owners or operators containing this Notice of Approval of Conservation Plans and all other pertinent documents is available for inspection at the Department of Energy, Freedom of Information Reading Room, 1000 Independence Avenue, SW., Room 1E-190, Washington, D.C. 20585, telephone (202) 252-6020. Approval of each conservation plan is based on ERA's consideration of the entire record of the proceeding, including any comments received during the public comment period for each plan.

DATE: In accordance with 10 CFR 508.5(b), this Notice shall take effect on December 7, 1982.

FOR FURTHER INFORMATION CONTACT:

Clifford Tomaszewski, Office of Fuels Programs, Economic Regulatory Administration, Forrestal Building, Room GA-073 F, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-2201.

Henry Garson, Esq., Acting Assistant General Counsel for Coal Regulations, Office of the General Counsel, Forrestal Building, Room 6D-033, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-6947

SUPPLEMENTARY INFORMATION: Section 1023 of the Omnibus Budget Reconciliation Act of 1981, Pub. L. 97-35 (OBRA) amended FUA by adding a new section 808, entitled "Electric Utility Conservation Plan."

Section 808 requires utilities which own or operate any existing electric powerplant which used natural gas as a primary energy source between August 14, 1980 and August 13, 1981, and which also plan to use natural gas in any electric powerplant, to develop and submit to DOE for approval a conservation plan to conserve electric energy. The plan must set forth the means to achieve the conservation of

electric energy at a level equal to 10 percent of the electric energy output of the utility sold within its own system which was attributable to natural gas during the four calendar quarters ending on June 30, 1981. Approved plans must be fully implemented during the five year period following DOE approval.

Notices of Receipt of the proposed conservation plans described below, providing for a thirty (30) day public comment period during which interested persons were invited to submit written comments concerning the content of any such proposed conservation plan, were published in the Federal Register on August 12 and 27, 1982 and September 17, 1982 (47 FR 35033, 37952 and 41163, respectively). No comments on these proposed plans were received.

Based upon the entire record of this proceeding, ERA has determined that the conservation plans of each of the following utilities meet the requirements for approval contained in 10 CFR 508.8. ERA is restricted by the 120-day time limitation imposed by the Act on the plan approval process as to the amount of information which can be analyzed in order to ascertain the environmental significance of approval of these plans. However, based on the information contained in each utility's submittal, ERA has determined, pursuant to 10 CFR 508.5, that the conservation programs contained in the plan of each utility listed below should not produce environmental consequences significant enough to warrant detailed documentation pursuant to the National Environmental Policy Act or its implementing regulations (40 CFR Part 1500 *et seq.*). Thus this action clearly does not represent a major Federal action significantly affecting the quality of the human environment. Pursuant to 10 CFR 508.5 and section 808(d)(1) of FUA, DOE hereby approves the electric

utility conservation plans submitted by the utilities listed below.

Each of the electric utilities whose plans are approved herein shall annually submit a report to ERA pursuant to 10 CFR § 508.7 identifying the steps taken during the preceding year to implement its approved plan. Each such report shall be submitted within thirty (30) days after the close of a calendar year, beginning with the close of calendar year 1983. The report shall be sent to: Robert I. Davies, Director, Fuels Conversion Division, Office of Fuels Programs, Economic Regulatory Administration, Forrestal Building, Room CA-093, 1000 Independence Avenue, SW., Washington, D.C. 20585.

The following utilities' conservation plan are approved:

Utilities	FC Case No.
City of Columbia Water and Light Department, Columbia, MO.....	50631-9999-99-49
City of Lafayette, Department of Utilities, Lafayette, LA.....	51549-9999-99-49
City of Wellington, Wellington, KS.....	53232-9999-99-49
Florida Power Corp., St. Petersburg, FL.....	51007-9999-99-49
Iowa Public Service Co., Sioux City, IA.....	51408-9999-99-49
New Orleans Public Service, Inc., New Orleans, LA.....	52024-9999-99-49
Provo City Power, Provo, UT.....	52406-9999-99-49
Public Service Commission of Yazoo City, Yazoo City, MS.....	53370-9999-99-49
Public Service Co. of New Hampshire, Manchester, NH.....	52411-9999-99-49
Public Utilities Board, Brownsville, TX.....	50549-9999-99-49
Southern California Edison Co., Rosemead, CA.....	52721-9999-99-49
Utilities Commission, City of New Smyrna Beach, New Smyrna, FL.....	52031-9999-99-49

Issued in Washington, D.C. on November 30, 1982.

Robert L. Davies,

Director, Fuels Conversion Division, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 82-33179 Filed 12-6-82; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF ENERGY
Federal Energy Regulatory
Commission

[Volume 781]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 1, 1982.

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER

KANSAS CORPORATION COMMISSION								

-FRONTIER OIL CO								
8306640	K-78-0208	1516520462	108-ER	10/29/82	DAUBERT #1		0.0	KANSAS NEBRASKA N
8306638	K-78-0213	1516520540	108-ER		GIESICK #2		0.0	KANSAS-NEBRASKA N
8306642	K-78-0268	1516500000	108-ER		HOOFER #1		0.0	KANSAS NEBRASKA N
8306639	K-81-0129	1516520430	108-ER		ROTHE #1		0.0	KANSAS NEBRASKA N
8306641	K-78-0255	1516520428	108-ER		STEITZ A #1		0.0	KANSAS NEBRASKA N
-IMPERIAL OIL COMPANY								
8306595	K-82-0388	1509720727	102-4		HARPER #3-23	CARVER ROBBINS WEST	36.5	PANHANDLE EASTERN
-MOMEXCO								
8306637	K-82-0895	1511920531	103		ADAMS #2-26	ADAMS RANCH	0.0	

LOUISIANA OFFICE OF CONSERVATION								

-PENNZOIL PRODUCING COMPANY								
8306571	81-2717	1707522805	103	10/27/82	JA: LA	WEST BAY	600.0	SOUTHERN NATURAL
-PRIMOS PRODUCTION CO								
8306635	82-2292	1711122814	108	10/29/82	WB11 RC SU WHITE ESTATE #1			

MONTANA BOARD OF OIL & GAS CONSERVATION								

-ELENBURG EXPLORATION CO INC								
8306569	1-82-5	2504121956	102-4	10/29/82	JA: MT	UN-NAMED	18.0	INTER NORTH INC
-FALCON-COLORADO EXPLORATION INC								
8306566	12-81-266	2507121768	103	10/29/82	JA: MT	SHANSON CREEK	20.5	MONTANA-DAKOTA UT
8306568	12-81-267	2507121771	103		MAVENCAMP 1-1	SHANSON CREEK	18.2	MONTANA-DAKOTA UT
-MIDLANDS GAS CORPORATION								
8306567	1-82-4	2507121689	108	10/29/82	JA: MT	WHITEWATER UNIT B	0.0	KANSAS-NEBRASKA N
-WILLIAMS EXPLORATION COMPANY								
8306565	12-81-268	2509905170	102-4	10/29/82	JA: MT	BLACKLEAF	36.5	
8306570	1-82-1	2508521295	102-2		LAFRANCOISE #1-18R	ANVIL	47.0	PHILLIPS PETROLEUM

NORTH DAKOTA INDUSTRIAL COMMISSION								

-EXXON CORPORATION								
8306600	598	3305301416	102-2	10/28/82	JA: ND	WILDCAT	117.0	
-LADD PETROLEUM CORPORATION								
8306601	599	3302500316	102-2	10/28/82	FLECK #1	LITTLE KNIFE	228.6	KOCH HYDROCARBON
-PENNZOIL COMPANY								
8306603	601	3305301294	102-2	10/28/82	JA: ND	FLAT TOP BUTTE	60.7	KOCH-HYDROCARBON
8306602	600	3305301470	102-2		DUNCAN PATTEN #5-13	BULL MOOSE	68.2	KOCH HYDROCARBON
-PETRO-LEWIS CORPORATION								

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD PURCHASER
8306605	603	3301100314	103	RECEIVED: 10/28/82	STATE 4-16	LITTLE MISSOURI	91.3 MONTANA-DAKOTA UT
SUNBEHM GAS INC							
8306604	602	3305301059	103	RECEIVED: 10/28/82	HAUGEN-COATES #1	BOXCAR BUTTE	52.0 MONTANA-DAKOTA UT
SUPERIOR OIL CO							
8306596	594	3305301453	102-2	RECEIVED: 10/28/82	ANITA MONSON #1	ELK	0.0
8306598	596	3305301418	102-2	RECEIVED: 10/28/82	BARRONS #1	WILDCAT	0.0
8306599	597	3305300842	102-2	RECEIVED: 10/28/82	DONALD LINK #1	WILDCAT	0.0
8306597	595	3305301367	102-2	RECEIVED: 10/28/82	NELSON #1	WILDCAT	0.0
TEKAKOTA INC							
8306606	604	3310500850	103	RECEIVED: 10/28/82	H BORSTAD #34-1 PERMIT #7820	WEST TIOGA	16.8 AMINOIL USA INC
OHIO DEPARTMENT OF NATURAL RESOURCES							

ADORE OIL & GAS CORPORATION				RECEIVED: 10/29/82	DANIEL E LEWIS #2	CLINTON	22.0 COLUMBIA GAS TRAN
8306454		3416320721	103	RECEIVED: 10/29/82	DANIEL E LEWIS #4	CLINTON	22.0 COLUMBIA GAS TRAN
8306453		3416320718	103	RECEIVED: 10/29/82	CRADLEBAUGH #2	WASHINGTON	15.0
ALSID OIL & GAS DEVELOPMENT CO							
8306455		3415723685	107-TF	RECEIVED: 10/29/82	BUCHER #1	STONECREEK	20.0 EAST OHIO GAS CO
ATWOOD RESOURCES INC							
8306456		3415723742	103	RECEIVED: 10/29/82	STARTER-BIRD #1	HARDY	1.0 COLUMBIA GAS TRAN
BANDS COMPANY INC							
8306458		3407523826	107-TF	RECEIVED: 10/29/82	WILLIAM MCCORMICK #2	HARDY	1.5 COLUMBIA GAS TRAN
8306457		3407522818	107-TF	RECEIVED: 10/29/82	SCHMIDT UNIT #2	WEST RICHFIELD	15.0 COLUMBIA GAS TRAN
BARTLO OIL AND GAS COMPANY							
8306459		3410323050	103	RECEIVED: 10/29/82	DARROLL HUSTON #1	JUNCTION CITY GUAD	3.9 NATIONAL GAS CORP
BELL OIL CORP							
8306460		3412725683	103	RECEIVED: 10/29/82	NITRAM #1	COPLEY	35.0
DAVID A WALDRON & ASSOC INC							
8306526		3415321195	103	RECEIVED: 10/29/82	RAYMOND C FIRESTONE #2-B	BATH	7.5 EAST OHIO GAS CO
DAVID SHAFER OIL PRODUCERS INC							
8306521		3415321241	103	RECEIVED: 10/29/82	BENTLEY #1	WESTFIELD	20.0
DISCOVERY OIL LTD							
8306467		3410322901	107-TF	RECEIVED: 10/29/82	IRVIN #4	GUILFORD	20.0
8306466		3410322895	107-TF	RECEIVED: 10/29/82	CROSS #1	WEST VIEW	36.5 COLUMBIA GAS TRAN
DOME DRILLING CO							
8306468		3409321154	107-TF	RECEIVED: 10/29/82	EDWARD H TRESGER INC #10	PAINESVILLE	20.0 EAST OHIO GAS CO
DRILLEX INC							
8306470		3408520384	103	RECEIVED: 10/29/82	EDWARD H TRESGER INC #9	PAINESVILLE	30.0 EAST OHIO GAS CO
8306469		3408520383	103	RECEIVED: 10/29/82	STRAIT #1	WASHINGTON	10.0 COLUMBIA GAS TRAN
ELKHEAD GAS & OIL COMPANY							
8306471		3407322709	103	RECEIVED: 10/29/82	ALLEN #3	CENTER	36.5 TEXAS EASTERN TRA
ENTERPRISE ENERGY CORP							
8306472		3411522641	107-TF	RECEIVED: 10/29/82	DYE #1	MANCHESTER	18.2 TEXAS EASTERN TRA
8306474		3411522844	103	RECEIVED: 10/29/82	DYE #2	MANCHESTER	36.5 TEXAS EASTERN TRA
8306475		3411522845	103	RECEIVED: 10/29/82	FRANKLIN REAL ESTATE #3	CENTER	36.5 TEXAS EASTERN TRA
8306473		3411522709	103	RECEIVED: 10/29/82	C MOORE #2	NEWTON	15.0
FORAKER PRODUCING COMPANY INC							
8306476		3411924623	103	RECEIVED: 10/29/82	HELEN LOWE #1	KILLBUCK	8.0 COLUMBIA GAS TRAN
FRANK W HOOVER PROD							
8306485		3403124832	107-TF	RECEIVED: 10/29/82	HELEN LOWE #2	KILLBUCK	8.0 COLUMBIA GAS TRAN
8306485		3403124831	107-TF	RECEIVED: 10/29/82	T MICHAEL #1	ENOCH	27.0
FREDERICK PETROLEUM CORP							
8306477		3412122849	107-TF	RECEIVED: 10/29/82			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-GASEARCH INC			RECEIVED:	10/29/82	JA: OH			
8306480		3415522174	103	107-TF	D & B MILLER JR #1	MESOPOTAMIA	20.0	YANKEE RESOURCES
8306481		3415522178	103	107-TF	JONAS J MILLER JR #3	MESOPOTAMIA	20.0	YANKEE RESOURCES
8306478		3415521625	103	107-TF	NOSSÉ #2	MESOPOTAMIA	20.0	COLUMBIA GAS TRAN
8306479		3415521636	103	107-TF	POTAPSKY #1	FARMINGTON	20.0	COLUMBIA GAS TRAN
-GEO ENERGY INC			RECEIVED:	10/29/82	JA: OH			
8306482		3403124732	107-TF	N ELDER #4-3		BETHLEHEM	0.0	COLUMBIA GAS OF O
-GREEN GAS COMPANY			RECEIVED:	10/29/82	JA: OH			
8306483		3403520918	103	107-TF	GEMINI ESTATES #1	OLMSTEAD	0.0	COLUMBIA GAS OF O
8306484		3403521151	107-TF	PEGER #1		OLMSTEAD	20.0	COLUMBIA GAS OF O
-HOOPER PRODUCING & OPERATING			RECEIVED:	10/29/82	JA: OH			
8306487		3412725717	103	107-TF	P HENNIGAN #1	HOPEWELL-PERRY	11.0	NATIONAL GAS & OI
-HOPEWELL OIL AND GAS DEVELOPMENT CO			RECEIVED:	10/29/82	JA: OH			
8306488		3411925144	108	M HOLSKEY #1			12.0	COLUMBIA GAS TRAN
-JANCO WELL OPERATIONS LTD			RECEIVED:	10/29/82	JA: OH			
8306489		3415522149	107-TF	DAN D HOSTETLER JR #1		FARMINGTON	100.0	EAST OHIO GAS CO
8306490		3415522150	107-TF	DAN D HOSTETLER JR #2		FARMINGTON	100.0	EAST OHIO GAS CO
-LAKE REGION OIL INC			RECEIVED:	10/29/82	JA: OH			
8306497		3407523865	103	107-TF	BEN M MILLER #1	CLARK	10.0	COLUMBIA GAS TRAN
8306492		3407523779	103	107-TF	JOHN S MILLER #2	CLARK	10.0	COLUMBIA GAS TRAN
8306496		3407523845	103	107-TF	JONAS D J & SUSAN MILLER #1	MECHANIC	12.0	COLUMBIA GAS TRAN
8306495		3407523782	103	107-TF	JONAS M & KATIE MILLER #1	CLARK	10.0	COLUMBIA GAS TRAN
8306493		3407523780	103	107-TF	LEVI & LENA STUIZMAN #1	CLARK	10.0	COLUMBIA GAS TRAN
8306491		3407523778	103	107-TF	LEVI A & EMMA MILLER #1	CLARK	12.0	COLUMBIA GAS TRAN
8306494		3407523781	103	107-TF	MOSE V HERSBERGER #1	CLARK	10.0	COLUMBIA GAS TRAN
-LEADER EQUITIES INC			RECEIVED:	10/29/82	JA: OH			
8306498		341212765	103	107-TF	MERRY #1	CENTER	14.0	
-MERIDIAN OIL & GAS ENT INC			RECEIVED:	10/29/82	JA: OH			
8306500		3400721501	107-TF	ALVIN R SHARP JR #1		DORSET	20.0	EAST OHIO GAS CO
8306501		3400721502	107-TF	BARBARA J HUFFMAN #1		DORSET	4.5	EAST OHIO GAS CO
8306499		3400721476	107-TF	MAYNARD G SHEFFIELD WELL #1		DORSET	10.0	EAST OHIO GAS CO
-NDCO INC			RECEIVED:	10/29/82	JA: OH			
8306502		3405520374	103	107-TF	SISTERS OF NOTRE DAME #2	MUNSON	0.0	
-NEW FRONTIER EXPLORATION INC			RECEIVED:	10/29/82	JA: OH			
8306507		3415723760	103	107-TF	DEMIS-WHEELER UNIT #1	MILL	24.0	YANKEE RESOURCES
8306506		341212868	103	107-TF	G SLATER #1	NOBLE	18.0	YANKEE RESOURCES
8306503		3405923348	103	107-TF	HARRY OAKLEY #1	KNOX	22.0	YANKEE RESOURCES
8306504		3405923349	103	107-TF	HARRY OAKLEY #2	KNOX	22.0	YANKEE RESOURCES
8306505		3406720565	103	107-TF	L HAMILL #2	MONROE	20.0	TENNECO OIL CO
8306508		3415723761	103	107-TF	SIMON UNIT #1	MILL	24.0	YANKEE RESOURCES
-NOBLE OIL CORP			RECEIVED:	10/29/82	JA: OH			
8306510		3413322893	107-TF	HUGHES #1-B		PALMYRA	20.0	GENERAL ELECTRIC
8306511		3413322996	107-TF	HUGHES #2-B		PALMYRA	20.0	GENERAL ELECTRIC
-NOBLE-SMITH OIL & GAS			RECEIVED:	10/29/82	JA: OH			
8306509		3401920935	108	SMITH EVERGREEN #1			0.4	M B OPERATING CO
-NORTH EAST NATURAL GAS CO INC			RECEIVED:	10/29/82	JA: OH			
8306512		3415721655	108	F BELKNAP #1			1.8	M B OPERATING CO
8306514		3415721715	108	F BELKNAP #2			1.8	M B OPERATING CO
8306513		3415721697	108	FELGENHAUER #2			2.7	M B OPERATING CO
8306516		3415722166	108	STARCHER #2			5.4	M B OPERATING CO
8306515		3415722142	108	STARCHER #3			5.4	M B OPERATING CO
-OIL DRILLING & DEVELOPMENT CLUB			RECEIVED:	10/29/82	JA: OH			
8306517		3405320781	107-TF	CANADAY #1		ADDISON	10.0	

JD NO	JA DKT	API NO	U SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-OXFORD OIL CO								
8306519		3411926325	RECEIVED:	10/29/82	JA: OH			
8306518		3411926325	107-TF	EUGENE FOLDEN #1			0.0	
-POI ENERGY INC			RECEIVED:	10/29/82	JA: OH			
8306520		3421332865	103	107-TF BENSON-DIMICK #T-1			12.0	
-R GENE BRASEL DBA BRASEL & BRASEL			RECEIVED:	10/29/82	JA: OH			
8306461		3405320244	108	DALE DARST #1			36.0	
8306463		3405320271	108	F PHILLIPS #1				
8306464		3405320288	103	MCKINNEY #2				
8306462		3405320256	107-RT	ROBERT CONKLE #1-A				
-SWINGLE DRILLING INC			RECEIVED:	10/29/82	JA: OH			
8306522		3412725707	103	FRA - MOR INC #1				
-THE CARTER JONES LUMBER CO			RECEIVED:	10/29/82	JA: OH			
8306465		3413322872	107-TF	CARTER-JONES 3			1.5	
-TOMNER PETROLEUM CO			RECEIVED:	10/29/82	JA: OH			
8306533		3405923297	103	107-TF BONIPHANT B #1				
-VIKING RESOURCES CORP			RECEIVED:	10/29/82	JA: OH			
8306524		3409921473	103	107-TF MUNI UNIT #1			30.0	
8306525		3415123743	103	107-TF STEFANICK UNIT #1C			36.0	
-WITCO CHEMICAL CORP			RECEIVED:	10/29/82	JA: OH			
8306534		3415122093	108	A ROBERTO #1				
8306533		3415122341	108	A VAN VOORHIS #8-1			2.5	CANTON OIL & GAS
8306527		3415121950	108	A VAN VOORHIS #1			2.5	CANTON OIL & GAS
8306539		3415122110	108	C LONG B #1			2.5	CANTON OIL & GAS
8306541		3415122129	108	C LONG C #1			2.5	CANTON OIL & GAS
8306537		3415122101	108	C LONG UNIT #1			2.5	CANTON OIL & GAS
8306561		3415122902	108	C SICKAFOOSE #1			2.5	CANTON OIL & GAS
8306563		3415123012	108	C SICKAFOOSE #2			2.5	CANTON OIL & GAS
8306562		3415123009	108	C SICKAFOOSE #3			2.5	CANTON OIL & GAS
8306544		3415122145	108	C SICKAFOOSE #4			2.5	CANTON OIL & GAS
8306551		3415122306	108	C SICKAFOOSE #5			2.5	CANTON OIL & GAS
8306557		3415122432	108	C SICKAFOOSE #6			2.5	CANTON OIL & GAS
8306559		3415122662	108	C SICKAFOOSE #7			2.5	CANTON OIL & GAS
8306560		3415122713	108	C SICKAFOOSE #8			2.5	CANTON OIL & GAS
8306555		3415122411	108	F MCKINNEY #1			2.5	CANTON OIL & GAS
8306558		3415122483	108	F MCKINNEY #2			2.5	CANTON OIL & GAS
8306552		3415122333	108	GRIM #1			2.5	CANTON OIL & GAS
8306554		3415122385	108	GRIM #2			2.5	CANTON OIL & GAS
8306538		3415122102	108	HABRUM #1			2.5	CANTON OIL & GAS
8306550		3415122284	108	KLOPPMAN-RARRIC #1			2.5	CANTON OIL & GAS
8306536		3415122100	108	MCCALL UNIT #1			2.5	CANTON OIL & GAS
8306535		3415122096	108	MCDANNELL UNIT #1			2.5	CANTON OIL & GAS
8306531		3415122082	108	O MCDANNELL #1			2.5	CANTON OIL & GAS
8306529		3415122037	108	PAMER #1			2.5	CANTON OIL & GAS
8306528		3415122001	108	RARRIC #1			2.5	CANTON OIL & GAS
8306530		3415122042	108	RINDCHEN #1			2.5	CANTON OIL & GAS
8306547		3415122249	108	RINDCHEN #2			2.5	CANTON OIL & GAS
8306543		3415122132	108	ROBERTO B #1			2.5	CANTON OIL & GAS
8306542		3415122131	108	ROBERTO MICHAEL #1			2.5	CANTON OIL & GAS
8306533		3415122092	108	ROBERTSON #1			2.5	CANTON OIL & GAS
8306546		3415122151	108	ROBERTSON #2			2.5	CANTON OIL & GAS
8306549		3415122252	108	SAUTTERS #1			2.5	CANTON OIL & GAS
8306548		3415122251	108	SAUTTERS #2			2.5	CANTON OIL & GAS

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8306532		3415122090	108		SPROAT #1		2.5	CANTON OIL & GAS
8306540		3415122111	108		SPROAT #2		2.5	CANTON OIL & GAS
8306545		3415122147	108		SPROAT #3		2.5	CANTON OIL & GAS
8306556		3415122431	108		SPROAT #4		2.5	CANTON OIL & GAS
8306564		3415722919	108		THOMAS H HISRICR #2		1.0	EAST OHIO GAS CO

OKLAHOMA CORPORATION COMMISSION								

8306660		3504721759	103		GARTON #1		109.5	GRACE PETROLEUM C
8306651		3501121612	103		SCHEFFLER #25-1		180.0	OKLAHOMA GAS PIPE
8306653		3507323425	103		BOECKMAN "A" #2		15.0	PHILLIPS PETROLEU
8306656		3504921842	103		JOY #1		0.0	WARREN PETROLEUM
8306670		3510700000	103		OKFUSKEE #1-30		730.0	
8306671		3508322039	103		BROWN 15-1		137.0	AMINOIL USA INC
8306675		3501521363	103		SCOTT "B" #1		0.0	UNITED GAS PIPELI
8306682		3502720608	103		MORAVA A-1		250.0	CONOCO INC
8306685		3508321991	103		K & V #2 SMITH		91.3	PHILLIPS PETROLEU
8306689		3511921293	103		REIN #1B		3.2	SUN GAS TRANSMISS
8306674		3514900000	103		DALTON WEBB #1-22		135.0	NATURAL GAS PIPEL
8306685		3508121198	103		INGRAM #1		43.0	MERIDIAN ENERGY C
8306675		3500700000	108		#1-17 TAYLOR #1-17		10.0	PANHANDLE EASTERN
8306658		3510721225	103		R T SMITH #1		0.0	SWAB CORP
8306673		3509500000	108		PURE-DRUMMOND #2		8.2	PIONEER GAS PRODU
8306663		3511760003	108		BURKDOLL A-1		0.0	PHILLIPS PETROLEU
8306566		3505121126	103		RALPH JACOBS #2-30		314.0	PUBLIC SERVICE CO
8306664		3506321461	103		BELL-BATES #1		100.0	OKLAHOMA NATURAL
8306668		3509322228	103		KAUFMAN #2		128.0	PHILLIPS PETROLEU
8306672		3503120917	107-DP		YOUNG #1		0.0	TRANSWESTERN PIPE
8306548		3506321588	103		BAXTER 1-25		100.0	OKLAHOMA-NATURAL
8306643		3511721303	103		JOHN WARD 1-A		43.8	H J D CATTLE CO

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD PURCHASER
-PETRO-LEWIS CORPORATION		3509322459	RECEIVED:	10/29/82	JA: OK	SOONER TREND	0.0 CITIES SERVICE GA
8306649	17282		103	CHESTNUT #18-3			
-ROBERT A MASON		3510321022	RECEIVED:	10/29/82	JA: OK	MCGUIRE	73.8 AMINOIL USA INC
8306667	17235		103	MCGUIRE A-1 103-64931			
-SERVICE DRILLING CO		3508322032	RECEIVED:	10/29/82	JA: OK	UNDESIGNATED	18.0 CITIES SERVICE GA
8306662	17120		103	GOOLSBY #1-29			
8306661	17119		103	STINCHCOMB #1-33			16.0 CITIES SERVICE GA
-ST JOE PETROLEUM (US) CORP		3510321623	RECEIVED:	10/29/82	JA: OK	SOONER TREND	54.8 CITIES SERVICE GA
8306676	17240		103	LAVINGTON #3			
-SUNDANCE ENERGY CORP		3504721828	RECEIVED:	10/29/82	JA: OK	UNKNOWN	95.0 PANHANDLE EASTERN
8306650	17124		103	HOUSTON #1			
-TRANS-WESTERN EXPLORATION INC		3500722116	RECEIVED:	10/29/82	JA: OK	S W OKARCHE	150.0 PHILLIPS PETROLEU
8306647	17249		103	NEAL #1-8			
-TXO PRODUCTION CORP		3501722229	RECEIVED:	10/29/82	JA: OK	N W OKEENE	539.0 DELHI GAS PIPELIN
8306669	17267		103	STROUD "A" #1			
-VIERSEN & COCHRAN		3509322479	RECEIVED:	10/29/82	JA: OK	NORTH COALTON	150.0 PHILLIPS PETROLEU
8306645	17247		103	PENNER #4-34			
-VULCAN OIL & GAS CORPORATION		3511721002	RECEIVED:	10/29/82	JA: OK	TERLTON NORTH	6.0 H J D CATTLE CO
8306654	17138		103	FLEMING #1			
8306655	17142		103	PEACOCK #1			6.0 H J D CATTLE CO
-21ST CENTURY INVESTMENT CO.		3511123571	RECEIVED:	10/29/82	JA: OK		100.0 21ST CENTURY INVE
8306644	17245		103	PINE #3			
WEST VIRGINIA DEPARTMENT OF MINES							
-D G HANEY INC		4707901054	RECEIVED:	10/22/82	JA: WV	CURRY DISTRICT	19.0 COLUMBIA GAS TRAN
8306636			107-DV	BURDETTE-BONWELL #2			
** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, METAIRIE, LA							
-CHEVRON U S A INC		1771040764	RECEIVED:	10/28/82	JA: LA 3	EUGENE ISLAND	292.0 NATURAL GAS PIPEL
8306587	62-2538		102-5	OCS-G-2914 #A-1			300.0 NATURAL GAS PIPEL
8306584	62-2540		102-5	OCS-G-2914 #A-10			
-CNS PRODUCING COMPANY		1770240641	RECEIVED:	10/28/82	JA: LA 3	WEST CAMERON	1000.0 COLUMBIA GAS TRAN
8306592	62-2645		102-5	A-3S1			600.0 COLUMBIA GAS TRAN
8306594	62-2644		102-5	A-8S1			500.0 COLUMBIA GAS TRAN
8306581	62-2646		102-5	A-9S1			
-KERR-MCGEE CORPORATION		1771140593	RECEIVED:	10/28/82	JA: LA 3	SHIP SHOAL	51.8 TRANSCONTINENTAL
8306575	62-2593		102-5	OCS 0828 #K-5D			27.0 TRANSCONTINENTAL
8306583	62-2775		102-5	OCS-0828 #K-6			
-MARATHON OIL COMPANY		1771040877	RECEIVED:	10/28/82	JA: LA 3	EUGENE ISLAND	20.0 NATURAL GAS PIPEL
8306579	62-2763		102-5	EUGENE ISLAND BLK 345 #A-1			79.0 SOUTHERN NATURAL
8306589	62-2745		102-5	MAIN PASS BLK 306 - WELL F-7			49.0 SOUTHERN NATURAL
8306593	62-2594		102-5	MAIN PASS BLK 306 WELL F-6			365.0 TEXAS EASTERN TRA
8306585	62-2671		102-5	SOUTH PASS BLK 89 #A-12 S/T			
-MOBIL OIL EXPLORATION & PROD S E		1772540209	RECEIVED:	10/28/82	JA: LA 3	MAIN PASS	119.0 UNITED GAS PIPE L
8306572	62-2583		102-5	MAIN PASS BLK 72/74 #C-3B LS ALT			802.0 UNITED GAS PIPE L
8306577	62-2624		102-5	MAIN PASS BLK 72/74 #C - 5A			64.0 UNITED GAS PIPE L
8306576	62-2625		102-5	MAIN PASS BLK 72/74 #C-5B 1ST ALT			101.0 UNITED GAS PIPE L
8306573	62-2582		102-5	MAIN PASS BLK 72/74 #C-3D (LS ALT)			300.0 UNITED GAS PIPE L
8306574	62-2630		102-5	MAIN PASS 72/74 #C - 10A			300.0 UNITED GAS PIPE L
8306590	62-2631		102-5	MAIN PASS 72/74 #C - 10B (ALT)			11.0 UNITED GAS PIPE L
8306591	62-2632		102-5	MAIN PASS 72/74 #C - 10C (ALT)			

[Volume 782]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 1, 1982.

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER

TEXAS RAILROAD COMMISSION								

-AEC OIL & GAS								
8306865	F-78-057849	4242933316	102-2	RECEIVED: 11/04/82	JA: TX	REID-MCLENNAN (MISS)	36.0	PETROLEUM CORP OF
8306947	F-78-058658	4242933313	102-2	F T C LAKE #4 RRD ID #18898		REID-MCLENNAN (MISS)	14.0	PETROLEUM CORP OF
8306941	F-78-058616	4242933313	102-4	F T C LAKE #6 RRD ID #18898		CHALKER (CONGLOMERATE)	700.0	WARREN PETROLEUM
-ALPS OIL CO								
8307044	F-08-059116	4210332974	103	RECEIVED: 11/04/82	JA: TX	SAND HILLS (MCKNIGHT)	18.0	WARREN PETROLEUM
-AMOCO PRODUCTION CO								
8306974	F-8A-058919	4230330817	103	RECEIVED: 11/04/82	JA: TX	ANTON-IRISH	1.3	WESTAR TRANSMISSI
8306938	F-08-058581	4213533957	103	ANTON-IRISH CLEARFORK UNIT #459		COWDEN NORTH (STRAUN)	3.3	AMOCO PRODUCTION
8306939	F-03-058583	4204130756	102-2	FRANK COWDEN R/A M #20		KURTEN (WOODBINE)	73.0	FERGUSON CROSSING
8306976	F-08-058921	4213533984	103	FRANK L PATRANELLA UNIT "B" #1U		COWDEN NORTH	6.1	WESTAR TRANSMISSI
8306975	F-08-058920	4213533959	103	NORTH COWDEN #721		COWDEN NORTH	0.1	WESTAR TRANSMISSI
8307004	F-03-059021	4224500247	108	TREADAWAY LAND CO #12		BEAUMONT WEST (4300)	0.0	AMOCO GAS CO
-ANDERSON PETROLEUM INC								
8306730	F-7C-052265	4210533548	103	RECEIVED: 11/04/82	JA: TX	ALDWELL RANCH (CANYON)	200.0	OZONA PIPELINE CO
-APEX PETROLEUM INC								
8306994	F-78-058739	4208332788	102-4	107-TF JOE FRIEND ESTATE 1-28		HERRING (WINCHELL)	146.0	LONE STAR GAS CO
-ARCO OIL AND GAS COMPANY								
8306764	F-04-054940	4213335766	107-DP	RECEIVED: 11/04/82	JA: TX	SEVEN SISTERS EAST (H	700.0	TEXAS EASTERN TRA
8307056	F-7C-059136	4223531949	103	ARCO HUMBLET FEE GAS UNIT #2		KETCHUM MOUNTAIN (CLE	16.8	J L DAVIS
8307055	F-7C-059135	4223531948	103	KETCHUM MT (CLEARFORK) UT #5C-13		KETCHUM MOUNTAIN (CLE	7.2	J L DAVIS
8306810	F-04-056806	4206330402	103	KETCHUM MT (CLEARFORK) UT #151-3		VISTA DEL MAR (MIOCEN	230.0	VALERO TRANSMISSI
8306703	F-04-049020	4221531003	103	LERMA GAS UNIT #2		DONNA (RICE)	0.0	TENNESSEE GAS PIP
8306702	F-04-049019	4221531003	103	RICE UNIT #3-L		DONNA (ARMSTRONG)	0.0	TENNESSEE GAS PIP
8306704	F-04-049894	4221531194	103	RICE UNIT #3-U		DONNA (6850)	365.0	TENNESSEE GAS PIP
-B-J OPERATING CO								
8307037	F-10-059100	4206531151	103	SWALLOW GAS UT #1C		PANHANDLE CARSON COUN	36.0	CABOT PIPELINE CO
-BAEN-MOORE OIL & GAS CO								
8306852	F-05-057487	4234900000	102-4	RECEIVED: 11/04/82	JA: TX	SOUTH RICHLAND (WOODB	60.0	LONE STAR GAS CO
-BEACH OIL & GAS INC								
8306738	F-10-052791	4248331021	103	BROWN-DEHAES #1		PANHANDLE EAST	81.4	MI PLAINS NATURAL
-BEN HOGAN								
8307002	F-78-059018	4209331016	103	RECEIVED: 11/04/82	JA: TX	MITTIE(MARBLE FALLS)	126.9	SOUTHWESTERN GAS
-BILL FORNEY INC								
8306776	F-02-055402	4229732710	102-4	GLASSCOCK (54) #2 ID # NOT ASSIGNED		CHARLINE (FORNEY)	110.0	TRANSCONTINENTAL
-BORDER EXPLORATION CO								
8306765	F-04-054955	4221531205	103	KEITH #1 (TPRC #1C130C		TEXAN GARDENS NORTH (	316.0	VALERO TRANSMISSI
8306766	F-04-055045	4221531205	103	RECEIVED: 11/04/82	JA: TX	TEXAN GARDENS NORTH (	315.0	VALERO TRANSMISSI
8306713	F-04-050747	4221531205	103	LYNE GAS UNIT "A" #3		NORTH TEXAN GARDENS (	275.0	VALERO TRANSMISSI
8306714	F-04-050849	4221531205	102-4	EDINBURG IMPR ASSOC #1 GU		NORTH TEXAN GARDENS (	273.0	VALERO TRANSMISSI
-BOWMAN EXPLORATION & DRILLING INC								
8306714	F-04-050849	4221531205	102-4	EDINBURG IMPR ASSOC #1GU				

JD NO	JA UKT	API NO	U SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8306819	F-78-056992	4236332403	102-4	103	SVENSON #1	WILDCAT	39.0	SOUTHWESTERN GAS
-BRAMMER	ENGINEERING INC		RECEIVED:	11/04/82	J A: TX			
8306886	F-78-058213	4220330980	102-4		JOHN L BOYD UNIT - #1	HARLETON NE (PETTIT)	6.0	TEJAS GAS CORP
-BRAZOS	RESOURCES INC		RECEIVED:	11/04/82	J A: TX			
8306865	F-78-057895	4205132266	102-4		KNESEK #1 (ID # N/A)	BIG "A" TAYLOR	183.0	CLAJON GAS CO
-BRIDWELL	OIL CO		RECEIVED:	11/04/82	J A: TX			
8307033	F-78-059020	4207732656	102-4		SCALING RANCH "P" #18	TALLY (CONGL)	256.0	FAGADAU ENERGY CO
-BURNETT	OIL CO INC		RECEIVED:	11/04/82	J A: TX			
8306887	F-78-058214	4212331123	102-4		DANIELS #1	S DANIELS RANCH (UILC)	84.0	VALERO TRANSMISSI
-C F	LAWRENCE & ASSOC INC		RECEIVED:	11/04/82	J A: TX			
8306830	F-78-057164	4210503000	103		TODD "N" #1A 09155	TODD (SAN ANDRES)	0.0	APACHE GAS CORP
-CAG	PETROLEUM CORP		RECEIVED:	11/04/82	J A: TX			
8306708	F-78-050497	4228731153	102-2		GANTT #1	GIDDINGS AUSTIN CHALK	365.0	PERRY PIPELINE CO
-CAL-T	OIL CO		RECEIVED:	11/04/82	J A: TX			
8306998	F-78-059008	4206531230	103		VIDA "D" (05157) #1	PANHANDLE-CARSON	102.0	GETTY OIL CO
-CALIX	CORP		RECEIVED:	11/04/82	J A: TX			
8306882	F-78-058168	4217731283	102-4		KUNTSCHIK #1 (RRC ID NO NA)	PEACH CREEK (AUSTIN C)	18.0	VALERO TRANSMISSI
-CAROLINA	GROUP INC		RECEIVED:	11/04/82	J A: TX			
8306679	F-78-007687	4214300000	103		AGRI-PLACE INC	MORGAN MILL (MARBLE F)	0.0	INTER NORTH INC
-CHALMERS	OPERATING CO INC		RECEIVED:	11/04/82	J A: TX			
8306862	F-78-057742	4239300000	108		B L BARNES #1 068861	MITTIE (MARBLE FALLS)	21.0	LONE STAR GAS CO
8306863	F-78-057744	4236300000	108		CARTER #1 059959	PALO PINTO COUNTY REG	4.0	TEXAS UTILITIES F
8306864	F-78-057745	4236332095	108		J B CURTIS 083834	PK DAM (CONGLOMERATE)	7.0	LONE STAR GAS CO
-CHAMPLIN	PETROLEUM COMPANY		RECEIVED:	11/04/82	J A: TX			
8306701	F-78-048663	4236500000	103		107-TF CARTHAGE GAS UNIT 26 #3	CARTHAGE (COTTON VALL)	0.0	TENNESSEE GAS PIP
8306686	F-78-043218	4270430199	102-2	103	STATE TRACT 438-L #1-U	WILDCAT	0.0	
-CITIES	SERVICE COMPANY		RECEIVED:	11/04/82	J A: TX			
8307007	F-78-059025	4249732417	103		ASHE BCDE C #6	CAP YATES (CONSOLIDAT)	58.0	
8307036	F-78-059024	4249732426	103		ASHE BCDE E #7	CAP YATES (CONSOLIDAT)	12.0	
8306826	F-78-057100	4210533736	103		COX-C #1A	DUDLEY (DEVONIAN)	182.0	
8306933	F-78-058529	4213521384	108		CUMMINS D #3	GOLDSMITH	7.0	PHILLIPS PETROLEU
8306987	F-78-058963	4247532348	103		UNIVERSITY 13-17 #1	WAR-WINK S (WOLFCAMP)	234.0	
-CLAY	MOORE		RECEIVED:	11/04/82	J A: TX			
8307011	F-81-059042	4207931307	103		D S WRIGHT #1	LEVELLAND	1392.0	CITIES SERVICE CO
-CLAYTON	W WILLIAMS, JR		RECEIVED:	11/04/82	J A: TX			
8306751	F-78-053745	4214900000	102-2		JOHN QUINN UNIT #1	GIDDINGS (AUSTIN CHAL	0.0	CALJON GAS CO
8306706	F-78-050214	4205100000	102-2		YEGUA HILLS DEVELOPMENT UNIT #1	BIG A (TAYLOR)	0.0	VALERO TRANSMISSI
-CLEMCO	INC		RECEIVED:	11/04/82	J A: TX			
8306813	F-78-056883	4242330596	103		R G REEVES #1	CHAPEL HILL (RODESSA)	150.0	EAST TEXAS PRODUC
-COATES	ENERGY TRUST		RECEIVED:	11/04/82	J A: TX			
8306782	F-78-055615	4242731536	102-4		RAFAEL A GUERRA # (RRC ID #PENDING)	EL STAGGS (GATES)	128.0	VALERO INTERSTATE
-COLOGNE	PRODUCTION CO		RECEIVED:	11/04/82	J A: TX			
8306926	F-78-058430	4236931924	102-4		KATE WILLEMEN #13	COLETTO CREEK SOUTH (	100.0	HOUSTON PIPELINE
8306940	F-78-058554	4246931576	103		REEVES-SCHMIDT GAS UNIT WELL #1	COLOGNE (4300#)	100.0	HOUSTON PIPELINE
-CONOCO	INC		RECEIVED:	11/04/82	J A: TX			
8306981	F-78-058946	4243331473	103		ARTHUR BRINKLEY JR-A-#48 ID #04263	FLOWERS (CANYON SAND)	6.6	CITIES SERVICE CO
8306927	F-78-058455	4222732707	103		G O CHALK -E- #21 ID #18991	HOWARD GLASSCOCK/GLOR	4.0	PHILLIPS PETROLEU
8307018	F-78-059067	4215130397	108		MERRY BROS & PERINI ID #01912	ROUND TOP/CANYON SAND	5.9	LONE STAR GAS CO
8307015	F-78-059064	4215100000	108		ROUND TOP PALO PINTO UT #4 ID#11416	ROUND TOP/PALO PINTO	7.0	LONE STAR GAS CO
8307014	F-78-059063	4215100000	108		ROUND TOP PALO PINTO UT #9 ID#11416	ROUND TOP/PALO PINTO	2.1	LONE STAR GAS
8306720	F-78-051333	4242731627	103		T B SLICK EST H-536 #167	RINCON VICKSBURG 7060	0.0	TENNESSEE GAS PIP
8307016	F-78-059065	4238300000	108		UNIVERSITY #102 ID #C0229	BIG LAKE	0.4	DORCHESTER GAS PR
8307017	F-78-059066	4243330321	108		WEST FLOWERS UNIT #45 ID #11787	FLOWERS WEST	0.4	CITIES SERVICE CO

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8307061	F-04-059462	4227331496	102-4		K R BORREGOS 559-D (101247)	BORREGOS (N-25 W)	1004.0	ARMCO STEEL CORP
8306884	F-7C-058193	4246100000	108		MCELROY RANCH 130 #32	WILSHIRE	18.0	EL PASO NATURAL G
8306681	F-10-026270	4235700000	108-PB		PERRYTON GAS UNIT-1 #1	PERRYTON (NOVI LOWER)	20.8	TRANSWESTERN PIPE
8306883	F-04-058176	4226130732	103		SARITA FIELD OIL & GAS UNIT 179	SARITA (1-A)	137.0	NATURAL GAS PIPEL
-FAGADAU	ENERGY CORP		RECEIVED:	11/04/82	JA: TX			
8306756	F-09-054032	4207700000	103		SCALING RANCH "C" #6 RRC #22068	CASS (CADD0)	120.0	BLUEGROVE GASOLIN
-FALCON	ENERGY INC		RECEIVED:	11/04/82	JA: TX			
8306688	F-06-044360	4236500000	103		JERNIGANEVANS #2	BETHANY (TRAVIS PEAK)	94.0	ARKANSAS-LOUISIAN
-FEDERAL	ENERGY DEVELOPMENT CO		RECEIVED:	11/04/82	JA: TX			
8306846	F-09-057347	4212130376	102-4		GIBBS #1 RRC #J959453	ROANOKE (CADD0 CONGL)	75.0	LONE STAR GAS CO
-FERRIER	& TIERNEY OIL INC		RECEIVED:	11/04/82	JA: TX			
8305937	F-01-058548	4217731165	102-4		SCHOMBURG UNIT (07964) #1	PEACH CREEK (AUSTIN C	30.0	VALERO TRANSMISSI
-FISHER-	WEBB INC		RECEIVED:	11/04/82	JA: TX			
8306585	F-7B-058955	4205931932	103		PARSONS INA MAE #1	PARSONS (GRAY)	150.0	UNION TEXAS PETRO
-FLORIDA	GAS EXPLORATION COMPANY		RECEIVED:	11/04/82	JA: TX			
8306767	F-7C-055046	4243532743	103		107-TF FLORENCE 27-#4	PHYLLIS SONORA	0.0	INTRATEX GAS CO
8306795	F-7C-056505	4243532742	103		107-TF FLORENCE 28-#5	PHYLLIS SONORA	0.0	INTRATEX GAS CO
8306929	F-06-058495	4200131326	103		FLORIDA J W MILLS #1	PURT WEST (RODESSA 10	146.0	
-FRAC INC			RECEIVED:	11/04/82	JA: TX			
8306978	F-08-058943	4200333096	103		UNIVERSITY #7" #1 #27234	FURMAN-MASCHO	2.2	PHILLIPS PETROLEU
-FRANK CASS			RECEIVED:	11/04/82	JA: TX			
8306759	F-7C-054281	4243530451	103		107-TF ALLISON-MIERS 7904	SAWYER (CANYON)	98.0	EL PASO NATURAL G
-FRANK M FARLEY			RECEIVED:	11/04/82	JA: TX			
8306973	F-05-058913	4243930001	108		WILKINSON #1	LAKE WORTH	0.0	LONE STAR GAS CO
-GENERAL	PRODUCTION CORP		RECEIVED:	11/04/82	JA: TX			
8306747	F-03-053512	4228731205	102-2		103 HENRY COLLIER ESTATE UNIT #1	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
8306841	F-03-057304	4205100000	102-2		CHENEY SHEPARD UNIT 1 #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-GEOCHEMICAL	SURVEYS INC		RECEIVED:	11/04/82	JA: TX			
8306855	F-7C-057584	4243532735	103		107-TF SIMMONS RANCH #9	SONORA (CANYON UPPER)	36.0	EL PASO NATURAL G
-GEOSOUTHERN	ENERGY CORP		RECEIVED:	11/04/82	JA: TX			
8306831	F-03-057210	4205100000	102-2		GERTIE MAE	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
8306758	F-03-054277	4205100000	102-2		LEAH #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-GERALD RUTLEDGE			RECEIVED:	11/04/82	JA: TX			
8306832	F-7B-057222	4244132212	102-4		GERALD RUTLEDGE #2 (18904)	PITZER (CANYON REEF)	9.0	CONOCO INC
-GETTY OIL COMPANY			RECEIVED:	11/04/82	JA: TX			
8306762	F-06-054746	4240100000	103		107-TF M P TURLINGTON #1	DIRGIN (COTTON VALLEY	550.0	TEXAS EASTERN TRA
8306950	F-06-058701	4236500000	108		WERNER-JORDAN #1-U	BETHANY (PETTIT)	6.0	TEXAS GAS TRANSMI
-GHR ENERGY CORP			RECEIVED:	11/04/82	JA: TX			
8306769	F-04-055089	4250531426	102-4		ALFONSO #2	CHARCO (9900)	20.0	VALERO TRANSMISSI
8306794	F-04-056423	4250531505	102-4		107-TF LA PERLA #42	LA PERLA RANCH (LOBO	225.0	VALERO TRANSMISSI
-GO OIL CORP			RECEIVED:	11/04/82	JA: TX			
8306931	F-09-058501	4249732344	102-4		MCFARLAND #1	FRANKLIN (STRAWN)	0.0	LONE STAR GAS CO
-GOLDEN PETROLEUM CORP			RECEIVED:	11/04/82	JA: TX			
8306791	F-09-056286	4223733757	102-4		EATHERLY #5	STRAHAN (CONGL)	18.0	SOUTHWESTERN GAS
-GOLDKING	PRODUCTION COMPANY		RECEIVED:	11/04/82	JA: TX			
8306857	F-02-057664	4217500000	103		WELCH #1	DALLAS HUSKY	0.0	TEXAS EASTERN TRA
-GRACE PETROLEUM CORPORATION			RECEIVED:	11/04/82	JA: TX			
8306894	F-08-058273	4238931232	102-4		GRACE CALEDON O'CONNOR #1	SAN MARTINE (MISSISSI	0.0	WESTAR TRANSMISSI
8306792	F-05-056313	4228930486	103		MCASHAN GAS UNIT #2	BEAR GRASS	0.0	DELHI GAS PIPELIN
8306754	F-05-053886	4236531278	103		107-TF ROBERTS GAS UNIT #2	CARTHAGE	0.0	SOUTHERN NATURAL
-GRAND BANKS ENERGY CO			RECEIVED:	11/04/82	JA: TX			
8306784	F-04-055563	4211531698	103		SHORTES #1	ACKERLY (DEAN SAND)	36.5	TEXACO INC
-GRIEF M F			RECEIVED:	11/04/82	JA: TX			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8306925	F-78-058424	4208300000	103	RECEIVED:	TOBIN R M #5 (95064 - RRC ID)	COLEMAN COUNTY REGULA	25.4	EL PASO HYDROCARB
-GULF OIL CORPORATION					11/04/82			
8306867	F-10-057909	4221131441	103	RECEIVED:	STUDER #2	CANADIAN S E	108.0	CITIES SERVICE GA
8306848	F-08-057451	4247532553	103	RECEIVED:	UNIVERSITY 18-31 #4	GUITO EAST (CHERRY GA	0.0	TEXACO INC
-GULFSTREAM PETROLEUM CORP					11/04/82			
8306809	F-02-056746	4212331196	102-4	RECEIVED:	VERA FRIEDRICHS #1	ARNECKVILLE NW (WILC	102.0	
-HANSON MINERALS CO					11/04/82			
8306827	F-02-057103	4228531619	102-4	RECEIVED:	NO PROVIDENT CITY GAS UT #1 WELL #1	NORTH PROVIDENT CITY	1095.0	TEXAS EASTERN TRA
8306971	F-04-058908	4213100000	102-4	RECEIVED:	OSCAR GARCIA #2	TESORO (COLE SAND)	200.0	UNITED GAS PIPE L
-HARRISON INTERESTS LTD					11/04/82			
8306953	F-7C-058714	4210531131	107-TF	RECEIVED:	JOE WYLIE McMULLAN #2	DAVIDSON RANCH (PENN	60.0	INTRATEX GAS CO
-HILLIARD OIL & GAS INC					11/04/82			
8306786	F-06-058877	4206730369	102-4	RECEIVED:	J F RAMSEY ESTATE #1	KILDARE (SMACKOVER)	720.0	TEXAS EASTERN TRA
-HLH PETROLEUM CORP					11/04/82			
8306812	F-78-056856	4225332178	102-4	RECEIVED:	RENAUD #1-15 (101290)	REN (CANYON REEF)	482.0	CONOCO INC
-HNG OIL COMPANY					11/04/82			
8306763	F-10-054874	4248330995	102-2	RECEIVED:	ARMSTRONG #20 #1 (11530	STILES RANCH (ATOKA)	337.5	INTRATEX GAS CO
8306763	F-10-054874	4248330995	107-TF	RECEIVED:	ARMSTRONG #20 #1 (11530	STILES RANCH (ATOKA)	337.6	INTRATEX GAS CO
8306707	F-7C-050401	4243500000	103	RECEIVED:	ESPY #40 #5	SAWYER (CANYON)	0.0	INTRATEX GAS CO
8306777	F-04-055435	4247900000	102-4	RECEIVED:	HIRSCH ESTATE 538 #1	BIG COMBOY (LOBO)	0.0	HOUSTON PIPELINE
8306777	F-04-055435	4247900000	107-TF	RECEIVED:	HIRSCH ESTATE 538 #1	BIG COMBOY (LOBO)	0.0	HOUSTON PIPELINE
8306685	F-10-043140	4221100000	108-PB	RECEIVED:	LUCAS #9 #1	VIKING (MORROW UPPER)	35.8	MID-LOUISIANA GAS
-HORIZON OIL & GAS CO OF TEXAS					11/04/82			
8306836	F-10-057258	4219520821	103	RECEIVED:	MCQUELLAN #4-12	GRUVER NW (MORROW UPP	439.0	PHILLIPS PETROLEU
-HOWELL DRILLING INC					11/04/82			
8306844	F-02-057343	4212300000	102-4	RECEIVED:	FELIX KOENIG 2 GAS UNIT WELL #3	ANNA BARRE N	0.0	TEXAS EASTERN TRA
8306924	F-02-058393	4228500000	103	RECEIVED:	HATHAWAY EDWARDS GAS UNIT WELL #4	WORD N	0.0	VALERO TRANSMISSI
-JAMES E RUSSELL PETROLEUM INC					11/04/82			
8306936	F-78-058543	4213334163	102-4	RECEIVED:	C V BROWN #2	PIPPEN (CADD0)	627.0	CORONADO TRANSMIS
-JAMES K ANDERSON INC					11/04/82			
8307023	F-7C-059077	4239932397	102-4	RECEIVED:	STRAKE-MICHAELIS #1	FRITZESS (GRAY SAND)	15.0	UNION TEXAS PETRO
-JAY-DEE PRODUCING CO					11/04/82			
8307042	F-10-059114	4206500000	103	RECEIVED:	DEBBIE #2	PANHANDLE	6.2	PHILLIPS PETROLEU
8307042	F-10-059114	4206500000	103	RECEIVED:	SAWFORD B #2	PANHANDLE	5.8	PHILLIPS PETROLEU
-KAARI OIL CO					11/04/82			
8306993	F-10-058991	4217931207	103	RECEIVED:	FUTURE #1-5 (10#05164)	PANHANDLE GRAY	70.0	GETTY OIL CO
-KCA OIL & GAS INC					11/04/82			
8306982	F-78-058948	4236730911	102-2	RECEIVED:	GROGAN #1 075444	WEATHERFORD (STRAWN)	1058.5	EMPIRE GAS CO
8306983	F-78-058949	4236731595	102-2	RECEIVED:	GROGAN #2 082451	WEATHERFORD (STRAWN)	1394.9	EMPIRE GAS CO
-KIM PETROLEUM CO INC					11/04/82			
8306727	F-10-052076	4217931074	103	RECEIVED:	BOBBY #1	PANHANDLE GRAY COUNTY	72.0	PHILLIPS PETROLEU
8306726	F-10-052075	4217931073	103	RECEIVED:	BOBBY #2	PANHANDLE GRAY COUNTY	72.0	PHILLIPS PETROLEU
-L & B OIL CO INC					11/04/82			
8306990	F-08-058978	4217331272	102-4	RECEIVED:	POWELL #1-17	DEWEY LAKE EAST (FUSS	730.0	EL PASO NATURAL G
-L & W OIL CO					11/04/82			
8306768	F-09-055079	4249732166	103	RECEIVED:	T T WATSON #3	ALVORD (ATOKA CONGL)	47.0	LOME STAR GAS CO
-L TEXAS PETROLEUM INC					11/04/82			
8306807	F-78-056710	4244700000	108	RECEIVED:	D J BAILLES #1	THROCKMORTON COUNTY R	0.0	LOME STAR GAS CO
-L W LESIKAR					11/04/82			
8306788	F-78-056028	4213333686	102-4	RECEIVED:	F E CARAWAY #1	HARRIET L (MISS)	29.2	LOME STAR GAS CO
-LACY & BYRD INC					11/04/82			
8306988	F-7C-058966	4246131915	103	RECEIVED:	TXL-27 #4 RRC #09242	SPRABERRY (TREND AREA	20.0	MOBIL PRODUCING T
-LAMBERT HOLLUB DRILLING CO					11/04/82			

VOLUME 782

PAGE 006

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8306822	F-03-057058	4205131300	103	RECEIVED:	F M POOLE #8	WILLARD	0.3	
	-LEEDE OIL & GAS INC				11/04/82			250.0 PALO DURO PIPELIN
8306696	F-10-047532	4246330854	107-DP	RECEIVED:	TEXAS STRIP #1	KEY (UPPER MORROW)		
	-LOUISIANA CRUDE OIL & GAS CO INC				11/04/82			73.0 SOUTHWESTERN GAS
8306951	F-78-058704	4213353492	103	RECEIVED:	PAUL HARLOW #1	EASTLAND COUNTY REGUL		
	-LULUNG OIL AND GAS CO INC				11/04/82			0.0 UNION TEXAS PETRO
8306845	F-78-057344	4208500000	103	RECEIVED:	WHITTINGTON "B" LEASE WELL #2	GLEN COVE S		
	-LYONS PETROLEUM INC				11/04/82			70.0 FERGUSON CROSSING
8306960	F-03-058868	4204131751	103-2	103	RECEIVED:	KURTEN (WOODBINE)		
	-MARATHON OIL COMPANY				11/04/82			7.5 TRANSWESTERN PIPE
8306724	F-10-051907	4229500000	108	RECEIVED:	TEXAS GENERAL PROPERTIES #1	KIOGA CREEK (UPPER MO		
	-MARSHALL EXPLORATION INC				11/04/82			40.0 WESTERN GAS CORP
8306718	F-06-050949	4236530921	103	107-TF	MARTIN #1	BEKVVILLE (COTTON VAL		
	-MCLENNAN ENERGY				107-TF	CARTHAGE (C V)		100.0 WESTERN GAS CORP
8306838	F-78-057279	4209330993	102-4	RECEIVED:	JONES #1	DE LEON N (STRAWN)		73.0 SOUTHWESTERN GAS
	-MCORAN PRODUCTION CO				11/04/82			165.0 SOUTHWESTERN GAS
8306948	F-78-058659	4209330992	102-4	RECEIVED:	SPENCER #2 RRC ID #101422	DE LEON N (STRAWN)		
	-MCORAN PRODUCTION CO				11/04/82			547.5 TRANSCONTINENTAL
8306746	F-04-053394	4221331050	102-4	RECEIVED:	JONES #1	MCALLEN SOUTH		
	-MCALLEN OIL CO INC				11/04/82			36.0 WARREN PETROLEUM
8306945	F-78-058654	4242933234	103	RECEIVED:	C M CALDWELL #1	STEPHENS COUNTY REGUL		
	-MILLNEE OIL INC				11/04/82			3.6 GETTY OIL CO
8306693	F-08-046488	4222700000	108	RECEIVED:	E J CARPENTER EST #1	STOLMAN (WOLFCAMP)		
	-ENERGY CORPORATION				11/04/82			13.7 SOUTHWESTERN GAS
8306771	F-09-055160	4249700000	108	RECEIVED:	A BROWN #1 #028891	BOONSVILLE (BEND CONG		13.6 SOUTHWESTERN GAS
	-MITCHELL ENERGY CORP				C C MCCLURE #6 #070040	LONE CAMP (WEST CONG		274.0 UNITED TEXAS TRAN
8306749	F-05-053563	4236300000	103	107-TF	C C SMITH #1	BAID PRAIRIE (CV-LIME		14.0 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				CHANDLER-DAVIS #1 #028595	BOONSVILLE (BEND CONG		13.4 NATURAL GAS PIPEL
8306801	F-09-056607	4249700000	108	RECEIVED:	D J HUGHES #17 #081277	BOONSVILLE (BEND CONG		13.4 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				E H DRAPER #1 #047240	BOONSVILLE (BEND CONG		7.0 NATURAL GAS PIPEL
8306803	F-09-057231	4249700000	108	RECEIVED:	EARL KELLY ESTATE #1 #04549	BOONSVILLE (BEND CONG		13.4 SOUTHWESTERN GAS
	-MITCHELL ENERGY CORP				G A ELLIOT #1 #4014	BOONSVILLE (BEND CONG		14.1 NATURAL GAS PIPEL
8306710	F-09-050687	4249700000	108	RECEIVED:	GUNHILD WEBER #1 #028847	BOONSVILLE (BEND CONG		6.6 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				H E MYERS #5 #093573	BOONSVILLE (BEND CONG		13.0 SOUTHWESTERN GAS
8306592	F-09-046452	4249700000	108	RECEIVED:	J E WOODY #1 #71466	BOONSVILLE (BEND CONG		13.0 SOUTHWESTERN GAS
	-MITCHELL ENERGY CORP				J T RICHARDSON #1 #91012	BOONSVILLE (BEND CONG		13.9 NATURAL GAS PIPEL
8306772	F-09-055162	4236700000	108	RECEIVED:	JAMES D BENTLEY #2 #043167	BOONSVILLE (BEND CONG		13.7 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				JEWEL RAY WITT #2 #091363	BOONSVILLE (BEND CONG		13.6 LONE STAR GAS CO
8306752	F-09-053777	4236700000	108	RECEIVED:	K M GEORGE B #1 #070034	BOONSVILLE (BEND CONG		13.9 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				L F JONES #1 #28639	BOONSVILLE (BEND CONG		13.6 NATURAL GAS PIPEL
8306598	F-09-047753	4223700000	108	RECEIVED:	LEWIS F HOLY #1 #28680	BOONSVILLE (BEND CONG		14.0 LONE STAR GAS CO
	-MITCHELL ENERGY CORP				M L WAGGONER #21 #035934	BOONSVILLE (BEND CONG		13.6 NATURAL GAS PIPEL
8306798	F-09-056603	4249700000	108	RECEIVED:	MARGARET SVENSSON #1 #030719	BOONSVILLE (BEND CONG		13.1 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				PORTER-BRIDGES #1 #028783	BOONSVILLE (BEND CONG		13.0 NATURAL GAS PIPEL
8306834	F-78-057235	4205900000	108	RECEIVED:	R E WILSON #2 #91442	BOONSVILLE (BEND CONG		12.6 SOUTHWESTERN GAS
	-MITCHELL ENERGY CORP				R R HOWARD #1 #090177	BETHESDA SW (STRAWN)		12.0 SOUTHWESTERN GAS
8306750	F-09-053776	4249700000	108	RECEIVED:	R W PAFORD #1 #93446	DICKEY (CONGL)		13.5 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				T P BROWN #2 #028578	BOONSVILLE (BEND CONG		13.0 NATURAL GAS PIPEL
8306712	F-09-050693	4249700000	108	RECEIVED:	WILLIAM MILLER B #1 #49356	WISE-KENT (HAM SAND)		19.0 NATURAL GAS PIPEL
	-MITCHELL ENERGY CORP				11/04/82			3.4 INTRATEX GAS CO
8306504	F-09-056614	4249700000	108	RECEIVED:	HELEN HOKIT UNIT SEC 16 #2	HOKIT (ELLENBURGER)		5.5 AMOCO PRODUCTION
	-MITCHELL ENERGY CORP				NORTH CENTRAL LEVELLAND UNIT #361	LEVELLAND		6.2
8306535	F-09-057238	4249700000	108	RECEIVED:	U-TEX SEC 28 #1	WAR WINK S (WOLFCAMP)		
	-MITCHELL ENERGY CORP							
8306753	F-09-053783	4249700000	108	RECEIVED:				
	-MITCHELL ENERGY CORP							
8306806	F-78-056617	4236700000	108	RECEIVED:				
	-MITCHELL ENERGY CORP							
8306711	F-78-050689	4236700000	108	RECEIVED:				
	-MITCHELL ENERGY CORP							
8306806	F-09-056606	4249700000	108	RECEIVED:				
	-MITCHELL ENERGY CORP							
8306729	F-09-052205	4249700000	108	RECEIVED:				
	-MOBIL PRDGE TEXAS & NEW MEXICO INC							
8306876	F-08-058037	4237132378	108	RECEIVED:				
	-MOBIL PRDGE TEXAS & NEW MEXICO INC							
8307001	F-8A-059016	4221933549	103	RECEIVED:				
	-MOBIL PRDGE TEXAS & NEW MEXICO INC							
8306890	F-08-056255	4247532361	103	RECEIVED:				
	-MOBIL PRDGE TEXAS & NEW MEXICO INC							

VOLUME 782 PAGE 007

PROD PURCHASER

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	RECEIVED	JA: TX	FIELD NAME	PROD	PURCHASER
-MOORE	MCCORMACK OIL & GAS CORP				11/04/82	JA: TX	LIZ (8100)	365.0	109.5	TENNESSEE GAS PIP LEAGUE CITY
8306697	F-04-047657	4247932968	102-4		HUBBERD "EE" #1					
8306699	F-03-048039	4216730829	103		RICE ESTATE #4					
-MORAN	EXPLORATION INC				11/04/82	JA: TX	SPRABERRY (TRENDA AREA	9.1		EL PASO NATURAL G
8306680	F-7C-016974	4238300000	108-ER		STOUT "A" #1					
-MORROW	RESOURCES INC				11/04/82	JA: TX	K W B (STRAHM)	0.0		LONE STAR GAS CO
8306851	F-7C-057482	4245130998	102-2	103	BROWN "C" #2					
8306856	F-7C-057638	4245131009	102-2	103	MATHEWS "A" #2					
-MORTCO	INC				11/04/82	JA: TX	MCKNIGHT S (CONGL)	39.0		GREAT WESTERN GAS
8306736	F-7B-052705	4244732577	102-4		ROSS MCKNIGHT ET AL "A" #1 (18007)					
8306735	F-7B-052704	4244733130	102-4		ROSS MCKNIGHT ET AL "B" #1 (18358)					
-NATURA	ENERGY CORP				11/04/82	JA: TX	GIDDINGS (AUSTIN CHAL	0.0		PHILLIPS PETROLEU
8306905	F-03-058121	4228700000	103		SCHULZ					
-NEWHALL	LAND & FARMING CO				11/04/82	JA: TX	ANNIE B (STRAHM)	365.0		ADOBE GAS CO
8306879	F-7C-058087	4241331127	102-4	103	MERTZ #1					
-OILWELL	OPERATORS INC				11/04/82	JA: TX	PANHANDLE	12.0		PIONEER NATURAL G
8306684	F-10-039845	4217900000	108		MELTON A #1 02909					
-OTTICO	OIL INC				11/04/82	JA: TX	PANHANDLE HUTCHINSON	138.0		PANHANDLE PRODUCTI
8306996	F-10-059003	4223331275	103		HERRING-NIVENS #10					
8306694	F-10-046575	4223331035	103		HERRING-NIVENS #6					
8306997	F-10-059004	4223331276	103		HERRING-NIVENS #9					
-P & R	OIL INC				11/04/82	JA: TX	LEE RAY (DUFFER LIME	123.0		LONE STAR GAS CO
8306944	F-7B-058653	4213334083	102-4		WHITE #2					
-P W	BARRY				11/04/82	JA: TX	TALPA (DOG BEND)	18.0		LONE STAR GAS CO
8306946	F-7B-058656	4208333050	102-4		J J DECKER -B- #1					
-PANCAKE	-WATTS				11/04/82	JA: TX	PALO DAVIS (DUFFER)	220.0		SOUTHWESTERN GAS
8307052	F-7B-059127	4204933077	102-4		EDINGTON #2 (100953)					
-PARKER	& PARSLEY INC				11/04/82	JA: TX	SPRABERRY (TRENDA AREA	15.0		ADOBE OIL & GAS C
8306881	F-08-058127	4231700000	103		NAIL "A" #1					
8306859	F-08-057675	4231700000	103		STIMSON-BURLEY "C" #1					
-PEARSON	-SIBERT OIL CO OF TEXAS				11/04/82	JA: TX	FRAN-GLASS (PENNSYLV	15.0		ADOBE OIL & GAS C
8306880	F-7C-058097	4208131113	103		FRANK PEARSON REEF UNIT #313					
-PETROLERO	CORP				11/04/82	JA: TX	FRANK PEARSON (STRAHM	8.9		SUN OIL CO
8306775	F-01-055365	4228300000	102-4		SOUTH TEXAS SYNDICATE #1-41					
8306773	F-01-055213	4228300000	102-4		SOUTH TEXAS SYNDICATE #2-34					
-PETROLERO	EXPLORATIONS INC				11/04/82	JA: TX	WILDCAT ABOVE 6000*	0.0		ESPERANZA TRANSMI
8307041	F-7B-059108	4208332984	103		CLAYTON "A" #1-101308					
-PHILLIPS	PETROLEUM COMPANY				11/04/82	JA: TX	COLEMAN COUNTY REGULA	175.0		LONE STAR GAS CO
8306952	F-7C-058709	4246101391	108		(03913) N PENBROOK SPRA #5-12					
8306979	F-08-058944	4213503196	108		(21193) GOLDSMITH ANDECTOR UT #A-05					
8306934	F-08-058540	4213502430	108		ABELL #5 (00217)					
8306690	F-08-046413	4213503142	108		GB ANDECTOR UNIT WELL #N13					
8306980	F-08-058945	4213503220	108		GOLDSMITH ANDECTOR UNIT #B-04					
8306744	F-7C-053264	4243532563	103		107-TF WARD C #6					
8306935	F-7C-058541	4243532564	103		107-TF WARD C #7					
-PITCOCK	INC				11/04/82	JA: TX	PALO PINTO CO REGULAR	0.0		SOUTHWESTERN GAS
8306721	F-7B-051617	4236300000	108		GLEN WATSON #3 70840					
-POMEXCO	INC				11/04/82	JA: TX	WEST PURT (RODESSA)	150.0		ESPERANZA ENERGY
8306734	F-06-052580	4200130964	103		102-4 G O ELROD #1					
-PROCECO	EXPLORATION INC				11/04/82	JA: TX	KURTEN (GEORGETOWN)	365.0		PRODUCERS GAS CO
8306847	F-03-057350	4204130680	102-4		DANSBY UNIT 11					
-PYRO	ENERGY CORP				11/04/82	JA: TX	ALDWELL RANCH (CANYON	0.0		VALERO TRANSMISSI
8306858	F-7C-057674	4243532660	103		107-TF KEENE #179-3					

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-	QUINTIN LITTLE CO							
8306967	F-03-058901	4214930983	RECEIVED:	11/04/82	DAFFIN UNIT #1	GIDDINGS (AUSTIN CHAL	7.0	PHILLIPS PETROLEU
-	R A W ENERGY CORP							
8306757	F-78-054105	4236700000	RECEIVED:	11/04/82	HODGES #1 U	BRA (STRAWN)	0.0	SOUTHWESTERN GAS
8306770	F-78-055127	4236732297	RECEIVED:	11/04/82	HODGES #2	BRA (STRAWN)	100.0	SOUTHWESTERN GAS
8306748	F-78-053580	4236752248	RECEIVED:	11/04/82	LUMPKIN #3	POOLVILLE SW (CADD0)	0.0	NATURAL GAS PIPEL
-	RANGER PETROLEUM							
8306893	F-10-058265	4206531165	RECEIVED:	11/04/82	TIFFANY #1 05141	PANHANDLE CARSON FIEL	98.6	PANHANDLE EASTERN
8306892	F-10-058264	4206531166	RECEIVED:	11/04/82	TIFFANY #2 05141	PANHANDLE CARSON FIEL	88.0	PANHANDLE EASTERN
-	RK PETROLEUM CORP							
8307008	F-8A-059033	4211531562	RECEIVED:	11/04/82	BILL WEAVER #1	LAMESA NORTH (7850)	3.6	PHILLIPS PETROLEU
8307009	F-8A-059034	4211531563	RECEIVED:	11/04/82	TACKER #2 WELL #63793	LAMESA NORTH (7850)	9.1	PHILLIPS PETROLEU
-	ROBERT E BYRNE							
8306743	F-78-052982	4213333290	RECEIVED:	11/04/82	SNEED "A" #1	REB (MARBLE FALLS)	55.0	LONE STAR GAS CO
-	ROBINSON BROS DRILLING CO INC							
8306949	F-06-058694	4240131320	RECEIVED:	11/04/82	CLARA GLASPIE GAS UT #1	DIRGIN (COTTON VALLEY	228.0	EASTEX GAS TRANSM
-	ROME EXPLORATION CO INC							
8306687	F-01-044348	4250731383	RECEIVED:	11/04/82	L LYLES #3	LYLES RANCH	36.0	ESPERANZA PIPE LI
-	S K TUTMILL & B J BARBEE							
8306814	F-7C-056904	4223531895	RECEIVED:	11/04/82	WINTERBOTHAM #1-2 T	BUTTES NORTH FIELD	0.0	
-	SANCHEZ-OBRIEN OIL & GAS CORP							
8306709	F-02-050640	4229732962	RECEIVED:	11/04/82	CHARLES L BODDEN #7-U	FANT (WILCOX 9500)	500.0	UNITED TEXAS TRAN
-	SANTA FE ENERGY PRODUCTS CO							
8306787	F-03-055963	4214931325	RECEIVED:	11/04/82	SALMANSON #1	WALHALLA (GLENROSE)	440.0	CLAJON GAS CO
-	SAXON OIL COMPANY							
8306972	F-7C-058911	4238332186	RECEIVED:	11/04/82	UNIVERSITY #28-9" #1	SPRABERRY (TREND AREA	11.7	PHILLIPS PETROLEU
-	SHAH EXPLORATION CO INC							
8306869	F-09-057954	4250300000	RECEIVED:	11/04/82	BRYAN CLAYTON	YOUNG COUNTY REGULAR	2.0	GAS ASSOCIATED SY
8306868	F-09-057953	4250300000	RECEIVED:	11/04/82	CLAYTON #1	YOUNG COUNTY REGULAR	2.0	GAS ASSOCIATED SY
8306871	F-09-057957	4250300000	RECEIVED:	11/04/82	SHAH-YCA 899-B	YOUNG COUNTY REGULAR	2.0	GAS ASSOCIATED SY
8306870	F-09-057955	4250300000	RECEIVED:	11/04/82	SHAH-YCA 923-A	YOUNG COUNTY REGULAR	2.0	GAS ASSOCIATED SY
-	SHAWNEE PETROLEUM CORP							
8306875	F-03-058018	4205100000	RECEIVED:	11/04/82	BIRCH CREEK FOREST #1	GIDDINGS (AUSTIN CHAL	73.0	CLAJON GAS CO
8306873	F-03-058016	4205100000	RECEIVED:	11/04/82	WHITENER "G" #1	GIDDINGS (AUSTIN CHAL	876.0	CLAJON GAS CO
8306874	F-03-058017	4205100000	RECEIVED:	11/04/82	WHITENER "T" #1	GIDDINGS (AUSTIN CHAL	255.0	CLAJON GAS CO
-	SHELL OIL CO							
8306796	F-04-056508	4250531508	RECEIVED:	11/04/82	E VELA #1	EL GRULLO (9200) (PRO	200.0	UNITED TEXAS TRAN
-	SHENANDOAH OIL CORPORATION							
8306677	F-7C-000300	4248500000	RECEIVED:	11/04/82	J W WARD 1-118	SONORA CANYON (UPPER)	15.0	EL PASO NATURAL G
-	SO-TEX PETROLEUM, INC.							
8307060	F-78-59149	424132072	RECEIVED:	11/04/82	SOUTH CORNETT #1	JOCELYN-VARN SOUTH (F	46.0	UNION TEXAS-PETRO
-	SOCORRO ENERGY INC							
8307005	F-02-059023	4225500000	RECEIVED:	11/04/82	B P GREEN #2	JOCELYN-VARN SOUTH (F	140.0	INTRASTATE GATHER
-	SOUTHERN ROYALTY INC							
8306818	F-04-056987	4240931657	RECEIVED:	11/04/82	CONTINENTAL BANK TRUST #1	BULLHEAD CREEK (SINTO	320.0	TRUNKLINE GAS CO
-	STAHL PETROLEUM CO							
8306839	F-10-057285	4248330805	RECEIVED:	11/04/82	MACINA #2	EAST PANHANDLE	0.0	TRANSMISSION PIPE
-	SUBURBAN PROPANE EXPLORATION CO INC							
8307034	F-10-059095	4216300000	RECEIVED:	11/04/82	EUGENE SATTLER #2	WEST BIG FOOT/GAS	12.8	TRANSCONTINENTAL
-	SUBURBAN PROPANE GAS CORP							
8307035	F-10-059096	4216300000	RECEIVED:	11/04/82	GEORGE H WILLIAMS #11	WEST BIG FOOT/GAS	19.4	TRANSCONTINENTAL
-	SUN EXPLORATION & PRODUCTION CO.							
8306781	F-03-055599	4219931679	RECEIVED:	11/04/82	GRICE EXPLORATION #1	SARATOGA WEST	63.0	

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8306780	F-7C-055579	4208131073	103		C E MATHERS #63	JAMESON (STRAWN)	28.0	EL PASO NATURAL G
8306823	F-08-057077	4246131860	103		DAMRON "192A" #1	MCELROY	21.0	
8306815	F-08-056934	4246131897	103		DAMRON "192-B" #1	MCELROY	19.0	
8306824	F-7B-057080	4242932591	103		EAST ELIASVILLE (CADD0) UT #49	STEWENS COUNTY REGUL	68.0	BRECKENRIDGE GASO
8306888	F-7B-05822	4233900000	108		JAWEH JAMESON #1	J M (CANYON)	18.0	LONE STAR GAS CO
8306816	F-7B-056972	4213300000	108		WATKINS #1	LAKE LEON (DUFFER)	13.0	LONE STAR GAS CO
-SUPERIOR OIL CO				RECEIVED: 11/04/82	JA: TX			
8306733	F-03-052540	4201530414	103		ROBERT SPIESS #1	NEW ULM (MIDWAY)	0.0	COLUMBIA GAS TRAN
8306785	F-08-055763	4210332781	103		UNIVERSITY N #2	MCELROY (DOVONIAN)	0.0	
-TAMARACK PETROLEUM CO INC				RECEIVED: 11/04/82	JA: TX			
8306891	F-08-058258	4232930942	103		PARKS #26" #1 (RR #26409)	PARKS (SPRABERRY)	1.0	PHILLIPS PETROLEU
8306783	F-8A-055662	4207931323	103		MALLET LAND & CATTLE #20	SLAUGHTER	0.0	AMOCO PRODUCTION
8306761	F-08-054508	4231732354	103		NAIL E-34 #1	SPRABERRY (TREND AREA)	0.0	
-TENROC CORP				RECEIVED: 11/04/82	JA: TX			
8306700	F-03-048295	4205131940	102-2		LAUDERDALE #12	GIDDINGS (AUSTIN CHAL	730.0	PHILLIPS PETROLEU
-TERPCO ENGINEERING INC				RECEIVED: 11/04/82	JA: TX			
8306689	F-04-046113	4240931538	102-4		J J PICHA #1	TAFT SOUTH (PICHA) FI	255.0	UNITED GAS PIPE L
-TEXACO INC				RECEIVED: 11/04/82	JA: TX			
8306861	F-8A-057709	4221933323	103		IRA P DELOACHE #44	LEVELLAND	0.0	AMOCO PRODUCTION
8306849	F-8A-057467	4207931206	103		MALLET LAND & CATTLE CO "F" #18-A	SLAUGHTER	0.0	AMOCO PRODUCTION
8306850	F-8A-057469	4221933572	103		MONTGOMERY ESTATE DAVIES NCT-2 #83	LEVELLAND	0.0	AMOCO PRODUCTION
8307054	F-08-059134	4238900000	108		REEVES "2" FEE #1	EAST FORD (DELAWARE S	2-2	CONOCO INC
8307049	F-08-059122	4238900000	108		REEVES "2" FEE #4	EAST FORD (DELAWARE S	1.0	CONOCO INC
8307045	F-08-059117	4238900000	108		REEVES "2" FEE #5	EAST FORD (DELAWARE S	1.0	CONOCO INC
8307046	F-08-059118	4238900000	108		REEVES "2" FEE #6	EAST FORD (DELAWARE S	1.0	CONOCO INC
8307047	F-10-059119	4223300000	108		S B BURNETT NCT-5 #24	PANHANDLE HUTCHINSON	2.0	PHILLIPS PETROLEU
8307050	F-10-059123	4206500000	108		T J BONEY NCT-4 #26	PANHANDLE CARSON COUN	2.5	GETTY OIL CO
8306992	F-10-058990	4206500000	108		T J BONEY NCT-3 #11	PANHANDLE CARSON COUN	0.6	GETTY OIL CO
8306956	F-10-058880	4206500000	108		T J BONEY NCT-3 #12	PANHANDLE CARSON COUN	0.6	GETTY OIL CO
8306957	F-10-058881	4206500000	108		T J BONEY NCT-3 #13	PANHANDLE CARSON COUN	0.6	GETTY OIL CO
8306959	F-10-058883	4206500000	108		T J BONEY NCT-3 #15	PANHANDLE CARSON COUN	0.8	GETTY OIL CO
8306958	F-10-058882	4206500000	108		T J BONEY NCT-3 #7	PANHANDLE CARSON COUN	0.8	GETTY OIL CO
8307051	F-10-059124	4206500000	108		T J BONEY NCT-4 #18	PANHANDLE CARSON COUN	1.6	GETTY OIL CO
8307048	F-10-059121	4206500000	108		T J BONEY NCT-4 #9	PANHANDLE CARSON COUN	1.4	GETTY OIL CO
-TEXAS INTERNATIONAL PET CORP				RECEIVED: 11/04/82	JA: TX			
8306728	F-03-052151	4205100000	102-2		LAMB #6	GIDDINGS (AUSTIN CHAL	230.0	CLAJON GAS CO
8306745	F-03-053339	4205100000	102-2		WILHELM #1	GIDDINGS (BIG "A" TAY	0.0	CLAJON GAS CO
-TEXLAND-RECTOR & SCHUMACHER				RECEIVED: 11/04/82	JA: TX			
8307057	F-8A-059145	4221933439	103		J J STALLINGS #3	LEVELLAND	14.0	AMOCO PRODUCTION
8307059	F-8A-059148	4244530902	102-4		PAULINE MORGENSTERN #6	TERRYON (CLEARFORK UP	1.0	AMOCO PRODUCTION
8307058	F-8A-059146	4244531017	102-4		PAULINE MORGENSTERN #9	TERRYON (CLEARFORK UP	2.0	AMOCO PRODUCTION
8306820	F-7C-057042	4226131846	103		UNIVERSITY "10-A" #1	BENDUM (FUSSELMAN)	37.0	INTRATEX GAS CO
-TOM BROWN INC				RECEIVED: 11/04/82	JA: TX			
8306921	F-08-058364	4231732553	103		AMOCO-FLYNT #2	BREEDLOVE SOUTH (SPRA	21.0	
-TOMMY STAPLES OIL CO				RECEIVED: 11/04/82	JA: TX			
8306731	F-02-052486	4225500000	102-4		O A MUDD #1	GREEN (QUEEN CITY)	0.0	UNITED GAS PIPE L
-TRANSIERRA EXPLORATION CORP				RECEIVED: 11/04/82	JA: TX			
8307019	F-08-059068	4237131375	103		PRICE 101332	EL CINCO (LEONARD LOW	27.0	INTER NORTH INC
-TRIPLE-S VENTURES INC				RECEIVED: 11/04/82	JA: TX			
8306840	F-02-057287	4246900000	102-4		SEBESTA-JASCHKE #1	WEBER (2600)	50.0	C G GAS GATHERING
-TKO PRODUCTION CORP				RECEIVED: 11/04/82	JA: TX			
8306715	F-02-050912	4212330987	103		BOEHL #1	COOK (WHITE)	0.0	UNITED GAS PIPELI

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8306719	F-08-051128	421031565	102-4		CATCLAW STATE "A" #3	GERALDINE (DELAWARE 3	100-0	DELHI GAS PIPELIN
8306725	F-02-051956	4229732950	102-4		MCCLELLAND B-2	OAKVILLE (WILCOX 9700	0-0	DELHI GAS PIPELIN
8306811	F-02-056818	4229700000	102-4		MCCLELLAND C-2	OAKVILLE (WILCOX 9700	0-0	DELHI GAS PIPELIN
8306808	F-8A-056722	4203330669	103		MILLER "U" #1	MYRTLE (PENNSYLVANIAN	10-0	SUN OIL CO
	-UNION EXPLORATION		RECEIVED:		11/04/82			
8306905	F-7B-058896	4243331274	103		DRUESDOM-#1 (17819)	CORSICA (BEND CONGLOM	11-0	CITIES SERVICE CO
8306964	F-7B-058897	4243331377	103		DRUESDOM "A" #2 (18094)	CORSICA (BEND CONGLOM	15-0	CITIES SERVICE CO
8306962	F-7B-058894	4243331358	103		VAHLENKAMP "32-A" #2 (18097)	CORSICA (BEND CONGLOM	102-0	CITIES SERVICE CO
8306963	F-7B-058895	4243331316	103		VAHLENKAMP "32" #1 (17820)	CORSICA (BEND CONGLOM	17-0	CITIES SERVICE CO
8306790	F-7B-056200	4205933139	102-4		WILLIAMS -61- #1	JULIE ANN (3240 CADDO	8-0	LOME STAR GAS CO
	-UNION OIL COMPANY OF CALIF		RECEIVED:		11/04/82			
8306977	F-08-058922	4210300000	108		HARRIS #1	BAYVIEW (GLORIEITA)	0-7	PHILLIPS PETROLEU
8306969	F-08-058906	4210300000	108		HARRY #2	BAYVIEW (GLORIEITA)	0-3	PHILLIPS PETROLEU
8306970	F-08-058907	4232900000	108		JERRY COWDEN #1	WYNE (CONNELL)	0-4	PHILLIPS PETROLEU
8306923	F-10-058389	4210534066	102-2		JESS MARLEY #1	MASSIE (STRAWN)	500-0	INTRATEX GAS CO
	-UNION TEXAS PETROLEUM		RECEIVED:		11/04/82			
8306774	F-02-055364	4228531642	102-4		O A LAMPEY #1	DRY HOLLOW (WILCOX LA	3001-0	HOUSTON PIPELINE
	-UNITED CO		RECEIVED:		11/04/82			
8307010	F-8A-059036	4267931198	103		SLAUGHTER ESTATE #1 089798	LEVELLAND (SAN ANDRES	25-0	EL PASO NATURAL G
	-VAN OIL CORP		RECEIVED:		11/04/82			
8306922	F-7B-058365	4213334140	102-4		J S BROWN #2	FAIR (MARBLE FALLS LO	356-0	NORTHERN GAS PROD
	-VANDERBILT RESOURCES CORPORATION		RECEIVED:		11/04/82			
8306829	F-08-057163	4231732501	103		DICKENSON OLTON A2	SPRABERRY (TREND AREA	18-0	ADOOBE OIL & GAS C
	-VENUS OIL COMPANY		RECEIVED:		11/04/82			
8306854	F-04-057565	4235500000	102-4		BEVLY "C" -1	BALDWIN	0-0	VALERO TRANSMISSI
	-WAGNER & BROWN		RECEIVED:		11/04/82			
8306991	F-08-058982	4243131168	103		HILDEBRAND #49-18	CONGER (PENN)	198-9	TEXAS UTILITIES F
8306961	F-08-058889	4243130102	103		MAHAFFEY #1-4	CONGER (PENN)	0-0	TEXAS UTILITIES G
	-WARREN PETR CO A DIV OF GULF OIL		CO RECEIVED:		11/04/82			
8306994	F-08-059000	4210332906	103		STATE "ED" #11	DUNE	6-0	EL PASO NATURAL G
8307013	F-08-059061	4210332903	103		STATE "ED" #12	DUNE	0-7	EL PASO NATURAL G
8307032	F-08-059088	4210332904	103		STATE "ED" #13	DUNE	0-6	EL PASO NATURAL G
8307033	F-08-059087	4210332905	103		STATE "ED" #15	DUNE	0-9	EL PASO NATURAL G
8307031	F-08-059086	4210332884	103		STATE "EF" #18	DUNE	1-3	EL PASO NATURAL G
8307030	F-08-059085	4210332885	103		STATE "EF" #19	DUNE	0-9	EL PASO NATURAL G
8307029	F-08-059084	4210332927	103		STATE "EF" #20	DUNE	2-6	EL PASO NATURAL G
8307028	F-08-059083	4210332926	103		STATE "EF" #21	DUNE	0-5	EL PASO NATURAL G
8307012	F-08-059060	4210332925	103		STATE "EF" #22	DUNE	0-9	EL PASO NATURAL G
8307027	F-08-059082	4210332886	103		STATE "EF" #23	DUNE	1-3	EL PASO NATURAL G
8307026	F-08-059081	4210332924	103		STATE "EF" #24	DUNE	1-3	EL PASO NATURAL G
8307025	F-08-059080	4210332883	103		STATE "EG" #21	DUNE	2-6	EL PASO NATURAL G
8307024	F-08-059079	4210332956	103		STATE "EG" #21	DUNE	2-6	EL PASO NATURAL G
8307020	F-08-059072	4210332867	103		STATE "EG" #23	DUNE	0-4	EL PASO NATURAL G
8307022	F-08-059074	4210332812	103		STATE "EG" #24	DUNE	0-4	EL PASO NATURAL G
8307021	F-08-059073	4210332811	103		STATE "EG" #25	DUNE	1-4	EL PASO NATURAL G
8306914	F-08-058342	4210302445	108		W N WADELL #144	SAND HILLS (MCKNIGHT)	2-1	EL PASO NATURAL G
8306913	F-08-058341	4210302441	108		W N WADELL #150	SAND HILLS (SAN ANGEL	2-1	EL PASO NATURAL G
8306920	F-08-058351	4210302466	108		W N WADELL #176	SAND HILLS (MCKNIGHT)	3-5	EL PASO NATURAL G
8306919	F-08-058350	4210302462	108		W N WADELL #182	SAND HILLS (MCKNIGHT)	1-5	EL PASO NATURAL G
8306918	F-08-058349	4210302474	108		W N WADELL #184	SAND HILLS (MCKNIGHT)	3-0	EL PASO NATURAL G
8306912	F-08-058340	4210301685	108		W N WADELL #213	MCKEE (CLEARFORK LOWE	9-6	EL PASO NATURAL G
8306901	F-08-058317	4210301690	108		W N WADELL #218	SAND HILLS (MCKNIGHT)	7-3	EL PASO NATURAL G
8306902	F-08-058318	4210301713	108		W N WADELL #243	MCKEE (WOLFCAMP)	14-2	EL PASO NATURAL G

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	VOLUME 782	PAGE 311	PROD PURCHASER
8306903	F-08-058319	4210301734	108		W N WADDELL #265	SAND HILLS	(ORDOVICIA	5.1	EL PASO NATURAL G
8306904	F-08-058320	4210301738	108		W N WADDELL #269	SAND HILLS	(MCKNIGHT)	1.8	EL PASO NATURAL G
8306906	F-08-058322	4210301824	108		W N WADDELL #356	SAND HILLS	(ORDOVICIA	2.4	EL PASO NATURAL G
8306898	F-08-058312	4210301854	108		W N WADDELL #395	SAND HILLS	(WOLF CAMP)	12.0	EL PASO NATURAL G
8306916	F-08-058344	4210302342	108		W N WADDELL #48	SAND HILLS	(MCKNIGHT)	2.0	EL PASO NATURAL G
8306899	F-08-058314	4210302057	108		W N WADDELL #68	SAND HILLS	(ORDOVICIA	4.4	EL PASO NATURAL G
8306900	F-08-058315	4210302062	108		W N WADDELL #613	RUNNING W	(WICHITA AL	11.3	EL PASO NATURAL G
8306911	F-08-058338	4210302358	108		W N WADDELL #64	SAND HILLS	(MCKNIGHT)	2.0	EL PASO NATURAL G
8306896	F-08-058310	4210302126	108		W N WADDELL #677	SAND HILLS	(MCKNIGHT)	3.2	EL PASO NATURAL G
8306897	F-08-058311	4210302135	108		W N WADDELL #686	SAND HILLS	(MCKNIGHT)	2.3	EL PASO NATURAL G
8306909	F-08-058336	4210302142	108		W N WADDELL #693	SAND HILLS	(MCKNIGHT)	3.2	EL PASO NATURAL G
8306910	F-08-058337	4210302148	108		W N WADDELL #699	SAND HILLS	(MCKNIGHT)	1.5	EL PASO NATURAL G
8306907	F-08-058334	4210302165	108		W N WADDELL #716	SAND HILLS	(MCKNIGHT)	13.9	EL PASO NATURAL G
8306908	F-08-058335	4210302206	108		W N WADDELL #758	C BAR	(SAN ANDRES)	1.2	EL PASO NATURAL G
8306917	F-08-058345	4210302279	108		W N WADDELL #839	SAND HILLS	(ORDOVICIA	5.2	EL PASO NATURAL G
8306915	F-08-058343	4210302377	108		W N WADDELL #85	SAND HILLS	(SAN ANGEL	8.9	EL PASO NATURAL G
-WEBLO CORP				RECEIVED:	11/04/82	JA: TX			
8306732	F-78-052513	4209330875	103		MCGINNIS "A" #1 125784	MITTIE (MARBLE FALLS)		50.0	LONE STAR GAS CO
-WERNER OIL INC				RECEIVED:	11/04/82	JA: TX			
8306817	F-10-056981	4206500000	103		URBANCZYK H #2	PANHANDLE CARSON COUN		0.0	INTER NORTH INC
-WES-MOR DRILLING INC				RECEIVED:	11/04/82	JA: TX			
8306995	F-78-059002	4236300000	108		MCQUERRY RRC ID #43828	PALO PINTO COUNTY REG		85.0	LONE STAR GAS CO
-WESLEY SENKEL INC				RECEIVED:	11/04/82	JA: TX			
8306989	F-09-058970	4250336060	102-4		O B HEARNE #6	SENKEL (CADD0 4600) F		250.0	SOUTHWESTERN GAS
-WESSELY ENERGY CORPORATION				RECEIVED:	11/04/82	JA: TX			
8306821	F-05-057044	4239530272	103		107-TF J H MITCHELL #2	BALD PRAIRIE (COTTON		600.0	TEXAS UTILITIES F
-WESTWOOD ENERGY INC				RECEIVED:	11/04/82	JA: TX			
8307036	F-78-059099	4208332765	102-4		HEMPHILL 89 #5 (18476)	LAKE COLEMAN (CADD0)		3.7	GALLACOLE PIPELIN
-WILBROOK EXPLORATION INC				RECEIVED:	11/04/82	JA: TX			
8306860	F-78-057701	4242933340	102-4		P NALL #2	NALL (3500)		110.0	SOUTHWESTERN GAS
8306872	F-78-057963	4242933399	102-4		P NALL #3	NALL (3500)		110.0	SOUTHWESTERN GAS
-WILLIAM J ZUHONE JR				RECEIVED:	11/04/82	JA: TX			
8306755	F-7C-053913	4239932202	103		NORVEL & HELEN ALEXANDER (A) #1-A	VANDERLAAN-FREEDMAN (		69.0	UNION TEXAS PETRO
-WILLIAM M STEGEL				RECEIVED:	11/04/82	JA: TX			
8306999	F-09-059011	4207732687	102-4		VEITENHEIMER #22473	DEER CREEK "ISRAEL 50		518.0	FAGADAU ENERGY CO
-WILLIAM PERLMAN				RECEIVED:	11/04/82	JA: TX			
8306678	F-7C-000709	4243500000	102-2		GENERAL CRUDE "12" #1	WILDCAT		0.0	EL PASO NATURAL G
-WILLIAMS OIL CO				RECEIVED:	11/04/82	JA: TX			
8307053	F-08-059132	4249531484	103		COWDEN "A" #1	HENDRICK		18.0	PHILLIPS PETROLEU
-WINCHESTER OIL CO				RECEIVED:	11/04/82	JA: TX			
8306691	F-06-046414	4220330871	103		107-TF JONESVILLE #1 (ID NO 97284)	WASKOM (COTTON VALLEY		0.0	TEXAS EASTERN TRA
8306717	F-06-050951	4220330935	103		107-TF JONESVILLE #2	WASKOM (COTTON VALLEY		0.0	TEXAS EASTERN TRA
-WINDSOR GAS CORP				RECEIVED:	11/04/82	JA: TX			
8306877	F-7C-058082	4243532617	103		107-TF DUKE WILSON #136-2	SHURLEY RANCH (CANYON		0.0	VALERO TRANSMISSI
8306878	F-7C-058083	4243532280	103		107-TF DUKE WILSON #21-1X ID #090455	SHURLEY RANCH (CANYON		0.0	VALERO TRANSMISSI
-WINDSOR PRODUCING CO				RECEIVED:	11/04/82	JA: TX			
8306695	F-01-046610	4217731118	102-2		BYRON #2	GONZALES (AUSTIN CHAL		36.5	TIPPERARY CORP
-ZAPATA EXPLORATION CO				RECEIVED:	11/04/82	JA: TX			
8306843	F-03-057332	4270430196	103-4		STATE LEASE 68099 WELL 5-L	BRAZOS		1095.0	VALERO TRANSMISSI
8306842	F-03-057327	4270430196	103-4		STATE LEASE 68099 WELL 5-U	BRAZOS AREA 446-L SE-		1095.0	VALERO TRANSMISSI
-ZEIT GUEST EXPLORATION CORP				RECEIVED:	11/04/82	JA: TX			
8306737	F-02-052723	4205731096	103-4		CLIBURN RANCH #1	HOG PASTURE (FRIO I)		540.0	SUNBURST ENERGIES
-ZENITH PETROLEUM CORP				RECEIVED:	11/04/82	JA: TX			
8306853	F-01-057496	4217731331	102-4		VICTOR WINKENWERDER #1	PEACH CREEK (AUSTIN C		72.0	VALERO TRANSMISSI

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (PERC) (202) 357-8681. BILLING CODE 0717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the *Federal Register*.

Categories within each NGPA section are indicated by the following codes:

- Section 102-1: New OCS lease
 102-2: New well (2.5 mile rule)
 102-3: New well (1000 ft rule)
 102-4: New onshore reservoir
 102-5: New reservoir on old OCS lease
- Section 107-DP: 15,000 feet or deeper
 107-CB: Geopressed brine
 107-CS: Coal seams
 107-DV: Devonian shale
 107-PE: Production enhancement
 107-TF: New tight formation
 107-RT: Recompletion tight formation
- Section 108: Stripper well
 108-SA: Seasonally affected
 108-ER: Enhanced recovery
 108-PB: Pressure buildup

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33284 Filed 12-6-82; 8:45 am]
 BILLING CODE 6717-01-M

[Docket No. ER79-126-006]

**Arizona Public Service Co.;
 Compliance Filing**

December 2, 1982.

The filing company submits the following:

Take notice that on November 12, 1982, as revised on November 22, 1982, Arizona Public Service Company filed revised rates pursuant to Commission Opinion Nos. 137 and 137-A issued respectively on March 2, 1982 and September 30, 1982.

An person desiring to be heard or to protest said filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or

before December 15, 1982. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33274 Filed 12-6-82; 8:45 am]
 BILLING CODE 6717-01-M

[Docket No. ER83-140-000]

Bangor Hydro-Electric Co.; Filing

December 1, 1982.

Take notice that on November 19, 1982, Bangor Hydro-Electric Company (Bangor) tendered for filing a Sales Agreement (Agreement) made as of November 1, 1982 between Bangor and Public Service Company of New Hampshire (PSNH) for the sale of unit power by Bangor to PSNH.

Bangor states that the Agreement provides for a unit sale of 30,000 kilowatts from Bangor's entitlement in the Mystic Unit No. 7, owned and operated by the Boston Edison Company (Boston), to PSNH. Bangor has such entitlement under contract for the proposed term of the Agreement from Boston. Such contract has been accepted for filing a Boston's Rate Schedule FPC No. 105. The Agreement provides that PSNH pay for the capacity at the rate of \$50 per kilowatt per year and for their pro-rata share of the actual energy costs.

Bangor requests an effective date of November 1, 1982, and therefore requests waiver of the Commission's notice requirements.

Bangor states that a copy of this filing was mailed to PSNH.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 358.211, 385.214). All such motions or protests should be filed on or before December 14, 1982. Protest will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33286 Filed 12-6-82; 8:45 am]
 BILLING CODE 6717-01-M

[Docket No. ER83-138-000]

**Cleveland Electric Illuminating Co.;
 Filing**

December 1, 1982.

Take notice that the Cleveland Electric Illuminating Company (CEI) on November 19, 1982, tendered for filing Revised Service Schedule A—Emergency Service and Revised Service Schedule B—Firm Power Service to its Rate Schedule FERC No. 12, containing revised rates and charges applicable to CEI's emergency and firm power service to the City of Cleveland. In addition, CEI tendered for filing Second Revised Sheet Nos. 4 and 5 to its FERC Electric Tariff, providing for revised rates and charges for transmission service. CEI proposes to place the Revised Service Schedules A and B to its Rate Schedule FERC No. 12 and Second Revised Sheet Nos. 4 and 5 to its FERC Electric Tariff into effect as of January 18, 1983. The revised rates and charges would increase revenues from sales under Service Schedule B to Rate Schedule FERC No. 12 by \$225,768 based on calendar year 1983. The revised rates and charges for transmission service to the City of Cleveland, the only customer presently receiving service under CEI's FERC Electric Tariff, would increase revenues \$490,455 based on calendar year 1983. Due to the nature of emergency service, no revenues have been projected for service under Revised Service Schedules A—Emergency Service.

The proposed rates contained in Revised Service Schedule B to Rate Schedule FERC No. 12 have been designed to enable CEI to have the opportunity to earn a rate of return of 12.54 percent, while the proposed rates for transmission service under the FERC Electric Tariff have been designed to enable CEI to have the opportunity to earn a rate of return of 12.86 percent.

CEI states that copies of the filing have been served upon the City of Cleveland and the Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 14, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to

intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33287 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP80-145-000, RP80-146-000, RP81-82-000 and RP81-83-000]

**Columbia Gulf Transmission Co. and
Columbia Gas Transmission Corp.;
Settlement Conference**

December 1, 1982.

Take notice that on December 9, 1982, at 10:00 a.m., there will be a settlement conference in this proceeding on the liquids and liquefiables transportation issue. On the day of the conference, the conference room number will be posted by 9:00 a.m. on the second floor bulletin board of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. The conference is tentatively scheduled to be held in Room 3200, 941 North Capitol Street, NE., Washington, D.C. 20426.

All interested parties and Staff will be permitted to attend.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33288 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-145-000]

**Edison Sault Electric Co.; Filing
December 2, 1982.**

Take notice that on November 23, 1982, Edison Sault Electric Company (Edison) tendered for filing a Supplemental Agreement No. 7, between Edison and Cloverland Electric Cooperative, Inc. (Cloverland), dated February 15, 1982, which agreement will supplement an existing Contract for Electric Service, dated February 1, 1977, between the same two parties. The contract between the parties, dated February 1, 1977, has been designated Rate Schedule FERC NO. 8 (Docket No. ER77-477). The proposed supplemental agreement provides for a change in Section 5. Rate, of the original contract, to reflect capacity charge, energy charge and fuel cost adjustment charges changes for the periods January 1, 1982 to May 31, 1982 and from June 1, 1982.

Copies of the filing were served upon Cloverland Electric Cooperative, Inc. and the Michigan Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to

intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33289 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ID-2026-000]

James A. Folchi, Jr.; Application

December 2, 1982.

The filing individual submits the following:

Take notice that on November 26, 1982, James A. Folchi, Jr. filed an application pursuant to Section 305(b) of the Federal Power Act to hold the following positions:

Controller—Orange and Rockland
Utilities, Inc.

Controller—Rockland Electric Company

Controller—Pike County Light & Power
Company

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR Sections 385.211, 385.214). All such motions or protests should be filed on or before December 20, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33290 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-153-000]

Illinois Power Co.; Filing

December 2, 1982.

Take notice that Illinois Power Company ("the Company") on November 24, 1982, tendered for filing proposed changes to an existing rate schedule:

Rate Schedule FERC No. 82, applicable to the City of Mascoutah ("Mascoutah")

and addition of new customer to the above changed tariff to be designated:

Rate Schedule FERC No. 86, applicable to the Mt. Carmel Public Utility Co. ("Mt. Carmel")

The Company states that the Second Amendment to the Agreement for Purchase of Power by Mascoutah reduces the Demand Charge and Energy Charge Section of the Wholesale Electric Service Agreement for those customers taking electric service at 138,000 volts. The Company further states that it is adding a partial requirement wholesale electric service customer, Mt. Carmel. The Company proposes that these changes become effective January 1, 1983 as agreed to by the Company, Mascoutah and Mt. Carmel.

Copies of this filing were served upon the Company's electric partial requirements wholesale service customers, Mt. Carmel, and the Illinois Commerce Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33279 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-147-000]

Iowa Power & Light Co.; Filing

December 2, 1982.

The filing Company submits the following:

Take notice that on November 22, 1982, Iowa Power and Light Company (Iowa) tendered for filing an Amendment to Transmission Service Agreement (Amendment), Revised, Service Schedule A (Schedule A), Additional Service Schedule K (Schedule K), between Iowa and Indianola Waterworks and Electric Light and Power Board of Trustees (Trustees), dated July 26, 1982, September 13, 1982, and May 10, 1982, respectively.

The Amendment defines standby transformer service and spare transformer service to be furnished under Schedules K and L. Schedule A provides for facilities and point of delivery between Iowa and Trustees. Schedule K provides for standby transformer service.

Iowa requests an effective date of May 10, 1982, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing were served upon each affected party and the Iowa State Commerce Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33278 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-148-000]

Louisiana Power & Light Co.; Filing

December 2, 1982.

Take notice that on November 22, 1982, Louisiana Power & Light Company (LP&L) tendered for filing an Electric System Interconnection Agreement dated October 1, 1982, with the Louisiana Energy and Power Authority

(LEPA) which provides service schedules for Emergency Service, Reserve Capacity, Supplemental Power, Surplus Power, Economy Power, and Transmission Service. LP&L further states that the proposed agreement and schedules EA-LEPA, RES-LEPA, SUP-LEPA, SUR-LEPA, EE-LEPA, TS-LEPA and TS-I-LEPA, are similar to those accepted in the settlement agreement in FERC Docket No. ER79-31 with Cajun Electric Cooperative, Inc. (Rate Schedule FERC No. 64), in FERC Docket No. ER80-284 with the Town of Jonesville (Rate Schedule FERC No. 65), and in FERC Docket No. ER80-314 with the City of Houma (Rate Schedule FERC No. 66).

LP&L requests waiver of the notice requirements so that the Agreement can become effective December 23, 1982, the date requested by LEPA.

LP&L stated that a copy of this filing was mailed to LEPA, and the Louisiana Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33291 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. RP83-14-000]

Montana Dakota Utilities Co.; Petition for Authority for Specified Accounting and Rate Treatment for Gas Plant Acquisition Cost

December 2, 1982.

Take notice that on October 28, 1982, Montana Dakota Utilities Company (MDU) filed a petition pursuant to Rule 207 of the Commission's Rules of Practice and Procedure and the provisions of Account 114C of Part 201 of the Commission's Uniform System of Accounts requesting the Commission to authorize MDU: (1) to amortize to Account 406, amortization of Gas Plant

Acquisition Adjustments, the debit amounts in Account 114 which represent the acquisition adjustment portion of the purchase price paid for MDU's Thermopolis Lateral facilities; and (2) to include those unamortized amounts remaining in Account 114 in MDU's rate base.

As more fully set forth in the petition, MDU states that, by the terms of the Commission's Order of September 16, 1982, MDU was issued a certificate authorizing the continued operation of its Thermopolis Lateral, a 21.2 mile line connecting MDU's Riverton-to-Worland transmission line with the town of Thermopolis, Wyoming. The line terminates at Thermopolis, Wyoming, where MDU delivers volumes to Wyoming Gas Company (Wyoming Gas) for resale to high priority customers, and also interconnects with MDU's gathering line.

MDU states that the Thermopolis line was purchased by MDU from Wyoming Gas on August 8, 1980. The purchase price for the facilities was \$434,414.00, and the additional expenses for engineering, administrative and other overhead costs were \$26,533.00 for a total of \$460,947.00. The net revenues received by Wyoming Gas from the sale were flowed back to Wyoming Gas customers. MDU states that it was originally informed by Wyoming Gas that its depreciated original cost for the Thermopolis Lateral at the time of MDU's purchase was \$232,240.00 as was originally reported in MDU's certificate application filed in Docket NO. CP81-516. MDU states that in fact, on the date of MDU's acquisition of the Thermopolis facilities, the depreciated original cost to Wyoming Gas was \$57,096.00, but the error was not discovered until after the Commission's order was issued in Docket No. CP81-516. MDU states, therefore, that the excess of the purchase cost over Wyoming Gas' depreciated original cost is \$403,851.00. MDU has recorded this amount in Account 114.

MDU contends that if it must account for the acquisition adjustment of \$403,851.00 in such a manner that it cannot receive rate treatment for the amount, its stockholders would have to absorb the full cost. If, however, MDU is permitted to change its accounting for the cost of acquired facilities, including the acquisition adjustment, MDU's customers who benefitted from the acquisition, would bear the cost.

MDU, therefore, requests authority to amortize, over the remaining life of the facilities, the debit amounts in Account 114, representing the acquisition adjustment portion of the purchase cost

of the Thermopolis Lateral, to Account 406, and to include any unamortized amounts remaining in Account 114 in MDU's rate base.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before December 15, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33275 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-150-000]

Montaup Electric Co.; Filing

December 2, 1982.

Take notice that Montaup Electric Company ("Montaup") on November 23, 1982, tendered for filing a unit power sales agreement between Montaup and Newport Electric Corporation ("Newport"). Under the unit power sales agreement Montaup sells to Newport a total of 5 MW of capacity and associated energy from Montaup's Canal Unit No. 2 for the period beginning November 1, 1982 and ending October 31, 1984. The agreement also provides for transmission service from Canal Unit No. 2 to Newport over Montaup's system.

Montaup requests waiver of the Commission's 60-day notice requirement in order to allow an effective date of November 1, 1982.

Copies of this filing have been served on Newport and the Massachusetts Department of Public Utilities and the Rhode Island Public Utilities Commission.

Any person wishing to be heard or to protest said application should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be

filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33276 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-151-000]

Montaup Electric Co.; Filing

December 2, 1982.

Take notice that Montaup Electric Company ("Montaup") on November 23, 1982, tendered for filing a unit power sales agreement between Montaup and North Attleborough Electric Department ("North Attleborough"). Under the unit power sales agreement Montaup sells to North Attleborough a total of 3 MW of capacity and associated energy from Montaup's Canal Unit No. 2 for the period beginning November 1, 1982 and ending October 31, 1984. The agreement also provides for transmission service from Canal Unit No. 2 to North Attleborough over Montaup's system.

Montaup requests waiver of the Commission's 60-day notice requirement in order to allow an effective date of November 1, 1982.

Copies of this filing have been served on North Attleborough and the Massachusetts Department of Public Utilities.

Any person wishing to be heard or to protest said application should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33292 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-149-000]

Montaup Electric Co.; Filing

December 2, 1982.

Take notice that Montaup Electric Company ("Montaup") on November 23, 1982, tendered for filing a unit power sales agreement between Montaup and Taunton Municipal Lighting Plant ("Taunton"). Under the unit power sales agreement Montaup sells to Taunton a total of 10 MW of capacity and associated energy from Montaup's Canal Unit No. 2 for the period beginning November 1, 1982 and ending October 31, 1984. The agreement also provides for transmission service from Canal Unit No. 2 to Taunton over Montaup's system.

Montaup requests waiver of the Commission's 60-day notice requirement in order to allow an effective date of November 1, 1982.

Copies of this filing have been served on Taunton and the Massachusetts Department of Public Utilities.

Any person wishing to be heard or to protest said application should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33293 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-144-000]

New York State Electric & Gas Corp.; Filing

December 2, 1982.

Take notice that New York State Electric & Gas Corporation (NYSEG) on November 22, 1982, tendered for filing Supplement No. 1 to its Purchase Agreement with Connecticut Light and Power Company (CL&P). While the original Purchase Agreement provides that NYSEG shall sell to CL&P base load electric energy on interruptible basis, the Amendment to the Purchase

Agreement would also provide for the sale of excess energy available to NYSEG through agreements with other parties.

NYSEG requests an effective date of July 1, 1982, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing were served upon CL&P and the Public Service Commission of the State of New York.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33294 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER82-803-000]

**New York State Electric & Gas Corp.;
Notice to Participants**

December 1, 1982.

A prehearing conference is to be convened in this proceeding on December 14, 1982. One of the objectives of that conference is the establishment of a new procedural schedule leading to a hearing. You are notified that you may suggest any procedural step considered necessary to an adequate preparation of your evidentiary presentations, but, regardless of your suggestions, I shall require inclusion of the following steps:

1. Trial briefs, either simultaneously by all participants, or initial by company and replies by intervenors and Staff.

2. A deadline for motions to strike pre-filed testimony and evidence.

3. An informal technical conference for these purposes:

(a) Clarification, interpretation, and explanation of all terms used in evidence;

(b) Definition of the issues to be litigated; and

(c) The assignment to each such issue a jurisdictional rate dollar amount in the opinion of each participant.

The purpose of this conference is to eliminate unnecessary, definition-type cross-examination. Participants will be expected to know each others' terms and language, as well as the derivation of opinions expressed in evidence, and cross-examination along those lines will not be entertained.

4. A joint written statement of all counsel identifying the issues to be litigated (whether all participants propose them for litigation or not) and the jurisdictional rate dollar amount assigned to each such issue by each participant.

Any procedural schedule established in this proceeding must allow time for these required steps.

Joseph R. Nacy,
Administrative Law Judge.

[FR Doc. 82-33295 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-139-000]

Niagara Mohawk Power Corp.; Filing

December 1, 1982.

The filing Company submits the following:

Take notice that Niagara Mohawk Power Corporation (Niagara) on November 19, 1982, tendered for filing as a rate schedule, an agreement between Niagara and the New York State Electric and Gas Corporation (NYSEG) dated May 8, 1982.

Niagara presently has on file an agreement with NYSEG dated December 1, 1976. This agreement is designated as Niagara Mohawk Power Corporation Rate Schedule F.E.R.C. No. 97. This new agreement is being transmitted as a supplement to the existing agreement.

This supplement revises the transmission rate and leading and reserve rates as provided for in the terms of the original agreement.

Niagara requests an effective date of July 1, 1982, and therefore requests waiver of the Commission's notice requirements.

Copies of this filing were served upon the New York Electric and Gas Corporation and the Public Service Commission of the State of New York.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 14, 1982. Protests will be considered by the Commission in determining the

appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33296 Filed 12-6-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER83-126-000]

Niagara Mohawk Power Corp.; Filing

December 2, 1982.

Take notice that Niagara Mohawk Power Corporation (Niagara), on November 19, 1982, tendered for filing as a rate schedule, an agreement between Niagara and Long Island Lighting Co. (LILCO) dated August 9, 1982.

Niagara presently has on file an agreement with LILCO dated February 14, 1974 last amended July 28, 1981. This agreement is designated as Niagara Mohawk Power Corporation Rate Schedule F.E.R.C. No. 91 with Supplement 3. The new agreement is being transmitted as a supplement to the existing agreement.

Niagara states that the supplement revises the transmission rate for transmitting FitzPatrick power and energy from the Power Authority of the State of New York to Long Island as provided for in the terms of the original agreement.

Niagara requests an effective date of September 1, 1982, and therefore requests waiver of the Commission's notice requirements.

Copies of this filing were served upon the Long Island Lighting Company and the Public Service Commission of the State of New York.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 15, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file

with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33277 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-142-000]

Pacific Gas & Electric Co.; Filing

December 1, 1982.

Take notice that on November 22, 1982, Pacific Gas and Electric Company (PGandE) tendered for filing, as an initial rate schedule, the Comprehensive Agreement Between State of California Department of Water Resources and Pacific Gas and Electric Company. The Comprehensive Agreement is dated April 22, 1982, and was amended August 30, 1982.

The Comprehensive Agreement establishes the initial rates, terms and conditions for interruptible and firm transmission service and off-peak and emergency energy sales. Service under the Comprehensive Agreement is to begin on April 1, 1983 and to continue through midnight December 31, 2004, unless extended by the Department of Water Resources. The proposed initial rates will produce annual revenues of \$10.7 million based on the twelve month period ending March 31, 1984.

Copies of this filing were served upon the Public Utilities Commission of the State of California and the State of California Department of Water Resources.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 15, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33297 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-141-000]

Pacific Gas & Electric Co.; Cancellation

December 1, 1982.

Take notice that on November 22, 1982, the Pacific Gas and Electric Company (PGandE) tendered for filing a Notice of Cancellation of Rate Schedule F.P.C. No. 41 covering sales by PGandE to the California Department of Water Resources, effective February 18, 1968.

PGandE requests an effective date of March 31, 1983.

Copies of the filing were served upon the Department of Water Resources, Public Utilities Commission of the State of California, Southern California Edison Company and the Los Angeles Department of Water and Power.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 15, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33298 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-143-000]

Southwestern Public Service Co.; Notice of Cancellation

December 2, 1982.

Take notice that on November 22, 1982, Southwestern Public Service Company (Southwestern) tendered for filing a Notice of Cancellation of Rate Schedule FPC No. 74, effective March 1, 1981.

Southwestern acquired by merger the Cochran Power and Light Company on November 1, 1982. Since the Cochran Power and Light Company no longer exists Southwestern requests the Commission cancel Rate Schedule FPC No. 74 in its entirety as no customers are being served, or are contemplated to be served, under this schedule.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825

North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33280 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-152-000]

Union Light, Heat & Power Co.; Tariff Change

December 2, 1982.

Take notice that The Union Light, Heat and Power Company (Union Light) on November 22, 1982, tendered for filing proposed changes in its FERC Electric Tariff, Original Volume No. 1 specifically the rates in said Tariff applicable to the full requirement electric service to the City of Williamstown, Kentucky. Union Light proposes that the changes become effective January 18, 1983. Union Light's proposed rate would produce \$237,337 additional revenue. Of this amount, \$176,222 represents the pass through of purchase power cost to Union Light from its electric supplier The Cincinnati Gas & Electric Company (CG&E). CG&E's rates became effective June 15, 1982 in Docket No. ER82-456-000. The Commission accepted a settlement agreement filed in that docket on November 10, 1982.

Union Light asserts that the filing is in accordance with Part 35 of the Commission's Regulations. Union Light states that the schedule, as filed, will supersede the rate schedule presently on file with this Commission. Service Agreement between Union Light and the City of Williamstown has been secured prior to the date of filing.

The reasons stated by Union Light for the change in rate schedule are:

1. To overcome a revenue deficiency evolving from CG&E's wholesale rate increase to Union Light in FERC Docket No. ER82-456-000 in which Union Light must ultimately pass through to the City of Williamstown the allocable portion of the increase;

2. To overcome a revenue deficiency for full requirements electric service caused by continuing inflationary impact on the cost of service;

3. To secure an Order of this Commission prior to January 1, 1983 enabling Union Light to be in compliance with the Economic Recovery Tax Act of 1981 transitional rule; and

4. To update the fuel adjustment clause in compliance with Sec. 35.14 of the Regulations.

Copies of the filing were served upon The City of Williamstown, Kentucky and the Kentucky Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33281 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-114-000]

Western Massachusetts Electric Co.; Filing

December 1, 1982.

Take notice that on November 10, 1982, Western Massachusetts Electric Company ("WMECO") filed an amendment to the Northeast Utilities Generation and Transmission Agreement between WMECO, The Connecticut Light and Power Company, Holyoke Water Power Company, and Holyoke Power and Electric Company (collectively referred to as the "Northeast Utilities Companies"). The Northeast Utilities Generation and Transmission Agreement has the following rate schedule designations: Western Massachusetts Electric Company Rate Schedule FPC No. 52, CL&P Rate Schedule FPC No. 40, Holyoke Water Power Company Rate Schedule FPC No. 22, and Holyoke Power and Electric Rate Schedule FPC No. 13. Certificates of Concurrence in the filing were submitted by The

Connecticut Light and Power Company, Holyoke Water Power Company and Holyoke Power and Electric Company.

The amendment provides for a change to permit use of a formula to determine existing system weighted cost of common equity utilizing for each of the Northeast Utilities Companies a return on common equity equivalent to that allowed in the most recent rate order of the regulatory authority having principal jurisdiction over the individual company's rates.

WMECO states that the amendment has been filed with the Commission pursuant to an order of the Massachusetts Department of Public Utilities. WMECO believes that the Massachusetts Department of Public Utilities does not have authority to order such a change in a rate schedule subject to the jurisdiction of the Commission and an appeal of the order of the Massachusetts Department of Public Utilities is pending in the Massachusetts Supreme Judicial Court. Having been unable to obtain a stay of the Massachusetts Department of Public Utilities' order, WMECO has filed the amendment.

WMECO and the other Northeast Utilities Companies propose that the amendment not become effective until the occurrence of the later of two events: (a) the Commission's final action on this filing (including action subsequent to judicial review) or (b) a final resolution of the court appeal by WMECO of the Massachusetts Department of Public Utilities' order. WMECO and the other Northeast Utilities Companies have requested a waiver of the Commission's notice requirements to permit the filing to be made at this time.

Any person desiring to be heard or to make any protest with reference to the proposed changes to the Agreement should on or before December 15, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426 a petition to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (Rules 211 and 214). Persons wishing to become parties to a proceeding or to participate as a party in any hearing related thereto must file petitions to intervene in accordance with the Commission's rules. 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. Copies of this

filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33299 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-146-000]

Wisconsin Public Service Corp.; Filing

December 2, 1982.

Take notice that on November 22, 1982, Wisconsin Public Service Corporation (WPSC) tendered for filing an Appendix A (Revision No. 2) to the Master Interconnection Agreement dated January 5, 1966, between Wisconsin Power and Light Company (WPL), and WPSC.

WPSC states that this revision is necessary to reflect a change in metering location due to a new substation being put in service.

WPSC requests an effective date of September 1, 1981.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with the Rules 211, 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before December 17, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33300 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ID-2025-000]

James B. Wright; Application

December 2, 1982.

Take notice that on November 26, 1982, James B. Wright filed an application pursuant to Section 305(b) of the Federal Power Act to hold the following positions:

Vice President—Orange and Rockland Utilities, Inc.

Vice President—Rockland Electric Company

Vice President—Pike County Light & Power Company

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 285.214). All such motions or protests should be filed on or before December 20, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33282 Filed 12-6-82; 8:45 am]

BILLING CODE 6717-91-M

ENVIRONMENTAL PROTECTION AGENCY

[AS-FRL 2259-1]

Renewal of Two Advisory Committees: 1. National Air Pollution Control Techniques Advisory Committee; 2. Management Advisory Group to the Construction Grants Program

The U.S. Environmental Protection Agency announces the renewal of the National Air Pollution Control Techniques Advisory Committee and the Management Advisory Group to the Construction Grants Program. EPA has determined that renewal of these advisory committees is in the public interest in connection with the performance of duties imposed on the Agency by law. The charters which continue these two advisory committees until December 1, 1984, unless otherwise sooner terminated, will be filed with the appropriate Congressional Committees and the Library of Congress.

FOR FURTHER INFORMATION CONTACT: Mary Anne Beatty, EPA Committee Management Office (A-101), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, 202-382-5036.

Dated: November 24, 1982.

John W. Hernandez, Jr.,
Deputy Administrator.

[FR Doc. 82-33228 Filed 12-6-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Forms Submitted To OMB for Review

Agency: Federal Deposit Insurance Corporation.

Action: Notice of forms submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of Information Collection: Fair Housing Lending Monitoring System

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a form SF-83, "Request for OMB Review," for the information collection system identified above.

Address: Written comments may be sent to Mr. Hoyle L. Robinson, Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, D.C. 20429 and to Mr. Richard Sheppard, Reports Management Branch, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503.

For Further Information Contact: For a complete copy of the "Request for OMB Review" or related information, contact Dr. Panos Konstas, Information Clearance Officer, FDIC, telephone (202) 389-4351.

Summary: The main purpose of the proposed information collection is to facilitate FDIC review of compliance with the housing lending proscriptions of Title VIII of the Civil Rights Act of 1968. Insured state nonmember commercial and mutual savings banks are required by FDIC regulations to maintain various data on home loan applicants and inquirers. Selected banks (based primarily on the volume of their mortgage lending and the number of rejections of applications from minorities and women) are required to submit data for computerized analysis. Presently, FDIC is reviewing the need for this information collection and various alternatives to present procedures are being explored. For this reason FDIC is requesting from OMB an extension of this collection only until September 30, 1983. The evaluation of the system should be completed by then, and OMB will be provided at that time with a request for approval of the new requirements.

It is estimated that the total annual burden to respondents associated with the current requirements is 309,808 hours.

Dated: December 1, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[FR Doc. 82-33260 Filed 12-6-82; 8:45 am]

BILLING CODE 6714-01-M

Forms Submitted To OMB for Review

Agency: Federal Deposit Insurance Corporation.

Action: Notice of forms submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of Information Collection: Application for a Bank Charter and/or Federal Deposit Insurance and/or Merger (Phantom)

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a form SF-83, "Request for OMB Review," for the information collection system identified above.

Address: Written comments may be sent to Mr. Hoyle L. Robinson, Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, D.C. 20429 and to Mr. Richard Sheppard, Reports Management Branch, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503.

For Further Information Contact: For a complete copy of the "Request for OMB Review" or related information, contact Dr. Panos Konstas, Information Clearance Officer, FDIC, telephone (202) 389-4351.

Summary: The Federal Deposit Insurance Act (12 U.S.C. 1828(c)) requires an insured bank that wishes to merge or consolidate with another bank or institution, either directly or indirectly, or acquire the assets of, or assume liability to pay any deposits made in any other institution, to apply to the responsible agency for approval.

A phantom merger transaction is one in which a new nonoperating bank is formed as a vehicle to accomplish a corporate reorganization. The transaction, in and of itself, has no effect on competition. The application for this type of transaction is, therefore, more condensed than a regular merger application, and also contains questions pertaining to applying for deposit insurance and obtaining a charter (if used by the state banking authority.)

Information collected in this proposal will be used for specific supervisory purposes, and for the discharge of the FDIC's responsibilities as the insurer of commercial and savings banks.

It is estimated that the collection of this information will create a reporting burden of 43 hours per filing for each of the estimated 250 respondents.

Dated: December 1, 1982.

Federal Deposit Insurance Corporation.

By: Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 82-33261 Filed 12-6-82; 8:45 am]

BILLING CODE 6714-01-M

Forms Submitted to OMB for Review

Agency: Federal Deposit Insurance Corporation.

Action: Notice of forms submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of information collection: Application for Consent to Effect a Merger-Type Transaction.

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a form SF-83, "Request for OMB Review," for the information collection system identified above.

Address: Written comments may be sent to Mr. Hoyle L. Robinson, Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, D.C. 20429 and to Mr. Richard Sheppard, Reports Management Branch, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503.

For further information contact: For a complete copy of the "Request for OMB Review" or related information, contact Dr. Panos Konstas, Information Clearance Officer, FDIC, telephone (202) 389-4351.

Summary: This information collection stems from section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)) which requires an insured bank that wishes to merge or consolidate with another bank or institution, either directly or indirectly, or acquire the assets of or assume liability to pay any deposits made in any other institution, to apply to the responsible agency for approval. The responsible agency is generally determined by the type of resulting institution.

Information collected in this proposal will be used for specific supervisory purposes and for the discharge of the FDIC's responsibilities as the insurer of commercial and savings banks.

It is estimated that the collection of this information will create a respondent reporting burden of 74 hours per each filing of the merger applications.

Dated: December 1, 1982.

Federal Deposit Insurance Corporation.

By: Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 82-33262 Filed 12-6-82; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10327; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after the date of the Federal Register in which this notice appears. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No.: T-2851-A-1.

Filing Party: Mr. Peter P. Wilson, Matson Navigation Company, 333 Market Street, P.O. Box 3933, San Francisco, California 94119.

Summary: Agreement No. T-2851-A-1, between Matson Terminals, Inc. and McCabe, Hamilton & Renny, Co., Ltd (McCabe), amends the underlying agreement which provides for the lease of certain equipment from Matson Terminals to McCabe to enable McCabe to perform services for Matson Navigation Co. in Hawaii. Agreement No. T-2851-A-1 provides: (1) the means by which McCabe can lease the Matson

Terminals gantry crane and related equipment and (2) for related indemnification and insurance requirements.

Agreement No.: T-3516-4.

Filing Party: Mr. Frank H. Clark, Associate Director of Real Estate, Facilities, Port of Seattle, P.O. Box 1209, Seattle, Washington 98111.

Summary: Agreement No. T-3516-4, between the Port of Seattle (Port) and Japan Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui-O.S.K. Lines, Ltd., Nippon Yusen Kaisha, Ltd., Showa Line, Ltd., and Yamashita Shinnihon Steamship Co., Ltd (Lines) modifies the parties basic agreement providing for the Port's lease to the Lines of certain premises at Terminal 37, Seattle, Washington.

The amendment T-3516-4 provides for the deletion of certain pieces of equipment from the agreement and a corresponding reduction in rental.

Agreement No.: 10305-1

Filing Party: H. P. Breed, Jr., Vice President, U.S. Lines, Inc., 27 Commerce Drive, Cranford, New Jersey 07016.

Summary: Agreement No. T-10305-1 modifies the Far East Trades Self-Policing Agreement to provide that the parties thereto may discuss and agree upon recommendations to the underlying agreements as to: (1) the terms and conditions of arrangements entered into with self-policing and enforcement bodies, (2) amendments to the self-policing sections of those agreements, and (3) uniform guidelines with respect to neutral body and other procedures and methods; and may establish standing committees among the members of different underlying agreements which share common ranges within their respective geographic scopes for the purpose of discussing all matters related to self-policing relevant to the aforementioned common areas and making appropriate recommendations to the underlying agreements.

By Order of the Federal Maritime Commission.

Dated: December 2, 1982.

Francis C. Hurney,

Secretary.

[FR Doc. 82-33196 Filed 12-6-82; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Federal Open Market Committee; Authorization for Domestic Open Market Operations

In accordance with the Committee's rules regarding availability of

information, notice is hereby given that on November 16, 1982, paragraph 1(a) of the Committee's authorization for domestic open market operations was amended to raise from \$3 billion to \$4 billion the limit on changes between Committee meetings in System Account holdings of U.S. government and federal agency securities specified in paragraph 1(a) of the authorization for domestic open market operations, effective immediately, for the period from October 6, 1982 through the close of business on November 16, 1982.

Note.—For paragraph 1(a) of the authorization see 36 FR 22697.

By order of the Federal Open Market Committee, November 30, 1982.

Murray Altmann,
Secretary.

[FR Doc. 82-33207 Filed 12-6-82; 8:45 am]
BILLING CODE 6210-01-M

Acquisition of Bank Shares by a Bank Holding Company

The company listed in this notice 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 acquiring voting shares or assets of a 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 indicated. With respect to the application, interested persons may express their views in writing to the address indicated. Any comment on the application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Key Banks, Inc.*, Albany, New York; to acquire 100 percent of the voting shares or assets of Bankers Trust Company of Western New York, Jamestown, New York. Comments on this application must be received not later than December 30, 1982.

Board of Governors of the Federal Reserve System, November 30, 1982.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 82-33206 Filed 12-6-82; 8:45 am]
BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo Nonbank Activities

The organizations identified in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo*, directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to these applications, 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 interest, or unsound banking practices." Any comment that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than the date indicated.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Chemical New York Corporation*, New York, New York (financing activities; Concord, California): To engage through its subsidiary, Sunamerica Corporation in generating and servicing loans and other extensions of credit; making or acquiring consumer loans; acquiring installment contracts from retail sellers covering the time sales of goods and related services; making or acquiring loans and other extensions of credit to businesses (including but not limited to, inventory financing); making available to its debtors credit related life and accident and health insurances directly related to such lending activities to the extent permissible under applicable insurance laws and regulations. The service area of this office will be the State of

California. Credit life and credit accident activities will be reinsured through Sun States Life and/or Great Lakes Insurance Companies, indirect subsidiaries of the applicant. Comments on this application must be received not later than December 30, 1982.

2. *The Bank of New York Company, Inc.*, New York, New York (mortgage banking; California): To engage, through its wholly-owned subsidiary ARCS Mortgage, Inc., in the following activities: making loans secured by first and second mortgages on real estate consisting of one- to four-family residential properties. Such activities would be conducted at branch offices located in Canoga Park, Vallejo, and Salinas, California, serving the San Fernando Valley and the counties of Solano, Sonoma, Marin, Napa, Contra Costa, Monterey, Santa Cruz, and San Benito, California. Comments on this application must be received not later than December 30, 1982.

Board of Governors of the Federal Reserve System, November 30, 1982.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 82-33210 Filed 12-6-82; 8:45 am]

BILLING CODE 6210-01-M

First Tennessee National Corp.; Bank Holding Company Merger

First Tennessee National Corporation, Memphis, Tennessee, a bank holding company, has applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge with Mountain Financial Company, Maryville, Tennessee, a bank holding company with respect to the Bank of Maryville, Maryville, Tennessee, and Jefferson County Bank, Dandridge, Tennessee. 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)).

First Tennessee National Corporation, Memphis, Tennessee, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and 225.4(b)(2), of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire Mountain Leasing Company, Maryville, Tennessee, a wholly-owned subsidiary of Mountain Financial Company.

Applicant states that the proposed subsidiary engages in the activities of leasing equipment to the Bank of Maryville. These activities are performed from offices of Applicant's subsidiary in Maryville, Tennessee, and the geographic area served is Maryville,

Tennessee. Such activities have 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 must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis.

Any views or requests for hearing should be submitted in writing and received by the Reserve Bank not later than December 29, 1982.

Board of Governors of the Federal Reserve System, November 30, 1982.

William W. Wiles,

Secretary of the Board.

[FR Doc. 82-33205 Filed 12-6-82; 8:45 am]

BILLING CODE 6210-01-M

Formation of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become bank holding companies by acquiring voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing

the evidence that would be presented at a hearing.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Preferred Equity Investors of Florida, Inc.*, Knoxville, Tennessee; to become a bank holding company by acquiring 29.4 percent of the voting shares of Landmark Banking Corporation of Florida, Fort Lauderdale, Florida. Comments on this application must be received not later than December 28, 1982.

2. *TMB Bankshares, Inc.*, West Palm Beach, Florida; to become a bank holding company by acquiring 100 percent of the voting shares of The Mall Bank, West Palm Beach, Florida. Comments on this application must be received not later than December 30, 1982.

b. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Pomeroy Bancorporation*, Pomeroy, Iowa; to become a bank holding company by acquiring 80 percent of the voting shares of Pomeroy State Bank, Pomeroy, Iowa. Comments on this application must be received not later than December 28, 1982.

Board of Governors of the Federal Reserve System, November 30, 1982.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 82-33209 Filed 12-6-82; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Consensus Workshop on Formaldehyde; Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration's National Center for Toxicological Research (NCTR) will convene a Consensus Workshop on Formaldehyde to discuss the existing scientific data and to identify future research needs regarding formaldehyde.

DATES: Nominations of experts for consideration by the Executive Panel and proposed questions to be addressed by the Workshop are due by January 14, 1983. The Consensus Workshop on Formaldehyde will be held in October 1983, at a site to be announced.

FOR FURTHER INFORMATION CONTACT: William F. McCallum, National Center

for Toxicological Research (HFT-100), Jefferson, AR 72079, 501-541-4513 or FTS 542-4513.

SUPPLEMENTARY INFORMATION: The Consensus Workshop will consist of an Executive Panel and Subcommittee Panels. The major areas of discussion will be epidemiology, exposure, toxicology, and risk estimation. Nominations for participants are being sought from government, industry, academia, and the public interest sector. Major issues concerning formaldehyde will be determined and discussed at the workshop. The workshop will be held in October 1983. To assist the workshop participants in their deliberations, NCTR has established a clearinghouse to identify on going research on formaldehyde. Participation in the clearinghouse by all segments of the research community will be encouraged. Summaries of ongoing research activities will be collated and made available to interested parties upon request. Interested persons who wish to submit, in writing, nominations of participants and proposed questions to be considered for the workshop may do so.

Recent scientific studies have heightened concern about the possible human health effects of formaldehyde. The data relating to some of these health effects have been reviewed by international, governmental, and independent panels of scientists. These reviews of the formaldehyde data have resulted in regulatory actions or proposals by several agencies; however, controversy remains over a number of scientific issues. At the request of the Regulatory Work Group on Science and Technology, White House Office of Science and Technology Policy, the Environmental Protection Agency signed an Interagency Agreement with NCTR for the purpose of convening a scientific consensus workshop on formaldehyde to discuss the existing scientific data and to identify future research needs.

The Consensus Workshop on Formaldehyde will evaluate the relevant scientific evidence on formaldehyde in the general areas of epidemiology, exposure, toxicology, and risk estimation. The endpoints/concepts to be discussed for the general areas listed above may include, but may not be restricted to: carcinogenicity, genotoxicity, irritation, reproductive effects/teratology, behavioral effects, immunotoxicology/sensitization, neurotoxicity, biochemical effects/metabolism, structure activity relationships, and histopathological effects. The emphasis of the workshop will be to develop a scientific consensus

on the scientific issues concerning formaldehyde.

An Executive Panel has been assembled and is composed of representatives from industry, academia, public interest groups, and government to plan and organize the Consensus Workshop. Members of this panel are:

- Dr. Michael Gough, Senior Analyst, Office of Technology Assessment, Congress of the United States, Washington, DC 20510.
- Dr. Bruce W. Karrh, Corporate Medical Director, E. I. du Pont de Nemours & Co., 11400 Nemours Bldg., Wilmington, DE 19898.
- Dr. Adalbert Koestner, Department of Pathology, A-622 East Fee Hall, Michigan State University, East Lansing, MI 48824.
- Dr. Robert Neal, President, CIIT, P.O. Box 12137, Research Triangle Park, NC 27709.
- Dr. David Parkinson, Director of Occupational Medicine, School of Medicine, University of Pittsburgh, Pittsburgh, PA 15213.
- Dr. Frederica Perera, Senior Staff Scientist, Natural Resources Defense Council, 122 E. 42d St., New York, NY 10168.
- Dr. Kenneth E. Powell, Centers for Disease Control, Freeway Park, Rm. 122, Atlanta, GA 30333.
- Dr. Herbert S. Rosenkranz, Center for the Environmental Health Sciences, Case Western Reserve University, School of Medicine, Cleveland, OH 44106.

The Executive Panel is asking for nominations for scientific experts in epidemiology, exposure, toxicology, and risk estimation to address the specific issues listed above, and is soliciting questions to be addressed by the Consensus Workshop on Formaldehyde concerning these issues. If more than one nomination and/or question is submitted, please rank by preference. Nominations of experts and questions to be addressed will be accepted until January 14, 1983. The final selection of participants and questions will be announced in the *Federal Register*. NCTR expects that the Consensus Workshop on Formaldehyde will be conducted in October 1983, the exact date and site to be announced later.

To assist workshop participants in their deliberations, NCTR has established a clearinghouse for ongoing research on formaldehyde. Individuals wishing to submit information to the clearinghouse may contact Dr. William F. McCallum (address below).

Questions to be addressed by the Consensus Workshop and nominations of committee members may be submitted to Dr. William F. McCallum, National Center for Toxicological Research (HFT-100), Jefferson, AR 72079, or to any of the Executive Panel members.

Dated: December 2, 1982.

William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

[FR Doc. 82-33329 Filed 12-6-82; 8:45]

BILLING CODE 4160-01-M

Office of the Secretary

Pension Provision Project; Applications for Grants

Pursuant to Section 1110A of the Social Security Act, the Assistant Secretary for Planning and Evaluation (hereafter the Assistant Secretary) is seeking applications for a grant for research and policy analysis in the area of employer pensions and relevant aspects of public policy.

A. Type of Application Requested

This announcement seeks applications for a project (or projects) to develop and conduct a program of research and analysis relating to policy concerns connected with employer-provided (and union-provided) pensions and other forms of compensation intended to provide income in retirement. The following paragraphs describe this general area of interest in greater detail. Applications should be for projects with a sufficiently broad focus to address most but not necessarily all of the issues discussed below; other, closely related issues may also be included if they are shown to be relevant to the general area of interest.

Throughout this discussion, the term "employer pension" should be understood to include pension plans and other forms of deferred compensation intended mainly for providing income in retirement, principally provided by employers, both public and private, or by unions. This term is not intended to encompass Old Age, Survivors, Disability and Hospital Insurance (OASDHI).

Improved understanding of the nature and operation of employer pensions is critical for evaluating the role these pensions do play in providing income for retirement and the role they can be expected or encouraged to play in the future. This role must be considered in the context of the role of public provision through OASDHI or other means-tested or social-insurance programs. For instance, to what extent will the growth of employer pensions diminish the need for reliance on OASDHI? What factors influence overall growth and the growth of particular provisions of pensions that may be desirable?

To answer questions such as these, it appears that we must develop a much

better understanding than is presently available of why employers offer pensions, and what influences employers offering pensions to structure these offerings in particular ways. Thus, we need attention at a theoretical level to employer motivation and to the costs and benefits of pensions as perceived by employers, unions, and others. Possible elements of an agenda for research responsive to these concerns include:

1. *Assessing and building upon existing economic theories of employer, employee, and union decisions in providing and demanding deferred compensation.* Why are there private pensions? Why do they take the form they do, with respect to vesting, defined benefit vs. defined contribution, and other dimensions?

One of the roles pensions may play is an element of the firm's personnel policy. Here one might ask why many plans are structured to penalize early retirement. To what extent do employers use pensions to affect the time profile of lifetime compensation rather than just its composition? To what extent do workers understand their deferred compensation packages?

Another role pensions may play is as an element of the firm's financial policy. How and to what extent do pensions provide financial flexibility to the firm? How are pensions valued by financial markets as part of the corporate balance sheet? What is the funding status of pensions and what are the implications?

The growth of pensions after World War II may have a number of explanations, because the postwar period was a time when both the exclusion of pension contributions and interest accumulation from Federal income taxation became more important due to increased tax rates, and when the union movement was on the rise. Here it would be reasonable to explore the economic incentives affecting employers in the pension-provision choice and to assess the importance of unions in popularizing pensions in general and certain forms in particular.

Among the variables likely to be important in the pension provision decision are the levels of inflation and interest rates. These affect the size of the tax shield afforded interest earnings of pensions, as well as the effectiveness of pension funds in providing adequate retirement income. The industry of the firm may also play a role. For example, pensions do not appear to be prevalent in service industries.

2. *Examining the effects of various laws and government regulations and policies on decisions relating to the provision of pensions.* Consideration

might extend to the various regulatory roles performed by the U.S. Departments of Labor and Treasury, and by the Pension Benefit Guarantee Corporation in implementing the Employee Retirement Income Security Act (ERISA); OASDHI; and the Age Discrimination in Employment Act (ADEA).

3. *Analyzing the risk-shifting and risk-pooling characteristics of the various forms of deferred compensation, alternative vesting provisions, and portability.*

In addressing questions like the above, both historical and international comparisons may be particularly useful. Countries whose policies might be of interest for comparative purposes include Canada, Japan, Germany, England, France and Sweden.

The results of these investigations might then be applied to a number of pertinent questions that should be addressed as part of analysis of central policy issues in the area, such as the following:

- *Likely trends in coverage, particularly for low wage and intermittent workers.* In particular, how might such things as the increased participation of women in the labor force, the level of employment, and a changing industrial mix affect the coverage of the population? Are the ERISA standards an important barrier to extending coverage? How might public policy foster coverage of lifetime low-wage workers under employer-based pensions? Would the retirement income needs of this group be better served by encouraging personal savings (e.g., through Individual Retirement Accounts).

- *Likely future trends in total income replacement rates for retirees* (by income level, etc.).

- *Likely response of pension plans to potential changes in OASDHI, the tax treatment of individual savings, and ERISA.* Elements of interest include adjustments in the level of benefits under existing plans, adjustments in the relative importance of defined benefit plans, and growth in pension coverage.

Potential users of the studies to be supported by this grant include employers, pension providers, actuaries, university researchers, and various governments.

Types of projects excluded. In consideration of the intent of this announcement, applications proposing field survey operations will not be considered for funding. However, applicants should be aware of new data sources that are expected to become available during the course of the project which they may wish to analyze.

For instance, the May 1983 Pension Supplement to the Current Population Survey, which will replicate the May 1979 Pension Supplement, should be available in the spring of 1984. The 1983 Survey of Consumer Finances, which should also be available in the spring of 1984, will ask a series of questions about pensions to a nationally representative sample of 5000 households. Further information on these surveys will be provided with grant application forms.

B. Applicable Regulations

1. "Grant Programs Administered by the Office of the Assistant Secretary for Planning and Evaluation" (45 CFR Part 63), which was published in the Code of Federal Regulations on October 1, 1980.

2. "Administration of Grants" (45 CFR Part 74), which was published in the Code of Federal Regulations on June 9, 1981.

C. Effective Date and Duration

1. The grant awarded pursuant to this announcement is expected to be made on or about March 30, 1983.

2. In order to avoid unnecessary delays in the preparation and receipt of applications, this notice is effective immediately. The closing dates for applications are specified in Section F and G below.

3. Applicants should present a work plan and budget covering a two year period, distinguishing tasks and costs pertaining to each year. The first year's plan will be approved at time of award. The second year's plan, with appropriate revisions based on experience, will be approved at the end of the first year. The second year's award will be contingent on satisfactory performance, availability of funds, and on the determination that continuation is in the best interests of the government.

D. Statement of Funds Availability

1. It is expected that about \$300,000 will be available for the fiscal year ending September 30, 1983, and that about \$200,000 will be available for fiscal year ending September 30, 1984 for the award of a grant pursuant to this announcement. It is expected that a single award will be made, but multiple awards might be made should that course be determined to be in the best interests of the government.

2. Nothing in this application should be construed as committing the Assistant Secretary to dividing available funds among all qualified applicants or to make any award.

E. Applications Processing

1. Applications will be initially screened for relevance to the needs defined in section A as well as additional areas of interest persuasively shown to be relevant by the grantee. If judged relevant, the application will then be reviewed by a government review panel, possibly augmented by outside experts. Ten (10) copies of each application are required except from government applicants, who may submit three (3) copies.

2. Applications will be judged as to eligibility, quality, and relevance to policy issues, according to the criteria set forth in item 5.

3. An unacceptable rating on any individual criterion may render the application unacceptable. Consequently, applicants should take care to ensure that all criteria are fully addressed in the application.

4. Applications should be as brief and concise as is consistent with the information requirements of the reviewers. Applications should be limited to 50 double-spaced typed pages, exclusive of forms, résumés, and the proposed budget; they should neither be unduly elaborate nor contain voluminous supporting documentation.

5. *Criteria for evaluation.* Evaluation of applications will employ the following criteria. The relative weights are shown in parentheses:

a. The potential usefulness of the objectives and anticipated results of the proposed project for providing individuals and organizations concerned with the issues discussed in Section A above with improved bases for making decisions about these issues. (20 points.)

b. The potential usefulness of the proposed project for the advancement of scientific knowledge. (20 points.)

c. The clarity of statement of objectives, methods, and anticipated results. (5 points.)

d. The appropriateness and soundness of methodology, including research design, statistical techniques, modeling strategies, choice of data, and other procedures. (25 points.)

e. The qualification and experience of personnel. (30 points.)

F. Applications Sent by Mail

Applications sent by mail will be considered to be received on time by the Grants Officer if the application was sent by registered or certified mail not later than February 11, 1983, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service.

G. Hand-Delivered Applications

An application to be hand-delivered must be taken to the Grants Officer at the address listed at the end of this announcement. Hand-delivered applications will be accepted daily between 9:00 a.m. and 4:30 p.m., Washington, D.C., time, except Saturdays, Sundays, or Federal holidays. Application will not be accepted after close-of-business on Friday, February 11, 1983.

H. Disposition of Applications

1. *Approval, disapproval, or deferral.* On the basis of the review of the application, the Assistant Secretary will either (a) approve the application in whole or in part; (b) disapprove the application; or (c) defer action on the application for such reasons as lack of funds or a need for further review.

2. *Notification of disposition.* The Assistant Secretary will notify the applicants of the disposition of their application. A signed notification of grant award will be issued to the contact person listed in block 4 of the application to notify the applicant of the approved application.

I. Application Instructions and Forms

Copies of application forms and applicable regulations shall be obtained from, and applications submitted to: Grants Officer, Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, 200 Independence Avenue, S.W., Room 457F, Hubert H. Humphrey Building, Washington, D.C. 20201, Phone (202) 245-1794. Questions concerning the preceding information should be submitted to the Grants Officer at the same address. Neither questions nor requests for applications should be submitted after January 31.

J. Federal Domestic Assistance Catalog

This announcement is not listed in the Federal Domestic Assistance Catalog.

Dated: December 1, 1982.

Robert J. Rubin,

Assistant Secretary for Planning and Evaluation.

[FR Doc. 82-33227 Filed 12-6-82; 8:45 am]

BILLING CODE 4160-04-M

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****Socorro Advisory Council; Meeting**

Notice is hereby given in accordance with Pub. L. 92-463 that a meeting of the Socorro District Advisory Council will be held December 21, 1982.

The meeting will begin at 9:30 a.m. at the Socorro County Health Center, 214 Neel Avenue, Socorro, New Mexico.

The agenda is as follows:

1. Election of Officers.
2. Orientation to District Programs.
3. Briefing on Divide Management Framework Plan, San Augustine Resource Area.

The meeting is open to the public. The public may make oral statements before the Advisory Council at 2:00 p.m. or file written statements for the Council's consideration.

Donnie R. Sparks,

District Manager.

November 29, 1982.

[FR Doc. 82-33200 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-84-M

Group 5000 (43 CFR) Forest Management, General; Availability of Public Domain Woodlands Policy Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability of Public Domain Woodlands Policy Statement.

SUMMARY: The Bureau of Land Management statement describing policies for optimizing benefits from the management of public domain woodlands by incorporating principles of multiple use and maintenance of environmental quality in a program designed to accomplish specific management goals is available at local Bureau of Land Management offices. Copies of the policy statement may also be obtained by writing to the address below.

FOR FURTHER INFORMATION CONTACT: Debbie Pietrzak, Division of Forestry (230), Bureau of Land Management, 18th and C Streets, NW., Washington, D.C. 20240.

Arnold E. Petty,

Acting Associate Director.

December 2, 1982.

[FR Doc. 82-33302 Filed 12-7-82; 8:45 am]

BILLING CODE 4310-84-M

National Public Lands Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Meeting of the National Public Lands Advisory Council.

SUMMARY: Notice is hereby given that the National Public Lands Advisory Council will meet January 6-8, 1983. The meeting will be held at the Phoenix Hilton, 111 N. Central Avenue, Phoenix, Arizona. The meeting hours will be 8:00

a.m. to 5:00 p.m. on Thursday, the 6th, and 8:00 a.m. to 4:00 p.m. on Saturday the 8th. On Friday January 7, Council members will participate in a field tour highlighting current public lands issues and the Administration's Asset Management Program. The proposed agenda for the meeting is:

Thursday, January 6: Morning: An Overview, by Bureau of Land Management (BLM) Director Robert Burford, of recent BLM and Department of the Interior actions concerning the public lands; Address by Department of the Interior's Assistant Secretary for Land and Water Resources, Garrey Garruthers; Update on resolutions previously passed by the Council; and Working sessions of Council subcommittees. Afternoon: Address by Arizona Governor Bruce Babbitt, expressing his views on management of the public lands; Panel discussion on public lands issues; and public statement period.

Saturday, January 8: Morning: Meeting of Council subcommittees; Discussion of Council old and new business, including election of officers for 1983 and setting of dates and locations for future Council meetings. Afternoon: Report of subcommittees to full Council; and passing of Council resolutions.

All meetings of the Council will be open to the public. Opportunity will be provided for members of the public to make oral statements to the Council, from 3:00 to 4:00 p.m., Thursday, January 6, regarding topics on the meeting agenda. Such statements should address specific national public lands issues and should be limited to approximately 10 minutes. In addition, a summary of the statement should be submitted to the council Chairman; written statements alone may also be filed with the Council.

Because of transportation and other logistical limitations, the field tour on January 7 will be limited to Council members and accompanying government representatives.

DATES: January 6 and 8, 1983—Council meeting. January 6—Public Statements.

ADDRESS: Copies of public statements may be mailed in advance of the meeting to: Director (150), National Public Lands Advisory Council, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Karen Slater, telephone (202) 343-2054; or Bob Whitaker, Public Affairs Officer, Arizona State Office, BLM, 2400 Valley Bank Center, Phoenix, Arizona 85073—telephone, (602) 261-3831.

SUPPLEMENTARY INFORMATION: The Council advises the Secretary of the Interior, through the Director, Bureau of Land Management, regarding policies and programs of a national scope related to public lands and resources under the jurisdiction of the Bureau.

Dated: December 2, 1982.

Arnold E. Petty,

Acting Associate Director.

[FR Doc. 82-33301 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-84-M

New Mexico, San Augustine Coal Area; Intent To Conduct Coal Planning and Call for Coal Resource Information

AGENCY: Bureau of Land Management, Interior.

ACTION: Initiation of a plan amendment and call for resource information.

SUMMARY: The purpose of this notice is first to announce BLM's intent to prepare an amendment to an existing Management Framework Plan (MFP) within the San Augustine Resource Area, New Mexico, and second, to solicit coal resource information and indications of interest and needs, pursuant to 43 CFR 3420.1-2, and for inclusion in the land-use planning and coal activity processes of the Federal Coal Management Program within the San Augustine Coal Area. The data received from this call will, in part, be used to delineate tracts which will be considered for second round competitive leasing for the San Juan River Coal Production Region.

DATE: Comments to this notice will be accepted until February 4, 1983.

ADDRESSES: Send comments to: BLM, Socorro District Office, P.O. Box 1219, Socorro, New Mexico 87801, or New Mexico State Office (934), P.O. Box 1449, Santa Fe, New Mexico 87501. Any proprietary data should be sent to: Jim Fassett, Deputy Minerals Manager, Minerals Management Services, 505 Marquette NW, Suite 815, Mail Stop 500, Albuquerque, New Mexico 87102.

FOR FURTHER INFORMATION CONTACT: Paul W. Tanner, Area Manager; or Glenn B. Sekavec, Team Leader, Socorro District, (505) 835-0412; or Jaime Provencio, New Mexico State Office, (505) 988-6565.

SUPPLEMENTARY INFORMATION:

A. Notice of Intent To Conduct Planning

Notice is hereby given that the BLM, Socorro District, intends to initiate a planning amendment for the Divide Management Framework Plan (MFP), in order to consider coal leasing within the San Augustine Resource Area. This

area, within the San Juan River Coal Production Region, includes approximately 986,092 acres of public land surface and approximately 2,077,666 Federal mineral estate acres administered by the Socorro District in Catron and Cibola Counties, a small portion of the extreme eastern part of Valencia County, and a portion of west-central and southwestern Socorro County, New Mexico. A map depicting this area is being sent to all parties listed in the Socorro District "coal maling list"; it may also be obtained by contacting the BLM personnel identified above.

The major purpose of this notice is to solicit information from the public that will assist the BLM in identifying those lands that should receive further consideration for coal leasing. The plan amendment will include site-specific tract analysis and environmental analysis of alternative leasing combinations.

The general issues related to coal leasing in the San Augustine Coal Area include impacts to natural resource values; impacts to social and economic structures of local communities; and impacts to recreational values. The coal unsuitability criteria of 43 CFR 3461.1 will be applied during the planning effort.

The plan amendment will be developed by an interdisciplinary team consisting of three core members; a team leader, a mining engineer and an economist, plus designated Area and District staff specialists who will provide expertise in the areas of geology, archeology, wildlife management, hydrology, soils, range conservation, outdoor recreation, realty, forestry, editing/computer processing and typing.

The public is invited to identify additional issues or concerns related to the planning amendment. The public is also asked to comment on the applicability of the coal unsuitability criteria to the public lands in the San Augustine Coal Area. Public participation activities will be conducted in accordance with 43 CFR Part 1601. Dates, times and locations will be announced through local media and mailings to interested parties. All persons, groups, and other government agencies with an interest in the San Augustine Coal Area and its management are asked to make their comments or recommendations on this planning effort on or before February 4, 1983.

Documents relative to this effort may be reviewed at the previously identified District and Area BLM offices during regular office hours.

B. Call for Coal Resource Information

Another purpose of this notice is to solicit coal resource information for planning and to help delineate tracts for second-round competitive coal leasing in the San Juan River Coal Production Region in August 1986. Industry and other interested parties are asked to provide any information that will be useful in the tract delineation, ranking, selection, and analysis processes of the Federal Coal Management Program defined in 43 CFR Subpart 3420.

A major objective is to integrate potential lessees' and other public data and needs with the process of delineating the logical mining units. The BLM hopes to gain sufficient information from this call, as well as from its own site-specific analyses, to ultimately make fair market value determinations on specific tracts. It is important to note that availability of information from this call will be a major factor in applying the unsuitability criteria and delineating tracts likely to receive consideration for coal leasing.

The type of information needed includes, but is not limited to, the following:

1. Location;
 - a. Tracts desired by mining companies (narrative description with delineation on surface minerals management quad map or other such map).
 - b. Public and private industry user facilities in the general region.
 2. Quantity needs (tonnage, average tons per year, and year during which production should commence) for both coal producers and users.
 3. Quality needs (types and grades of coal) for both producers and users.
 4. Coal reserve or drilling data a company or the public may have pertaining to the San Augustine Coal Area.
 5. Proposed Uses of Coal:
 - a. By mining companies.
 - b. By public and private industries.
 6. Information Relating to Mineral Ownership:
 - a. Information on surface owner consents previously granted; e.g., a description of the location of the property, whether consents are transferable, etc.
 - b. Commitments from fee coal owners or for associated non-Federal coal.
- For those wishing to identify areas for non-development, the following information should be included:
1. Location—delineations should be made on suitable map with a scale not less than 1/2 inch to the mile accompanied with a narrative description.

2. Reasons for non-development.
3. Other pertinent information.

Any individual, business entity, governmental entity, or public body may participate and submit coal resource information under this call.

Dated: November 24, 1982.

Donnie R. Sparks,

BLM, Socorro District Manager.

[FR Doc. 82-33388 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

Information Collection Submitted for Review

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and explanatory material may be obtained by contacting the Service's clearance officer at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Service clearance officer and the Office of Management and Budget reviewing official, Mr. Rick Otis, at 202-395-7340.

- **Title:** Cooperative Farming Agreement Applications, permits such privileges on national wildlife refuges.

Bureau Form Number: N/A.

Frequency: On occasion.

Description of Respondents: Individuals or households, farms, and businesses or other institutions.

Annual Responses: 735.

Annual Burden Hours: 368.

Service Clearance Officer: Arthur J. Ferguson, 202-653-7499.

Robert E. Gilmore,

Acting Associate Director, Wildlife Resources.

[FR Doc. 82-33204 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-35-M

National Park Service

National Capital Parks/East Potomac Park; Availability of Draft Development Concept Plan/Environmental Assessment and Notice of Public Hearing

The National Park Service has prepared a Draft Development Concept Plan/Environmental Assessment for East Potomac Park.

This Draft Plan has been undertaken to direct future management and use of the area.

The document includes a description of the need for planning description of alternatives developed to answer the needs and objectives of the park, and the consequences of the effects associated with both of the alternatives.

A public meeting on the Draft Plan will be held December 8th at 7:30 p.m. in the National Capital Regional Office, 1100 Ohio Drive SW., Classroom B.

The meeting room and public restrooms are fully accessible. Deaf or hearing impaired individuals planning on attending are asked to notify the Superintendent not later than November 30, 1982 so that a sign language interpreter can be arranged.

Written comments on this Draft Plan are invited and will be accepted until January 17, 1983. Comments should be addressed to the Superintendent NCP-Central 900 Ohio Drive, SW., Washington, D.C. 20242.

Copies of the Draft Plan are available form:

National Capital Parks-Central, 900 Ohio Drive, SW., Washington, D.C. 20242

NPS/National Capital Regional Office, 1100 Ohio Drive, SW., Washington, D.C. 20242

Dated: November 30, 1982.

Robert Stanton,

Regional Director, National Capital Region.

[FR Doc. 82-33253 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-70-M

Badlands National Park, S. Dak.; Environmental Statement

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of Availability for the Record of Decision on the Master Plan Final Environmental Statement Development Concept Plan, Cedar Pass, Badlands National Park.

SUMMARY: Pursuant to regulations of the council on environmental quality (40 CFR part 1505.2) and the implementing procedures of the National Park Service for the National Environmental Policy Act of 1969, 40 U.S.C. 1501 et seq., the Department of the Interior has prepared a Record of Decision on the Final Environmental Statement (TES 82-6) for the Master Plan Development Concept Plan for Badlands National Park, South Dakota.

The Record of Decision is a concise statement of what decisions were made, what alternatives were considered and that acceptable mitigating measures were developed in order to avoid or minimize environmental impacts.

ADDRESSES: The Record of Decision may be obtained from the

Superintendent, Badlands National Park, Post Office Box 72, Interior, South Dakota, 57750 or Regional Director, Rocky Mountain Region, National Park Service, 855 Parfet St., Post Office Box 25287, Denver, Colorado 80225. Copies of the document are available for review at the locations noted above.

Dated: November 24, 1982.

Lorraine Mintzmyer,

Regional Director, Rocky Mountain Region.

[FR Doc. 82-33255 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-70-M

National Register of Historic Places

Nomination for the following property being considered for listing in the National Register was received by the National Park Service before December 1, 1982. Waiver of the 15-day commenting period following this publication is necessary for the Pennsylvania nomination listed below in order for listing to be accomplished before December 14, 1982. Waiver of the public commenting period will allow timely listing which is necessary to ensure the preservation of this property.

Carol D. Shull,

Chief of Registration, National Register Branch.

PENNSYLVANIA

Dauphin County

Harrisburg, Harrisburg Technical High School, 423 Walnut St.

[FR Doc. 82-33256 Filed 12-6-82; 8:45 am]

BILLING CODE 4310-70-M

Office of the Secretary

Privacy Act of 1974; Annual Publication of System Notices

Federal agencies are required by the Privacy Act of 1974 to give annual notice of the systems of records they maintain. On April 11, 1977, a complete compilation of Privacy Act records system notices was published for this Department (42 FR 18968). Completely updated annual supplements were subsequently published on October 23, 1978 (43 FR 49480), December 13, 1979 (44 FR 72240), November 13, 1980 (45 FR 75084) and November 18, 1981 (46 FR 56668). This notice advises of changes made to this Department's systems of records between October 31, 1981 and October 31, 1982.

Published below are the title, number, and Federal Register publication date and page for new records systems established (Part I), revised records systems (Part II), and deleted records systems (Part III). Complete system

notices were published in the **Federal Register** for all new and revised systems of records on the dates shown below. The majority of the amendments to the system notices involved minor editorial changes to update organization titles and to make other non-substantive administration revisions. In Part IV below, we are publishing a complete index of all Department of the Interior Privacy Act systems of records. For the

purposes of eliminating duplicative and costly publication procedures, the notices are not being republished with this document. Copies of any system notices referenced in this document may be obtained from the Departmental Privacy Act Officer at the address noted below.

This document fulfills the annual notice requirements of the Privacy Act of 1974. Additional information may be

obtained from Mr. Reed Phillips, Jr., Director, Office of Information Resources Management, Office of the Secretary, U.S. Department of the Interior, Washington, D.C. 20240, telephone 202-343-6194, or the Departmental Privacy Act Officer in the same office, telephone 202-343-6191.

Dated: November 30, 1982.

Richard R. Hite,
Deputy Assistant Secretary of the Interior.

Title and number	Federal Register publication	
	Date	Volume/page
PART I—NEW RECORDS SYSTEMS		
1. Arbitrators Evaluation Records, Office of the Secretary—73.....	June 7, 1982.....	47 FR 24655.
2. Motor Vehicle Operations Program, National Park Service—22.....	Aug. 6, 1982.....	47 FR 34208.
3. FECA Chargeback Case File, Office of the Secretary—72.....	Oct. 14, 1982.....	47 FR 45968.
PART II—REVISED RECORDS SYSTEMS		
1. Audit Files, Office of Inspector General—1.....	Nov. 30, 1981.....	46 FR 58200.
2. Investigative Records, Office of Inspector General—2.....	do.....	46 FR 58200.
3. Management Information, Office of Inspector General—3.....	do.....	46 FR 58201.
4. Payroll, Attendance and Leave Records, Geological Survey—1.....	Jan. 7, 1982.....	47 FR 860.
5. Contract Files, Geological Survey—5.....	do.....	47 FR 861.
6. Personal Property Accountability Records, Geological Survey—7.....	do.....	47 FR 861.
7. National Research Council Grants Program, Geological Survey—9.....	do.....	47 FR 862.
8. Security, Geological Survey—11.....	do.....	47 FR 862.
9. Project Descriptions and Work Plans and Accomplishments, Geological Survey—12.....	do.....	47 FR 863.
10. Manuscript Processing, Geological Survey—13.....	do.....	47 FR 863.
11. Cartographic Information Customer Records, Geological Survey—15.....	do.....	47 FR 864.
12. Office of Minerals Exploration (OME) Financial Assistance Applications, Geological Survey—16.....	do.....	47 FR 864.
13. Management Information System, National Mapping Division, Geological Survey—17.....	do.....	47 FR 865.
14. Photo File System, Geological Survey—20.....	do.....	47 FR 865.
15. Mineral Lease and Royalty Accounting Files, Geological Survey—21.....	do.....	47 FR 866.
16. Personnel Investigations Records, Geological Survey—23.....	do.....	47 FR 866.
17. Employee Work Report Edit and Individual Employee Production Rates, Geological Survey—24.....	do.....	47 FR 867.
18. Water Data Sources Directory, Geological Survey—25.....	do.....	47 FR 868.
19. National Water Data Exchange User Accounting System, Geological Survey—26.....	do.....	47 FR 869.
20. Payroll, Attendance and Leave Records (PAY/PERS), Bureau of Reclamation—24.....	Feb. 18, 1982.....	47 FR 7336.
21. Security Clearance Files and Other Reference Files, Office of Secretary—45.....	June 28, 1982.....	47 FR 27977.
22. Motor Vehicle Operator's Identification Card Applications, Office of Secretary—50.....	do.....	47 FR 27978.
23. Property Management Accountability, Office of Secretary—51.....	do.....	47 FR 27978.
24. Travel Management Records, Office of Secretary—52.....	do.....	47 FR 27979.
25. Privacy Act Files, Office of Secretary—57.....	do.....	47 FR 27979.
26. Freedom of Information Appeal Files, Office of Secretary—69.....	do.....	47 FR 27980.
27. Payroll, Attendance and Leave, Office of Secretary—85.....	do.....	47 FR 27980.
28. Travel, Office of Secretary—88.....	do.....	47 FR 27981.
29. Position Control, Office of Secretary—89.....	do.....	47 FR 27982.
PART III—DELETED RECORD SYSTEMS		
1. Accident Reports and Investigations, Geological Survey—8.....	Jan. 7, 1982.....	47 FR 859.
2. Lunar Sample, Geological Survey—10.....	do.....	47 FR 859.
3. Correspondence, Geological Survey—22.....	do.....	47 FR 859.
4. Congressional Correspondence File, BOR—1.....	Aug. 6, 1982.....	47 FR 34207.
5. Payroll System, BOR—2.....	do.....	47 FR 34207.
6. Management by Objectives—BOR—3.....	do.....	47 FR 34207.
7. Motor Vehicle Operations Program, BOR—4.....	do.....	47 FR 34207.
8. Financial Management System, BOR—5.....	do.....	47 FR 34207.
9. Property Hand Receipt File, BOR—6.....	do.....	47 FR 34207.
10. Travel and Transportation Automated Accounting System, BOR—7.....	do.....	47 FR 34207.

PART IV.—INDEX OF DEPARTMENT OF THE INTERIOR PRIVACY ACT SYSTEMS OF RECORDS

System No.	System name	FEDERAL REGISTER publication	
		Date	Volume and page
Office of the Secretary			
OS-003.....	Financial Interest Statements and Ethics Counselor Decisions.....	07-17-81.....	46 FR 37090.
OS-005.....	Aircraft Instructor Qualification File.....	04-11-77.....	42 FR 19016.
OS-006.....	Aircraft Crew/Mechanic Information File (Commercial Operators).....	04-11-77.....	42 FR 19016.
OS-007.....	Aircraft Crew/Mechanic Information File.....	04-11-77.....	42 FR 19016.
OS-008.....	Aircraft Services Administrative Management and Fiscal Records.....	04-11-77.....	42 FR 19017.
OS-012.....	Private Relief Claimants, Department.....	02-12-81.....	46 FR 12146.
OS-013.....	Private Relief Claimants, Bureau.....	04-11-77.....	42 FR 19017.
OS-015.....	Emergency Defense Mobilization Files.....	08-21-80.....	45 FR 55832.
OS-018.....	Discrimination Complaints.....	04-11-77.....	42 FR 19018.
OS-020.....	Secretarial Correspondence Card File.....	04-11-77.....	42 FR 19019.
OS-025.....	YCC and YACC Enrollee and Corpsmember Records.....	08-10-78.....	43 FR 35558.

PART IV.—INDEX OF DEPARTMENT OF THE INTERIOR PRIVACY ACT SYSTEMS OF RECORDS—Continued

System No.	System name	FEDERAL REGISTER publication	
		Date	Volume and page
OS-026	YCC Enrollee and YACC Corpsmember Payroll Records File	08-10-78	43 FR 35558.
OS-027	YCC Enrollee and YACC Corpsmember Medical Records	08-10-78	43 FR 35559.
OS-028	YCC Research File	04-11-77	42 FR 19020.
OS-029	YCC Recruitment Files	04-11-77	42 FR 19021.
OS-035	Library Circulation Control System	05-27-81	46 FR 28519.
OS-045	Security Clearance Files and Other Reference Files	06-28-82	47 FR 27977.
OS-046	Secretarial Subject Files	08-21-80	45 FR 55834.
OS-047	Parking Assignment Records	08-21-80	45 FR 55834.
OS-050	Motor Vehicle Operator's Identification Card Applications	06-28-82	47 FR 27978.
OS-051	Property Management Accountability	06-28-82	47 FR 27978.
OS-052	Travel Management Records	06-28-82	47 FR 27979.
OS-053	Classified Documents	08-21-80	45 FR 55836.
OS-057	Privacy Act Files	08-28-82	47 FR 27979.
OS-058	Office Operations Records on Employees, Department System	05-27-81	46 FR 28519.
OS-060	Safety Management Information System	08-21-80	45 FR 55837.
OS-065	Biography File	02-12-81	46 FR 12147.
OS-068	Committee Management Files	04-11-77	42 FR 19027.
OS-069	Freedom of Information Appeal Files	06-28-82	47 FR 27980.
OS-070	Applicant Files	05-27-81	46 FR 28520.
OS-071	Freedom of Information Request Files System	02-12-81	46 FR 12147.
OS-072	FECA Chargeback Case File	10-14-82	47 FR 45968.
OS-073	Arbitrators Evaluation Records	06-07-82	47 FR 24655.
OS-074	Grievance Records	05-27-81	46 FR 28520.
OS-075	Supervisor's Records of Employees	04-11-77	42 FR 19028.
OS-076	Employee Experience, Skills, Performance and Career Development Records	04-11-77	42 FR 19029.
OS-077	Unfair Labor Practice Charges/Complaints	08-21-80	45 FR 55839.
OS-078	Negotiated Grievance Procedure Files	08-21-80	45 FR 55840.
OS-079	Personnel Data Files (Automated)	05-27-81	46 FR 28522.
OS-080	Emergency Loan Fund Committee Loan Records	05-27-81	46 FR 28522.
OS-081	Health Unit Medical Records	04-11-77	42 FR 19032.
OS-082	Executive and Manager Development Program (EMDP)	05-27-81	46 FR 28523.
OS-085	Payroll, Attendance and Leave	06-28-82	47 FR 27980.
OS-086	Accounts Receivable	04-11-77	42 FR 19033.
OS-087	Cash Receipts	04-11-77	42 FR 19033.
OS-088	Travel	06-28-82	47 FR 27981.
OS-089	Position Control	06-28-82	47 FR 27982.
OS-095	Trust Territory of the Pacific Islands Employee Records	02-12-81	46 FR 12148.
OS-097	Pilot Flight Time Report	09-10-77	42 FR 52500.
OS-099	Personnel Correspondence Files	10-24-78	43 FR 49579.
OS-100	Employee Counseling Services Program Records	09-10-80	45 FR 59642.

Bureau of Land Management

LLM-01	Mining Claim Title Clearance	04-11-77	42 FR 19110.
LLM-02	Range Management System	04-11-77	42 FR 19110.
LLM-03	Mineral Lease Management	04-11-77	42 FR 19110.
LLM-04	Coal Lease Data System	04-11-77	42 FR 19111.
LLM-05	Alaska Native Claims	04-11-77	42 FR 19111.
LLM-06	Mineral Surveyor Appointment File	04-11-77	42 FR 19111.
LLM-07	Land and Resource Case File	04-11-77	42 FR 19112.
LLM-08	Aircraft Passenger Manifest Records—Fire Control	04-11-77	42 FR 19112.
LLM-09	Property and Supplies Accountability	04-11-77	42 FR 19112.
LLM-10	Vehicle Use Authorization	04-11-77	42 FR 19113.
LLM-11	Identification Cards and Passes	04-11-77	42 FR 19113.
LLM-12	Manpower Management	04-11-77	42 FR 19113.
LLM-13	Safety Management Information	04-11-77	42 FR 19114.
LLM-14	Security Clearance Files	04-11-77	42 FR 19114.
LLM-15	Correspondence Control	04-11-77	42 FR 19114.
LLM-16	Mineral and Vegetal Material Sales	04-11-77	42 FR 19115.
LLM-17	Payroll	04-11-77	42 FR 19115.
LLM-18	Criminal Case Investigations	04-11-77	42 FR 19115.
LLM-19	Civil Trespass Case Investigations	04-11-77	42 FR 19116.
LLM-20	Employee Conduct Investigations	04-11-77	42 FR 19116.
LLM-21	Travel	04-11-77	42 FR 19116.
LLM-22	Financial Management	04-11-77	42 FR 19117.
LLM-23	Contract Files	04-11-77	42 FR 19117.
LLM-24	Copy Fee Deposit	04-11-77	42 FR 19118.
LLM-25	Outer Continental Shelf Lease Sale	04-11-77	42 FR 19118.
LLM-26	Incentive and Honor Awards	04-11-77	42 FR 19118.
LLM-27	Real Estate Appraiser Roster	04-11-77	42 FR 19119.
LLM-28	Adopt a Wild Horse	04-11-77	42 FR 19119.
LLM-29	Recordation of Mining Claims	04-11-77	42 FR 19119.

Bureau of Reclamation

LBR-01	Accidents	04-11-77	42 FR 19094.
LBR-02	Accounts Receivable	04-11-77	42 FR 19094.
LBR-03	Attendance at Meetings	04-11-77	42 FR 19094.
LBR-04	Audiograms (Hearing Test Record)	04-11-77	42 FR 19095.
LBR-05	Claims	05-02-79	44 FR 25703.
LBR-06	Collection Contracts	04-11-77	42 FR 19096.
LBR-07	Concessions	04-11-77	42 FR 19096.
LBR-08	Driver's License	04-11-77	42 FR 19096.
LBR-09	Foreign Visitors and Observers	04-11-77	42 FR 19097.
LBR-10	Identification Cards	04-11-77	42 FR 19097.
LBR-11	Individual Record of Issues	04-11-77	42 FR 19098.
LBR-12	Inventions and Patents	04-11-77	42 FR 19098.
LBR-13	Irrigation Management Service	04-11-77	42 FR 19098.

PART IV.—INDEX OF DEPARTMENT OF THE INTERIOR PRIVACY ACT SYSTEMS OF RECORDS—Continued

System No.	System name	FEDERAL REGISTER publication	
		Date	Volume and page
LBR-14	Land Exchange	04-11-77	42 FR 19098.
LBR-15	Land Settlement Entries	04-11-77	42 FR 19099.
LBR-16	Litigation	04-11-77	42 FR 19099.
LBR-17	Lands—Leases, Sales, Rentals, and Transfers	04-11-77	42 FR 19099.
LBR-18	Lease of Housing	04-11-77	42 FR 19100.
LBR-19	Mineral Location Entries	04-11-77	42 FR 19100.
LBR-20	Movable Property ADP Records	04-11-77	42 FR 19100.
LBR-21	Movable Property Individual Responsibility	04-11-77	42 FR 19101.
LBR-22	Oil and Gas Applications	04-11-77	42 FR 19101.
LBR-23	Parking	04-11-77	42 FR 19101.
LBR-24	Payroll, Attendance and Leave Records (Paypers)	02-18-82	47 FR 7336.
LBR-25	Personal Author Reports	04-11-77	42 FR 19102.
LBR-26	Photographic Files	04-11-77	42 FR 19102.
LBR-27	Publication Sales	04-11-77	42 FR 19103.
LBR-28	Real Property and Right-of-Way Acquisitions	04-11-77	42 FR 19103.
LBR-29	Right-of-Way Applications	04-11-77	42 FR 19104.
LBR-30	Safe Driving Records	04-11-77	42 FR 19104.
LBR-31	Inventory and Control of Land Sales Subject To Acreage Limitation	07-30-81	46 FR 39047.
LBR-32	Special Use Applications, Licenses, and Permits	04-11-77	42 FR 19105.
LBR-33	Speeches	04-11-77	42 FR 19105.
LBR-34	Thefts Listing	04-11-77	42 FR 19105.
LBR-35	Travel Approval Authorizations and Reports	04-11-77	42 FR 19106.
LBR-36	Travel Voucher Records	04-11-77	42 FR 19106.
LBR-37	Trespass Cases	04-11-77	42 FR 19107.
LBR-38	Water Right Applications	04-11-77	42 FR 19107.
LBR-39	Water Rights Acquisition	04-11-77	42 FR 19107.
LBR-40	Water Sales and Delivery Contracts	04-11-77	42 FR 19107.
LBR-41	Permits	04-11-77	42 FR 19108.
LBR-42	Recordable Contracts	04-11-77	42 FR 19108.
LBR-43	Real Estate Comparable Sales Data Storage	03-11-80	45 FR 15684.
LBR-44	Vendor Payment Records	04-11-77	42 FR 19108.
LBR-45	Equipment, Supply and Service Contracts	04-11-77	42 FR 19109.
LBR-46	Employee Trip Reports	04-11-77	42 FR 19109.
LBR-47	Employees' Compensation Records	04-11-77	42 FR 19109.
U.S. Fish and Wildlife Service			
FWS-01	Labor Cost Information Records	04-11-77	42 FR 19081.
FWS-02	Travel Records	03-24-81	46 FR 18368.
FWS-03	Security File	03-24-81	46 FR 18368.
FWS-04	Tort Claim Records	03-24-81	46 FR 18369.
FWS-05	National Wildlife Refuge Special Use Permits	03-24-81	46 FR 18369.
FWS-06	Hunting and Fishing Survey Records	03-24-81	46 FR 18370.
FWS-07	Water Development Project—Effluent Discharge Permit Application Review	03-24-81	46 FR 18370.
FWS-08	Fish Disease Inspection Report	03-24-81	46 FR 18371.
FWS-09	Farm Pond Stocking Program	03-24-81	46 FR 18372.
FWS-10	National Fish Hatchery Special Use Permits	03-24-81	46 FR 18372.
FWS-11	Real Property Records	03-24-81	46 FR 18373.
FWS-13	North American Breeding Bird Survey	04-11-77	42 FR 19086.
FWS-14	Great Lakes Commercial Fisheries Catch Records	04-11-77	42 FR 19086.
FWS-17	Diagnostic—Extension Service Records	04-11-77	42 FR 19088.
FWS-19	Endangered Species License System	06-25-81	46 FR 32947.
FWS-20	Investigative Case File System	06-25-81	46 FR 32948.
FWS-21	Permits System	06-25-81	46 FR 32948.
FWS-22	U.S. Deputy Game Warden	03-24-81	46 FR 18375.
FWS-23	Motor Vehicle Permit Log	03-24-81	46 FR 18376.
FWS-24	Payroll	03-24-81	46 FR 18376.
FWS-25	Contract and Procurement Records	03-24-81	46 FR 18377.
FWS-26	Migratory Bird Population and Harvest Systems	03-24-81	46 FR 18378.
FWS-27	Correspondence Control System	04-11-77	42 FR 19092.
FWS-28	Avitrol Authorization Records	03-24-81	46 FR 18379.
FWS-29	Animal Damage Control Non-Federal Personnel Records	03-24-81	46 FR 18380.
National Park Service			
NPS-01	Special Use Permits	03-06-81	46 FR 15587.
NPS-02	Land Acquisition and Relocation Files	04-11-77	42 FR 19072.
NPS-03	Land Acquisition Management Information System	04-11-77	42 FR 19072.
NPS-04	Travel Records	04-11-77	42 FR 19073.
NPS-05	Retirement Records	04-11-77	42 FR 19073.
NPS-06	Audiovisual Performance Selection Files	04-11-77	42 FR 19073.
NPS-07	National Park Service Historical Library	04-11-77	42 FR 19074.
NPS-08	Property and Supplies Accountability	04-11-77	42 FR 19074.
NPS-10	Central Files	04-11-77	42 FR 19075.
NPS-12	U.S. Park Police Personnel Photograph File	04-11-77	42 FR 19075.
NPS-13	Concessioners	04-11-77	42 FR 19075.
NPS-14	Concessioner Financial Statement and Audit Report Files	04-11-77	42 FR 19076.
NPS-15	Concessions Management Files	04-11-77	42 FR 19076.
NPS-16	Position and Manpower Reporting System (PMRS)	03-06-81	46 FR 15587.
NPS-17	Employee Financial Irregularities	04-11-77	42 FR 19077.
NPS-18	Collection/Certifying/Disbursing Officers, and Imprest Fund Cashiers	04-11-77	42 FR 19077.
NPS-19	Law Enforcement Files: Statistical Reporting System	03-06-81	46 FR 15588.
NPS-20	Payroll	04-11-77	42 FR 19078.
NPS-21	Visitor Statistical Survey Forms	03-06-81	46 FR 15588.
NPS-22	Motor Vehicle Operations Program	08-06-82	47 FR 34208.

PART IV.—INDEX OF DEPARTMENT OF THE INTERIOR PRIVACY ACT SYSTEMS OF RECORDS—Continued

System No.	System name	FEDERAL REGISTER publication	
		Date	Volume and page
Geological Survey			
EGS-01	Payroll, Attendance and Leave Records	01-07-82	47 FR 00860.
EGS-02	Authorized Cashier/Alternate Cashier/Certifying Officer/Collection Officer	04-11-77	42 FR 19054.
EGS-03	Accounts Receivable	04-11-77	42 FR 19055.
EGS-05	Contract Files	01-07-82	47 FR 00861.
EGS-06	Relos Records	04-11-77	42 FR 19056.
EGS-07	Personal Property Accountability Records	01-07-82	47 FR 00861.
EGS-09	National Research Council Grants Program	01-07-82	47 FR 00862.
EGS-11	Security	01-07-82	47 FR 00862.
EGS-12	Project Descriptions and Work Plans and Accomplishments	01-07-82	47 FR 00863.
EGS-13	Manuscript Processing	01-07-82	47 FR 00863.
EGS-14	Travel Files	04-11-77	42 FR 19058.
EGS-15	Cartographic Information Customer Records	01-07-82	47 FR 00864.
EGS-16	Office of Minerals Exploration (OME) Financial Assistance Applications	01-07-82	47 FR 00864.
EGS-17	Management Information System, National Mapping Division	01-07-82	47 FR 00865.
EGS-18	Computer Services Users	04-11-77	42 FR 19060.
EGS-20	Photo File System	01-07-82	47 FR 00865.
EGS-21	Mineral Lease and Royalty Accounting Files	01-07-82	47 FR 00866.
EGS-23	Personnel Investigations Records	01-07-82	47 FR 00866.
EGS-24	Employee Work Report Edit and Individual Employee Production Rate	01-07-82	47 FR 00867.
EGS-25	Water Data Sources Directory	01-07-82	47 FR 00868.
EGS-26	National Water Data Exchange User Accounting System	01-07-82	47 FR 00869.
Bureau of Mines			
EBM-01	Payroll	12-22-80	45 FR 84161.
EBM-02	Travel Advance File	12-22-80	45 FR 84162.
EBM-03	Travel Vouchers and Authorizations	12-22-80	45 FR 84163.
EBM-04	Property Control	12-22-80	45 FR 84164.
EBM-05	Personnel Identification	12-22-80	45 FR 84164.
EBM-06	Safety Management Information System	01-26-81	46 FR 8128.
EBM-07	Personnel Security Files	01-26-81	46 FR 8128.
EBM-09	Distribution Center and Film Borrower Record Cards	12-22-80	45 FR 84165.
Office of Surface Mining			
OSM-01	Payroll	03-31-78	43 FR 13641.
OSM-02	Travel Advance File	03-31-78	43 FR 13641.
OSM-03	Travel Vouchers and Authorizations	03-31-78	43 FR 13642.
OSM-04	Property Control	03-31-78	43 FR 13643.
OSM-05	Personnel Identification	03-31-78	43 FR 13643.
OSM-06	Safety Files	03-31-78	43 FR 13644.
OSM-07	Personnel Security Files	03-31-78	43 FR 13644.
OSM-08	Employment and Financial Interest Statements	03-14-78	43 FR 10640.
Bureau of Indian Affairs			
BIA-01	Property Loan Agreement Files	04-11-77	42 FR 19035.
BIA-02	Safety Management Information	04-11-77	42 FR 19036.
BIA-03	Individual Indian Monies	04-11-77	42 FR 19036.
BIA-04	Indian Land Records	04-11-77	42 FR 19037.
BIA-05	Indian Land Records	04-11-77	42 FR 19037.
BIA-06	Navajo-Hopi Joint use Project	04-11-77	42 FR 19037.
BIA-07	Tribal Rolls	04-11-77	42 FR 19038.
BIA-08	Indian Social Services Case Files	04-11-77	42 FR 19038.
BIA-09	Traders License Files	04-11-77	42 FR 19039.
BIA-10	Indian Housing Improvement Program	04-11-77	42 FR 19039.
BIA-11	Indian Business Development Program (Grants)	04-11-77	42 FR 19039.
BIA-12	Indian Trust Land Mortgages	04-11-77	42 FR 19040.
BIA-13	Indian Loan Files	04-11-77	42 FR 19040.
BIA-14	Travel Accounting System	04-11-77	42 FR 19040.
BIA-15	Trip Reports	04-11-77	42 FR 19041.
BIA-16	Travel Files	04-11-77	42 FR 19041.
BIA-17	Payroll	04-11-77	42 FR 19041.
BIA-18	Law Enforcement Services	04-11-77	42 FR 19042.
BIA-19	Indian Association Stock Purchase Records	04-11-77	42 FR 19042.
BIA-20	Correspondence Files System	04-11-77	42 FR 19043.
BIA-21	Correspondence Control System	04-11-77	42 FR 19043.
BIA-22	Indian Student Records	04-11-77	42 FR 19043.
BIA-23	Employment Assistance Case Files	04-11-77	42 FR 19044.
BIA-24	Timber Cutting and Fire Trespass Claims Case Files	04-11-77	42 FR 19044.
BIA-25	Integrated Records Management System	07-03-80	45 FR 45381.
Office of Hearings and Appeals			
OHA-1	Hearings and Appeals Files	02-12-81	46 FR 12149.
Office of the Solicitor			
SOL-1	Litigation, Appeal and Case Files	02-12-81	46 FR 12150.
SOL-2	Claims Files	02-11-81	46 FR 12151.
SOL-3	Patent Files	04-11-77	42 FR 19121.
SOL-4	Workload Analysis	02-12-81	46 FR 12151.

PART IV.—INDEX OF DEPARTMENT OF THE INTERIOR PRIVACY ACT SYSTEMS OF RECORDS—Continued

System No.	System name	FEDERAL REGISTER publication	
		Date	Volume and page
Office of Inspector General			
OIG-1	Audit Files	11-30-81	46 FR 58200.
OIG-2	Investigative Records	11-30-81	46 FR 58200.
OIG-3	Management Information	11-30-81	46 FR 58201.

[FR Doc. 82-33198 Filed 12-6-82; 8:45 am]

BILLING ODE 4310-10-M

INTERSTATE COMMERCE COMMISSION

[Volume No. 18]

Motor Carriers; Applications, Alternate Route Deviations, and Intrastate Applications**Motor Carrier Intrastate Application(s)**

The following application(s) for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 10931 (formerly Section 206(a)(6)) of the Interstate Commerce Act. These applications are governed by 49 CFR Part 1161 of the Commission's Rules of Practice which provide, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

By the Commission.

Agatha L. Mergenovich,
Secretary.

New York Docket No. T-10098, Filed November 9, 1982. Applicant: GRAY VAN EXPRESS, INC., R.D. 1, Box 6 Springer Road, West Sand Lake, NY 12196. Representative: McClung, Peters, Simon & Arensberg, Esqs., 41 State Street, Albany, NY 12207. Certificate of Public Convenience and Necessity sought to operate a freight service, as follows: Transportation of: *General Commodities* between all points in the Counties of Albany, Schenectady, Columbia, and Rensselaer. Intrastate, interstate and foreign commerce authority sought. Hearing: date, time and place not yet fixed. Request for procedural information should be addressed to the New York State

Department of Transportation, 1220 Washington Ave., State Campus, Albany, NY 12232, and should not be directed to the Interstate Commerce Commission.

New York Docket No. T-2718, filed November 18, 1982. Applicant: LAKE SHORE TRANSPORTATION LINES, INC., 193 East Seneca Street, P.O. Box 1040, Oswego, NY 13126. Representative: Herbert M. Canter, Esq. and Benjamin D. Levine, Esq., 305 Montgomery St., Syracuse, NY 13202. Certificate of Public Convenience and Necessity sought to operate a freight service, as follows: Transportation of: *General Commodities*, as defined in Section 800.1 of Title 17 of the Official Compilation of Codes, Rules and Regulations of the State of New York: Between all points in a territory comprised of the Counties of Albany, Broome, Cattaraugus, Cayuga, Chemung, Cortland, Erie, Genesee, Herkimer, Jefferson, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Schenectady, Seneca, Wayne, Wyoming and Yates and the City of New York, on the one hand, and, on the other, all points in the State of New York. Intrastate, interstate and foreign commerce authority sought. Hearing: date, time and place not yet fixed. Request for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Ave., State Campus, Albany, NY 12232, and should not be directed to the Interstate Commerce Commission.

[FR Doc. 82-33221 Filed 12-6-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP4FC-047]

Motor Carriers; Decision Notice; Finance Applications

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find: Each transaction is exempt from section 11343 of the Interstate

Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsideration; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1181.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 20 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

It is ordered: The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

By the Commission, Review Board Number 3, Members Joyce, Dowell.
Agatha L. Mergenovich,
Secretary.

Please direct status inquiries to Team Four at (202) 275-7669.

MC-FC-81038, filed November 12, 1982. By decision of November 26, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1181, Subpart A, Review Board Number 3 approved the transfer of ROSSCOTT, INC., Newbury, OH, of Permit No. MC-160567, issued

November 5, 1982, to BARNES TRUCKING, INC., Buron, OH, authorizing the transportation of *commodities in bulk*, between points in the U.S. (except AK and HI), under continuing contract(s) with By-Products Management of Ohio, Inc., of Cleveland, OH. Representative: Lewis S. Witherspoon, 2455 North Star Rd., Columbus, OH 43221, for both transferee and transferor.

[FR Doc. 82-33220 Filed 12-6-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, are governed by 49 CFR 1160.1-1160.23 of the Commission's Rules of Practice. These rules were published in the *Federal Register* on December 31, 1980, at 45 FR 86771 and redesignated at 47 FR 49583, November 3, 1982. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1160.40-1160.49. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Please direct status inquiries to Team 1, (202) 275-7992.

Volume No. OP1-214

Decided: November 30, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 147070 (Sub-1), filed November 19, 1982. Applicant: JERNIGAN BROTHERS, INC., 10220 West Reno, Oklahoma City, Ok 73147. Representative: C. L. Phillips, Room 248—Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106, (405) 528-3884. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 164760, filed November 17, 1982. Applicant: AL SEEVER TRUCKING, Route No. 1, Chetek, WI 54728. Representative: Allen Seever (same address as applicant), (715) 924-3278. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 164761, filed November 19, 1982. Applicant: WILLIS MOVING & STORAGE, INC., 5701 Quirt Ave., Lubbock, TX 79404. Representative: Paul D. Angenend, P.O. Box 2207, 1806 Rio Grande, Austin, TX 78768, (512) 476-6391. Transporting *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. (except AK and HI).

For the following, please direct status inquiries to Team 4 at 202-275-7669.

Volume No. OP4-049

Decided: November 30, 1982.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 18237 (Sub-1), filed November 19, 1982. Applicant: ELIZABETH E. BRADLEY, d.b.a. BRADLEY & SONS MOVING, 1521 8th St., Port Huron, MI, 48060. Representative: Elizabeth E. Bradley (same address as applicant), (313) 982-2961. Transporting (1) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, and (3) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. (except AK and HI).

MC 164796, filed November 22, 1982. Applicant: JIM BERENS, d.b.a. JIM BERENS TRUCKING, 3556-146th Ave., Zeeland, MI 49464. Representative: Jims Berens (same address as applicant), (616) 688-5366. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI), under continuing contract(s) with Bremer Sugar and Distributing Co., Inc., Zeeland, MI.

Volume No. OP4-051

Decided: November 30, 1982.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 17426 (Sub-4), filed November 17, 1982. Applicant: NYSTROM'S MOVING & STORAGE, INC., 125 W. Barage Ave., Marquette MI 49855. Representative: Peter C. Ward, 1920 N St., NW., Suite

600, Washington, DC 20036, (202) 785-1565. Transporting *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. (except AK and HI).

MC 164727, filed November 16, 1982. Applicant: J. W. SLYTER, 1610 Columbine, Amarillo, TX 79107. Representative: Terry Holt, 8212 Ithaca, Suite 9, Lubbock, TX 79423, (806) 797-9743. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-33222 Filed 12-6-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications are governed by 49 CFR 1160.1-1160.23 of the Commission's Rules of Practice. These rules were published in the *Federal Register* of December 31, 1980, at 45 FR 86771 and redesignated at 47 FR 49583, November 1, 1982. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1160.40-1160.49. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This

presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except these with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Please direct status inquiries to Team 1, (202) 275-7992.

Vol. No. OP1-213

Decided: November 30, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

FF 631, filed November 17, 1982. Applicant: BANNER FORWARDING, INC., P.O. Box 748, Lancaster, TX 75146. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, D.C. 20036, (202) 785-0024. As a *freight forwarder*, in connection with the transportation of *household goods and unaccompanied baggage*, between points in the U.S.

MC 3581 (Sub-36), filed November 18, 1982. Applicant: THE MOTOR CONVOY, INC., 2175 Parklake Drive, N.E., Suite 107, Atlanta, GA 30345. Representative: Paul M. Daniell, Suite 1200, Atlanta Gas Light Tower, 235 Peachtree St., N.E., Atlanta, GA 30303, (404) 522-2322. Transporting *motor vehicles*, between points in the U.S. (except AK and HI), under contract(s)

with Volkswagen of America, Inc., of Englewood Cliff, NJ.

MC 28951 (Sub-25), filed November 22, 1982. Applicant: ROSS TRANSFER, INC., P.O. Box 271, Chadron, NE 69337. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in NE, SD and WY.

MC 56640 (Sub-68), filed November 19, 1982. Applicant: DELTA LINES, INC., P.O. Box 2081, Oakland, CA 94604. Representative: Kirk Wm. Horton, 333 Hegenberger Rd., Suite 408, Oakland, CA 94621, (415) 577-7000. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Morgan & Sampson, Inc., of City of Commerce, CA.

MC 77721 (Sub-2), filed November 22, 1982. Applicant: JERRY M. BARNER & SONS, P.O. Box 5, 1215 Spruce St., Roselle, NJ 07203. Representative: Harold L. Reckson, 33-28 Halsey Rd., Fair Lawn, NJ 07410, (201) 791-2270. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between New York, NY, on the one hand, and, on the other, points in NY, NJ, CT, PA, DE, MD and DC.

MC 98550 (Sub-2), filed November 17, 1982. Applicant: HEBDEN & MCKENZIE TRANSPORT, INC., Broad Street, Boston, MA 02110. Representative: Hughan R.H. Smith, 26 Kenwood Place, Lawrence, MA 01841, (617) 657-6071. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in MA, on the one hand, and, on the other, points in RI, NH, CT, VT, ME, NY, NJ, PA, OH, MD, VA, IN, IL and DC.

MC 106451 (Sub-24), filed November 18, 1982. Applicant: COOK MOTOR LINES, INC., 1016 Triplett Blvd., P.O. Box 370, Akron, OH 44309. Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215, (614) 228-1541. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Braxton, Cabell, Fayette, Greenbrier, Kanawha, McDowell, Mercer, Mingo, Monroe, Nicholas, Putnam, Raleigh, Summers and Wyoming Counties, WV, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 127580 (Sub-9), filed November 8, 1982. Applicant: HALE TRUCKING,

INC., P.O. Box 177, Roswell, NM 88201. Representative: Michael T. Worley, P.O. Box 550, Roswell, NM 88201, (505) 622-5440. Transporting *lumber and wood products, and construction materials*, between points in the U.S.

Note.—The purpose of this application is to convert applicant's existing contract carrier permits to common carrier certificate, under Section 10925(e). Condition: Issuance of a certificate in this proceeding is conditioned upon the prior or coincidental cancellation, at applicant's written request, of its permits in MC-127580 Sub-Nos. 6 and 8.

MC 138151 (Sub-6), filed November 10, 1982. Applicant: OREGON RUBBER CO., a Corporation, 390 West Eleventh Ave., Eugene, OR 97401. Representative: J. W. McCracken, Jr., 975 Oak Street, Suite 620, Eugene, OR 97401, (503) 686-2321. Transporting *lumber and wood products*, between points in OR, on the one hand, and, on the other, points in NM, and those in Andrews, Armstrong, Bailey, Borden, Carson, Castro, Cochran, Crane, Culberson, Dallam, Dawson, Deaf Smith, Ector, El Paso, Gaines, Hale, Hartley, Hockley, Howard, Hudspeth, Hutchinson, Lamb, Loving, Lubbock, Lynn, Martin, Midland, Moore, Oldham, Parmer, Potter, Randall, Reeves, Sherman, Swisher, Terry, Ward, Winkler and Yoakum Counties, TX.

MC 140201 (Sub-11), filed November 12, 1982. Applicant: SONNELL, INC., P.O. Box 228, Flourtown, PA 19031. Representative: Steven M. Tannerbaum, 21 Teak Court, Cherry Hill, NJ 08003, (609) 795-4425. Transporting (1) *chemicals and related products*, between points in NJ, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR and TX, (2) *metal products, cable and electric materials and supplies*, between Baltimore, MD, and points in Montgomery County, PA, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR and TX, and (3) *food and related products*, between points in Dauphin County, PA, on the one hand, and, on the other, points in MA.

MC 143081 (Sub-4), filed November 22, 1982. Applicant: W. R. LALEVEE TRUCKING CO., INC., P.O. Box 112, River Rd., Flemington, NJ 08822. Representative: Wayne R. Lalevee, (same address as applicant), (201) 788-1600. Transporting (1) *chemicals and related products*, and (2) *instruments and photographic goods*, between points in the U.S. (except AK and HI), under continuing contract(s) with Travenol Laboratories, Inc., of Morton Grove, IL, Erika, Inc., of Rockleigh, NJ, and Ortho Diagnostic Systems, Inc., of Raritan, NJ.

MC 144510 (Sub-10), filed November 22, 1982. Applicant: JERRY J. KOBS, INC., 131 Bridge Court, Sergeant Bluff, IA 51054. Representative: James F. Crosby, 7363 Pacific St., Suite 210B, Omaha, NE 68114. (402) 397-9900. Transporting *food and related products*, between Boston, MA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 146660 (Sub-3), filed November 22, 1982. Applicant: GRANT'S TRUCKING SERVICE, INC., P.O. Box 10158, Goldsboro, NC 27532. Representative: Ralph McDonald, P.O. Box 2246, Raleigh, NC 27602, (919) 828-0731. Transporting (1) *lumber and wood products and (2) pulp, paper and related products*, between those points in the U.S. in and east of ND, SD, NE, KS, OK and TX.

MC 153181 (Sub-2), filed November 22, 1982. Applicant: REILLY BROTHERS, INC., 159 Centre St., Nutley, NJ 07110. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 234-0301. Transporting *such commodities as are dealt in or used by retail stores and mail order business houses*, between points in the U.S. (except AK and HI).

MC 154780 (Sub-8), filed November 18, 1982. Applicant: ATLANTIC TRANSPORT SERVICE, INC., 1300 South French Ave., Box 257, Sanford, FL 32771. Representative: Harold H. Clokey, 9393 West 110th Street, Fifth Floor, Overland Park, KS 66210, (913) 648-5540. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S. (except AK and HI).

MC 157100 (Sub-2), filed November 22, 1982. Applicant: CHARLES HOEKEMA, d.b.a. CHARLIE HOEKEMA TRUCKING, Route 1, Box 20A-1, Manhattan, MT 59741. Representative: John T. Wirth, 717 17th St., Suite 2600, Denver, CO 80202-3357, (303) 892-6700. Transporting *paper and paper products*, between points in the U.S., under continuing contract(s) with Champion International Corporation, of Stamford, CT.

MC 163310, filed November 15, 1982. Applicant: DOUG SNEDEKER, d.b.a. ALTON TRUCK LINE, P.O. Box 26, Rt. 1, Alton, KS 67623. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110-L, Topeka, KS 66612, (913) 233-9629. Transporting *furniture and bedding*, between points in Bernalillo County, NM and Rush County, KS, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163380, filed November 15, 1982. Applicant: V. R. MOWRY, INC., P.O. Box 155, Petersburg, WV 26847.

Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797-6060. Transporting *paper and paper products*, between those points in the U.S. in and east on MN, IA, MO, KS, OK and TX.

MC 164491, filed November 18, 1982. Applicant: ANDREW W. WELCH, R.R. 4, Carbondale, IL 62901. Representative: Andrew W. Welch, (same address as applicant), (618) 529-3959. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Edwards County, IL, on the one hand, and, on the other, points in CA., under continuing contract(s) with Champion Laboratories, Inc., of West Salem, IL.

MC 164650, filed November 10, 1982. Applicant: D. P. CURTIS TRUCKING CO., 546 South 1st West, Richfield, UT 84701. Representative: John B. Anderson 623 East First South, Salt Lake City, UT 84102, (801) 363-9345. Transporting *building materials and salt and salt products*, between points in WA, OR, ID, UT, NV, CA, OK, TX, NM, CO, AZ and WY.

MC 164701, filed November 12, 1982. Applicant: BILL BROWN CONSTRUCTION CO., INC., d.b.a. BILL BROWN TRUCKING, P.O. Box 317, Lee Highway, Ooletawah, TN 37363. Representative: Robert L. Baker, Sixth Floor, U.S. Bank Bldg., Nashville, TN 37219, (615) 244-8100. Transporting *lumber and wood products, rubber and plastic products, clay, concrete, glass or stone products, self propelled vehicles, iron and steel articles, and commodities which because of their size or weight require the use of special equipment*, between those points in the U.S. in and east of IA, MO, OK, TX and WI.

MC 164771, filed November 18, 1982. Applicant: ALLEN FREIGHT LINES, INC., 3250 Brinkerhoff Road, Kansas City, KS 66115. Representative: Thomas M. O'Brien, 180 N. Michigan Ave., Suite 1700, Chicago, IL 60601, (312) 263-1600. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Locktite Corporation Automotive and Consumer Group, of Cleveland, OH, Certified Grocers of Illinois, Inc., of Chicago, IL, and Anchor Industries, of St. Louis, MO. CONDITION: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. §11343, or an appropriate petition for exemption, or submit an affidavit indicating why such approval is

unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to team 1, Room 2379.

For the following, please direct status inquiries to Team 2 (202) 275-7030.

Volume No. OP-305

Decided: November 30, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

W 1362, filed November 18, 1982. Applicant: CUNARD LINE, LTD., 555 5th Ave., New York, NY 10017. Representative: Russell T. Weil, 1150 Connecticut Ave. NW-Suite 800, Washington, DC 20036, 202-296-4911. Exemption under 49 U.S.C. 10544(b), in the furnishing of transportation of *passengers*, by water, between New York, NY, and Port Everglades, FL, on the one hand, and, on the other, Los Angeles and San Francisco, CA, by way of foreign port(s).

MC 141033 (Sub-96), filed November 17, 1982. Applicant: CONTINENTAL CARRIER CORPORATION, P.O. Box 1257, City of Industry, CA 91749. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501, 402-476-1144. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S.

MC 148832 (Sub-9), filed November 12, 1982. Applicant: DELTA MOTOR FREIGHT, INC., P.O. Box 1083, Poplar Bluff, MO 63901. Representative: Ronald D. Doods (same as applicant), (314) 785-1494. Over *regular routes*, transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), (1) between Poplar Bluff, MO, and Owensboro, KY, over U.S. Hwy 60, (2) between Cairo, IL, and Chicago, IL, over Interstate Hwy 57; (3) between Cairo, IL, and Cape Girardeau, MO: from Cairo, IL, over IL Hwy 3 to junction IL Hwy 127, then over IL Hwy 127 to junction IL Hwy 146, then over IL Hwy 146 to Cape Girardeau, MO, and return over the same route; (4) between Mount Vernon, IL, and Evansville, IN: from Mount Vernon, IL, over IL Hwy 142 to junction IL Hwy 14, then over IL Hwy 14 to junction IN Hwy 69, then over IN Hwy 69 to junction IN Hwy 62, then over IN Hwy 62 to Evansville, IN, and return over the same route; (5) between Hayti, MO and Festus, MO: from Hayti, MO, over MO Hwy 84 to junction U.S. Hwy 61, then over U.S. Hwy 61 to Festus, MO, and return over the same route; and (6) between Hayti, MO, and Dyersburg, TN:

from Hayti, MO, over MO Hwy 84 to junction Interstate Hwy 55, then over Interstate Hwy 55 to junction Interstate Hwy 155, then over Interstate Hwy 155 to Dyersburg, TN, and return over the same route. Serving all intermediate points in (1) through (6) and serving points in Alexander, Christian, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Macon, Massac, McLean, Perry, Peoria, Pope, Pulaski, Randolph, Saline, Sangamon, Tazewell, Union, Wayne, White, and Williamson Counties, IL, Daviess County, KY, and Bellinger, Cape Girardeau, Crawford, Dunklin, Franklin, Jefferson, Madison, Mississippi, New Madrid, Pemiscot, Perry, Scott, Ste. Genevieve, St. Francois, St. Louis, Stoddard, and Washington Counties, MO, as off-route points.

MC 151583 (Sub-5), filed November 22, 1982. Applicant: UTF CARRIERS, INC., Benson Road, Middlebury, CT 06749. Representative: James M. Burns, 1365 Main St., Suite 403, Springfield, MA 01103, (413) 781-8205. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Laramie Tire Distributors, Inc., of Norristown, PA.

MC 152523 (Sub-5), filed November 22, 1982. Applicant: ARLO G. LOTT, P.O. Box 174, Arco, ID 83213. Representative: Timothy R. Stivers, P.O. Box 1576, (Boise, ID 83701, (208) 34-3071. Transporting *chemicals, minerals and coal*, between points in AZ, CA, CO, ID, IA, KS, MN, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, and WY.

MC 152672 (Sub-11), filed November 22, 1982. Applicant: A. ROGER LEASING, LTD., P.O. Box 836, Coraopolis, PA 15108. Representative: Barry Weintraub, Suite 510, 8133 Leesburg Pike, Vienna, VA 22180, (703) 442-8330. Transporting (1) *chemicals and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Fusol, Inc., and Arcofuels, Inc., of Vicksburg, MS, (2) *machinery*, between points in the U.S. (except AK and HI), under continuing contract(s) with Glenwood Range Company, of Delaware, OH, (3) *pulp, paper and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with C. W. Zumbiel Company, of Cincinnati, OH, and (4) *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Borden, Inc., of Columbus, OH.

MC 153323 (Sub-8), filed November 23, 1982. Applicant: IOWA-TEXAS EXPRESS, LTD., P.O. Box 283, Denison, IA 51442. Representative: James M. Hodge, 3730 Ingersoll Ave., Des Moines, IA 50312, 515-274-4985. Transporting *food and related products*, between points in Dakota County, NE, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 153673 (Sub-6), filed November 22, 1982. Applicant: KENTUCKY SPECIALIZED HAULERS, INC., Route 3, Box 156-A, Hardinsburg, KY 40143. Representative: Edward P. Bocko, P.O. Box 496, Mineral Ridge, OH 44440, 216-652-2789. Transporting *machinery*, between points in Jefferson County, KY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 164843, filed November 23, 1982. Applicant: PONDEROSA SYSTEMS, INC., 4603 North Cliff Avenue, Sioux Falls, SD 57104. Representative: Thomas J. Simmons, P.O. Box 480, Sioux Falls, SD 57101, (605) 339-3629. Transporting *cement and concrete products, metal products, building materials, machinery, and contractors equipment*, between points in SD, on the one hand, and, on the other, points in the U.S. (except AK and HI).

For the following, please direct status inquiries to Team 4 (202) 275-7669.

Volume No. OP4-048

Decided: November 30, 1982.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 129747 (Sub-4), filed November 18, 1982. Applicant: CASCO SERVICES, INC., 47 Chetwood Terrace, Panwood, NJ 07023. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 234-0301. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in NJ, NY, PA, DE, MD, CT, and MA.

MC 139457 (Sub-35), filed November 19, 1982. Applicant: JELLY SKIDMORE TRUCKING, INC., P.O. Box 38, Paris, TX 75460. Representative: Paul D. Angenend, P.O. Box 2207, Austin, TX 78768, (512) 476-6391. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with The Great Western Sugar Company, of Dallas, TX.

MC 145371 (Sub-16) filed November 19, 1982. Applicant: QUALITY SERVICE TANK LINES, INC., 9022 Perrin Beitel Rd., San Antonio, TX 78217. Representative: Paul D. Angenend, P.O. Box 2207, 1806 Rio Grande, Austin, TX 78768, (512) 476-6391. Transporting *cement*, between points in TX, on the

one hand, and, on the other, points in the U.S. (except AK and HI).

MC 153287 (Sub-5), filed November 16, 1982. Applicant: DRESSER TRANSPORTATION SERVICES, INC., 400 W. Wilson Bridge Rd., Worthington, OH 43085. Representative: George C. Sanders, 4445 Weaver Court N., Hilliard, OH 43026, (614) 438-3455. Transporting *mining machinery, parts, and equipment*, between points in Franklin County, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Jeffrey Mining Machinery, div. of Dresser Industries, Inc., of Columbus, OH.

MC 154457 (Sub-2), filed November 12, 1982. Applicant: ELKAY TRANSFER, INC., Polifka Rd., Box 187, Francis Creek, WI 54214. Representative: James A. Spiegel, Olde Towne Office Park, 6333 Odana Rd., Madison, WI 53719, (608) 273-1003. Transporting *chemicals and related products*, between points in Brown County, WI, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with TCV Alcohol, Inc., of Carmel, IN.

MC 163507, filed November 12, 1982. Applicant: MARVIN ROY ENGLE, d.b.a. ENGLE TRANSPORT, 5054 S. Sheridan, Muskegon, MI 49444. Representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, MI 48933, (517) 482-2400. Transporting *chemicals and related products*, between points in MI, on the one hand, and, on the other, points in IN, IL and OH.

MC 164587, filed November 4, 1982. Applicant: CIRCLE W TRANSPORTATION, INC., 290 Leger Road, North Huntingdon, PA 15642. Representative: John A. Vuono, Esq., 2310 Grant Bldg., Pittsburgh, PA 15219, (412) 471-1800. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Westinghouse Electric Corporation of Pittsburgh, PA and its subsidiaries: Ampgard Products, Inc.; Ascensores Westinghouse, Inc.; C. W. Blakeslee and Sons, Incorporated; Blakeslee-Midwest Prestressed Concrete Company; Breakers Incorporated; Bryloc, Inc.; Cebor Construction Corporation; Componentes Motrices, Inc.; Computer and Instrumentación de Puerto Rico, Inc.; Consolidated Elevator Co., Inc. (D.C.); Consolidated Elevator Co., Inc. (Va.); Coral Ridge Properties, Inc.; Coral Highlands Association, Inc.;

Coral Ridge-Collier Properties, Inc.; Coral Ridge-Lee Properties; Pelican Bay Beach Club, Inc.; Pelican Bay Development, Inc.; Pelican Bay Properties, Inc.; Pelican Bay Racquet Club Inc.; Pelican Bay Realty, Inc.; Coral Ridge Realty Corporation; Coral Ridge Realty Sales, Inc.; Coral Springs Realty, Inc.; Florida National Properties, Inc.; Highland General Corporation; National Association Management, Inc.; New Community Development Group Corporation; Ocean Mile Association, Inc.; Realty Management Corporation; Royal Continental Hotels Corporation; Electric Arc, Inc.; Electrical Specialty Products Co.; Elevator Products Corp.; Elliott Value Repair Company, Inc.; Energy Systems Installation, Inc.; Fusibles Westinghouse de Puerto Rico, Inc.; Gangeloff Corporation; Gateway Fleet Company; Half Moon Bay Properties, Inc.; Half Moon Bay Construction, Inc.; Ocean Colony Realty, Inc.; Half Moon Bay Realty, Inc.; Diamond Point Development Corporation, Inc.; Northwestern Foods, Inc.; Resources Design, Inc.; Hub Electric Company, Inc.; ICO de Puerto Rico, Inc.; IVI Manufacturing, Inc.; Ideal School Supply Company; Educational Products, Inc.; Creative Publications, Inc.; Creative Publications International, Inc.; International Filter, Inc.; Interruptores, Inc.; Iran-Westinghouse Programs Service Company; Kentucky Lamp Company; LWW, Inc.; Lamparas Electricas, Inc.; Longines-Wittnauer, Inc.; Credit Financial Corp.; Credit Services, Inc.; Stereo Dimensions, Inc.; Luxaire, Inc.; Moncrief Furnace and Air Conditioning Company; Materiales Plasticos, Inc.; Metal Working Systems, Inc.; Miles Grant Realty Corporation; Miles Grant Water and Sewer Company; Millar Elevator Industries, Inc.; Minex de Westinghouse, Inc.; Pormetco, Inc.; Productos Circuitos de Puerto Rico, Inc.; Productos Electro Mecanicos, Inc.; Productos Electronicos, Inc.; Productos Motrices, Inc.; Productos Westinghouse, Inc.; Prorelco de Puerto Rico, Inc.; Rockwin West Corporation; Semiconductores Westinghouse, Inc.; TCOM Corporation; TCOM Export Corporation; Thermo King Caribbean, Inc.; Thermo King Corporation; Thermo King of Southern California, Inc.; Thermo King de Puerto Rico, Inc.; Transformadores, Inc.; Treasure Lake of Georgia, Inc.; Treasure Lake of North Carolina, Inc.; Treasure Lake of Pennsylvania, Inc.; Treasure Lake Real Estate, Inc.; Tubos Electronicos Westinghouse, Inc.; Turtle Creek and Allegheny River Railroad Company (The); United Elevator Corporation; Vectrol, Inc.; Motor Control

Corporation; West Valley Nuclear Service Company, Inc.; Westinghouse Beverage Group, Inc.; Westinghouse Broadcasting and Cable, Inc.; CATV Enterprises, Inc.; Group W Cable, Inc.; Cable TV General, Inc.; Cablevision Training Centers, Inc.; El Paso Cablevision, Inc.; Filmation Associates; Focus Cable of Oakland, Inc.; Grosse Pointe Cable, Inc.; Group W Cable of Burnsville/Eagan, Inc.; Group W Cable of Grapevine, Inc.; Group W Cable of Lewisville, Inc.; Group W Cable of Lorain County, Inc.; Group W Cable of North Central Chicago, Inc.; Group W Cable of North Central Suburbs, Inc.; Group W Cable of Northern Dakota County, Inc.; Group W Cable of North Suburbs, Inc.; Group W Cable of North West Chicago, Inc.; Group W Cable of Quad Cities, Inc.; Group W Cable of Ramsey, Washington, Inc.; Group W Cable of St. Paul, Inc.; Kaiser-Teleprompter of Hawaii, Inc.; Piedmont Cablevision, Inc.; Shermely Music, Inc.; Southwest Video Corp. (d/b/a Group W Cable); Spacecast, Inc.; T & H Associates; Telcom Cablevision, Inc.; Teleprompter Cable Services, Inc.; Teleprompter Communications, Inc.; Teleprompter of Clarksburg, Inc. (d/b/a Group W Cable); Teleprompter of Columbia Heights/Hilltop, Inc. (d/b/a Group W Cable); Teleprompter of East San Fernando Valley, Inc.; Teleprompter of Fairmont, Inc. (d/b/a Group W Cable); Teleprompter of Richardson, Inc.; Teleprompter of St. Bernard, Inc. (d/b/a Group W Cable); Teleprompter of Worcester, Inc.; Wired Music, Inc.; Group W Cable Productions, Inc.; Home Theater Network, Inc.; Micro-Relay, Inc.; PM Magazine Program Service, Inc.; Westinghouse Broadcasting and Cable, Inc. (Cal.); Westinghouse Broadcasting and Cable, Inc. (Mass.); Westinghouse Broadcasting and Cable, Inc. (Colorado); W-F Productions, Inc.; Westinghouse Combustion Turbine Services, Ltd.; Westinghouse Communication Services, Inc.; Westinghouse Construction International, Inc.; Westinghouse Controls, Inc.; Westinghouse Corporation; Westinghouse Credit Corporation; First Hotel Investment Corporation; First Tanker Leasing Corporation; Penn Insurance Agency, Inc.; Westinghouse Leasing Corporation; Westinghouse Defense International Marketing Company; Westinghouse Electric Company, S.A. (WECOSA); Westinghouse Electric Export Corporation; Westinghouse Electric Research and Engineering for Atomic Systems, Inc.; Westinghouse Hanford Company; Westinghouse Industry Products International Company, Inc.; Westinghouse Industry Services

International Company, Inc. (WISICO); Westinghouse International Power Systems Company, Inc. (WIPSCO); Westinghouse International Projects Company; Westinghouse International Service Company, Limited; Westinghouse International Support Services, Inc.; Westinghouse International Technology Corporation; Westinghouse Learning Corporation; Linguaphone Institute, Inc.; Westinghouse Learning Corporation (Indiana); Westinghouse Management Services, Inc.; Westinghouse Nuclear International, Inc.; Westinghouse Nuclear Espanola, Inc.; Westinghouse Nuclear Japan, Inc.; Westinghouse Overseas Service Corporation; Westinghouse Pension Investments Corporation; Westinghouse Pipeline Company; Westinghouse-Sturtevant de Puerto Rico, Inc.; Westinghouse Transport Leasing Corporation; Westinghouse World Investment Corporation; and Wyoming Mineral Corporation, all of which can be contacted at Westinghouse Electric Corporation, Pittsburgh, Pa.

MC 164797, filed November 22, 1982. Applicant: SUNDANCE ENTERPRISE, INC., P.O. Box 749, Wake Forest, NC 27587. Representative: Archie W. Andrews, P.O. Box 1186, Eden, NC 27288, (919) 635-4711. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in NC, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP4-050

Decided: November 30, 1982.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 121377 (Sub-5), filed November 15, 1982. Applicant: LDS TRUCK LINES, 2211 Wood St., Oakland, CA 94607. Representative: Fred H. Mackensen, 2029 Century Park E., Suite 4150, Los Angeles, CA 90067, (213) 879-5955. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in AZ, CA, NV, OR, and WA.

MC 121496 (Sub-80), filed November 19, 1982. Applicant: ENTERPRISE TRANSPORTATION COMPANY, P.O. Box 4324, Houston, TX 77210. Representative: John E. Smith II (same address as applicant), (713) 880-6562. Transporting *general commodities in bulk*, between points in AL, FL, GA, KY, MS and TN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 140267 (Sub-14), filed November 15, 1982. Applicant: R. A.

TRANSPORTATION, INC., P.O. Box 574, Edison, NJ 07002. Representative: Thomas F. X. Foley, P.O. Box F, Colts Neck, NJ 07722, (201) 946-2020.

Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in CT, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VA, VT, and DC, on the one hand, and, on the other, points in AL, CT, DE, FL, GA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MS, NC, NH, NJ, NY, OH, PA, RI, SC, TN, VA, VT, WI, WV, and DC.

MC 143776 (Sub-62), filed November 18, 1982. Applicant: C.D.B., INCORPORATED, 155 Spaulding Avenue SE., Grand Rapids, MI 49506. Representative: C. Michael Tubbs (same address as applicant), (800) 253-9527. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Signode Corporation of Glenview, IL.

MC 150447 (Sub-7), filed November 16, 1982. Applicant: GSC TRANSPORT INC., 166 National Rd., Edison, NJ 08817. Representative: John L. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528, (914) 835-4411. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between ports in the U.S. on the Atlantic and Gulf Coasts, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and TX.

MC 159596 (Sub-1), filed November 12, 1982. Applicant: WESTBURY TRUCKING CO., INC., Route 1, Box 146, Cross, SC 29436. Representative: Robert E. Born, Suite 508, 1447 Peachtree Street NE., Atlanta, GA 30309, (404) 892-8020. Transporting (1) *ores and minerals*, (2) *clay, concrete, glass or stone products*, (3) *lumber and wood products*, (4) *building materials*, (5) *machinery*, (6) *fertilizer*, (7) *polypropylene fabric*, (8) *calcium carbonate and calcium hydroxide*, and (9) *asphalt*, between points in FL, GA, NC, and SC, on the one hand, and, on the other, points in the U.S. on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the U.S. and Canada.

MC 160097 (Sub-1), filed November 10, 1982. Applicant: A. D. WEAVER, d.b.a. WEAVER MOTOR SERVICE, 460 Rodi Rd., Pittsburgh, PA 15235.

Representative: William A. Gray, 2310 Grant Bldg., Pittsburgh, PA 15219, (412) 471-1800. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S., under continuing contract(s) with (1) Azcon Scrap Corp., of Sharpsburg, PA, and (2) M. Hartman Co., Inc., of Pittsburgh, PA.

MC 161896 (Sub-1), filed November 22, 1982. Applicant: FREE STATE TRANSPORT, INC., 406 Railroad Ave., Federalsburg, MD 21632. Representative: M. Bruce Morgan, 100 Roesler Rd., Suite 200, Glen Burnie, MD 21061, (301) 761-2580. Transporting (1) *pulp, paper and related products*, between points in DC, MD, NJ, NY, MA, OH, PA, RI, TN, NC and IL and (2) *plastic and related products*, between points in IN, MS, NJ, PA, SC, TX and VA.

MC 162406 (Sub-1), filed November 12, 1982. Applicant: SFZ TRANSPORTATION, INC., 14600 Detroit Ave., P.O. Box 2675, Lakewood, OH 44107. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114, (216) 566-5500. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S., under continuing contract(s) with Bowman Distribution-Barnes Group, Inc., Ohio Maintenance Co., Inc. and Universal Oil Inc., all of Cleveland, OH, The Commercial Transportation Management Services, Inc., of Parma, OH, United Ohio Corporation, of Willoughby, OH, and 7/24 Freight Sales, Inc., of Modesto, CA.

MC 162626 (Sub-1), filed November 19, 1982. Applicant: F & B TRANSPORT, INC., 50 W. Broad St., Columbus, OH 43215. Representative: Jerry B. Sellman (same address as applicant), (614) 464-4103. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Ashland Oil, Inc., of Ashland, KY.

MC 163446, filed November 12, 1982. Applicant: LYNDON TRUCKING, INC., P.O. Box 163, Commerce City, CO 80037. Representative: Robert W. Wright, Jr., 5711 Ammons St., Arvada, CO 80002, (303) 424-1761. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Star Industrial Supplies, Inc. and Denver Waste Materials, Inc., both of Denver, CO.

MC 164237, filed November 2, 1982.
 Applicant: E. PRITT LEASING & TRUCKING, INC., 5441 Whitney Court, Swartz Creek, MI 48473. Representative: David E. Jerome, 436 N. Center, Northville, MI 48167, (313) 348-4433. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with United Steel & Wire Co., of Battle Creek, MI.

MC 164646, filed November 12, 1982.
 Applicant: TOM CAFFRAY, d.b.a. TOM CAFFRAY SERVICE, 2005 Wilson Rd., Chesterfield, MO 63017. Representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105, (314) 727-0777. Transporting (1) *telephone equipment*, and (2) *scrap materials*, between those points in MO on and east of U.S. Hwy 65 and on and south of U.S. Hwy 60, under continuing contract(s) with Western Electric Company, Incorporated of Ballwin, MO.

MC 164737, filed November 17, 1982.
 Applicant: CENTURY III, INC., 3457 Greystone Ct., Marietta, GA 30067. Representative: S.A. HARRISON, 216 Katherine St., Cullman, AL 35055, (205) 739-4020. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI).

Agatha L. Mergenovich,
 Secretary.

[FR Doc. 82-33223 Filed 12-6-82; 8:45 am]
 BILLING CODE 7035-01-M

[Finance Docket No. 30042]

Motor Carriers; Prairie Trunk Railway Co.; Exemption From 49 U.S.C. 11343

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Interstate Commerce Commission exempts the following transactions from prior approval under 49 U.S.C. 11343: (1) The Prairie Trunk Railway Company (PTR) acquisition and

operation of a 103.29-mile line of railroad between Flora (Station 3961+17, and Sangamon Junction (Station 9415+49), IL owned by the Baltimore and Ohio Railroad Company (B&O); (2) PTR's acquisition of trackage rights over 2.47-miles of B&O line between mileposts 178.29 and 180.76 near Springfield, IL and 1.5 miles of B&O line between mileposts 75.00 and 74.14 and mileposts 73.92 and 73.26 near Flora; and (3) PTR's lease of operating right-of-way, purchase of trackage, and operations over B&O's line between stations 74+36 and 110+56 near Springfield. The exemption is subject to labor protective conditions.

DATES: This exemption shall be effective on January 6, 1983. Petitions to stay the effectiveness of this decision must be filed by December 17, 1982. Petitions for reconsideration must be filed by December 27, 1982.

ADDRESSES: Send pleadings to: (1) Rail Section, Room 5349, Interstate Commerce Commission, Washington, DC 20423; or (2) Petitioner's representative: Fritz R. Kahn, Suite 1600, 1160 L Street, NW., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision contact: TS Infosystems, Inc., Room 2227, 12th & Constitution Ave., NW., Washington, DC 20423, (202) 289-4357—DC metropolitan Area (800) 424-5403—Toll free for outside the DC area.

Decided: November 29 1982.

By the Commission, Chariman Taylor, Vice Chairman Gilliam, Commissioners Sterrett, Andre, Simmons, and Gradison. Commissioner Sterrett was absent and did not participate.

Agatha L. Mergenovich,
 Secretary.

[FR Doc. 82-33218 Filed 12-6-82; 8:45 am]
 BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

ALU Textile Combining Corp. et al.; Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter or the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 17, 1982.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 17, 1982.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 30th day of November 1982.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

APPENDIX

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
ALU Textile Combining Corp. (Company)	Hoboken, N.J.	11/16/82	11/8/82	TA-W-13,987	Fabrics—laminated.
Amstar Corp. (workers)	Philadelphia, Pa.	11/22/82	11/16/82	TA-W-13,988	Sugar—sales refined, cane, distribution.
Badger Coal Co., Grand Badger No. 1 (workers)	Sago, W. Va.	11/22/82	11/12/82	TA-W-13,989	Coal—mining.
Clark Equipment Co. (AIW)	Jackson, Mich.	11/19/82	11/12/82	TA-W-13,990	Transmissions and components.
Cyclops Corp., Sawhill Tubular Division (USWA)	Sharon, Pa.	11/4/82	11/3/82	TA-W-13,991	Steel—Stainless tubing.
Gowanda Electronics Corp., Broadway Plant (workers)	Gowanda, Ny	11/23/82	11/19/82	TA-W-13,992	Components—magnetic.
Gowanda Electronics Corp., Special Products (workers)	Gowanda, N.Y.	11/23/82	11/19/82	TA-W-13,993	Components—magnetic office—headquarters.
Inland Steel Co. (workers)	East Chicago, Ill.	11/23/82	11/7/82	TA-W-13,994	Steel, basic—products.
Jones & Laughlin Steel Inc., Indiana Harbor works (USWA)	East Chicago, Ind.	11/18/82	11/16/82	TA-W-13,995	Steel, carbon and Steel products.
M. T. Shaw Shoe Factory (UFCW)	Coldwater, Mich.	11/19/82	11/15/82	TA-W-13,996	Footwear, men's.
Massey-Ferguson, Inc., North America Tractor Plant (UAW)	Detroit Mich.	11/24/82	11/22/82	TA-W-13,997	Tractor assembly.

APPENDIX—Continued

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Park-Ohio Industries, Tocco Division (UAW)	Cuyahoga Heights, Ohio	11/16/82	11/9/82	TA-W-13,998	Machines—heating, induction.
Park-Ohio Industries, Ohio Crankshaft Division (UAW)	Cleveland, Ohio	11/16/82	11/19/82	TA-W-13,999	Crankshafts and camshafts.
Perry Norvell Shoe Factory (JFCW) Huntington, W.Va.	11/19/82	11/15/82	TA-W-14,000	Footwear—welt, men's.	
Quaker Alloy Casting Co., Division of Harsco Corp. (workers)	Myerstown, Pa.	11/16/82	11/1/82	TA-W-14,001	Castings—alloy, high, bodies, valve, pumps and related products.
Reliance Electric Co., Dodge Division (USWA)	Mishawaka, Ind.	11/19/82	11/16/82	TA-W-14,002	Machinery—transmission, power.
Standard Steel Co., an Enterprise of Freedom Forge Corp. (USWA)	Burnham, Pa.	11/18/82	11/16/82	TA-W-14,003	Railroad products.
(The) Standard Slag Co. (USWA)	Ashland Ky.	11/17/82	11/12/82	TA-W-14,004	Slag—processes.
Tennessee Forging Steel Corp. (USWA)	Harriman, Tenn.	11/22/82	11/17/82	TA-W-14,005	Steel, carbon—products bars and shapes.
Triplett Corp., Holgate Plant (workers)	Holgate Ohio	11/22/82	11/1/82	TA-W-14,006	Meters, panel, electrical meters, volt, analog.
Triplett Corp., Weston Plant (workers)	Weston, Ohio	11/22/82	11/1/82	TA-W-14,007	Meters and Stesters—analog.
Triplett Corp. (workers)	Bluffton, Ohio	11/22/82	11/1/82	TA-W-14,008	Meters, panel, electrical meter, volt, analog test-ers, volt—digital.
Amherst Coal Co., Paragon No. 1 Mine ACTWU	Lundale, W. Va.	11/26/82	11/23/82	TA-W-14,009	Coal mining.
National Patent Development Corp., Acme/Chaston Division (workers)	Dayville, Conn.	11/26/82	11/18/82	TA-W-14,010	Sponges, surgical.
Franklin Apparel Manufacturing Co. (ACTWU)	Decherd, Tenn.	11/26/82	11/23/82	TA-W-14,011	Slacks—men's.
International Harvester (IAM)	Linden, N.J.	11/29/82	11/5/82	TA-W-14,012	Trucks, parts selling and servicing.
Warwood Tool Co., Inc. (workers) and (Brotherhood of Boilermakers)	Wheeling, W. Va.	11/26/82	11/7/82	TA-W-14,013	Tools—hand, heavy.

[FR Doc. 82-33263 Filed 12-6-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-13, 414]

Manhattan Fashions, Inc.; Union City, New Jersey; Affirmative Determination Regarding Application for Reconsideration

By an application dated November 24, 1982, an official of the company requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance on behalf of the workers and former workers of Manhattan Fashions, Inc., Union City, New Jersey. The determination was published in the *Federal Register* on November 23, 1982 (47 FR 52804).

The application for reconsideration claims that the manufacturer for whom Manhattan Fashions contracts, imports ladies' coats and that these imports have increased during the past year on a much larger scale than in previous years.

Conclusion

After review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 2nd day of December 1982.

Stephen A. Wandner,

Deputy Director, Office of Research, Legislation and Program Policies.

[FR Doc. 82-33264 Filed 12-6-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-13,813]

Bitner Lincoln Mercury, El Cajon, Calif., Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the absolute decline in sales or production.

The investigation was initiated on September 30, 1982 as the result of the court's ruling in *Julian R. Woodrum v. Donovan et al.* Slip Op. 82-60 (July 26, 1982) U.S. Court of International Trade. The workers were engaged in the sale and servicing of Ford Motor Company vehicles.

The investigation established that Bitner Lincoln Mercury was an independently owned and operated dealership and as such cannot be

regarded as the petitioning workers' firm as that term is used in Section 222(3) of the Trade Act. The investigation further established that the workers of Bitner Lincoln Mercury did not produce an article, as required by Section 222 of the Act but rather, were engaged in the sale and servicing of Ford Motor Company vehicles. The Department of Labor has consistently determined that the performance of services do not constitute production of an article and this determination has been upheld in the U.S. Court of Appeals.

Further, petitioners' statements made at the October 27, 1982 informal hearing held in El Cajon, California concerning warranty work and Bitner's reimbursement by Ford for services would not provide a basis for certification. The Department has already determined in TA-W-13,794, Capitol Chrysler Plymouth of Montgomery, Inc., that independently owned care dealerships are retail establishments whose primary, if not sole function, is the sale of automobiles and the performance of services related to the sale and maintenance of automobiles. The activities performed in an auto dealership are activities performed on an already finished article and do not involve the production of the article. The dealership's activities only make the finished article (automobiles) more marketable and do not change the nature of the finished article.

Conclusion

After careful review, I determine that all workers of Bitner Lincoln Mercury of El Cajon, California are denied eligibility to apply for adjustment

assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 3rd day of December 1982.

Robert A. Schaefer,

Director, Office of Program Management,
Unemployment Insurance Service.

[FR Doc. 82-33331 Filed 12-6-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-12,776]

**Gibson, Inc.; Kalamazoo, Mich.;
Affirmative Determination Regarding
Application for Reconsideration**

By an application dated November 3, 1982, the United Steelworkers of America requested administrative reconsideration of the Department of Labor's termination date of April 1, 1982 set forth in the Department's certification notice for workers at Gibson, Inc., Kalamazoo, Michigan. The determination was published in the Federal Register on October 12, 1982 (47 FR 44896).

The application for reconsideration claims that workers at Gibson's Kalamazoo, Michigan plant continue to be adversely affected by imports of fretted musical instruments beyond the April 1, 1982 termination date.

Conclusion

After review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 17th day of November 1982.

Robert A. Schaefer,

Director, Office of Program Management,
Unemployment Insurance Service.

[FR Doc. 82-33330 Filed 12-6-82; 8:45 am]

BILLING CODE 4510-30-M

**NATIONAL COMMUNICATIONS
SYSTEM**

**National Security Telecommunications
Advisory Committee; Closed Meeting**

A meeting of the National Security Telecommunications Advisory Committee (NSTAC) will be held at 9:00 a.m. on Tuesday, December 14, 1982 in the Old Executive Office Building, 17th and Pennsylvania Avenue, Washington D.C. The agenda is as follows:

- A. Opening Remarks.
- B. Chairman Remarks.
- C. NSTAC Issues.
- D. Deliberations.
- E. Adjournment.

The session is devoted to the discussion of classified

telecommunications issues as they relate to national security communications and therefore will be closed to the public in the interest of National Defense. Any person desiring information about the meeting may telephone (Area Code 202-692-9274) or write the Manager of the National Communications System, 8th Street and South Courthouse Road, Arlington, Virginia 22204.

Dated: December 2, 1982.

Joseph C. Wheeler,

Colonel, USAF, NCS Joint Secretariat.

[FR Doc. 82-33324 Filed 12-6-82; 8:45 am]

BILLING CODE 3610-05-M

**NATIONAL FOUNDATION ON THE
ARTS AND THE HUMANITIES**

**Humanities Panel; Date Change of
Meeting**

On November 5, 1982 on pages 50387 and 50388 of the Federal Register notice was published of a Humanities Panel Meeting to be held on December 7, 1982 from 9:00 a.m. to 5:30 p.m. in room 1134 of the National Endowment for the Humanities, 806 15th Street, NW., Washington, D.C. 20506. This meeting was to review applications for Summer Stipends in Sociology, Psychology, and Education, Division of Fellowships and Seminars, the panel meeting was to be closed to the public. The meeting has been changed to January 4, 1983 in room 1134 from 9:00 a.m. to 5:30 p.m.

Stephen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 82-33232 Filed 12-6-82; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

**Committee Management; Advisory
Committee for Biological, Behavioral,
and Social Sciences; Establishment**

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), it is hereby determined that the establishment of the Advisory Committee for Biological, Behavioral, and Social Sciences Directorate is necessary, appropriate, and in the public interest in connection with the performance of duties imposed upon the Director, National Science Foundation (NSF), and other applicable law. This determination follows consultation with the Committee Management Secretariat, General Services Administration, pursuant to Section 9(a) of the Federal Advisory Committee Act and other applicable issuances.

Name of committee: Advisory Committee for Biological, Behavioral, and Social Sciences.
Purpose: To provide advice, recommendations, and counsel on major goals and policies pertaining to the activities and programs of the Directorate and to exercise oversight concerning the research programs of the component Divisions of the Directorate.

Effective date of establishment and duration: This establishment is effective upon filing the charter with the Director, NSF, and with the standing committees of Congress having legislative jurisdiction of the Foundation. The Committee will operate on a continuing basis subject to its renewal every two years. Upon the establishment of the Advisory Committee for Biological, Behavioral, and Social Sciences, the Advisory Committee for Information Science and Technology will be disestablished. The Advisory Committee for Biological, Behavioral, and Social Sciences will include members qualified to provide advice on research in Information Science and Technology.

Membership: The membership of this Committee shall be fairly balanced in terms of the points of view represented and the Committee's function. Members will be individuals eminent in their respective scientific fields. Due consideration will be given to achieving membership that reasonably represents: (a) the academic research community; (b) representatives of not-for-profit and for-profit research organizations; (c) women and minority scientists; and (d) geographic regions of the country.

Operation: The Committee will operate in accordance with provisions of the Federal Advisory Committee Act (Pub. L. 92-463), Foundation policy and procedures, OMB Circular No. A-63, Revised, and other directives and instructions issued in implementation of the Act.

Dated: December 1, 1982.

Edward A. Knapp,

Director.

[FR Doc. 82-33270 Filed 12-6-82; 8:45 am]

BILLING CODE 7555-01-M

**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 50-364]

**Alabama Power Co.; Issuance of
Amendment to Facility Operating
License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 20 to Facility Operating License No. NPF-8 issued to Alabama Power Company (the licensee), which revised Technical Specifications for operation of the Joseph M. Farley Nuclear Plant, Unit No. 2 (the facility) located in Houston County, Alabama. The amendment is effective as of the date of issuance.

The amendment modifies valve leakage test criteria on a one-time basis for startup from the first refueling outage only.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 11, 1982, (2) Amendment No. 20 to License No. NPF-8, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington D.C. and the George S. Houston Memorial Library, 212 W. Burdeshaw Street, Dothan, Alabama 36303. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 24th day of November 1982.

For the Nuclear Regulatory Commission.

Steven A Varga,
Chief, Operating Reactors Branch No. 1,
Division of Licensing.

[FR Doc. 82-33185 Filed 12-6-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket Nos. 50-247 and 50-286]

Consolidated Edison Co. of New York, Inc., Power Authority of the State of New York, Indian Point Station, Units 2 and 3; Issuance of Director's Decision

By petition received August 4, 1982, the Union of Concerned Scientists and the New York Public Interest Research Group requested that the Commission immediately suspend operation of Indian Point Units 2 and 3. The petition has been considered under the

provisions of 10 CFR 2.206.

The petitioners allege that operation of the Indian Point Units 2 and 3 should be suspended until the deficiencies based on the interim findings of the Federal Emergency Management Agency (FEMA) regarding the adequacy of radiological emergency preparedness of State and local government are corrected.

Upon review of information pertaining to the radiological emergency preparedness concerns at Indian Point Units 2 and 3 and the information provided by the petitioners, the Director of Inspection and Enforcement has determined that suspension or revocation of the operating licenses for Indian Point Units 2 and 3 is not warranted. Accordingly, the request of the Union of Concerned Scientists and New York Public Interest Research Group has been denied. The reasons for this denial are explained in the "Director's Decision" under 10 CFR 2.206 (DD-82-12) which is available for public inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

A copy of the decision will be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206(c). As provided in this regulation, the decision will become the final action of the Commission twenty-five (25) days after issuance, unless the Commission on its own motion institutes review of these decisions within that time.

Dated at Bethesda, Maryland, this 26th day of November, 1982.

For the Nuclear Regulatory Commission.

Richard C. DeYoung,
Director, Office of Inspection and
Enforcement.

[FR Doc. 82-33186 Filed 12-6-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-302]

Florida Power Corporation, et al.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 60 to Facility Operating License No. DPR-72, issued to the Florida Power Corporation, City of Alachua, City of Bushnell, City of Gainesville, City of Kissimmee, City of Leesburg, City of New Smyrna Beach and Utilities Commission, City of New Smyrna Beach, City of Ocala, Orlando Utilities Commission and City of Orlando, Sebring Utilities Commission,

Seminole Electric Cooperative, Inc., and the City of Tallahassee (the licensees) which revised the Technical Specifications (TSs) for operation of the Crystal River Unit No. 3 Nuclear Generating Plant (the facility) located in Citrus County, Florida. The amendment is effective as of the date of issuance.

This amendment (1) clarifies which post-accident monitoring instrument readouts are supplemented with recorders and (2) changes the measurement units for the specification of the Reactor Coolant Total Flow measurement range from percent to lb/hr.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 28, 1981, (2) Amendment No. 60 to License No. DPR-72, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Crystal River Public Library, 668 NW, First Avenue, Crystal River, Florida. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 23rd day of November 1982.

For the Nuclear Regulatory Commission.

John F. Stolz,
Chief, Operating Reactors Branch No. 4,
Division of Licensing.

[FR Doc. 82-33187 Filed 12-6-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket Nos. 50-280 and 50-281]

Virginia Electric and Power Co. (Surry Power Station, Unit Nos. 1 and 2); Exemption

I

The Virginia Electric and Power Company (the licensee) is the holder of Facility Operating License Nos. DPR-32 and DPR-37 which authorize operation of the Surry Power Station, Unit Nos. 1 and 2. These licenses provide, among other things, that they are subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

The facilities comprise two pressurized water reactors at the licensee's site located in Surry County, Virginia.

II

On November 19, 1980, the Commission published a revised Section 10 CFR 50.48 and a new Appendix R to 10 CFR 50 regarding fire protection features of nuclear power plants (45 FR 76602). The revised Section 50.48 and Appendix R became effective on February 17, 1981. Section III of Appendix R contains fifteen subsections, lettered A through O, each of which specifies requirements for a particular aspect of the fire protection features at a nuclear power plant. One of these fifteen subsections, III.G., is the subject of this exemption request. III.G. specifies detailed requirements for fire protection of the equipment used for safe shutdown by means of separation and barriers (III.G.2). If the requirements for separation and barriers could not be met in an area, alternative safe shutdown capability, independent of that area and equipment in that area, was required (III.G.3). By letter dated July 23, 1982, the licensee requested an exemption from the requirements of Section III.G.3b to the extent that it requires the installation of a fixed fire suppression in the control room of Units 1 and 2. In support of this request, the licensee notes that installed hose standpipes provide the best possible fire suppression for these areas and the installation of an automatic fire suppression system in these areas would not enhance fire protection safety above that provided and may be detrimental to overall facility safety.

III

We have reviewed the licensee's exemption request. The control room is bounded on all sides by concrete which provides a three hour rated fire barrier. Openings into the room are protected by

fire doors, dampers and fire rated penetration seals. The control room contains instrumentation and control equipment necessary to operate the plant under both normal and abnormal conditions.

Control Room fire protection consists of early warning smoke detectors located in adjacent areas, in vertical boards in the control room and at the ceiling near the air flow return. This protection is supplemented by portable fire extinguishers throughout the control room complex and a hose station is located just outside the control room. In addition, the control room is continuously manned. In the event the control room becomes uninhabitable due to smoke or heat, an alternate capability to achieve safe shutdown exists outside the control room.

For the above reasons, there is reasonable assurance that adequate safe shutdown capability is available in the event of a fire. Therefore, the installation of a fixed fire suppression system will not significantly increase the level of fire protection in the control room, and the exemption requested by the licensee should be granted.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or common defense and security and is otherwise in the public interest and hereby grants an exemption from the requirements of Section III.G.3b of Appendix R to 10 CFR 50 to the extent that it requires the installation of a fixed fire suppression system in the control room at Surry Power Station, Unit Nos. 1 and 2.

The NRC staff has determined that the granting of this Exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

Dated at Bethesda, Maryland, this 24th day of November, 1982.

For the Nuclear Regulatory Commission.

Darrell G. Eisenhut,

Director, Division of Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 82-33188 Filed 12-6-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-460-OL; ASLBP No. 82-479-06 OL]

Washington Public Power Supply System, et al. (WPPSS Nuclear Project No. 1); Order (Setting Special Prehearing Conference)

December 1, 1982.

On July 30, 1982, the Nuclear Regulatory Commission published a Notice of Opportunity for Hearing with regard to an application for a Facility Operating License from Washington Public Power Supply System (WPPSS) for the Washington Nuclear Project No. 1 (WNP-1). 47 FR 35567-568 (August 16, 1982).

On September 10, 1982, the Coalition for Safe Power (CSP) filed a timely request for hearing and petition for leave to intervene in response to the notice, pursuant to 10 CFR 2.714. Applicant opposed the petition. The Staff did not oppose the petition providing it was amended to cure certain deficiencies.

By Order dated October 13, 1982, the Licensing Board granted CSP leave to amend its petition. CSP amended the petition and included in the amendment an affidavit of a member of CSP's organization, Larry L. Caldwell, that indicated that he lives in Richland, Washington, approximately 10 miles from WNP-1. Because of the amendment and affidavit of Mr. Caldwell, Staff no longer opposes the petition. Applicant continues to oppose the petition primarily on the grounds that the Caldwell affidavit does not establish that at the time of the September 15, 1982 deadline for filing a petition there had been a member of CSP with standing to petition who had authorized CSP to intervene. The Caldwell affidavit was executed on October 11, 1982. Applicant further submits that, if the petition is not timely because CSP lacked standing before the September 15, 1982 deadline, the petition does not meet the requirements of late filing set forth in 10 CFR 2.714(a).

On September 16, 1982, an Atomic Safety and Licensing Board was designated. The Board was reconstituted on October 25, 1982. As reconstituted, the Board is comprised of the following Administrative Judges: Herbert Grossman, Chairman; Mr. Glenn O. Bright and Dr. Jerry Harbour.

The Board will conduct a special prehearing conference beginning at 10:30 a.m. on January 19, 1983 and continuing through January 20, 1983, if necessary, at the Federal Building, Auditorium, 825

Jadwin Avenue, Richland, Washington 99352. All prospective parties to this proceeding, or their respective counsel, are directed to attend. At the prehearing conference, the parties should be prepared to discuss all matters relating to standing of the parties, specific issues that might be considered at an evidentiary hearing, and possible further scheduling in the proceeding.

CSP may file a supplement to its request for a hearing not later than 15 days prior to the prehearing conference, which shall include a list of specific contentions sought to be litigated in this proceeding. The parties are directed to arrange for the WPPSS and NRC Staff to receive any supplements on that date (January 4, 1983), to avoid delays that would be otherwise occasioned by a mailing of the filing. WPPSS and NRC Staff are requested to file any responses to the supplemental petition by January 17, 1983 and deliver copies to the Board in the forenoon on that date.

The public is invited to attend the prehearing conference. The State of Washington Energy Site Evaluation Council will be granted permission to make a limited appearance statement as requested. Other oral limited appearance statements will be heard at the conference if time permits. Written limited appearance statements may be submitted to the Board at the conference or be mailed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Board Members Glenn O. Bright and Jerry Harbour join in this Order.

By Order of the Board.

Dated at Bethesda, Maryland, this 1st day of December, 1982.

For the Atomic Safety and Licensing Board.
Herbert Grossman,
Chairman, Administrative Judge.

[FR Doc. 82-33191 Filed 12-6-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-460-CPA; ASLBP No. 83-480-01 CPA]

Washington Public Power Supply System, et al. (WPPSS Nuclear Project No. 1); Order (Setting Prehearing Conference)

November 30, 1982.

On July 21, 1981, the Washington Public Power Supply System (WPPSS) filed an application for an extension of its construction permit completion date for the Washington Nuclear Project No. 1 (WNP-1) from January 1, 1982 until June 1, 1986. In its application, WPPSS indicated that under 10 CFR 50.55(b) "good cause" existed for an extension because of construction delays for certain listed reasons.

On March 18, 1982, the Coalition for Safe Power (CSP) filed a request for hearing requesting that a public hearing be held and that CSP be granted leave to intervene. It listed specific aspects of the proposed construction permit extension which it claimed would affect its interests. Attached to the request for hearing were affidavits of members of CSP, including one from M. Terry Dana, reportedly residing in Richland, Washington, authorizing CSP to represent their interests before the NRC on any matter pertaining to WPPSS Nuclear Units 1, 2 or 4, the Skagit/Hanford Nuclear Projects, Units 1 and 2, and construction or operation of any other nuclear power facility at the Hanford Nuclear Reservation. WPPSS and the NRC Staff oppose the request for hearing.

On October 8, 1982, the Commission issued an Order, CLI-82-29, concerning CSP's request for hearing on WNP-1, and a similar request for hearing on a construction permit extension application for WNP-2. The Order provided Commission guidance on the scope of construction permit extension proceedings, determined that 6 of the 7 "aspects" raised by CSP were outside the scope of an extension proceeding, and determined that only one contention (jointly raised with regard to WNP-1 and WNP-2) would be litigable if properly particularized and supported. The Commission Order referred the hearing petitions filed by CSP to the Atomic Safety and Licensing Board Panel Chairman to designate a Board to determine whether the other hearing requirements of the Commission's regulations in 10 CFR 2.714 had been met, and if so, to conduct an appropriate proceeding under 10 CFR Part 2, Subpart G and 10 CFR Part 50.

On October 14, 1982, an Atomic Safety and Licensing Board was designated. 47 FR 46922 (October 21, 1982). The Board was reconstituted on October 25, 1982. 47 FR 49764 (November 2, 1982). As reconstituted, the Board is comprised of the following Administrative Judges: Herbert Grossman, Chairman; Mr. Glenn O. Bright and Dr. Jerry Harbour.

The Board will conduct a prehearing conference beginning at 9:30 a.m. on January 19, 1983 and continuing through January 20, 1983, if necessary, at the Federal Building, Auditorium, 825 Jadwin Avenue, Richland, Washington 99352. All prospective parties to this proceeding, or their respective counsel, are directed to attend. At the prehearing conference, the parties should be prepared to discuss all matters relating to standing of the parties, specific issues that might be considered at an evidentiary hearing, possible further

scheduling in the proceeding, and whether to consolidate this proceeding with the construction permit extension proceeding involving WNP-2.

CSP may file a supplement to its request for a hearing not later than 15 days prior to the prehearing conference, which shall include a list of specific contentions sought to be litigated in this proceeding. The parties are directed to arrange for the WPPSS and NRC Staff to receive any supplements on that date (January 4, 1983), to avoid delays that would otherwise be occasioned by a mailing of the filing. WPPSS and NRC Staff are requested to file any responses to the supplemental petition by January 17, 1983 and deliver copies to the Board in the forenoon on that date.

The public is invited to attend the prehearing conference. Oral limited appearance statements will be heard at the conference if time permits. Written limited appearance statements may be submitted to the Board at the conference or be mailed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Board Members Glenn O. Bright and Jerry Harbour join in this Order.

By Order of the Board.

Dated at Bethesda, Maryland, this 30th day of November, 1982.

For the Atomic Safety and Licensing Board.
Herbert Grossman,
Chairman, Administrative Judge.

[FR Doc. 82-33190 Filed 12-6-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-397-CPA; ASLBP No. 83-480-01 CPA]

Washington Public Power Supply System, et al. (WPPSS Nuclear Project No. 2); Order (Setting Prehearing Conference)

November 30, 1982.

On September 4, 1981, the Washington Public Power Supply System (WPPSS) filed an application for an extension of its construction permit completion date for the Washington Nuclear Project No. 2 (WNP-2) from December 1, 1981 until February 1, 1984. In its application, WPPSS indicated that under 10 CFR 50.55(b) "good cause" existed for an extension because of construction delays for certain listed reasons.

On February 2, 1982, the NRC published an order finding that the proposed extension of completion date involved no significant hazards consideration, good cause had been shown for the delays, and the requested extension was for a reasonable period. The order extended the completion date as requested. 47 FR 4780 (February 2, 1982).

On February 22, 1982, the Coalition for Safe Power (CSP) filed a request for hearing requesting that a public hearing be held and that CSP be granted leave to intervene. It listed specific aspects of the proposed construction permit extension which it claimed would affect its interests. Attached to the request for hearing were affidavits of members of CSP, including one from M. Terry Dana, reportedly residing in Richland, Washington, authorizing CSP to represent their interests before the NRC on any matter pertaining to WPPSS Nuclear Units 1, 2 or 4, the Skagit/Hanford Nuclear Projects, Units 1 and 2, and construction or operation of any other nuclear power facility at the Hanford Nuclear Reservation. WPPSS and the NRC Staff oppose the request for hearing.

On October 8, 1982, the Commission issued an Order, CLI-82-29, concerning CSP's request for hearing on WNP-2, and a similar request for hearing on a construction permit extension application for WNP-1. The Order provided Commission guidance on the scope of construction permit extension proceedings, determined that 6 of the 7 "aspects" raised by CSP were outside the scope of an extension proceeding, and determined that only one contention (jointly raised with regard to WNP-1 and WNP-2) would be litigable if properly particularized and supported. The Commission Order referred the hearing petitions filed by CSP to the Atomic Safety and Licensing Board Panel Chairman to designate a Board to determine whether the other hearing requirements of the Commission's regulations in 10 CFR 2.714 had been met, and if so, to conduct an appropriate proceeding under 10 CFR Part 2, Subpart G and 10 CFR Part 50.

On October 14, 1982, an Atomic Safety and Licensing Board was designated. 47 FR 46922 (October 21, 1982). The Board was reconstituted on October 25, 1982. 47 FR 49764 (November 2, 1982). As reconstituted, the Board is comprised of the following Administrative Judges: Herbert Grossman, Chairman; Mr. Glenn O. Bright and Dr. Jerry Harbour.

The Board will conduct a prehearing conference beginning at 9:30 a.m. on January 19, 1983 and continuing through January 20, 1983, if necessary, at the Federal Building, Auditorium, 825 Jadwin Avenue, Richland, Washington 99352. All prospective parties to this proceeding, or their respective counsel, are directed to attend. At the prehearing conference, the parties should be prepared to discuss all matters relating to standing of the parties, specific issues that might be considered at an

evidentiary hearing, possible further scheduling in the proceeding, and whether to consolidate this proceeding with the construction permit extension proceeding involving WNP-1.

CSP may file a supplement to its request for a hearing not later than 15 days prior to the prehearing conference, which shall include a list of specific contentions sought to be litigated in this proceeding. The parties are directed to arrange for the WPPSS and NRC Staff to receive any supplements on that date (January 4, 1983), to avoid delays that would otherwise be occasioned by a mailing of the filing. WPPSS and NRC Staff are requested to file any responses to the supplemental petition by January 17, 1983 and deliver copies to the Board in the forenoon on that date.

The public is invited to attend the prehearing conference. Oral limited appearance statements will be heard at the conference if time permits. Written limited appearance statements may be submitted to the Board at the conference or be mailed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Board Members Glenn O. Bright and Jerry Harbour join in this Order.

By Order of the Board.

Dated at Bethesda, Maryland, this 30th day of November, 1982.

For the Atomic Safety and Licensing Board.

Herbert Grossman,

Chairman, Administrative Judge.

[FR Doc. 82-33192 Filed 12-6-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-305]

**Wisconsin Public Service Corp.,
Wisconsin Power and Light Co.,
Madison Gas and Electric Co.;
Issuance of Amendment to Facility
Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 47 to Facility Operating License No. DPR-43, issued to Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company (the licensees), which revised Technical Specifications for operation of the Kewaunee Nuclear Plant (the facility) located in Kewaunee, Wisconsin. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specifications to include rearrangement of the Table of Contents, correction of typographical errors and other administrative changes.

The application for the amendment complies with the standards and

requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 18, 1982, as supplemented on September 15, 1982, (2) Amendment No. 47 to License No. DPR-43 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Kewaunee Public Library, 822 Juneau Street, Kewaunee, Wisconsin 54216. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 29th day of November, 1982.

For the Nuclear Regulatory Commission.

Steven A. Varga,

*Chief, Operating Reactors Branch #1,
Division of Licensing.*

[FR Doc. 82-33189 Filed 12-6-82; 8:45 am]

BILLING CODE 7590-01-M

**OFFICE OF PERSONNEL
MANAGEMENT**

**Federal Employees Pay Council;
Meeting**

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the President's Pay Agent announces the following meeting:

Name: Federal Employees Pay Council.
Date and time: December 21, 1982, 2:00 p.m.
Place: U.S. OFFICE OF PERSONNEL

MANAGEMENT, 1900 E Street, NW.,
Washington, D.C., Room 5A06A.

Type of meeting: Open.

Contact person: Merlin Berry, staff contact person, U.S. Office of Personnel Management, 1900 E Street, NW., Washington, D.C., Telephone (202) 632-5595.

Purpose of meeting: to discuss the 1983 pay adjustment for white-collar Federal employees as defined in section 5301 of title 5, United States Code.

For the President's Pay Agent.

Donald J. Devine,

Director, Office of Personnel Management.

[FR Doc. 82-33230 Filed 12-6-82; 8:45 am]

BILLING CODE 6325-01-M

Schedule for Awarding Senior Executive Service Bonuses

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: Notice is hereby given of the schedule for awarding Senior Executive Service bonuses.

DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT:

John E. Au, Assistant Director for Personnel and EEO, Office of Personnel Management, 1900 "E" Street NW., Washington, D.C., 20415 (202-632-5400)

SUPPLEMENTARY INFORMATION: Office of Personnel Management guidelines require that each agency publish a notice in the Federal Register of the agency's schedule for awarding Senior Executive Service bonuses at least 14 days prior to the date on which the awards will be paid.

Office of Personnel Management.

Donald J. Devine,

Director.

Schedule for Awarding Senior Executive Service Bonuses

Office of Personnel Management guidelines require that each agency publish a notice in the Federal Register of the agency's schedule for awarding Senior Executive Service bonuses at least 14 days prior to the date on which the bonuses will be paid. The Office of Personnel Management intends to award Senior Executive Service bonuses for the performance rating cycle of October 1, 1981, through September 30, 1982, with payouts scheduled by December 31, 1982.

[FR Doc. 82-33231 Filed 12-6-82; 8:45 am]

BILLING CODE 6325-01-M

Federal Prevailing Rate Advisory Committee; Open Meetings

Pursuant to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, January 6, 1983
Thursday, January 13, 1983

Thursday, January 20, 1983
Thursday, January 27, 1983

These meetings will convene at 10 a.m. and will be held in Room 5A06A, Office of Personnel Management Building, 1900 E Street, NW, Washington, D.C.

The Federal Prevailing Rate Advisory Committee is composed of a Chairman, representatives of five labor unions holding exclusive bargaining rights for Federal blue-collar employees, and representatives of five Federal agencies. Entitlement to membership of the Committee is provided for in 5 U.S.C. 5347.

The Committee's primary responsibility is to review the prevailing rate system and other matters pertinent to the establishment of prevailing rates under subchapter IV, chapter 53, 5 U.S.C., as amended, and from time to time advise the Office of Personnel Management thereon.

These scheduled meetings will convene in open session with both labor and management representatives attending. During the meeting either the labor members or the management members may caucus separately with the Chairman to devise strategy and formulate positions. Premature disclosure of the matters discussed in these caucuses would impair to an unacceptable degree the ability of the Committee to reach a consensus on the matters being considered and disrupt substantially the disposition of its business. Therefore, these caucuses will be closed to the public on the basis of a determination made by the Director of the Office of Personnel Management under the provisions of Section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C. 552b(c)(9)(B). These caucuses may, depending on the issues involved, constitute a substantial portion of the meeting.

Annually, the Committee publishes for the Office of Personnel Management, the President, and Congress a comprehensive report of pay issues discussed, concluded recommendations thereon, and related activities. These reports are also available to the public, upon written request to the Committee Secretary.

Members of the public are invited to submit material in writing to the Chairman concerning Federal Wage System pay matters felt to be deserving of the Committee's attention. Additional information concerning these meetings may be obtained by contracting the Committee Secretary, Federal Prevailing Rate Advisory Committee, Room 1340, 1900 E Street, NW, Washington, D.C. 20415 (202-632-9710).

Dated: December 1, 1982.

William E. Davidson, Jr.,

Chairman, Federal Prevailing Rate Advisory Committee.

[FR Doc. 82-33313 Filed 12-6-82; 8:45 am]

BILLING CODE 6325-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Conservation Subcommittee Meeting

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting.

STATUS: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of the Conservation Subcommittee of its Scientific and Statistical Advisory Committee.

DATE: Tuesday, December 14, 1982. 9:30 a.m.

ADDRESS: The meeting will be held at the Council's Central Office located at 700 SW. Taylor Street, Suite 200, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Mr. Tom Eckman, (503) 222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 82-33193 Filed 12-6-82; 8:45 am]

BILLING CODE 000-00-M

Forecasting Subcommittee Meeting

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting.

STATUS: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of the Forecasting Subcommittee of its Scientific and Statistical Advisory Committee.

DATE: Monday, December 20, 1982. 9:30 a.m.

ADDRESS: The meeting will be held at the Council's Central Office located at 700 SW. Taylor Street, Suite 200, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Terry Morlan, (503) 222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 82-33194 Filed 12-6-82; 8:45 am]

BILLING CODE 000-00-M

Resource Assessment Subcommittee; Meeting

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting.

STATUS: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of the Resource Assessment Subcommittee of its Scientific and Statistical Advisory Committee.

DATE: Friday, December 10, 1982, 9:00 a.m.

ADDRESS: The meeting will be held at the Council's Central Office located at 700 SW. Taylor Street, Suite 200, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Tom Foley, (503) 222-5161.

Edward Sheets,
Executive Director.

[FR Doc. 82-33195 Filed 12-6-82; 8:45 am]

BILLING CODE 000-00-M

SECURITIES AND EXCHANGE COMMISSION**Forms Under Review by Office of Management and Budget**

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance Rule 13e-1 under the Securities Exchange Act of 1934. Rule 13e-1 provides a basis for the Commission to fulfill its statutory responsibility to ensure that holders of an issuer's securities receive adequate information concerning issuer repurchases during a tender offer for its securities by a third party. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. 20549.

Submit comments OMB Desk Officer: Robert Veeder, Office of Information and Regulatory Affairs, Room 3235, New Executive Office Building, Washington, D.C. 20503.

Agency Clearance Officer—Kenneth Fogash 202-272-2700.

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington,

D.C. 20549. Extension Rule 13e-1, SEC File No. 270-255.

Shirley E. Hollis,
Assistant Secretary.

November 29, 1982.

[FR Doc. 82-33248 Filed 12-6-82; 8:45 am]

BILLING CODE 8010-01-M

Form Under Review by Office of Management and Budget

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for extension of approvals rules 206(4)-2, 206(4)-3 and 206(3)-2 under the Investment Advisers Act of 1940. Rule 206(4)-2 prescribes procedures to be followed by registered investment advisers for the safekeeping of client funds and securities of which the adviser has custody or possession. Rule 206(4)-3 permits, under certain conditions, the payment by registered investment advisers of referral fees to persons who offer clients to the adviser. Rule 206(3)-2 permits registered investment advisers to comply with Section 206(3) of the Advisers Act by obtaining a blanket consent from a client to enter into agency cross transactions provided that certain disclosure is made to client.

The potential respondents are investment advisers registered under the Investment Advisers Act of 1940.

Submit comments to OMB Desk Officer: Robert Veeder 202-395-4814.

Agency Clearance Officer—Kenneth Fogash 202-272-2700.

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549. Extension. Rule 206(4)-3 (17 CFR 275.206(4)-3); Rule 206(4)-2 (17 CFR 275.206(4)-2) and Rule 206(3)-2 (17 CFR 275.206(3)-2). SEC File Nos. 270-217, 270-218, 270.216.

Shirley E. Hollis,
Assistant Secretary.

November 29, 1982.

[FR Doc. 82-33247 Filed 12-6-82; 8:45 a.m.]

BILLING CODE 8010-01-M

Forms Under Review by Office of Management and Budget

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance Part 257. Part 257 governs the preservation and destruction of books or accounts and other records of holding companies subject to the Public Utility Holding

Company Act of 1935. The requirements of Part 257 assure the availability of documents to the Commission and other regulatory bodies which may have an interest therein. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. 20549.

Submit comments to OMB Desk Officer: Robert Veeder, Office of Information and Regulatory Affairs, Room 3235, New Executive Office Building, Washington, D.C. 20503.

Agency Clearance Officer—Kenneth Fogash 202-272-2700.

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, 450 Fifth Street, NW. Washington, D.C. 20549. Extension Part 257, SEC File No. 270-252.

Shirley E. Hollis,
Assistant Secretary.

November 29, 1982.

[FR Doc. 82-33246 Filed 12-6-82; 8:45 am]

BILLING CODE 8010-01-M

Forms Under Review by Office of Management and Budget

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for extension of approval rules 23c-1 and 23c-2 under the Investment Company Act of 1940. Rule 23c-1 permits the repurchase of securities of which it is the issuer by a closed-end investment company under the conditions set forth in the rule. Rule 23c-2 is an exemptive rule which permits closed-end investment companies to call or redeem securities of which the company is the issuer under the circumstances specified in the rule.

The potential respondents are registered closed-end investment companies. Submit comments to OMB Desk Officer: Robert Veeder 202-395-4814.

Agency Clearance Officer—Kenneth Fogash 202-272-2700.

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549. Extension. Rule 23c-1 (17

CFR 270.23c-1) and Rule 23c-2 (17 CFR 270.23c-2), SEC File No. 270.253

Shirley E. Hollis,
Assistant Secretary.
November 29, 1982.
[FR Doc. 82-3245 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

Form Under Review of Office of Management and Budget

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance the proposed new Form F-6, the proposed Securities Act of 1933 Registration form for depositary shares of certain foreign issuers. The proposed form provides a basis for the Commission to fulfill its statutory responsibility of requiring the filing of a registration statement making publicly available information regarding securities being publicly sold. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. 20549. Submit comments to OMB Desk Officer: Robert Veeder (202) 395-4814.

Agency Clearance Officer: Kenneth A. Fogash, Deputy Executive Director (202) 272-2142.

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549. New Form F-6, File No. 270-270.

George A. Fitzsimmons,
Secretary.

November 24, 1982.
[FR Doc. 82-33241 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 22746; 70-6781]

Middle South Utilities, Inc., Proposal by Holding Company To Organize Non-Utility Subsidiary To Investigate New Business Investments

November 30, 1982

In the Matter of Middle South Utilities, Inc., 225 Baronne Street, New Orleans, Louisiana 70112.

Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed with this Commission an application-declaration and amendments thereto, pursuant to Sections 6(a), 7, 9(a), 10 and 13(b) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 43, 50(a)(3), 86, 87, 90 and 91 promulgated thereunder.

Middle South proposes to organize and to acquire the common stock of a

new, non-utility subsidiary. Middle South intends to make an initial investment of up to \$1,000,000 for purchases of 1000 shares of the subsidiary's common stock, no par value, from time to time through December 31, 1983. It is represented that this sum will be sufficient to finance the initial operations of the subsidiary which will be confined exclusively to the preliminary study, investigation and research of new business or investment opportunities. The type of such opportunities has not, at this time, been restricted by the Commission and may include, among other projects: facilities for steam production, waste disposal, communications or load management; mineral exploration; or the development of synthetic fuels or solar energy.

Middle South asserts that the organization of a new subsidiary to undertake new business ventures would provide several advantages, including: 1) contractual convenience and insulation of other Middle South subsidiaries from legal liabilities; 2) more effective management of its business operations; and 3) the maintenance of a separate accounting system. It is intended that all profits or losses from the subsidiary's eventual operations, if any, would accrue entirely to Middle South. Upon completion of the preliminary phase of operations proposed herein, any transaction leading to the development or financing of a new business venture will be subject to further review and authorization by this Commission.

It is anticipated that during initial operations the new subsidiary will have a limited managerial and administrative staff and will utilize physical facilities of other companies in the Middle South Utilities System ("System"). In the event the new subsidiary during this period utilizes personnel or facilities from other System companies, the company or companies so providing personnel or facilities will be reimbursed by the new subsidiary for the costs thereof determined pursuant to Rules 90 and 91 under the Act.

Middle South Services Inc. will perform all necessary financial, accounting, and internal auditing functions for the new subsidiary. It will account for, allocate and charge its costs of providing these services on a full cost reimbursement basis in accordance with the Uniform System of Accounts for Mutual and Subsidiary Service Companies and with Rules 90 and 91 under the Act.

Middle South indicates that other subsidiaries in the System have from time to time expended amounts, not considered significant by Middle South,

to conduct preliminary economic analyses in several potential investment opportunities. To the extent that the new subsidiary may contemplate developing one or more investment opportunities which would comprehend utilizing the economic analyses or other work products developed by one or more of the subsidiaries in the course of their earlier investigations, the new subsidiary will consult with this Commission and receive any necessary approval as to the appropriate manner of reimbursing such subsidiary or subsidiaries for their costs incurred in connection therewith. Similarly, any additional financing arrangements or any acquisition of an interest in an investment opportunity or project, will be subject to Commission authorization. Any proposal to perform services or construction work for, or sell goods to, any other System company will likewise be subject to Commission authorization.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by December 27, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address specified above. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective.

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

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-33243 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

November 30, 1982.

In the Matter of Applications of the Midwest Stock Exchange, Inc. for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Fay's Drug Co., Inc., Common Stock, \$10 Par Value (File No. 7-6379)

Texas Air Corporation, Common Stock, \$10 Par Value (File No. 7-6380)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before December 21, 1982 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

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

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-33242 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 19283; File No. SR-PSDIC-82-04]

Pacific Securities Depository Trust Company ("PSDTC"); Filing and Immediate Effectiveness of Proposed Rule Change

November 30, 1982.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on October 22, 1982, the Pacific Securities Depository Trust Company ("PSDTC") filed with the Securities and Exchange Commission the proposed rule change as described herein.

The proposed rule change would enable certain administrative and clerical services to be performed in New York City by Midwest Clearing Corporation ("MCC") on behalf of PSDTC. MCC, through its office and personnel in New York, will collect and deposit dividend and interest checks

issued to PSDTC's nominee, Pacific and Co., by New York agents. MCC, as agent for PSDTC in those respects, will implement procedures to insure that PSDTC's monies will be maintained and processed separately from MCC's monies. In its filing, PSDTC states that the proposed rule change, by avoiding the need to route all dividend and interest checks issued by New York agents to Pacific and Co., to locations outside the state of New York where PSDTC maintains banking affiliations, is consistent with Section 17A(b)(3)(F) of the Act that it will promote the prompt and accurate clearance and settlement of securities transactions.

The foregoing rule change has become effective, pursuant to Section 19(b)(3)(A) of the Act and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

Interested persons are invited to submit written data, views and arguments concerning the submission on or before December 28, 1982. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 450 5th Street, NW., Washington, D.C. 20549. Reference should be made to File No. SR-PSDTC-82-04.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications resulting to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room 450 5th Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organizations

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

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-33244 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 12861; 812-5344]

Pittsburgh National Discount Corp.; Filing of Application

November 30, 1982.

In the matter of Pittsburgh National Discount Corp., c/o Steven Kaplan, Esq., Arnold & Porter, 1200 New Hampshire Ave., NW., Washington, DC 20036.

Notice is hereby given that Pittsburgh National Discount Corporation ("Applicant") filed an application on October 15, 1982, requesting an order of the Commission pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") exempting Applicant from all provisions of the Act. 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, Applicant was incorporated in 1972 under the laws of the Commonwealth of Pennsylvania, and all of the outstanding shares of its capital stock are owned by Pittsburgh National Corporation ("PNC"). PNC was incorporated under the laws of Pennsylvania in 1968, and is registered under the Bank Holding Company Act of 1956. PNC's principal asset is all of the capital stock of Pittsburgh National Bank (the "Bank"). The Bank, as a national banking association, is subject to supervision and regulation by the Comptroller of the Currency, is a member of the Federal Reserve System, and its deposits are insured by the Federal Deposit Insurance Corporation. At June 30, 1982, the Bank had total assets of \$6.8 billion and total deposits of \$4.6 billion. PNC is also engaged, through wholly-owned non-bank subsidiaries, in mortgage banking, certain credit related insurance activities and leasing. Applicant's sole business has been and is to provide funds to PNC and its subsidiaries by issuing short-term paper (as defined in the Act) guaranteed by PNC, selling it to third parties, and advancing the proceeds to PNC and its subsidiaries ("Affiliates").

Accordingly, substantially all of Applicant's assets consists of evidences of amounts receivable from its Affiliates. Applicant asserts that pursuant to the provisions of Rule 3a-3 under the Act it is not currently deemed an investment company under the Act, since all of its outstanding securities, other than short-term paper, are directly owned by its parent, PNC.

Applicant states that it wishes to be able to issue and sell intermediate and long-term debt securities ("Securities") in the United States, and advance the

proceeds (except for excess funds temporarily invested) to its Affiliates. The Applicant represents that it will advance financing proceeds only to Affiliates which are not "investment companies" as defined in Section 3 of the Act and none of its affiliates will invest any of such funds in "investment companies" as so defined. Applicant states that after such a sale, the exception from the definition of investment company provided by Rule 3a-3 may no longer be available to it, and that it is therefore requesting an order of the Commission exempting it from all provisions of the Act.

According to the application the Securities would be sold either through a public offering of Securities registered under the Securities Act of 1933 ("1933 Act"), or through transactions exempt from the registration requirements of the 1933 Act. Payment of principal, interest, premium (if any), and sinking fund payments, (if any), will be guaranteed absolutely and unconditionally by PNC. The terms of the guarantee will be such that in the event of a default with respect to a Security, legal proceedings could be instituted directly against PNC to enforce the guarantee without proceeding first against Applicant.

Applicant represents that Applicant and PNC will, prior to any public offering of Securities in the United States not exempt from the registration requirements of the 1933 Act, file a registration statement under the 1933 Act with the Commission and will not sell such Securities until the registration statement is declared effective by the Commission and any related indenture is qualified under the Trust Indenture Act of 1939. The Applicant and PNC will also comply with the prospectus delivery requirements of the 1933 Act in connection with the offering and sale of such Securities.

Applicant further represents that, in the case of an offering of Securities in the United States not requiring registration under the 1933 Act, the Applicant and PNC would undertake to provide to any offeree to whom they offer such Securities in the United States information at least as current and comprehensive as that customarily used in such offerings in the United States. The Applicant consents to having any order granting the relief requested under Section 6(c) of the 1940 Act expressly conditioned upon its compliance with the undertakings regarding disclosure set forth in the application.

Applicant further represents that prior to any issuance of the Securities, the Securities shall have received one of the three highest investment grade ratings from at least one nationally recognized

statistical rating organization and that the Applicant shall have certified to its counsel that such rating has been received. No such rating shall be required, however, if in the opinion of counsel for the Applicant, such counsel having taken into account for the purposes thereof the doctrine of "integration" referred to in Rule 502 of Regulation D, Securities Act Release Nos. 4434 (December 6, 1961) and 4552 (November 6, 1962) and various "no-action" letters made public by the Commission, an exemption from registration is available with respect to such issue and sale under Section 4(2) of the 1933 Act.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision or provisions of the Act to the extent 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.

Applicant asserts that it is not the type of company intended to be regulated under the Act, and that it will not function as an investment company within the contemplation of the Act. Applicant further asserts that it will function solely as a vehicle to facilitate the financing of the operations of its affiliated through the sale of short term paper and the proposed issuance and sale of Securities.

Applicant asserts that if PNC itself were to issue the Securities and advance the proceeds to its subsidiaries, neither it nor any of its subsidiaries would be subject to regulation under the Act. Applicant notes that all the Securities and short term paper it issues will be guaranteed unconditionally by PNC. Applicant asserts that as a result of this guarantee, purchasers of its Securities and short term paper will look to PNC as the ultimate obligor. For these reasons, Applicant asserts, purchasers under the proposed arrangement would be accorded the same protection as they would under functionally equivalent arrangements that would not invoke the provisions of the Act.

Applicant represents that until either it notifies the Commission that it no longer will rely on the exemption requested, or the Commission adopts a rule of general applicability that exempts Applicant from the provisions of the Act, Applicant will make no material change in the nature of its business without either (i) filing a notice of such change with the Commission, or (ii) filing a request with the Commission for an amendment or modification of

any order the Commission may grant in response to the application summarized herein.

Notice is further given that any interested person may, not later than December 27, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. An order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon its 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. 82-33240 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 12860; 812-5348]

Security Cash Fund, et al.; Filing of Application

August 30, 1982.

In the Matter of Security Cash Fund, Security Bond Fund, Security Equity Fund, Security Ultra Fund, Security Action Fund, Security Action Plans, Security Management Co. and Security Distributors, Inc., 700 Harrison Street, Topeka, Kansas 66336.

Notice is hereby given that Security Cash Fund, Security Bond Fund, Security Equity Fund, Security Ultra Fund, Security Investment Fund, and Security Action Fund, (the "Existing Funds"), all registered under the Investment Company Act of 1940 ("Act") as diversified, open-end, management investment companies, Security Management Company ("Management"), Security Distributors, Inc. ("Distributors"), and Security

Action Plans, ("Plans"), a unit investment trust that provides the sole vehicle for investing in Security Action Fund (collectively, "Applicants") filed an application on October 20, 1982, requesting an order of the Commission pursuant to Section 6(c) of the Act exempting them and any other funds for which Management or Distributors may serve as underwriter, and any other Funds to be formed as part of the Security Benefit Group of companies (collectively with the Existing Funds, the "Funds") from the provisions of Section 22(d) of the Act and Rule 22-1 thereunder to the extent necessary to permit employees of the Security Benefit Life Insurance Company and its subsidiary companies, and those employees' spouses and minor children, to invest in shares of certain of the Funds at net asset value without the imposition of a sales charge. All interested persons are referred to the application on file with the Commission for a statement of the facts and representations contained therein, which are summarized below.

According to the application, all of the Existing Funds other than Security Cash Fund and Security Action Fund assess a sales charge in connection with the purchase of their shares that varies with the size of the purchase, as described in greater detail in their prospectuses. Plans is a fixed payment contractual plan that allows for the accumulation of shares over a period of either ten or fifteen years, and assesses creation and sales charges that depend on two variables: the duration of the Plan selected, and the total amount to be invested over the life of the Plan.

The application states that Management serves as the investment adviser to each of the Existing Funds, and Distributors serves as the principal underwriter for all of the Existing Funds except for Security Cash Fund, which is self-underwritten. Distributors is a wholly-owned subsidiary of Management, which is a wholly-owned subsidiary of Security Benefit Group, Inc., ("Security Group"), which is a wholly-owned subsidiary of Security Benefit Life Insurance Company ("Security Life"), a mutual life insurance company with over \$8 billion of life insurance in force. Security Life and its subsidiaries, which include Security Benefit Assurance Company (wholly-owned), SBL Planning Inc. (wholly-owned), and National Associates, Actuaries and Consultants, Inc. (Majority-owned) (collectively "Security Benefit Group"), employ approximately 450 people.

Applicants state that they propose to offer shares of certain of the Funds at net asset value without the imposition of a sales charge to employees of Security Life and its subsidiary companies ("Affiliated Employees") and to their spouses and minor children. Under the terms of the proposed arrangement Affiliated Employees will be permitted to invest in a Plan or purchase shares on their own behalf, and on behalf of their spouses and children under the age of 21 years, either directly or through retirement or employee benefit plans (e.g., Individual Retirement Accounts or Keogh Plans). Investments on behalf of a spouse or minor child at net asset value without a sales charge would be permitted only if that investment is directed by the Affiliated Employee.

Applicants assert that no individual or in-person group sales solicitations or presentations concerning the Funds will be made. All affiliated Employees will periodically receive a notice from Security Life concerning the availability of shares of the Funds at their net asset value. It is represented that this notice will describe the Funds and their investment objectives, indicate that investments would be at net asset value and detail the methods by which investments could be made. The notice will also indicate where additional information concerning the Funds can be obtained. A copy of the appropriate prospectus(es) would be furnished prior to the time any Affiliated Employees would make an initial investment in a Fund. Applicants state further that each prospectus would contain appropriate disclosure concerning the ability of Affiliated Employees to make an investment in Fund without a sales charge.

Applicants states that certain investments in the Funds at net asset value might arguably be permitted by Paragraph (f) of Rule 22d-1 (which provides for reduction or elimination of sales charges upon the sale pursuant to a uniform offer described in the prospectus and made to certain employee benefit plans not qualified under Section 401 of the Internal Revenue Code) provided such non-qualified plans satisfy uniform criteria relating to the realization of economies of scale in sales efforts and sales related expenses selected by the issuer and described in the prospectus. However, the application states that it is not clear that net asset value sales to Affiliated Employees would meet the "uniform offer" requirement of Rule 22d-1(f).

Section 6(c) of the Act authorizes that the Commission to exempt any person, security or transaction from any

provision of the Act or of any rule under the Act, if and to the extent 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.

Applicants contend that permitting investment by Affiliated Employees (and their spouses and minor children) in the Funds at net asset value is supported by policy considerations; such sales should result in demonstrable economies in sales effort and sales related expenses as compared with other sales and would not be unjustly discriminatory. Applicants submit that the anticipated economies of scale will result from the fact that there will not be any effort expended by the Funds or Security Life to solicit investments. Affiliated Employees will receive periodically a notice describing their right to purchase shares of the Funds without a sales charge. The application also points out that many of the Affiliated Employees have a basic understanding of the nature of an investment in an investment company as well as a general familiarity with, and a significant degree of loyalty to, the Funds as affiliates of the Security Benefit Group. Thus, the affiliation of the various entities in the Security Benefit Group is the basis for a unique relationship which can be expected to result in economies of sales effort and sales related expenses that justify elimination of the sales charge in connection with sales to Affiliated Employees.

Applicants state that they believe that the ability to allow sales of Plans or of Fund shares to Affiliated Employees without a sales charge will promote incentive, goodwill and loyalty which will benefit the Funds, as well as Security Life and its subsidiaries. Finally, Applicants assert that such purchases would not adversely affect the interests of investors and would not involve any of the abuses against which Section 22(d) of the Act is directed. To the extent that investments by Affiliated Employees in the Funds results in an increase in their net assets, the Funds' shareholders may also benefit from reduced expense ratios.

Notice is further given that any interested person may, not later than December 27, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if

the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. An order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon its 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. 82-33239 Filed 12-6-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 12859; 812-5343]

Temporary Investment Fund, Inc., et al; Filing of Application

November 30, 1982.

In the Matter of Temporary Investment Fund, Inc., Municipal Fund for Temporary Investment, Trust for Short-Term Federal Securities, Chestnut Street Exchange Fund, Webster Bldg., Suite 204, Concord Plaza, 3411 Silverside Rd., Wilmington, DE 19810; Bison Money Market Fund, Westcore Funds, Inc., #6 The Commons, 3512 Silverside Road, Wilmington, DE 19810; Paine Webber Cashfund, Inc., 1120 20th Street, NW., Washington, D.C. 20036; Independence Square Income Securities, Inc., 3 Radnor Corporate Center, 100 Matsonford Road, Radnor, PA 19087; Provident Institutional Management Corp., Talley Bldg., Suite 200, 3509 Silverside Road, Wilmington, DE 19810; and Provident National Bank, Broad and Chestnut Street, Philadelphia, PA 19101.

Notice is hereby given that Temporary Investment Fund, Inc. ("TempFund"), Municipal Fund for Temporary Investment ("Muni-Fund"), Trust for Short-Term Federal Securities ("Fed-Fund"), Paine Webber CASHFUND, Inc. ("CASHFUND"), Bison Money Market Fund ("Bison Fund") Westcore Funds, Inc. ("Westcore Funds"), Chestnut Street Exchange Fund ("Chestnut Exchange Fund") and Independence Square Income Securities, Inc. ("ISIS")

(collectively, the "Funds"), Provident Institutional Management Corporation ("PIMC") and Provident National Bank ("Provident," collectively with the Funds and PIMC, "Applicants") filed an application on October 15, 1982, for an order of the Commission pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act"), exempting Applicants from the provisions of Section 15(a) of the Act to the extent necessary to permit the implementation, without prior shareholder approval, or certain new investment advisory and sub-advisory agreements (collectively, "New Agreements"). 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.

Applicants state that each of the Funds is registered under the Act as an open-end, diversified, management investment company, except ISIS, which is a closed-end, diversified, management investment company. Provident is a national banking association and a wholly-owned subsidiary of Provident National Corporation ("Provident National"). PIMC is registered under the Investment Advisers Act of 1940 and is a wholly-owned subsidiary of Provident.

Applicants state that PIMC acts as investment adviser to each of the Funds, except CASHFUND, pursuant to the existing advisory agreements. PIMC also acts as sub-adviser to CASHFUND pursuant to a sub-advisory agreement with Paine Webber, the investment adviser to CASHFUND.

Applicants state that Provident provides certain research, administrative and statistical services to PIMC pursuant to the existing sub-advisory agreements between Provident and PIMC for TempFund, Muni-Fund, FedFund and ISIS. Provident also serves as adviser, together with PIMC, to Chestnut Exchange Fund and provides certain research, administrative and statistical services to Chestnut Exchange Fund pursuant to an advisory agreement among PIMC, Provident and the Fund.

Applicants state that on June 30, 1982, Provident National and Pittsburgh National Corporation ("Pittsburgh National"), Pennsylvania corporations, entered into an agreement pursuant to which they will be consolidated into PNC Financial Corp. ("PNC"). The shareholders of Provident National and Pittsburgh National have approved the consolidation; however, although Applicants anticipate consummation of the consolidation on or before December 31, 1982, the effective date is uncertain due to Federal Reserve Board and

possible Department of Justice review. Applicants assert that if the consolidation occurs prior to the annual meetings of the shareholders of the Funds, then, by reason of the provisions of Sections 15(a), 2(a)(4) and 2(a)(9) of the Act, the consolidation may be deemed to be an "assignment" that would terminate the existing agreements. In order to protect against such an event, Applicants request an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicants from the provisions of Section 15(a) of the Act to the extent necessary to permit the implementation, without prior shareholder approval: (1) of a new investment advisory agreement between PIMC and each of TempFund, Muni-Fund, FedFund, Bison Fund, Westcore Funds and ISIS, and among PIMC, Provident and Chestnut Exchange Fund; and (2) of a new sub-advisory agreement between PIMC and Provident for each of TempFund, Muni-Fund, FedFund and ISIS; between Paine Webber and PIMC for CASHFUND; between PIMC and the Indiana National Bank for Bison Fund; and between PIMC and the First National Bank of Denver and PIMC and The Boston Company Advisers, Inc. for Westcore Funds.¹

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order, upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the Act, 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.

In support of the relief requested, Applicants assert that the directors or trustees of each of the Funds have determined that it is in the best interests of the Funds and their shareholders to continue the present relationships with Provident and PIMC after the effective date of the consolidation by entering into the applicable New Agreements. Applicants represent that, when

¹ For other investment companies for which PIMC and/or Provident will provide advisory and/or sub-advisory services, that will have registration statements becoming effective on or after the date of this application and prior to the effective date of the consolidation, PIMC and Provident propose to have the initial shareholder of such funds approve separate advisory and/or sub-advisory agreements, as applicable, for both (i) the period from the effective date of each such fund to the effective date of the consolidation and (ii) the period between the effective date of the consolidation and the first annual meeting of shareholders for each such fund. The advisory and/or sub-advisory agreements would then be presented to shareholders at each fund's first annual meeting.

considering the advisability of the New Agreements, the directors or trustees will comply with the requirements of Section 15(c) of the Act. The Applicants represent that there will be no material change in the nature or substance of the services presently provided by Provident and PIMC to the Funds or in the persons providing such services or in their supervision during the operative period of the exemptive relief. The Applicants also represent that the Funds will not bear any of the costs of the preparation or filing of this application or of the consideration by shareholders of the Funds of the New Agreements, except to the extent that such costs also relate to the holding of annual meetings and are in lieu of costs the Funds would have otherwise incurred in connection with such meetings.

Applicants represent that the New Agreements will not continue in effect for more than 120 days for the Funds other than CASHFUND or 210 days for CASHFUND without shareholder approval. The exemption will facilitate orderly consideration by the Funds' shareholders of the applicable New Agreements in a manner which is consistent with the provisions of Section 15 of the Act and the corporate governance objectives of the Act. Applicants assert that denial of the requested exemption would require Applicants to incur the unnecessary effort or expense resulting from either scheduling early special meetings of shareholders of the Funds or seeking to persuade Provident National and Pittsburgh National to delay the effective date of the consolidation until after the annual meetings of the Funds' shareholders. Applicants submit that neither alternative is in the best interests of the Funds' shareholders.

Applicants assert that failure to issue an order granting the requested exemption would create the unfortunate precedent that a publicly-held parent of an investment adviser would be unable to negotiate a merger or other business combination which would provide for consummation prior to a shareholder vote by all of the investment companies receiving advice from the subsidiary unless the investment adviser agreed to bear the expenses relative to holding special meetings of shareholders or forego its customary fees until the regular annual meetings. The Applicants believe that the expenses to the investment adviser relative to either alternative could make it financially impractical for the adviser to continue to provide advisory services to each investment company it advises during the period prior to such company's

annual meeting. Such a result appears to the Applicants to be particularly inappropriate where the contemplated transaction is as complex, and involves as many substantial entities and important business considerations unrelated to the investment companies and the investment adviser, as is the case in the consolidation.

The Applicants state that disclosures concerning the consolidation have been made or will be made, prior to the effective date of the consolidation, to the shareholders of each of the Funds. Although the Applicants believe that Rule 15a-4 may not apply to the Applicants in this instance, they assert that the exemption sought by them is consistent with the policies of the Act, as interpreted by the Commission and expressed in Rule 15a-4. Applicants submit, for the foregoing reasons, that the granting of the requested exemptive order is 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 December 27, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the addresses stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. An order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon its 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. 82-33238 Filed 12-6-82; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Proposed License No. 03/03-5153]

Great Eastern Finance and Investment Co. Application for a License to Operate as a Small Business Investment Company

An application for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*) has been filed by Great Eastern Finance and Investment Co. (Applicant), with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1982).

The officers, directors and stockholders of the Applicant are as follows:

Charles C. Yu, M.D., 4920 Hogans Lake Place, Annandale, Virginia 22003; Chairman of the Board, President, Sole Shareholder
Paul L. Martin, Jr., 3432 Beverly Drive, Annandale, Virginia 22203; Secretary, Treasurer, Director
Marcelo J. Bueno, Jr., 5934 New England Woods Dr., Burke, Virginia 22015; Chief Executive Officer (General Manager)
Jose A. Trujillo, 10143 Walnut Wood Court, Burke, Virginia 22015; Director
Ek Seng Lou, M.D., 18513 Cabin Road, Triangle, Virginia 22172; Director
John E. Ricche, 4101 Colie Drive, Wheaton, Maryland 20906; Consultant

The Applicant, a Virginia corporation, with its principal place of business at 6723 Whittier Avenue, McLean, Virginia 22101, will begin operations with \$510,000 of paid-in capital and paid-in surplus derived from the sale of 10,000 shares of common stock. The Applicant will conduct its activities in the "metropolitan Washington, D.C. area which includes the District of Columbia and the contiguous counties".

The Applicant intends to provide assistance to qualified socially or economically disadvantaged small business concerns.

As a small business investment company under Section 301(b) of the Act, the Applicant has been organized and chartered solely for the purpose of performing the function and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the Applicant include the general business reputation and

character of the proposed owners and management, and the probability of successful operation of the Applicant under this management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA Rules and Regulations.

Notice is hereby given that any person may, not later than December 22, 1982, submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in McLean, Virginia.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 1, 1982.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 82-33181 Filed 12-6-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 03/03-5142]

**Minority Broadcast Investment Corp.;
Filing of Application for Transfer of
Control of a Licensed Small Business
Investment Company (SBIC)**

Notice is hereby given that an application has been filed with the Small Business Administration (SBA), pursuant to § 107.701 of the SBA Regulations (13 CFR 107.701 (1982)), for the transfer of control of Minority Broadcast Investment Corporation (Licensee), 1220 19th Street NW., Suite 501, Washington, D.C. 20036, a Federal Licensee under the Small Business Investment Act of 1958, as amended (the Act), (15 U.S.C. 661 *et seq.*).

Presently, the voting stock of the Licensee is owned by three individuals: Walter Threadgill, Clarence McKee and Stuart Law (17 percent each), and Minority Broadcast Ventures Corporation (MBV) owns the remaining 49 percent.

The voting stock of MBV is wholly-owned by Storer Broadcasting Company (Storer), a New York Stock Exchange-listed company. It is proposed that Messrs. Threadgill and McKee transfer their stock directly to Storer and on December 31, 1982, MBV will be merged into Storer making Storer the then-owner of 83 percent of the Licensee's voting stock.

The only proposed new officer and director of the Licensee is:

Warren C. Zwicky, Vice President, Director,
2301 Connecticut Avenue, NW.,
Washington, D.C. 20008

The Licensee is a section 301(d) (of the Act) SBIC, the investment policy of which is limited to making investments solely in small concerns which will contribute to a well balanced national economy by facilitating ownership in such concerns by person whose participation in the free enterprise system is hampered because of social or economic disadvantage. There will be no change in this policy under Storer's control.

The Licensee was incorporated under the laws of the District of Columbia on April 27, 1979, and was licensed by SBA on August 7, 1979.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed transferee, and the probability of successful operations under Storer's control, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is hereby given that any person may, later than December 22, 1982, submit to SBA, in writing, comments on the transfer of control. Any such communications should be addressed to the Deputy Associate Administrator for Investment, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Washington, D.C.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 1, 1982.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 82-33182 Filed 12-6-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 04/04-5202]

**Trans Florida Capital Corp.;
Application for Transfer of Control of
Licensed Small Business Investment
Company**

Notice is hereby given that an application has been filed with the Small Business Administration (SBA), pursuant to § 107.701 of the Regulations governing small business investment companies (13 CFR 107.701 (1982)), for transfer of control of Trans Florida Capital Corporation (Trans), 747 Ponce De Leon, Coral Gables, Florida 33134, a Federal Licensee under the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 661 *et seq.*), and the Rules and Regulations.

Trans was licensed on December 17, 1981, and its present capitalization is \$500,000. Its common stock is 100 percent owned by Corporate Financial Services, Inc., a Florida corporation located at the same address as the Licensee.

An "Investors" group proposes to acquire 500,000 shares of the 500,000 shares owned by Corporate Financial Services, Inc.

The "Investors" group is as follows:

Alexander Echevarria, 911 East Ponce de Leon Blvd., Apartment 1104, Coral Gables, Florida 33134—140,000 shares
Oswald Morales, 9455 West Flagler Street, Apartment 508, Miami, Florida 33134—125,000 shares
Guido & Mercy Echevarria, 680 Conde Avenue, Coral Gables, Florida 33156—45,000 shares
Guido A. Echevarria, Jr., 230 West 55th Street, Apartment 19F, New York, New York 10019—45,000 shares
Maylen Rodriguez, 315 Solano Prado, Coral Gables, Florida 33156—45,000 shares
Alexis Rodriguez-Sosa, 1721 S.W. 25th Avenue, Miami, Florida 33145—45,000 shares
Robert L. Calderon, 1321 Pacific Street, Redland, California 93273—45,000 shares
Antonio A. Bechily, 15910 S.W. 90th Avenue, Miami, Florida 33157—10,000 shares

Upon transfer of control, the "Investors" will move Trans to 1450 Madruga Avenue, Coral Gables, Florida 33134, with no change in the investment policy or in the area of operations.

The capital of Trans will remain at \$500,000.

The following will be named officers and directors:

Antonio A. Bechily, President, Director, General Manager
Alexander Echevarria, Vice President, Treasurer, Assistant Secretary, Director
Osmundo O. Martinez, Jr., Secretary, Director
Oswald Morales, Director

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management including adequate profitability and financial soundness in accordance with the Act and Regulations.

Notice is hereby given that any person may, not later than December 22, 1982, submit written comments on the proposed transfer of control to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Coral Gables, Florida.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 1, 1982.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 82-33183 Filed 12-6-82; 8:45 am]

BILLING CODE 8025-01-M

[Proposed License No. 04/04-5215]

Tuskegee Capital Corp.; Application for a License To Operate as a Small Business Investment Company

An application for a license to operate as small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. *et seq.*), has been filed by Tuskegee Capital Corporation (Applicant) with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1982).

The Officers, directors, and stockholders of the Applicant are as follows:

E. Taylor Harmon, Jr., Route 3, Box 694, Tuskegee, Alabama 36083, Board Chairman, President

Robery L. Davis, Route 2, Box 258, Tuskegee, Institute, Alabama 36088, Board Vice Chairman, Vice President

Harvey L. Smith, 2315 Squaw Valley Drive, Montgomery, Alabama 36117, Secretary, Treasurer, Director

Lutheran Church in America, 231 Madison Avenue, New York, New York 10016, 38 percent Common Stockholder

Wheat Ridge Foundation, 7 South Dearborn Street, Chicago, Illinois 60603, 20 percent Common Stockholder

American Lutheran Church, 422 South Fifth Street, Minneapolis, Minnesota 55415, 20 percent Common Stockholder

Alabama Rural Council, P.O. Drawer GG, Tuskegee, Institute, Alabama 36088, 20 percent Common Stockholder

Christ Lutheran Church, 5101 16th Street N.W., Washington, D.C. 20011, 1 percent Common Stockholder

Alabama Exchange Bank, P.O. Box 728, Tuskegee, Alabama 36083, 1 percent Common Stockholder

The Applicant, an Alabama corporation with its principal place of business at P.O. Drawer GG, Tuskegee Institute, Alabama 36088, will begin operations with \$500,000 of paid-in capital and paid-in surplus derived from the sale of 10,000 shares of common stock.

The Applicant will conduct its activities primarily in the State of Alabama.

Applicant intends to provide assistance to all qualified socially or economically disadvantaged small business concerns as the opportunity to

profitably assist such concerns is presented.

As a small business investment company under Section 301(d) of the Act, the Applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the Applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the Applicant under this management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA Rules and Regulations.

Notice is hereby given that any person may, not later than December 22, 1982, submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Tuskegee, Alabama.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: November 30, 1982.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 82-33184 Filed 12-6-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0311]

Seaport Ventures, Inc.; Issuance of License To Operate as a Small Business Investment Company

On September 2, 1982, a notice was published in the Federal Register (FR 38739), stating that Seaport Ventures, Inc., 770 B Street, Suite 308, San Diego, California 92101 had filed an application with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1982), for a license to operate as a small business investment company under the provisions of the Small Business

Investment Act of 1958, as amended.

Interested parties were given until the close of business September 17, 1982, to submit their comments to SBA. No comments were received.

Notice is hereby given that having considered the application and all other pertinent information, SBA issued License No. 09/09-0311 to Seaport Ventures, Inc. on November 22, 1982, to operate as a small business investment company, pursuant to Section 301(c) of the Act.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 1, 1982.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 82-33325 Filed 12-6-82; 8:45 am]

BILLING CODE 8025-01-M

Small Business Investment Company; Maximum Annual Cost of Money to Small Business Concerns

13 CFR 107.301(c) sets forth the SBA Regulations governing the maximum annual cost of money to small business concerns for Financing by small business investment companies.

Section 107.301(c)(2) requires that SBA publish from time to time in the Federal Register the current Federal Financing Bank (FFB) rate for use in computing the maximum annual cost of money pursuant to Section 107.301(c)(1). It is anticipated that a rate notice will be published each month.

13 CFR 107.301(c) does not supersede or preempt any applicable law that imposes an interest ceiling lower than the ceiling imposed by that regulation. Attention is directed to new subsection 308(i) of the Small Business Investment Act, added by section 524 of Pub. L. 96-211, March 31, 1980 (94 Stat. 161), to that law's Federal override of State Usury ceilings, and to its forfeiture and penalty provisions.

Effective December 1, 1982, and until further notice, the FFB rate to be used for purposes of computing the maximum cost of money pursuant to 13 CFR 107.301(c) is 10.555% per annum.

Dated: November 30, 1982.

Edwin T. Holloway,
Associate Administrator for Finance and Investment.

[FR Doc. 82-33326 Filed 12-6-82; 8:15 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[Public Notice 835]

Claims Against Iran: The Iran-United States Claims Tribunal

This notice concerns the procedures applicable to the adjudication of claims before the Iran-United States Claims Tribunal at The Hague. It supplements information provided in Public Notice 819 (47 FR 37993, August 27, 1982) and prior notices. For further information, contact David P. Stewart, Administrator for Iranian Claims, Office of the Legal Adviser, Department of State, Washington, D.C. 20520. Telephone (202) 632-5040.

At its November session, the Tribunal adopted Administrative Directive No. 5. The text of the Directive, received by the Department of State on November 23, is set forth below.

Administrative Directive No. 5

November 2, 1982.

1. Number of copies of documents to be filed with the Tribunal.

In order to enable the Staff of the Tribunal to render efficient service it has been found necessary to make available to selected categories of personnel copies of all documents which are filed with the Tribunal, and are therefore likely to come up for consideration by the Tribunal during its sessions. Accordingly, the Tribunal has determined that notwithstanding the requirement as to the number of copies specified in Note 2 to Article 2 of the Provisionally Adopted Tribunal Rules and commencing 1 January 1982, *twenty copies* (and not twelve copies as stated therein) shall be filed with the Registrar. Operation of the rest of the provisions of Note 2 to Article 2 of those Rules remains unchanged.

2. Address for documents to be filed with the Tribunal.

Documents to be filed with the Tribunal shall be addressed to: The Registry of the Iran-United States Claims Tribunal, Parkweg 13, 2585 JH The Hague, The Netherlands.

Signed:
Gunnar Lagergren,
President.

Claimants are reminded that, pursuant to Article 25(2) of the Tribunal's Provisionally Adopted Rules of Procedure, parties must at least thirty days prior to any hearing communicate to the Tribunal and the other parties the names and addresses of any witnesses to be presented, as well as the subject upon and languages in which such witnesses will give their testimony unless the Tribunal directs otherwise.

Dated: November 26, 1982.

David P. Stewart,
Administrator for Iranian Claims.

[FR Doc. 82-33229 Filed 12-6-82; 8:45 am]
BILLING CODE 4710-08-M

DEPARTMENT OF TREASURY

Office of the Secretary

Public Information Collection Requirements Submitted to OMB for Review

During the period November 19 through November 24, 1982, the Department of Treasury submitted the following public information collection requirements to OMB, for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained from the Treasury Department Clearance Officer, by calling (202) 634-2179. Comments regarding these information collections should be addressed to the Treasury Reports Management Officer, Information Resources Management Division, Room 309, 1625 I St. NW., Washington, D.C. 20220; and to the OMB reviewer listed at the end of entry.

- *Date Submitted:* November 22, 1982
- *Submitting Bureau:* Internal Revenue Service
- *OMB Number:* 1545-0166
- *Form Number:* 4255
- *Type of Submission:* Extension
- *Title:* Recapture of Investment Credit
- *Purpose:* Section 47 of the IRC and section 1.47-1 of the Regulations require a statement (Form 4255) be attached to the tax return to show the computation of the section 47 recapture tax. The taxpayer's income tax must be increased by the investment credit recaptured when investment credit property is disposed of before the end of the useful life or recovery period used in the original computation of the credit.
- *OMB Reviewer:* Suzann Evinger (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503.
- *Date submitted:* November 23, 1982
- *Submitting Bureau:* Internal Revenue Service
- *OMB Number:* 1545-0034
- *Form Number:* 942 & 942 PR
- *Type of Submission:* Extension
- *Title:* Employer's Quarterly Tax Return for Household Employees
- *Purpose:* Household employers must prepare and file Form 942 or Form 942PR (Puerto Rico only) to report and

pay FICA taxes and (942 only) income tax voluntarily withheld. The information is used to verify that the correct tax has been paid.

- *OMB Reviewer:* Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503
- *Date Submitted:* November 23, 1982
- *Submitting Bureau:* Bureau of Alcohol, Tobacco and Firearms
- *OMB Number:* 1512-0053
- *Form Number:* ATF F 110 (5000.13)
- *Type of Submission:* Extension
- *Title:* Notice of Intention to Remove Distilling Apparatus
- *Purpose:* Completion of this form notifies ATF of Distilled Spirits Plant proprietor's intention to remove distilling apparatus. Stills are registered by law. The information from this form is used to verify that occupational and commodity taxes which are imposed by 26 U.S.C. 5101 have been paid, additionally to determine whether the individual receiving the still should be required to qualify as a bonded distilled or recoverer of alcohol, whether beverage or industrial.
- *OMB Reviewer:* Suzann Evinger (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503.
- *Date Submitted:* November 23, 1982
- *Submitting Bureau:* Bureau of Alcohol, Tobacco and Firearms
- *OMB Number:* 1512-0057
- *Form Number:* ATF F 487-B (5170.7)
- *Type of Submission:* Extension
- *Title:* Application and Permit to Ship Liquors and Articles of Puerto Rican Manufacture Taxpaid
- *Purpose:* This form documents that liquors and articles of Puerto Rican manufacture are taxpaid before being brought into the United States. The complete form serves as a permit authorizing shipment. The form clearly identifies the commodity involved, the certifications by Government personnel and ensures compliance with statutes and regulations for the protection of revenue.
- *OMB Reviewer:* Suzann Evinger (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503.
- *Date Submitted:* November 23, 1982
- *Submitting Bureau:* Bureau of Alcohol, Tobacco and Firearms
- *OMB Number:* 1512-0018

Form Number: ATF Form 6 (Part II)
(7570.3B)

Type of Submission: Extension

Title: Application and Permit for
Importation of Firearms, Ammunition
and Implements of War

Purpose: Application required by 18
U.S.C. 925(a)(4) and regulations issued
pursuant thereto. Information
collected is used to determine
eligibility to import firearms and
ammunition.

OMB Reviewer: Suzann Evinger (202)
395-6880, Office of Management and
Budget, Room 3208, New Executive
Office Building, Washington, D.C.
20503.

• *Date Submitted:* November 23, 1982
Submitting Bureau: Internal Revenue
Service

OMB Number: 1545-0153

Form Number: 3206

Type of Submission: Extension

Title: Information Statement by United
Kingdom Withholding Agents Paying
Dividends from U.S. Corporations to

Residents of the U.S. and Certain
Treaty Countries

Purpose: Used to report dividends paid
by U.S. corporations to beneficial
owners of dividends paid through
United Kingdom nominees who are
residents of countries other than
United Kingdom with which the U.S.
has a tax treaty providing for reduced
withholding rates on dividends. The
data is used by IRS to determine
whether the proper amount of income
tax was withheld.

OMB Reviewer: Michael Abrahams
(202) 395-6880, Office of Management
and Budget, Room 3208, New
Executive Office Building,
Washington, D.C. 20503.

• *Date Submitted:* November 23, 1982
Submitting Bureau: Internal Revenue
Service

OMB Number: 545-0060

Form Number: 3672 & 3672A

Type of Submission: Revision

Title: Application for Approval of
Master or Prototype Defined

Contribution Plan for Self-employed
Individuals/Defined Benefit Plan

Purpose: IRS uses these forms to
determine from the information given
whether the applicant plan qualifies
under section 401(a) of the Internal
Revenue Code and under the
applicable parts of ERISA as an
approved employee benefit plan. A
determination is also made on
whether the related trust qualifies for
tax exempt status under section 501(a)
of the Code.

OMB Reviewer: Michael Abrahams
(202) 395-6880, Office of Management
and Budget, Room 3208, New
Executive Office Building,
Washington, D.C. 20503.

November 30, 1982

Joy Tucker,

Departmental Reports, Management Officer.

[FR Doc. 82-33215 Filed 12-6-82; 8:45 am]

BILLING CODE 4810-25-M

Sunshine Act Meetings

Federal Register

Vol. 47, No. 235

Tuesday, December 7, 1982

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Civil Aeronautics Board.....	1
Commission on Civil Rights.....	2
Consumer Product Safety Commission.....	3
Federal Communications Commission.....	4-6
Federal Election Commission.....	7
Federal Home Loan Bank Board.....	8
Federal Trade Commission.....	9
National Transportation Safety Board..	10

1

CIVIL AERONAUTICS BOARD

[M-368, December 2, 1982]

TIME AND DATE: 10 a.m. December 9, 1982.

PLACE: Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

SUBJECT:

1. Ratification of Items Adopted by Notation.
2. Change in order of succession to the Board in a national emergency to reflect staff reorganization. (Memo 1588, OGC, OMD, OCCCA, BIA, BDA)
3. Revision of time period for preliminary review of Subpart Q applications. (Memo 1590, OGC, BDA, BIA)
4. Docket 40366, OMB Disapproval of Domestic Baggage Liability Rule Notice Requirements. (OGC)
5. Docket 40366, Effective date of Domestic Baggage Liability Rule (OGC)
6. Docket 39932, Motion by ACAP to stay the effective date of the Denied Boarding Compensation rule pending consideration of its petition for modification. (OGC)
7. Petition by ACAP to modify Part 253 prior to its effective date. (OGC)
8. Docket 40876, Request of Emery Air Freight for waiver or exemption to permit interlining with direct carriers. (OGC)
9. Docket 27114, Motion of Pan American World Airways, Inc., for issuance of a declaratory order on employees' duties under labor protective provisions (in Pan American-Trans World Airlines Route Exchange Agreement) (Memo 144-A, For Information Memorandum dated 11-12-82).
10. Commuter carrier fitness determination of Sundorph Aeronautical Corp. (BDA)
11. Docket EAS-521, Essential Air Service at Glens Falls, New York. (Memo 212-C, BDA, OCCCA)

12. Docket EAS-763, Essential Air Transportation Eligibility Determination of Sedalia, Missouri. (Memo 628-C, BDA, OCCCA, OGC)

13. Docket 41030, Notice of Air Midwest to suspend service at Lamar, Colorado, and seven Kansas points including Garden City, Dodge City, Hutchinson, Parsons/Independence/Coffeyville, Goodland, Great Bend, and Hays. (Memo 1582-A, BDA, OCCCA)

14. Docket 40657, Notice of Pioneer Airways to terminate service at Sidney, Alliance and Chadron. (Memo 1331-A, BDA, OCCCA)

15. Dockets 40807, 40817, and 35351, 419 force-in rates for Wien and Alaska. (BDA, OCCCA, OGC, OC)

16. Establishment of Special Subsidy Program for Fiscal Year 1983 Required by Congress in the Continuing Resolution adopted October 1, 1982. (Memo 1594, BDA, OCCCA, OC, OGC)

17. Docket 39001, Air Illinois, Inc., Application for compensation for losses at Mount Vernon, Illinois. (Memo 172-B, BDA, OCCCA, OGC, OC, BCAA)

18. Docket 40816, Amended application of Transamerica Airlines, Inc., for amendment of its charter certificate so as to authorize it to engage in interstate charter air transportation within the State of Alaska. (Memo 1583, BDA, OGC)

19. Dockets 35634, 38623, IATA agreements amending procedural practices in the Japan-TCI (Western Hemisphere) area, U.S.-Ireland container rates and rates for minimum-sized shipments from Sweden. (Memo 1592, BIA)

20. Docket 38623, Agreements CAB 28882 and 28883, IATA agreements proposing minor transatlantic fare revisions. (BIA)

21. Docket 40751, In the Matter of Intra-Hawaii Service Mail Rates. (Memo 351-D, BIA)

22. Docket 37294, Priority and Nonpriority Domestic Service Mail Rates Investigation, and Docket 37392, Transatlantic, Transpacific and Latin American Service Mail Rates Investigation. (BIA)

23. Dockets 33477, 36764, 36419, 34573, 37865, 33220, 37937, 36767, 37576, 37987, 38939, 32830, 37575, 37867, 34136, 32665, 39251, 39870, 39634, and 33712, Texas/Great Lakes-Eastern Canada Service Case, Texas-Alberta-Alaska Case, Anchorage-London Service Case, Denver-London Service Case, Yucatan Service Case, U.S.-London Case (1981), Miami/New Orleans-San Jose, Costa Rica Case, Miami-London Service Case (Gatwick Phase), Dallas/Ft. Worth-Yucatan Service Proceeding, Florida-Mexico City Service Investigation, Central Zone-Caracas/Maracaibo, Venezuela Case, Boston-London Service Case, Chicago/Texas/Southeast-Western Mexico Route Proceeding, California/Southwest-Western Mexico Route Proceeding, New Gateways to Brazil Case, New York-Ottawa Proceeding, U.S.-London Case (1982), and Tiger International-

Seaboard World Acquisition Case; (Memo 1589, BIA).

24. Docket 40288, Application of British Caribbean Airways, Limited (BCA) for renewal of its foreign air carrier permit to conduct nonscheduled and charter operations carrying property and mail. (BIA, OGC, BALJ, OC)

25. Docket 36595, Investigation into the Competitive Marketing of Air Transportation.

26. Report on German Negotiations. (BIA)

27. Discussion on ECAC. (BIA)

28. Discussion of Japan. (BIA)

STATUS:

1-25 Open

26-28 Closed

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

[S-1772-82 Filed 12-3-82; 3:56 pm]

BILLING CODE 6320-01-M

2

COMMISSION ON CIVIL RIGHTS

PLACE: Room 800, 1121 Vermont Avenue, NW., Washington, D.C.

DATE AND TIME: Thursday, December 2, 1982, 4:30 p.m.

STATUS OF MEETING: Conference call (open to the public).

MATTERS TO BE CONSIDERED:

1. Discussion of Commission's position on possible action by the Department of Justice in *Iron Arrow Honor Society v. Schweiker*.

PERSON TO CONTACT FOR FURTHER INFORMATION: Barbara Brooks, Press and Communications Division (202) 254-6697.

[S-1767-82 Filed 12-3-82; 3:15 pm]

BILLING CODE 6335-01-M

3

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 10 a.m., Thursday, December 9, 1982.

LOCATION: Third Floor Hearing Room, 1111 18th Street, NW., Washington, D.C.

STATUS: Open to the Public:

1. *Chain Saws: Status Report*
The staff will brief the Commission on the status of the Chain Saws project.
2. *Woodburning Stoves: Labeling Rule*
The staff will brief the Commission on issues related to a labeling rule for Woodburning Stoves.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Deputy

Secretary, Office of the Secretary, 5401 Westbard Avenue, Bethesda, Maryland 20207 301-492-6800

[S-1763-82 Filed 12-2-82; 4:06 pm]

BILLING CODE 6355-01-M

4

FEDERAL COMMUNICATIONS COMMISSION

The Federal Communications Commission will hold a Closed Meeting on the subjects listed below on Wednesday, December 8, 1982, following the Open Meeting which is scheduled to commence at 10:30 a.m. in Room 856, at 1919 M Street, NW., Washington, D.C.

Agenda Item No., and Subject

Mass Media—Video (AL/TC)—1—(1)

Application (BALCT-820413FI) for the assignment of license of UHF Television Station WJAN, Canton, Ohio, from PTL of Heritage Village Church and Missionary Fellowship, Inc. to David Livingstone Missionary Foundation, Inc.; (2) "Petition for Special Relief," filed by PTL, and "Comments in Support of Petition for Special Relief," filed by Livingstone.

Mass Media—Enforcement (C&C)—1—Field investigation into the operation of Station WABC-TV New York, New York.

Hearing—1—Application for Review in the Gatinbury Broadcast Communications, Inc., Gatinbury, Tennessee comparative AM proceeding (BC Docket Docket Nos. 82-667, 82-668).

Hearing—2—Application for Review of Order of the General Counsel, issued pursuant to delegated authority, in the Los Angeles, California non-commercial television proceeding (Docket Nos. 82-189 through 82-192).

Hearing—3—Application for Renewal of License for Station WOR-TV, New York City in the Channel 9, New York City comparative renewal proceeding (Docket Nos. 19991-92).

Mass Media—Video 1, is closed to the public because it concerns Investigatory Records Matters (See 47 CFR 0.603 (g)).

Mass Media Enforcement 1, is closed to the public because it concerns Adjudication Matters (See 47 CFR 0.603(j)).

Hearing 1, 2, and 3, are closed to the public because they concern Adjudication Matters (See CFR 0.603(j)).

The following persons are expected to attend the appropriate portions of this meeting:

Commissioners and their Assistants
Managing Director and members of his staff
General Counsel and members of his staff
Chief, Mass Media Bureau and members of his staff
Chief, Office of Public Affairs and members of his staff

Action by the Commission:

Mass Media—Video 1, December 1, 1982. Commissioners Fowler, Chairman

Quello, Fogarty, Jones, Dawson, Rivera and Sharp voting to consider this item in Closed Session.

Mass Media—Enforcement 1, December 1, 1982. Commissioners Fowler, Chairman; Quello, Fogarty, Jones, Dawson, Rivera and Sharp voting to consider this item in Closed Session.

Hearing Items 1, 2, and 3, December 1, 1982. Commissioners Fowler, Chairman; Quello, Fogarty, Jones, Dawson, Rivera and Sharp voting to consider these items in Closed Session.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Office, telephone number (202) 254-7674.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S-1768-82 Filed 12-3-82; 3:16 pm]

BILLING CODE 6712-01-M

5

FEDERAL COMMUNICATIONS COMMISSION

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Wednesday, December 8, 1982, which is scheduled to commence at 10:30 a.m., in Room 856, at 1919 M Street NW., Washington, D.C.

Agenda, Item No., and Subject

Private Radio—1—Title: Petition for Reconsideration and Request for Oral Argument. Petitioner seeks reversal of Commission action deleting the requirement that Personal Radio Services licensees possess copies of the Commission's Rules. Summary: The Commission will consider whether to grant or deny the Petition and Request, filed by the Personal Radio Steering Group, Corwin D. Moore, Jr., Administrative Coordinator.

Private Radio—2—Title: Report and Order in the Matter of Amendment of the "Grandfathering" Provisions for Transmitter and Antenna Standards in Part 94. Summary: The FCC will consider whether to adopt a Report and Order which would grandfather, for an indefinite period, transmitting equipment (including antennas) authorized in the Private Operational-Fixed Microwave Radio Service prior to July 1, 1976.

Common Carrier—1—Title: Modification of Depreciation Rates for Fourteen Domestic Telephone Companies. Summary: The Commission has under consideration revised depreciation rates for nine Bell operating telephone companies, three GTE affiliates and two Continental affiliates. The proposed remaining-life and straight line equal life group (SLELG) rates are based upon life and net salvage studies prepared by the companies and reviewed

by the staffs of the respective state commissions and the FCC. The remaining-life rates are for embedded plant and the SLELG rates are for new additions to most of the central office equipment and outside plant accounts. Both the remaining-life and SLELG methods were permitted by the Commission in Docket No. 20188, 83 FCC 2d 267 (1980). The two Continental companies did not request SLELG rates.

Common Carrier—2—Title: Pacific Telephone and Telegraph Company, et al. Summary: The FCC will consider a petition by the State of California and the California Public Utilities Commission asking the FCC to reconsider its ruling in *Pacific Telephone and Telegraph Company*, 88 FCC 2d 934 (1981). The FCC held in *Pacific* that telephone companies which charge in excess of their business-line rate (i.e., the rate for local exchange-line service to business customers) for "open end" service to interstate foreign exchange service (FX) customers must file tariffs for such "surcharges" with the FCC regardless of whether the "surcharges" are the same in amount as those for intrastate "open end" service. The FCC additionally held that "indirect access" charges by telephone companies for the use of local exchange facilities to complete interstate private-line calls switched into the local network through customer-controlled switches must also be filed with it. California maintains that reconsideration of these rulings may be in order in view of the impending divestiture of the Bell System Operating Companies from the AT&T parent. The petitioners also maintain that private line exchange access charges in California are reasonable and nondiscriminatory, and so need not be subjected to FCC tariff review.

Common Carrier—3—Title: Amendment of Annual Report Forms O and R regarding revision and elimination of certain schedules. Summary: The Commission will consider whether to adopt a Report and Order to ease the reporting requirements of annual reports for domestic telegraph and international record carriers.

Common Carrier—4—Title: Report and Order in Docket No. 80-632. Summary: The Commission will consider eliminating the voice/record dichotomy (TAT-4) in the provision of international services.

Common Carrier—5—Title: Applications of FTC Communications, Inc. Western Union International, Inc. ITT World Communications Inc., and RCA Global Communications, Inc. Summary: The Commission will consider whether the applications of the above-named international record carriers to provide voice only lease channel service between the United States and the United Kingdom are in the public interest.

Common Carrier—6—Title: American Telephone and Telegraph Report on services to be shared between Fully Separated Subsidiary and Affiliated Companies. Summary: The Commission will consider AT&T's proposals for allowing American Bell to share real estate, office support, educational, employee management and other services

provided by the 195 Broadway Corporation, the Administrative Services Department, BTL, the BOCs, Long Lines and Western Electric.

Mass Media—Video (Cable TV)—1—Title: Amendment of Part 76 of the Commission's Rules and Regulations Relative to the Obligations of Cable Television Systems to Maintain Public Inspection Files. **Summary:** The Commission will consider whether to initiate rule making with the aim of simplifying the public inspection file requirements for cable television operators.

Mass Media—Video (Cable TV)—2—Title: Petition for reconsideration of denial of RM-3430. **Summary:** In RM-3430, the Office of Communications of the United Church of Christ and the Consumer Federation of America requested the initiation of a rulemaking proceeding looking toward the adoption of a rule requiring cable television systems with 3,500 or more subscribers to originate local cablecast programming. The Commission denied this petition and reconsideration of that decision is now requested.

Mass Media—Video (Cable TV)—3—Title: Petition for Rulemaking RM-3769. **Summary:** WICS-TV, Inc., licensee of television broadcast station WICS (NBC, Channel 20) Springfield, Illinois, has requested the Commission to initiate a rulemaking proceeding to provide for issuance by the Commission of public notices listing cable television systems which notify the Commission that they have reached or exceeded 1,000 subscribers. The Commission will consider whether to grant or deny the petition.

Mass Media—Video (Cable TV)—4—Title: "Petition for Rulemaking" (RM-4098) and request for declaratory ruling filed, respectively, March 2, 1982, and March 31, 1982, by Service Electric Cable TV, Inc. **Summary:** Service Electric Cable TV, Inc., a multiple cable television system operator, seeks institution of a rulemaking proceeding to require substantiation of carriage, nonduplication, and sports blackout requests. Service Electric has also filed a related request for issuance of a declaratory ruling.

Mass Media—Video (Cable TV)—5—Title: Renewal application for Station WABC-TV, New York, New York. **Subject:** The Commission will consider the proposal of WABC-TV to enhance its physical presence in New Jersey by establishing a news bureau in New Jersey, with interconnection to the main studio and with a variety of promotional efforts to publicize the facilities, and petitions to deny the renewal application, filed by the New Jersey Coalition for Fair Broadcasting, the Governor of New Jersey, the State Legislature of New Jersey, and the Department of the Public Advocate for the State of New Jersey.

Mass Media—Video (Cable TV)—6—Title: Petition filed by Northern Television, Inc. seeking review of an action granting the application of Valley Radio Corporation for modification of the facilities of station KABN, Long Island, Alaska, and denying a petition to deny the proposal. **Summary:** The Commission considers the above matter.

Mass Media—Video (Cable TV)—7—Title: Petition for reconsideration of Commission action requiring American Television of Utah, Inc. to choose which of its two television applications for Salt Lake City it will prosecute. **Summary:** The Commission will determine whether the applicant should be forced to elect whether it will prosecute its application for Channel 13 or Channel 14.

Mass Media—Audio (Aural)—1—Title: Application for Review filed by Anibal Sotomayor. **Summary:** This action considers whether to grant Sotomayor's request for waiver of Sections 73.203(b) and 73.207, and accept its application for Channel 266B, Adjuntas, Puerto Rico.

Mass Media—Policy (Broadcast)—1—Title: Reassignment of VHF television Channel 9 and modification of Station WOR-TV's license from New York to New Jersey. **Summary:** The Commission will consider the notification of RKO General of its agreement to move Station WOR-TV from New York to New Jersey in exchange for a 5 year license term.

Mass Media—Policy (Broadcast)—2—Title: Reduction of the financial information required by certain application forms. **Summary:** The Commission will consider adopting a Public Notice specifying information that no longer need be provided in certain broadcast application forms.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

William J. Tricarico,
Secretary.

[S-1769-82 Filed 12-3-82; 3:22 pm]
BILLING CODE 6712-01-M

6

FEDERAL COMMUNICATIONS COMMISSION

The following item has been deleted at the request of the Chairman's office from the list of agenda items scheduled for consideration at the December 2, 1982, Open Meeting and previously listed in the Commission's Notice of November 24, 1982.

Agenda, Item No., and Subject

Assignment and Transfer—1—Title: (1) Application to assign the license of AM station KQV, Pittsburgh, Pennsylvania, from Taft Broadcasting Company of Pennsylvania, Inc. to Calvary, Inc.; (2) a petition to deny the application filed by WWSW Radio, Inc. and PG Publishing Company; (3) an alternative request filed by the applicants for waiver of the newspaper-broadcast cross-ownership rule, Section 73.35 of the Commission's Rules. **Summary:** The Commission will consider the applicability of the newspaper-broadcast cross-ownership rule to the

proposed transaction and, in the alternative, a request to waive that rule.

Issued: December 2, 1982.

William J. Tricarico,
Secretary, Federal Communications
Commission.

[S-1770-82 Filed 12-3-82; 3:17 pm]
BILLING CODE 6712-01-M

7

FEDERAL ELECTION COMMISSION

[Federal Register No. 1744]

PREVIOUSLY ANNOUNCED DATE AND TIME: Tuesday, December 7, 1982 at 10 a.m.

CHANGE IN MEETING: There will be an open Commission meeting immediately following the public hearing on the same matter:

Proposed revision to the Presidential Primary Matching Fund Regulations and related sections

* * * * *
[Federal Register No. 1744]

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, December 9, 1982 at 10 a.m.

CHANGE IN MEETING:

Removed From Agenda: AO-1982-53
Added To Agenda: Commission appointment and promotion procedures (non-bargaining unit)

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; telephone 202-523-4065.

Marjorie W. Emmons,
Secretary of the Commission.

[S-1764-82 Filed 12-3-82; 11:47 am]
BILLING CODE 6715-01-M

8

FEDERAL HOME LOAN BANK BOARD

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. No. 47, page No: none at this time. Date Published: none at this time.

PLACE: Board Room, sixth floor, 1700 G Street, NW., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Lockwood (202-377-6679).

CHANGES IN THE MEETING: The following items have been added to the open portion of the bank board meeting scheduled Wednesday, December 8, 1982.

Processing of Applications
Delegation of Authority Regarding Holding Company Acquisition and Debt Policy on Advances to Members
Interstate Institution Membership in Federal Home Loan Banks
FSLIC Insurance Coverage of Loan Payments Held by Loan Servicers

Definition of Scheduled Items: Amortization Methods for Discounts and Deferred Fees; State Concurrence in Use of Deferral Accounting

Charters and Bylaws Available to Federal Associations, and Related Amendments; Processing of Applications

Amendments Relating to Grandfathering of State Authority by Institutions Converting to Federal Charters

Amendments Relating to the Organization, Merger and Acquisition of Interim Savings and Loan Associations and Interim Savings Banks

Net Worth Certificates; Regulatory Net Worth; Charter Amendments by Federal Institutions

[No. 86, December 3, 1982]

[S-1765-82 Filed 12-3-82; 8:45 am]

BILLING CODE 6720-01-M

9

FEDERAL TRADE COMMISSION:

TIME AND DATE: 2 p.m., Wednesday, December 8, 1982.

PLACE: Room 532, (open); Room 540 (closed) Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, NW., Washington, D.C. 20580.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the Public.

MATTERS TO BE CONSIDERED: Portions Open to Public:

(1) Oral Argument in International Harvester Company, Docket 9147.

Portions closed to the Public:

(2) Executive Session to discuss Oral Argument in International Harvester Company, Docket No. 9147.

CONTACT PERSON FOR MORE

INFORMATION: Susan B. Ticknor, Office of Public Affairs: (202) 523-3830; Recorded Message: (202) 523-3806.

[S-1771-82 Filed 12-3-82; 3:22 pm]

BILLING CODE 6250-01-M

10

**NATIONAL TRANSPORTATION SAFETY BOARD
(NM-82-29)**

TIME AND DATE: 9 a.m., Tuesday, December 14, 1982.

PLACE: Conference Room 8ABC, 800 Independence Ave., SW., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. *Aircraft Accident Report:* World Airways, Inc., Flight 30H, McDonnell Douglas DC-10-30, Boston Logan International Airport, Boston, Massachusetts, January 23, 1982.

2. *Special Investigation Report:* Effect of Runway Surface Conditions on Airplane Performance.

3. *Recommendations* to the Federal Aviation Administration regarding runway surface conditions on airplane performance.

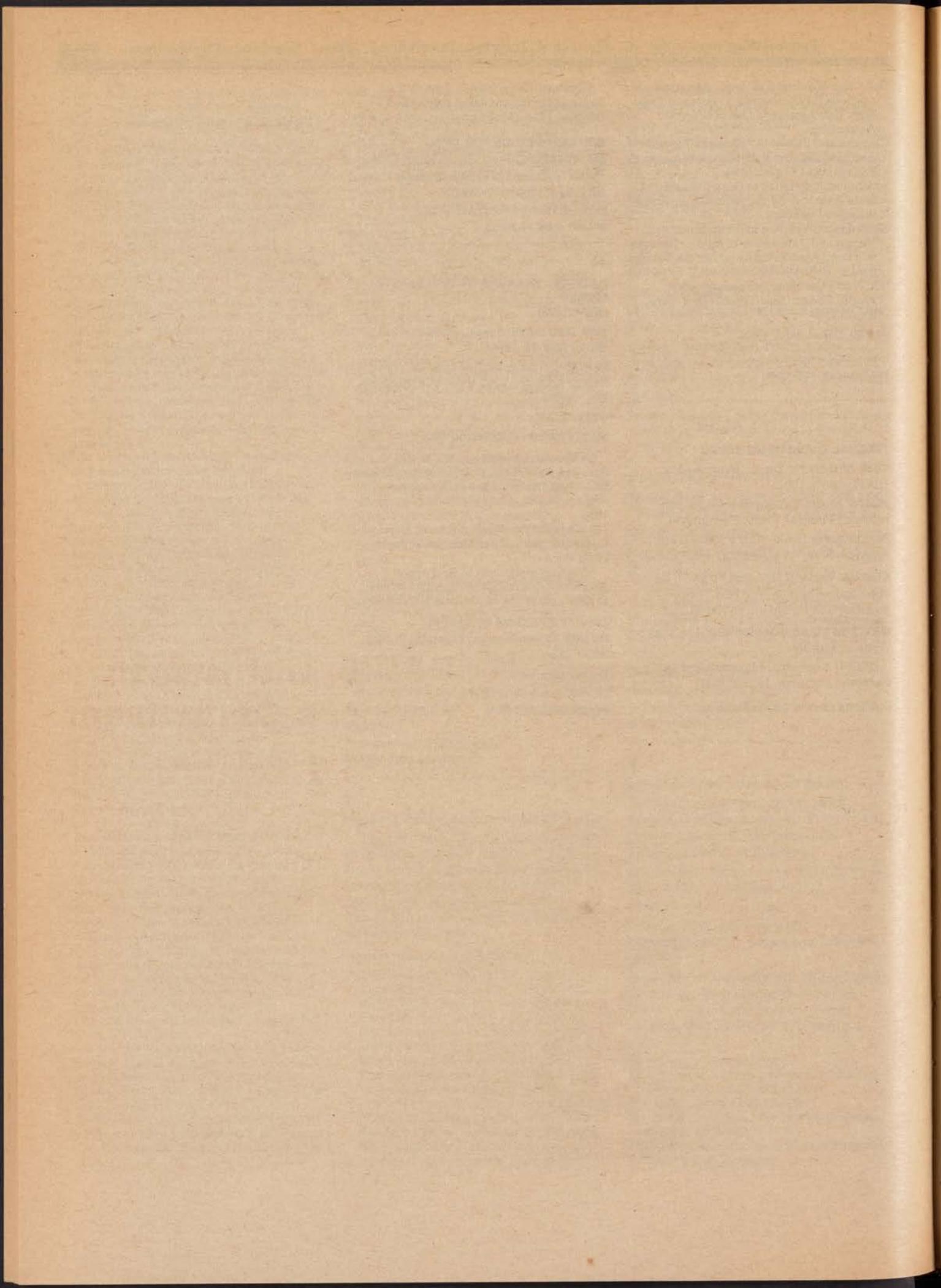
CONTACT PERSON FOR MORE

INFORMATION: Sharon Flemming (202) 382-6525.

December 3, 1982.

[S-1766-82 Filed 12-3-82; 3:12 pm]

BILLING CODE 4910-58-M



federal register

Tuesday
December 7, 1982

Part II

Health and Human Services Department

Food and Drug Administration

**Orally Administered Menstrual Drug
Products for Over-the-Counter Human
Use; Establishment of a Monograph**

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 357**

[Docket No. 82N-0165]

Orally Administered Menstrual Drug Products for Over-the-Counter Human Use; Establishment of a Monograph**AGENCY:** Food and Drug Administration.**ACTION:** Advance notice of proposed rulemaking.

SUMMARY: The Food and Drug Administration (FDA) is issuing an advance notice of proposed rulemaking that would establish conditions under which over-the-counter (OTC) orally administered menstrual drug products (drugs taken internally to treat problems relating to a woman's menstrual period) are generally recognized as safe and effective and not misbranded. This notice is based on the recommendations of the Advisory Review Panel on OTC Miscellaneous Internal Drug Products and is part of the ongoing review of OTC drug products conducted by FDA.

DATES: Written comments by March 7, 1983, and reply comments by April 6, 1983.

ADDRESS: Written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, National Center for Drugs and Biologics (HFD-510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4960.

SUPPLEMENTARY INFORMATION: In accordance with Part 330 (21 CFR Part 330), FDA received on October 17, 1981 a report on OTC orally administered menstrual drug products from the Advisory Review Panel on OTC Miscellaneous Internal Drug Products. FDA regulations (21 CFR 330.10(a)(6)) provide that the agency issue in the *Federal Register* a proposed rule containing (1) the monograph recommended by the Panel, which establishes conditions under which OTC orally administered menstrual drugs are generally recognized as safe and effective and not misbranded; (2) a statement of the conditions excluded from the monograph because the Panel determined that they would result in the drugs' not being generally recognized as safe and effective or would result in misbranding; (3) a statement of the conditions excluded from the

monograph because the Panel determined that the available data are insufficient to classify these conditions under either (1) or (2) above; and (4) the conclusions and recommendations of the Panel.

The unaltered conclusions and recommendations of the Panel are issued to stimulate discussion, evaluation, and comment on the full sweep of the Panel's deliberations. The report has been prepared independently of FDA, and the agency has not yet fully evaluated the report. The Panel's findings appear in this document to obtain public comment before the agency reaches any decision on the Panel's recommendations. This document represents the best scientific judgment of the Panel members, but does not necessarily reflect the agency's position on any particular matter contained in it.

After reviewing all comments submitted in response to this document, FDA will issue in the *Federal Register* a tentative final monograph for OTC orally administered menstrual drug products as a notice of proposed rulemaking. Under the OTC drug review procedures, the agency's position and proposal are first stated in the tentative final monograph, which has the status of a proposed rule. Final agency action occurs in the final monograph, which has the status of a final rule.

The agency's position on OTC orally administered menstrual drug products will be stated initially when the tentative final monograph is published in the *Federal Register* as a notice of proposed rulemaking. In that notice of proposed rulemaking, the agency also will announce its initial determination whether the monograph is a major rule under Executive Order 12291 and will consider the requirements of the Regulatory Flexibility Act (5 U.S.C. 601-612). The present notice is referred to as an advance notice of proposed rulemaking to reflect its actual status and to clarify that the requirements of the Executive Order and the Regulatory Flexibility Act will be considered when the tentative final monograph is published. At that time FDA also will consider whether the monograph has a significant impact on the human environment under 21 CFR Part 25 (proposed in the *Federal Register* of December 11, 1979, 44 FR 71742).

The agency invites public comment regarding any substantial or significant economic impact that this rulemaking would have on OTC orally administered menstrual drug products. Types of impact may include, but are not limited to costs associated with product testing, relabeling, repackaging, or

reformulating. Comments regarding the impact of this rulemaking on OTC orally administered menstrual drug products should be accompanied by appropriate documentation.

The agency is aware of the Panel's recommendation that pyrilamine maleate be classified in Category I "for the relief of emotional changes related to the premenstrual period, such as anxiety, nervous tension, and irritability." In the *Federal Register* of June 22, 1979 (44 FR 36378), the agency published a final order placing antihistamines, including pyrilamine maleate, in Category II for use as daytime sedatives. FDA concluded that, while antihistamine drugs make the user drowsy or sleepy, there are no data to indicate that the drowsiness effect is related to relieving symptoms of anxiety. The Panel acknowledged the daytime sedative final order but rationalized that the target population for the use of a menstrual product may be different from the population that would commonly use daytime sedatives. In light of the conclusions made in the daytime sedative final order, the agency is concerned that the data relied on by the Panel may not provide substantial evidence of effectiveness for the use of pyrilamine maleate for the symptoms of anxiety, nervous tension, and irritability related to the premenstrual period.

The agency is also aware of the Panel's recommendation that pyrilamine maleate be classified in Category I for water-retention symptoms (weight gain, swelling, etc.) during the premenstrual or menstrual period. The agency recognizes that the study results relied on by the Panel to support this recommendation were conflicting. Although the agency has not fully evaluated the studies, it is concerned that the data may not be sufficient to provide general recognition of effectiveness.

The agency recognizes that pyrilamine maleate has been marketed in combination with analgesics and/or diuretics and indicated for menstrual and premenstrual symptoms. However, the agency is unaware of any product on the OTC market containing pyrilamine maleate as the only ingredient and indicated for menstrual or premenstrual symptoms. Because of the concerns outlined above, the agency believes that products containing pyrilamine maleate as a single ingredient and indicated for any menstrual or premenstrual symptom should not be marketed at this time. The agency invites specific comment on the Panel's conclusions regarding the use of pyrilamine maleate in OTC menstrual drug products.

In accordance with § 330.10(a)(2), the Panel and FDA have held as confidential all information concerning OTC orally administered menstrual drug products submitted for consideration by the Panel. All the submitted information will be put on public display in the Dockets Management Branch, Food and Drug Administration, after January 6, 1983, except to the extent that the person submitting it demonstrates that it falls within the confidentiality provisions of 18 U.S.C. 1905 or section 301(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(j)). Requests for confidentiality should be submitted to William E. Gilbertson, National Center for Drugs and Biologics (HFD-510) (address above).

FDA published in the *Federal Register* of September 29, 1981 (46 FR 47730) a final rule revising the OTC procedural regulations to conform to the decision in *Cutler v. Kennedy*, 475 F. Supp. 838 (D.D.C. 1979). The Court in *Cutler* held that the OTC drug review regulations (21 CFR 330.10) were unlawful to the extent that they authorized the marketing of Category III drugs after a final monograph had been established. Accordingly, this provision is now deleted from the regulations. The regulations now provide that any testing necessary to resolve the safety or effectiveness issues that formerly resulted in a Category III classification, and submission to FDA of the results of that testing or any other data, must be done during the OTC drug rulemaking process, before the establishment of a final monograph.

Although it was not required to do so under *Cutler*, FDA will no longer use the terms "Category I," "Category II," and "Category III" at the final monograph stage in favor of the terms "monograph conditions" (old Category I) and "nonmonograph conditions" (old Categories II and III). This document retains the concepts of Categories I, II, and III because that was the framework in which the Panel conducted its evaluation of the data.

The agency advises that the conditions under which the drug products that are subject to this monograph would be generally recognized as safe and effective and not misbranded (monograph conditions) will be effective 12 months after the date of publication of the final monograph in the *Federal Register*. In some advance notices of proposed rulemaking previously published in the OTC drug review, the agency suggested an earlier effective date. However, as explained in the tentative final monograph for OTC topical antimicrobial drug products

(published in the *Federal Register* of July 9, 1982 [47 FR 29986]), the agency has concluded that, generally, it is more reasonable to have a final monograph be effective 12 months after the date of its publication in the *Federal Register*. This period of time should enable manufacturers to reformulate, relabel, or take other steps to comply with a new monograph with a minimum disruption of the marketplace, thereby reducing economic loss and ensuring that consumers have continued access to safe and effective drug products.

On or after the effective date of the monograph, no OTC drug products that are subject to the monograph and that contain nonmonograph conditions, i.e., conditions which would cause the drug to be not generally recognized as safe and effective or to be misbranded, may be initially introduced or initially delivered for introduction into interstate commerce unless they are the subject of an approved new drug application. Further, any OTC drug products subject to this monograph which are repackaged or relabeled after the effective date of the monograph must be in compliance with the monograph regardless of the date the product was initially introduced or initially delivered for introduction into interstate commerce. Manufacturers are encouraged to comply voluntarily with the monograph at the earliest possible date.

A proposed review of the safety, effectiveness, and labeling of all OTC drugs by independent advisory review panels was announced in the *Federal Register* of January 5, 1972 (37 FR 85). The final regulations providing for this OTC drug review under § 330.10 were published and made effective in the *Federal Register* of May 11, 1972 (37 FR 9464). In accordance with these regulations, a request for data and information on all active ingredients used in OTC miscellaneous internal drug products was issued in the *Federal Register* of November 16, 1973 (38 FR 31696). (In making their categorizations with respect to "active" and "inactive" ingredients, the advisory review panels relied on their expertise and understanding of these terms. FDA has defined "active ingredient" in its current good manufacturing practice regulations (§ 210.3(b)(7), [21 CFR 210.3(b)(7)]), as "any component that is intended to furnish pharmacological activity or other direct effect in the diagnosis, cure, mitigation, treatment, or prevention of disease, or to affect the structure or any function of the body of man or other animals. The term includes those components that may undergo chemical change in the manufacture of the drug

product and be present in the drug product in a modified form intended to furnish the specified activity or effect." An "inactive ingredient" is defined in § 210.3(b)(8) as "any component other than an 'active ingredient.'" In the *Federal Register* of August 27, 1975 (40 FR 38179) a notice supplemented the initial notice with a detailed, but not necessarily all-inclusive, list of ingredients in miscellaneous internal drug products to be considered in the OTC drug review. This list, which included menstrual and diuretic drug products, was provided to give guidance on the kinds of ingredients for which data should be submitted. The notices of November 16, 1973 and August 27, 1975 informed OTC drug product manufacturers of their opportunity to submit data to the review at that time and of the applicability of the monographs from the OTC drug review to all OTC drug products.

Under § 330.10(a)(1) and (5), the Commissioner of Food and Drugs appointed the following Panel to review the information submitted and to prepare a report on the safety, effectiveness, and labeling of the active ingredients in these OTC miscellaneous internal drug products:

James L. Tullis, M.D., Chairman (appointed December 1979)
 John W. Norcross, M.D., Chairman (resigned March 1979)
 Diana F. Rodriguez-Calvert, Pharm. D. (appointed July 1976, served until September 1981)
 Ruth Eleanor Brown, R.Ph. (resigned May 1976)
 Elizabeth C. Giblin, M.N., Ed. D.
 Richard D. Harshfield, M.D. (deceased June 1, 1981)
 Theodore E. Hyde, M.D.
 Claus A. Rohweder, D.O. (deceased April 13, 1979)
 Samuel O. Thier, M.D. (resigned November 1975)
 William R. Arnosmith, M.D. (appointed March 1976)

Representatives of consumer and industry interests served as nonvoting members of the Panel. Eileen Hoates, nominated by the Consumer Federation of America, served as the consumer liaison until September 1975, followed by Michael Schulman, J.D. Francis J. Hailey, M.D., served as the industry liaison, and in his absence John Parker, Pharm. D., served. Dr. Hailey served until June 1975, followed by James M. Holbert, Sr., Ph. D. All industry liaison members were nominated by the Proprietary Association.

The following FDA employees assisted the Panel: Armond M. Welch, R.Ph., served as the Panel Administrator until July 1979, followed by John R.

Short, R.Ph. Enrique Fefer, Ph. D., served as the Executive Secretary until July 1976, followed by George W. James, Ph. D., until October 1976, followed by Natalia Morgenstern until May 1977, followed by Arthur Auer until October 1978. Roger Gregorio served as the liaison for the Office of New Drug Evaluation beginning November 1978. Joseph Hussion, R.Ph., served as the Drug Information Analyst until July 1976, followed by Anne Eggers, R.Ph., M.S., until October 1977, followed by John R. Short, R.Ph., until July 1979.

In order to expand its scientific base the Panel called upon the following consultants

Ralph B. D'Agostino, Ph. D. (statistics)
Lynn R. Brady, Ph. D. (pharmacognosy)
Arthur E. Schwarting, Ph. D.
(pharmacognosy)

The Advisory Review Panel on OTC Miscellaneous Internal Drug Products was charged with the review of many categories of drugs. Due to the large number of ingredients and varied labeling claims, the Panel decided to review and publish its findings separately for several drug categories and individual drug products. The Panel presents its conclusions and recommendations for OTC menstrual drug products in this document. The Panel's findings on other categories of OTC miscellaneous internal drug products are being published periodically in the *Federal Register*.

The Panel was first convened on January 13, 1975 in an organizational meeting. Working meetings which dealt with the topic in this document were held on December 13 and 14, 1980; January 31 and February 1, June 5, July 10, August 21, 22, and 23, and October 16 and 17, 1981.

The minutes of the Panel meetings are on public display in the Dockets Management Branch (HFA-305), Food and Drug Administration (address above).

The following individuals were given an opportunity to appear before the Panel at their own request to express their views on OTC menstrual drug products:

William Bickers, M.D.
Charles N. Jolly, J.D.
J. D. McColl, Ph. D.
Harold I. Silverman, D.Sc.
R. William Soller, Ph. D.
Edward L. Steinberg, M.Sc., O.D.

No person who so requested was denied an opportunity to appear before the Panel to discuss OTC menstrual drug products.

The Panel has thoroughly reviewed the literature and data submissions, has listened to additional testimony from

interested persons, and has considered all pertinent data and information submitted through October 17, 1981 in arriving at its conclusions and recommendations.

In accordance with the OTC drug review regulations in § 330.10, the Panel's findings with respect to OTC menstrual drug products are set out in three categories:

Category I. Conditions under which OTC menstrual drug products are generally recognized as safe and effective and are not misbranded.

Category II. Conditions under which OTC menstrual drug products are not generally recognized as safe and effective or are misbranded.

Category III. Conditions for which the available data are insufficient to permit final classification at this time.

The Panel reviewed 73 active ingredients for relieving symptoms of the premenstrual and menstrual periods. The Panel placed 10 ingredients in Category I, 58 ingredients in Category II, and 6 ingredients in Category III. (The number of ingredient classifications does not equal the number of ingredients reviewed because some ingredients were reviewed for more than one labeled use.)

I. Submission of Data and Information

Pursuant to the notices published in the *Federal Register* of November 16, 1973 (38 FR 31696) and August 27, 1975 (40 FR 38179) requesting submission of data and information on OTC miscellaneous internal drug products, the following firms made submissions relating to OTC menstrual drug products:

A. SUBMISSION BY FIRMS

Firms	Marketed products
Blair Laboratories, Inc., Norwalk, CT 06856.	Pre-Mens Forte tablets.
Chatterm Drug and Chemical Co., Chattanooga, TN 37409.	Pamprin tablets, neo Bromth tablets, Cardui tablets, Zodiex tablets, Predema tablets.
Cooper Laboratories, Inc., Cedar Knolls, NJ 07927.	Lydia E. Pinkham tablets and vegetable compound.
The Emko Company, St. Louis, MO 63143.	Sunril capsules.
McNeil Laboratories, Inc., Fort Washington, PA 19034.	Tylenol with codeine tablets.
Pfizer Pharmaceuticals, Inc., New York, NY 10017.	Femanol liquid.
Sterling Drug Co., New York, NY 10016.	Midol tablets.
Thompson Medical Company, Inc., New York, NY 10022.	Aqua-Ban tablets.
USV Pharmaceutical Corporation, Tuckahoe, NY 10707.	Femicin tablets.
Whitehall Laboratories, Inc., New York, NY 10017.	Trendar tablets.

B. Ingredients Reviewed by the Panel

1. Labeled ingredients contained in marketed products submitted to the Panel:

Acetaminophen
Ammonium chloride
Asclepias tuberosa (pleurisy root)
Aspirin
Caffeine
Cimicifuga racemosa (black cohosh)
Cinnamedrine hydrochloride
Codeine
Ethyl alcohol
Gentiana lutea (gentian)
Glycyrrhiza (licorice)
Ferrous sulfate
Homatropine methylbromide
Pamabrom (2-amino-2-methyl/-a/-propanol-8-bromotheophyllinate)
Phenacetin
Phenindamine tartrate
Piscidia erythrina (Jamaica dogwood)
Pyrilamine maleate
Salicylamide
Senecio aureus (life root)
Taraxacum officinale (dandelion root)

2. Other ingredients. a. In addition to those ingredients included in the products submitted to the Panel, the following ingredients were listed in the *Federal Register* notice of August 27, 1975 (40 FR 38179) as diuretics or as menstrual products:

Alfalfa leaves
Aloes
APAP
Asparagus
Barosma
Calcium lactate
Calcium pantothenate
Chlorophenpyridamine maleate
Cinnamylephedrine hydrochloride
Cnicus benedictus
Corn silk
Couch grass
Dog grass extract
Ethyl nitrite
Essence pepsin
Extract buchu
Extract hydrangea
Extract stone root
Extract uva ursi
Extracts of bearberry (*Cascara sagrada*)
Extracts of cascara
Ferric chloride
Hydrastis canadensis
Hyoscyamine sulfate
Magnesium sulfate
Methapyrilene hydrochloride
Methenamine
Methylene blue
Natural estrogenic hormone
Niacinamide
Oil of erigeron
Oil of juniper
Oil of nutmeg
Oleoresin capsicum

Parsley
 Phenyl salicylate (salol)
 Pipsissewa
 Potassium acetate
 Potassium nitrate
 Pyridoxine hydrochloride
 Riboflavin
 Saw palmetto
 Sodium benzoate
 Sodium nitrate
 Spirit of peppermint
 Sucrose
 Sulfurated oils of turpentine
 Theobromine sodium salicylate
 Theophylline
 Thiamine hydrochloride
 Triticum
 Urea
 Venice turpentine

b. Ingredients reviewed by the Panel in addition to the labeled ingredients submitted and the ingredients listed in the call for data:

Calcium carbaspirin
 Choline salicylate
 Magnesium salicylate
 Sodium salicylate

C. Classification of Ingredients

1. Active ingredients:

Acetaminophen (APAP)
 Ammonium chloride
Asclepias tuberosa (pleurisy root)
 Aspirin
 Caffeine
 Calcium carbaspirin
 Choline salicylate
Cimicifuga racemosa (black cohosh)
 Cinnamedrine hydrochloride
 (cinnamylephedrine hydrochloride)
 Codeine
Glycyrrhiza glabra (licorice root)
 Homatropine mehtylbromide
 Magnesium salicylate
 Pamabrom (2-amino-1-methyl-1-propanol-8-bromotheophyllinate)
 Phenacetin
Piscidia erythrina (Jamaica dogwood)
 Pyridoxine hydrochloride
 Pylamine maleate
 Salicylamide
Senecio aureus (life root)
 Sodium salicylate
Taraxacum officinale (dandelion)
 Theobromine sodium salicylate
 Theophylline

2. Inactive ingredient: *Gentiana lutea* (gentian).

3. Pharmaceutical necessity. Ethyl alcohol (The Panel considers that this ingredient may be necessary in a concentration up to 25 percent for solution of ingredients.)

4. Ingredient reviewed by the Advisory Review Panel on OTC Vitamin, Mineral, and Hematinic Drug Products whose report was published in the Federal Register of March 16, 1979 (44 FR 16126).

Ferrous sulfate (iron) (The Panel has not considered this ingredient because the pertinent claim, the treatment or prevention of iron deficiency anemia, is not within the purview of this Panel.)

5. Other ingredients. a. Although some meager data exist for the use of the following ingredients, the Panel concludes that such data (often anecdotal, folkloric, or based on studies without contemporary acceptable controls) are inadequate to establish the safety and effectiveness of any of these ingredients when used as OTC menstrual or diuretic drug products. The Panel, therefore, classifies these ingredients as Category II for this use, and they will not be reviewed further in this document:

Barosma
Cnicus benedictus (blessed thistle)
 Corn Silk
 Couch grass
 Dog grass extract
 Extract buchu
 Extract uva ursi
Hydrastis canadensis (golden seal)
 Oil of juniper
 Pipsissewa
 Triticum

b. The Panel was not able to locate nor is it aware of any body of data demonstrating the safety and effectiveness of the following OTC ingredients when used as menstrual or diuretic drug products. The Panel, therefore, classifies these ingredients as Category II for this use, and they will not be reviewed further in this document.

Alfalfa leaves
 Aloes
 Asparagus
 Calcium lactate
 Calcium pantothenate
 Chlorpropenpyridamine maleate
 Ethyl nitrite
 Essence pepsin
 Extract hydrangea
 Extract stone root
 Extracts of bearberry (*Cascara sagrada*)
 Extracts of cascara
 Ferric chloride
 Hyoscyamine sulfate
 Magnesium sulfate
 Methapyrilene hydrochloride
 Methenamine
 Methylene blue
 Natural estrogenic hormone
 Niacinamide
 Oil of erigeron
 Oil of nutmeg
 Oleoresin capsicum
 Parsley
 Phenindamine tartrate
 Phenyl salicylate (salol)
 Potassium acetate
 Potassium nitrate

Riboflavin
 Saw palmetto
 Sodium benzoate
 Sodium nitrate
 Spirit of peppermint
 Sucrose
 Sulfurated oils of turpentine
 Thiamine hydrochloride
 Urea
 Venice turpentine

D. Referenced OTC Volumes

The "OTC Volumes" cited throughout this document include submissions made by interested persons in response to the call-for-data notices published in the Federal Register of November 16, 1973 (39 FR 31696) and August 27, 1975 (40 FR 38179). All of the information included in these volumes, except for those deletions which are made in accordance with the confidentiality provisions set forth in § 330.10(a)(2), will be put on display after January 6, 1983, in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

II. General Statements and Recommendations

A. Definition of Terms

For the purposes of this document, the Panel has adopted the following definitions:

1. *Diuretic*. A drug that increases the excretion of water.
2. *Dysmenorrhea*. Painful menstruation. This may be accompanied by nausea, vomiting, diarrhea, headache, dizziness, fatigue, and bloating.
3. *Edema*. Water retention in the body tissues.
4. *Menses*. The monthly flow of blood from the genital tract of women.
5. *Menstrual flow*. Menses.
6. *Menstrual period*. The period of time from onset to stoppage of cyclic, physiologic uterine bleeding, which (in the absence of pregnancy) normally recurs, usually at approximately 4-week intervals.
7. *Menstruation*. Menses.
8. *Pre-menstrual period*. The period of approximately 1 week before onset of menstruation.
9. *Premenstrual syndrome*. A recurrent symptom complex that begins during the week prior to menstruation and usually disappears soon after the onset of the menstrual flow. This symptom complex consists predominantly of edema, lower abdominal pain (including cramps), breast tenderness, headache, abdominal bloating, fatigue, and the feelings of

depression, irritability, tension, and anxiety.

B. General Discussion.

Products bearing labeling claims for the relief of premenstrual tension and/or dysmenorrhea have been submitted to the Advisory Review Panel on OTC Miscellaneous Internal Drug Products. The Panel notes that several products bear label indications for both premenstrual tension and dysmenorrhea. It should be recognized that the two syndromes are separate clinical entities and are thought to have different causes although some of the symptoms overlap. Among the active ingredients in products promoted in the past for relief of the discomfort of premenstrual tension and dysmenorrhea have been analgesics, diuretics, smooth muscle relaxants, and antihistamines.

"Premenstrual syndrome" is a term frequently used in current literature and one that the Panel adopted to describe the recurrent symptom complex that begins during the week before menstruation, reaches its peak shortly before menstruation, and usually disappears soon after the onset of the menstrual flow. In some instances, the symptoms may persist to a lesser degree throughout the cycle (Ref. 1). The symptom complex consists predominantly of the following: cramps (Refs. 2 and 3), edema, lower abdominal pain, breast tenderness, headache, abdominal bloating, fatigue, and feelings of depression, irritability, tension, and anxiety (Refs. 1 and 4 through 9).

Dysmenorrhea is distinguished from the premenstrual syndrome in that symptoms generally begin a day or two prior to or at the onset of menstruation, and it is characterized by pelvic pain with complete or marked improvement at the end of menses (Ref. 10). This pain is "of a sharp, cramping, intermittent character," and usually occurs in the lower abdomen, but at times may extend to other parts of the body (Ref. 11). More than 50 percent of dysmenorrheic subjects have been reported to experience associated symptoms of nausea, vomiting, diarrhea, headache, dizziness, fatigue (Refs. 3 and 12) and bloating (Refs. 2 and 13). Dysmenorrhea may be one of the following two types: (1) primary, in which there is no observed organic cause and (2) secondary, in which there is an underlying organic disorder. Because the treatment of secondary dysmenorrhea should be under the supervision of a physician, only primary dysmenorrhea, which can be treated by the use of OTC drugs, will be discussed by the Panel. Not all symptoms and signs attributed to primary

dysmenorrhea and the premenstrual syndrome are present in every patient. Marked variability is present among different cultural and ethnic groups and between individual women in each group (Ref. 14). However, the symptom pattern is fairly constant in each patient.

Although the causes of primary dysmenorrhea and the premenstrual syndrome are unclear, the two disorders have long been recognized. "Known to ancient Egyptians, dysmenorrhea was subsequently described in easily recognizable terms by the early Roman physician, Soranus, whose home remedies are still in use today: bed rest in a dark, quiet room, with moist heat applications to the lower abdomen" (Ref. 15).

The Panel notes that various terms have been used to describe the condition that occurs in women just prior to the onset of menstruation. The literature refers to this condition as "premenstrual tension," "premenstrual tension syndrome," and "premenstrual syndrome." Because tension is only one of several component symptoms of this syndrome, the Panel chose to use the term that did not incorporate "tension" in its title. Therefore, throughout this document the text written by the Panel refers to this condition as the "premenstrual syndrome" but descriptions of work generated by others uses those individuals' terms for this condition.

Various theories as to the cause of "premenstrual tension" have been proposed since the term was applied by Frank (Ref. 16) in 1931 in the first systematic description of this syndrome. Several of these theories are based on the presumed occurrence of some type of hormonal imbalance, which has been considered to take the form of an altered metabolism of estrogen, progesterone, and aldosterone (Refs. 17 and 18). One theory suggests that when edema is associated with premenstrual tension, it is attributable to an abnormal response to target organs to normal circulating hormones of the ovaries and the pituitary gland (Refs. 4 and 6). Another theory is that the effect of elevated levels of prolactin on ovarian hormones and the actions of prolactin in increasing renal retention of water, sodium, and potassium could account for the symptoms associated with premenstrual tension and edema (Refs. 19 and 20). Psychological factors and vitamin deficiency have also been named as causes of "premenstrual tension" (Refs. 7, 18, 19, and 21).

It appears that the symptoms of the premenstrual syndrome cannot be ascribed to a single factor, although

evidence indicates that there is a significant relationship of certain premenstrual syndrome symptoms to excessive retention or maldistribution of body water. According to this theory, the number, type, and severity of symptoms vary according to the degree and the anatomic location of the water (Refs. 4, 6, 8, 17, and 18).

The Panel has evaluated Moos' (Ref. 13) "Menstrual Distress Questionnaire," which subjectively grades 47 symptoms during the menstrual, premenstrual, and intermenstrual periods. The symptoms are grouped into eight clusters as follows: pain, water retention, mental concentration, negative affect, behavior change, arousal, autonomic reactions, and control. Each of the groupings represents an "empirically related cluster of symptoms." The Panel considers the pain, water-retention, and negative affect clusters as the ones most appropriate for evaluating the effectiveness of drugs in relieving the symptoms of the premenstrual syndrome. Moos lists symptoms of each of these clusters as follows:

(1) Pain (muscle stiffness, headache, cramps, backache, fatigue, and general aches and pains)

(2) Water retention (weight gain, skin disorders, painful breasts, and swelling)

(3) Negative affect (crying, loneliness, anxiety, restlessness, irritability, mood swings, depression, and tension)

For the purposes of evaluation, the Panel decided that if a manufacturer uses a description of a specific cluster or uses individual symptoms in product labeling, the effectiveness must have been demonstrated for the specific cluster(s) and/or symptom(s).

Although many factors may contribute to the development and severity of primary dysmenorrhea, it is now generally recognized that the pain itself is produced by uterine contractions (Refs. 11, 12, 17, 22, and 23). From evidence accumulated in the last 20 years, it appears that certain prostaglandins are capable of stimulating contractions of human uterine smooth-muscle strips and that women with primary dysmenorrhea secrete higher levels of prostaglandins in their menstrual fluid than those not experiencing primary dysmenorrhea (Refs. 12, 17, and 24). The similarity between the clinical manifestations of primary dysmenorrhea and symptoms induced by the administration of exogenous prostaglandins is striking; individuals undergoing prostaglandin infusions experience bleeding, cramps, diarrhea, nausea, flushing, fainting, headache, and inability to concentrate (Refs. 12, 17, and 25). On this basis,

prostaglandins appear to have an important role in producing primary dysmenorrhea, but the basic physiologic abnormality responsible for the symptom is still uncertain.

References

- (1) Morton, J. H. "Premenstrual Tension," *American Journal of Obstetrics and Gynecology*, 60:343-352, 1950.
- (2) OTC Volume 170222.
- (3) OTC Volume 170223 (Section E).
- (4) Bickers, W., and M. Woods, "Premenstrual Tension: Its Relation to Abnormal Water Storage," *The New England Journal of Medicine*, 245:453-456, 1951.
- (5) Morton, J. H., et al., "A Clinical Study of Premenstrual Tension," *American Journal of Obstetrics and Gynecology*, 65:1182-1191, 1953.
- (6) Bickers, W., "Premenstrual Tension: A Neglected Phase of Menstrual Disability," *Southern Medical Journal*, 46:873-878, 1953.
- (7) Greenblatt, R. B., "Premenstrual Tension Syndrome," *GP*, 11:66-68, 1955.
- (8) Shabanah, E. H., "Treatment of Premenstrual Tension," *Obstetrics and Gynecology*, 21:49-54, 1963.
- (9) Anonymous, "Premenstrual Symptoms," *British Medical Journal*, 1:689-690, 1973.
- (10) Abraham, G. E., "Primary Dysmenorrhea," *Clinical Obstetrics and Gynecology*, 21:139-145, 1978.
- (11) Aydar, C. K., and B. D. Coleman, "Treatment of Primary Dysmenorrhea: A Double-Blind Study," *The Journal of the American Medical Association*, 192:1003-1005, 1965.
- (12) Ylikorkala, O., and M. Y. Dawood, "New Concepts in Dysmenorrhea," *American Journal of Obstetrics and Gynecology*, 130:833-847, 1978.
- (13) Moos, R. H., "Menstrual Distress Questionnaire," 1977, OTC Volume 170209 (pp. 133-160).
- (14) Most, A.F., et al., "Distress Associated with Menstruation Among Israeli Women," *International Journal of Nursing Studies*, 18:61-71, 1981.
- (15) Dingfelder, J. R., "Treatment of Dysmenorrhea," *Physician Assistant and Health Practitioner*, 4:37-45, 1980.
- (16) Frank, R. T., "The Hormonal Causes of Premenstrual Tension," *Archives of Neurology and Psychiatry*, 26:1053-1057, 1931.
- (17) Jones, H. W., Jr., "Novak's Textbook of Gynecology," 10th Ed., The Williams and Wilkins Co., Baltimore, pp. 817-830, 1981.
- (18) Israel, S. L., "Premenstrual Tension (as an Abnormal Manifestation of the Menstrual Cycle)," in "Diagnosis and Treatment of Menstrual Disorders and Sterility," 5th Ed., Hoeber Medical Division, Harper and Row, New York, pp. 152-162, 1967.
- (19) Steiner, M., and B. J. Carroll, "The Psychobiology of Premenstrual Dysphoria: Review of Theories and Treatments," *Psychoneuroendocrinology*, 2:321-355, 1977.
- (20) Carroll, B. J., and M. Steiner, "The Psychobiology of Premenstrual Dysphoria: The Role of Prolactin," *Psychoneuroendocrinology*, 3:171-180, 1978.
- (21) Stokes, J., and J. Mendels, "Pyridoxine and Premenstrual Tension," *The Lancet*, 1:1177-1178, 1972.

(22) Israel, S. L., "Dysmenorrhea (as an Abnormal Manifestation of the Menstrual Cycle)," in "Diagnosis and Treatment of Menstrual Disorders and Sterility," 5th Ed., Hoeber Medical Division, Harper and Row, New York, pp. 132-151, 1967.

(23) Fluhmann, C. F., "Dysmenorrhea," *Clinical Obstetrics and Gynecology*, 6:718-729, 1963.

(24) Anonymous, "Primary Dysmenorrhea," *The Lancet*, 1:800-801, 1980.

(25) Marx, J. L., "Dysmenorrhea: Basic Research Leads to a Rational Therapy," *Science*, 205:175-176, 1979.

C. Labeling

The Panel has carefully reviewed the submitted labeling claims for products promoted as OTC menstrual drug products and has classified them as Category I, Category II, or Category III. The Panel realizes that other terms may be developed to express the same Category I indications. However, only those indications and warnings listed under Category I are generally recognized to be acceptable at this time.

In order for any labeling to be acceptable, it must include (1) the indication(s) for use, (2) pertinent warnings and contraindications, and (3) clear directions for use that include the recommended dosage.

The Panel believes that all labeling should be clear, concise, easily read, and understood by most consumers. It has followed this concept in the development of all Category I labeling. The Panel also is concerned about the size and color of the print used in the labeling of these and all OTC drug products and recommends that the manufacturers make the necessary effort to design legible labeling.

One of the functions of this Panel is to attempt to eliminate inadequate labeling claims. Some of the labeling on currently marketed OTC menstrual drug products is misleading or unsupported by scientific data. Accordingly, such labeling has been placed in Category II.

The indications for use should be simply and clearly stated; the directions for use should provide enough information for safe and effective use of the product.

The Panel believes that if two ingredients are indistinguishable with regard to effectiveness, it is misleading to claim superiority for one of the ingredients. The Panel understands that its function is not to compare various ingredients in order to determine the OTC drug of choice but only to determine the safety and effectiveness of active ingredients, as well as proper dosage ranges, warnings, and contraindications.

Misleading or undocumented claims and colloquial or provincial expressions that do not have meaning to most people

must not be used. In the labeling, effectiveness shall not be related to the physical characteristics of the product, except as those characteristics may relate to the action of the active ingredients.

The Panel is aware of the current OTC labeling regulation dealing with warning statements (21 CFR 330.1(g)). The Panel concurs with the warning "Keep this and all drugs out of the reach of children" and believes that it should be incorporated in the labeling of drug products affected by this document. However, the Panel recommends that the other warning statement required by § 330.1(g), "In case of accidental overdose, seek professional assistance or contact a poison control center immediately," be revised to read as follows: "In case of accidental overdose, contact a poison control center, emergency medical facility, or physician immediately for advice." The Panel believes that this revision will be more useful to the consumer.

In addition, the Panel recommends that the drug product labeling contain instructions for the most effective use of the product. These instructions should be displayed prominently on all package labeling.

The Panel recommends that the label should contain a listing of all ingredients, clearly indicating which are active and which are inactive. Active ingredients should be listed by their established names, and the label should state the quantity of the active ingredient included in a single dose.

III. Categorization of Data

A. Analgesics

The Advisory Review Panel on OTC Miscellaneous Internal Drug Products has reviewed submissions proposing the use of aspirin, acetaminophen, salicylamide, phenacetin, caffeine, and codeine as analgesics for the treatment of dysmenorrhea and premenstrual tension. These analgesic agents plus many others were extensively reviewed by the Advisory Review Panel on OTC Internal Analgesic and Antirheumatic Drug Products (hereinafter referred to as the Internal Analgesic Panel), and its conclusions were published in the *Federal Register* of July 8, 1977 (42 FR 35346). The Miscellaneous Internal Panel, in addition to reviewing the ingredients submitted to it, reviewed the remaining Category I analgesics, i.e., calcium carbaspirin, choline salicylate, magnesium salicylate, and sodium salicylate.

The Internal Analgesic Panel concluded that OTC analgesic drugs are intended to alleviate the symptoms of

mild to moderate pain, specifically the type of pain that is self-limiting and requires no special treatment or prior diagnosis by a physician. The Miscellaneous Internal Panel considers the pain associated with primary dysmenorrhea and the premenstrual syndrome to be in that category and has concluded that any analgesic that has been given a Category I designation by the Internal Analgesic Panel for a label claim of "For the temporary relief of occasional minor aches, pain, and headaches" (42 FR 35351) may be used with a label claim relating to the relief of pain associated with the premenstrual syndrome and primary dysmenorrhea. (See part III, paragraph A.1.b. below—Category I labeling.) The Miscellaneous Internal Panel also agrees with the Internal Analgesic Panel's evaluation of phenacetin and salicylamide. The Miscellaneous Internal Panel recommends that the labeling indication for analgesics designated Category I by the Internal Analgesic Panel be amended to include the indications for the relief of pain of the premenstrual syndrome and primary dysmenorrhea. (See part III, paragraph A.1.b. below—Category I labeling.)

1. *Category I conditions.* The following are Category I conditions under which analgesics used for primary dysmenorrhea and the premenstrual syndrome are generally recognized as safe and effective.

a. *Category I active ingredients.*

Aspirin, calcium carbaspirin, choline salicylate, magnesium salicylate, and sodium salicylate
Acetaminophen

(1) *Aspirin, calcium carbaspirin, choline salicylate, magnesium salicylate, and sodium salicylate.* The Panel concludes that aspirin, calcium carbaspirin, choline salicylate, magnesium salicylate, and sodium salicylate are generally recognized as safe and effective for OTC use in relieving pain of the premenstrual syndrome and primary dysmenorrhea.

(i) *Safety.* Aspirin and the other salicylates were previously reviewed by the Internal Analgesic Panel (42 FR 35382). That Panel concluded that aspirin and the other salicylates noted above are safe OTC analgesics when taken as recommended in its report. However, that Panel noted that although aspirin has a long marketing history and is the most extensively used single drug, the indiscriminate use of aspirin can cause adverse effects. The Internal Analgesic Panel identified and discussed eight areas of concern where aspirin may have some potential for adverse effects, including effects on organ systems, and concluded that,

because of the extensive use of and research on aspirin, subsets of the population at risk can be identified so that adequate labeling can be established to provide for safe OTC use of this drug. The Miscellaneous Internal Panel agrees with the above evaluation and concludes that aspirin and the other salicylates are safe for OTC use for the relief of minor pain associated with both primary dysmenorrhea and the premenstrual syndrome in the doses recommended by the Internal Analgesic Panel. Applicable precautionary statements developed by the internal Analgesic Panel for these ingredients should also be included.

(ii) *Effectiveness.* The Internal Analgesic Panel concluded that aspirin is effective for the relief of mild to moderate pain and is only of limited value in the relief of severe pain (42 FR 35382). Since the recognition of the possible etiologic role of prostaglandins in dysmenorrhea, several reviews have indicated that the effect of aspirin, a known inhibitor of prostaglandin synthesis, may be due in part to the depression of the synthesis of prostaglandins (Refs. 1, 2, and 3). These reports indicate that the administration of aspirin leads to significant relief from the symptoms of primary dysmenorrhea, suggesting a possible relationship between decreased prostaglandin concentrations and the relief of primary dysmenorrhea (Refs. 1, 2, and 3). This Panel believes that, while no conclusions can be drawn as to the exact nature of the role of aspirin in inhibiting prostaglandin synthesis, aspirin is effective for the relief of the pain of primary dysmenorrhea.

The Internal Analgesic Panel concluded that aspirin and the other salicylates are effective for OTC use for the relief of minor aches, pain, and headaches. Because the presence of minor pain, such as headache and lower abdominal pain (including cramps), is not uncommon in the premenstrual syndrome, the Miscellaneous Internal Panel concludes that aspirin and the other salicylates are effective for the relief of such pain when it occurs as a component of the premenstrual syndrome.

The other Category I salicylate analgesics have been incorporated in this review of aspirin, even though their mode of action may differ from aspirin in part, because the Panel concludes that they will have a similar type effect to that of aspirin in relieving pain of the premenstrual syndrome and primary dysmenorrhea.

(iii) *Labeling.* The Panel recommends Category I labeling for analgesics intended to relieve pain of

the premenstrual syndrome and primary dysmenorrhea. (See part III, Paragraph A.1.b. below—Category I labeling.) Precautionary statements developed by the Internal Analgesic Panel for aspirin, calcium carbaspirin, choline salicylate, magnesium salicylate, and sodium salicylate should also be included. In addition, the Panel also recommends that the Category I labeling for these ingredients, as recommended by the Internal Analgesic Panel, be amended to include the Category I labeling below.

(iv) *Dosage.* The Panel recommends that the dosage of aspirin, calcium carbaspirin, choline salicylate, magnesium salicylate, and sodium salicylate when used to relieve the pain of the premenstrual syndrome and primary dysmenorrhea be in the dosage ranges recommended by the Internal Analgesic Panel and not be taken for more than 10 days.

References

- (1) Dingfelder, J. R., "Treatment of Dysmenorrhea," *Physician Assistant and Health Practitioner*, 4:37-45, 1980.
- (2) Carey, H. M., "Dysmenorrhea," *The Medical Journal of Australia*, 2:349-352, 1975.
- (3) Shangold, M. M., et al., "Plasma Prostaglandin F₂ Levels in Dysmenorrheic Women," *Fertility and Sterility*, 27:1171-1175, 1976.

(2) *Acetaminophen.* The Panel concludes that acetaminophen is generally recognized as safe and effective for OTC use in relieving pain of the premenstrual syndrome and primary dysmenorrhea.

(i) *Safety.* The Internal Analgesic Panel reviewed acetaminophen at 42 FR 35412 and concluded that it is safe for OTC use if taken as recommended in its report. That Panel found acetaminophen (when taken in recommended OTC doses) relatively free of adverse effects in most age groups, even in the presence of a variety of disease states. The only known contraindication to the use of acetaminophen at recommended OTC dosage levels and usage periods is hypersensitivity to the drug. This Panel agrees with that evaluation and concludes that acetaminophen is safe for OTC use in the dose recommended by the Internal Analgesic Panel for relief of pain of the premenstrual syndrome and primary dysmenorrhea. Precautionary statements developed by the Internal Analgesic Panel for acetaminophen should also be included.

(ii) *Effectiveness.* Acetaminophen is widely used as an analgesic for relief of mild to moderate pain. The Internal Analgesic Panel reviewed several studies attesting to its analgesic effect (42 FR 35412) and concluded that acetaminophen is equivalent to aspirin

provided that the pain is not associated with local inflammation. Laves Molla and Donald (Ref. 1), in a double-blind crossover study, compared the analgesic effectiveness of ibuprofen and acetaminophen in dysmenorrheic women. The results of that study indicated that both drugs were found to be effective for the relief of dysmenorrhea and there was no statistical difference between the effectiveness of the two drugs. The Miscellaneous Internal Panel concludes that acetaminophen is effective for the relief of pain of primary dysmenorrhea.

The Internal Analgesic Panel concluded that acetaminophen is equivalent to aspirin in its analgesic effects. Therefore, the Miscellaneous Internal Panel concludes that acetaminophen is effective for the relief of pain of the premenstrual syndrome.

(iii) *Labeling.* The Panel recommends Category I labeling for analgesics intended to relieve pain of the premenstrual syndrome and primary dysmenorrhea. (See Part III, paragraph A.1.b. below—Category I labeling.) Precautionary statements developed by the Internal Analgesic Panel for acetaminophen should also be included. In addition, the Panel recommends that Category I labeling for acetaminophen, as recommended by the Internal Analgesic Panel, be amended and include the Category I labeling referred to above.

(iv) *Dosage.* The Panel recommends that the dosage of acetaminophen when used to relieve pain of the premenstrual syndrome and primary dysmenorrhea be in the dosage ranges recommended by the Internal Analgesic Panel and not be taken for more than 10 days.

Reference

(1) Laves Molla, A., and J. F. Donald, "A Comparative Study of Ibuprofen and Paracetamol in Primary Dysmenorrhea," *Journal of International Medical Research*, 2:395-399, 1974.

b. *Category I labeling.* The Panel recommends any of the following Category I labeling for analgesics in relieving pain of the premenstrual syndrome and primary dysmenorrhea. The Panel also recommends that the recommendations of the Internal Analgesic Panel be amended to include any of these claims.

(1) "For the relief of pain of the premenstrual and menstrual periods."

(2) "For the relief of pain of the premenstrual period."

(3) "For the relief of pain of the cramping of the premenstrual period."

(4) "For the relief of pain of the menstrual period."

(5) "For the relief of pain of menstrual cramps."

(6) "For the relief of pain of dysmenorrhea."

The Panel also recommends that the phrase "An aid in relieving" may be used in place of "For the relief of."

2. *Category II conditions.* The following are Category II conditions under which analgesic, when used for primary dysmenorrhea and the premenstrual syndrome, are not generally recognized as safe and effective or are misbranded.

a. *Category II active ingredient—Codeine.* The Panel concludes that codeine is an effective analgesic when taken in the recommended dosage of 30 to 60 milligrams (mg) and is safe for prescription use, but because of its potential for causing dependence and other adverse effects is not safe for OTC use as an analgesic.

(i) *Safety.* The Panel concludes that codeine is not safe for use as an OTC analgesic. Codeine is classified as one of the opium alkaloids and is used primarily for the relief of pain. However, with repeated use there is a potential for physical and psychological dependence. The Panel concurs in the conclusions of the Internal Analgesic Panel (42 FR 35423) that codeine is an effective analgesic and safe for prescription use, but, because of its potential for causing dependence and other adverse effects, is not safe for OTC use as an analgesic.

(ii) *Effectiveness.* The effectiveness of codeine for use as an OTC drug product has been reviewed by two advisory review panels. The Advisory Review Panel on OTC Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products (hereinafter referred to as the Cough/Cold Panel), in its report published in the *Federal Register* of September 9, 1976 (41 FR 38312), found codeine effective for OTC use as an antitussive in the dosage range of 10 to 20 mg. The Internal Analgesic Panel (42 FR 35423) concluded that codeine is an effective analgesic when taken in the dosage range of 30 to 60 mg. However, the Internal Analgesic Panel recommended that codeine's availability for OTC analgesic use continue to be limited as set forth under Schedule V of the Federal Controlled Substances Act. That act classifies codeine as an ingredient having dependence liability and restricts its OTC sale to not more than 200 mg per 100 milliliter (mL) container or approximately 10 to 20 mg codeine/dosage and then only when it is combined with nonnarcotic active ingredients. This Panel agrees with the recommendations of the Internal Analgesic Panel that codeine is an effective analgesic in the dosage range

of 30 to 60 mg, but at this dosage it should continue to be restricted to prescription use only.

(iii) *Evaluation.* The Panel concludes that codeine is generally recognized as a safe and effective analgesic drug at the dosage restricted to prescription use (30 to 60 mg), but it is not generally recognized as safe for OTC use as an analgesic.

b. *Category II labeling.* The Panel concludes that the following labeling claims are misleading or unsupported by scientific data. Therefore, the claims listed below and other related terms are classified as Category II labeling: "Fast relief," "quick relief," or any other terms which nonspecifically relate to the speed of action.

3. *Category III conditions.* The following are Category III conditions for which the available data are insufficient to permit final classification at this time.

a. *Category III active ingredient—Caffeine (as an analgesic adjuvant).* The Panel concludes that caffeine is safe but ineffective as an analgesic in OTC menstrual drug products, although it may have value as an analgesic adjuvant.

(i) *Safety.* Caffeine was previously reviewed by the Advisory Review Panel on OTC Sedative, Tranquilizer, and Sleep-Aid Drug Products in its report published in the *Federal Register* of December 8, 1975 (40 FR 57292). Caffeine was reviewed for its stimulant properties and found to be safe " * * * when used in the recommended oral dose of 100 to 200 mg not more often than every 3 to 4 hours." FDA concurred with the panel in the tentative final monograph published in the *Federal Register* of June 13, 1978 (43 FR 25544). The Internal Analgesic Panel also reviewed caffeine and concluded that when used as an adjuvant it is safe at a single adult dosage of 65 mg not to exceed 600 mg in 24 hours (42 FR 35482). This Panel agrees with those Panels and concludes that caffeine is safe as an analgesic adjuvant ingredient in OTC menstrual drug products.

(ii) *Effectiveness.* The Internal Analgesic Panel concluded that caffeine "when used alone in an adult oral dosage of 65 mg not to exceed 600 mg in 24 hours is safe but ineffective as an OTC analgesic, antipyretic and/or antirheumatic ingredient" (42 FR 35482). That Panel further concluded, however, that "there is some inconclusive evidence to suggest that caffeine may exert additional analgesia through an adjuvant action when used in combination with other analgesics." This Panel agrees with the conclusion of the Internal Analgesic Panel and

concludes that caffeine would also have the same action in OTC menstrual drug products.

(iii) *Proposed Dosage.* The Panel recommends that the dose of caffeine as an analgesic adjuvant ingredient for OTC menstrual drug products be limited to 600 mg per 24 hours.

(iv) *Labeling.* The Panel recommends Category I labeling for analgesics to be used in OTC menstrual drug products: (See part III, paragraph A.1.b. above—Category I labeling).

(v) *Evaluation.* This Panel recognizes that caffeine has been used in combination with other analgesics in OTC menstrual drug products. It concurs in the finding of the Internal Analgesic Panel that caffeine is safe but not effective as an analgesic, although it may exert some influence as an adjuvant in potentiating the effectiveness of other analgesics.

b. *Category III labeling.* None.

B. Antihistamines

1. *Category I conditions.* The following are Category I conditions under which antihistamines used in OTC menstrual drug products are generally recognized as safe and effective and are not misbranded.

a. *Category I active ingredient—Pyrilamine maleate.* The Panel concludes that pyrilamine maleate is generally recognized as safe and effective for OTC use in the dose noted below in relieving premenstrual symptoms of the negative affect and water-retention clusters, and the pain of cramps and backache of the premenstrual and menstrual periods.

(1) *Safety.* The Panel concurs with the Cough/Cold Panel, which stated in its report published in the *Federal Register* of September 9, 1976 (41 FR 38312) that pyrilamine maleate is safe in an adult dose of 25 to 50 mg every 6 to 8 hours, not to exceed 200 mg in 24 hours, when used as an OTC antihistamine (41 FR 38391). Doses of pyrilamine maleate used in OTC drug products recommended for treatment of premenstrual tension are within the maximum daily dose of 200 mg in 24 hours found safe by the Cough/Cold Panel. Although the frequency of dosing for pyrilamine maleate for premenstrual tension varies from 25 mg every 3 to 4 hours to 60 mg every 12 hours, the Panel does not consider the greater frequency (i.e., every 3 to 4 hours) or the higher single dose (i.e., 60 mg) to be a safety problem.

(2) *Effectiveness.* Pyrilamine maleate is an antihistaminic agent of the ethylenediamine group primarily used for treating allergic disorders caused by histamine release. Its antihistamine

properties were described by Bovet (Ref. 1) in 1944, 2 years after Halpern (Ref. 2) described the first clinically useful antihistamine, antergan. Since that time, it has been widely used as an antihistamine. In addition, pyrilamine possesses local anesthetic activity (Refs. 3 and 4) and exerts a mild analgesic action (Ref. 5). The side effects of antihistamines include mild sedation, listlessness, irritability, drying, and loss of appetite (Ref. 6). Pyrilamine maleate has been marketed in combination with other ingredients in OTC drug products for use in the relief of premenstrual tension.

Labeling of products submitted for review by the Panel indicates that pyrilamine maleate is intended to relieve the anxiety, tension, and irritability associated with the premenstrual period. The Panel is aware that pyrilamine maleate had been previously marketed for its mild sedative effect in OTC daytime sedative drug products. The Panel is also aware of the agency's decision, in the final order for OTC Daytime Sedatives, published in the *Federal Register* on June 22, 1979 (44 FR 36378), that while antihistamines make a user drowsy or sleepy, there are no data to indicate the drowsiness is related to symptoms of anxiety. Drowsiness is, in fact, an undesirable side effect for persons using these products during the day, when they need to be alert. For this reason, the agency placed antihistamines in Category II as daytime sedatives, and such products have been eliminated from the marketplace.

The target population for the use of a menstrual drug product may be different from the population that would commonly use daytime sedatives. Moreover, the physiology of pain would minimize any tendency toward sedation that might be induced. Indeed, in one study (Ref. 7) there was less "tiredness and drowsiness" with the pyrilamine maleate than there was with the placebo.

Three submissions promote pyrilamine maleate for the relief of some of the symptoms of premenstrual tension. The mechanism by which relief is accomplished is uncertain, but one submission (Ref. 8) proposed three theories for the mechanism of action. First, it is postulated that the action may be through the effect of pyrilamine's antihistamine action, because Jonassen, Granerus, and Wetterqvist (Ref. 9) demonstrated that the amount of histamine in the body increases and decreases with fluctuations in estrogen levels during the menstrual cycle. Second, it is postulated that the mechanism may be through the effect of

histamine and antihistamine on the cyclic nucleotide system with secondary effects on smooth muscle and vascular permeability. Indirect support for this theory is provided by Weiss and Hait (Ref. 10), who reported changes in the cyclic nucleotide system which activated various hormones. Lastly, it is postulated that the mechanism may be through reductions of prolactin levels by antihistamines, with secondary reduction in synthesis of prostaglandins, which have an agonistic effect on the uterine musculature. In support of this theory, Chapler, Sherman, and Swanson (Ref. 11) are cited as demonstrating that an antihistamine (promethazine) can block the release of prolactin. It is also possible that pyrilamine maleate may have a more direct effect on uterine musculature through blocking responses to prostaglandins. Ganatra et al. (Ref. 12) showed that cyproheptadine, which, like pyrilamine maleate, is an H₁ antihistamine, in small concentrations completely blocked the responses of isolated muscle of rabbit uterus to prostaglandins E₁ and F_{2α}, and in higher concentrations abolished the rhythmic contractions of the uterus.

An early clinical study by Bickers (Ref. 13) reported an enhanced relief of symptoms of premenstrual tension with concurrent administration of a diuretic and pyrilamine maleate. A double-blind, single crossover study, designated as the Wisconsin study, was reported in which pyrilamine maleate alone, pamabrom alone, and a combination of pyrilamine maleate and pamabrom were each compared with a placebo (Ref. 14). The study was conducted on 194 women with known histories of premenstrual syndrome. Forty-nine of them participated in the pyrilamine maleate alone portion of the crossover study. Subjects rated nine symptoms on a 1 to 4 scale for the days preceding menstruation. Data on 48 subjects for premenstrual days 1 to 3 were available for analysis. The paired t-test was employed for analysis (Ref. 15). For analysis purposes the symptoms investigated in the study were examined separately and as groups of clusters following the Moos cluster grouping of symptoms (Ref. 16). Pyrilamine maleate was significantly superior to the placebo for the negative affect cluster ($p=0.047$), which included the symptoms of irritability ($p=0.020$); premenstrual tension ($p>0.10$, not statistically significant (NS)); and depression ($p>0.10$, NS). There were no significant differences between pyrilamine maleate and placebo for the pain cluster, which included headache and cramps, and for the water-retention cluster, which

included breast tenderness, ankle swelling, finger swelling, and abdominal swelling. Of the individual symptoms in the latter two clusters, pyrilamine maleate was marginally superior to the placebo for the symptoms of finger swelling ($p=0.059$). Finally, pyrilamine maleate was marginally superior to the placebo for the sum of cluster scores ($p=0.060$). The term "negative effects" was used in the submitted data. The Panel was subsequently informed by the firm that "negative affect," as was used in the Moos Questionnaire, was what should have been used. Typographical errors had been made in the firm's writeup of the Wisconsin study and the Boston study discussed below.

Another double-blind, placebo-controlled, crossover study, designated as the Boston study, investigating only pyrilamine maleate was performed on 40 subjects (Refs. 17 and 18). Study subjects rated 13 symptoms on a 1 to 6 scale during the premenstrual period. Data were available for analysis on 27 subjects for premenstrual days 1 to 4. The paired t-test was employed for analysis. For analysis purposes the symptoms, as in the previous study, were examined separately and as clusters following the Moos clustering (Ref. 16). Pyrilamine maleate was significantly superior to the placebo for the negative affect cluster ($p=0.011$), which included the symptoms of anxiety ($p=0.035$), irritability ($p>0.10$, NS), depression ($p=0.059$), and tension ($p=0.058$). It was also significantly superior to the placebo for the water-retention cluster ($p=0.035$), which included the symptoms of weight gain ($p=0.074$), painful breasts ($p>0.10$, NS), and swelling ($p=0.025$). It was marginally superior to the placebo for the pain cluster ($p=0.074$), which included muscle stiffness ($p>0.10$, NS), headache ($p>0.10$, NS), cramps ($p=0.038$), backache ($p=0.039$), an general aches and pains ($p>0.10$, NS). Finally, pyrilamine maleate was significantly superior to the placebo for the sum of cluster scores ($p=0.015$). The Panel also took note that fewer subjects reported "tiredness and drowsiness" following the administration of the pyrilamine maleate as compared to the placebo.

The Boston study also evaluated the effectiveness of pyrilamine maleate versus placebo for two days into the menstrual period. Pyrilamine maleate proved to be statistically superior to placebo in relieving cramps ($p<0.05$) and backache ($p<0.05$) (Refs. 17 and 18).

Given the results of the above two studies, the Panel concludes that pyrilamine maleate is generally

recognized as effective in relieving the premenstrual symptoms of the negative affect cluster and the water-retention cluster. (Note: individual symptoms cannot be used on labeling unless demonstrated to be effective.) It also is generally recognized as effective in relieving the pain of cramps and backache in both the premenstrual and menstrual periods

(3) *Dosage*. The Panel recommends that the dose of pyrilamine maleate in OTC menstrual drug products be 25 to 30 mg every 3 to 4 hours or 60 mg every 12 hours, but not to exceed 200 mg in a 24-hour period.

(4) *Labeling*. The Panel recommends Category I labeling for antihistamines to be used in OTC menstrual drug products. (See part III, paragraph B.1.b. below—Category I labeling). In addition, the Panel recommends that the following warning be included in the labeling: "May cause drowsiness."

References

- (1) Bovet, D., R. Horclois, and F. Walthert, "Propriétés Antihistaminiques de la N-Methoxybenzyl-N-Diméthylaminoéthyl alpha-Amino-Pyridine," *Comptes Rendus des Seances de la Societe de Biologie*, 138:99-102, 1944.
- (2) Halpern, B. N., "Les Antihistaminiques de Synthèse: Essais de Chimiothérapie des Etats Allergiques," *Archives Internationales de Pharmacodynamie*, 68:339-408, 1942.
- (3) Dews, P. B., and J. D. P. Graham, "The Antihistamine Substance 2786 R.P.," *British Journal of Pharmacology*, 1:278-286, 1946.
- (4) Haranath, P. S. R. K., "A Comparative Study of the Local and Spinal Anesthetic Actions of Some Antihistamines, Mepyramine and Phenergan with Procaine," *Indian Journal of Medical Sciences*, 8:547-554, 1954.
- (5) Hewer, A. J. H., and C. A. Keele, "A Method of Testing Analgesics in Man," *Lancet*, 255:683-688, 1948.
- (6) Douglas, W. W., "Histamine and Antihistamines: 5-Hydroxytryptamine and Antagonists," in "The Pharmacological Basis of Therapeutics," edited by L. Goodman and A. Gilman, 5th Ed., MacMillan Publishing Co., Inc., New York, pp. 590-629, 1975.
- (7) OTC Volume 170219 (first page following letter).
- (8) OTC Volume 170209 (pp. 173-179).
- (9) Jonassen, F., G. Granerus, and H. Wetterqvist, "Histamine Metabolism and Female Sex Hormones in Women," *Acta Obstetrica et Gynecologica Scandinavica*, 55:387-394, 1976.
- (10) Weiss, B., and W. N. Hait, "Selective Cyclic Nucleotide Phosphodiesterase Inhibitors as Potential Therapeutic Agents," in "Annual Review of Pharmacology and Toxicology," edited by H. Elliott, Annual Reviews, Inc., Palo Alto, CA, pp. 441-477, 1977.
- (11) Chapler, F. K., B. M. Sherman, and J. A. Swanson, "The effects of an Antihistamine and/or a Glucocorticoid on Prolactin Response to Surgical Procedures," *American*

Journal of Obstetrics and Gynecology, 132:367-372, 1978.

(12) Ganatra, V. M., et al., "Antagonism of Some Contractile Responses to Prostaglandins by Cyproheptadine," *Archives Internationales de Pharmacodynamie et de Therapie*, 240:203-213, 1979.

(13) Bickers, W., "Premenstrual Tension: A Neglected Phase of Menstrual Disability," *Southern Medical Journal*, 46:873-878, 1953.

(14) "Wisconsin Study (1978)," unpublished study, OTC Volume 170209 (pp. 163-186).

(15) OTC Volume 170221.

(16) Moos, R. H., "Menstrual Distress Questionnaire," 1977, OTC Volume 170209 (pp. 133-160).

(17) "The Effect of Pyrilamine Maleate on the Relief of Symptoms Associated with the Menstrual Syndrome (Boston Study 1981)," unpublished study, OTC Volume 170218.

(18) OTC Volume 170224 (Section 4).

b. *Category I labeling*. The Panel recommends any of the following Category I labeling for antihistamines used in OTC menstrual drug products, as well as any specific labeling discussed in the individual ingredient statements.

(1) "For the relief of" ("emotional changes" or "mood changes") "related to the premenstrual period."

(2) "For the relief of" ("emotional changes" or "mood changes") "related to the premenstrual period, such as anxiety, nervous tension, and irritability."

(3) "For the relief of water-retention symptoms related to the premenstrual period."

(4) "For the relief of temporary weight gain or swelling due to water retention during the premenstrual period."

(5) "For the relief of cramps and backache of the premenstrual or menstrual period."

The Panel also recommends that the phrase "An aid in relieving" may replace the phrase "For the relief of."

2. *Category II conditions*. The following are Category II conditions under which antihistamines used in OTC menstrual drug products are not generally recognized as safe and effective or are misbranded.

a. *Category II active ingredients*. None.

b. *Category II labeling*. The Panel concludes that the following labeling claims are either unsupported by scientific data or are misleading. "Fast relief," "quick relief," or any other terms that nonspecifically relate to the speed of action.

3. *Category III conditions*. The following are Category III conditions for which the available data are insufficient to permit final classification at this time.

a. *Category III active ingredients*. None.

b. *Category III labeling.* Antihistamine labeling for those symptoms of the negative affect, pain, and water-retention clusters for which effectiveness in the premenstrual or menstrual period has not been demonstrated are as follows:

(1) "For the relief of" ("emotional changes" or "mood changes") "related to the" ("premenstrual" and/or "menstrual") "period, such as crying, lonelines, restlessness, and mood swings." Note: "Depression" was not included because the Panel does not believe that this term is appropriate for OTC labeling.

(2) "For the relief of water-retention symptoms related to the" ("premenstrual" and/or "menstrual") "period, such as skin disorders and painful breasts."

(3) "For the relief of muscle stiffness, headache, fatigue, and general aches and pains of the" ("premenstrual" and/or "menstrual") "period."

C. Diuretics

The Panel considered the various conditions for which a diuretic could be used (e.g., hypertension, edema, and the premenstrual syndrome) and concludes that the only proper use of OTC diuretics is in eliminating water accumulation during the premenstrual and menstrual periods, thereby relieving the symptoms of water-weight gain, bloating, swelling, and/or full feeling. The safe use of OTC diuretics in the premenstrual syndrome and primary dysmenorrhea is based on the fact that these conditions are self-diagnosable, limited in duration, occur intermittently, and are not symptoms of a potentially serious underlying disorder.

While the cause of the water accumulation during the premenstrual period remains obscure and is not universally present, it is generally accepted that the edema of various organs may be responsible for some of the symptoms associated with this conditions (Refs. 1 and 2). The Panel believes that it is reasonable to assume that water accumulation may also be responsible for symptoms occurring in the menstrual period. Treatment, therefore, is directed at the elimination of excess water that has accumulated in body tissue.

References

(1) Israel, S. L. "Premenstrual Tension (as an Abnormal Manifestation of the Menstrual Cycle)," in "Diagnosis and Treatment of Menstrual Disorders and Sterility," 5th Ed., Hoeber Medical Division, Harper and Row, New York, p. 158, 1967.

(2) "The Merck Manual," 11th Ed., Merck, Sharp, and Dohme Research Laboratories, Rahway, NJ, pp. 658-659, 1966.

1. *Category I conditions.* The following are Category I conditions under which diuretics used in menstrual drug products are generally recognized as safe and effective and are not misbranded.

a. *Category I active ingredients.*

Ammonium chloride

Caffeine

Pamabrom

(1) *Ammonium chloride.* The Panel concludes that ammonium chloride is generally recognized as a safe and effective diuretic for OTC use in the dose noted below in relieving water-accumulation symptoms of the premenstrual and menstrual periods.

(i) *Safety.* Ammonium chloride is the most commonly used of the so-called "acidifying diuretics." Its long-term clinical use as a diuretic, expectorant, and acidifying agent attests to its safety. This ingredient was previously reviewed by the Cough/Cold Panel in a report published in the *Federal Register* of September 9, 1976 (41 FR 38312) and was found to be safe in a dosage range of 1 to 3 grams (g) daily when administered in divided oral doses.

When ammonium chloride is used orally in patients with impaired kidney function, progressive hyperchloremic acidosis can result (Ref. 1). When ammonium chloride is ingested by patients with liver disease, a state similar to spontaneous hepatic coma may be produced (Ref. 1). Acidosis was reported by Sleisenger and Freedberg (Ref. 2) to have occurred in six patients receiving 6 to 8 g of ammonium chloride per day. Five of the six patients had congestive heart failure and the other one had subacute glomerulonephritis; each of the five with congestive heart failure had underlying kidney disease. When administered in doses of 8 to 12 g daily (divided doses), ammonium chloride frequently causes gastrointestinal irritation (Ref. 3). However, smaller doses of 1 to 2 g daily in divided doses to correct pre-existing alkalosis appear to be relatively nonirritating when administered for less than 1 week (Refs. 4 and 5) or as an enteric-coated preparation.

The Panel, therefore, concludes that ammonium chloride is safe for use as a diuretic in the treatment of the water-accumulation symptoms of the premenstrual and menstrual periods in an oral dose of up to 3 g per day, administered in divided doses three to four times per day for periods of up to 6 days.

(ii) *Effectiveness.* Orally administered ammonium chloride is absorbed from the intestine. The ammonium ion is then converted to urea as it passes through the liver, thus freeing the chloride ion. This acidifying action results in formation of sodium chloride from sodium bicarbonate in the body and a decrease in the ability of proteins to bind water, thus freeing both water and sodium chloride for elimination. This would result in the depletion of available sodium in the body were it not for a number of defense mechanisms, including the ability of the kidney after 1 or 2 days to produce ammonia which combines with available hydrogen ion to form an ammonium ion that in turn is excreted with chloride ion. Thus, within a 3 or 4-day period, the amount of ammonium chloride excreted begins to equal the amount ingested and diuretic action decreases (Refs. 3, 6, and 7).

Because of this self-limiting action, ammonium chloride has very limited value for long-term use. It is effective only in promoting an initial net loss of extractable fluids and becomes less effective after 4 or 5 days of administration. As a result, this drug is usually administered for 4 days and then discontinued for at least 4 days (Refs. 3, 8, and 9). There is no justification for the prolonged administration of ammonium chloride as the sole diuretic agent (Ref. 4).

Ammonium chloride is usually administered as enteric-coated tablets at a dosage of 3 to 12 g daily, given in divided doses at mealtimes (Refs. 4, 6, and 7). Its main diuretic use has been to augment the action of the mercurial diuretics and occasionally to treat premenstrual tension (Refs. 4, 6, and 10). In the treatment of premenstrual tension, ammonium chloride is used in the lower dose range of 1 g three times daily (Ref. 6).

A study evaluating a combination of 100 mg caffeine and 325 mg ammonium chloride against placebo in 22 adult females showed a statistically significant relief of symptoms attributed to premenstrual weight gain when this combination product was administered for 6 days immediately prior to the onset of the menstrual flow (Ref. 5). The Panel concludes that ammonium chloride is an effective diuretic and may be used to relieve the water-accumulation symptoms of water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual and menstrual periods.

(iii) *Dosage.* The Panel recommends that the dose of ammonium chloride as a diuretic in OTC menstrual drug products

be 1 g three times a day for no longer than 6 days.

(iv) **Labeling.** The Panel recommends Category I labeling for diuretics to be used in OTC menstrual drug products. (See part III, paragraph C.1.b. below—Category I labeling). In addition, the labeling should contain the following warning: "Do not use if you have kidney or liver disease." The labeling should also contain the following precaution: "This drug may cause nausea, vomiting, or gastrointestinal distress."

References

(1) Sievers, M. L., and J. B. Vander, "Toxic Effects of Ammonium Chloride in Cardiac, Renal and Hepatic Disease," *Journal of the American Medical Association*, 161:410-415, 1956.

(2) Slesinger, M. H., and A. S. Freedberg, "Ammonium Chloride Acidosis: A Report of Six Cases," *Circulation*, 3:837-845, 1951.

(3) deStevens, G., "Diuretics, (Chemistry and Pharmacology)," Academic Press, New York, p. 147, 1963.

(4) Mudge, G. H., "Drugs Affecting Renal Function and Electrolyte Metabolism," in "The Pharmacological Basis of Therapeutics," 4th Ed., edited by L. S. Goodman and A. Gilman, the MacMillan Co., New York, pp. 844-845, 1970.

(5) Hoffman, J. J., "A Double Blind Crossover Clinical Trial of an OTC Diuretic in the Treatment of Premenstrual Tension and Weight Gain," *Current Therapeutic Research*, 26:575-580, 1979.

(6) Beckman, H., "Pharmacology (The Nature, Action and Use of Drugs)," 2d Ed., W. B. Saunders Co., Philadelphia, pp. 466-467, 1961.

(7) Beckman, H., "Pharmacology in Clinical Practice," W. B. Saunders Co., Philadelphia, p. 173, 1952.

(8) Modell, W., editor, "Drugs of Choice 1968-1969," C. V. Mosby Co., St. Louis, pp. 87-88, 1967.

(9) DiPalma, J. R., editor, "Drill's Pharmacology in Medicine," 3d Ed., McGraw-Hill, New York, pp. 668-669, 1965.

(10) Krantz, J. C., and C. J. Carr, editors, "The Pharmacological Principles of Medicinal Practice," 6th Ed., the Williams and Wilkins Co., Baltimore, pp. 811-812, 1965.

(2) **Caffeine.** The Panel concludes that caffeine is generally recognized as a safe and effective diuretic for OTC use in the doses noted below in relieving water accumulation symptoms of the premenstrual and menstrual periods.

(i) **Safety.** The toxicity of caffeine has been reviewed extensively by the Advisory Review Panel on OTC Sedative, Tranquilizer, and Sleep-Aid Drug Products in its report published in the *Federal Register* of December 8, 1975 (40 FR 57292). That Panel also discussed the mutagenic effects of caffeine in detail. It found caffeine to be safe * * * when used in the recommended oral dose of 100 to 200 milligrams (mg) not more often than every 3 to 4 hours."

FDA concurred with the Panel in the tentative final monograph published in the *Federal Register* of June 13, 1978 (43 FR 25544).

The Internal Analgesic Panel also reviewed caffeine for its analgesic properties (42 FR 35482) and expressed its agreement with the conclusions reached by the Advisory Review Panel on OTC Sedative, Tranquilizer, and Sleep-Aid Drug Products regarding the safety of caffeine. The Miscellaneous Internal Panel agrees with the above reports and concludes that caffeine is safe as an OTC diuretic for relieving water-accumulation symptoms of the premenstrual and menstrual periods in doses of 100 to 200 mg every 3 to 4 hours.

(ii) **Effectiveness.** The ingestion of coffee, tea, and other beverages containing caffeine has long been known to result in a diuretic effect (Refs. 1 and 2). This diuretic effect was acknowledged by the Advisory Review Panel on Sedative, Tranquilizer, and Sleep-Aid Drug Products with an extensive discussion of caffeine (40 FR 57292).

The diuretic effect on caffeine was also demonstrated by Dorfman and Jarvik (Ref. 3) in a double-blind clinical trial comparing it with theobromine and with no drug at all. The authors reported an increase in overnight urine volume and an increase in sodium excretion.

As with all xanthine diuretics, caffeine acts by increasing the glomerular filtration rate in the kidney. The use of xanthine diuretics has become less popular in recent times with the advent of newer and more effective diuretics such as the chlorothiazides (Ref. 4). The diuretic action of caffeine chiefly involves water output, although sodium, calcium, potassium, and chloride ion output is also increased, and urea output is increased somewhat. The usual adult oral dose is 200 mg within a dose range of 100 to 500 mg (Ref. 5). The Panel concludes that caffeine is an effective diuretic and may be used to relieve the water-accumulation symptoms of water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual and menstrual periods.

Separate from its diuretic effect, caffeine was reviewed for its stimulant action in the report on Nighttime Sleep-Aid, Daytime Sedative, and Stimulant Products at 40 FR 57292, with the conclusion that caffeine is a Category I stimulant at a dose of 100 to 200 mg every three to four hours. The agency concurred in this finding in the tentative final monograph (43 FR 25597). One submission to the Miscellaneous Internal Panel for an OTC menstrual

drug product made a claim for "fatigue" associated with the premenstrual period. Because the Panel has included "fatigue" as a symptom of the premenstrual syndrome and because caffeine so far has been given a Category I classification as a stimulant, this Panel concludes that caffeine is effective for fatigue associated with the premenstrual syndrome.

(iii) **Dosage.** The Panel recommends that a dose of caffeine as a diuretic for OTC menstrual drug products be 100 to 200 mg every 3 to 4 hours while symptoms persist.

(iv) **Labeling.** The Panel recommends Category I labeling for diuretics used in OTC menstrual drug products. (See part III, paragraph C.1.b. below—Category I labeling.) The following claim specific to caffeine is also recommended: "For the relief of fatigue associated with the premenstrual period." In addition, the labeling should contain those warnings listed in § 340.50(c) (1) and (2) at 43 FR 35602 of the agency's tentative final monograph for OTC Nighttime Sleep-Aid and Stimulant Products. The statement "This product contains caffeine. It may cause sleeplessness if taken within 4 hours of bedtime" should also be included.

References

(1) Grollman, A., "Pharmacology and Therapeutics," 6th Ed., Lea and Febiger, Philadelphia, p. 555, 1965.

(2) deStevens, G., "Diuretics, (Chemistry and Pharmacology)," Academic Press, New York, p. 12, 1963.

(3) Dorfman, L. J., and M. E. Jarvik, "Comparative Stimulant and Diuretic Actions of Caffeine and Theobromine in Man," *Clinical Pharmacology and Therapeutics*, 11:869-872, 1970.

(4) Modell, W., editor, "Drugs of Choice, 1968-1969," C. V. Mosby Co., St. Louis, p. 88, 1967.

(5) Osol, A., R. Pratt, and M. D. Altschule, editors, "The United States Dispensary," 27th Ed., Lippincott, Philadelphia, pp. 206-208, 1973.

(3) **Pamabrom.** The Panel concludes that pamabrom is generally recognized as a safe and effective diuretic for OTC use in the dose noted below in relieving water-accumulation symptoms of the premenstrual and menstrual periods.

(i) **Safety.** Pamabrom, a xanthine derivative, was approved for OTC marketing as a single entity diuretic in 1952 under an NDA and also under other NDA's in combination with pyrilamine maleate and in combination with pyrilamine maleate, phenacetin, and salicylamide. Because these NDA's were approved prior to October 10, 1962, they were approved for safety only. FDA issued a regulation (21 CFR

310.201(a)(21)) that allows the OTC marketing of pamabrom and a suitable analgesic (with or without other OTC ingredients) for "temporary relief of the minor pains and discomforts that may occur a few days before and during the menstrual period" in a dosage of not more than 50 mg per dose not to exceed 200 mg in 24 hours. During this marketing period, no evidence of significant toxicity or adverse reactions has been encountered (Ref. 1).

Studies by Patterson and Baer (Ref. 2) showed no evidence of toxicity when 800 to 1,600 mg pamabrom was administered daily for 5 to 7 days to 38 pregnant women with edema.

Doherty and Beard (Ref. 3) investigated the diuretic effect of pamabrom (in conjunction with mercurial diuretics) on 18 patients with congestive heart failure and found it to have little value in this treatment. Fourteen patients were treated over a period of 14 to 137 days and received 300 to 900 mg of pamabrom daily in divided doses. Four of the patients had to discontinue treatment due to nausea and vomiting, which the manufacturer attributed to injections of mercurial diuretics (Ref. 4). After 120 days, one patient developed diarrhea, which the authors attributed to the pamabrom. There also was one case of rash, which cleared when the drug was discontinued, and one case of pyelonephritis, which the authors considered unrelated to the drug.

McGavack (Ref. 5) conducted a human toxicological study in which nine subjects were given 200 mg of pamabrom (combined with pyrilamine maleate) four times daily for periods of 4 consecutive weeks and found no side effects. "No changes were observed in the urinary formed elements nor in the excretion of albumin. The blood counts were not adversely influenced by the drug and several measures designed to test the function of the liver showed no alterations in this organ." Albumin, under normal circumstances, is not excreted, but this conclusion was meant to infer no harmful effect of the drug, such as inducing albuminuria.

The Panel, therefore, concludes that pamabrom in a dose of 50 mg up to four times daily (200 mg maximum daily dose), as already established by FDA (§ 310.201(a)(21)), is safe for OTC administration.

(ii) *Effectiveness.* A study designated only as the Wisconsin Study (Ref. 6), was designed to assess the effects of pamabrom (2-amino-2-methyl-1-propanol-8-bromothephylinate) alone, pyrilamine maleate alone, and both in combination in relieving symptoms of the premenstrual syndrome. This study,

involving 194 women, was a randomized, double-blind, placebo-controlled, single-crossover design. Only that portion of the study in which pamabrom was administered alone will be discussed here. The portions of the study dealing with the use of pyrilamine alone and the use of combination are discussed elsewhere in this document. (See part III, paragraph B.1.a. above—Pyrilamine maleate and part III, paragraph C.2.b. below—Pamabrom and pyrilamine maleate.)

Study subjects had an established history of the premenstrual syndrome and were recruited from the technical staff of a research institute (Ref. 6). The subjects were given active drug and placebo on a double-blind, single-crossover basis for one menstrual period each. Pamabrom was given at a dose of 50 mg four times daily, and no other drugs were permitted. Each subject was provided a 10-day supply with instructions to initiate treatment 5 to 7 days prior to the anticipated onset of menstruation and to stop treatment at onset. The women filled out a questionnaire daily to assess subjectively, on a 4-point scale, the premenstrual syndrome signs and symptoms of the pain cluster (consisting of headache and premenstrual cramps), the water-retention cluster (consisting of ankle, finger, and abdominal swelling and breast tenderness), and the negative affect cluster (consisting of irritability, depression, and premenstrual tension). They also were requested to record their weight to the nearest 0.5 pound upon arising each morning.

Forty-eight subjects participated in the pamabrom-alone portion of the crossover study. Data on all 48 subjects for premenstrual days 3 to 5 were available for analysis. The paired t-test was employed for analysis (Ref. 7). For analysis purposes the symptoms were examined separately and as clusters of symptoms following the Moos cluster grouping of symptoms (Ref. 8). There was statistically significant superiority of pamabrom over the placebo for the pain cluster ($p=0.014$), which included headache ($p=0.009$), and premenstrual cramps ($p>0.10$, NS). Pamabrom did not attain statistically significant superiority over the placebo for the water-retention cluster with symptoms of ankle, finger, and abdominal swelling and breast tenderness, and the negative affect cluster with symptoms of irritability, depression, and premenstrual tension. It did, however, attain statistically significant superiority over the placebo for the individual symptoms of finger swelling ($p=0.056$) and depression ($p=0.007$). No significant weight gain

was recorded while on placebo or pamabrom.

Hutcheon (Ref. 9) investigated the diuretic properties of pamabrom unrelated to the premenstrual syndrome. The objective of the study was to determine whether or not a 50-mg dose of pamabrom would produce a mild, short-acting diuresis along with increased excretion of sodium, potassium, and chloride. Nine healthy women in the 5th to the 14th day of their menstrual cycle were evaluated during one day in which no treatment in the morning was used as a control and the afternoon was used for the pamabrom treatment. Urine was collected at 8 a.m., 9 a.m., 10 a.m. and 12 noon. A standard meal was given at 9 a.m., and 120 mL of water was given at 10 a.m. In the afternoon, the effectiveness of pamabrom was tested; at 12 noon 50 mg of pamabrom was administered. The same standard meal was given at 1 p.m.; 120 mL of water was given at 2 p.m. Urine was collected at 1 p.m., 2 p.m., and 4 p.m. The author reported that pamabrom produced a significant increase in urine volume. Peak urine flow rates during the first hour after drug administration increased from an average of 1.69 mL per minute during the control period to 3.54 mL per minute following the administration of pamabrom ($p<0.001$). This was accompanied by an increase in sodium excretion ($p<0.02$), chloride excretion ($p<0.05$), and potassium excretion ($p>0.1$, NS). No placebo was used. Even though the drug was administered in the afternoon with no crossover (the morning served as the control time), the Panel is aware that this is a xanthine diuretic and that these results are what would be expected of any diuretic of this class.

In a different study, Hutcheon (Ref. 10) made an attempt to demonstrate the effectiveness of pamabrom on the relief of symptoms associated with the premenstrual syndrome. This involved a double-blind, crossover study, using a latin square design. Subjects were selected and drug effects were assessed by using the menstrual distress questionnaire developed by Moos (Ref. 8). Healthy women took 50 mg pamabrom four times daily for approximately 7 days prior to the anticipated onset of menstruation and continued through the day following its onset. Each subject completed the questionnaire each day while on treatment. The investigator considered the use of a global baseline score to establish the effect of a drug administered over a 3-month interval to be an appropriate evaluation method

instead of using a placebo. The Panel does not agree with using this as a baseline; a placebo control should have been used. The relief of the negative affect cluster, which included anxiety, irritability, depression, and tension, was reported to have attained a statistical significance ($p < 0.01$).

The Panel considers the one Hutcheon study (Ref. 10) and the Wisconsin study (Refs. 6 and 7) to be only suggestive of the effectiveness of pamabrom as a diuretic. However, based upon the results of the other Hutcheon study (Ref. 9), the Panel concludes that pamabrom is generally recognized as a safe and effective diuretic in relieving the water-accumulation symptoms of water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual and menstrual periods.

(iii) *Dosage*. The Panel concludes that the appropriate dosage of pamabrom for OTC use is 50 mg in a single dose, not to exceed 200 mg per day. This is consistent with the current FDA regulations, i.e., 21 CFR 310.201(a)(21).

(iv) *Labeling*. The Panel recommends the Category I labeling for diuretics to be used in OTC menstrual drug products. (See part III, paragraph C.1.b. below—Category I labeling.)

References

- (1) Letter from Chattem, Inc. dated June 1, 1981. OTC Volume 17MPAIL.
- (2) Patterson, R. E., and H. Baer, "Evaluation of a Diuretic Substance in the Management of Mild Pre-Eclampsia," *American Journal of Obstetrics and Gynecology*, 76:1264-1267, 1958.
- (3) Doherty, J. E., and O. W. Beard, "A Study of Diuretic action of Pamabrom (2-mino-2-Methyl-Propanol-1-8-Bromotheophylline) in Cardiac Failure," *American Heart Journal*, 46:288-290, 1953.
- (4) OTC Volume 170209 (p. 56).
- (5) McCavack, T. H., et al., "The Treatment of Premenstrual Tension with a Combination of an Antihistaminic and a Theophylline Derivative," *American Journal of Obstetrics and Gynecology*, 72:416-422, 1956.
- (6) "Wisconsin Study (1978)," unpublished study, OTC Volume 170209 (pp. 163-186).
- (7) OTC Volume 170221.
- (8) Moos, R. H., "Menstrual Distress Questionnaire," 1977. OTC Volume 170209 (pp. 133-160).
- (9) Hutcheon, D. E., "A Study of the Diuretic Activity of Pamabrom (2-Amino-2-Methyl-1-Propanol-8-Bromotheophyllate)," unpublished study, OTC Volume 170209 (pp. 95-118).
- (10) Hutcheon, D. E., "The Effect of Pamabrom on Menstrual Symptomatology," unpublished study, OTC Volume 170209 (pp. 119-132). The name for this study was provided by Chattem, Inc. in a letter dated October 20, 1981, Panel Administrator's File (OTC Volume 17MPAIL).

b. *Category I labeling*. The Panel recommends any of the following

Category I labeling for diuretics used in OTC menstrual drug products, as well as any specific labeling discussed in the individual ingredient statements:

(1) "For the relief of temporary water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual and menstrual periods."

(2) "For the relief of temporary water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual period."

(3) "For the relief of temporary water-weight gain, bloating, swelling, and/or full feeling associated with the menstrual period."

(4) "A diuretic for the relief of temporary premenstrual water-weight gain."

(5) "A diuretic which helps to control temporary water-weight gain during the menstrual period."

The Panel also recommends that the phrase "An aid in relieving" may replace the phrase "For the relief of."

2. *Category II conditions*. The following are Category II conditions under which diuretics used in menstrual drug products are not generally recognized as safe and effective or are misbranded.

a. *Category II active ingredients*. None.

b. *Category II labeling*. The Panel concludes that the following labeling claims are either unsupported by scientific data or are misleading: "Fast relief," "quick relief," or any other terms that nonspecifically relate to the speed of action.

3. *Category III conditions*. The following are Category III conditions for which the available data are insufficient to permit final classification at this time.

a. *Category III ingredients*.

Theobromine sodium salicylate
Theophylline

(1) *Theobromine sodium salicylate*. Theobromine (3,7-dimethylxanthine) sodium salicylate shares several pharmacological actions with other xanthines, caffeine and theophylline. They all stimulate the central nervous system, act on the kidney to produce diuresis, stimulate cardiac muscle, and relax smooth muscle, notably bronchial muscle (Ref. 1). Theobromine has been used as a diuretic because its action on the kidneys is more lasting than the other xanthines (Ref. 2). It is less potent as a diuretic than theophylline, but more potent than caffeine (Ref. 1).

(i) *Safety*. According to Laurence (Ref. 3), "theobromine is weak and of no clinical importance." However, Swinyard (Ref. 2) categorizes it as being practically devoid of toxicity and thus can be used on occasions when the more toxic diuretics are contraindicated,

for example, when renal function is poor. Swinyard continues, however, by stating that the wide choice of more effective diuretics has markedly limited the use of theobromine even for this purpose.

(ii) *Effectiveness*. In clinical practice, xanthines have received relatively limited application because, in general, they do not have the effectiveness of other diuretics. Continued use often leads to the loss of their effectiveness for reasons that have not been adequately explained. In addition, gastric irritation becomes a limiting factor with some xanthines (Ref. 4).

Dorfman and Jarvik (Ref. 5) performed a double-blind clinical study to determine the effect of theobromine (as compared with caffeine and no drug) on sleep and on overnight urine volume. Although it appears that the use of theobromine alone only occurred in a small percentage of the total subjects, the authors observed that theobromine had no detectable effect on the time it took to fall asleep (sleep latency), on the quality of sleep, and on the overnight urine volume. Caffeine, on the other hand, showed a lengthening of sleep latency, a decline in sleep quality, and an increase in overnight urine volume (also an increase in sodium excretion).

Because there is conflicting information regarding the effectiveness of theobromine sodium salicylate as a diuretic, the Panel recommends that it be placed in Category III.

(iii) *Proposed dosage*. The Panel recommends the dosage of theobromine sodium salicylate to be 300 to 500 mg taken three to four times daily.

(iv) *Labeling*. The Panel recommends Category I labeling for diuretics used in OTC menstrual drug products. (See part III, paragraph C.1.b. above—Category I labeling.)

(v) *Evaluation*. The Panel concludes that theobromine sodium salicylate is safe for OTC use, but that data are insufficient to demonstrate its effectiveness in relieving water-retention symptoms of the premenstrual and menstrual periods.

References

- (1) Ritchie, J. M., "Central Nervous System Stimulants: The Xanthines," in "The Pharmacological Basis of Therapeutics," 5th Ed., edited by L. S. Goodman and A. Gilman, MacMillan Publishing Company, Inc., New York, p. 368, 1975.
- (2) Swinyard, E. A., "Diuretic Drugs," in "Remington's Pharmaceutical Sciences," 16th Ed., edited by A. Osol, et al., Mack Publishing Co., Easton, PA, pp. 884-885, 1980.
- (3) Laurence, D. R., "Clinical Pharmacology," 4th Ed., Churchill Livingstone, London, pp. 14.19-14.20, 1973.

(4) Mudge, G. H., "Diuretics and Other Agents Employed in the Mobilization of Edema Fluid," in "The Pharmacological Basis of Therapeutics," 5th Ed., edited by L. S. Goodman and A. Gilman, MacMillan Publishing Company, Inc., New York, p. 840, 1975.

(5) Dorfman, L. J., and M. E. Jarvik, "Comparative Stimulant and Diuretic Actions of Caffeine and Theobromine in Man," *Clinical Pharmacology and Therapeutics*, 11:869-872, 1970.

(2) *Theophylline*. Theophylline (1,3-dimethylxanthine) shares several pharmacological actions with other xanthines, caffeine and theobromine. They all stimulate the central nervous system, act on the kidney to produce diuresis, stimulate cardiac muscle, and relax smooth muscle, notably bronchial muscle (Ref. 1). Theophylline is the most potent diuretic of the xanthines (Ref. 1).

(i) *Safety*. Theophylline can be quite toxic in high doses and has occasionally proved fatal (Ref. 2) in toxic doses due to central nervous system stimulation.

(ii) *Effectiveness*. The Cough/Cold Panel in its report (41 FR 38312) found theophylline preparations safe and effective for OTC use as bronchodilators in an adult dosage based on the anhydrous theophylline equivalent of 100 to 200 mg every 6 hours not to exceed 800 mg in 24 hours (41 FR 38373). FDA, however, dissented from this recommendation by pointing out a belief that there is a scientific issue whether the recommended dosage levels are therapeutically effective for a significant identifiable population of asthmatics (41 FR 38313).

In clinical practice, xanthines have received relatively limited application because, in general, they do not have the effectiveness of other diuretics. Continued use often leads to the loss of their effectiveness for reasons that have not been adequately explained. In addition, gastric irritation becomes a limiting factor with some xanthines (Ref. 3).

Because there is conflicting information regarding the effectiveness of theophylline as a diuretic, the Panel recommends that it be placed in Category III.

(iii) *Proposed dosage*. The Panel recommends the dosage of theophylline to be 200 mg taken three to four times daily.

(iv) *Labeling*. The Panel recommends Category I labeling for diuretics used in OTC menstrual drug products. (See part III, paragraph C.1.b. above—Category I labeling.)

(v) *Evaluation*. The Panel concludes that theophylline is safe at the above recommended dose for OTC use, but that data are insufficient to demonstrate

its effectiveness in relieving water-retention symptoms of the premenstrual and menstrual periods.

References

(1) Ritchie, J. M., "Central Nervous System Stimulants: The Xanthines," in "The Pharmacological Basis of Therapeutics," 5th Ed., edited by L. S. Goodman and A. Gilman, MacMillan Publishing Company, Inc., New York, p. 368, 1975.

(2) Ritchie, J. M., "Central Nervous System Stimulants: The Xanthines," in "The Pharmacological Basis of Therapeutics," 5th Ed., edited by L. S. Goodman and A. Gilman, MacMillan Publishing Company, Inc., New York, p. 373, 1975.

(3) Mudge, G. H., "Diuretics and Other Agents Employed in the Mobilization of Edema Fluid," in "The Pharmacological Basis of Therapeutics," 5th Ed., edited by L. S. Goodman and A. Gilman, MacMillan Publishing Company, Inc., New York, p. 840, 1975.

b. *Category III labeling*. None.

D. Smooth-Muscle Relaxants

Considering the symptoms of the premenstrual syndrome and those associated with primary dysmenorrhea, the Panel concludes that a smooth-muscle relaxant may be of value in relieving cramps associated with primary dysmenorrhea and/or the premenstrual syndrome.

1. *Category I conditions*. The following are Category I conditions under which smooth-muscle relaxants used to treat primary dysmenorrhea and premenstrual cramps are generally recognized as safe and effective and are not misbranded.

a. *Category I active ingredients*. None.

b. *Category I labeling*. Although the Panel has not classified any ingredients in Category I, it recommends any of the following Category I labeling for smooth-muscle relaxants used in OTC menstrual drug products if found to be generally recognized as safe and effective and not misbranded.

(1) "For the relief of painful menstrual cramps."

(2) "For the relief of dysmenorrhea."

(3) "For the relief of menstrual cramps."

(4) "For the relief of backache associated with menstrual cramps."

(5) "For the relief of cramps associated with the premenstrual or menstrual period."

(6) "For the relief of cramps associated with menstruation."

The Panel also recommends that the phrase "An aid in relieving" may replace the phrase "For the relief of."

2. *Category II conditions*. The following are Category II conditions under which smooth-muscle relaxants used to treat primary dysmenorrhea and premenstrual cramps are not generally

recognized as safe and effective or are misbranded.

a. *Category II active ingredient—Homatropine methylbromide*. The Panel concludes that homatropine methylbromide is safe for OTC use in the dose noted below, but is not generally recognized as effective in relieving cramps of the premenstrual syndrome or primary dysmenorrhea.

(1) *Safety*. The Panel previously reviewed the safety of homatropine methylbromide in its report on Digestive Aid Drug Products (47 FR 454) and concluded that it is safe for OTC use in a recommended dosage of 2.5 to 5.0 mg four times daily (20 mg in 24 hours). Because the dosage of homatropine methylbromide of 1 mg every 3 to 4 hours with a maximum of 6 mg per day proposed for use in treating dysmenorrhea (Ref. 1) is far below the recommended dosage for its use as a digestive aid, the Panel concludes that homatropine methylbromide is generally recognized as safe in a dose of 1 mg every 3 to 4 hours.

(2) *Effectiveness*. Homatropine methylbromide, a quaternary ammonium derivative of belladonna alkaloids, is much less active than the related belladonna alkaloid atropine in its antimuscarinic activity, but is four times more potent as a ganglionic blocking agent (Ref. 2). The 1972 edition of Current Therapy (Ref. 3) recommended the use of a phenobarbital-belladonna combination in treating symptoms of dysmenorrhea based on the smooth muscle relaxant and antispasmodic action of these agents, but a look at a later edition of this text (Ref. 4) did not mention this combination. Innes and Nickerson (Ref. 2) point out that because atropine has negligible effects on the human uterus, the ingredient is useless in treating dysmenorrhea. The Panel also notes that the proposed dosage of homatropine methylbromide for treating dysmenorrhea (1 mg every 3 to 4 hours) is far below the usual therapeutic dose of 2.5 to 5.0 mg four times daily (Ref. 5). The Panel is not aware of any data demonstrating the effectiveness of homatropine methylbromide in relieving cramps of the premenstrual syndrome or primary dysmenorrhea and, therefore, it is not generally recognized as an effective treatment for these conditions.

(3) *Evaluation*. The Panel concludes that homatropine methylbromide is generally recognized as safe for OTC use but is not generally recognized as effective in relieving cramps of the premenstrual syndrome or primary dysmenorrhea.

References

- (1) OTC Volume 170025.
- (2) Innes, I. R., and M. Nickerson, "Atropine, Scopolamine, and Related Antimuscarinic Drugs," in "The Pharmacological Basis of Therapeutics," 5th Ed., edited by L. S. Goodman and A. Gilman, MacMillan Publishing Co., Inc., New York, pp. 514-532, 1975.
- (3) Weingold, A. B., "Dysmenorrhea," in "Current Therapy 1972," edited by H. F. Conn, W. B. Saunders Co., Philadelphia, pp. 769-770, 1972.
- (4) Barnes, A. B., "Dysmenorrhea," in "Current Therapy 1979," edited by H. F. Conn, W. B. Saunders Co., Philadelphia, pp. 813-815, 1979.
- (5) Harvey, S. C., "Antimuscarinic and Antispasmodic Drugs," in "Remington's Pharmaceutical Sciences," 16th Ed., edited by A. Osol, Mack Publishing Co., Easton, PA, p. 855, 1980.

b. *Category II labeling.* The Panel concludes that the following labeling claims are either unsupported by scientific data or are misleading: "Fast relief," "quick relief," or any other terms which nonspecifically relate to speed of action.

3. *Category III conditions.* The following are Category III conditions for which the available data are insufficient to permit final classification at this time.

a. *Category III active ingredient—Cinnamedrine hydrochloride.* The Panel concludes that cinnamedrine hydrochloride is safe at the dose recommended below, but that data are insufficient to demonstrate its effectiveness in relieving cramps of the premenstrual syndrome or primary dysmenorrhea.

(1) *Safety.* The Panel is not aware of any safety studies conducted with cinnamedrine hydrochloride as a single ingredient. Two acute oral toxicity studies in mice were reported in a submission to the Panel (Ref. 1). One study used a formulation containing aspirin, caffeine, cinnamedrine, and phenacetin and resulted in oral LD₅₀'s of 3,250±394 mg per kilogram (mg/kg) at 24 hours and 3,100±374 mg/kg at 7 days. The other study used a formulation containing aspirin, caffeine, cinnamedrine, and acetaminophen and resulted in oral LD₅₀'s of 2,75±488 mg/kg at 24 hours and 2,700±478 mg/kg at 7 days. In another toxicity study, Schultz and Barbour (Ref. 2) determined that the approximate LD₅₀'s of the levo and dextro isomers of cinnamylephedrine in mice were 150 mg/kg and 75 mg/kg, respectively (Ref. 2).

The Panel regards these LD₅₀'s and the long, safe marketing history (35 years with few reported side effects) as evidence indicative of the safety of cinnamedrine hydrochloride. The Panel concludes that cinnamedrine

hydrochloride is generally recognized as safe for OTC use in the dose recommended by the manufacturer (from a combination preparation) of 14.9 to 29.8 mg every 4 hours (maximum 120 mg per day).

(2) *Effectiveness.* Cinnamedrine hydrochloride is an unsaturated tertiary amine. The Panel is aware of one uncompleted clinical trial comparing a combination preparation containing cinnamylephedrine (cinnamedrine) (7.5 mg), caffeine (15 mg), aspirin (128 mg), and phenacetin (96 mg) with various combination preparations containing chlormezanone (antianxiety agent), aspirin, nicotinic acid, phenacetin, caffeine, and/or acetaminophen, in relieving symptoms of the premenstrual syndrome and the menstrual syndrome (Ref. 3.). The combination containing cinnamedrine is reported to be second only to a combination containing chlormezanone and acetaminophen in overall effectiveness in relieving the symptoms of the premenstrual and menstrual syndrome (same symptoms used in both). The combination containing cinnamedrine is reported to be the one which is most effective in relieving pain. Because none of the individual ingredients in the cinnamedrine combination was tested alone, it is not possible to determine the effectiveness of the cinnamedrine over that of aspirin, phenacetin, or caffeine. There also was no placebo used.

The Panel notes that Csaky (Ref. 4) states that although certain members of the isoproterenol group of drugs, which includes cinnamedrine, have been used to relax the uterus in dysmenorrhea, final assessment of the clinical value of these agents has not been made. The Panel has been unable to locate any other current pharmacological or pharmaceutical texts in which cinnamedrine is discussed.

Although the Panel is not aware of any clinical data demonstrating the effectiveness of cinnamedrine hydrochloride alone in treating the minor pain of primary dysmenorrhea, the above study (Ref. 1) indicates potential effectiveness. Therefore, the Panel recommends further testing to determine the effectiveness of cinnamedrine hydrochloride in relieving cramps of the premenstrual and menstrual periods.

(3) *Proposed dosage.* The Panel recommends cinnamedrine hydrochloride as a smooth-muscle relaxant in OTC menstrual drug products in a dosage range of 14.9 to 29.8 mg to be given every 4 hours, not to exceed a maximum daily dose of 120 mg.

(4) *Labeling.* The Panel recommends Category I labeling for smooth-muscle

relaxants used in OTC menstrual drug products. (See part III, paragraph D.1.b. above—Category I labeling.)

(5) *Evaluation.* The Panel concludes that cinnamedrine hydrochloride is safe for OTC use, but that data are insufficient to demonstrate its effectiveness in relieving cramps of the premenstrual and menstrual periods.

References

- (1) OTC Volume 170022 (pp. 5-10).
- (2) Schultz, F. H., and P. H. Barbour, "The Local Anesthetic Properties of Cinnamylephedrine," *Journal of Pharmacology and Experimental Therapeutics*, 76:295-300, 1942.
- (3) OTC Volume 170022 (pp. 76-944).
- (4) Csaky, T. Z., "Sympathetic Stimulants and Adrenergic Agents," in "Cutting's Handbook of Pharmacology: The Action and Uses of Drugs," 6th Ed., Appleton-Century-Crofts, New York, pp. 447-455, 1979.

b. *Category III labeling.* None.

E. Botanical or Vegetable Herbs

An array of preparations, usually alcoholic in nature and containing extracts of a variety of botanical or vegetable herbs, originated in the 19th century. The number of these preparations, the variety of their ingredients, and the level of alcohol content has decreased greatly over the last century. The most flagrant claims for these compounds have also been eliminated. Although these remedies may have been or are also used for menopause symptoms, claims for the treatment of menopause, wherein there are tremendous endocrine changes and which bears no relationship to primary dysmenorrhea, will not be evaluated in this document.

In light of the history and established usefulness of many potent drugs derived from plant sources (e.g., digitalis, opium, quinine, and cascara), the Panel regrets that detailed studies have not been carried out to search for potential effectiveness of the botanicals discussed in this portion of the report.

Only one of these preparations, in both elixir and tablet form, has been submitted to this Panel for review. However, numerous formula changes over the last century, including both the addition and deletion of ingredients, make evaluation difficult or impossible. Moreover, the elixir and the tablet preparations do not contain the same ingredients. The present elixir formula contains the following herb extracts as potential active ingredients: *Piscidia erythrina* (Jamaica dogwood), *Asclepias tuberosa* (pleurisy root), *Cimicifuga racemosa* (black cohosh), *Senecio aureus* (life root), and *Taraxacum Officinale* (dandelion root) (Ref. 1). Only

these five extracts will be reviewed in this report. The elixir also contains *Gentiana lutea* (a bitter), which is regarded as a flavoring agent and will not be reviewed. *Glycyrrhiza glabra* (licorice root), which has been demonstrated to have a potential estrogenic effect, will also not be reviewed in this document because this document does not deal with menopause, as stated above.

The formula for the tablet lacks *Gentiana lutea*, *Cimicifuga racemosa*, *Senecio aureus*, and *Taraxacum officinale*, but does contain 65 mg of ferrous sulfate, which is approximately equivalent to the daily adult requirement of 15 mg of elemental iron. The Panel has not considered ferrous sulfate (iron) because the claim of treating or preventing iron deficiency anemia is not within the purview of this Panel.

Reference

(1) OTC Volume 170076.

1. *Category I conditions.* None.

2. *Category II conditions.* The following are Category II conditions under which botanical or vegetable herbs used in menstrual drug products are not generally recognized as safe and effective or are misbranded.

a. *Category II active ingredients.*

Asclepias tuberosa (pleurisy root); *Cimicifuga racemosa* (black cohosh); *Piscidia erythrina* (Jamaica dogwood); *Senecio aureus* (life root); and *Taraxacum officinale* (dandelion root).

(1) *Asclepias tuberosa.* The Panel concludes that *Asclepias tuberosa* is safe for OTC use, but is not generally recognized as effective in the treatment of primary dysmenorrhea.

Asclepias tuberosa, also known as pleurisy root and as butterfly weed, was recognized in the "United States Pharmacopeia" of 1840 and in the "National Formulary" until 1936 (Ref. 1). This root drug has been used in treating bronchitis and rheumatism, and in large doses, for its emetic and cathartic activity (Refs. 1 and 2). There are no records of its use by itself in dysmenorrhea.

(i) *Safety.* The fluidextract of *Asclepias tuberosa* at a concentration of 500 mg/fluid ounce (oz) has been used for more than 100 years in the elixir preparation at a dosage of ½ oz four times a day for a total daily dose of 1 g. The tablet formulation contains the fluidextract of *Asclepias tuberosa* at a concentration of 300 mg/tablet taken four times daily for a total daily dose of 1.2 g. Animal studies have been performed to determine toxicity and pharmacological effects (Ref. 3). No

human safety studies have been submitted for this ingredient.

(ii) *Effectiveness.* No data supporting the effectiveness of this individual ingredient were presented to the Panel, nor has the Panel been able to locate such information. Effectiveness testing of multiple-ingredient final formulations containing this ingredient is discussed elsewhere in this document. (See part III, paragraph G.3. below—Combination of herb extracts.)

(iii) *Evaluation.* While the safety of this fluidextract at levels of up to 1 g a day appears assured because of its long history of use at these levels, there are no data supporting the individual effectiveness of this ingredient and no history of its use alone in the treatment of primary dysmenorrhea.

References

(1) Osol, A., and G. E. Farrar, Jr., editors, "The Dispensary of the United States of America," 25th Ed., J. B. Lippincott Co., Philadelphia, p. 1591, 1955.

(2) King, J., "American Dispensary," Moore, Wistich and Keep, Cincinnati, pp. 288-291, 1897.

(3) OTC Volume 170076.

(2) *Cimicifuga racemosa.* The Panel concludes that *Cimicifuga racemosa* is not generally recognized as safe and effective in the treatment of primary dysmenorrhea.

Cimicifuga racemosa, also known as black cohosh, black snakeroot, and squaw root, was last listed as the fluidextract in the "National Formulary" in 1946 (Ref. 1).

(i) *Safety.* The fluidextract of *Cimicifuga racemosa* at a concentration of 445 mg/fluid oz has been used for more than 100 years in the previously described elixir preparation at a dosage of ½ oz four times a day for a total daily dose of 890 mg. It was introduced to the medical profession in 1831 for the treatment of chorea, tinnitus aurium, chronic rheumatism, and as a bitter tonic (Ref. 1). In 1962, Genazzani and Sorrentino (Ref. 2) isolated a resinous portion of *cimicifuga* and found the oral minimum lethal dose in rats to be 1 g/kg of body weight for this more concentrated preparation. Another animal study, in 1943, by Costello and Butler (Ref. 3) showed intravenous injection of 5 mL of the buffered fluidextract well tolerated by rabbits. A study by Macht and Cook (Ref. 4), in 1932, however, showed *cimicifuga* to be toxic to the circulatory and respiratory systems in animals. No long-term human or animal studies of the safety of this ingredient have been submitted.

(ii) *Effectiveness.* While *Cimicifuga racemosa* has a history of use in folk medicines in the treatment of chronic

rheumatism, chorea, tinnitus aurium, and as an emmenagogue (an agent that promotes menstrual discharge), some authors state that the use of this plant as an emmenagogue was sometimes confused with *Caulophyllum thalictroides*, a plant also known as squaw root and widely used in the treatment of uterine disorders such as amenorrhea, dysmenorrhea, and menorrhagia. A pharmacological study by Macht and Cook (Ref. 4) was carried out in 1932 on *cimicifuga* to establish the effects of this drug on convulsions, neuromuscular coordination, intestinal and uterine movements, and circulation and respiration. The drug has no effect on camphor-induced convulsions and was without effect on neuromuscular coordination in laboratory animals. It exhibited a depressive and paralyzing effect on isolated intestinal and uterine muscles. The study concluded that there was no pharmacologic evidence of any therapeutic value for *cimicifuga*.

No human studies are available on the individual effectiveness of *Cimicifuga racemosa* in the treatment of primary dysmenorrhea. Effectiveness testing of multiple ingredient final formulations containing this ingredient is discussed elsewhere in this document. (See part III, paragraph G.3. below—Combination of herb extracts.)

(iii) *Evaluation.* While a 150-year history of use of this fluidextract at levels of up to 890 mg a day gives some reassurance of the safety of this compound, additional safety testing, particularly chronic animal studies, is necessary in light of its reported effect upon respiratory and circulatory systems of animals. The history of its use as a folk remedy appears confused with that of another drug, also known as squaw root, *Caulophyllum thalictroides*, which has a long history of use in the treatment of various uterine disorders. The primary animal study available declares *cimicifuga* to be without potential therapeutic value. No human studies are available on its individual effectiveness in the treatment of primary dysmenorrhea.

References

(1) Osol, A., and G. E. Farrar, Jr., editors, "The Dispensary of the United States of America," 25th Ed., J. B. Lippincott Co., Philadelphia, p. 1634, 1955.

(2) Genazzani, E., and L. Sorrentino, "Vascular Action of Acteina: Active Constituent of *Actaea racemosa* L.," *Nature*, 194:544-545, 1962.

(3) Costello, C. H., and C. L. Butler, "Uterine Depressants II: A Preliminary Report on *Aletris farinosa*, *Chamaelirium luteum* and *Cimicifuga racemosa*," from the minutes of the 61st Annual Meeting of the

Proprietary Association of America, May 18 and 19, 1943, OTC Volume 17MPAIL.

(4) Macht, D. I., and H. M. Cook. "A Pharmacological Note on *Cimicifuga*," *Journal of the American Pharmaceutical Association*, 21:324-330, 1932.

(3) *Piscidia erythrina*. The Panel concludes that *Piscidia erythrina* is safe for OTC use, but it is not generally recognized as effective in the treatment of primary dysmenorrhea.

Piscidia erythrina is a tropical and semitropical legume, also known as Jamaica dogwood or fish-poison tree.

(i) *Safety*. The fluidextract of *Piscidia erythrina* at a concentration of 500 mg/fluid oz has been used for approximately 30 years in the elixir preparation at a dosage of ½ oz four times a day for a total daily dose of 1 g. The tablet formulation contains the fluidextract of *Piscidia erythrina* at a concentration of 780 mg/tablet and given four times daily for a total daily dose of 3.12 g. In 1948, a study on rats, using a 60-percent isopropyl alcohol dried extract of *Piscidia erythrina* dispersed in water, established that two of seven rats died within 1 hour when 10 g per kilogram (g/kg) of the extract, equivalent to 106 g/kg of the dried bark, was administered orally (Ref. 1). An additional study, using mice, in 1965, established an intravenous LD₅₀ of 1.5 g/kg of body weight and an intraperitoneal LD₅₀ of 3.75 g/kg of body weight for the fluidextract (Ref. 2). Although no human safety studies have been submitted for this ingredient individually, the Panel has relied on the animal data presented and its long marketing history in combination and concludes that it is safe for OTC use at the dose noted above.

(ii) *Effectiveness*. Historically, the bark and other parts of the Jamaica dogwood or fish-poison tree have been used for catching fish. Usually, the leaves, twigs, and bark are macerated together with the residue from the distillation of rum or sometimes with lime. This material is then placed in baskets and dragged through the water until the fish are stupefied. The bark of the tree has also been used in medicine. Extracts of the bark have been promoted as an anodyne, which was used to relieve neuralgia and to treat dysmenorrhea.

Pharmacological studies on the bark have offered conflicting evidence. The most convincing study shows quite clearly a uterine depressant activity, both in vitro and in vivo in various laboratory animals (Ref. 1). This activity is of the same order as papaverine. This report confirmed an earlier study that indicated that an extract was remarkably depressant to tone and

excursion amplitude of isolated uterus muscle. However, in other studies the extract was inactive when tested on both isolated (Ref. 3) and intact animal uteri (Ref. 4).

The Panel is not aware of any human studies with this individual ingredient in treating primary dysmenorrhea. Effectiveness testing of multiple-ingredient final formulations containing this ingredient is discussed elsewhere in this document. (See part III, paragraph G.3. below—Combination of herb extracts.)

(iii) *Evaluation*. The 30-year history of use of this fluidextract, at levels of up to 1 g per day, and animal data showing an LD₅₀ at well over 100 times this dosage level, would appear to allay any safety concerns about this ingredient.

Animal studies of the ingredient's effect on uterine contraction are contradictory. While there is some history of this use of the fluidextract in the treatment of primary dysmenorrhea, there are no human studies available on its effectiveness (individually) in the treatment of primary dysmenorrhea.

References

(1) Costello, C. H., and C. L. Butler. "An Investigation of *Piscidia Erythrina* (Jamaica dogwood)," *Journal of American Pharmaceutical Association*, 37:89-97, 1948.

(2) Arousseau, M., C. Berny, and O. Albert. "Recherches sur Quelques Propriétés Pharmacodynamiques du *Piscidia Erythrina* L. (Legumineuses)," *Annales Pharmaceutiques Françaises*, 23:251-257, 1965.

(3) Pilcher, J. D., G. E. Burman, and W. R. Delzell. "The Action of the So-called Female Remedies on the Excised Uterus of the Guinea-Pig," *Archives of Internal Medicine*, 18:557-583, 1916.

(4) Pilcher, J. D., and R. T. Mauer. "The Action of 'Female Remedies' on Intact Uteri of Animals," *Surgery, Gynecology and Obstetrics*, 27:97-99, 1918.

(4) *Senecio aureus*. The Panel concludes that *Senecio aureus* may not be safe for OTC use and is not generally recognized as effective in the treatment of primary dysmenorrhea.

Extracts of *Senecio aureus*, known as golden ragwort, have been used to promote the menstrual discharge, but their use is of doubtful value.

(i) *Safety*. The fluidextract of *Senecio aureus* at a concentration of 445 mg/fluid oz has been used for more than 100 years in the elixir preparation at a dosage of ½ oz four times a day for a total daily dose of 890 mg. The Panel is not aware of any reports of adverse reactions related to the use of *Senecio aureus* in this preparation. However, the only communication dealing with this ingredient states the manufacturer's intention to omit *Senecio aureus* from

the formulation after 1975 because "during the past decade, the *Senecio* alkaloids have been shown to cause pulmonary and hepatic lesions in animals." The manufacturer goes on to state, ". . . because of the toxicity attached to *Senecio* plants in general, it has been decided to reformulate . . . by omitting it beginning in 1976" (Ref. 1). The submitted data document the toxicity of some *Senecio* species (about 10 percent of the approximately 1,200 species of *Senecio* contain toxic alkaloids) in both humans and animals with a list of 44 references, all of which have been published since 1952, with more than half being published since 1968 (Ref. 1). The Panel is also aware that *Senecio aureus* contains about 0.006 percent senecionine (Ref. 2), an alkaloid of known toxicity in animals (Refs. 3 and 4). Senecionine was observed to cause death (within 1 to 7 days) in rats when administered in an intraperitoneal dose of 0.1 millimoles/kilogram (mmoles/kg) body weight and to cause both liver and lung lesions at the lowest dose tested (0.025 mmoles/kg body weight) (Ref. 3).

The continued inclusion of *Senecio aureus* in the formulation in 1981 was verified in a telephone conversation with the firm (Ref. 5).

The Panel concludes, in the absence of definitive studies, that *Senecio aureus* may not be safe for OTC use because of the presence of low concentrations of senecionine, a toxic pyrrolizidine alkaloid.

(ii) *Effectiveness*. No data supporting the effectiveness of this individual ingredient were presented to the Panel. A study conducted in 1934 established that the fluidextract produced no effect on the tone or on the amplitude of contraction of the isolated uterine muscle of laboratory animals (Ref. 6).

Effectiveness testing of multiple-ingredient final formulations containing this ingredient is discussed elsewhere in this document. (See part III, paragraph G.3. below—Combination of herb extracts.) The Panel concludes that *Senecio aureus* is not effective nor is it generally recognized as effective for treating any menstrual disorders.

(iii) *Evaluation*. The Panel concludes that *Senecio aureus* may not be safe for OTC use. The Panel also concludes that this ingredient is not generally recognized as effective for use in OTC menstrual drug products to treat primary dysmenorrhea, because of the total lack of any proof of effectiveness or even medical rationale for the use of this ingredient in menstrual drug products.

References

- (1) OTC Volume 170076.
- (2) Manske, R. H. F., and H. L. Homes, editors, "The Alkaloids," vol. I, Academic Press Inc., New York, p. 159, 1950.
- (3) Culvenor, C. C. J., et al., "Hepato- and Pneumotoxicity of Pyrrolizidine Alkaloids and Derivatives in Relation to Molecular Structure," *Chemoco-Biological Interactions*, 12:299-324, 1976.
- (4) Smith, L. W., and C. C. J. Culvenor, "Plant Sources of Hepatotoxic Pyrrolizidine Alkaloids," *Journal of Natural Products*, 44:129-152, 1981.
- (5) Memorandum of telephone conversation between John R. Short, Panel Administrator, OTC Miscellaneous Internal Panel, and Mary Ann Mulford, Regulatory Affairs, Cooper Laboratories, subject: "Product Formulation," dated April 22, 1981, OTC Volume 17MPAIL.
- (6) Kelley, E. A., and E. V. Lynn, "The Value of Senecio in Medicine," *Journal of the American Pharmaceutical Association*, 23:113-118, 1934.

(5) *Taraxacum officinale*. The Panel concludes that *Taraxacum officinale* is safe for OTC use, but is not generally recognized as effective in the treatment of primary dysmenorrhea.

Taraxacum Officinale, also known as dandelion root, has long been used as a bitter in "atonic dyspepsia" and as a mild laxative.

(i) *Safety*. The fluidextract of *Taraxacum officinale* at a concentration of 345 mL/fluid oz has been used for more than 65 years in the previously described elixir preparation at a dosage of ½ oz four times a day for a total daily dose of 690 mL. It was listed in the "National Formulary" as long ago as 1926 as a gastrointestinal stimulant. A Romanian study in 1974 established an intraperitoneal LD₅₀ in mice of the fluidextract at 28.8 g/kg body weight (Ref. 1). This same study showed that the fluidextract given in a dose of 8 mL/kg of body weight for 30 days produced a weight loss as high as 30 percent in mice and rats. This loss may have been due in part to a diuretic activity. Although no human safety studies have been submitted for this ingredient individually, the Panel has relied on the animal data presented and its long marketing history in combination with other botanicals, and concludes that it is safe for OTC use at the dose noted above.

(ii) *Effectiveness*. The fluidextract of *Taraxacum officinale*, or dandelion root, has a long history of use as a bitter in "atonic dyspepsia" and as a mild laxative. In 1974, a Romanian study showed it to have diuretic properties and the ability to induce up to 30 percent weight loss in 1 month in animal tests (Ref. 1). No data were submitted suggesting the exact role or rationale for this ingredient in the treatment of

dysmenorrhea. No data supporting its individual effectiveness for these conditions were presented to the Panel and none could be located. Effectiveness testing of final formulations containing this ingredient are discussed elsewhere in this document. (See part III, paragraph G.3. below—Combination of herb extracts.)

(iii) *Evaluation*. Because of the long history of use of *Taraxacum officinale* and the high LD₅₀ in animals (Ref. 1), the safety of this fluid extract, at levels of 690 mg a day, appears sufficient to allay any safety concerns about this ingredient.

There are no data supporting the effectiveness of this individual ingredient and no history of its use alone in the treatment of primary dysmenorrhea, although some animal data showing a diuretic action do exist.

References

- (1) Racz-Kotilla, E., G. Racz, and A. Solomon, "The Action of *Taraxacum officinale* Extracts on the Body Weight and Diuresis of Laboratory Animals," *Planta Medica*, 26:212-217, 1974.

b. *Category II labeling*. The Panel concludes that the following labeling claims and any related terms are either unsupported by scientific data or are misleading and, therefore, are classified as Category II:

(1) "For relieving cramps and other distress of monthly periods (Menstruation)."

(2) "Acts as a uterine sedative."

3. *Category III conditions*. None.

F. Vitamins

Pyridoxine hydrochloride (vitamin B-6) was listed in the call-for-data notice of August 27, 1975 (40 FR 38183) and has received support in some scientific literature in conjunction with the treatment of primary dysmenorrhea and the symptoms of the premenstrual syndrome. The Panel's conclusions on this ingredient are presented below. Other vitamins were not reviewed by the Panel because it is not aware of any data demonstrating their safety or effectiveness when used in OTC menstrual drug products. (See part I, paragraph C.5. above—Other ingredients.)

1. *Category I conditions*. None.

2. *Category II conditions*. The following are Category II conditions under which vitamins used in OTC menstrual drug products are not generally recognized as safe and effective or are misbranded.

a. *Category II active ingredients*. See part I, paragraph C.5. above—Other ingredients.

b. *Category II labeling*. None.

3. *Category III conditions*. The following are Category III conditions for which the available data are insufficient to permit final classification at this time.

a. *Category III active ingredient—Pyridoxine hydrochloride*. The Panel concludes that pyridoxine hydrochloride is safe for OTC use in the dose noted below, but data are insufficient to demonstrate its effectiveness in relieving symptoms of the premenstrual syndrome or primary dysmenorrhea.

(1) *Safety*. Pyridoxine hydrochloride (vitamin B-6) is a water-soluble vitamin of the vitamin-B complex and is present in many foodstuffs. It has been reviewed by an FDA Advisory Review Panel in its report on OTC Vitamin and Mineral Drug Products published in the Federal Register of March 16, 1979 (44 FR 16126) and found to be safe in the doses up to 25 mg daily (treatment of a deficiency) (44 FR 16157). Much larger doses, up to 200 mg/day or more, have been widely used in the treatment of various disorders (e.g., sideroblastic anemias) with no significant toxicity. The Panel concludes that pyridoxine hydrochloride is safe in doses up to 200 mg/day.

(2) *Effectiveness*. Pyridoxine hydrochloride has been tried as a therapeutic agent to treat depression caused by the use of oral contraceptives. Later, its use was extended to treatment of the symptoms of the premenstrual syndrome and primary dysmenorrhea. One author postulates that the pyridoxine hydrochloride in doses of 200 to 800 mg per day plays a synergistic role in the utilization of magnesium ions across myometrial cell membranes, resulting in an antispasmodic effect and relief of dysmenorrhea (Ref. 1). However, several reports (Refs. 1, 2, and 3) that claim effectiveness of pyridoxine hydrochloride for relief of the symptoms of premenstrual tension or dysmenorrhea are not convincing because of lack of controls, small sample size, or other defects (Refs. 4, 5, and 6). One double-blind study (Ref. 7) failed to show effectiveness of pyridoxine hydrochloride over placebo.

(3) *Proposed dosage*. The Panel recommends that a dose of pyridoxine hydrochloride used in OTC menstrual drug products not exceed 200 mg per day in divided doses.

(4) *Labeling*. The Panel recommends that labeling of pyridoxine hydrochloride for relieving the symptoms of the premenstrual syndrome and primary dysmenorrhea consist of those symptoms or clusters of symptoms (from the Moos Questionnaire) that are demonstrated to be relieved by this ingredient.

(5) *Evaluation.* The Panel concludes that pyridoxine hydrochloride is safe in the recommended dose, but that data are insufficient to demonstrate that it is effective for relieving symptoms of the premenstrual syndrome or primary dysmenorrhea. The Panel recommends further testing using adequate and well-controlled clinical investigations.

References

- (1) Abraham, G. E., "Primary Dysmenorrhea," *Clinical Obstetrics and Gynecology*, 21:139-145, 1978.
- (2) Baumblatt, M. J., and F. Winston, "Pyridoxine and the Pill," *Lancet*, 1:832-833, 1970.
- (3) Kerr, G. D., "The Management of the Premenstrual Syndrome," *Current Medical Research and Opinion*, 4 (Supplement 4):29-34, 1977.
- (4) Clare, A. W., "The Treatment of Premenstrual Systems," *British Journal of Psychiatry*, 135:576-579, 1979.
- (5) Anonymous, "The Premenstrual Syndrome," *Drug and Therapeutics Bulletin*, 17:101-103, 1979.
- (6) Steiner, M., and B. J. Carroll, "The Psychobiology of Premenstrual Dysphoria: Review of Theories and Treatments," *Psychoneuroendocrinology*, 2:321-335, 1977.
- (7) Stokes, J., and J. Mendels, "Pyridoxine and Premenstrual Tension," *Lancet*, 1:1177-1178, 1972.

b. *Category III labeling.* None.

G. Combination Policy

The Panel has reviewed and concurs with the FDA regulations regarding combinations of ingredients in OTC drug products [21 CFR 330.10(a)(4)(iv)]. In addition, the Panel is aware of the agency's combination guidelines for OTC drug products, the availability of which was announced in the *Federal Register* of November 28, 1978 (43 FR 55466). The Panel has applied these regulations and guidelines in reaching its conclusions on combination drug products for use in treating symptoms of premenstrual syndrome and primary dysmenorrhea.

1. *Rationale for combining ingredients in menstrual drug products (for relieving symptoms of the premenstrual syndrome and primary dysmenorrhea).* As discussed previously, the premenstrual syndrome and primary dysmenorrhea are distinct clinical entities. Each entity has multiple symptoms that may overlap in time. It seems rational in either clinical entity to combine different ingredients to treat the multiple symptoms concurrently. While some symptoms are common to both the premenstrual syndrome and primary dysmenorrhea, other symptoms occur predominantly in one or the other condition. For example, symptoms attributable to water retention occur in the premenstrual syndrome, but are less

frequently a component of primary dysmenorrhea. Because pain and cramping are common to both the premenstrual syndrome and primary dysmenorrhea, the Panel concludes it is rational to combine Category I analgesics with a Category I smooth-muscle relaxant to treat premenstrual and menstrual pain and cramps. However, because the one smooth-muscle relaxant, cinnamedrine hydrochloride, has been placed in Category III (none in Category I), a combination of this ingredient and Category I analgesics would also be placed in Category III. Because pain and water retention may occur concurrently in the premenstrual syndrome or primary dysmenorrhea, the Panel concludes it would be rational to combine a Category I analgesic and a Category I diuretic to relieve pain and water-accumulation symptoms (water-weight gain, bloating, swelling, or full feeling) of the premenstrual and menstrual periods.

The Panel reviewed data on OTC menstrual drug products containing a diuretic (pamabrom) and antihistamine (pyrilamine maleate) combination and classified the combination as Category I for relieving symptoms of the premenstrual syndrome and primary dysmenorrhea. A product was also submitted using the same ingredients plus acetaminophen. The Panel concludes that the addition of any Category I analgesic to this preparation would also result in a Category I combination because analgesics already (earlier in the report) have been given a Category I designation for the premenstrual and menstrual periods. The Panel recommends allowing any Category I diuretic or Category I analgesic in these preparations, but is specific as to which antihistamine to use, i.e., pyrilamine maleate. Based upon the data reviewed by the Panel, pyrilamine maleate seems to be unique among other antihistamines in that it possesses certain pain relief and diuretic properties (Refs. 1 and 2).

The Panel also reviewed a combination of two diuretics (ammonium chloride and caffeine) and concludes this to be a rational combination because the diuretic mechanisms of action are different and adjunctive. The Panel recommends the use of any two diuretics as long as their mechanisms of action are different and adjunctive.

The Panel was presented with some data regarding combinations of various herb extracts. However, the studies attempting to demonstrate effectiveness are not adequate and well-controlled clinical investigations; nor is it clear

which formulations were employed. In addition, each of the ingredients included in the various formulations have been classified as Category II in this document. Therefore, combinations of these ingredients have been placed in Category II.

2. *Category I combinations.* The following are Category I combinations:

- a. A Category I analgesic and a Category I diuretic (e.g., acetaminophen and pamabrom);
- b. A Category I analgesic, a Category I antihistamine, and a Category I diuretic (i.e., acetaminophen or any other Category I analgesic, pyrilamine maleate, and pamabrom or any other Category I diuretic);
- c. A Category I antihistamine and a Category I diuretic (i.e., pyrilamine maleate and pamabrom or any other Category I diuretic);
- d. Any two Category I diuretics with different and adjunctive mechanisms of action, (e.g., ammonium chloride and caffeine).

References

- (1) "The Effect of Pylamine Maleate on the Relief of Symptoms Associated with the Menstrual Syndrome (Boston Study 1981)," unpublished study, OTC Volume 170218.
- (2) OTC Volume 170224 (Section 4).

For those Category I combinations for which appropriate data have been submitted for review of safety and effectiveness, the Panel offers the following discussion:

a. *Ammonium chloride and caffeine.* The Panel concludes that a combination of ammonium chloride and caffeine in the dose recommended below is generally recognized as safe and effective in relieving water-accumulation symptoms of the premenstrual and menstrual periods.

(1) *Safety.* For safety of ammonium chloride, see part III, paragraph C.1.a.(1) above—Ammonium chloride. For safety of caffeine, see part III, paragraph C.1.a.(2) above—Caffeine.

Hoffman (Ref. 1) conducted a study in which he used a combination of 325 mg ammonium chloride and 100 mg caffeine per tablet against placebo (lactose) in treating edema in 22 patients. The study was conducted for two menstrual cycles. One side effect was reported by one subject who complained of feeling "headachy." Gastrointestinal discomfort, while not unexpected for subjects taking ammonium chloride, was not reported (Ref. 1).

In a study involving 90 patients, Levine, et al. (Ref. 2) used a preparation containing 330 mg ammonium chloride, 33 mg caffeine, 0.5 mg homatropine methylbromide, and vitamin-B complex

against placebo for a 6-month period. The investigators reported the medication was "well tolerated by the patients." Only four patients (6 percent) reported any side effects. Three of these side effects were in the form of nausea and one was a papular rash.

Another study, conducted by Morton, et al. (Ref. 3), with 249 subjects, used the same preparation as the Levine study against placebo. This study covered a 3-month period and no adverse effects were reported.

The Panel, therefore, concludes that the combination of ammonium chloride at a dose of 325 mg and caffeine at a dose of 100 mg is generally recognized as safe for OTC use.

(2) *Effectiveness.* The effectiveness of either ingredient alone is reviewed separately in this document as per references cited under Safety above. There also have been clinical studies performed with this combination of ingredients.

In a double-blind, placebo-controlled crossover study, Hoffman (Ref. 1) evaluated the effectiveness of the combination for controlling premenstrual weight gain in 22 patients. Of these 22 patients, 14 were taking oral contraceptives and "characteristically" retained fluids during the last several days of the menstrual cycle. The remaining eight were not taking oral contraceptives, but also had a history of premenstrual weight gain.

The drug (325 mg ammonium chloride and 100 mg caffeine) and the placebo (lactose) were identical appearing enteric-coated tablets. Dosage for both products consisted of two tablets three times a day starting on day 18 of the menstrual cycle and continuing for 6 days.

During the first cycle, using the weight on day 18 as a baseline, Group I on active medication showed a weight loss of 1.50 pounds at the end of day 23. Group II on placebo gained 1.39 pounds at the end of day 23 compared with the baseline. During the second cycle, Group I on placebo gained 2.88 pounds by the end of day 23, and Group II on active medication lost 0.98 pound. The active medication was significantly superior ($p < 0.005$) to placebo in controlling premenstrual weight gain (Ref. 1). Hoffman states the weight gain/loss was due to the elimination/retention of excessive body fluids.

Levine et al. (Ref. 2) evaluated a group of 90 women over a period of 6 months. The test medication consisted of 330 mg ammonium chloride, 33 mg caffeine, 0.5 mg homatropine methylbromide, and vitamin-B complex.

All patients displayed fairly regular menstrual cycles and symptoms of

premenstrual tension. During each cycle of the test, 70 of the patients received the medication in a dosage of two tablets three times daily, starting 10 days before the menses, and continued daily until the onset of menstruation. Twenty patients received the placebo on the same schedule. Throughout the study each patient was examined periodically and each was asked to maintain a daily diary for recording the presence and degree of severity of symptoms as well as body weight gain under standardized conditions.

The investigators reported that of the 70 patients receiving the test medication, 49 (70 percent) obtained excellent relief from their symptoms; 11 (15 percent) obtained good results, and the remaining experienced little or no relief. Patients receiving the placebo were reported to have failed to exhibit significant improvement in premenstrual tension. No details were given on how it was determined whether a patient obtained relief and no statistical analyses were performed comparing the treatment group with the placebo group.

Average weight gain for the patients during the months before taking the medication was reported to be 3.9 pounds, while during administration of the medication, the average weight gain was reported to be 1.2 pounds. No figures on weight gain for the placebo group were provided, and no statistical analysis was performed comparing the treatment and placebo groups.

Morton et al. (Ref. 3) conducted a 3-month study using 249 inmates (131 from a prison and 118 from a reformatory). The test medication, consisting of 330 mg ammonium chloride, 33 mg caffeine, 0.5 mg homatropine methylbromide, and vitamin-B complex was administered to 129 patients. The other 120 were given a placebo.

Volunteers for the study were given a self-rating scale of 21 items, which reflected nervous and emotional tension, symptoms due to hypoglycemic reactions, water retention, and disturbances in menstruation. They were requested to circle the appropriate word beside each symptom that might be present during the days preceding the menstrual period. Symptoms were rated as none, mild, or severe.

The subjects were divided into four experimental groups, two groups in the prison and two groups in the reformatory. In both settings, one group was given medication and the other was given a placebo. The medication and placebo were identical appearing enteric-coated tablets taken on the same schedule, i.e., two tablets taken three times daily for 10 days preceding the expected onset of the menstrual flow

and discontinued with the onset of menstruation. All subjects in the prison were also given a supplementary high protein diet.

Six weeks after first using the self-rating scale of premenstrual symptoms, a second form was distributed. The second form duplicated the first, with additional questions that asked the subject to indicate (1) whether she thought her symptoms had changed since the treatment, and (2) whether or not she benefited from the treatment.

At the end of one cycle, of the 68 women in the prison who started the medication, 5 dropped out of the study; 79 percent of the remaining subjects reported improvement from the medication; and 21 percent reported no change or worse symptoms. In the control group who received the placebo, 2 subjects out of 64 dropped out of the experiment; 39 percent of the subjects reported symptom improvement; and 61 percent reported no change or worse symptoms. The difference between the treatment and placebo group is statistically significant at the 0.001 level.

In the group that received the medication in the reformatory, of those who continued the survey, 61 percent improved, and 39 percent reported no change or worse symptoms. Those who received the placebo reported a 15-percent improvement with 85 percent of the subjects indicating no change or worse symptoms. The sample sizes on which the above percentages were computed are not given in the article, but the dropout rate is said to have been high.

The article gives no details as to how subjects were assigned to the treatment and control groups, such as whether subjects were assigned in a double-blind fashion. Further, the factors or symptoms that constituted an improvement are not explicitly stated.

The Panel concludes that a combination of ammonium chloride and caffeine in the dose noted below is generally recognized as effective for OTC use in relieving weight gain, bloating, swelling, and/or full feeling associated with the premenstrual and menstrual periods. In addition, a "fatigue" claim could also be used based upon the caffeine portion of the combination, as discussed earlier. (See part III, paragraph C.1.a. (2) above—Caffeine.)

(3) *Dosage.* The Panel recommends that the dosage for a combination of ammonium chloride and caffeine consists of 650 mg ammonium chloride and 200 mg caffeine to be taken three times daily for a daily dose of 1,950 mg ammonium chloride and 600 mg caffeine.

(4) *Labeling.* The Panel recommends Category I labeling for diuretics. (See part III, paragraph C.1.b. above—Category I labeling.) The combination may also include a "fatigue" claim for the caffeine component. (See part III, paragraph C.1.a. (2)(iv) above—Labeling.) In addition, the labeling should contain those warnings for ammonium chloride and caffeine listed earlier in this document. (See part III, paragraph C.1.a. (1)(iv) and (2)(iv) above—Labeling.)

References

(1) Hoffman, J. J., "A Double-Blind Crossover Clinical Trial of an OTC Diuretic in the Treatment of Premenstrual Tension and Weight Gain," *Current Therapeutic Research*, 26:575-580, 1979.

(2) Levine, A. J., et al., "An Effective Medication in the Treatment of Premenstrual Tension," *Clinical Medicine*, 5:907-909, 1958.

(3) Morton, J. H., et al., "A Clinical Study of Premenstrual Tension," *American Journal of Obstetrics and Gynecology*, 65:1182-1191, 1953.

b. *Pamabrom and pyrilamine maleate.* The Panel concludes that a combination of pamabrom and pyrilamine maleate in the dose recommended below is generally recognized as safe and effective in relieving premenstrual symptoms of the negative affect and water retention clusters, and the pain of cramps and backache of the premenstrual and menstrual periods.

(For the reviews of pamabrom and pyrilamine maleate as single ingredients, see part III, paragraph C.1.a.(3) above—Pamabrom, and part III, paragraph B.1.a. above—Pyrilamine maleate.)

(1) *Safety.* James and Johnson (Ref. 1) studied a combination of 50 mg pamabrom and 30 mg pyrilamine maleate per tablet in treating edema associated with pregnancy (180 patients). They found it necessary to administer 8 to 10 tablets per day to treat this condition. This treatment was given over a 2-year period (no indication of the time period in any one patient), and the authors concluded that the medication itself appeared to be nontoxic.

This combination of ingredients has been marketed under an NDA since 1952.

The Panel, therefore, concludes that the combination of pamabrom, at a dose of 50 mg, and pyrilamine maleate, at a dose of 30 mg, is generally recognized as safe for OTC use.

(2) *Effectiveness.* Bickers (Ref. 2) conducted a study involving a formulation containing 50 mg of pamabrom and 30 mg pyrilamine maleate (referred to in this study as

"bromaleate"). This study was not blinded nor did it contain a placebo or any other control drug. Fifty-six patients who suffered from moderate to severe premenstrual tension and menorrhagia were given the drug and instructed to take two tablets in the morning and at night beginning 4 to 12 days before the expected onset of menstruation and to discontinue medication at onset of flow. In cycles recorded prior to treatment, patients had recorded an average weight gain of 4.2 pounds, but an average weight gain of only 1.6 pounds was recorded during treatment. Bickers claimed relief of the premenstrual symptoms, but gave no supportive data other than weight gain and made no comment as to what degree of relief was obtained or what symptoms were relieved. He also claimed that the premenstrual symptoms are directly related to the degree of tissue edema that occurs premenstrually and is reflected in the weight gain.

McGavack et al. (Ref. 3) conducted a study to determine the effect of a combination of 50 mg pamabrom and 30 mg of pyrilamine maleate in the treatment of premenstrual tension in 43 women with varying degrees of water retention. The study was not blinded, nor was it placebo-controlled, except to the extent that "placebo cycles" were used in 26 patients between cycles on active drug where questions of reliability arose. The patients were taken from an outpatient clinic or private practice and had severe symptoms of premenstrual tension that had not improved with previous therapy. They were divided into three groups according to the severity of water accumulation: (1) those with frank edema (17 patients), (2) those with water retention as shown by marked changes in weight, tightness of shoes, rings, etc., but with no obvious edema (12 patients), and (3) those without clinically recognizable water retention (14 patients). In general, the drug was started in each cycle when the patient was aware of the first premenstrual symptoms. The patient was then instructed to take one to two tablets two to four times daily. Results indicated that 37 percent of the patients were unimproved and 63 percent showed improvement. Of the 26 patients who also received the placebo, only 5 showed any relief at all while taking the placebo. When the data were analyzed for the three groups mentioned above, the authors found that the patients with recognizable water retention responded better than those without. They also observed that water retention was probably the one most consistently improved symptom, with nervous and

mental symptoms of tension next. Breast engorgement, gastrointestinal symptoms, and pelvic manifestations were controlled in most patients, while marked improvement was observed in headaches in slightly over half the subjects.

McGavack et al. (Ref. 4) conducted another study in a manner similar to the one described above and used in same pamabrom/pyrilamine maleate combination. This was a crossover study and also used a placebo control and another active drug consisting of ammonium chloride, homatropine methylbromide, caffeine, and vitamins. Only 19 patients were involved in this study. Overall relief was obtained in 68 percent of the patients on the pamabrom combination, whereas only 32 percent improved on the other formulation. Pelvic distress, breast engorgement, and headache were about equally controlled by each preparation. Water and salt retention, nervous and mental symptoms, and acne responded more favorably and with greater frequency to the pamabrom combination than to the vitamin formulation.

In the Wisconsin study, the effects of pamabrom alone, pyrilamine maleate alone, and both in combination were tested on the symptoms of the premenstrual syndrome in 194 women (Ref. 5). The study was double-blind, placebo-controlled, and single-crossover in design. Only the results of the combination product (50 mg pamabrom and 30 mg pyrilamine maleate) used in this study will be discussed in this portion of the document. Ninety-nine subjects participated in this combination portion of the crossover study. Each subject was instructed to take one tablet four times daily starting 5 to 7 days prior to menstruation and to cease at onset. Each rated nine symptoms on a 1 to 4 scale for the premenstrual days. Data on all 99 subjects for premenstrual days 1 to 5 were available for analysis. The paired t-test was employed for analysis (Ref. 6). For analysis purposes the symptoms were examined separately and as clusters following the Moos cluster of symptoms (Ref. 7). There was statistically significant superiority of the combination over the placebo for the pain cluster ($p=0.017$), which included the symptoms of headache ($p=0.080$), and premenstrual cramps ($p=0.042$), and for the cluster of water retention ($p=0.003$), which included the symptom of ankle swelling ($p=0.022$), finger swelling ($p=0.012$), abdominal swelling ($p=0.002$), and breast tenderness ($p>0.010$, NS). It was also significantly superior to the placebo for the negative affect cluster ($p=0.005$), which included

the symptoms of irritability ($p=0.004$), depression ($p=0.032$), and premenstrual tension ($p=0.006$). The combination was also highly significant as compared with the placebo for the sum of cluster scores ($p=0.0007$).

An additional study, designated as the Boston study, evaluated the effectiveness of pyrilamine maleate alone versus placebo for 2 days into the menstrual period. Pyrilamine maleate proved to be statistically superior to placebo in relieving cramps ($p<0.05$) and backache ($p<0.05$) (Refs. 8 and 9).

Because of a lack of placebo controls in the Bickers (Ref. 2) and McGavack (Ref. 3) studies, the Panel considers that the results of these studies are only suggestive of the possible effectiveness of the combination of pamabrom and pyrilamine maleate in relieving symptoms of the premenstrual syndrome. However, because each individual ingredient was found effective in this document and the results of the Wisconsin study (Refs. 5 and 6) and Boston study (Refs. 8 and 9) were very positive, the Panel concludes that a combination of pamabrom (in a dose of 50 mg) and pyrilamine maleate (in a dose of 30 mg) is generally recognized as effective in relieving the premenstrual symptoms of the negative affect cluster and water-retention cluster.

Note.—individual symptoms cannot be used in labeling unless demonstrated to be effective.

It also is generally recognized as effective in relieving the pain of cramps and backache in both the premenstrual and menstrual periods.

(3) *Dosage.* The Panel recommends that the dosage for a combination of pamabrom and pyrilamine maleate consist of 50 mg pamabrom and 25 to 30 mg pyrilamine maleate to be taken four times daily for a daily dose of 200 mg pamabrom and 100 to 120 mg pyrilamine maleate.

(4) *Labeling.* The Panel recommends the following labeling claims for a combination of pamabrom and pyrilamine maleate:

(i) "For the relief of" ("emotional changes" or "mood changes") "related to the premenstrual period."

(ii) "For the relief of" ("emotional changes" or "mood changes") "related to the premenstrual period, such as anxiety, nervous tension, and irritability."

(iii) "For the relief of water-retention symptoms related to the premenstrual period."

(iv) "For the relief of water-retention symptoms related to the premenstrual

period, such as ankle, finger, and abdominal swelling."

(v) "For the relief of cramps and backache of the premenstrual or menstrual period."

In addition, any warnings included earlier in the discussion of pyrilamine maleate should be included. (See part III, paragraph B.1.a.(4) above—Labeling.)

The Panel also recommends the following labeling claims (other symptoms of the negative affect, water-retention, and pain clusters) for which insufficient data (Category III) were available to demonstrate the effectiveness of the pyrilamine maleate and pamabrom combination:

1. "For the relief of" ("emotional changes" or "mood changes") "related to the" ("premenstrual" and/or "menstrual") "period, such as crying, loneliness, restlessness, and mood swings."

2. "For the relief of water-retention symptoms related to the" ("premenstrual" and/or "menstrual") "period, such as weight gain, skin disorders, and painful breasts."

3. "For the relief of muscle stiffness, headache, fatigue, and general aches and pains of the" ("premenstrual" and/or "menstrual") "period."

If a Category I analgesic were to be added to this combination, the incorporation of Category I analgesic labeling would be appropriate.

References

- (1) James, W. F. B., and A. P. Johnson, "Toxemia in Pregnancy: A New Treatment for Controlling Edema," *American Journal of Obstetrics and Gynecology*, 74:1054-1058, 1957.
- (2) Bickers, W., "Premenstrual Tension: A Neglected Phase of Menstrual Disability," *Southern Medical Journal*, 46:873-878, 1953.
- (3) McGavack, T. H., et al., "The Treatment of Premenstrual Tension with a Combination of an Antihistaminic and a Theophylline Derivative," *American Journal of Obstetrics and Gynecology*, 72:416-422, 1956.
- (4) McGavack, T. H., et al., "Therapy of Premenstrual Tension—The Influence of Theophyllinate-Antihistamine and Ammonium Chloride-Vitamin-Vagotropic Preparations," *New York State Journal of Medicine*, 56:2846-2849, 1956.
- (5) "Wisconsin Study (1978)," unpublished study, OTC Volume 1720209 (pp. 163-186).
- (6) OTC Volume 170221.
- (7) Moos, R. H., "Menstrual Distress Questionnaire," 1977, OTC Volume 170209 (pp. 133-160).
- (8) "The Effect of Pyrilamine Maleate on the Relief of Symptoms Associated with the Menstrual Syndrome (Boston Study 1981)," unpublished study, OTC Volume 170218.
- (9) OTC Volume 170224 (Section 4).

3. *Category II combinations.* The Panel considers the following combinations not generally recognized

as safe and effective or are misbranded in relieving the symptoms of primary dysmenorrhea.

Combination of herb extracts. The Panel reviewed a submission on two formulations of herb extract ingredients. One formulation (elixir) contains extracts of the following herbs, which the Panel considers to be the potential active ingredients: *Piscidia erythrina*, *Asclepias tuberosa*, *Cimicifuga racemosa*, *Taraxacum officinale*, *Glycyrrhiza glabra*, and *Senecio aureus*. The other formulation (tablet) is similar except that it lacks *Cimicifuga racemosa*, *Senecio aureus*, and *Taraxacum officinale* and contains in addition 65 mg ferrous sulfate. As stated earlier, the Glycyrrhiza will not be reviewed because the Panel considers that its only potential use would be for relieving menopausal symptoms, which this document does not address.

(a) *Studies of multiple-ingredient final formulations—(1) Animal safety testing.* In 2- to 4-month chronic toxicity studies conducted from 1943 to 1945, 13 rabbits were administered twice the proportional daily dose of what is described as Formula R and showed no pathological changes and, in some cases, gained weight beyond the control animals (Ref. 1). The exact formula tested is not given, although it appears that one ingredient currently contained in the marketed product submitted for review was absent and four ingredients not now contained in that same product were present.

(2) *Human safety testing.* In 1953, Karnaky (Ref. 2) studied 20 patients who were given 2 or 3 times the recommended dose for an average of 58 days. No toxicity was noted. The formula tested was similar, but does not appear to be the same as the formula currently marketed by the firm.

(3) *Uncontrolled and partially controlled clinical effectiveness studies.* An intrauterine balloon study (Ref. 3) on 48 dysmenorrheic patients given an elixir showed a depression of the abnormal uterine contraction pattern.

A similar study on dysmenorrheic patients with an elixir without *Asclepias tuberosa* was effective to a lesser degree (Ref. 4).

In a 4-month study of 27 women using the elixir for dysmenorrhea, 20 received relief of pain (16 complete and 4 partial) (Ref. 5). Of the seven who were not relieved, four submitted to laparotomy and endometriosis was found in each (as an explanation of the persistent pain).

In a 3-month study of 26 patients with dysmenorrhea, all felt better when treated with formula "139-056" elixir,

but 6 patients thought they had felt better on analgesics they had taken previously (Ref. 6).

Tests with a tablet version of the above compound elixir gave variable benefits in 25 dysmenorrheic women (Ref. 7).

One table formulation relieved 19 of 25 dysmenorrheic patients (Ref. 8).

Many unpublished clinical effectiveness studies were submitted, attempting to demonstrate the effectiveness of herbal formulations in treating dysmenorrhea. They present uniformly favorable results and used some ingenious intrauterine balloon experiments. However, all of the studies discussed above were uncontrolled by any modern standards. The exact nature and composition of the formula or formulas being tested are seldom clear. Most of the studies appear to have been performed using formulas significantly different from the currently marketed compound elixir.

(4) *Controlled clinical effectiveness studies.* A study of the compound elixir versus placebo on 82 dysmenorrheic patients was made by Fisher and Teabrock (Ref. 9) in 1953. The details of this study are not well presented. Apparently, treated patients were sequentially compared with previous treatment, no treatment, placebo, analgesics, and narcotics.

Undocumented statements of improvement were made. All patients were given elixir formula "139-056," but the ingredients of this formula are not given. The authors concluded that formula "139-056" contains one or more drugs active in relieving the symptoms of dysmenorrhea.

(5) *Evaluation of clinical studies on multiple-ingredient formulations.* Most of the submitted data were unpublished and were generated using employees (as subjects) of the submitting company, a fact not always too plain in the material presented. Many of the studies were confusing, incomplete, and vague. The firm altered its formulation frequently, and the formulas tested are not clearly stated. The exact composition of the formula tested was seldom described, although the inference would appear to be that it was identical to or was some modification of the formula marketed by the submitting company at the time of the test. Therefore, no real conclusion can be reached as to the effectiveness of either the currently marketed products of the submitting firm or the individual active ingredients contained in this product.

The Panel concludes that while most of the individual ingredients have been found safe for OTC use, neither the elixir nor the tablet formulation is

generally recognized as effective for OTC use in relieving the symptoms of primary dysmenorrhea for the following reasons: (1) no studies have been conducted on the individual ingredients attempting to identify their contribution to the total formulation; and (2) the composition has varied over the years.

References

- (1) Boos, W. F., "Post-Mortem Studies of Experimental Animals Administered Formula R," unpublished study, OTC Volume 170077 (pp. 110-126).
- (2) Karnaky, K. J., "Toxicity Study in 20 Patients," unpublished study, OTC Volume 170078 (pp. 275-299).
- (3) Bickers, W., "Clinical studies with compound Elixir in 48 Patients with Dysmenorrhea," unpublished study, OTC Volume 170078 (pp. 300-333).
- (4) Bickers, W., "Clinical Studies with Compound Elixir in 57 Patients with Dysmenorrhea," unpublished study, OTC Volume 170078 (pp. 334-345).
- (5) Phillips, J. H., "Clinical Studies with Compound Elixir in 27 Patients with Dysmenorrhea," unpublished study, OTC Volume 170078 (pp. 380-415).
- (6) Reed, H. E., "Clinical studies with Compound Elixir in 26 Patients with Dysmenorrhea," unpublished study, OTC Volume 170078 (pp. 451-511).
- (7) Bickers, W., "Clinical Studies with Tablet Extract in 25 Patients with Dysmenorrhea," unpublished study, OTC Volume 170078 (pp. 512-534).
- (8) Phillips, J. H., "Clinical Studies with Tablet Extract in 25 Patients with Dysmenorrhea," unpublished study, OTC Volume 170078 (pp. 590-621).
- (9) Fisher, M. M., and Teabrock, H. E., "Clinical Studies with Compound Elixir and Placebo in 82 Patients with Dysmenorrhea," unpublished study, OTC Volume 170079 (pp. 654-750).

4. *Category III combination.* The Panel has identified only one combination which it considers to meet the Category III condition of having insufficient data available to determine its effectiveness. A preparation containing cinnamedrine hydrochloride, aspirin, and caffeine was submitted. The cinnamedrine hydrochloride (as a smooth-muscle relaxant) and caffeine (as analgesic adjuvant) have been classified by the Panel as Category III and aspirin (as an analgesic) as Category I. If each ingredient were elevated to a Category I status, the Panel would consider the combination as Category I for relieving pain and cramps of the premenstrual and menstrual periods.

List of Subjects in 21 CFR Part 357

OTC drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(p), 502, 505, 701, 52 Stat. 1041-1042 as amended, 1050-1053 as amended, 1055-1056 as amended by 70 Stat. 919 and 72

Stat. 948 (21 U.S.C. 321(p), 352, 355, 371)), and the Administrative Procedure Act (secs. 4, 5, and 10, 60 Stat. 238 and 243 as amended [5 U.S.C. 553, 554, 702, 703, 704]), and under 21 CFR 5.11 as revised (see 47 FR 16010; April 14, 1982), the agency advises in this advance notice of proposed rulemaking that Subchapter D of Chapter I of Title 21 of the Code of Federal Regulations would be amended by adding in proposed Part 357, which was published at 47 FR 444; January 5, 1982, a new Subpart K, to read as follows:

PART 357—MISCELLANEOUS INTERNAL DRUG PRODUCTS FOR OVER-THE-COUNTER HUMAN USE

Subpart K—Orally Administered Menstrual Drug Products

Sec.

- 357.1001 Scope.
- 357.1003 Definitions.
- 357.1010 Analgesic active ingredients.
- 357.1012 Antihistamine active ingredients.
- 357.1014 Diuretic active ingredients.
- 357.1016 Smooth-muscle relaxant active ingredients. [Reserved]
- 357.1020 Permitted combinations of active ingredients.
- 357.1050 Labeling of orally administered menstrual drug products containing analgesic ingredients identified in § 357.1010.
- 357.1052 Labeling of orally administered menstrual drug products containing antihistamine ingredients identified in § 357.1012.
- 357.1054 Labeling of orally administered menstrual drug products containing diuretic ingredients identified in § 357.1014.
- 357.1056 Labeling of orally administered menstrual drug products containing smooth-muscle relaxant ingredients identified in § 357.1016.
- 357.1058 Labeling of combinations.

Authority: Secs. 201(p), 502, 505, 701, 52 Stat. 1041-1042 as amended, 1050-1053 as amended, 1055-1056 as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 321(p), 352, 355, 371); secs. 4, 5, and 10, 60 Stat. 238 and 243 as amended (5 U.S.C. 553, 554, 702, 703, 704).

Subpart K—Orally Administered Menstrual Drug Products

§ 357.1001 Scope.

(a) An over-the-counter menstrual drug product in a form suitable for oral administration is generally recognized as safe and effective and is not misbranded if it meets each of the conditions in this subpart and each general condition established in § 330.1 of this chapter.

(b) References in this subpart to regulatory sections of the Code of Federal Regulations are to Chapter I of Title 21 unless otherwise noted.

(c) References to Part 343 are to the internal analgesic proposed monograph published in the Federal Register of July 8, 1977 (42 FR 35346).

(d) References to Part 340 are to the stimulant tentative final monograph published in the Federal Register of June 13, 1976 (43 FR 25544).

§ 357.1003 Definitions.

As used in this subpart:

(a) *Diuretic*. A drug that increases the excretion of water.

(b) *Dysmenorrhea*. Painful menstruation. This may be accompanied by nausea, vomiting, diarrhea, headache, dizziness, fatigue, and bloating.

(c) *Menstrual period*. The period of time from onset to stoppage of cyclic, physiologic uterine bleeding which (in the absence of pregnancy) normally recurs, usually at approximately 4-week intervals.

(d) *Menstruation*. The monthly flow of blood from the genital tract of women.

(e) *Premenstrual period*. The period of time approximately 1 week before onset of menstruation.

(f) *Premenstrual syndrome*. A recurrent symptom complex which begins during the week prior to menstruation and usually disappears soon after the onset of the menstrual flow. This symptom complex consists predominately of edema, lower abdominal pain (including cramps), breast tenderness, headache, abdominal bloating, fatigue, and the feelings of depression, irritability, tension, and anxiety.

§ 357.1010 Analgesic active ingredients.

The active ingredients of the product consist of any analgesic active ingredient identified in Part 343 when used within the dosage limits established for each ingredient in Part 343.

§ 357.1012 Antihistamine active ingredients.

The active ingredient of the product consists of pyrilamine maleate within the dosage limit established in § 357.1052(d).

§ 357.1014 Diuretic active ingredients.

The active ingredients of the product consist of the following within the dosage limits established for each ingredient in § 357.1054(d):

(a) *Acidifying diuretic*. Ammonium chloride.

(b) *Xanthine diuretics*. (1) Caffeine.
(2) Pamabrom.

§ 357.1016 Smooth-muscle relaxant active ingredients. [Reserved]

§ 357.1020 Permitted combinations of active ingredients.

(a) Any analgesic identified in Part 343 and any diuretic identified in § 357.1014.

(b) Any analgesic identified in Part 343, pyrilamine maleate identified in § 357.1012, and any diuretic identified in § 357.1014.

(c) Any diuretic identified in § 357.1014 and pyrilamine maleate identified in § 357.1012.

(d) Two diuretics identified in § 357.1014 with different mechanisms of action.

(e) *Specific combinations*: (1) Ammonium chloride identified in § 357.1014(a) and caffeine identified in § 357.1014(b)(1) when used in the dose specified in § 357.1058(b)(1).
(2) Pamabrom identified in § 357.1014(b)(2) and pyrilamine maleate identified in § 357.1012 when used in the dose specified in § 357.1058(a)(2).

§ 357.1050 Labeling of orally administered menstrual drug products containing analgesic ingredients identified in § 357.1010.

(a) *Statement of Identity*. The labeling of the product contains the established name of the drug, if any, and identifies the product as an "analgesic."

(b) *Indications*. The labeling of the product contains a statement of the indications under the heading "Indications" that is limited to the following phrases, except that "For the relief of" may be replaced by "An aid in relieving":

(1) "For the relief of pain of the premenstrual and menstrual periods."

(2) "For the relief of pain of the premenstrual period."

(3) "For the relief of pain of the cramping of the premenstrual period."

(4) "For the relief of pain of the menstrual period."

(5) "For the relief of pain of the menstrual cramps."

(6) "For the relief of pain of dysmenorrhea."

(c) *Warnings*. The labeling of the product contains the warnings as identified in Part 343 under the heading "Warnings."

(d) *Directions*. The labeling of the product contains the dosage and any applicable directions identified in Part 343 under the heading "Directions."

§ 357.1052 Labeling of orally administered menstrual drug products containing antihistamine ingredients identified in § 357.1012.

(a) *Statement of identity*. The labeling of the product contains the established

name of the drug, if any, and identifies the product as a "menstrual/premenstrual symptom reliever."

(b) *Indications*. The labeling of the product contains a statement of the indications under the heading "Indications" that is limited to the following phrases, except that "For the relief of" may be replaced by "An aid in relieving":

(1) "For the relief of" ("emotional changes" or "mood changed") "related to the premenstrual period."

(2) "For the relief of" ("emotional changes" or "mood changed") "related to the premenstrual period, such as anxiety, nervous tension, and irritability."

(3) "For the relief of water-retention symptoms related to the premenstrual period."

(4) "For the relief of temporary weight gain or swelling due to water retention during the premenstrual period."

(5) "For the relief of of cramps and backache of the premenstrual or menstrual period."

(c) *Warning*. The labeling of the product contains the following warning under the heading "Warning": "May cause drowsiness."

(d) *Directions*. The labeling of the product contains the following information under the heading "Directions":

(1) *For products containing pyrilamine maleate identified in § 357.1012*. Adult oral dosage is 25 to 30 mg every 3 to 4 hours or 60 mg in 12 hours, but does not exceed 200 mg in a 24-hour period.

(2) [Reserved]

§ 357.1054 Labeling of orally administered menstrual drug products containing diuretic ingredients identified in § 357.1014.

(a) *Statement of identity*. The labeling of the product contains the established name of the drug, if any, and identifies the product as a "diuretic menstrual product."

(b) *Indications*. The labeling of the product contains a statement of the indications under the heading "Indications" that is limited to the following phrases, except that "For the relief of" may be replaced by "An aid in relieving":

(1) "For the relief of temporary water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual and menstrual periods."

(2) "For the relief of temporary water-weight gain, bloating, swelling, and/or full feeling associated with the premenstrual period."

(3) "For the relief of temporary water-weight gain, bloating, swelling, and/or

full, feeling associated with the menstrual period."

(4) "A diuretic for the relief of temporary premenstrual water-weight gain."

(5) "A diuretic which helps to control temporary water-weight gain during the menstrual period."

(6) In addition to the indications in paragraph (b) (1) through (5) of this section, products containing caffeine identified in § 357.1014(b)(1) may also contain the following indication: "For the relief of fatigue associated with the premenstrual period."

(c) *Warnings.* The labeling of the product contains the following warnings under the heading "Warnings":

(1) *For products containing ammonium chloride identified in § 357.1014(a).* (i) "Do not use if you have kidney or liver disease."

(ii) *Precaution.* This drug may cause nausea, vomiting, and gastrointestinal distress."

(2) *For products containing caffeine identified in § 357.1014(b)(1).* (i) All warnings identified in § 340.50(c) (1) and (2).

(ii) "This product contains caffeine. It may cause sleeplessness if taken within 4 hours of bedtime."

(d) *Directions.* The labeling of the product contains the following information under the heading "Directions":

(1) *For products containing ammonium chloride identified in § 357.1014(a).* Adult oral dosage is 1 gram three times daily for no longer than 6 days.

(2) *For products containing caffeine identified in § 357.1014(b)(1).* Adult oral dosage is 100 to 200 milligrams every 3 to 4 hours while symptoms persist.

(3) *For products containing pamabrom identified in § 357.1014(b)(2).* Adult oral dosage is 50 milligrams and not to exceed 200 milligrams per day.

§ 357.1056 Labeling of orally administered menstrual drug products containing smooth muscle relaxant ingredients identified in § 357.1016.

(a) *Statement of identity.* The labeling of the product contains the established name, if any, and identifies the product as a "muscle relaxant menstrual product."

(b) *Indications.* The labeling of the product contains a statement of the indications under the heading "Indications" that is limited to the following phrases, except that "For the relief of" may be replaced by "An aid in relieving"

(1) "For the relief of painful menstrual cramps."

(2) "For the relief of dysmenorrhea."

(3) "For the relief of menstrual cramps."

(4) "For relief of backache associated with menstrual cramps."

(5) "For the relief of cramps associated with the premenstrual or menstrual period."

(6) "For the relief of cramps associated with menstruation."

(c) *Warnings.* [Reserved]

(d) *Directions.* [Reserved]

§ 357.1058 Labeling of combinations.

(a) *For products containing pamabrom and pyrilamine maleate identified in § 357.1020(e)(2)—(1)* *Indications.* The labeling of the product contains a statement of the indications under the heading "Indications" that is limited to the following phrases, except that "For the relief of" may be replaced by "An aid in relieving":

(i) "For the relief of" ("emotional changes" or "mood changes") "related to the premenstrual period."

(ii) "For the relief of" ("emotional changes" or "mood changes") "related to the premenstrual period such as anxiety, nervous tension, and irritability."

(iii) "For the relief of water-retention symptoms related to the premenstrual period."

(iv) "For the relief of water-retention symptoms related to the premenstrual period, such as ankle, finger, and abdominal swelling."

(v) "For the relief of cramps and backache of the premenstrual or menstrual period."

(2) *Directions.* The labeling of the product contains the following information under the heading "Directions": Adult oral dosage is 50 milligrams pamabrom and 25 to 30 milligrams pyrilamine maleate taken four times daily for a daily dose of 200 milligrams pamabrom and 100 to 120 milligrams pyrilamine maleate.

(b) *For products containing ammonium chloride and caffeine identified in § 357.1020(e)(1)—(1)* *Directions.*—The labeling of the product contains the following information under the heading "Directions": Adult oral dosage is 650 milligrams ammonium chloride and 200 milligrams caffeine taken three times daily for a daily dose of 1,950 milligrams ammonium chloride and 600 milligrams caffeine.

(2) [Reserved]

Interested persons may, on or before March 7, 1983, submit to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, written comments on this advance notice of proposed rulemaking. Three copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Comments replying to comments may also be submitted on or before April 6, 1983. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: November 4, 1982.

Mark Novitch,

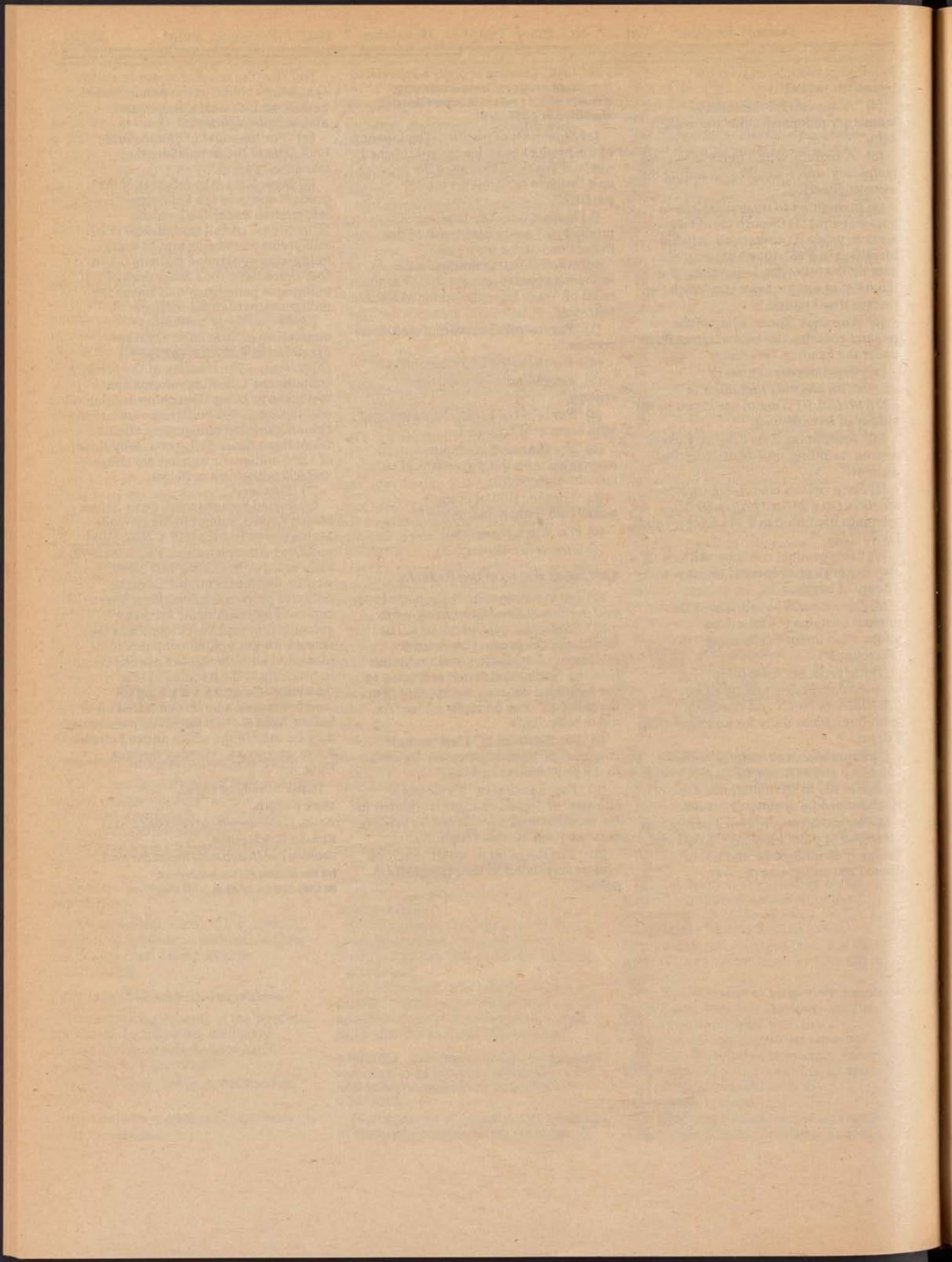
Acting Commissioner of Food and Drugs.

Richard S. Schweiker,

Secretary of Health and Human Services.

[FR Doc. 82-32885 Filed 12-6-82; 8:45 am]

BILLING CODE 4160-01-M



Federal Register

Tuesday
December 7, 1982

Part III

Department of Health and Human Services

National Institutes of Health

Program To Assess the Risks of
Recombinant DNA Research; Proposed
Second Annual Update

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Program To Assess the Risks of Recombinant DNA Research; Proposed Second Annual Update

AGENCY: National Institutes of Health, PHS, HHS.

ACTION: Notice of proposed second annual update of a program to assess the risks of recombinant DNA research.

SUMMARY: This notice sets forth a proposed second annual update of the program to assess the risks of recombinant DNA research. Interested parties are invited to submit comments concerning the plan and the desirability of continuing the process of annual updates of the plan. After consideration of those comments and comments by the NIH Recombinant DNA Advisory Committee, the Director of the National Institutes of Health or his designee will publish the final update in the *Federal Register*.

DATE: Comments must be received by February 22, 1983.

ADDRESS: Written comments and recommendations should be submitted to the Director, Office of Recombinant DNA Activities, Building 31, Room 4A52, National Institutes of Health, Bethesda, Md. 20205. All comments received in timely response to this notice will be considered and will be available for public inspection in the above office on weekdays between the hours of 8:30 a.m. and 5 p.m.

FOR FURTHER INFORMATION CONTACT: Additional information may be obtained from Dr. William J. Gartland, Jr., Director, Office of Recombinant DNA Activities, NIAID, National Institutes of Health, Bethesda, Md. 20205 (301-496-6051).

SUPPLEMENTARY INFORMATION:

I. Introduction

With the issuance in December 1978 of revised Guidelines for the conduct of recombinant DNA research, the Secretary, DHEW (now DHHS), requested that the National Institutes of Health (NIH) prepare an NIH Risk Assessment Plan which after review by the Recombinant DNA Advisory Committee (RAC) and publication in the *Federal Register* for comment, would be made final and updated annually. The initial proposed plan was published for public comment in the *Federal Register* on April 2, 1979 (44 FR 19302). Following analysis of public comments and those of the RAC, the plan was made final on September 13, 1979 (44 FR 53410). A

proposed first annual update of the plan was published for public comment in the *Federal Register* on September 17, 1980 (45 FR 61874). Following the analysis of public comments and those of the RAC, the plan was made final on June 10, 1981 (46 FR 30772). The present document is the proposed second annual update, issued for public comment.

We stated in the first Plan issued in 1979 and it is still our conviction that:

The vast majority of information relevant to recombinant DNA risk analysis has already come from research not primarily designed to provide information on risk. This will undoubtedly continue to be the case. This information will be obtained chiefly from publications in the scientific literature, from persons with special scientific knowledge, and from ongoing basic biomedical research. Risk assessment analysis will require continuing review of data developed in the fields of microbiology, infectious diseases, and related biological research.

Some essential information has been, and will continue to be, derived from projects specifically designed to assess various aspects of potential risks associated with recombinant DNA experimentation. Such experiments will be supported by the Intramural and the Extramural programs of NIH. Many experiments may also be conducted in the private sector or may be funded by other agencies or governments.

The essential goal of a successful risk assessment plan will be the development of means to collect, collate, coordinate, evaluate, and disseminate data obtained from all sources.

Under the "Scientific Aspects" of the first Plan, it was noted that a number of events must occur before a laboratory microorganism becomes a possible risk to people or higher organisms outside the immediate laboratory environment. A major aspect of the risk assessment plan was to acquire and analyze information and data relevant to those elements for the host-vector systems most commonly in use. Emphasis has been on the prokaryotic *E. coli* K-12 systems because those were, and remain, the systems predominately used by investigators. Several areas were identified as requiring particular consideration, and progress has been made in collecting and/or analyzing data on them. Before considering these it is worth saying that, despite intensive review by the RAC and NIH staff, several conferences and workshops to consider specific issues, and many experiments, no risks of recombinant DNA research have been identified that are not inherent in the microbiological and biochemical methodology used in such research. A synoptic report of progress follows. Data, reports, and other documents referred to are available on request from ORDA.

II. Scientific Aspects

A. Biological Activity of Polyoma—pBR322 Recombinants Cloned in Wild Type *Escherichia Coli* and *E. Coli* K-12

One of the early concerns raised about recombinant DNA experimentation was the potential hazard of cloning intact animal virus genomes in *E. coli* K-12. The concern was that *E. coli* K-12 might be capable of producing infectious virus particles which then might be capable of infecting sites not normally exposed during normal infectious processes or that the recombinant molecule, in the absence of production of complete viruses, could be transferred to a eukaryotic cell in which the recombinant molecule could become infectious.

Chan et al. (*Science*, 203, 887-892 (1979)) and Israel et al. (*Science*, 203, 883-887 (1979)) conducted experiments to determine whether *E. coli* K-12 harboring plasmids containing a complete copy of the polyoma virus genome could cause infection in mice. This is a sensitive experimental system because mice are highly susceptible to infection with polyoma virus and develop an antibody response against polyoma capsid protein. In these experiments, *E. coli* K-12 containing polyoma-plasmid or polyoma-phage recombinants, cell free polyoma-phage particles, recombinant polyoma-phage DNA, or recombinant polyoma-plasmid DNA were fed or inoculated into mice, and their sera subsequently examined for the presence of antibody to polyoma. These experiments showed that none of the mice developed a viral infection after receiving *E. coli* K-12 carrying polyoma-plasmid or polyoma-phage DNA recombinants, or after receiving purified monomeric polyoma-plasmid DNA or purified monomeric polyoma-phage DNA. Infections did occur in control experiments when mice were inoculated with preparations of polyoma-plasmid or polyoma-phage DNA that had been cleaved by the same restriction enzymes used in their construction, and, therefore, contained unmodified polyoma DNA.

These experiments were not able to assess adequately the possible transfer of animal virus recombinants out of *E. coli* and into susceptible mammalian cells because *Ec. coli* K-12 and its derivatives are not able to colonize the gastrointestinal (GI) tract of mice or humans. Consequently, Cecil Smith and Dr. Malcolm Martin of the National Institute of Allergy and Infectious Diseases extended these studies by colonizing the GI tract of conventional, antibiotic-compromised, or germ-free

mice with clinical isolates of wild type *E. coli* carrying various polyoma-plasmid recombinants. In these studies, mice were starved for 24 hours and then fed bread containing 3×10^9 wild type *E. coli* or *E. coli* K-12 containing polyoma-pBR322 recombinants. Additional conventional and antibiotic-compromised mice were subcutaneously inoculated with 6×10^7 wild type *E. coli* or *E. coli* K-12 containing polyoma-pBR322 recombinants. Fecal monitoring indicated that the wild type *E. coli* used in these experiments was able to survive in the GI tract of conventional mice for approximately 4 weeks. When the indigenous flora of the murine GI tract was eliminated or greatly reduced, colonization with high titers of wild type *E. coli* or *E. coli* K-12 occurred. High titers were found in the GI tract of germ-free mice. Results also indicated that *E. coli* carrying polyoma-pBR322 DNA were present in high titers in the GI tract of the mice.

None of the 140 mice that were fed and none of the 60 mice that were inoculated with live *E. coli* (wild type or K-12) carrying polyoma-pBR322 recombinants developed antibody to polyoma. This was true whether the polyoma DNA was present in the recombinant as a monomer or as a dimer in the head-to-tail orientation. Absence of infectivity in mice receiving *E. coli* containing polyoma monomer-pBR322 DNA was not unexpected since it had been previously shown that recombinants containing a single copy of polyoma DNA could initiate infection only if mechanisms to precisely excise polyoma DNA are present in either mouse cells or *E. coli*, and it has been demonstrated that mouse cells and *E. coli* lack the appropriate enzymatic mechanisms. In contrast, specific excision is not required to generate infectious polyoma DNA from polyoma dimer-pBR322 recombinants because intramolecular recombination will yield infectious polyoma DNA. Therefore, experiments involving *Co. coli* carrying polyoma dimer-pBR322 recombinants are the most relevant in determining the extent to which potentially infectious viral DNA molecules can be transferred out of *E. coli* and into susceptible mammalian cells where intramolecular recombination could generate intact polyoma genomic DNA which would be infectious. The results in these experiments demonstrate that prolonged exposure to bacteria harboring doses equal to or greater than the minimum infectious dose of purified polyoma dimer recombinants is insufficient to cause a polyoma infection.

The investigators speculate that the absence of polyoma infectivity following prolonged exposure to cumulative doses of polyoma dimer-pBR322 recombinants that were significantly greater than the minimum infectious dose for polyoma dimer recombinants could be due to two possibilities. The population of *E. coli* harboring polyoma dimer-pBR322 is in a dynamic state in the murine gut and large quantities of prokaryotic DNA, including the polyoma dimer-pBR322 DNA, are being released into the gut lumen daily. Lack of infectivity due to free polyoma dimer-pBR322 recombinant DNA in the gut may be due to degradation of the DNA by nucleases in the GI tract. However, this may not be the whole answer. The investigators speculate that some of the polyoma dimer-pBR322 DNA may survive nuclease degradation in the gut and penetrate the mucosal epithelial cells lining the GI tract. They state that whether or not the mucosal epithelial cells are susceptible to polyoma infection is unknown, but the rapid shedding of these cells most likely precludes subsequent infection and/or penetration of the germinal epithelium where a productive infection would be more probable. The investigators conclude that, even in the "worst-case" scenario, it is safer working with *E. coli* containing recombinant viral DNA than working with intact virus particles. These studies have been submitted to a scientific journal for publication.

B. Transmission of Vectors From E. Coli K-12 to Other Bacteria in Vivo

Progress has been made on the evaluation of the transmission of vectors from *E. coli* K-12 to other bacteria in the human gastrointestinal tract. A Working Group had been convened on August 30, 1979 at the NIH to review Protocols I and II of the Workshop on Risk Assessment of Recombinant DNA Experimentation with *Escherichia coli* K-12 (J. Infect. Dis. 137, 704-708, 1978). The Working Group recommended that research should be supported aimed at gaining a better basic scientific understanding of bacterial colonization and plasmid mobilization. This is because although *E. coli* K-12, the strain most commonly used in recombinant DNA work, is debilitated to the extent that survival in the gut and the environment is minimal, there has been some concern that the plasmid vector carrying the foreign DNA could be transferred to another, hardier strain of *E. coli*. Members of the Working Group felt that such studies should be performed directly in humans and employ wild type *E. coli* other than

strain K-12. The Working Group noted that if *E. coli* K-12 were used as the bacterial host in clinical studies very large numbers of volunteers (hundreds) would be required to assess the *in vivo* mobilization of "safe" plasmids. In contrast, the Working Group concluded that clear answers on the *in vivo* mobilizability of "safe" plasmids might be obtained using much smaller numbers of subjects if an *E. coli* strain that readily colonizes the human colon were used in the studies. The greatly increased number of the colonizing strain in contrast to *E. coli* K-12 would provide much greater opportunity for transfer resulting in much greater sensitivity. *E. coli* strain HS containing poorly mobilizable plasmid pBR325 was suggested as a good initial combination.

These studies were carried out under a NIAID contract (NOI AI 12666) at the Center for Vaccine Development, University of Maryland School of Medicine, Baltimore, Maryland, by Dr. Myron Levine, Dr. James Kaper, Mr. Hank Lockman, Dr. Robert Black, and Dr. Mary Clements, in collaboration with Dr. Stanley Falkow of the Department of Microbiology, University of Washington School of Medicine, Seattle, Washington. (Present address: Department of Microbiology, Stanford University School of Medicine, Palo Alto, California.) Strain HS was chosen to serve as the host organism to carry plasmids to be tested for mobilizability. *E. coli* strain HS is a smooth, non-pathogenic strain which can successfully colonize the human intestine for days to weeks.

Several separate *E. coli* HS and *E. coli* K-12 strains were constructed by insertion of one or two plasmids. One combination consisted of *E. coli* HS containing plasmid pBK5 which is easily mobilized. One strain consisted of *E. coli* HS with poorly-mobilizable plasmid pBR325. Another strain consisted of *E. coli* HS containing poorly-mobilizable plasmid pBR325 and conjugative plasmid F-amp which ordinarily mobilizes non-conjugative plasmids at a high rate of frequency. The fourth strain consisted of *E. coli* K-12 containing poorly mobilizable plasmid pBR325 and the conjugative plasmid F-amp. (Non-conjugative plasmids lack the genetic information for transfer to recipient cells. Transfer functions, however, are found on conjugative plasmids which can mobilize non-conjugative plasmids. Biological containment for recombinant DNA experiments can be provided by the use of poorly mobilizable plasmids which are not only non-conjugative, but can be mobilized at frequencies of ten thousand

to one hundred thousand-fold less than the parent plasmids from which they were derived.)

Risk assessment studies were carried out in volunteers to quantitate the mobilizability of pBR325 in comparison with pJBK5. Fifty billion *E. coli* HS cells containing pJBK5, which encodes tetracycline resistance, were fed to 15 volunteers who were also given tetracycline. All 15 individuals became heavily colonized by *E. coli* HS, and excreted HS along with indigenous normal coliforms. Within 24 hours, 9 of the 15 individuals had evidence of pJBK5 in their normal flora (transconjugants) indicating that transfer of the plasmid had occurred. None of 12 volunteers who ingested *E. coli* HS carrying poorly mobilizable plasmid pBR325 had transconjugants, despite colonization by HS in the presence of normal flora and despite ingestion of tetracycline.

E. coli HS containing both pBR325 and conjugative plasmid F-amp was fed to two groups of volunteers. One group took tetracycline daily, the other did not. Of 18 subjects who were colonized with HS carrying both pBR325 and F-amp and who took tetracycline, normal flora transconjugants carrying pBR325 were found in 13 individuals. In contrast, none of the eight volunteers who were colonized with HS carrying both pBR325 and F-amp and who did not take tetracycline, showed transconjugants. These studies demonstrate that the poorly mobilizable plasmid pBR325 could be mobilized *in vivo* only under extremely contrived conditions, i.e., the plasmid resided in a colonizing strain of *E. coli* (HS) along with a conjugative plasmid, 5×10^{10} *E. coli* HS were ingested with buffer, and volunteers received tetracycline daily. Under the NIH Guidelines for Research Involving Recombinant DNA Molecules, pBR325 would reside in a weakened strain of *E. coli* (K-12) without a co-residing conjugative plasmid, and laboratory workers on antibiotic therapy would be evaluated by the institution to determine whether they should be engaged in recombinant DNA research. In addition, the chance for an accidental ingestion of a large inoculum (5×10^{10} cells) in buffer would be very remote.

The investigators conclude that these studies provide overwhelming support for the safety of biological containment based on poorly mobilizable plasmids such as pBR325.

These results have been presented to the Recombinant DNA Advisory Committee and have been submitted to a scientific journal for publication.

C. Molecular Basis of *E. Coli* Colonization

The National Advisory Allergy and Infectious Diseases Council had supported award of a grant (AI 16370) to the University of Rhode Island on behalf of Dr. Paul S. Cohen for studies designed to elucidate the molecular mechanism of intestinal colonization of mice with human strains of *E. coli*.

At this point in time the majority of experiments using recombinant DNA technology employ host-vector systems based on *E. coli* K-12 and its plasmids or bacteriophages. Prominent among the scenarios raised early in the debate over use of this technology was the possible colonization of the intestinal tract by host-vector systems followed by various consequences depending on the elaboration of a product which would cause harm to the individual by either direct or indirect mechanisms. There now are a considerable number of studies describing the survival of various types of *E. coli* in the intestinal tract of man and mice and they demonstrate a tremendous disparity in the survivability and colonization potential of such strains. A complete understanding of those factors that control survival and colonization may permit the development of both safer and more useful *E. coli* hosts in the future as well as perhaps provide data suggesting adjustments in the physical containment requirements of the NIH Guidelines governing use of this technology.

Dr. Cohen and collaborators are attempting to determine the relative importance of plasmid and chromosomal determinants of colonization and to identify all surface components that are associated with this process. The investigators have described an animal model which they are using to systematically investigate the relative ability of *E. coli* strains to colonize the large bowel of mice. In this system, the colonizing ability of one strain of *E. coli* is determined relative to a second strain by simultaneously feeding both strains to male CD-1 mice whose normal facultative flora has been reduced by adding streptomycin to their drinking water. Subsequent monitoring of the level of each strain present in the feces provides an estimate of how well one strain colonizes the large intestine relative to the second competing organism.

Employing this system, Dr. Cohen's laboratory has investigated the colonizing ability of human fecal isolates relative to common laboratory strains (i.e., *E. coli* B and K-12), and examined the effect of limited genetic

alteration on the colonizing abilities of isogenic strains of *E. coli*. The results of these studies indicated that laboratory strains are poor colonizers (1×10^6 cells per gram feces) relative to fecal isolates (about 1×10^8 cells per gram of feces) and that limited genetic alterations can indeed enhance or reduce the relative colonizing abilities of *E. coli* strains.

1. *Effect of plasmid Gene Expression on Colonizing Ability of E. coli HS in Mice.* Experiments were performed to test whether the colonizing ability of a human fecal strain (*E. coli* HS) is altered when transformed with plasmids typical of those used in recombinant DNA experiments. *E. coli* HS, known to be an excellent colonizer of humans, was transformed with each of three plasmids (pBR325, F-amp, and pJBK5) and the effect of each plasmid on its colonizing ability was determined. Colonizing abilities of the plasmid-containing HS strains were reduced three orders of magnitude relative to the parental HS strain. When these strains were cured of either pBR325, F-amp, or pJBK5, they regained the colonizing ability of the original parental strain. The investigators conclude that it is clear from these data that plasmid gene expression can alter the colonizing abilities of an *E. coli* strain. Further experiments showed that the colonizing abilities of the plasmid-containing strains appeared unchanged when these strains were fed to mice along with a heterologous strain, *E. coli* F-18. The investigators conclude that these data suggest that *E. coli* HS and *E. coli* F-18 colonize biochemically distinct sites in the mouse intestine.

2. *Relationship Between the Mouse Colonizing Ability of a Human Fecal E. coli Strain and its Ability To Bind a Specific Mouse Colonic Mucous Gel Protein.* The abilities of three strains of *E. coli* to bind CD-1 mouse colonic mucous gel were studied. The strains employed were *E. coli* F-18, an excellent mouse colonizer which was originally isolated from the feces of a healthy human; *E. coli* F-18 col⁻, a poor mouse colonizer derived from F-18 and lacking a large plasmid; and *E. coli* J5-3, a typical K-12 strain, also a poor colonizer relative to F-18. When mouse colonic mucous gel was isolated and methylated with [³H] formaldehyde, it was found to consist of approximately 18 proteins and contained approximately 5% hexose by weight. Each of the three strains of *E. coli* were able to use the mucous gel as a sole source of carbon and nitrogen for growth. When the ability of the three strains of *E. coli* to bind mucous gel was examined, it was found that F-18 bound

two to three times more mucous gel than either F-18 col⁻ or *E. coli* J5-3. Most of the difference in mucous gel binding abilities of the three strains was accounted for by the relatively greater ability of F-18 lipopolysaccharide (LPS) to bind a specific 26,000 dalton protein. The investigators conclude that these results show that the two strains with altered LPS (i.e., F-18 col⁻ and J5-3) are poor colonizers relative to F-18, suggesting that LPS may play an important role in the colonization of the mouse colon by *E. coli*.

3. *Adhesion of E. coli Strains to Mouse Mucous Gel.* The investigators have developed an adhesion assay in which *E. coli* strains were tested for their abilities to adhere to both mouse colonic mucous gel and mouse small intestine mucous gel. Nonradioactive mucous gel was allowed to bind overnight at 4° to polystyrene tissue culture wells. The next day the bound mucous gel was exposed to radioactively labeled *E. coli* (1 × 10⁴ cpm per bacterium) at 37°, and following a one hour incubation period, unbound *E. coli* were removed and the number of bacteria adhering to the mucous gel was determined. Thus far, they have tested adherence of several *E. coli* strains both to large and small intestine mucous gel and, as a control, to bovine serum albumin. *E. coli* strains which have been shown to be enteropathogenic for suckling mice (i.e., K88⁺) adhere to small and large intestine mucous gel 20 fold better than their nonenteropathogenic counterparts (i.e., normal fecal strains) and approximately 50 fold better than to bovine serum albumin. Enteropathogenic strains of *E. coli* that do not infect mice (i.e., K99⁺, 987⁻, CFA/I⁻) did not adhere to mouse mucous gel above the level of normal human fecal strains. Finally, neither normal rabbit serum, anti-K99 serum, nor anti-987 serum blocked K88⁺ strains adhering to mucous gel; but anti-K88 serum blocked adherence completely. The investigators conclude that these results suggest that mucous gel may be important in the onset of infection by enteropathogenic *E. coli* strains.

A report by this investigator on the effect of plasmid gene expression on the colonizing ability of *E. coli* HS in mice has recently appeared (Recombinant DNA Technical Bulletin, 5, 1-4, (1982). During the coming year, Dr. Cohen's laboratory will be evaluating the role of *E. coli* lipopolysaccharide and intestinal mucous gel in the colonization process of normal fecal and enteropathogenic *E. coli* strains.

D. Mechanisms That Control Human and Animal Gut Flora

The National Advisory Allergy and Infectious Diseases Council had recommended for selective payment a project that will focus on the mechanisms that control human and animal gut flora. This grant (AI 17154) was awarded to the University of Michigan on behalf of Dr. Rolf Freter. Of the four stated proposed aims of the research plan, three relate to issues of importance to the NIH recombinant DNA risk assessment program. They are: (1) Characterize and extend the application of anaerobic continuous flow cultures, (2) analyze the efficiency of plasmid and bacteriophage transfer, and (3) determine whether human microflora can be maintained in gnotobiotic mice and in anaerobic continuous flow (CF) cultures. The issue of mobilization of vector plasmids to the indigenous flora has always been a concern when considering the use of *E. coli* K-12 based host-vector systems. Concern has been expressed over the potential for exchange of plasmids between the Enterobacteriaceae and the anaerobic flora, principally members of the genus *Bacteroids*.

Dr. Freter's group continues to place emphasis on studies of plasmid transfer in the mouse intestine and in continuous flow cultures of natural or synthetic mouse large intestinal flora. Mathematical models have been further developed. The main aim still is to determine "fertility," i.e., the intrinsic ability of various host-plasmid combinations to transfer the plasmid under various environmental conditions likely to occur in the gut. To this has been added an extensive evaluation of other factors which are important in plasmid transfer. For this reason, the models also evaluate the effects of plasmid segregation, reduction of the growth rates of plasmid-bearing bacterial hosts, repression of transfer functions, competition for nutrients and the effect of bacterial attachment to the wall of the gut or culture vessel. The investigators have gained confidence in the validity of these mathematical models as they were able to reproduce a number of known phenomena such as the repression of fertility of the R1 plasmid, as well as known differences in the transmission and mobilization of the plasmids studied.

Dr. Freter draws the following conclusions from the data: (a) fertility of plasmid-bearing *E. coli* in the normal intestine was not impaired. The observed low rates of plasmid transfer in the normal gut can be explained on quantitative grounds alone and do not

require the postulation of hypothetical inhibitory mechanisms; (b) conditions for long-term spread and maintenance throughout human or animal populations of a diversity of conjugative and non-conjugative plasmids may be optimal among *E. coli* strains of low fertility, as are found among wild type strains; (c) *E. coli* strains carrying plasmid pBR322 plus R1drd19 were impaired in their ability to transfer R1drd19, but strains carrying pBR322 were significantly better recipients of R1drd19 than plasmid-free recipient *E. coli*; (d) long-term coexistence of plasmid-bearing and plasmid-free *E. coli*, which occurred in spite of undiminished fertility, appeared to be due to a detrimental effect of the plasmid on the growth rate of its host bacterium, rather than due to high rates of plasmid segregation.

The investigators conclude that the long-term interactions observed were often the consequences of minor differences in parameters such as growth rates, fertility, rates of segregation, etc., which were decisive determinants of the ultimate fates of the plasmids and their hosts, but which were too small to be detected except by precise mathematical analysis of long-term experiments.

Mathematical reconstructions by their current mathematical model of plasmid transfer in the human gut on the basis of experimental data published by earlier investigators, are consistent with the conclusion that the quantitative aspects of fertility and plasmid transfer in the human gut are similar to those in mice and CF cultures. It appears that, even in the absence of selection, plasmid transfer occurs consistently in the human gut, but that the resulting transconjugant *E. coli* populations are too small to be detected regularly with the culture methods employed by other investigators.

Three papers reporting on these studies have been submitted to a scientific journal for publication. Work in Dr. Freter's laboratory is continuing on a new mathematical model of plasmid transfer among *E. coli* embedded in mucous gel.

E. Intestinal Absorption of Peptide Hormones.

In April 1980, NIAID convened a Workshop on Recombinant DNA Risk Assessment. This Workshop was designed to define the scientific issues and assess the potential risks of (a) possible direct adverse effects of hormone-producing strains of *E. coli* K-12, and (b) the possible occurrence of autoantibodies or autoreactive cells due to the production of eukaryotic

polypeptides (including hormones) by *E. coli* K-12 should they colonize higher organisms.

The workshop participants recommended that additional information should be gathered on the handling and absorption of polypeptides in normal and pathologic colon and the potential effects of synthetic peptides on the bowel itself. NIAID solicited grant proposals through a Request for Research Grant Applications (RFA) in November 1980. The objective is to determine the fate of peptide hormones when deposited in the distal small intestine and large intestine of humans. These sites are relevant to the production of hormones by recombinant DNA technology, because they represent the regions of colonization by *E. coli*. Six applications, received in response to this RFA, were reviewed by a Special Study Section in December 1981.

The National Advisory Allergy and Infectious Diseases Council supported award of a project to the Medical College of Ohio on behalf of Dr. Murray Saffran. Dr. Saffran suggests a unique concept (bacterial degradation of azo bonded peptides) as a method for studying colonic absorption of hormones. Using D-arginine vasopressin as a model peptide and employing an unusual strategy to deliver the active components to the large bowel, the investigators will determine if certain hormones can be absorbed from the large bowel. Vasopressin, synthesized to contain D-arginine, will be covalently coupled to a polystyrene polymer with an azo bond. This bond can be split only by intestinal bacteria and will deliver the vasopressin in active form to the large bowel after oral administration; the D-arginine facilitates detection. Further extension of the work would include studies on the delivery of insulin and growth hormone to the large intestine in azo-linked capsules. Degradation of the capsules by the fecal flora would release the hormones in the large intestine simulating release by recombinant DNA containing bacteria.

A grant (AI 18710) to support this project was awarded by NIAID in March 1982.

F. Antibody Responses to Protein Produced by Recombinant Organisms

The issue which generated the greatest discussion during the final session of the 1980 Workshop on Recombinant DNA Risk Assessment was the possible occurrence of autoantibodies or auto-reacting cells due to the production of eukaryotic polypeptides (including hormones) by *E. coli* K-12 should they colonize higher organisms. There was sentiment among

the participants that data should be obtained in the interest of scientific thoroughness but that the scenario did not have a high probability of inducing immunologic disease.

A Request for Proposal (RFP) was issued in October 1980 soliciting proposals from organizations having the capabilities and facilities to determine if mice can mount an antibody response to insulin which is being produced by recombinant DNA technology in *E. coli* host-vector systems. The RFP was published in the NIH Guide for Grants and Contracts and the Commerce Business Daily, distributed to all participants of the Workshop on Recombinant DNA Risk Assessment, and publicized through announcements to the Recombinant DNA Advisory Committee and the NIAID Council. Although seventy requests for the detailed RFP were received, only one proposal was received. This proposal was reviewed by the NIAID Microbiology and Infectious Diseases Advisory Committee in March 1981, and recommended for disapproval because of scientific weaknesses in the protocols. There are no plans at present to issue another RFP for this project.

G. Cloning and Expression of DNA Coding for Diphtheria Toxin

The NIH has approved, on recommendation of the RAC, a project by Dr. John Murphy of Harvard Medical School to clone in *E. coli* K-12 fragments of corynebacterium beta which carry the diphtheria toxin structural gene. The first experiments will be risk assessment studies involving guinea pigs that have been treated with broad spectrum antibiotics to reduce their normal flora. These animals will then be fed viable *E. coli* that carry the diphtheria toxin structural gene. These experiments may provide information on issues discussed at the 1980 Workshop on Recombinant DNA Risk Assessment, namely, the handling and absorption of polypeptides from the lower gastrointestinal tract and the effect of cytotoxins on the GI tract. These risk assessment experiments will be carried out in the NIAID high containment laboratory located at the Frederic Cancer Research Facility.

III. Document on Evaluation of Risks Associated With Recombinant DNA Research

In response to a proposal to convert the NIH Guidelines to a code of standard practice, a working group was appointed in May 1981 to review the status of the NIH Guidelines. During the summer of 1981, this group attempted to address the issues arising from changing perceptions of the hypothetical risks

associated with recombinant DNA techniques. The group evaluated, compiled, and organized scientific information on risk assessment. One of the documents prepared by the working group is entitled *Evaluation of the Risks Associated with Recombinant DNA Research*. The document includes an historical overview and discusses topics including possible hazards, uniqueness of organisms created by recombinant DNA techniques, dissemination of recombinant organisms, and possible harm to organisms and the environment. The working group drew the following conclusions at the end of the report:

Given the above analysis of the risks associated with recombinant DNA we have come to the following major conclusions:

1. That accidental combinations of genes, rising out of "shotgun" cloning experiments or experiments where expression is not specifically engineered, are extremely unlikely to lead to serious problems. Both the barriers to expression of foreign genes in most organisms, the necessity for new activities to function as an integrated part of an existing pathway, and the selective disadvantage given to an organism by recombinant DNA inserts will interfere with such organisms establishing themselves in the environment and, thus, ultimately with their potential to cause harm. Therefore, for these experiments, the minimal controls associated with good laboratory practice should be sufficient.

2. A particular subset of experiments may still pose some possibility of risk. While there is no evidence that this is qualitatively different from the risks associated with other kinds of genetic research, the possibility for improving the virulence, host range, or survivability of some pathogens does seem to exist. In most cases, in these experiments the problems of expression of foreign functions will have been bypassed, or normal functions will have been engineered to operate more efficiently.

In many cases, even the best engineered strain will be at a major disadvantage in the environment or will require artificial selections to maintain recombinant DNA information. The issue to be faced here, however, is: (a) How serious is this risk? (b) What is the most effective, non-obtrusive mechanism for guarding against any untoward consequences of such work?

Interested readers are encouraged to read the full report which includes an appendix on experiments with *E. coli* (Recombinant DNA Technical Bulletin 4, 166-179 (1981) and Federal Register December 4, 1981 (46 FR 59385)).

IV. Fundamentals for Safe Microbiological Research

NIAID awarded a contract to the University of Minnesota to develop resource materials for a comprehensive course on microbiological principles and techniques for work with potentially

biohazardous agents and recombinant DNA. In developing the course, the University of Minnesota cooperated with the Board of Education and Training of the American Society for Microbiology. The course is divided into five training units: Unit I—Host-Parasite Relationships; Unit II—Microbial Ecology; Unit III—Principles of Physical and Chemical Containment; Unit IV—Biological Containment for Recombinant DNA Molecules; and Unit V—Laboratory Skills—Including Hands-On Laboratory Exercises. The five units represent 45 hours of training, 16 of which are devoted to actual laboratory practice and are designed to be used in a variety of combinations to fit the needs of the individual institutions. The individual training modules include the following features:

- (1) A set of qualifications for the individual who would serve as instructor;
- (2) A set of learning objectives to be fulfilled by participants completing the module;
- (3) An annotated outline of the subject matter with slides and instructor notes keyed to the text;
- (4) A set of references to provide the instructor and participants with more detailed information; and
- (5) A set of multiple choice questions geared towards evaluating whether the objectives had been fulfilled by the participants.

In total, the materials consist of over 700 pages of written material and 500 35mm slides.

These training materials are intended to provide a minimum base of knowledge and skills which should be demonstrated by any individual who is going to work with potentially biohazardous agents or recombinant DNA molecules. The minimum base, as defined in these materials, originates from a project undertaken by the American Society for Microbiology in 1977-78 in response to questions about biological safety which arose from concerns about recombinant DNA research at that time. Every institution in which biohazardous agents are handled should be responsible for training all potentially affected workers in the principles of biological safety. The awareness and motivation of the individual worker is the most important ingredient in any safety program and is most likely to be found where the institution is committed to the same goal.

The NIH Division of Safety is developing a plan for distribution of

these materials to various institutions. They were previewed at the Twenty-Fifth Annual Biological Safety Conference in Boston on November 4-6, 1982.

A second phase of the contract will consist of the production of slide/cassette packages and one videotape with accompanying study guides. The objective of this phase is to translate selected portions of the training units into self-study materials. These study materials are currently under review and further development by the Division of Safety.

V. CDC/NIOSH Report on Medical Surveillance

At the 1980 Workshop on Recombinant DNA Risk Assessment it was recommended that the Centers for Disease Control (CDC) consider possible types of health surveillance for workers using recombinant DNA. The CDC and the National Institute for Occupational Safety and Health (NIOSH) subsequently have prepared a report entitled "Medical Surveillance of Biotechnology Workers: Report of the CDC/NIOSH Working Group on Medical Surveillance for Industrial Applications of Biotechnology."

The preface of the report states:

The guidelines for medical surveillance of biotechnology workers which are presented and discussed in this report are intended neither as binding regulations nor as uniform requirements which are to be applied without discrimination throughout every phase of the industries using fermentation biotechnology. Rather the guidelines are intended as suggestions for prudent medical practice.

The potential occupational hazards which are associated with industrial applications of biotechnology will vary according to the microbial species, products, and reagents used in the various sectors of the industry. For those reasons, the application of these guidelines should in every instance be guided by a reasoned assessment, conducted under the direction of the Institutional Biosafety Committee (IBC), of the potential hazards which will be associated with each specific situation and process. Likewise, the particular components of each medical surveillance program should be specifically tailored to address the actual or potential hazards of the processes under consideration.

The report states that establishment of medical surveillance for workers in any newly developed industry constitutes prudent medical practice. However, the report states that "the likelihood is small that a medical surveillance program for biotechnology workers will detect any illness caused by recombinant organisms or by their products or reagents."

The report was reviewed by the RAC and its Large-Scale Review Working Group and has been published in the NIH *Recombinant DNA Technical Bulletin* (Volume 5, page 133, September 1982).

IV. Implementation

NIH will continue to monitor progress in the risk assessment projects cited above. NIH will also review ongoing research for data pertinent to risk assessment by analysis of data from research which is published or presented at meetings, and by direct contacts with scientists. Liaison will be maintained with those who have related responsibilities in other Federal agencies, in other countries, and in national and international scientific organizations. ORDA will provide periodic updates on risk assessment to the RAC and its Risk Assessment Subcommittee. NIH has high containment laboratories which can be made available, as necessary, for experiments requiring the highest level of physical containment.

Dated: November 23, 1982.

Richard M. Krause,

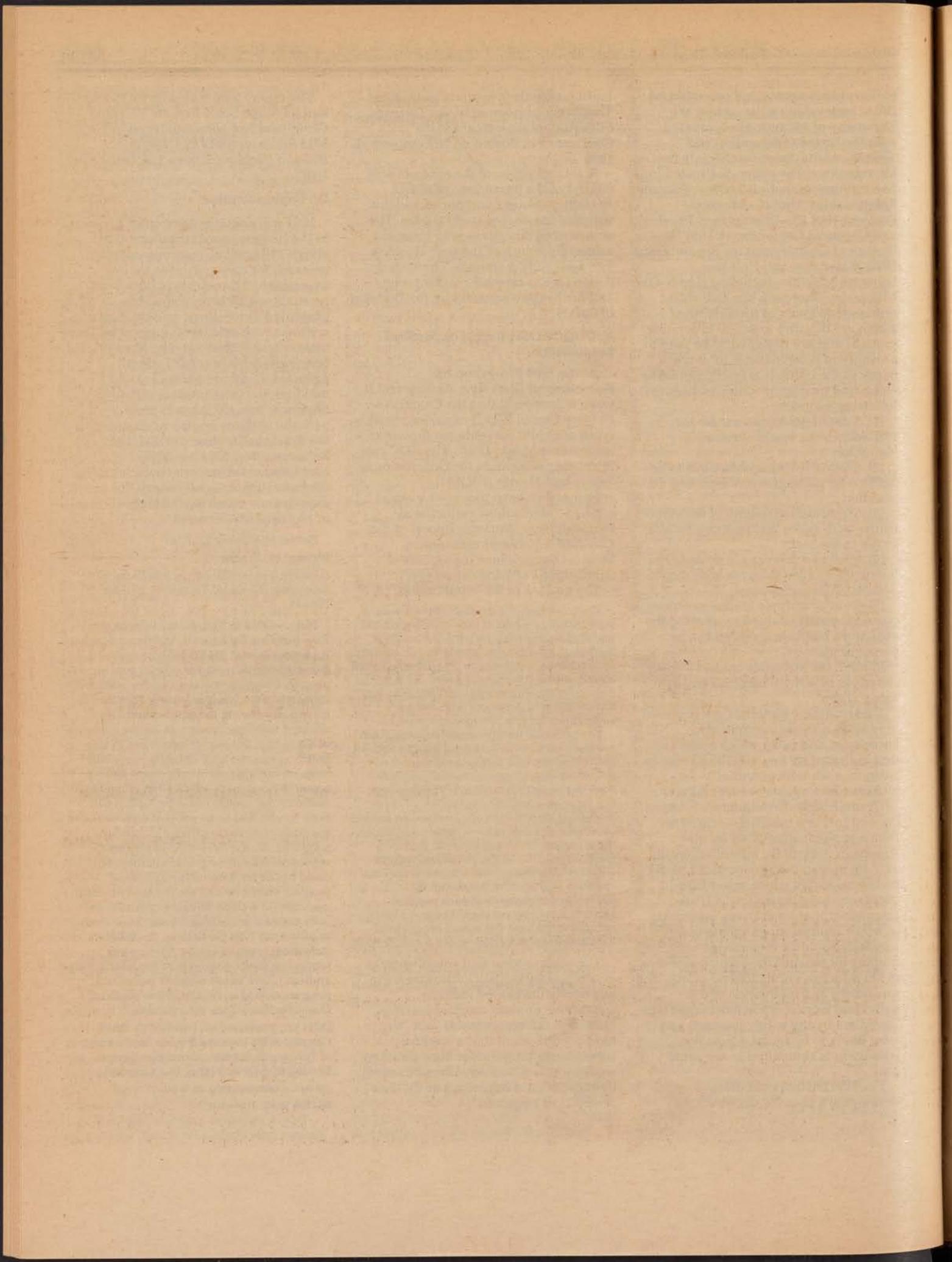
Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health.

Note.—OMB's "Mandatory Information Requirements for Federal Assistance Program Announcements" (45 FR 39592) requires a statement concerning the official government programs contained in the *Catalog of Federal Domestic Assistance*. Normally NIH lists in its announcements the number and title of affected individual programs for the guidance of the public. Because the guidance in this notice covers not only virtually every NIH program but also essentially every federal research program in which DNA recombinant molecule techniques could be used, it has been determined to be not cost effective or in the public interest to attempt to list these programs. Such a list would likely require several additional pages. In addition, NIH could not be certain that every federal program would be included as many federal agencies, as well as private organizations, both national and international, have elected to follow the NIH Guidelines. In lieu of the individual program listing, NIH invites readers to direct questions to the information address above about whether individual programs listed in the *Catalog of Federal Domestic Assistance* are affected.

(NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in Section 8(b) (4) and (5) of that Circular)

[FR Doc. 82-33002 Filed 12-6-82; 8:45 am]

BILLING CODE 4140-01-M



federal register

Tuesday
December 7, 1982

Part IV

**Department of
Health and Human
Services**

Office of Human Development Services

**FY 1983 Coordinated Discretionary Funds
Program**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

[Program Announcement No. HDS-83-1]

FY 1983 Coordinated Discretionary Funds Program

AGENCY: Office of Human Development Services, HHS.

SUBJECT: Announcement of Availability of Funds and Request for Preapplications under the Office of Human Development Services' Coordinated Discretionary Funds Program.

SUMMARY: The Office of Human Development Services (HDS) announces that competing preapplications will be accepted for new research, demonstration, evaluation and training grants and cooperative agreements authorized by legislation for its discretionary program and those of its constituent programs—the Administration for Children, Youth and Families (ACYF), the Administration on Developmental Disabilities (ADD), the Administration on Aging (AoA), the Administration for Native Americans (ANA), the Office of Policy Development (OPD), the Office of Program Coordination and Review (OPCR), and the President's Committee on Mental Retardation (PCMR). This program announcement consists of four parts. Part I covers background information, discusses the purpose of the HDS Discretionary Program, lists funding authorities, and briefly describes the FY 1983 process. Part II describes the 14 priority areas in which grants will be awarded. The priority areas are grouped into two major themes, and examples are given for each area. Part III describes the preapplication process, who is eligible to apply, what funds are expected to be available, and the selection criteria. Part IV gives detailed guidance on how to prepare and submit a preapplication. It also includes copies of needed forms.

Note.—Part III of this announcement contains information collection requirements. The public is not required to comply with these requirements until OMB approves them under Section 3507 of the Paperwork Reduction Act. A notice will be published in the Federal Register when approval is obtained.

DATE: The closing date for receipt of preapplications is January 31, 1983.

FOR FURTHER INFORMATION CONTACT: OPD/Division of Research and Demonstration, Office of Human Development Services, 200

Independence Avenue, SW., Room 732E, Washington, D.C. 20201, (202) 245-6235.

Part I—General Considerations

A. Scope of This Program Announcement

This announcement solicits preapplications for research, demonstration, evaluation, training and technical assistance priorities to be funded by all HDS programs in support of HDS' goals and objectives in the third and fourth quarters of fiscal year 1983 and the first and second quarters of fiscal year 1984. This is the only HDS announcement to be issued for these priority areas. HDS may publish additional program specific announcements in fiscal year 1983 that incorporate individual program priorities.

B. Background

In fiscal year 1982, HDS and its constituent programs initiated a Coordinated Discretionary Funds Program. The resulting Federal Register announcement published on November 16, 1981 included several separate discretionary funding programs which had previously been announced and competed independently of each other. By establishing a coordinated discretionary funds process, HDS promoted cooperative and focused activity which addressed important issues common to all programs. By initially requesting preapplications HDS also encouraged wider participation in its discretionary funds program. HDS received 5,620 preapplications in its fiscal year 1982 Coordinated Discretionary Funds Program, of which 167 received grant awards. In fiscal year 1983 HDS is continuing the coordinated approach begun in fiscal year 1982.

C. Discretionary Program Purpose

The purpose of the HDS Coordinated Discretionary Funds Program is to support: (1) research activities that seek to develop insightful, new ways of addressing human service problems; (2) demonstrations intended to test the effectiveness of previously untried techniques for addressing State and community needs; (3) evaluations that assess the usefulness and cost of existing programs; and (4) training projects that improve the delivery and management of social services. Above all, HDS discretionary funds are intended to expand the boundaries of human services knowledge by drawing on new ideas from a variety of fields. These new ideas and perspectives should stimulate and challenge both human service professionals and the

public to respond more effectively to State and local needs.

The fiscal year 1983 program is a continuation of the basic policy direction established by the fiscal year 1982 Discretionary Funds Program. That policy is based on the principle that the well-being of the public is primarily a responsibility of individuals, families and the communities in which they live. When social services are needed, they are best defined and administered through public or private institutions at the level closest to the problem—State and local governments, Area Agencies on Aging, and local grantees, as well as private voluntary organizations. The role of the Federal Government in addressing social problems is:

- To adopt and implement national policies or programs aimed at promoting economic growth and prosperity and thereby reducing the need for social services;
- To address those social service needs that require inter-State or national orientation for effective resolution;
- To provide national leadership in (a) the development of effective methods of addressing social service needs; and (b) the development of State and local capacity to deliver social services appropriately targeted at local problems;
- To foster the efficient and effective use of available resources through improved social service management; and
- To target Federal budgetary support for services targeted toward that portion of the population that is most in need.

In fiscal year 1983, the HDS Discretionary Funds Program will focus its attention on two major themes that support this Federal role:

- Increasing social and economic self-sufficiency through prevention, targeting of resources and socioeconomic development strategies.
- Improving the efficiency and effectiveness of social services through better program administration and responsiveness to local needs.

The HDS Discretionary Funds Program is not intended to fund existing services programs or to serve as a source of supplementary funds for local activities which need operating subsidies. Applicants are also reminded that grantees are prohibited from using Federal grant funds to engage in any activity designed to influence legislation or appropriations pending before Congress.

D. Statutory Authorities

The individual statutory authorities under which grants and cooperative agreements will be awarded by HDS'

Coordinated Discretionary Funds Program are as follows:

- Head Start: Head Start Act of 1981.
- Child Welfare Services: Section 426 of the Social Security Act, as amended.
- Runaway Youth Program: Runaway and Homeless Youth Act, as amended.
- Child Abuse: Child Abuse Prevention and Treatment Act, as amended.
- Adoption Opportunities: Title II of Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, as amended.
- Native Americans: Native American Programs Act of 1974, as amended.
- Developmentally Disabled Special Projects: Section 145 of the Developmental Disabilities Assistance and Bill of Rights Act, as amended.
- Social Services Research and Demonstrations: Section 1110 of the Social Security Act, as amended.
- Training, Research and Discretionary Projects and Programs: Title IV of the Older Americans Act, as amended.

E. FY 1983 Process

As in FY 1982, the FY 1983 Discretionary Funds Program provides for a two-stage application process. Stage one addresses preapplications, while stage two deals with final applications. As part of stage one, Federal staff will initially screen preapplications administratively to determine their completeness and conformance with the requirements of this announcement.

Only preapplications that adhere to all screening requirements will be given further consideration. The screening requirements that will be used are listed below in Part III, Section F.

After the screening has been completed, conforming preapplications will be reviewed jointly by Federal staff and non-Federal experts against the criteria established for review of preapplications. HDS anticipates that approximately 500 highly ranked preapplicants will be invited to submit final applications (stage two) in the early spring of 1983 to be given further consideration for funding. The final applications will be reviewed against the more stringent evaluation criteria listed in Part III, Section F.

HDS anticipates that, subject to the availability of funds, approximately 140 grants and cooperative agreements will be made in the third and fourth quarters of FY 1983 and the first and second quarters of FY 1984.

Part II.—Program Priorities

In arriving at the priorities contained in this announcement, HDS used a

priority setting process that made provisions for State, local and community participation. With the cooperation of several national organizations, State, local agencies and private practitioners discussed major research, demonstration, and evaluation issues which should be addressed in the next two fiscal years by the HDS Coordinated Discretionary Funds Program. As a result of the topic recommendations which emerged from those discussions, a review of recent discretionary program activities and consideration of HDS's goals and objectives, HDS published a Notice in the *Federal Register* on September 23, 1982 which requested comments on its proposed FY 1983 discretionary priorities and topics of study. One hundred and forty letters of comment were received and considered in the preparation of this request for preapplications. The resulting priority areas for funding in FY 1983 and the first two quarters of FY 1984 are:

I. Strategies for Increasing Social and Economic Self-Sufficiency

- 1.1 Employment and Income generation.
- 1.2 Community and Family-Based Care.
- 1.3 Targeting Resources.
- 1.4 Prevention and Early Intervention.
- 1.5 Child Abuse and Neglect Prevention.
- 1.6 Runaway and Homeless Youth Intervention.
- 1.7 Adoption and Foster Care Opportunities.

II. Strategies for Improving the Efficiency and Effectiveness of Social Services.

- 2.1 Improved Use of Management Information Systems.
- 2.2 Program Management Improvements.
- 2.3 Evaluation Assistance.
- 2.4 Training.
- 2.5 Gerontology Training.
- 2.6 Dissemination and Utilization.
- 2.7 Addressing the Service Needs of Tribes.

Examples of issues that may be addressed are listed for each priority area. The lists of possible issues are not exhaustive, nor is it implied that projects will be funded for every example.

I. Strategies for Increasing Social and Economic Self-Sufficiency

Social services should supplement assistance from family resources and the private sector for those in need of help, stimulate increased opportunities for HDS populations to become employed, and assist those who are unable to be employed to become more self-sufficient through participation in the family or community care arrangements. Social services should, in most cases, be an interim supplement to an individual's efforts toward self-

sufficiency. They should be used in the absence of, rather than as a substitute for, adequate family and community resources.

Human services must also have a strong preventive effect. In order to achieve long-term effectiveness, human service interventions to assist an individual or family should result in a reduced likelihood of future need for services. In fiscal year 1982 the HDS focus on prevention was primarily upon tertiary prevention (overcoming the effects of a condition). In fiscal year 1983 HDS intends to take a broader approach by stressing primary prevention (preventing a condition from occurring), and early interventions to ameliorate the effects of a condition. Demonstrations of effective prevention in human services, better understanding of which services prevent or minimize what problems, and data to support prevention strategies, are needed.

HDS proposes to promote innovative approaches that encourage self-sufficiency and prevent or reduce dependency on publicly supported social services. HDS will consider projects for funding in the following priority areas: (1) Employment and income generation; (2) Community and family-based care; (3) Targeting resources; (4) Prevention strategies; (5) Child abuse and neglect prevention; (6) Runaway and homeless youth; and (7) Adoption opportunities.

1.1 Employment and Income Generation: In fiscal year 1983 HDS proposes to focus on the development of strategies for the economic self-sufficiency of HDS populations which depart from traditional human services/employment approaches that have been tried in the past. Emphasis should be placed on local solutions, reliance on existing resources, private sector involvement, and linkages between existing organizations. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area.

- Promotion of income-generating or expense-reducing techniques which would increase the self-sufficiency of HDS non-employable groups. These may include home equity conversion, tax abatements and deferrals, tax incentives for home maintenance and repair, home sharing, and other ways to tap private and local resources available to these groups.

- Promotion and further development of employment strategies that enable employable homeless youth, single parents, older persons or individuals with developmental disabilities to enter or remain in the job market and become

less dependent on public assistance. Techniques might include shared work, extensive summer leave for caregivers, home-based work, youth entrepreneurship and flexible benefits plans. In particular, HDS seeks to demonstrate new ways that businesses can recruit, train and place individuals within their established workforces in emerging and high technology occupations not traditionally filled by HDS populations. The outcome of these demonstrations should be data useful for national replication, as well as permanent full-time or part-time employment for HDS populations.

- Demonstrations which identify and build upon existing linkages between Head Start and other human services to assist parents in securing basic educational skills, vocational training, employment counseling, and employment.

- Demonstrations to provide low income, inner city, minority, or disadvantaged youth with paid or volunteer work experiences in human services agencies and businesses. The focus of these efforts should be upon successful outcomes as measured by the eventual employment of these youths by the participating organizations.

- Demonstrations of how profit-making enterprises can meet the service needs of children, youth and families. Successful techniques may be demonstrated that enable public or non-profit programs to operate profit-making services related to the services they now provide.

- Establishment of cooperatives for persons who are socially or economically disadvantaged in order to enable them to purchase or produce basic necessities, or to develop products for sale.

HDS anticipates that approximately \$2,040,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging \$600,000; Administration on Developmental Disabilities \$125,000; Administration for Native Americans \$40,000; Head Start \$1,010,000; Child Welfare Research \$115,000; Social Services Research Program \$150,000.

1.2. Community and Family-based Care: Strengthening the family is a key factor in socioeconomic stability and growth. Of particular interest is the development of volunteer and peer group support for primary caregivers of older persons, children with special needs and developmentally disabled individuals which will reduce dependency on social services. Foster and adoptive parents of hard to place children, and Head Start parents are

part of this area of concern. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Demonstrations of innovative community support techniques—including volunteer respite care, peer groups, intergenerational activities designed to benefit both older and younger participants, and extended family concepts—to assist families who are raising their disabled child at home and older people without a family or who live in isolation. Emphasis should be placed on linking existing social and health care programs with informal support systems and private sector resources.

- Demonstrations of family and community-based techniques for the prevention of inappropriate placement of developmentally disabled children in foster care, as well as for the reduction of the risk of abuse and neglect for those children.

- Development and testing of innovative approaches to coordinated child care planning at the local level that are based on local needs and lead to effective solutions that involve volunteers and the private sector.

HDS anticipates that approximately \$2,725,000 will be available to fund projects in this priority area. The source of these funds is as follows: Administration on Aging \$200,000; Administration on Developmental Disabilities \$130,000; Administration for Native Americans \$20,000; Head Start \$2,010,000; Child Welfare Research \$115,000; Adoption Opportunities Program \$30,000; Social Services Research Program \$220,000.

1.3. Targeting Resources: There is a need for States, local and tribal governments, as well as private service providers, to develop innovative approaches for targeting resources to the most needy. Effective targeting of resources should result in cost-effective solutions, at the local level to the needs of individuals and families who truly require assistance. To achieve this it is necessary for States and localities to better define who requires or can best use assistance, to identify strategies for effective targeting of resources, and to develop effective techniques for reaching those most in need.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Better strategies for targeting existing resources on people in the greatest economic and social need, such as those who are handicapped, homebound, homeless, off-reservation

Indians, the poor who live in rural areas or inner cities, the elderly, runaway and homeless youth. Emphasis should be placed on redirecting the attention of existing services toward these groups, as well as on establishing linkages between existing agencies serving each of these populations with other social service agencies, community mental health services, volunteer organizations and businesses.

- Increased knowledge to improve care models, and strengthen the role of siblings and parents throughout the life cycle. Of particular interest is how to better target existing community resources in order to prevent inappropriate institutional placement as the disabled individual reaches adulthood and public school services are no longer available or appropriate.

- Demonstration of how community and volunteer groups can assist older persons in dealing more effectively with the residential care system.

- Demonstrations of targeting foster care recruitment efforts at higher income families that would welcome the opportunity to provide assistance to children in need of foster care, with a waiver of some or all of the usual program payments.

HDS anticipates that approximately \$1,900,000 will be available to fund projects in this priority area. The source of these funds is as follows: Administration on Aging \$400,000; Administration on Developmental Disabilities \$185,000; Administration for Native Americans \$75,000; Head Start \$620,000; Child Welfare Research \$235,000; Social Services Research Program \$385,000.

1.4. Primary and Secondary Prevention Strategies: HDS is interested in demonstrations of primary prevention and early intervention strategies. There is a need to answer questions such as: What kind of prevention strategies are effective? How can we measure the effects of prevention programs? How can we better utilize service data to improve prevention strategies and budgeting for service programs? How can we analyze initial expenditures versus delayed benefits? What kinds of public awareness initiatives constitute effective prevention strategies? The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Research to determine how increased public awareness of precipitating factors and early interventions can play a preventive role in family breakdown, chronic dependency, abuse and neglect.

runaway youth, and other problems which are seen in the HDS populations. Volunteer and group support in parenting, and public education about the aging process are additional prevention activities which need testing.

- Development of techniques for the early identification of individuals—particularly older persons, Native Americans, and children—whose health condition is at risk of deteriorating significantly and whose early identification is important for maintaining their independence from social services.

- Demonstrations of new health promotion techniques targeted to specific age groups to assure early prevention of health problems.

- In order to devise better prevention strategies, better knowledge is needed about the effects of isolation, dependency, and life styles on older people. For example, age at retirement, family and social relations, stress, and environment—all may influence the social and medical service needs of the individual and the degree of dependency.

- The maintenance of self-sufficiency is seen as an issue of prevention of the need for services. There is a need to define early indicators of decreasing self-sufficiency so that timely prevention strategies can be employed.

- Studies show that an excessively large portion of the population in secure youth detention facilities results from inappropriate handling of "at-risk" youth. Innovative approaches for preventing the inappropriate admission of these youths need to be developed and demonstrated.

- In order to prevent the exploitation of runaway youth, more effective strategies need to be developed for the provision of appropriate living arrangements, basic educational skills and vocational training for these youth. Additionally, linkages between runaway youth centers, local schools and community groups need to be established for the identification of youth in need, and early prevention intervention.

HDS anticipates that approximately \$1,355,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging \$175,000; Administration on Developmental Disabilities \$95,000; Administration for Native Americans \$20,000; Head Start \$400,000; Runaway and Homeless Youth \$300,000; Child Welfare \$100,000; Social Services Research Program \$265,000.

1.5. Child Abuse and Neglect Prevention: HDS will continue in FY 1983 the emphasis, begun in 1982, on

supporting demonstrations of comprehensive strategies for preventing child abuse and neglect and child sexual abuse. Also continued is the emphasis on dissemination of effective approaches for protecting children and youth in residential institutions and other out-of-home placements. The following examples are illustrative of issues that may be addressed by preapplications submitted under the child abuse and neglect priority:

- Demonstrations of parent support at the work place to prevent child abuse and neglect. HDS will consider support of up to 50% of the cost of projects—implemented in the context of the private sector work place—that incorporate proven preventive measures such as parent self-help groups and education on parent child problems. The matching 50% must be contributed by the business or industry committing support for this approach to the prevention of child abuse and neglect.

- Measuring the effectiveness of prevention. HDS will support efforts to define those individual, family and community problems most amenable to preventive intervention, and comparison studies of prevention strategies now being used in various communities.

- Demonstrations of the use of the therapeutic family day care homes to prevent the need for foster care placement. These day care homes feature remedial care—provided by carefully screened and trained caregivers—for the maltreated children that maximizes contact with their parents who are also receiving treatment. Applicability of this technique to the needs of rural populations is also of particular interest.

- Innovative mechanisms for training middle and upper management in child protective services on effective management techniques, as well as prevention and targeting strategies. The feasibility and demand for this type of activity without Federal support needs to be determined. Projects should involve participation by State agencies and private institutions. Proposed activity should make use of case studies covering such areas as resource targeting, budget planning and management, crisis management, objective setting, performance monitoring, effective use of technology, prevention and early intervention strategies.

- Validation of existing theories on factors which contribute to the sexual victimization of children. Several theories have evolved from treatment programs supported by Federal, State and private resources. They include: family systems; individual

psychopathology; social isolation; and personal stress. However, there has been no systematic, empirical validation of these theories. Also of interest is the careful measurement of the outcomes of alternative types of intervention. Examination of what happens to individuals and families as a result of criminal justice, child protective and mental health interventions is needed in order to build useful knowledge of the long-term impacts of treatment as well as to define preventive strategies. Applicants addressing issues of child sexual abuse or victimization must be able to demonstrate access to the necessary range of case information under conditions which safeguard individual rights to privacy and confidentiality.

- Demonstration and testing of effective procedures for child abuse investigation management. In order to meet increased child abuse investigation caseloads, some agencies have made deliberate efforts to narrow the working definitions of child maltreatment, to order priorities for making immediate or delayed investigations and to raise the degree of severity required to justify intervention. It appears that such changes have been made without consistency and sometimes without sufficient consideration of their attendant risks. The study of issues involved in decision-making; the development of clear alternatives and procedures to assist States and localities in making those decisions; and the demonstration and evaluation of those procedures needs to be undertaken under field conditions. Applicants must provide proof of the participation of relevant organizations, and are urged to propose a diverse set of environments in which to test the criteria and procedures (e.g., urban/suburban/rural, minority populations, State administered and county administered social service systems).

- Demonstrations of alternatives to litigation. The litigation of child abuse and neglect cases often results in adversary proceeding that make parental cooperation and participation difficult. This in turn increases the possibility of institutional child placement. There is a need to identify, develop and demonstrate alternatives to litigation such as the use of mediation for conflict resolution or the application of lay hearing panels.

Preapplications must contain assurances from the juvenile court as well as the agencies designated by State law to receive and investigate reports of child abuse and neglect, that they will accept the applicant's role and

participate in the diversion of child abuse and neglect cases which would otherwise be litigated in juvenile court.

- Demonstrations of the use of committees of inquiry into child fatalities linked to child maltreatment. The principal objective of these demonstrations would be to develop and test procedures for multidisciplinary inquiries. The primary goal of such inquiries should be to acquire useful knowledge for the prevention of child fatalities caused by child abuse or neglect. Successful applicants must have sufficient authority to conduct such inquiries, access the necessary information, and the ability to make recommendations for changes in agency and interagency procedures for the handling of cases of child maltreatment. Eligibility is limited to public agencies with legal authority to carry out the proposed inquiries.

HDS anticipates that approximately \$1,580,000 will be available to fund projects in this priority area.

1.6 Runaway and Homeless Youth: In FY 1983 HDS proposes to sponsor National model Demonstration efforts mandated by Pub. L. 97-276 which emphasize innovative approaches for prevention and early intervention. Evaluation and dissemination components should be included.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Demonstrations of innovative techniques for reuniting and strengthening of families through emphasis on improved parent-adolescent communication and problem resolution, empathic understanding, development of coping skills, use of self-held group techniques, volunteers and private sector organizations.

- Demonstrations and testing of independent living arrangements for 16-17 year olds who cannot return home. These should include out-of-home parental support models, non-traditional education and employment opportunities, and model private sector employment-shelter arrangements.

- Demonstrations of effective outreach that encourages participation in shelter programs by youth initially unwilling to go to a runaway center.

- Demonstrations of techniques for preventing juvenile prostitution or, alternatively demonstrations of early interventions. These may include crisis intervention, short-term housing, promotion of independent living skills, substance abuse treatment, employment training, and counseling. Efforts are sought which emphasize the transfer of existing techniques and the coordination

of existing community resources (law enforcement, social services, health care, local-State governmental involvement, and the volunteer and business sector) to prevent and/or combat the various forms of adolescent maltreatment (e.g., prostitution, adolescent sexual abuse).

HDS anticipates that approximately \$2,500,000 of Runaway and Homeless Youth Act funds will be available for projects in this priority area.

1.7 Adoption And Foster Care Opportunities: HDS continues to have an interest in the development and demonstration of approaches that have an impact on increasing the adoption of hard to place children. Of particular concern is the effective cooperation between adoption agencies, and the involvement of corporations and businesses. HDS will support demonstrations which (1) streamline adoption procedures, (2) promote sharing of home studies across jurisdictions, (3) establish effective relationships between placement agencies and the courts, and (4) promote volunteer foster care. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area.

- Development of innovative practices which stimulate sharing completed home studies and potential adoptive families across jurisdictions. Present requirements for home studies vary widely and often discourage or prevent the sharing of otherwise eligible adoptive families across jurisdictional lines.

- This should include a guidebook on parent preparation for adoption to be used by state and local placement agencies. Such a guidebook would reflect methods and criteria for evaluating prospective families for children with special needs, for those seeking second adoptions, and foster families seeking adoptions. A reasonable range of options needs to be addressed concerning methods of parent preparation, the different types of families, and adoptions.

- HDS is interested in placement agencies demonstrating changes in adoption practice that will streamline procedures and reduce the cost of adoption of special needs children. The purpose of these demonstrations is to show the impact of such changes on the number of children who are actually adopted within the given resources of the agency. The development of resource materials resulting from these successful demonstrations and innovative ways to disseminate them to other placement agencies should be included.

- Demonstrations of volunteer collaborative efforts between adoptive parents groups and social service agencies to assist new adoptive families or those with developmentally disabled children. Preapplications must include a clear statement of cooperation from placement agencies.

- Demonstrations which promote the supportive role which the corporate and business sector could play in the adoption of special needs children, including recruitment of prospective adoptive parents, public education, provision of special benefits, and provision of services or programs in support of those who are adopting special needs children.

- New approaches to encourage more private agencies to collaborate with public agencies to increase the adoption of children with special needs.

- Demonstrations by State public agencies with a significant number of Hispanic children in care, of techniques to increase the adoption of Hispanic children, reach potential adoptive families in the Hispanic population, and equip adoption workers to successfully deal with the particular needs of Hispanic children.

- Adolescents who remain in foster care until the age of emancipation need assistance in preparing for independent living. This assistance can best be provided through the coordinated efforts of volunteer groups, schools, mental health organizations, employment organizations and child welfare agencies. HDS is interested in funding organizations with responsibility for the foster care of adolescents to develop approaches to solving this problem in both urban and rural populations.

- There are serious procedural and operational problems between State child welfare agencies and the courts with regard to children in foster care. As a result, children are often denied access to prompt and effective decisions concerning custody, case reviews, parental rights, due process protection and permanency planning. HDS will award small service improvement grants to support demonstrations of improved cooperation and development of more effective relationships between placement agencies and the courts.

- Demonstrations of ways to reduce inappropriate out-of-home placements of Indian children by Indian tribes that operate their own child welfare services system. There is a need to test the applicability to this problem of techniques such as permanency planning, case reviews and comprehensive emergency services, as

well as to develop tribal codes and court procedures on adoption.

- Demonstrations of effective partnerships of Indian tribes, States and local governments for the disposition and management of child custody jurisdiction and services, especially in connection with implementation of the Indian Child Welfare Act (Pub. L. 95-608).

HDS anticipates that approximately \$1,040,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Developmental Disabilities, \$65,000; Child Welfare Research, \$95,000; Adoption Opportunities Program, \$860,000; and Administration for Native Americans, \$20,000.

II. Strategies for Improving the Efficiency and Effectiveness of Social Services

More effective and efficient administration of programs has long been a major thrust of HDS discretionary activities.

Extensive research and development activity has already been undertaken on caseworker and workload management, evaluation techniques, financial management systems, management information systems, fees for services systems, and other management techniques.

HDS proposes, as the second theme of its FY 1983 Discretionary Funds Program, to foster an increase in the use of the techniques and the approaches that resulted from this previous effort. This should result in an enhanced capacity to administer and develop service programs responsive to local needs and priorities. HDS seeks to promote innovation and flexibility in training, grantee cooperation, tribal relationships, the dissemination and utilization of grantee R&D products, program management and evaluation.

These activities have often been approached from a Federal perspective. There is a need to increase the flexibility grantees have in undertaking them. The underlying assumption is that greater State, local and tribal control will produce better use of resources to meet identified needs. In FY 1983 HDS would like to address this issue by funding activities in the following areas: (1) Improved use of management information systems; (2) Program management improvements; (3) Evaluation assistance; (4) New models of State or local planning, use and management of training resources; (5) Gerontology training; (6) Successful demonstrations of new and innovative techniques for the dissemination and

utilization of R&D products; and (7) The unique service needs and special conditions of tribes.

2.1. Use Of Management Information Systems: HDS is interested in the demonstration of innovative use of state-of-the-art technology, existing management information systems, and their data bases and outputs, for the evaluation of human service programs and as policy-making tools. In this area, preference will be given to consortia of States or providers. The following examples are illustrative of issues that may be addressed under this priority area:

- Development and testing of ways to provide integrated information for use by decision-makers at the State umbrella agency level to help set priorities across social services, Medicaid, and income maintenance programs. Applicants in this area should address the nature of existing information systems in Medicaid, income maintenance, and social services; how these systems can be integrated or interfaced; and how data from an integrated system can be used to form policy directed at increasing client self-sufficiency.

- Innovative approaches for the greater use of information systems output to improve the targeting of resources by community organizations, State or local government, or tribal agencies.

- Demonstrations of the integration or sharing of information systems and common data bases between social services and mental health agencies at the state and local government level. Emphasis should be placed on common access to integrated systems, the reduction of duplicative data, and enhanced use of existing systems.

- Demonstrations of the utility of management information systems to Indian tribes, particularly in the area of child welfare. Emphasis should be placed on dissemination of existing techniques.

- Strategies for increase of the compatibility of state data bases to produce national data bases for specific target groups. In particular HDS seeks to demonstrate ways in which standardization of reporting can be used to improve the utility and accuracy of information contained in the National Data Base on Aging, and to enhance the capacity of Area Agencies to improve services to specific groups of older persons. Priority will be given to those projects which build upon the experience gained by State and local Agencies in utilizing existing taxonomies of service definitions and units of services.

HDS anticipates that approximately \$1,155,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Aging \$100,000; Administration on Developmental Disabilities \$95,000; Administration for Native Americans \$40,000; Head Start \$720,000; Child Welfare Research \$65,000; Social Services Research Program \$135,000.

2.2. Program Management Improvements: HDS is interested in assisting States and localities to improve program management practices, leading to more efficient use of resources, more responsiveness to local needs, better use of existing technology, and volunteer support. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Development and testing of techniques for use by service providers to assess the costs and benefits of service delivery mechanisms for the various HDS populations. Cost/effectiveness analyses on such topics as alternative work programs, living arrangements for the mentally retarded and other community-based care models might be included.

- Purchase of service activities must move beyond good procurement administration to performance-based contracting that results in more effective and efficient services. HDS seeks to demonstrate ways in which State, area, county and local agencies can improve the efficiency and effectiveness of their programs through innovative performance-based contracting. Proposed demonstrations should incorporate (1) clearly defined units of service compatible with existing service taxonomies; (2) performance standards; and (3) fixed price reimbursement which can be used effectively to respond to local priority service needs.

- To close the gap in services delivery to the developmentally disabled alleged offender, HDS will support testing a model of comprehensive service delivery providing for integration of the social service and judicial system efforts. Adequate models must include training strategies for DD, criminal justice and judicial personnel which lead to practical application of successful management techniques and specialized diagnostic services. The primary purpose of these demonstrations is to show improved rehabilitative intervention in this area.

- State and area agencies on aging improvements in management of the Title III program. State Units and Area Agencies should identify significant

management issues from their perspectives and propose the institution of, or experimentation with new techniques or solutions. Such solutions may, for example, explore the use of Statewide contracts for the conduct of uniform A-102 audits, or the implementation of multi-area meal delivery systems based on new technology. Proposed activity should have a high degree of relevance to other State and area agencies on aging.

- Innovative State and local agencies demonstrations of ways in which advanced management techniques can be used to improve their service delivery. Increasingly in the past ten years, scientific management and operation research techniques have been used outside of industrial settings to assist in the management of urban service systems. Some of these approaches may be useful in managing human service delivery. Emphasis should be placed on solving problems that are highly relevant to other agencies.

- Demonstrations of dissemination and use of existing techniques by runaway youth centers in the following areas: improved volunteer and community support; effective resource development; financial management, accountability of funds and cost controls; volunteer recruitment and training; and effective techniques for family intervention and crisis counseling. These demonstrations may involve innovative peer-to-peer training approaches, and State sponsored endeavors serving runaway youth centers.

HDS anticipates that approximately \$1,860,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Aging \$175,000; Administration on Developmental Disabilities \$95,000; Administration for Native Americans \$30,000; Head Start \$620,000; Child Welfare Research \$165,000; Social Services Research Program \$275,000; Runaway and Homeless Youths \$500,000.

2.3. Evaluation Assistance: HDS is interested in assisting community organizations as well as State and local governments, to conduct more effective evaluation of their programs and services. With States and localities assuming greater responsibility for planning and managing social services, service delivery organizations need to target their resources on the most needy and to deliver services in the most cost-effective manner. To do this HDS will consider making challenge grants to fund States and consortia of local/community level organizations to assess

their operational efficiency, how effective their programs and services are, and whether client outcomes are commensurate with the resources being spent. HDS encourages evaluation efforts which will provide States, Indian tribes, local agencies and other human service organizations with tools for making improved project or program funding decisions. Emphasis will be placed on evaluation projects where results can be generalized and disseminated for use through the human services field. HDS is also interested in identifying and assessing new evaluation techniques for their applicability nationally. In addition HDS will support demonstrations of ways to share existing human services data bases to support evaluation activities. HDS anticipates that approximately \$650,000 will be available to fund demonstrations in this priority area. The sources of these funds are as follows: Administration on Aging \$50,000; Administration on Developmental Disabilities \$15,000; Administration for Native Americans \$15,000; Head Start \$480,000; Child Welfare Research \$30,000; Social Services Research Program \$60,000.

2.4. Training: Under this priority area, HDS proposes to explore innovative strategies that meet the generic training needs of States and localities across more than one program area. Significant resources have been invested over the years in developing training materials and methods. Therefore, the emphasis under this area should be on innovation by States and localities in the use of existing materials and methods.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Identifying generic training needs across programs at the State and local levels and demonstrating how to provide cross-program training in a way that satisfies the ongoing staff training needs of individual social service agencies while reducing training costs and facilitating the flow of ideas across programs. Emphasis should be on the innovative use of existing community resources.

- Demonstrations of State, local and community models for the provisions of management training, at beginning and advanced levels, for human service managers. These should include the use of fiscal management and analytic tools in the delivery of human services. Concepts should be initiated by State, local or tribal agencies; have cross program involvement; be cost efficient; and have measurable goals. Of specific concern is management training which

addresses gerontological and child welfare service provision, and joint projects between State, local and tribal agencies, and the business sector.

- Training and technical assistance in rural areas. HDS is interested in the development of methods for delivering effective T/TA to remote programs through the use of existing State, local and tribal networks and public media. Current technologies in communications should be considered in addressing this problem. The focus should be on coordination and better use of existing training materials rather than the development of additional curricula.

HDS anticipates that approximately \$1,075,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging \$150,000; Administration on Developmental Disabilities \$160,000; Administration for Native Americans \$50,000; Head Start \$305,000; Child Welfare Research \$145,000; Social Services Research Program \$265,000.

2.5. Gerontological Training: The objective of this program is to enhance the quality of the service system for older persons through improved training of the personnel who staff it. The program stresses the development of multiple public and private sources of support for viable, quality training programs in institutions of higher education. HDS anticipates that approximately \$2,500,000 will be available to fund projects in this priority area.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Modifications in the training and development of professionals who have direct impact on the quality of life for older people. This does not entail the development of new academic programs which might be dependent on continued Federal support for survival, but rather on the introduction of aging-related courses as a part of the *regular* training that members of these professions receive. Of primary interest are: health care professions, mental health and counseling; architecture and engineering; business administration; community and adult education; and the legal and law enforcement professions.

- Demonstrations of innovative and effective ways to sensitize the scientific and engineering communities about the needs and concerns of the older population and to interest scientists and engineers in applying their technical knowledge in meeting the needs of the older population. The application of

science and technology to increase the independence of older people has not been adequately explored. In order to successfully promote technological solutions to problems of older people, scientists, and engineers must be knowledgeable about the aging process and understand the problems.

- Better utilization of existing programs which have been demonstrated effective in training professionals in the aging fields, and the development of innovative programs. Institutions submitting preapplications must have or propose to: establish viable academic programs in aging with a majority of faculty who are in tenure track positions; seek private sector matching support; strong efforts to place the graduates of supported programs; and demonstrate that their graduates are employable in the current labor market. Minority institutions are particularly encouraged to apply for support under this program.

Of particular interest are the dissemination of innovative gerontological curricula and instructional materials, and the development of linkages with the Older Americans Act programs and agencies through consultation and continuing education. State and Area Agencies on Aging should be involved in the curriculum planning and design in order to insure the relevance of the training program to the actual needs of local service systems.

2.6. Dissemination and Utilization: New knowledge from research, demonstration, evaluation training and technical assistance efforts is too often unevenly applied. Information that has generic use needs to be disseminated across program concerns. It is crucial that efforts at the State and local levels be devoted to sharing results beyond the confines of a local or State boundary. Until research, demonstration, evaluation, training and technical assistance findings are put into practice, the process is not complete. The synthesis, packaging and marketing of significant research products and outcomes is therefore, of primary interest.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- A substantial number of research and demonstration projects have been undertaken in past years aimed at improving the management of social services. HDS places high priority on fostering the adoption and utilization of these managerial changes. Toward this end, HDS will entertain small challenge grants from local governments prepared

to adopt innovative management improvements generated by prior projects. Grants will be awarded on the basis of the potential for actually increasing productivity or reducing costs.

- Demonstrations of effective commercial marketing of R&D products developed by state, local and community service providers. Included among such products are manuals, systems, and training curricula and any other tools which aid human service providers to adopt new and innovative techniques.

- Demonstrations of dissemination and utilization mechanisms at the state and local levels that can become self-sustaining within 3 years of initial funding.

HDS anticipates that approximately \$835,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging, \$100,000; Administration on Developmental Disabilities, \$35,000; Administration for Native Americans, \$20,000; Head Start, \$500,000; Child Welfare Research, \$50,000; Child Abuse Prevention and Treatment Program, \$30,000; and Social Services Research Program, \$130,000.

2.7. Service Needs of Tribes: In FY 1983 HDS continues to be interested in strengthening the social and economic development of tribes. Further development and demonstration is needed involving cooperative public-private relationships and tribal commercial codes.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area. The list is not exhaustive nor is it implied that HDS will fund projects areas for every example.

- Demonstrations of joint efforts between Indian tribes and the private sector that undertake social and economic development projects. Cooperative undertakings may entail one "partner" acting as a catalyst or providing capital, while the second provides tax advantages, and the third provides land or an established market; or, the government providing the regulatory/tax freedom, while the tribe provides resources, and the private organization provides the technical expertise.

- Development and demonstrations of the appreciation of tribal commercial codes (e.g. real estate) which protect both creditors and consumers, and stimulate private sector economic development on Indian reservations and increase tribal management of programs which serve Indians.

HDS anticipates that approximately \$235,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Aging, \$50,000; Administration for Native Americans, \$75,000; and Social Service Research Program, \$115,000.

Part III.—Preapplication Process

A. Eligible Applicants

In general, any State, public or other nonprofit organization or agency may submit a preapplication under this announcement. This includes, but is not limited to: State Administering Agencies for Developmental Disabilities Basic State Grant Programs, Protection and Advocacy Offices, State and Area Agencies on Aging Indian Tribes and other Native American organizations, and Social Services Block Grant State Agencies. Some of the specific priority areas or topics included in this announcement may have more restrictive eligibility requirements (for example, only State and area agencies on aging may be eligible to apply). Where this is the case, the eligible entities are specified in the priority area or topic description. Preapplications jointly developed by State, local and community-based social services agencies, foundations or universities are encouraged in order to promote comprehensive social services programs. "For-profit" organizations are eligible applicants for projects funded under authority of the Head Start Act and section 805 of the Native American Programs Act. They may participate as subcontractors to eligible applicants on other projects.

B. Available Funds

The Office of Human Development Services expects to award approximately \$21,500,000 in the third and fourth quarters of FY 1983 (dependent on the availability of funds and appropriation by Congress) for new grants and cooperative agreements. Subject to Congressional action on the FY 1984 budget, HDS may also award a limited number of grants under this announcement in the first and second quarters of FY 1984. Appropriate HDS discretionary funding authorities will be used to fund projects, and more than one authority may be used to fund some projects.

The funding estimated to be available from each authority is summarized below. Applicants should take into account the proportion of funds available under each authority in designing their projects.

FUNDING SUMMARY

Program	Estimated availability of fiscal year 1983 funds
Administration on Aging.....	\$4,500,000
ACYF/Child Abuse and Neglect.....	1,580,000
ACYF/Adoption Opportunities.....	890,000
ACYF/Child Welfare.....	1,115,000
ACYF/Runaway Youth.....	3,300,000
ACYF/Head Start.....	6,665,000
Administration for Native Americans.....	400,000
Administration on Developmental Disabilities.....	1,000,000
HDS/Social Services Research.....	2,000,000
Total.....	21,450,000

HDS expects to make approximately 140 new awards pursuant to this announcement. These awards are expected to range from \$50,000 to a maximum of \$250,000 per year, with the average award expected to be \$125,000. Actual awards may vary widely and eligible applicants requiring smaller awards should also apply.

Generally, projects will be supported for periods of one to two years. However, projects of less than 18 months duration are encouraged.

The funds provided in the initial award will sustain the Federal share of the budget for the first budget period of the project (normally 12-17 months). Support for any additional time remaining in the project period depends on the availability of funds, the grantee's satisfactory performance, and the determination that continued funding is in the best interest of the Federal government.

As stated earlier, applicants should be aware that HDS received 5,620 preapplications in its FY 1982 Coordinated Discretionary Funds Program. Of these, 167 applicants received grant awards in FY 1982.

C. Grantee Share of the Project

At least 25% of the total cost of proposed projects must come from a source other than the Federal government (except in the case of projects funded under the Native Americans Act Authority, where the grantee match must be 20%). The non-Federal share of project costs may be in the form of grantee-incurred costs or third party in-kind contributions. HDS strongly encourages preapplications where the grantee share is more than 25% of the project costs or the applicant proposes to match—partially or fully—HDS grants with contributions from other non-Federal funding sources.

D. Preapplication Process

Organizations wishing to compete for grants under this announcement must submit a preapplication by January 31, 1983. Preapplications received in

response to this announcement will be reviewed by HDS staff and non-Federal experts. It is expected that the top ranked applicants will be invited to submit final applications in early spring to compete for funding scheduled for the third and fourth quarters of FY 1983 and the first and second quarters of FY 1984.

1. Availability of Forms: Preapplications for grants under the HDS Coordinated Discretionary Funds Program must be submitted on standard forms provided for that purpose. For your convenience, copies of those forms as well as detailed guidance materials, for use in preparing the preapplication are included in Part IV of this announcement. Additional copies of this announcement may be obtained by writing to:

OPD/Division of Research and Demonstration, Office of Human Development Services, 200 Independence Avenue, SW., Room 732E, Washington, D.C. 20201, Telephone: 245-6235.

2. Preapplication Submission: One signed original and a minimum of two copies of the preapplication must be submitted to:

Division of Grants and Contracts Management, HHS/Office of Human Development Services, 330 Independence Avenue, SW., Room 1740, Washington, D.C. 20201, Attention: HDS-83.

Submission of five additional copies would expedite processing. There is no penalty for not submitting these additional copies.

3. A-95 Notification Process: The HDS Discretionary Funds Program is covered by the provisions of OMB Circular A-95. With the exception of Indian tribes, applicants for grants must notify both the State and Area-wide A-95 Clearinghouse of the intent to apply for Federal assistance prior to submitting an application. Preapplicants should contact the appropriate State Clearinghouse (listed at 42 FR 2210, January 10, 1977) for information on specific State requirements regarding preapplications.

4. Preapplication Consideration: Complete preapplications that conform to the requirements of this Program Announcement will be reviewed competitively and evaluated by Federal officials and qualified persons outside of the Federal government. The results of the review will assist the Assistant Secretary and Program Commissioners in considering competing preapplications. This consideration may also take into account comments from Federal Regional and Headquarters program staff offices. In addition, comments may be requested from appropriate specialists and constituents

inside and outside of the Federal government. The Assistant Secretary for Human Development Services, Program Commissioners and other members of the HDS Executive Staff will determine the action to be taken on panel recommendations for each preapplication, and will make the decision to request a final application. (The Older Americans Act places certain responsibilities upon, and authority in, the Commissioner on Aging which affects the role of the Administration on Aging in implementing this program announcement. All such requirements will be met through actions which conform to the mandates of the Act.)

The official award document is the notice of Financial Assistance Awarded, which sets forth in writing to the recipient the amount of funds awarded, the purpose of the award, other terms and conditions of the award, the effective date of the award, the budget period for which support is given, the total project period for which support is contemplated, and the total recipient participation.

HDS reserves the option of discussing preapplications with, or referring them to, other Federal or non-Federal funding sources when this is determined to be in the best interests of the Federal government or the applicant.

5. Funding Limitations on Indirect Costs: Preapplicants should be aware that for training projects there is a limitation of 8 percent on indirect costs.

E. Special Considerations for Funding

Within the limits of available Federal funds, Human Development Services Executive Staff make financial assistance awards consistent with the purposes of the statutory authorities governing the HDS Discretionary Funds Program and this announcement.

Preference will be given to requests for assistance where substantial non-Federal funds and in-kind match beyond the required 25 percent also support the effort. Preference will also be given to projects that propose innovative use of volunteers. To the extent possible, final decisions will reflect the equitable distribution of assistance among the States, geographical areas of the Nation, and rural and urban areas.

F. Criteria for Screening and Review

All preapplications that meet the deadline will be screened to determine completeness and conformity to the requirements of this announcement. Complete, conforming preapplications will then be reviewed and evaluated competitively.

1. Screening Requirements: In order for a preapplication to be in conformance it must meet *all* of the following requirements:

(a) **Number of copies:** An original signed preapplication and two copies must be submitted.

(b) **Length:** The narrative portion of the preapplication *must not exceed ten double-spaced pages* (or five-single spaced pages) typewritten on one side of the paper only. The capability statement must not exceed two double spaced or one single spaced type written pages.

(c) **Standard form 424:** The preapplication must include an SF 424, completed according to instructions.

(d) **Certification:** The preapplication must be signed by an official of the applicant organization having authority to legally obligate the applicant.

(e) **Multiple Submittals:** A project can only be proposed once under this announcement. Multiple submittals of the same—or essentially the same—project as preapplications under different priority areas will be deemed nonconforming.

(f) **Eligibility:** The applicant must be an eligible entity as defined in the announcement.

(g) **HDS' Priorities:** The concept or project embodied in the preapplication must specifically address a priority stated in the announcement.

(h) **HDS Populations:** The preapplication must clearly target one or more HDS population: the elderly; children, youth and families; Native Americans; the poor; the developmentally disabled; and/or the mentally retarded.

(i) **Non-Federal Contribution:** A non-Federal contribution of at least 25% of total project costs must be proposed.

(j) **Cost:** Proposed projects requesting over \$300,000 per project year will be deemed nonconforming.

(k) **Purpose:** The preapplication must clearly propose new research, demonstration, evaluation or training. Proposals for service delivery, continuation of existing projects or activities, or other activities will not be considered.

Preapplications Must Meet *All* of the Above Requirements To Be Considered.

2. Review Criteria: Preapplications which are determined to be in conformance with the announcement will be reviewed by panels which may be composed of Federal staff, State/local staff, university and other non-government experts. Stage one will use the following criteria:

(a) **Innovativeness:** (30 points) The preapplication takes into account (through a concise discussion of the

current state-of-the-art) previous related work in the field and represents an improvement upon, or important departure from, existing practices.

(b) **Prospects for Wider Impact:** (20 points) The project proposed in the preapplication has the potential for achieving far-reaching impact through improvements that will be useful in a variety of settings. The results of the proposed project, if used, can contribute significantly to resolving the problem addressed by the project. The preapplication outlines a sound product dissemination strategy. This strategy: (1) identifies the intended audience(s) and (2) specifies the approaches to dissemination proposed in order to promote the utilization of research results and realize the project's potential contribution to the improvement of practice.

(c) **Project Design:** (15 points) The problem to be addressed is clearly stated. The preapplication has a concise but clear statement of goals, measurable objectives and project design or methodology. Problems, issues and methods are clearly related.

(d) **Potential for Success:** (15 points) The goals of the proposed project are realistic in terms of the methodology, staff and funds allocated to the activity. Overall costs are reasonable. The applicant organization is capable of carrying out the project as proposed.

(e) **Responsiveness to Program Announcement:** (20 points) The preapplication fully addresses one of the priority areas listed in the program announcement and satisfies one of the two major themes. The preapplication is targeted on one or more HDS population and proposes a significant non-Federal share.

After the preapplications are rated by the review panels using these criteria, the HDS Executive staff will select those which will be invited to submit final applications.

3. Evaluation Criteria: In stage two (the final application stage) those preapplicants ranked highly by the review panels and selected by the Executive Staff will be asked to submit final applications. These applications will be either administratively reviewed by HDS staff (in the case of a limited number of preapplications of exceptional quality) or competitively reviewed by a qualified panel of non-Federal experts.

Acceptable applications must be complete and meet the following criteria:

(a) **Criterion I: Technical Approach** (25 Points).

- The applicant proposes a well-defined and carefully worked out technical approach (including problem

or issue definition) that is, if well executed, capable of achieving the objectives of the project. The approach may include: research methodology, demonstration plan, design of training programs or other appropriate techniques.

- Where appropriate, the applicant describes evaluation components. Evaluation, data collection and analysis procedures are geared to assess (using quantitative measures as much as possible) the degree to which intended objectives are achieved. The applicant clearly distinguishes the evaluation from activities designed primarily for giving project staff feedback on their progress toward meeting project objectives.

(b) **Criterion II: Beneficial Impact** (25 Points).

The knowledge, methods, or technology to be developed can be expected to impact beneficially on human service programs and target populations beyond the site at which the project is conducted. This includes generalizability of results for research, demonstrations, and evaluation projects.

(c) **Criterion III: Project Implementation Plan** (20 Points).

- The application specifies a sound plan for task accomplishment and staff loading by task.

- The application contains a suitable plan for insuring the use of project results by appropriate users. The plan describes the kinds of reports and media to be used in transmitting final results to users and explains why this is expected to be an effective dissemination package that will reach and influence users.

(d) **Criterion IV: Staffing and Management** (15 Points).

- The proposed staff are well-qualified to carry out the project.

- The division of responsibilities is appropriate to carry out project tasks, including sufficient time of senior staff to assure adequate management of the project.

- The applicant organization has adequate facilities, resources, and experience to conduct the project as proposed.

(e) **Criterion V: Budget Appropriateness and Reasonableness** (15 points).

- The proposed budget is commensurate with the level of effort needed to accomplish the project objectives. The cost of the project is reasonable in relation to the value of the anticipated results.

- The contribution of any collaborative agencies or organizations are assured in writing and included with the application when it is submitted.

The participation of an agency other than the applicant, if critical to the proposed project, is evidenced by a letter indicating agreement to participate.

The author(s) for both the preapplication and the application must be clearly identified together with their current relationship to the applicant organization and any future project role they may have if the application is funded.

G. Closing Date for Receipt of Preapplications

The closing date for receipt of preapplications for priorities identified in this program announcement is January 31, 1983. Preapplications may be mailed or hand delivered to:

Division of Grants and Contracts
Management, HHS/Office of Human
Development Services, 330 Independence
Avenue, SW, Washington, D.C. 20201,
Attention: HDS-83.

Preapplications must be received at the above address by the closing date. Hand delivered preapplications are accepted during the normal working hours of 9:00 a.m. to 5:30 p.m., Monday through Friday. A preapplication will be considered to be received on time if:

1. The preapplication was sent by registered or certified mail no later than the closing date, as evidenced by a U.S. Postal Service dated postmark, unless it arrives too late to be considered by the independent review panel. Applicants should be aware that not all post offices provide a dated postmark. Applicants are advised to check with their post office to determine this.

2. The preapplication is received on or before the closing date by the Department of Health and Human Services in Washington, D.C. In establishing the date of receipt, consideration will be given to documentary evidence of receipt maintained by HHS.

Part IV.—Instructions for Completing Preapplications

A. *Preapplication Package:* Each preapplication package should include:

1. An original and a minimum of two additional copies of the preapplication (See Section B below). While an original and two copies are required, five additional copies would be useful to facilitate processing. No applicant will be penalized for submitting only the three required copies. Each copy should be stapled (back and front) in the upper left corner. The original copy of the preapplication must have original signatures. In order to facilitate handling, please do not use covers, binders or tabs. Do not include extraneous materials such as agency

promotion brochures, slides, tapes, film clips, etc. It is not feasible to use such items in the review process, and they will be discarded if included.

2. Three extra copies of Form 424 and three copies of the cover sheet/abstract stapled together apart from the copies of the preapplication.

3. One acknowledgment card. The applicant must include a self-addressed, stamped postcard if acknowledgment of receipt is desired. All preapplications will be assigned an identification number. This number and the priority area must be referred to in *All* subsequent communication with HDS concerning the preapplication. HDS will notify preapplicants of this number by returning the self-addressed acknowledgment card. If you do not receive the acknowledgment within three weeks after the deadline date, please notify HDS by telephone (202) 245-6235. Special note: After an identification number is assigned and the preapplicant has been notified of the number, preapplications are filed serially by the number to aid in quick retrieval. It will not be possible for HDS staff to provide a timely response to inquiries about a specific preapplication unless this number and the priority area are given.

B. *Content of Preapplication:* Each copy of the preapplication must contain in the order listed, each of the following items:

1. Standard form 424, page 1, completed according to the instructions listed below.
2. Cover sheet and abstract completed according to the instructions listed below.
3. Completed criteria index form.
4. Project narrative, *no more than ten pages long*, double-spaced and typewritten on one side only (or five pages single-spaced), completed according to instructions listed below.
5. Organizational capability statement or materials, *no more than two double spaced typewritten pages long*. (See instructions below.)

C. *Preparing the Preapplication:* Preapplication forms (Standard Form 424, page 1, and (criteria Index Form)) are reprinted below for your convenience. We suggest that you reproduce them and type your application on the copies. Prepare your preapplication in accordance with the following instructions:

1. Instructions for standard form 424, page 1: Complete item numbers 1-8, 13, 14, 17, 22 and 23 only. Specific instructions are as follows:

Item 1. Mark "preapplication" box.

Item 2.a. Applicant's own control number, if desired.

Item 2.b. Date preapplication is submitted.

Item 3.a. Number if assigned by State clearinghouse or, if delegated by State, by areawide clearinghouse.

Item 3.b. Date applicant notified of clearinghouse identifier.

Items 4.a.-4.h. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of applicant, and name and telephone number of person who can provide further information about this request.

Item 5. Employer identification number of applicant as assigned by Internal Revenue Service.

Item 6.a. Indicate "not available."

Item 6.b. Type: State "HDS FY 1983 Coordinated Discretionary Funds Program" and the number of the priority area under which the preapplication is being submitted. If more than one priority area is listed, HDS will disregard all but the first one listed.

Item 7. The title should briefly and clearly describe the focus of the proposed project and be selected with public understanding of the value of the project in mind. Do not use acronyms, abbreviations or jargon. Avoid unnecessary phrases such as "A Study of * * *," "Research to * * *," "A Project * * *" etc. *Do not use more than 100 characters*, including punctuation and spaces between words. (Characters in excess of 100 will be lost during electronic data entry.)

Item 8. Self-explanatory. "City" includes town, township, or other municipality.

Item 13. Amount requested or to be contributed during the first budget period by each contributor. Include value of in-kind contributions.

Item 14.a. Enter the number of the congressional district where the applicant's principal office is located.

Item 14.b. Enter the number of the congressional district(s) where the project will be located.

Item 17. Estimated number of months to complete project after Federal funds are available.

Item 22. Self-explanatory. (b) Leave blank.

Item 23. Self-explanatory.

2. Instructions for the cover page and abstract. On plain white bond, type (single-spaced):

- Title of preapplication (exactly as entered in item 7 on form 424).
- Name and address of applicant organization.
- Priority area under which the preapplication is submitted.
- Target population(s).

- Total project period and amount requested for first budget period.
- Project abstract summarizing, in 200 nontechnical words or less, the proposed project. The abstract should be so clearly written that the following questions could be answered by a member of the general public who reads it: What is the specific purpose of the project? How is the project to be conducted? What difference might the results make? To whom?

• The name of the author(s), their current relationship to the applicant and proposed project role.

3. Instructions for Criteria Index Form (See E. Below). Complete by typing on a separate sheet of paper every item in the criteria index form indicating the page and paragraph number where screening requirements and specific review criteria are addressed.

4. Instructions for project narrative. Describe the project you propose in response to this announcement. Your narrative (10 pages typed double-spaced, or five pages typed single space maximum, on 8½" x 11" plain white bond with 1" margins on both sides) should provide information on how the preapplication meets the review criteria. It is strongly suggested that you follow the following format and page limitations:

a. *Statement of Need for the Proposed Project* (2 pages maximum.) This portion of the preapplication should state the objectives of the project, including clear specification of the key issue(s) to be addressed by the project and the HDS populations targeted. In addition, this portion should document the need for and importance of the issues to be addressed by the project. It should also describe how the proposed project builds upon previous work and how it advances the state of knowledge in the area.

b. *Results and Benefits Expected* (1 page maximum.) This portion of the program narrative should briefly summarize the anticipated results and delineate the benefits which are expected. Emphasis should be placed on the utility of the results.

c. *Approach*. Project Design (5 pages maximum.) This portion of the program narrative should describe specific plans for conducting the project. It should include relevant information about a) hypotheses to be tested (if appropriate), b) data to be collected (including specification of data sources), c) plan for data analysis, d) what the project will do, and e) who will do it.

d. *Utilization and Dissemination* (1 page maximum.) This portion of the narrative should address the project's responsibility to serve as a source of

information to other agencies and/or researchers. This section should describe ways in which the project will share its experiences and findings with the field of human services in general and, specifically, with agencies or organizations capable of developing improved service delivery and management.

e. *Level of Effort*. (1 page maximum.) This part of the narrative should describe what staff, money, facilities and time would be required to complete the project as envisioned. Describe the resources needed to carry out the project. State the total Federal funds required to complete the project proposed.

5. *Organizational capability statement*. A brief (maximum 2 pages double spaced or one page single spaced) background description of how the applicant agency (or the particular division of a larger agency which will have responsibility for this project) is organized and the types and quantity of services it provides or research capabilities it possesses. Include descriptions of any current or previous relevant experience. Describe the competence of the project team and its demonstrated ability to produce a final product that is readily comprehensible and usable. The qualifications of key staff should be described in a few paragraphs rather than in formal vitae. Indicate clearly whether written commitments have been obtained from organizations that will be directly involved in the proposed project.

D. *Check List of Preapplication Requirements*: The following check list is provided for your convenience:

- SF 424, page 1, has been completed according to instructions (see sample SF 424).

- SF 424 has been signed and dated by an authorized official and original has been included in package to mail.

- Each preapplication has been stapled (no folders or binders) with 2 copies of the SF 424, page 1, on top of each copy.

Included in your preapplication package:

- A self-addressed acknowledgement postcard, attached to the original.

- One original preapplication plus seven copies.

Each of the copies should include the following: SF 424, page 1; A cover page and abstract; A criteria index form; A narrative (10 pages, double-spaced maximum); Organizational capability statement (2 pages, maximum).

Remember, preapplications must be postmarked or hand delivered (by 5:30 p.m.) no later than January 31, 1983 to:

Division of Grants and Contracts Management, HHS/Office of Human Development Services, 330 Independence Avenue, SW., Room 1740, Washington, D.C. 20201, Attention HDS-83

E. *Criteria Index Form*: Complete every item in this criteria index form by typing on a separate sheet of paper every item listed and indicating the page and paragraph number where screening requirements and review criteria are addressed in the preapplication.

Criteria and location in preapplication

Screening Requirements:

F. Eligibility _____

G. Addressing of HDS' priorities _____

H. HDS' populations _____

Review Criteria:

A. Innovativeness _____

State-of-the-art _____

New/improved approach _____

B. Prospects for wider impact _____

Generalizability of results _____

Significance of results _____

Usefulness of results _____

C. Potential for success _____

Feasibility of proposed project _____

Organizational capability _____

Staff and funds allocation _____

D. Responsiveness to program _____

announcement _____

Addressing of priority area _____

HDS theme relatedness _____

Targeting on HDS' population _____

G. Points To Remember:

- Designate your preapplication for one priority area and one priority area only.

- Although multiple preapplications (of different concepts) from the same applicant are not prohibited, they are not encouraged.

- You are required to send three copies of a preapplication. We would like to request that you send five additional copies to facilitate our review. However, there is no penalty for sending only three copies.

- Preapplications containing narratives in excess of ten typewritten double-spaced pages or capability statements or more than two double spaced pages will not be given further consideration.

- The distribution of topics related to specific HDS programs (e.g., AoA) is not necessarily commensurate with the distribution of discretionary funds among those programs.

- An abstract of 200 words or less is an essential element of the preapplication.

- Follow the recommended format as closely as possible in preparing the preapplication's narrative.

The qualifications of key staff should be described in a few paragraphs rather than in formal vitae.

- Although letters of agreement (where appropriate) are required in final

applications, it will suffice in the preapplication to state clearly in a paragraph that the necessary agreements have been obtained from those agencies whose participation is essential to the conduct of the proposed project.

- Applicants are strongly encouraged to have someone other than the writer apply the screening requirements and review criteria to the preapplication prior to its submittal. In this way, applicants will gain a sense of their preapplication's quality and potential competitiveness.

BILLING CODE 4130-01-M

OMB Approval No. 29-R0218

FEDERAL ASSISTANCE		2. APPLICANT'S APPLICATION	a. NUMBER	3. STATE APPLICATION IDENTIFIER	a. NUMBER
1. TYPE OF ACTION <input type="checkbox"/> PREAPPLICATION <input type="checkbox"/> APPLICATION (Mark appropriate box) <input type="checkbox"/> NOTIFICATION OF INTENT (Opt.) <input type="checkbox"/> REPORT OF FEDERAL ACTION		b. DATE Year month day 19	b. DATE Year month day 19	b. DATE Year month day ASSIGNED 19	b. DATE Year month day 19
		Leave Blank			
4. LEGAL APPLICANT/RECIPIENT a. Applicant Name : b. Organization Unit : c. Street/P.O. Box : d. City : e. State : f. Contact Person (Name & telephone No.) :			5. FEDERAL EMPLOYER IDENTIFICATION NO. a. NUMBER b. TITLE (From Federal Catalog)		
7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT			8. TYPE OF APPLICANT/RECIPIENT A-State B-Interstate C-Substate D-County E-City F-School District G-Special Purpose District H-Community Action Agency I-Higher Educational Institution J-Indian Tribe K-Other (Specify): Enter appropriate letter <input type="checkbox"/>		
10. AREA OF PROJECT IMPACT (Names of cities, counties, States, etc.)			11. ESTIMATED NUMBER OF PERSONS BENEFITING	9. TYPE OF ASSISTANCE A-Basic Grant B-Supplemental Grant C-Loan D-Insurance E-Other Enter appropriate letter(s) <input type="checkbox"/>	
13. PROPOSED FUNDING a. FEDERAL \$.00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$.00		14. CONGRESSIONAL DISTRICTS OF: a. APPLICANT b. PROJECT 16. PROJECT START DATE Year month day 19 17. PROJECT DURATION Months 18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY Year month day 19		12. TYPE OF APPLICATION A-New B-Renewal C-Revision D-Continuation E-Augmentation Enter appropriate letter <input type="checkbox"/>	
15. TYPE OF CHANGE (For 18a or 18b) A-Increase Dollars B-Decrease Dollars C-Increase Duration D-Decrease Duration E-Cancellation F-Other (Specify): Enter appropriate letter(s) <input type="checkbox"/>				19. EXISTING FEDERAL IDENTIFICATION NUMBER	
20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code)				21. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No	
SECTION II - CERTIFICATION 22. THE APPLICANT CERTIFIES THAT:		a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved. b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached: (1) <input type="checkbox"/> No response <input type="checkbox"/> Response attached (2) <input type="checkbox"/> <input type="checkbox"/> (3) <input type="checkbox"/> <input type="checkbox"/>			
23. CERTIFYING REPRESENTATIVE		a. TYPED NAME AND TITLE		b. SIGNATURE	
24. AGENCY NAME		c. DATE SIGNED Year month day 19		25. APPLICATION RECEIVED Year month day 19	
26. ORGANIZATIONAL UNIT		27. ADMINISTRATIVE OFFICE		28. FEDERAL APPLICATION IDENTIFICATION	
29. ADDRESS		30. FEDERAL GRANT IDENTIFICATION			
31. ACTION TAKEN <input type="checkbox"/> a. AWARDED <input type="checkbox"/> b. REJECTED <input type="checkbox"/> c. RETURNED FOR AMENDMENT <input type="checkbox"/> d. DEFERRED <input type="checkbox"/> e. WITHDRAWN		32. FUNDING a. FEDERAL \$.00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$.00		33. ACTION DATE Year month day 19 35. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)	
38. FEDERAL AGENCY A-95 ACTION		a. In taking above action, any comments received from clearinghouses were considered. If agency response is due under provisions of Part 1, OMB Circular A-95, it has been or is being made.		b. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.)	
34. STARTING DATE Year month day 19		36. ENDING DATE Year month day 19		37. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No	

Dated: November 29, 1982.

Dorcas R. Hardy,

Assistant Secretary for Human Development Services.

Clarence Hodges,

Commissioner, Administration for Children, Youth, and Families.

Jean Elder,

Commissioner, Administration on Developmental Disabilities.

Lennie-Marie P. Tolliver,

Commissioner, Administration on Aging.

Casimer R. Wichlacz,

Acting Commissioner Administration for Native American.

[FR Doc. 82-33079 Filed 12-6-82; 8:45 am]

BILLING CODE 4130-01-M

federal register

Tuesday
December 7, 1982

Part V

Department of Justice

Bureau of Prisons

**Control, Custody, Care, Treatment, and
Instruction of Inmates; Final and
Proposed Rules**

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 540

Control, Custody, Care, Treatment, and Instruction of Inmates

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rule.

SUMMARY: This document finalizes interim § 540.71(b)(7) of the Bureau of Prisons final rule on Incoming Publications. The interim rule was published in the *Federal Register* November 13, 1980 (at 47 FR 75125-26). The intent of the rule was, and is, to provide specific criteria for the rejection of sexually explicit material. The final rule also includes examples of the term "book".

DATE: Effective date: January 10, 1983.

ADDRESS: Office of General Counsel, Bureau of Prisons, Room 760, 320 1st Street, NW., Washington, D.C. 20534.

FOR FURTHER INFORMATION CONTACT: Mike Pearlman, Office of General Counsel, Bureau of Prisons, phone 202/724/3062.

SUPPLEMENTARY INFORMATION: The Bureau of Prisons final rule on Incoming Publications was published in the *Federal Register* June 29, 1979 (at 44 FR 38259 et seq.). Section 540.71(b)(7) of that rule allowed for rejection of a publication which "advocates or may lead to prohibited sexual activity in the institution". This language was subject to criticism as being overly broad, or vague. To clarify its intent, the Bureau of Prisons revised § 540.71(b)(7) to provide more specific guidelines for determining whether a publication containing sexual material may be rejected. As amended, the interim rule, published in the *Federal Register* November 13, 1980 (at 45 FR 75125-26), provided that the Warden may reject sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the institution, or facilitates criminal activity.

While the Bureau of Prisons considered the interim rule to better define what sexually oriented material could be excluded, the Bureau elected to publish the revisions as an interim rule and to solicit public comment. Accordingly, public comment on the interim rule was invited and received.

In addition to finalizing § 540.71(b)(7), this document is also amending § 540.70(a) by including examples of what is meant by the term "book" (novels, instructional manuals). This amendment places no increased restriction on either the inmate or the

public and is intended to clarify the scope of the Bureau's present rule. For these reasons, the provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Members of the public may submit further comments concerning the final rule by writing the previously cited address. These comments will be considered but will receive no response in the *Federal Register*.

The Bureau of Prisons has determined that this rule is not a major rule for the purpose of EO 12291. The Bureau of Prisons has determined that EO 12291 does not apply to this rule since the rule involves agency management. After review of the law and regulations, the Director, Bureau of Prisons has certified that this rule, for the purpose of the Regulatory Flexibility Act (Pub. L. 96-354), does not have a significant impact on a substantial number of small entities.

Summary of Changes

1. Section 540.70—For purposes of clarity, § 540.70(a) is amended to include novels and instructional manuals as examples of the term "book".

2. Section 540.71—A commenter, in suggesting that the interim rule remains vague and overbroad, presented three specific concerns.

(1) The first concern is that the standard fails to provide adequate guidance on the acceptability of publications addressed to, or concerning issues relevant to sexual minorities. The commenter considers the term "sexually explicit material" to be "inherently subjective" and states that parties submitting material will not be able, from reading the rule, to obtain an understanding of what is admissible.

The Bureau does not agree, nor does our experience indicate, that the term "sexually explicit material" is unnecessarily vague or overbroad, or "inherently subjective". In preparing a rule, a broad focus is necessary in order to accommodate the significant range of material that may be confronted. Where appropriate, internal guidelines are developed to assist staff in the implementation of a particular rule. Because these guidelines are not rules, they are not subject matter for inclusion within the CFR. Reference to the guidelines, however, may be included in the *Federal Register* as a preamble to the rule. With respect to the rule on sexually explicit material, a brief discussion of the guidelines was included as part of our November 13, 1980 preamble. For information

purposes, these guidelines are reprinted below in the format in which they are available to staff.

While publications may not be excluded solely because they have sexual content, some sexually oriented publications may be rejected. In order to assist in determining which materials may pose the type of threat which warrants exclusion, the following guidelines are given

(a) A Warden may determine that sexually explicit material of the following types is to be excluded, as potentially detrimental to the security, or good order, or discipline of the institution, or facilitating activity:

- (1) Homosexual (of the same sex as the institution population).
- (2) Sado-masochistic.
- (3) Bestiality.
- (4) Involving children.

(b) The following points should be emphasized:

(1) It is the local Warden's decision (except for child-model materials, which are prohibited by law)—a sexually explicit homosexual publication for example may be admitted if it is determined not to pose a threat at the local institution;

(2) Explicit heterosexual material will ordinarily be admitted;

(3) Sexually explicit material does not include material of a news or information type—publications covering the activities of gay rights organizations or gay religious groups, for example, should be admitted;

(4) Literary publications should not be excluded, solely because of homosexual themes or references, if they are not sexually explicit; and

(5) Sexually explicit material may nonetheless be admitted if it has scholarly value, or general social or literary value.

Where a publication is determined unacceptable, the inmate is advised in writing of this decision and the reasons for it. The notice contains reference to the specific article(s) or material(s) considered objectionable. The inmate may elect to appeal this rejection under the Administrative Remedy Procedure (see Part 542). Since the November 1980 publication of the interim rule, only a few inmates (approximately six) have utilized these administrative remedies because of the exclusion of sexually explicit material. In addition to the Administrative Remedy Procedure for use by inmates, the Warden also provides a copy of the rejection letter to the publisher or sender of an unacceptable publication, along with an advisement on how an independent review of the rejection may be obtained (see § 540.71(e)). These provisions clearly indicate that the rule is not now, nor will it be, applied with "inherent subjectivity". With respect to the commenter's primary concern, the Bureau's basic premise is that materials such as newsmagazines which contain advertising or art material portraying

the nude form are not to be denied admission into the institution. In those instances where staff determine that the drawings or photographs may be potentially detrimental to the security, good order, or discipline of the institution, or facilitate criminal activity, a rejection of the publication may occur, notification will be made, reasons will be given, and, where desired, the inmate/publisher/sender may appeal the rejection.

(2) A second concern was that the standard unnecessarily and unjustifiably discriminates against material produced for and/or directed toward non-heterosexual audiences. The commenter favors a uniform application of the rule, regardless of the sexual preference of the audience to whom it is addressed, stating, "there is no legitimate reason which persuasively argues for the preclusion of sexually explicit homosexual material when equally explicit heterosexually material is to be permitted."

Within this same context, another commenter states he is unable to see how a "dirty book" compromises the discipline, security, or good order of an institution or facilitates criminal activity. This commenter's position is that there is no overt connection between motivation of sex crimes and pornography. The commenter claims that banning homosexual, but not heterosexual publications constitutes not only sexism, but selective bigotry. This commenter suggests an alternative rule that prohibits entry into the institution of any sexual publication determined by a Federal court to be pornographic material.

Other commenters, opposed to the admission of homosexual material into the institution, approach this issue from a different perspective. One person, upon reading about this issue in a newspaper, was concerned that allowing homosexual publications into the institution increases the possibility of homosexual activity among inmates. The commenter raises the question, "Who will protect the young prisoners from the desires of the homosexual?" A different commenter expresses the view that sexual abuses abound between the weak and the strong. This individual strongly favors restricting the entry of erotic publications into the institution.

In response to these comments, the Bureau does not consider it appropriate or effective to state that sexually explicit material may be prohibited only upon the determination of a Federal court that the material is pornographic. Our primary concern is a threat to institutional security, not offense to community standards. Further there is

no mechanism for obtaining such advisory rulings from the courts.

With respect to the remaining comments, the Bureau of Prisons must balance First Amendment rights to freedom of information with the need to maintain the security, good order, and discipline of the institution. Correctional institutions, for the most part, are single-sex institutions. The admission of sexually explicit material of the same sex as the inmate population identifies individuals, whether accurately or not, as homosexual or as interested in homosexual matters and may subject those persons to sexual pressures and predatory violence. While a commenter is correct in stating that this same situation may occur from allowing a non-sexually explicit gay magazine into the institution, publications with sexually explicit material more readily identify the inmate's interests, and informational material on the "gay movement" has an enhanced importance because it serves as a source of news. With respect to the comment regarding inmate safety, the Bureau of Prisons is responsible for the safekeeping and care of persons committed to its custody. This responsibility is exercised through the supervision afforded within the institution, and through the promulgation of rules for the care, custody, and control of inmates.

Concomitantly, the Bureau of Prisons also has a responsibility not to reject or prohibit an inmate's obtaining material which does not adversely impact on the institution or facilitate criminal activity. Accordingly, the Bureau should allow each inmate access to material which, while it may be repugnant to some, poses little or no threat to institution security, good order, or discipline and which does not facilitate criminal activity.

We disagree with a suggestion that the terms "by its nature" and "good order" be deleted from § 540.71(b)(7). While the commenter is correct in stating that institution staff who screen the mail will determine whether the rule on sexually explicit material applies, it is not correct to state that these staff have unbridled discretion. Bureau policy provides guidelines for staff to follow. Further, if staff who initially screen the mail consider certain information excludable, this is referred for review and a final determination by administrative officials. If, following this review, the material is excluded, both the inmate and publisher or sender are notified of the rejection, the reasons for the rejection, and of the appeal process. These steps clearly prevent abuse of discretion.

(3) A third concern of the initial commenter is that the Bureau has failed to consider utilizing the least restrictive alternative with respect to newspapers, magazines, and similar publications. The Bureau has considered many alternatives, and this has occurred in several ways, including conferences with representatives of the gay community. The commenter suggests that the Bureau allow the inmate the opportunity to have the objectionable material excluded, with the remainder of the publication delivered to the inmate. This approach is not considered feasible, because it would require defacing the material and laboriously going over every line of the material in the publication to identify all objectionable material, even after identifying material that otherwise would be sufficient to reject the publication.

List of Subjects in 28 CFR Part 540

Prisoners.

Conclusion

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director of the Bureau of Prisons in 28 CFR 0.96(q), 28 CFR, Chapter V, is amended by revising § 540.70(a) and finalizing § 540.71(b)(7).

Dated: November 29, 1982.

Norman A. Carlson,
Director, Bureau of Prisons.

PART 540—CONTACT WITH PERSONS IN THE COMMUNITY

* * * * *

Subpart F—Incoming Publications

1. The authority citation for Part 540, subpart F reads as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006-5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

2. By revising § 540.70(a) to read as follows:

§ 540.70 Purpose and scope.

(a) The Bureau of Prisons permits an inmate to subscribe to or to receive publications without prior approval and has established procedures to determine if an incoming publication is detrimental to the security, discipline, or good order of the institution or if it might facilitate criminal activity. The term publication, as used in this rule, means a book (for example, novel, instructional manual), or a single issue of a magazine or newspaper, plus such other materials addressed to a specific inmate as

advertising brochures, flyers, and catalogues.

* * * * *
3. By adopting as final, the revision of § 540.71(b)(7) published on November 13, 1980 at 45 FR 75126. As revised paragraph (b)(7) reads as follows:

§ 540.71 Procedures.

* * * * *
(b) * * *
(7) It is sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the institution, or facilitates criminal activity.

[FR Doc. 82-33308 Filed 12-6-82; 8:45 am]
BILLING CODE 4410-05-M

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Parts 540 and 551

Control, Custody, Care, Treatment, and Instruction of Inmates

AGENCY: Bureau of Prisons, Justice.

ACTION: Proposed rules.

SUMMARY: The Bureau of Prisons is publishing its proposed rules on (1) Prohibition Against an Inmate Conducting a Business and (2) Emergency Signaling Devices—Inmate Housing Units. The Bureau of Prisons is also publishing proposed amendments to its rules on telephone regulations for inmates and inmate organizations. The rule prohibiting an inmate from conducting a business while confined is intended to provide written information on what is considered "conducting a business". The rule on emergency signaling devices is intended to ensure that inmates in locked housing units which do not have 24-hour staff coverage have access to signaling devices for use in alerting staff in the event of an emergency. Amendments to the rule on telephone regulations for inmates discuss revisions to the monitoring procedures and expenses of inmate telephone use. Amendments to the rule on inmate organizations establish a fiscal year for these organizations and also identify two additional ways for use of organizational funds.

DATE: Comments must be received on or before January 31, 1983.

ADDRESS: Office of General Counsel, Bureau of Prisons, Room 760, 320 1st Street NW., Washington, D.C. 20534. Comments received will be available for examination by interested persons at the above address.

FOR FURTHER INFORMATION CONTACT: Mike Pearlman, Office of General Counsel, Bureau of Prisons, phone 202/724-3062.

SUPPLEMENTARY INFORMATION: Pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons, in 28 CFR 0.96(q), notice is hereby given that the Bureau of Prisons intends to publish in the *Federal Register* its proposed rules on (1) Prohibition Against an Inmate Conducting a Business and (2) Emergency Signaling Devices—Inmate Housing Units. The former rule prohibits an inmate in service of a criminal sentence from conducting a business while confined in a federal institution. This policy is also included in the

Bureau of Prisons rule on Inmate Discipline and Special Housing Units (see prohibited act #408, § 541.13). The proposed rule will help clarify the prohibited act by providing written information on what is considered "conducting a business". The rule allows the inmate up to 30 days, following arrival at the institution designated for service of sentence, to assign those business matters in which the inmate was involved prior to confinement. Also discussed is the rule's impact on an inmate's subsequent involvement in hobbycraft, artistic, and creative activities. The rule on emergency signaling devices requires that inmates in housing units that are locked and without 24-hour staff coverage have access to a signaling device for use in alerting correctional staff in the event of an emergency within the housing unit.

The Bureau of Prisons is also proposing amendments to its final rules on Telephone Regulations for Inmates, and on Inmate Organizations. Final rules on these subjects were published in the *Federal Register* June 29, 1979 (at 44 FR 38236 et seq.). The proposed amendments to the rule on telephone regulations require the Warden to establish procedures which allow monitoring of telephone calls on any telephone located within the institution. The present rule (§ 540.101) states that the Warden "may establish" such procedures. A second revision (to § 540.104) states that inmate calls shall ordinarily be made collect to the party called. Third party billing and electronic transfer of a call to a third party are prohibited. These procedures are being implemented to ensure the security, good order and discipline of the institution and to protect the public. Amendments (proposed new § 551.36(f) and (g)) to the rule on inmate organizations identify two ways in which an inmate organization may use its funds, specifically for providing financial assistance to an inmate who has insufficient resources to meet the expenses necessary for an emergency humanitarian purpose, such as a bedside visit or funeral trip, and for the purchase of items for use in the institution, provided that such items are not ordinarily furnished by the government. Approval of the Warden is required prior to either use. Amendments to existing sections (§ 551.36(b) and (c)) of this rule on inmate organizations establish a January—December fiscal year for each inmate organization and require an internal audit of each inmate organization immediately following the end of the fiscal year.

The Bureau of Prisons has determined that these rules are not major rules for the purpose of EO 12291. The Bureau of Prisons has determined that EO 12291 does not apply to these rules since the rules involve agency management. After review of the law and regulations, the Director, Bureau of Prisons has certified that these rules, for the purpose of the Regulatory Flexibility Act (Pub. L. 96-354), do not have a significant impact on a substantial number of small entities.

Interested persons may participate in this proposed rulemaking by submitting data, views, or arguments in writing to the Bureau of Prisons, Room 760, 320 1st Street, NW., Washington, DC. 20534. Comments received on or before January 31, 1983 will be considered before final action is taken. The proposed rules may be changed in light of the comments received. No oral hearings are contemplated.

List of Subjects in 28 CFR Parts 540 and 551

Prisoners.

In consideration of the foregoing, it is proposed to amend Subchapter C of 28 CFR, Chapter V as follows: In Part 540, amend Subpart I and add a new Subpart J; and in Part 551, amend Subpart D and add a new Subpart K.

SUBCHAPTER C—INSTITUTIONAL MANAGEMENT

PART 540—CONTACT WITH PERSONS IN THE COMMUNITY

1. The authority citation for Part 540, Subpart I reads as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006-5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

2. In Part 540, amend Subpart I by revising §§ 540.101 and 540.104 to read as follows:

Subpart I—Telephone Regulations for Inmates

§ 540.101 Monitoring of inmate telephone calls.

The Warden shall establish procedures that enable monitoring of telephone conversations on any telephone located within the institution, said monitoring to be done to preserve the security and orderly management of the institution and to protect the public. The Warden must provide notice to the inmate of the potential for monitoring. Staff may not monitor an inmate's properly placed call to an attorney. The Warden shall notify an inmate of the proper procedures to have an unmonitored telephone conversation with an attorney.

§ 540.104 Expenses of inmate telephone use.

An inmate is responsible for the expenses of inmate telephone use. Inmate calls shall ordinarily be made collect to the party called. Third party billing and electronic transfer of a call to a third party are not permitted. The Warden may direct the government to bear the expense of inmate telephone use under compelling circumstances such as when an inmate has lost contact with his family or has a family emergency. Another example is where the inmate experiences a lack of visits over an extended period of time. This is particularly true where there are no financial resources available either from the inmate or his family.

3. In Part 540, add a new Subpart J to read as follows:

Subpart J—Emergency Signaling Devices—Inmate Housing Units

Sec.

540.110 Purpose and scope.

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006-5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

Subpart J—Emergency Signaling Devices—Inmate Housing Units**§ 540.110 Purpose and scope.**

The Warden shall ensure that inmates in locked housing units have access to signaling devices for use in alerting correctional staff in the event of an emergency. Signaling devices shall be available:

(a) In dormitories (both open and cubicle style) that are locked and which do not have 24-hour staff coverage; and

(b) In housing units with rooms or cells (both single and multiple occupancy) lacking 24-hour staff coverage. The signaling device shall be located in the common area of the unit and must be accessible to inmates when not locked in their rooms or cells.

PART 551—MISCELLANEOUS

4. The authority citation for Part 551, Subpart D reads as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 4161-4166, 5006-5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

5. In Part 551, Subpart D, revise paragraphs (b) and (c) and add new paragraphs (f) and (g) to § 551.36 to read as follows:

Subpart D—Inmate Organizations**§ 551.36 Accountability for funds.**

* * * * *

(b) The fiscal year for each organization shall begin January 1 and end December 31. The treasurer of the

inmate organization shall prepare financial statements (cumulative-to-date) by January 20, April 20, and October 20 each year. The treasurer shall present copies of the financial reports to the membership, the staff sponsor, and the Warden.

(c) The Warden shall require an internal audit of each inmate organization to be conducted immediately following the end of the fiscal year.

* * * * *

(f) Upon approval of the Warden, an inmate organization may use its funds to provide financial assistance to an inmate who has insufficient resources to meet the expenses necessary for an emergency humanitarian purpose, such as a bedside visit or funeral trip.

(g) Upon approval of the Warden, an inmate organization may be allowed to purchase items for use in the institution, provided that the items intended for purchase are not ordinarily furnished by the government.

6. In Part 551, add a Subpart K to read as follows:

Subpart K—Prohibition Against an Inmate Conducting a Business

Sec.

551.130 Propose and scope.

551.131 Definitions.

551.132 Procedures.

551.133 Hobbycraft, artistic, and creative activities.

551.134 Disciplinary action.

551.135 Exceptions.

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006-5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

Subpart K—Prohibition Against an Inmate Conducting a Business**§ 551.130 Purpose and scope.**

The Bureau of Prisons does not permit an inmate in service of a criminal sentence to be involved in the operation of a business while that inmate is confined in a federal institution. The Bureau of Prisons provides an inmate 30 days from the date of the inmate's arrival at the institution designated for service of sentence to delegate or to assign those business matters in which the inmate was engaged prior to incarceration. The inmate may not begin a new business while confined.

§ 551.131 Definitions.

(a) For purposes of this rule, the term "business" refers to all types of activities which produce profit or remuneration—creative, artistic, professional, consultative, advisory, financial, service, managerial, laboring activities, as well as commercial transactions. The term "business"

includes any trade, skill, work, or profession which comprised the inmate's principal source of income prior to the inmate's incarceration as well as any new trade, skill, work, or profession in which the inmate engages while confined.

(b) For purposes of this rule, the phrase "conducting a business" refers to any activities of an inmate directing business decisions or engaging in business while confined. It includes any action, conduct, or promise, either written or oral, from which an inmate could reasonably expect to receive either direct or indirect benefit. While an inmate may take steps to protect property and funds which were the inmate's prior to incarceration, the inmate may not be involved in ongoing business decisions.

§ 551.132 Procedures.

(a) An inmate confined in a federal institution may not actively engage in (the operation of) a business. An inmate who was engaged in a business prior to commitment is expected to sign the authority (power of attorney or other delegation of authority) for the operation of such business to a person in the community. Staff shall provide an inmate up to 30 days following the inmate's arrival at the institution designated for service of sentence to delegate or assign all business matters.

(b) No provision of this rule is intended to prohibit an inmate from protecting property and funds which were legitimately the inmate's at the time of commitment. Thus, there may be an occasion where a decision must be made which will substantially affect the assets or prospects of a business or the disposition of property. For example, an inmate may correspond about refinancing a mortgage on the inmate's home or may sign insurance papers, but may not make ongoing decisions about operation of a mortgage or insurance business. Similarly, while an inmate may sign papers authorizing the sale of stocks which were legitimately in the possession of the inmate at the time of commitment, the inmate may not make ongoing decisions about the trade and/or purchase of stocks and bonds while confined in a federal institution.

The Warden may authorize an inmate a special visit with the inmate's attorney, business associates, or family members, for the purpose of signing business or legal papers necessary to protect the inmate's prior assets. Any other business activities ordinarily shall be disapproved.

§ 551.133 Hobbycraft, artistic, and creative activities.

(a) An inmate may donate to a non-profit organization the results of the inmate's institutional hobbycraft, artistic, or creative activities (for example, a manuscript prepared while in custody). Neither the inmate nor the inmate's family may receive compensation or financial benefit of any kind from the inmate's donated hobbycraft, artistic, or creative works.

(b) Except as provided in paragraph (c) of this section, an inmate may sell the results of the inmate's institutional hobbycraft, artistic, or creative activities through the institution's art and hobbycraft sales program (see 28 CFR 544.33). The inmate may not achieve a new profit (selling price minus cost of

materials) for any calendar year in excess of \$500.00.

(c) An inmate may not sell or give for compensation or financial benefit, accruing either to the inmate or to the inmate's family, any hobbycraft, artistic, or creative work which in the Warden's judgment is considered indicative of the type of work that constituted a principal source of income to the inmate prior to confinement. For example, while an inmate who is bricklayer by occupation may sell a painting through the institution's art and hobbycraft sales program, the inmate who is a writer by occupation may not sell or give for compensation or financial benefit a manuscript prepared while in custody.

§ 551.134 Disciplinary action.

Staff shall initiate disciplinary action against an inmate who is conducting a business (see 28 CFR 541.13).

§ 551.135 Exceptions.

(a) The provisions of this rule do not apply to pre-trial inmates (see 28 CFR 551.101 and 551.120).

(b) The Warden may approve an exception to the provisions of this rule for sound and compelling correctional reasons, in an individual case, documented in the record.

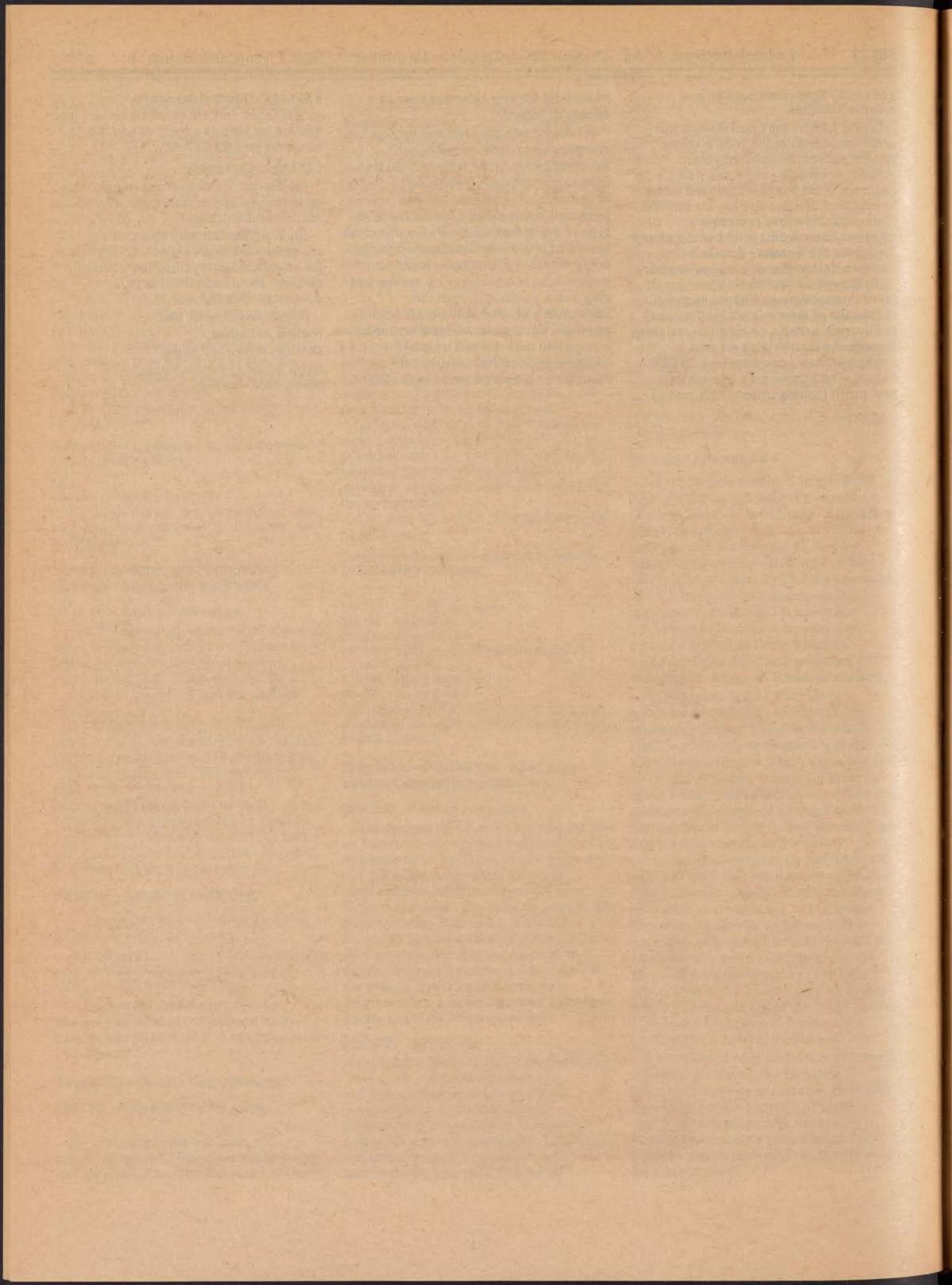
Dated: November 29, 1982.

Norman A. Carlson,

Director, Bureau of Prisons.

[FR Doc. 82-33307 Filed 12-6-82; 8:45 am]

BILLING CODE 4410-05-M



federal register

**Tuesday,
December 7, 1982**

Part VI

Department of Housing and Urban Development

**Office of the Assistant Secretary for
Housing—Federal Housing Commissioner**

Prototype Cost Determinations; Rule

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**Office of the Assistant Secretary for
Housing—Federal Housing
Commissioner**

24 CFR Parts 805 and 841

[Docket No. N-82-1188]

**Prototype Cost Determinations Issued
Under 24 CFR Part 841**

AGENCY: Office of the Assistant
Secretary for Housing—Federal Housing
Commissioner, HUD.

ACTION: Notice of prototype cost
determination.

SUMMARY: This Notice establishes
prototype limits for development of
public housing, including Indian housing,
new construction projects under the
United States Housing Act of 1937. The
prototype cost determinations stated in
this Notice supersede the prototype cost
schedules published on June 29, 1981,
and all amendments and additions to
such schedules published prior to the
date of this Notice.

EFFECTIVE DATE: December 7, 1982.

FOR FURTHER INFORMATION CONTACT:
Mr. Jack R. VanNess, Director, Technical
Support Division, Office of Public
Housing, Room 6248, 451 7th Street SW.,
Washington, D.C., 20410, (202) 755-4956
(This is not a toll-free number).

SUPPLEMENTARY INFORMATION: The
United States Housing Act of 1937
requires determination by HUD of the
costs in different areas for construction
and equipment (prototype costs) of new
dwelling units suitable for occupancy by
low-income families. This determination
must be made at least once a year and
published in the *Federal Register*. The
prototype costs constitute a limit on
development cost for the construction
and equipment of new public housing
projects, including Indian housing
projects.

The schedules in this Notice represent
the annual update of per unit prototype
cost limits for development of public
housing under 24 CFR Part 841 (see
§ 841.204), and of Indian Housing under
24 CFR Part 805 (see §§ 805.213 and
805.214(b)).

The prototype cost determinations for
the annual update are based on actual
public housing and insured multifamily
project data from HUD field offices and
on construction cost information
published by the private sector of the
housing industry.

Where prototype schedules are
established for special Indian prototype
cost areas in accordance with Section

805.213, the prototype cost limits apply
only for development of Indian Housing
(these special areas are identified by an
asterisk (*) on the schedules).

Section 6(b) of the U.S. Housing Act of
1937 provides that the prototype costs
shall become effective upon the date of
their publication in the *Federal Register*,
and this notice is, therefore, made
effective upon publication. The
prototype costs are determined to be as
set forth below, and have been
developed in accordance with the
following:

1. Prototype cost comprises the cost of
dwelling structures, Account No. 1460,
and dwelling equipment, account No.
1465, as described in HUD Low-Rent
Housing Accounting Handbook 7510.1,
Chapter 3, Section 15, and includes a pro
rata share of the builders' fee and
overhead, insurance, social security,
sales tax, and bonds.

2. Prototype cost does not include the
costs of site acquisitions, site
improvement, nondwelling structures or
spaces (and equipment), planning
(architectural-engineering fees, permit
fees, inspection, and similar costs),
relocation, interest or PHA
administrative costs, all of which are
described in HUD Low-Rent Housing
Accounting Handbook 7510.1, Chapter 3,
Section 15.

3. The determination of prototype cost
includes the following considerations:

(a) For public housing developed
under Part 841, compliance with
applicable HUD Minimum Property
Standards and planning and design
criteria described in HUD Public
Housing Development Handbook 7417.1.
Development of Indian Housing under
Part 805 shall take into account
compliance with applicable HUD
Minimum Property Standards but shall
not be controlled by such standards (See
§ 805.212(a)).

(b) Under Section 6(b) of the Act, the
additional cost required to provide:

(1) The extra durability required for
safety and security and economical
maintenance of such housing;

(2) Amenities designed to guarantee a
safe and healthy family life and
neighborhood environment;

(3) The application of good design as
an essential component of such housing,
for safety and security as well as other
purposes;

(4) The maintenance of quality in
architecture to reflect the standards of
the neighborhood and community;

(5) Maximization of energy
conservation for heating, lighting, and
other purposes; and

(6) With respect to remote areas such
as may be found in connection with
projects developed under the Indian

housing program, the extensive
transportation of necessary labor,
materials, and equipment to the project
site and any additional conditions that
the Secretary has taken into
consideration under clauses (1) through
(5) for such projects.

(c) The effectiveness of existing cost
limits in the area, and

(d) The advice and recommendations
of local housing producers.

Timely written comments will be
considered, and additional amendments
will be published, if the Department
determines that acceptance of the
comments is appropriate. Comments
with respect to cost limits for a given
location should be sent to the local HUD
office having jurisdiction for that
location. A list of these offices follows:

Region I

Connecticut: Dept. of HUD, One
Hartford Square West, Hartford, CT
06106.

Massachusetts: Dept. of HUD,
Bulfinch Bldg., 15 New Chardon Street,
Boston, MA 02114.

New Hampshire: Dept. of HUD,
Norris-Cotton Federal Bldg., 275
Chestnut Street, Manchester, NH 03103.

Rhode Island: Dept. of HUD, Room
330, John O. Pastore Federal Bldg. and
U.S. Post Office, Providence, RI 02903.

Region II

New Jersey: Dept. of HUD, Gateway
Bldg. No. 1 Raymond Plaza, Newark, NJ
07102.

New York: Dept. of HUD, 26 Federal
Plaza, New York, NY 10278, Dept. of
HUD, Statler Bldg., 107 Delaware
Avenue., Buffalo, NY 14202.

Caribbean: Dept. of HUD, Federico
Degetau Federal Bldg., U.S. Courthouse,
Room 428, Carlos E. Chardon Avenue,
Hato Rey, PR 00918.

Region III

District of Columbia: Dept. of HUD,
Universal North Bldg., 1875 Connecticut
Avenue NW., Washington, D.C. 20009.

Maryland: Dept. of HUD, Equitable
Bldg., 10 North Calvert Street, Baltimore,
MD 21202.

Pennsylvania: Dept. of HUD, 625
Walnut Street, Philadelphia, PA 19106,
Dept. of HUD, 445 Fort Pitt Blvd.,
Pittsburgh, PA 15219.

Virginia: Dept. of HUD, 701 East
Franklin Street, Richmond, VA 23219.

West Virginia: Dept. of HUD,
Kanawaha Valley Bldg., Capitol and Lee
Streets, Charleston, WV 25301.

Region IV

Alabama: Dept. of HUD, Daniel Bldg., 15 South 20th Street, Birmingham, AL 35233.

Florida: Dept. of HUD, 325 West Adams Street, Jacksonville, FL 32202.

Georgia: Dept. of HUD, 75 Spring Street SW., Atlanta, GA 30303.

Kentucky: Dept. of HUD, 539 River City Mall, P.O. Box 1044, Louisville, KY 40202

Mississippi: Dept. of HUD, 100 W. Capital Street, Jackson, MS 39201.

North Carolina: Dept. of HUD, 415 North Edgeworth Street, Greensboro, NC 27401.

South Carolina: Dept. of HUD, 1835-45 Assembly Street, Columbia, SC 29201.

Tennessee: Dept. of HUD, 1 Commerce Place, Suite 1600, Nashville, TN 37239, Dept. of HUD, 1111 Northshore Drive, Knoxville, TN 37919.

Region V

Illinois: Dept. of HUD, One North Dearborn Street, Chicago, IL 60602.

Indiana: Dept. of HUD, P.O. Box 7047, 151 North Delaware Street, Indianapolis, IN 46207.

Michigan: Dept. of HUD, 477 Michigan Ave., Detroit, MI 48226, Dept. of HUD, 2922 Fuller Avenue NE., Grand Rapids, MI 49505.

Minnesota: Dept. of HUD, 220 South Second Street, Minneapolis, MN 55401.

Ohio: Dept. of HUD, 200 North High Street, Columbus, OH 43215, Dept. of HUD, 777 Rockwell Avenue, Cleveland, OH 44114.

Wisconsin: Dept. of HUD, 744 North Fourth Street, Milwaukee, WI 53203.

Region VI

Arkansas: Dept. of HUD, 300 West Capitol, Suite 700, Little Rock, AR 72201.

Louisiana: Dept. of HUD, 1001 Howard, New Orleans, LA 70113.

Oklahoma: Dept. of HUD, 200 N.W. 5th Street, Oklahoma City, OK 73102.

Texas: Dept. of HUD, 1403 Slocum, P.O. Box 20050, Dallas, TX 75207, Dept. of HUD, 800 Dolorosa, P.O. Box 9163, San Antonio, TX 78285.

Region VII

Iowa: Dept. of HUD, 210 Walnut Street, Des Moines, IA 50309.

Missouri: Dept. of HUD, 1103 Grand Ave., Kansas City, MO 64106, Dept. of HUD, 210 North Tucker Blvd., St. Louis, MO 63101.

Nebraska: Dept. of HUD, 7100 West Center Road, Omaha, NE 68106.

Region VIII

Colorado: Dept. of HUD, 1405 Curtis Street, Denver, CO 80202.

Region IX

California: Dept. of HUD, 2500 Wilshire Boulevard, Los Angeles, CA 90057, Dept. of HUD, 545 Downtown Plaza, P.O. Box 1978, Suite 250, Sacramento, CA 95809, Dept. of HUD, One Embarcadero Center, Suite 1600, San Francisco, CA 94111.

Hawaii: Dept. of HUD, 300 Ala Moana Boulevard, Suite 3318, Honolulu, HI 96850.

Region X

Alaska: Dept. of HUD, 710 C Street, Module G, Anchorage, AK 99501.

Oregon: Dept. of HUD, 520 SW Sixth Avenue, Portland, OR 97204.

Washington: Dept. of HUD, 403 Arcade Plaza Building, 1321 Second Ave., Seattle, WA 98101.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50 which implement section 102(2)(C) of the National Environmental Policy Act of

1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10278, HUD, 451 7th Street, S.W., Washington, D.C. 20410.

(The Catalog of Federal Domestic Assistance program numbers are: 14.146, Low Income Housing-Assistance Program (public housing), and 14.147, Low-Income Housing-Homeownership for Low-Income Families (Turnkey III, Mutual Help for Indians))

List of Subjects**24 CFR Part 805**

Indians, Loan programs—Indians, Low income housing, Public housing, Homeownership.

24 CFR Part 841

Loan programs—housing and community development, Public housing, Prototype costs, Cooperative agreements, Turnkey.

Accordingly, the prototype per unit cost schedules for all prototype cost areas, issued under 24 CFR Part 841, Prototype Cost Limits for Low-Income Public Housing, including Indian Housing, are hereby established as shown on the tables set forth below entitled "Prototype Per Unit Cost Schedule—Regions I through X."

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d); Sec. 6(b), U.S. Housing Act of 1937, 42 U.S.C. 1437d(b))

Dated: November 29, 1982.

Philip Abrams,

Assistant Secretary for Housing—Federal Housing Commissioner.

Note.—The Prototype Per Unit Cost Schedule will not be shown in the Code of Federal Regulations.

BILLING CODE 4210-27-M

PROTOTYPE PER UNIT COST SCHEDULE
NUMBER OF BEDROOMS

	0	1	2	3	4	5	6
CONNECTICUT							
REGION I							
HARTFORD							
DETACHED AND SEMIDETACHED	26,500	31,650	34,800	41,750	50,250	55,900	58,500
ROW DWELLINGS	24,200	28,800	32,250	38,250	45,950	51,200	53,650
WALKUP	22,150	27,400	30,900	36,900	42,500	46,800	49,050
ELEVATOR-STRUCTURE	29,900	34,700	44,050				
NEW MILFORD							
DETACHED AND SEMIDETACHED	25,350	30,400	33,550	40,150	48,300	53,750	56,300
ROW DWELLINGS	23,150	27,650	30,700	36,600	44,000	49,050	51,100
WALKUP	21,200	26,150	29,650	35,200	40,400	44,850	46,900
ELEVATOR-STRUCTURE	29,650	34,300	43,550				
NEW HAVEN							
DETACHED AND SEMIDETACHED	25,450	30,500	33,600	40,300	48,650	54,050	56,500
ROW DWELLINGS	23,050	27,650	30,700	36,600	44,000	49,050	51,200
WALKUP	21,200	26,150	29,500	35,350	40,700	44,850	46,900
ELEVATOR-STRUCTURE	29,650	34,300	43,550				
PRIDGEPORT							
DETACHED AND SEMIDETACHED	25,850	30,950	34,250	40,950	49,300	54,750	57,350
ROW DWELLINGS	23,150	27,650	30,700	36,600	44,000	49,050	51,100
WALKUP	21,150	26,000	29,600	34,950	40,500	44,700	46,750
ELEVATOR-STRUCTURE	30,250	35,050	44,500				
NEW LONDON							
DETACHED AND SEMIDETACHED	25,850	31,050	34,250	40,800	49,550	55,000	57,400
ROW DWELLINGS	23,450	28,200	31,450	37,550	45,050	50,300	52,600
WALKUP	22,100	26,100	29,600	35,200	40,650	44,900	47,100
ELEVATOR-STRUCTURE	30,250	35,000	44,500				
MIDDLETOWN							
DETACHED AND SEMIDETACHED	25,850	31,050	34,250	40,800	49,550	55,000	57,400
ROW DWELLINGS	23,450	28,200	31,450	37,550	45,050	50,300	52,600
WALKUP	22,500	26,650	30,250	35,800	41,500	45,800	48,050
ELEVATOR-STRUCTURE	30,250	35,000	44,500				
RIDGEBFIELD							
DETACHED AND SEMIDETACHED	31,650	37,950	41,900	50,150	60,500	66,950	70,300
ROW DWELLINGS	28,950	34,600	38,600	45,850	55,250	61,700	64,400
WALKUP	26,500	32,800	37,100	44,000	51,000	56,150	59,050
ELEVATOR-STRUCTURE	31,100	36,100	45,750				
ROCKY HILL							
DETACHED AND SEMIDETACHED	25,750	31,000	34,250	40,850	49,250	54,750	57,300
ROW DWELLINGS	23,200	27,800	31,000	36,750	44,150	49,400	51,350
WALKUP	21,300	26,200	29,800	35,400	40,750	44,950	47,050
ELEVATOR-STRUCTURE	30,250	35,050	44,500				
* HARTFORD							
DETACHED AND SEMIDETACHED	29,350	35,100	38,750	46,250	55,850	62,050	65,000
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							

PHOTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION I--CONTINUED

MAINE

BANGOR

DETACHED AND SEMIDETACHED----- 31,850 33,600 40,000 48,200 53,500 55,750
 ROW DWELLINGS----- 26,550 28,550 37,750 45,450 50,450 52,800
 WALKUP----- 21,350 26,400 35,450 41,200 45,300 47,650
 ELEVATOR-STRUCTURE----- 28,800 33,550 42,400 -----

* OLD TOWN

DETACHED AND SEMIDETACHED----- 30,700 32,500 38,700 46,600 51,650 53,900
 ROW DWELLINGS----- 25,650 27,000 35,700 43,000 47,800 50,000
 WALKUP----- 21,900 27,150 36,450 42,400 46,500 49,050
 ELEVATOR-STRUCTURE----- 32,100 37,500 47,350 -----

AUGUSTA

DETACHED AND SEMIDETACHED----- 27,450 32,600 43,350 52,000 57,900 60,400
 ROW DWELLINGS----- 24,600 29,200 39,050 46,850 52,150 54,350
 WALKUP----- 22,050 27,300 36,600 42,600 46,850 49,250
 ELEVATOR-STRUCTURE----- 29,050 33,850 42,650 -----

BRUNSWICK

DETACHED AND SEMIDETACHED----- 27,300 32,450 42,850 51,650 57,300 60,050
 ROW DWELLINGS----- 24,300 29,000 38,600 46,550 51,500 53,950
 WALKUP----- 21,750 26,800 36,350 42,200 46,150 48,750
 ELEVATOR-STRUCTURE----- 29,350 34,250 43,250 -----

* CALAIS

DETACHED AND SEMIDETACHED----- 25,150 33,100 39,450 47,600 53,000 55,450
 ROW DWELLINGS----- 22,550 30,550 36,600 44,000 48,700 51,000
 WALKUP----- 22,200 27,350 36,950 42,800 46,850 49,600
 ELEVATOR-STRUCTURE----- 35,250 41,000 51,650 -----

LEWISTON

DETACHED AND SEMIDETACHED----- 27,300 32,450 42,850 51,650 57,300 60,050
 ROW DWELLINGS----- 24,300 29,000 38,600 46,550 51,500 53,950
 WALKUP----- 21,750 26,800 36,350 42,200 46,150 48,750
 ELEVATOR-STRUCTURE----- 28,200 32,900 41,500 -----

PORTLAND

DETACHED AND SEMIDETACHED----- 27,300 32,450 42,850 51,650 57,300 60,050
 ROW DWELLINGS----- 24,300 29,000 38,600 46,550 51,500 53,950
 WALKUP----- 21,750 26,800 36,350 42,200 46,150 48,750
 ELEVATOR-STRUCTURE----- 28,200 32,900 41,500 -----

WATERVILLE

DETACHED AND SEMIDETACHED----- 31,350 34,650 41,550 50,050 55,400 57,950
 ROW DWELLINGS----- 26,300 28,200 37,350 45,100 50,050 52,300
 WALKUP----- 21,100 26,200 35,150 40,750 44,750 47,150
 ELEVATOR-STRUCTURE----- 28,400 33,250 41,950 -----

MASSACHUSETTS

PCSTUN

DETACHED AND SEMIDETACHED----- 32,200 35,650 42,700 51,350 57,050 59,750
 ROW DWELLINGS----- 27,150 29,450 40,250 48,550 53,950 56,350
 WALKUP----- 26,250 31,350 41,400 49,950 55,400 58,100
 ELEVATOR-STRUCTURE----- 37,300 43,350 54,900 -----

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

		0	1	2	3	4	5	6
REGION I--CONTINUED								
MASSACHUSETTS--CONTINUED								
WORCESTER								
DETACHED AND SEMIDETACHED		25,900	30,850	34,250	40,800	49,300	54,700	57,350
ROW DWELLINGS		24,450	29,200	32,500	38,600	46,600	51,800	54,100
WALKUP		24,950	30,050	33,400	39,500	47,700	53,000	55,550
ELEVATOR-STRUCTURE		36,250	42,450	53,050				
FALL RIVER								
DETACHED AND SEMIDETACHED		26,300	31,450	34,900	41,600	50,100	55,750	58,250
ROW DWELLINGS		24,900	29,550	33,100	39,400	47,300	52,700	55,150
WALKUP		25,600	30,200	33,950	40,400	48,850	54,350	56,650
ELEVATOR-STRUCTURE		34,850	40,550	51,350				
NEW HAMPSHIRE								
MANCHESTER								
DETACHED AND SEMIDETACHED		24,200	30,100	33,250	39,850	47,750	53,200	55,900
ROW DWELLINGS		22,950	27,750	30,750	36,450	43,850	48,950	51,100
WALKUP		20,100	24,950	28,400	33,550	38,850	42,550	44,900
ELEVATOR-STRUCTURE		29,600	34,500	43,500				
CONCORD								
DETACHED AND SEMIDETACHED		26,100	32,350	35,750	42,650	51,200	57,950	59,900
ROW DWELLINGS		24,500	29,500	32,600	38,900	47,050	52,250	54,500
WALKUP		21,000	26,050	29,500	34,950	40,500	44,450	46,650
ELEVATOR-STRUCTURE		29,500	34,500	43,450				
DOVER								
DETACHED AND SEMIDETACHED		23,750	29,250	32,450	38,750	46,450	51,800	54,400
ROW DWELLINGS		22,250	26,750	29,750	35,300	42,450	47,250	49,350
WALKUP		19,350	23,950	27,350	32,400	40,450	45,050	46,400
ELEVATOR-STRUCTURE		30,350	35,150	44,500				
KEENE								
DETACHED AND SEMIDETACHED		24,900	30,900	34,050	40,800	48,900	54,600	57,200
ROW DWELLINGS		23,500	28,300	31,450	37,350	45,000	50,350	52,300
WALKUP		20,600	25,450	28,900	34,450	39,850	43,600	45,800
ELEVATOR-STRUCTURE		27,050	32,700	41,300				
NASHUA								
DETACHED AND SEMIDETACHED		24,200	30,100	33,250	39,850	47,750	53,200	55,900
ROW DWELLINGS		22,950	27,750	30,750	36,450	43,850	48,950	51,100
WALKUP		20,700	25,550	29,200	34,450	39,900	43,950	46,200
ELEVATOR-STRUCTURE		29,750	34,600	43,500				
PORTSMOUTH								
DETACHED AND SEMIDETACHED		25,500	31,450	34,850	41,700	50,150	55,750	58,550
ROW DWELLINGS		24,150	28,900	32,300	38,300	45,900	51,150	53,600
WALKUP		18,900	23,450	26,750	31,650	36,500	40,100	42,100
ELEVATOR-STRUCTURE		30,250	35,100	44,450				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS					
0	1	2	3	4	5

REGION I--CONTINUED

STATE	CITY	0	1	2	3	4	5	6	
RHODE ISLAND	PROVIDENCE								
	DETACHED AND SEMIDETACHED	29,400	35,100	38,600	46,350	55,750	62,050	64,900	
	ROW DWELLINGS	26,250	31,200	34,950	41,450	49,750	55,500	58,150	
	WALKUP	23,200	28,700	32,350	38,650	44,450	48,950	51,350	
	ELEVATOR-STRUCTURE	31,650	36,800	46,700					
VERMONT	BURLINGTON								
	DETACHED AND SEMIDETACHED	24,850	29,750	32,850	39,250	47,250	52,500	55,000	
	ROW DWELLINGS	23,150	27,350	30,550	36,350	43,450	48,600	50,900	
	WALKUP	20,300	24,950	28,550	33,750	39,000	43,050	45,300	
		ELEVATOR-STRUCTURE	29,100	33,850	42,950				
	BENNINGTON								
	DETACHED AND SEMIDETACHED	24,850	29,750	32,850	39,250	47,250	52,500	55,000	
	ROW DWELLINGS	23,150	27,350	30,550	36,350	43,450	48,600	50,900	
	WALKUP	20,300	24,950	28,550	33,750	39,000	43,050	45,300	
		ELEVATOR-STRUCTURE	29,400	34,250	43,450				
	BRATTLEBORO								
	DETACHED AND SEMIDETACHED	24,850	29,750	32,850	39,250	47,250	52,500	55,000	
ROW DWELLINGS	23,150	27,350	30,550	36,350	43,450	48,600	50,900		
WALKUP	20,300	24,950	28,550	33,750	39,000	43,050	45,300		
	ELEVATOR-STRUCTURE	29,400	34,250	43,450					
MONTPELIER									
DETACHED AND SEMIDETACHED	28,400	29,050	32,250	38,400	46,200	51,300	53,750		
ROW DWELLINGS	22,400	26,650	29,600	35,250	42,200	47,150	49,400		
WALKUP	19,700	24,300	27,650	32,800	37,700	41,750	43,800		
	ELEVATOR-STRUCTURE	29,400	34,250	43,450					
RUTLAND									
DETACHED AND SEMIDETACHED	24,550	29,200	32,350	38,850	46,500	51,850	54,200		
ROW DWELLINGS	22,750	27,000	30,000	35,650	42,750	47,650	49,900		
WALKUP	20,000	24,400	27,900	33,200	38,250	42,300	44,550		
	ELEVATOR-STRUCTURE	29,600	34,450	43,500					

REGION II

STATE	CITY	0	1	2	3	4	5	6
NEW JERSEY	CAMDEN							
	DETACHED AND SEMIDETACHED	26,800	32,200	35,700	42,500	51,400	57,050	59,900
	ROW DWELLINGS	22,800	27,200	30,100	36,000	43,000	48,050	50,250
	WALKUP	22,550	27,900	31,800	37,700	43,750	48,000	50,750
	ELEVATOR-STRUCTURE	33,300	38,750	49,150				
ATLANTIC CITY								
DETACHED AND SEMIDETACHED	26,400	31,750	35,100	41,900	50,600	56,050	58,850	
ROW DWELLINGS	22,200	26,550	29,550	35,050	42,000	47,100	48,950	
WALKUP	22,050	27,400	31,250	36,850	42,850	47,150	49,700	
	ELEVATOR-STRUCTURE	31,800	36,950	46,800				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION II--CONTINUED

		0	1	2	3	4	5	6
NEW JERSEY								
--CONTINUED								
BURLINGTON								
	DETACHED AND SEMIDETACHED	26,750	32,050	35,700	42,350	51,150	56,750	59,650
	ROW DWELLINGS	22,600	27,000	30,100	35,600	42,700	47,750	49,750
	WALKUP	22,750	28,000	31,800	37,650	43,600	47,950	50,650
	ELEVATOR-STRUCTURE	33,450	39,050	49,400				
GLOUCESTER								
	DETACHED AND SEMIDETACHED	26,400	31,750	35,100	41,900	50,650	56,200	59,000
	ROW DWELLINGS	22,400	26,700	29,550	35,350	42,200	47,200	49,300
	WALKUP	22,250	27,600	31,250	36,900	42,900	47,300	49,750
	ELEVATOR-STRUCTURE	33,300	38,750	49,150				
TRENTON								
	DETACHED AND SEMIDETACHED	26,900	32,000	35,700	42,450	51,150	56,900	59,650
	ROW DWELLINGS	22,700	26,950	30,100	35,700	42,900	47,800	50,100
	WALKUP	22,800	28,200	31,800	37,900	43,800	48,150	50,700
	ELEVATOR-STRUCTURE	36,750	42,600	54,000				
VINELAND								
	DETACHED AND SEMIDETACHED	26,850	32,150	35,700	42,450	51,300	57,050	59,750
	ROW DWELLINGS	22,600	27,100	30,100	35,800	42,900	47,850	50,100
	WALKUP	22,550	27,950	31,800	37,350	43,350	47,900	50,550
	ELEVATOR-STRUCTURE	34,400	39,950	50,700				
NEWARK								
	DETACHED AND SEMIDETACHED	29,500	34,900	38,900	46,500	55,800	61,900	64,800
	ROW DWELLINGS	26,000	30,900	34,350	40,750	49,150	54,850	57,350
	WALKUP	25,100	31,300	35,600	42,150	48,900	53,700	56,750
	ELEVATOR-STRUCTURE	33,050	38,400	48,500				
ASBURY PARK								
	DETACHED AND SEMIDETACHED	29,500	34,900	38,900	46,500	55,800	61,900	64,800
	ROW DWELLINGS	26,000	30,900	34,350	40,750	49,150	54,850	57,350
	WALKUP	24,650	30,700	34,900	41,300	48,000	52,700	55,500
	ELEVATOR-STRUCTURE	31,600	36,800	46,450				
NORTH BERGEN								
	DETACHED AND SEMIDETACHED	29,500	34,900	38,900	46,500	55,800	61,900	64,800
	ROW DWELLINGS	26,000	30,900	34,350	40,750	49,150	54,850	57,350
	WALKUP	25,800	31,900	36,350	43,100	50,150	55,050	57,850
	ELEVATOR-STRUCTURE	33,100	38,950	48,700				
FREEHOLD								
	DETACHED AND SEMIDETACHED	29,500	34,900	38,900	46,500	55,800	61,900	64,800
	ROW DWELLINGS	26,000	30,900	34,350	40,750	49,150	54,850	57,350
	WALKUP	24,600	30,700	34,850	41,250	47,800	52,650	55,450
	ELEVATOR-STRUCTURE	31,850	37,000	46,700				
NEW YORK								
ALBANY								
	DETACHED AND SEMIDETACHED	24,100	28,800	31,700	37,850	45,850	50,750	53,250
	ROW DWELLINGS	21,050	25,450	28,350	33,700	40,550	45,150	47,300
	WALKUP	20,050	25,000	28,300	33,650	38,900	42,700	45,000
	ELEVATOR-STRUCTURE	27,100	31,300	39,900				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION II--CONTINUED

NEW YORK --CONTINUED

	0	1	2	3	4	5	6
PLATTSBURGH							
DETACHED AND SEMIDETACHED	22,000	27,300	30,300	36,150	43,600	48,350	50,750
ROW DWELLINGS	20,500	24,350	27,050	32,150	38,600	43,050	44,900
WALKUP	19,250	23,600	27,050	31,950	37,100	40,650	42,900
ELEVATOR-STRUCTURE	24,250	30,000	37,900				
SYRACUSE							
DETACHED AND SEMIDETACHED	24,200	29,000	31,900	38,200	46,150	51,250	53,650
ROW DWELLINGS	21,550	25,750	28,550	33,950	40,800	45,650	47,750
WALKUP	20,350	25,100	28,500	33,900	39,300	43,000	45,400
ELEVATOR-STRUCTURE	27,100	31,500	39,900				
POUGHKEEPSIE							
DETACHED AND SEMIDETACHED	25,350	30,250	33,550	40,050	48,350	53,600	56,150
ROW DWELLINGS	24,200	28,550	31,900	37,950	45,650	50,900	53,200
WALKUP	21,600	26,850	30,450	36,200	41,750	45,950	48,350
ELEVATOR-STRUCTURE	27,250	31,650	40,100				
BINGHAMTON							
DETACHED AND SEMIDETACHED	24,050	28,400	31,650	37,800	45,600	50,600	53,050
ROW DWELLINGS	21,800	26,100	28,900	34,400	41,350	46,200	48,200
WALKUP	20,000	24,800	28,200	33,350	38,700	42,350	44,750
ELEVATOR-STRUCTURE	27,200	31,550	39,950				
BUFFALO							
DETACHED AND SEMIDETACHED	24,750	29,550	32,800	39,150	47,150	52,500	54,950
ROW DWELLINGS	21,150	25,150	27,900	33,300	39,950	44,650	46,500
WALKUP	20,000	24,550	27,850	32,900	38,100	41,950	44,150
ELEVATOR-STRUCTURE	28,600	33,500	42,100				
ROCHESTER							
DETACHED AND SEMIDETACHED	24,200	28,900	31,900	38,200	46,150	51,050	53,550
ROW DWELLINGS	20,600	24,600	27,400	32,450	38,900	43,400	45,400
WALKUP	19,300	23,750	27,100	32,000	37,150	40,800	43,050
ELEVATOR-STRUCTURE	27,950	32,650	41,100				
JAMESTOWN							
DETACHED AND SEMIDETACHED	24,050	28,700	31,850	38,100	45,850	50,950	53,450
ROW DWELLINGS	20,450	24,500	27,050	32,150	38,750	43,350	45,100
WALKUP	19,300	23,750	27,100	32,000	37,150	40,800	43,050
ELEVATOR-STRUCTURE	27,800	32,350	40,950				
ELMIRA							
DETACHED AND SEMIDETACHED	25,700	30,650	34,200	40,800	49,150	54,500	57,200
ROW DWELLINGS	21,850	26,300	29,100	34,500	41,500	46,300	48,300
WALKUP	20,750	25,500	28,900	34,350	39,650	43,750	46,050
ELEVATOR-STRUCTURE	29,800	34,700	43,800				
NEW YORK CITY (INNER)							
DETACHED AND SEMIDETACHED	30,850	37,100	41,050	49,000	59,000	65,600	68,750
ROW DWELLINGS	29,650	35,350	39,250	46,650	55,950	62,400	65,400
WALKUP	31,950	39,750	45,000	53,300	61,800	67,850	71,550
ELEVATOR-STRUCTURE	42,600	46,000	52,300	62,750	72,700	77,400	

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION II--CONTINUED

	0	1	2	3	4	5	6
NEW YORK							
--CONTINUED							
NEW YORK CITY (METRO)							
DETACHED AND SEMIDETACHED	26,300	30,150	34,150	40,500	46,850	49,200	51,650
ROW DWELLINGS	24,950	28,500	32,400	38,350	44,400	46,600	48,950
WALKUP	27,150	31,100	35,350	41,800	48,400	50,800	53,350
ELEVATOR-STRUCTURE	41,700	45,050	51,250	61,950	71,250	75,800	-----
NASSAU COUNTY							
DETACHED AND SEMIDETACHED	26,300	30,150	34,150	40,500	46,850	49,200	51,650
ROW DWELLINGS	24,950	28,500	32,400	38,350	44,400	46,600	48,950
WALKUP	27,150	31,100	35,350	41,800	48,400	50,800	53,350
ELEVATOR-STRUCTURE	35,350	40,500	46,050	55,300	64,050	68,200	-----
SUFFOLK COUNTY							
DETACHED AND SEMIDETACHED	23,600	26,100	29,000	34,550	41,600	43,750	45,900
ROW DWELLINGS	22,650	24,900	27,650	32,950	39,450	41,400	43,450
WALKUP	24,300	27,750	31,650	37,350	43,200	47,600	50,100
ELEVATOR-STRUCTURE	32,900	37,800	42,950	51,450	59,700	63,550	-----
WESTCHESTER COUNTY							
DETACHED AND SEMIDETACHED	24,800	27,450	30,400	36,450	43,000	45,150	47,450
ROW DWELLINGS	23,750	26,150	29,050	34,650	41,500	43,600	45,800
WALKUP	25,650	29,500	33,400	39,550	45,900	48,150	50,550
ELEVATOR-STRUCTURE	35,050	42,600	45,600	54,550	63,250	-----	-----
ORANGE COUNTY							
DETACHED AND SEMIDETACHED	21,600	24,600	27,300	32,600	39,250	41,250	43,300
ROW DWELLINGS	20,750	23,450	26,100	30,800	37,250	39,050	41,050
WALKUP	23,200	27,450	31,200	36,900	42,700	47,050	49,550
ELEVATOR-STRUCTURE	31,900	36,800	41,750	50,150	58,300	62,050	-----
ROCKLAND COUNTY							
DETACHED AND SEMIDETACHED	23,050	25,500	28,350	33,850	40,750	42,800	44,950
ROW DWELLINGS	22,100	24,400	27,150	32,150	38,650	40,550	42,600
WALKUP	23,750	27,250	30,900	36,600	42,450	46,600	49,100
ELEVATOR-STRUCTURE	33,800	36,150	41,050	49,300	57,150	60,800	-----
PUERTO RICO							
SAN JUAN							
DETACHED AND SEMIDETACHED	20,150	24,050	26,700	31,850	38,400	42,550	44,750
ROW DWELLINGS	19,900	23,800	26,500	31,150	37,700	41,850	43,900
WALKUP	16,800	20,850	23,650	28,150	32,500	35,800	37,700
ELEVATOR-STRUCTURE	19,050	22,350	28,150	31,350	34,350	-----	-----
OLD SAN JUAN							
DETACHED AND SEMIDETACHED	24,050	28,900	31,900	38,150	46,050	51,050	53,600
ROW DWELLINGS	23,850	28,550	31,800	37,550	45,300	50,300	52,750
WALKUP	20,250	24,950	28,350	33,750	38,950	42,950	45,300
ELEVATOR-STRUCTURE	22,800	26,700	33,800	37,650	41,250	-----	-----
PONCE							
DETACHED AND SEMIDETACHED	20,200	24,200	26,750	32,000	38,450	42,650	44,800
ROW DWELLINGS	20,000	23,950	26,600	31,200	37,800	41,950	44,000
WALKUP	17,000	20,900	23,750	28,150	32,650	35,850	37,750
ELEVATOR-STRUCTURE	19,200	22,400	28,300	31,450	34,450	-----	-----

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION II--CONTINUED

PUERTO RICO
--CONTINUED

PAYAGUEZ

DETACHED AND SEMIDETACHED	20,200	24,200	26,750	32,000	38,450	42,650	44,600
ROW DWELLINGS	20,000	23,950	26,600	31,200	37,800	41,950	44,000
WALKUP	17,000	20,900	23,750	28,150	32,650	35,850	37,750
ELEVATOR-STRUCTURE	19,200	22,400	28,300	31,450	34,450		
ARECIBO							
DETACHED AND SEMIDETACHED	20,200	24,200	26,750	32,000	38,450	42,650	44,600
ROW DWELLINGS	20,000	23,950	26,600	31,200	37,800	41,950	44,000
WALKUP	17,000	20,900	23,750	28,150	32,650	35,850	37,750
ELEVATOR-STRUCTURE	19,200	22,400	28,300	31,450	34,450		

VIRGIN ISLANDS

ST. THOMAS

DETACHED AND SEMIDETACHED	24,600	29,500	32,650	39,050	47,000	52,200	54,750
ROW DWELLINGS	24,400	29,050	32,250	38,400	46,100	51,350	53,850
WALKUP	20,950	25,700	29,250	34,650	40,250	44,150	46,500
ELEVATOR-STRUCTURE	22,450	26,150	33,250	36,900	40,550		
ST. CROIX							
DETACHED AND SEMIDETACHED	24,000	28,650	31,850	38,150	45,750	50,900	53,250
ROW DWELLINGS	23,850	28,500	31,650	37,550	45,100	50,250	52,600
WALKUP	20,200	24,900	28,250	33,400	38,850	42,600	44,950
ELEVATOR-STRUCTURE	21,900	25,550	32,300	35,950	39,500		

REGION III

DELAWARE

MILPINGTON

DETACHED AND SEMIDETACHED	25,600	30,750	34,050	40,650	48,650	54,500	57,050
ROW DWELLINGS	21,200	25,300	27,900	33,350	40,300	44,700	46,900
WALKUP	19,700	24,100	27,400	32,800	37,950	41,450	43,700
ELEVATOR-STRUCTURE	28,550	33,150	42,300				
DOVER							
DETACHED AND SEMIDETACHED	25,300	30,650	33,800	40,300	48,400	54,050	56,500
ROW DWELLINGS	20,850	24,950	27,700	32,900	39,900	44,200	46,250
WALKUP	19,350	23,850	27,200	32,250	37,400	41,000	43,150
ELEVATOR-STRUCTURE	28,450	33,050	42,000				

WASHINGTON, D.C.

WASHINGTON, D.C.

DETACHED AND SEMIDETACHED	26,000	31,150	34,400	41,100	49,500	55,200	57,600
ROW DWELLINGS	22,650	27,150	30,000	35,750	43,100	48,050	50,100
WALKUP	20,550	25,200	29,000	34,050	39,550	43,650	45,800
ELEVATOR-STRUCTURE	30,200	34,850	44,250				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION III--CONTINUED

MARYLAND

	0	1	2	3	4	5	6
BALTIMORE							
DETACHED AND SEMIDETACHED	23,850	28,650	31,750	37,850	45,450	50,950	53,100
ROW DWELLINGS	19,200	23,200	25,550	30,550	36,650	40,650	42,700
WALKUP	18,150	22,400	25,450	30,150	35,000	38,350	40,450
ELEVATOR-STRUCTURE	27,400	31,800	40,400				
BALTIMORE CITY							
DETACHED AND SEMIDETACHED	25,650	30,850	34,200	40,700	48,850	54,750	57,100
ROW DWELLINGS	20,800	25,100	27,550	33,000	39,600	43,950	46,050
WALKUP	19,550	24,150	27,450	32,600	37,800	41,450	43,700
ELEVATOR-STRUCTURE	29,650	34,450	43,650				
HAGERSTOWN							
DETACHED AND SEMIDETACHED	23,750	28,800	31,550	37,700	45,350	50,600	52,800
ROW DWELLINGS	19,050	22,850	25,350	30,250	36,250	40,300	42,250
WALKUP	18,050	22,300	25,250	30,000	34,800	38,200	40,350
ELEVATOR-STRUCTURE	27,300	31,700	40,150				
SALISBURY							
DETACHED AND SEMIDETACHED	24,150	28,950	32,050	38,250	45,950	51,200	53,600
ROW DWELLINGS	19,550	23,300	25,750	30,800	37,050	41,200	43,050
WALKUP	18,350	22,700	25,700	30,550	35,400	38,750	40,900
ELEVATOR-STRUCTURE	27,750	32,300	40,800				
MALDORF							
DETACHED AND SEMIDETACHED	24,850	29,900	33,100	39,400	47,300	52,950	55,250
ROW DWELLINGS	20,000	24,100	26,550	31,800	38,100	42,400	44,450
WALKUP	18,900	23,400	26,500	31,450	36,500	40,100	42,200
ELEVATOR-STRUCTURE	23,100	26,900	34,100				

PENNSYLVANIA

	0	1	2	3	4	5	6
PHILADELPHIA							
DETACHED AND SEMIDETACHED	27,500	33,300	36,000	43,850	52,550	58,700	61,150
ROW DWELLINGS	23,700	28,550	31,550	37,500	45,150	50,350	52,250
WALKUP	20,900	25,950	29,450	34,800	40,350	44,550	46,700
ELEVATOR-STRUCTURE	32,400	37,600	47,650				
ALLENTOWN							
DETACHED AND SEMIDETACHED	26,100	31,300	34,500	41,350	49,650	55,350	57,900
ROW DWELLINGS	22,100	26,550	29,300	34,950	41,950	46,750	48,750
WALKUP	20,850	25,850	29,400	34,800	40,250	44,350	46,550
ELEVATOR-STRUCTURE	29,300	33,950	42,950				
RELLEFONTE							
DETACHED AND SEMIDETACHED	25,950	31,300	34,700	41,350	49,650	55,400	57,900
ROW DWELLINGS	22,050	26,500	29,350	34,950	41,950	46,850	48,600
WALKUP	20,950	25,950	29,450	34,750	40,350	44,450	46,550
ELEVATOR-STRUCTURE	30,650	35,500	45,250				
MELLSBORO							
DETACHED AND SEMIDETACHED	26,650	31,850	35,400	42,200	50,800	56,350	59,150
ROW DWELLINGS	22,350	26,900	29,750	35,250	42,400	47,400	49,400
WALKUP	21,950	26,400	29,850	35,500	41,050	45,250	47,550
ELEVATOR-STRUCTURE	37,600	43,850	55,250				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION III--CONTINUED

PENNSYLVANIA --CONTINUED

HARRISBURG

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----
 LANCASTER

25,800 31,200 34,450 41,000 49,300 55,000 57,800
 21,900 26,250 29,050 34,500 41,600 46,300 48,250
 20,650 25,600 29,150 34,450 40,050 44,000 46,150
 29,400 34,200 43,300 -----

LANCASTER

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

30,600 30,600 33,650 40,150 48,400 54,000 56,350
 25,700 28,300 33,800 33,800 40,700 45,300 47,150
 25,000 28,500 33,800 -----
 33,600 42,600 -----

YORK

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

30,600 30,600 33,650 40,150 48,400 54,000 56,350
 25,700 28,300 33,800 33,800 40,700 45,300 47,150
 25,000 28,500 33,800 -----
 33,600 42,600 -----

READING

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

30,600 30,600 33,650 40,150 48,400 54,000 56,350
 25,700 28,300 33,800 33,800 40,700 45,300 47,150
 25,000 28,500 33,800 -----
 33,600 42,600 -----

SCRANTON

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

31,050 31,050 34,150 40,750 49,000 54,750 57,200
 26,150 28,800 34,350 34,350 41,350 46,000 47,850
 25,300 28,900 34,500 -----
 33,600 42,600 -----

PITTSBURGH

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

32,150 32,150 35,400 42,200 50,800 56,550 59,100
 26,100 28,800 34,400 34,400 41,250 46,100 47,900
 21,550 24,450 28,950 -----
 35,850 43,600 -----

ALTOONA

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

33,150 33,150 36,750 43,650 52,450 58,450 61,100
 29,050 32,150 38,200 38,200 46,050 51,200 53,600
 28,450 31,550 37,550 -----
 36,300 45,950 -----

ERIE

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

31,850 31,850 35,350 42,100 50,400 56,300 58,750
 28,250 31,050 37,100 37,100 44,550 49,650 51,900
 26,450 30,450 35,850 -----
 35,100 44,300 -----

JOHNSTOWN

DETACHED AND SEMIDETACHED-----
 ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

32,500 32,500 35,950 42,800 51,500 57,400 59,900
 29,050 31,900 37,850 37,850 45,800 49,650 51,900
 26,900 30,850 36,400 -----
 35,500 44,950 -----

DETACHED AND SEMIDETACHED-----

ROW DWELLINGS-----
 WALKUP-----
 ELEVATOR-STRUCTURE-----

31,850 31,850 35,350 42,050 50,450 56,350 58,850
 28,150 31,050 36,900 36,900 44,650 49,550 51,750
 26,600 30,450 35,900 -----
 44,300 -----

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

	0	1	2	3	4	5	6
--	---	---	---	---	---	---	---

REGION III--CONTINUED

VIRGINIA

RICHMOND							
DETACHED AND SEMIDETACHED	19,250	23,200	28,250	34,150	41,150	45,700	47,700
ROW DWELLINGS	16,400	19,850	24,400	29,150	35,150	39,000	40,650
WALKUP	15,050	18,900	23,750	28,050	32,450	35,700	37,650
ELEVATOR-STRUCTURE	30,050	34,850	44,100				
NORFOLK							
DETACHED AND SEMIDETACHED	18,000	21,700	26,600	31,750	38,250	42,600	44,500
ROW DWELLINGS	15,200	18,500	22,800	27,200	32,750	36,350	37,900
WALKUP	13,400	16,600	21,100	24,850	28,700	31,750	33,200
ELEVATOR-STRUCTURE	25,400	29,700	37,450				
VIRGINIA BEACH							
DETACHED AND SEMIDETACHED	17,150	20,650	25,150	30,100	36,150	40,500	42,250
ROW DWELLINGS	14,450	17,450	21,600	25,750	31,050	34,650	36,050
WALKUP	13,400	16,600	21,100	24,850	28,700	31,750	33,200
ELEVATOR-STRUCTURE	25,400	29,700	37,450				
PORTSMOUTH							
DETACHED AND SEMIDETACHED	17,000	20,650	25,150	30,050	36,150	40,400	42,150
ROW DWELLINGS	14,450	17,450	21,550	25,650	31,000	34,600	35,900
WALKUP	13,150	16,350	20,750	24,450	28,250	31,250	32,800
ELEVATOR-STRUCTURE	25,400	29,700	37,450				
CHESAPEAKE							
DETACHED AND SEMIDETACHED	17,150	20,650	25,150	30,100	36,150	40,500	42,250
ROW DWELLINGS	14,450	17,450	21,600	25,750	31,050	34,650	36,050
WALKUP	13,000	16,150	20,600	24,100	27,900	30,800	32,250
ELEVATOR-STRUCTURE	25,400	29,700	37,450				
SUFFOLK							
DETACHED AND SEMIDETACHED	17,150	20,650	25,150	30,100	36,150	40,500	42,250
ROW DWELLINGS	14,450	17,450	21,600	25,750	31,050	34,650	36,050
WALKUP	13,400	16,600	21,100	24,850	28,700	31,750	33,200
ELEVATOR-STRUCTURE	23,250	27,150	34,250				
ROANOKE							
DETACHED AND SEMIDETACHED	17,450	21,050	25,750	30,700	36,900	41,250	43,050
ROW DWELLINGS	14,650	18,000	22,000	26,300	31,650	35,300	36,800
WALKUP	13,400	16,600	21,100	24,850	28,700	31,750	33,200
ELEVATOR-STRUCTURE	23,200	26,850	33,950				
LYNCHBURG							
DETACHED AND SEMIDETACHED	17,150	20,650	25,150	30,100	36,150	40,500	42,250
ROW DWELLINGS	14,450	17,450	21,600	25,750	31,050	34,650	36,050
WALKUP	13,400	16,600	21,100	24,850	28,700	31,750	33,200
ELEVATOR-STRUCTURE	23,200	26,850	33,950				
DANVILLE							
DETACHED AND SEMIDETACHED	17,150	20,650	25,150	30,100	36,150	40,500	42,250
ROW DWELLINGS	14,450	17,450	21,600	25,750	31,050	34,650	36,050
WALKUP	13,500	16,800	21,400	25,100	29,100	32,200	33,800
ELEVATOR-STRUCTURE	23,200	26,850	33,950				

PHOTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

	0	1	2	3	4	5	6
--	---	---	---	---	---	---	---

REGION III--CONTINUED

VIRGINIA --CONTINUED

NEMPOT NEWS	17,200	20,700	25,450	30,400	36,600	40,650	42,400
DETACHED AND SEMIDETACHED	14,500	17,700	21,700	25,950	31,250	34,800	36,250
ROW DWELLINGS	13,700	17,100	21,650	25,600	29,650	32,800	34,400
WALKUP	25,650	29,900	37,650				
ELEVATOR-STRUCTURE							
HAMPTON	17,200	20,700	25,450	30,400	36,600	40,650	42,400
DETACHED AND SEMIDETACHED	14,500	17,700	21,700	25,950	31,250	34,800	36,250
ROW DWELLINGS	13,450	16,750	21,250	25,050	29,050	32,100	33,750
WALKUP	25,650	29,900	37,650				
ELEVATOR-STRUCTURE							
FREDERICKSBURG	17,400	20,850	25,750	30,700	36,900	41,150	43,050
DETACHED AND SEMIDETACHED	14,550	17,900	21,900	26,150	31,600	35,050	36,450
ROW DWELLINGS	13,650	16,750	21,300	25,100	29,250	32,150	33,750
WALKUP	25,400	29,550	37,250				
ELEVATOR-STRUCTURE							
MARRENTON	17,400	20,850	25,750	30,700	36,900	41,150	43,050
DETACHED AND SEMIDETACHED	14,550	17,900	21,900	26,150	31,600	35,050	36,450
ROW DWELLINGS	13,650	16,750	21,300	25,100	29,250	32,150	33,750
WALKUP	25,400	29,550	37,250				
ELEVATOR-STRUCTURE							
MARRISONBURG	17,300	20,800	25,600	30,550	36,800	40,950	42,600
DETACHED AND SEMIDETACHED	14,550	17,750	21,750	26,100	31,350	35,000	36,350
ROW DWELLINGS	13,500	16,800	21,400	25,100	29,250	32,200	33,850
WALKUP	23,450	27,300	34,550				
ELEVATOR-STRUCTURE							
MCRTON	19,800	23,900	29,350	35,250	42,400	47,050	49,100
DETACHED AND SEMIDETACHED	17,250	20,900	25,600	30,650	36,900	41,100	42,900
ROW DWELLINGS	16,250	20,000	25,550	29,900	34,850	38,350	40,150
WALKUP	26,550	30,700	38,950				
ELEVATOR-STRUCTURE							
EASTERN SHORE	17,200	20,700	25,450	30,400	36,600	40,650	42,400
DETACHED AND SEMIDETACHED	14,500	17,700	21,700	25,950	31,250	34,800	36,250
ROW DWELLINGS	13,400	16,600	21,100	24,900	28,750	31,850	33,500
WALKUP	23,450	27,300	34,550				
ELEVATOR-STRUCTURE							
CHARLOTTESVILLE	20,050	24,150	29,800	35,300	42,750	47,600	49,550
DETACHED AND SEMIDETACHED	16,950	20,550	25,300	30,350	36,550	40,600	42,500
ROW DWELLINGS	15,700	19,500	25,850	29,250	33,950	37,450	39,400
WALKUP	27,250	31,650	40,200				
ELEVATOR-STRUCTURE							
WEST VIRGINIA							
CHARLESTON	20,400	24,650	30,600	36,350	43,750	48,950	50,950
DETACHED AND SEMIDETACHED	18,200	21,950	27,050	32,300	38,700	43,100	45,000
ROW DWELLINGS	17,300	21,550	27,450	32,400	37,950	41,450	43,500
WALKUP	29,700	34,400	43,750				
ELEVATOR-STRUCTURE							

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION III--CONTINUED

WEST VIRGINIA --CONTINUED

	0	1	2	3	4	5	6
BLUEFIELD							
DETACHED AND SEMIDETACHED	19,950	24,150	29,650	35,450	42,650	47,650	49,500
ROW DWELLINGS	17,650	21,400	26,300	31,400	37,700	42,150	44,050
WALKUP	16,900	21,000	26,850	31,550	36,500	40,350	42,350
ELEVATOR-STRUCTURE	28,900	33,650	42,600				
HUNTINGTON							
DETACHED AND SEMIDETACHED	20,150	24,300	29,900	35,600	43,100	48,050	50,050
ROW DWELLINGS	17,700	21,500	26,700	31,700	37,950	42,300	44,300
WALKUP	17,150	21,200	26,950	31,950	36,950	40,800	42,750
ELEVATOR-STRUCTURE	24,250	33,950	43,150				
PARKERSBURG							
DETACHED AND SEMIDETACHED	20,550	24,800	30,650	36,550	44,000	49,200	51,250
ROW DWELLINGS	18,300	22,150	27,200	32,550	38,850	43,350	45,250
WALKUP	17,150	21,200	26,950	31,950	36,950	40,800	42,750
ELEVATOR-STRUCTURE	29,250	33,950	43,150				
WHEELING							
DETACHED AND SEMIDETACHED	19,950	24,150	29,650	35,450	42,650	47,650	49,500
ROW DWELLINGS	17,650	21,400	26,300	31,400	37,700	42,150	44,050
WALKUP	16,900	21,000	26,850	31,550	36,500	40,350	42,350
ELEVATOR-STRUCTURE	28,900	33,650	42,600				
MARTINSBURG							
DETACHED AND SEMIDETACHED	18,550	22,550	27,800	33,100	39,750	44,350	46,250
ROW DWELLINGS	16,600	19,950	24,500	29,050	35,250	39,100	41,000
WALKUP	15,500	19,350	24,700	29,000	33,700	37,250	39,150
ELEVATOR-STRUCTURE	28,900	33,650	42,600				
FAIRMONT							
DETACHED AND SEMIDETACHED	20,450	24,650	30,550	36,350	43,750	48,950	50,950
ROW DWELLINGS	18,200	21,950	27,050	32,300	38,700	43,100	45,150
WALKUP	16,750	20,800	26,350	31,250	36,050	39,900	41,900
ELEVATOR-STRUCTURE	26,850	33,650	42,450				
PCINT PLEASANT							
DETACHED AND SEMIDETACHED	19,150	23,200	28,650	34,150	41,050	45,750	47,750
ROW DWELLINGS	16,950	20,600	25,400	30,200	36,250	40,400	42,350
WALKUP	16,350	20,350	25,900	30,350	35,250	38,900	40,800
ELEVATOR-STRUCTURE	29,200	33,800	42,950				

REGION IV

ALABAMA

	0	1	2	3	4	5	6
BIRMINGHAM							
DETACHED AND SEMIDETACHED	17,450	21,300	26,150	31,400	37,850	41,950	43,900
ROW DWELLINGS	15,650	18,650	23,100	27,500	33,150	36,850	38,650
WALKUP	13,750	16,950	21,450	25,300	29,400	32,550	34,050
ELEVATOR-STRUCTURE	25,500	29,900	37,550				

PROTOTYPE PER UNIT COST SCHEDULE		NUMBER OF BEDROOMS							
		0	1	2	3	4	5	6	
ALABAMA		REGION IV--CONTINUED							
--CONTINUED									
DOTHAN									
DETACHED AND SEMIDETACHED	16,700	20,300	25,000	30,100	36,050	39,950	42,000		
ROW DWELLINGS	15,300	18,500	22,750	27,000	32,650	36,300	38,050		
WALKUP	12,950	16,250	20,550	24,350	28,200	31,000	32,700		
ELEVATOR-STRUCTURE	24,800	28,950	36,450						
FLORENCE									
DETACHED AND SEMIDETACHED	16,950	20,500	25,050	30,350	36,350	40,400	42,250		
ROW DWELLINGS	15,200	18,350	22,600	27,250	32,700	36,250	37,950		
WALKUP	13,000	16,300	20,600	24,500	28,400	31,150	32,800		
ELEVATOR-STRUCTURE	25,250	29,650	37,300						
HUNTSVILLE									
DETACHED AND SEMIDETACHED	16,500	20,050	24,800	29,450	35,600	39,600	41,600		
ROW DWELLINGS	14,850	17,700	22,000	26,150	31,550	35,150	36,750		
WALKUP	12,900	16,100	20,350	23,950	27,800	30,650	32,150		
ELEVATOR-STRUCTURE	24,800	28,950	36,600						
MOBILE									
DETACHED AND SEMIDETACHED	18,350	22,200	27,400	32,700	39,400	43,800	45,750		
ROW DWELLINGS	16,150	19,700	24,200	28,750	34,600	40,300	40,300		
WALKUP	13,800	17,200	21,800	25,750	30,000	33,100	34,850		
ELEVATOR-STRUCTURE	26,150	30,400	38,250						
MONTGOMERY									
DETACHED AND SEMIDETACHED	16,650	20,200	24,900	30,050	36,000	39,900	41,900		
ROW DWELLINGS	14,850	17,900	22,050	26,150	31,650	35,150	36,850		
WALKUP	12,950	16,200	20,500	24,250	28,150	30,800	32,550		
ELEVATOR-STRUCTURE	25,050	29,350	36,800						
TUSCALOOSA									
DETACHED AND SEMIDETACHED	16,500	20,050	24,800	29,450	35,600	39,600	41,600		
ROW DWELLINGS	14,750	17,600	21,900	26,000	31,400	34,950	36,550		
WALKUP	12,900	16,100	20,350	23,950	27,800	30,650	32,150		
ELEVATOR-STRUCTURE	24,800	28,950	36,600						
FLORIDA									
JACKSONVILLE									
DETACHED AND SEMIDETACHED	15,100	18,750	24,000	28,150	32,800	35,650	37,400		
ROW DWELLINGS	14,450	17,850	22,850	26,850	31,150	34,100	35,750		
WALKUP	14,550	18,050	23,150	27,200	31,650	34,700	36,400		
ELEVATOR-STRUCTURE	24,550	28,400	36,200						
PENSACOLA									
DETACHED AND SEMIDETACHED	15,100	18,650	23,750	27,750	32,450	35,450	37,200		
ROW DWELLINGS	14,400	17,750	22,550	26,450	30,900	33,750	35,550		
WALKUP	14,550	18,000	22,900	26,850	31,400	34,350	36,050		
ELEVATOR-STRUCTURE	23,450	28,400	34,500						
MIAMI									
DETACHED AND SEMIDETACHED	18,300	21,900	26,950	32,300	38,900	43,250	45,250		
ROW DWELLINGS	15,750	19,000	23,550	28,050	33,600	37,350	39,300		
WALKUP	15,000	18,950	24,000	28,550	33,000	36,400	38,250		
ELEVATOR-STRUCTURE	27,000	31,400	39,750						

PROTOTYPE PER UNIT COST SCHEDULE
 NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IV--CONTINUED

---CONTINUED

	0	1	2	3	4	5	6
FLORIDA							
*BIG CYPRESS							
DETACHED AND SEMIDETACHED	19,900	23,750	29,000	35,450	42,250	46,450	48,900
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
*BRIGHTON							
DETACHED AND SEMIDETACHED	19,900	23,750	29,000	35,450	42,250	46,450	48,900
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
KEY WEST							
DETACHED AND SEMIDETACHED	18,300	21,900	26,950	32,300	38,900	43,250	45,250
ROW DWELLINGS	15,750	19,000	23,550	28,050	33,600	37,350	39,300
WALKUP	15,000	18,950	24,000	28,550	33,000	36,400	38,250
ELEVATOR-STRUCTURE	27,000	31,400	39,750				
TAMPA							
DETACHED AND SEMIDETACHED	17,400	20,900	26,050	31,100	37,200	41,550	43,400
ROW DWELLINGS	15,600	18,750	23,300	27,800	33,500	37,300	39,050
WALKUP	13,450	17,550	22,250	26,450	30,750	33,750	35,400
ELEVATOR-STRUCTURE	26,750	31,100	39,400				
ORLANDO							
DETACHED AND SEMIDETACHED	17,000	20,250	25,050	30,000	35,950	40,150	41,950
ROW DWELLINGS	15,250	18,350	22,650	27,050	32,400	36,150	37,800
WALKUP	15,000	18,750	23,700	28,200	32,650	36,050	37,700
ELEVATOR-STRUCTURE	27,800	32,150	40,450				

GEORGIA

ATLANTA							
DETACHED AND SEMIDETACHED	16,000	19,400	23,750	28,400	34,100	37,850	39,600
ROW DWELLINGS	15,500	18,700	23,200	27,500	33,150	36,850	38,550
WALKUP	15,000	18,500	23,600	27,750	32,300	35,350	37,300
ELEVATOR-STRUCTURE	24,000	27,800	35,350				
ALBANY							
DETACHED AND SEMIDETACHED	15,950	19,250	23,600	28,100	33,700	37,500	39,300
ROW DWELLINGS	15,450	18,650	22,950	27,300	32,800	36,650	38,300
WALKUP	14,850	18,400	23,350	27,450	32,100	35,100	37,050
ELEVATOR-STRUCTURE	23,800	27,700	34,950				
AUGUSTA							
DETACHED AND SEMIDETACHED	16,400	19,650	24,400	29,100	35,000	38,750	40,600
ROW DWELLINGS	16,100	19,250	23,650	28,450	34,200	37,800	39,650
WALKUP	15,050	18,500	23,600	27,900	32,300	35,750	37,350
ELEVATOR-STRUCTURE	22,350	25,900	32,850				
BRUNSWICK							
DETACHED AND SEMIDETACHED	15,000	18,050	22,200	26,550	31,900	35,500	37,000
ROW DWELLINGS	14,450	17,500	21,650	25,700	30,950	34,450	36,150
WALKUP	13,650	16,950	21,450	25,350	29,450	32,350	34,000
ELEVATOR-STRUCTURE	23,800	27,700	34,950				

PHOTOPYE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION IV--CONTINUED

GEORGIA

---CONTINUED

COLUMBUS

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

15,500
15,400
14,750
23,700

18,700
18,500
18,100
27,500

23,250
22,750
23,150
34,800

27,850
27,150
27,200

33,500
32,600
31,600

37,000
36,200
34,900

38,900
37,800
36,450

Macon

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

15,850
15,500
14,350
23,700

18,850
18,650
17,650
27,500

23,600
22,850
22,450
34,800

28,050
27,300
26,500

33,900
32,900
30,700

37,400
36,550
33,950

39,200
38,250
35,400

ROME

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

15,050
14,750
13,850
23,350

18,100
17,750
17,050
27,200

22,500
21,900
21,850
34,450

26,900
26,150
25,650

32,250
31,250
29,650

35,750
34,800
32,750

37,450
36,400
34,450

SAVANNAH

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

15,000
14,450
13,650
23,800

18,050
17,500
16,950
27,700

22,200
21,650
21,450
34,950

26,550
25,700
25,350

31,900
30,950
29,450

35,500
34,450
32,350

37,000
36,150
34,000

VALDOSTA

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

15,450
15,200
14,600
23,350

18,600
18,300
17,900
27,900

23,150
22,600
22,900
34,450

27,700
26,900
27,000

33,250
32,200
31,200

36,850
35,800
34,450

38,550
37,500
36,000

KENTUCKY

LOUISVILLE

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

18,050
17,750
17,500
31,150

21,550
21,200
20,850
36,300

26,600
26,200
25,800
45,950

31,900
31,450
30,950

38,400
37,800
37,350

42,550
41,950
41,350

44,650
44,000
43,400

ASHLAND

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

18,600
18,250
18,000
32,100

22,200
21,850
21,550
37,550

27,450
26,900
26,600
47,450

32,850
32,400
31,900

39,600
38,900
38,450

43,800
43,200
42,550

46,000
45,350
44,650

COVINGTON

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

18,600
18,250
18,000
32,900

22,200
21,850
21,550
38,450

27,450
26,900
26,600
48,300

32,850
32,400
31,900

39,600
38,900
38,450

43,800
43,200
42,550

46,000
45,350
44,650

MIDDLESBURG

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

20,650
20,400
20,100
31,150

24,750
24,400
24,000
36,300

30,600
30,100
29,700
45,950

36,700
36,200
35,650

44,150
43,500
42,900

48,900
48,250
47,550

51,350
50,650
49,900

PHOTOPYE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IV--CONTINUED

KENTUCKY

--CONTINUED

	0	1	2	3	4	5	6
OWENSBORO							
DETACHED AND SEMIDETACHED	18,950	21,550	26,600	31,900	38,400	42,550	44,650
ROW DWELLINGS	17,750	21,200	26,200	31,450	37,800	41,950	44,000
WALKUP	17,500	20,800	25,800	30,950	37,350	41,350	43,400
ELEVATOR-STRUCTURE	31,500	36,650	46,350				
PADUCAH							
DETACHED AND SEMIDETACHED	18,200	21,750	26,900	32,150	38,750	42,950	45,150
ROW DWELLINGS	17,900	21,450	26,400	31,750	38,200	42,350	44,450
WALKUP	17,650	21,100	26,100	31,300	37,700	41,800	43,850
ELEVATOR-STRUCTURE	29,500	34,550	43,550				

MISSISSIPPI

JACKSON

DETACHED AND SEMIDETACHED	15,800	19,150	23,600	28,200	34,000	37,700	39,450
ROW DWELLINGS	15,000	18,050	22,150	26,500	31,850	35,200	37,100
WALKUP	12,800	15,950	20,500	24,150	27,900	30,750	32,250
ELEVATOR-STRUCTURE	23,800	27,550	34,900				
CORINTH							
DETACHED AND SEMIDETACHED	16,100	19,550	24,100	28,800	34,750	38,550	40,300
ROW DWELLINGS	14,650	17,850	22,150	26,250	31,800	35,150	36,850
WALKUP	13,350	16,500	21,050	24,800	28,900	31,600	33,200
ELEVATOR-STRUCTURE	24,300	28,100	35,450				
GREENVILLE							
DETACHED AND SEMIDETACHED	15,800	19,150	23,600	28,200	34,000	37,700	39,450
ROW DWELLINGS	15,000	18,050	22,150	26,500	31,850	35,200	37,100
WALKUP	12,800	15,950	20,500	24,150	27,900	30,750	32,250
ELEVATOR-STRUCTURE	23,550	27,450	34,800				
GREENWOOD							
DETACHED AND SEMIDETACHED	15,800	19,150	23,600	28,200	34,000	37,700	39,450
ROW DWELLINGS	15,000	18,050	22,150	26,500	31,850	35,200	37,100
WALKUP	13,350	16,700	21,150	24,950	28,950	31,850	33,450
ELEVATOR-STRUCTURE	23,800	27,550	34,900				
GULFPORT							
DETACHED AND SEMIDETACHED	15,850	19,250	23,650	28,250	34,050	37,750	39,650
ROW DWELLINGS	15,050	18,100	22,350	26,550	31,900	35,350	37,150
WALKUP	12,600	15,850	20,050	23,500	27,350	30,050	31,400
ELEVATOR-STRUCTURE	24,000	28,000	35,350				
MATTIESBURG							
DETACHED AND SEMIDETACHED	15,800	19,150	23,600	28,200	34,000	37,700	39,450
ROW DWELLINGS	15,000	18,050	22,150	26,500	31,850	35,200	37,100
WALKUP	12,800	15,950	20,500	24,150	27,900	30,750	32,250
ELEVATOR-STRUCTURE	23,800	27,550	34,900				
SOUTHAVEN							
DETACHED AND SEMIDETACHED	15,650	18,750	23,350	27,650	33,400	37,000	38,900
ROW DWELLINGS	14,700	17,800	21,950	26,000	31,350	34,800	36,450
WALKUP	13,550	16,900	21,550	25,250	29,350	32,500	33,950
ELEVATOR-STRUCTURE	23,250	27,200	34,400				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IV--CONTINUEC

	0	1	2	3	4	5	6
NORTH CAROLINA							
GREENSHORE							
DETACHED AND SEMIDETACHED	16,200	19,350	23,550	28,150	33,550	37,250	38,900
ROW DWELLINGS	15,700	18,400	22,850	26,900	32,300	35,900	37,550
WALKUP	15,150	18,350	23,200	27,300	31,650	34,600	36,400
ELEVATOR-STRUCTURE	24,300	28,300	35,850				
ASHEVILLE							
DETACHED AND SEMIDETACHED	16,650	19,850	24,300	29,050	34,650	38,400	40,200
ROW DWELLINGS	16,350	19,500	23,850	28,150	33,850	37,700	39,200
WALKUP	15,950	19,750	24,850	29,100	33,600	36,350	38,750
ELEVATOR-STRUCTURE	25,050	28,900	36,600				
CHARLOTTE							
DETACHED AND SEMIDETACHED	16,400	19,600	23,900	28,500	34,050	37,850	39,450
ROW DWELLINGS	15,950	18,950	23,200	27,400	32,700	36,300	38,000
WALKUP	15,950	19,650	24,800	29,050	33,450	36,650	38,550
ELEVATOR-STRUCTURE	24,300	28,300	35,850				
CHEROKEE							
DETACHED AND SEMIDETACHED	18,500	22,100	27,200	32,450	38,550	42,700	44,600
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
DURHAM							
DETACHED AND SEMIDETACHED	15,900	18,900	23,150	27,650	33,000	36,750	38,400
ROW DWELLINGS	15,650	18,400	22,700	26,750	32,200	35,650	37,300
WALKUP	15,000	17,600	23,200	27,250	31,400	34,250	36,200
ELEVATOR-STRUCTURE	24,150	28,250	35,700				
ELIZABETH CITY							
DETACHED AND SEMIDETACHED	17,400	20,900	25,350	30,250	36,150	40,250	41,900
ROW DWELLINGS	15,550	18,700	22,850	27,250	32,700	36,250	37,800
WALKUP	16,100	19,750	25,000	29,100	33,650	37,150	38,850
ELEVATOR-STRUCTURE	24,700	28,700	36,300				
GREENVILLE							
DETACHED AND SEMIDETACHED	15,950	19,050	23,200	27,650	33,150	36,850	38,450
ROW DWELLINGS	15,650	18,950	22,800	26,650	32,100	35,600	37,250
WALKUP	14,600	18,000	22,850	26,650	30,700	33,600	35,400
ELEVATOR-STRUCTURE	23,900	27,100	33,700				
RALEIGH							
DETACHED AND SEMIDETACHED	15,950	19,150	23,250	27,800	33,250	36,850	38,450
ROW DWELLINGS	15,650	18,650	22,700	26,750	32,200	35,650	37,300
WALKUP	14,750	18,250	22,900	27,200	31,300	34,300	36,200
ELEVATOR-STRUCTURE	24,150	28,250	35,700				
WILMINGTON							
DETACHED AND SEMIDETACHED	15,550	18,700	22,950	27,650	33,250	36,900	38,500
ROW DWELLINGS	15,350	18,250	22,100	26,000	31,050	34,500	36,150
WALKUP	15,700	19,200	24,200	28,200	32,750	35,800	37,550
ELEVATOR-STRUCTURE	24,300	27,950	34,800				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IV--CONTINUED

NORTH CAROLINA --CONTINUED

WINSTON-SALEM	16,350	19,450	23,600	26,400	34,050	37,550	39,400
DETACHED AND SEMIDETACHED	15,450	18,400	22,450	26,500	31,050	35,350	36,900
ROW DWELLINGS	15,450	19,000	23,900	27,950	32,250	35,150	37,050
WALKUP	24,150	28,250	35,700				
ELEVATOR-STRUCTURE							
FAYETTEVILLE	15,950	19,150	23,250	27,800	33,250	36,850	38,450
DETACHED AND SEMIDETACHED	15,500	18,400	22,450	26,500	31,850	35,350	36,900
ROW DWELLINGS	15,450	19,000	24,000	28,050	32,450	35,400	37,200
WALKUP	23,700	27,100	33,650				
ELEVATOR-STRUCTURE							

SOUTH CAROLINA

COLUMBIA	16,250	19,700	24,200	28,950	34,850	38,650	40,550
DETACHED AND SEMIDETACHED	16,300	19,550	24,050	28,550	34,550	38,300	40,100
ROW DWELLINGS	14,350	17,850	22,700	27,200	30,950	34,000	35,950
WALKUP	27,700	32,200	40,550				
ELEVATOR-STRUCTURE							
AIKEN	16,250	19,700	24,200	28,950	34,800	38,700	40,600
DETACHED AND SEMIDETACHED	16,250	19,550	24,050	28,550	34,550	38,200	40,100
ROW DWELLINGS	14,950	18,650	23,550	27,850	32,200	35,950	37,500
WALKUP	28,150	32,650	41,400				
ELEVATOR-STRUCTURE							
ANDERSON	16,050	19,450	23,900	28,650	34,450	38,200	40,250
DETACHED AND SEMIDETACHED	16,100	19,250	23,850	28,350	34,150	37,900	39,550
ROW DWELLINGS	13,900	17,100	21,900	26,000	29,900	33,100	34,850
WALKUP	28,000	32,450	40,700				
ELEVATOR-STRUCTURE							
BEAUFORT	16,550	20,150	24,750	29,950	35,650	39,950	41,600
DETACHED AND SEMIDETACHED	16,650	20,250	24,850	29,950	35,150	39,150	41,100
ROW DWELLINGS	14,750	18,350	23,150	27,250	31,750	34,950	36,650
WALKUP	28,450	32,900	41,600				
ELEVATOR-STRUCTURE							
CHARLESTON	17,850	21,650	26,650	32,000	38,400	42,600	44,800
DETACHED AND SEMIDETACHED	17,850	21,500	26,750	31,800	38,150	42,350	44,300
ROW DWELLINGS	15,400	19,400	24,450	28,900	33,500	36,750	38,700
WALKUP	29,100	33,700	42,650				
ELEVATOR-STRUCTURE							
FLORENCE	15,550	18,900	23,150	27,900	33,450	37,300	39,000
DETACHED AND SEMIDETACHED	15,500	18,650	23,050	27,550	33,200	36,750	38,550
ROW DWELLINGS	13,750	17,200	21,800	25,650	29,750	32,850	34,750
WALKUP	28,150	32,650	41,400				
ELEVATOR-STRUCTURE							
GREENVILLE	16,300	19,800	24,400	29,000	35,050	38,950	40,800
DETACHED AND SEMIDETACHED	16,350	19,650	24,150	28,800	34,700	38,550	40,300
ROW DWELLINGS	13,950	17,500	22,000	26,050	30,200	33,450	35,050
WALKUP	28,150	32,650	41,400				
ELEVATOR-STRUCTURE							

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IV--CONTINUED

SOUTH CAROLINA --CONTINUED

	0	1	2	3	4	5	6
GREENWOOD							
DETACHED AND SEMIDETACHED	16,300	19,800	24,500	29,150	35,000	38,950	40,850
ROW DWELLINGS	16,350	19,650	24,250	28,800	34,700	38,700	40,300
WALKUP	14,400	17,900	22,900	26,950	31,050	34,600	36,400
ELEVATOR-STRUCTURE	28,000	32,450	40,700				
MYRTLE BEACH							
DETACHED AND SEMIDETACHED	16,550	20,150	24,750	29,650	35,650	39,500	41,600
ROW DWELLINGS	16,650	20,250	24,650	29,250	35,150	39,150	41,100
WALKUP	14,750	18,350	23,150	27,250	31,750	34,950	36,650
ELEVATOR-STRUCTURE	28,450	32,900	41,600				
NORTH AUGUSTA							
DETACHED AND SEMIDETACHED	17,300	20,900	25,700	30,800	36,900	40,900	43,000
ROW DWELLINGS	17,050	20,700	25,500	30,150	36,700	40,500	42,350
WALKUP	15,150	18,900	24,050	28,150	32,700	36,200	38,100
ELEVATOR-STRUCTURE	29,350	34,100	43,050				
ORANGEBURG							
DETACHED AND SEMIDETACHED	16,250	19,700	24,200	28,950	34,850	38,650	40,550
ROW DWELLINGS	16,300	19,550	24,050	28,550	34,550	38,300	40,100
WALKUP	14,350	17,850	22,700	27,200	30,950	34,000	35,950
ELEVATOR-STRUCTURE	27,700	32,200	40,550				
ROCKHILL							
DETACHED AND SEMIDETACHED	16,350	19,950	24,550	29,500	35,250	39,300	41,200
ROW DWELLINGS	16,500	19,900	24,350	28,950	34,950	38,900	40,650
WALKUP	14,650	18,350	23,050	27,200	31,500	34,750	36,600
ELEVATOR-STRUCTURE	28,150	32,650	41,400				
SPARTANSBURG							
DETACHED AND SEMIDETACHED	16,800	20,250	24,800	29,600	35,900	39,750	41,650
ROW DWELLINGS	16,650	20,050	24,750	29,400	35,500	39,450	41,150
WALKUP	14,750	18,450	23,200	27,350	31,850	35,050	36,750
ELEVATOR-STRUCTURE	28,150	32,650	41,400				
TENNESSEE							
KNOXVILLE							
DETACHED AND SEMIDETACHED	17,250	20,750	25,500	30,650	37,000	40,900	42,900
ROW DWELLINGS	16,450	19,800	24,500	29,150	35,100	38,850	40,800
WALKUP	15,350	19,200	24,350	28,800	33,450	36,850	38,700
ELEVATOR-STRUCTURE	24,650	28,650	36,100				
CHATTANOUGA							
DETACHED AND SEMIDETACHED	16,750	20,100	24,750	29,700	35,800	39,350	41,350
ROW DWELLINGS	17,400	20,850	25,950	30,850	37,000	41,250	43,200
WALKUP	16,550	20,700	26,300	31,100	36,100	39,750	41,750
ELEVATOR-STRUCTURE	26,450	30,800	38,700				
JOHNSON CITY							
DETACHED AND SEMIDETACHED	16,350	19,750	24,250	28,900	35,000	38,600	40,600
ROW DWELLINGS	15,700	18,750	23,200	27,750	33,250	36,850	38,750
WALKUP	15,350	19,200	24,350	28,800	33,350	36,750	38,700
ELEVATOR-STRUCTURE	24,650	28,650	36,100				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IV--CONTINUED

TENNESSEE ---CONTINUED

KINGSPOUR

DETACHED AND SEMIDETACHED	16,950	20,500	25,100	30,050	36,350	40,100	42,200
ROW DWELLINGS	16,250	19,500	24,100	28,650	34,450	38,200	40,100
WALKUP	14,600	18,100	22,600	27,100	31,400	34,650	36,250
ELEVATOR-STRUCTURE	24,650	28,650	36,100				

OAK RIDGE

DETACHED AND SEMIDETACHED	16,750	20,100	24,800	29,700	35,750	39,750	41,500
ROW DWELLINGS	16,000	19,300	23,800	28,350	34,150	37,800	39,600
WALKUP	15,300	19,150	24,300	28,750	33,400	36,750	38,550
ELEVATOR-STRUCTURE	24,650	28,650	36,100				

MEMPHIS

DETACHED AND SEMIDETACHED	18,000	21,650	26,900	32,100	38,700	43,100	45,000
ROW DWELLINGS	17,050	20,750	25,750	30,500	36,650	40,800	42,750
WALKUP	16,650	20,600	26,350	31,050	37,950	41,950	
ELEVATOR-STRUCTURE	26,050	30,200	38,050				

JACKSON

DETACHED AND SEMIDETACHED	19,450	23,550	29,000	34,650	41,850	46,450	48,450
ROW DWELLINGS	18,400	22,500	27,750	32,900	39,550	44,100	46,300
WALKUP	18,250	22,800	29,350	34,600	39,900	43,950	46,250
ELEVATOR-STRUCTURE	26,050	30,200	38,050				

UNION CITY

DETACHED AND SEMIDETACHED	19,500	23,700	29,150	34,850	42,150	46,750	48,950
ROW DWELLINGS	18,500	22,550	27,850	33,100	39,950	44,450	46,650
WALKUP	16,300	20,100	25,600	30,450	35,250	38,600	40,800
ELEVATOR-STRUCTURE	28,450	33,000	41,600				

NASHVILLE

DETACHED AND SEMIDETACHED	17,300	20,800	25,650	30,650	36,900	41,150	42,900
ROW DWELLINGS	16,600	20,200	24,700	29,450	35,500	39,550	41,450
WALKUP	15,300	19,150	24,300	28,650	33,350	36,700	38,550
ELEVATOR-STRUCTURE	24,200	28,250	35,750				

CLARKSVILLE

DETACHED AND SEMIDETACHED	16,600	20,150	24,750	29,550	35,700	39,700	41,550
ROW DWELLINGS	16,150	19,350	23,850	28,500	34,200	38,050	39,950
WALKUP	14,100	17,600	22,500	26,400	30,650	33,750	35,400
ELEVATOR-STRUCTURE	25,300	29,500	37,400				

COLUMBIA

DETACHED AND SEMIDETACHED	17,350	20,850	25,600	30,750	36,950	41,200	43,050
ROW DWELLINGS	16,650	20,250	24,750	29,600	35,600	39,600	41,500
WALKUP	15,450	19,250	24,700	28,800	33,650	37,000	38,950
ELEVATOR-STRUCTURE	26,050	30,650	38,650				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION V

ILLINOIS

	0	1	2	3	4	5	6
CHICAGO							
DETACHED AND SEMIDETACHED	26,300	32,100	39,300	46,800	56,300	62,800	65,700
ROW DWELLINGS	24,950	30,250	37,050	44,300	53,300	59,250	62,100
WALKUP	22,950	28,450	35,950	42,700	46,100	50,350	57,150
ELEVATOR-STRUCTURE	29,650	34,550	43,700				
MOLINE							
DETACHED AND SEMIDETACHED	20,700	25,150	31,100	36,950	44,600	49,550	51,850
ROW DWELLINGS	19,100	23,100	28,500	33,900	40,900	45,400	47,650
WALKUP	18,500	23,050	29,150	34,650	37,150	43,950	46,000
ELEVATOR-STRUCTURE	29,650	34,500	43,700				
SPRINGFIELD							
DETACHED AND SEMIDETACHED	22,200	26,950	33,100	39,650	47,650	52,900	55,450
ROW DWELLINGS	20,750	25,200	30,950	37,150	44,600	49,500	51,900
WALKUP	19,250	23,400	28,650	34,300	41,200	45,750	48,000
ELEVATOR-STRUCTURE	26,950	31,200	39,450				
BELLEVILLE							
DETACHED AND SEMIDETACHED	22,550	27,150	33,700	40,150	48,250	53,650	56,350
ROW DWELLINGS	20,400	24,400	30,200	35,900	43,100	48,200	50,300
WALKUP	19,150	23,850	30,300	35,750	41,450	45,850	48,150
ELEVATOR-STRUCTURE	28,500	33,050	41,800				
EAST ST LOUIS							
DETACHED AND SEMIDETACHED	22,450	27,100	33,700	40,200	48,150	53,600	56,100
ROW DWELLINGS	20,250	24,300	30,200	35,800	43,050	48,150	50,250
WALKUP	19,200	23,800	30,300	35,750	41,200	45,600	47,850
ELEVATOR-STRUCTURE	28,450	33,000	41,800				

INDIANA

	0	1	2	3	4	5	6
INDIANAPOLIS							
DETACHED AND SEMIDETACHED	18,700	23,600	27,750	33,200	39,850	44,350	46,350
ROW DWELLINGS	16,250	19,600	27,000	28,950	34,650	38,700	40,350
WALKUP	17,000	21,350	26,850	31,800	36,750	40,600	42,550
ELEVATOR-STRUCTURE	28,250	32,950	41,850				
BLOOMINGTON							
DETACHED AND SEMIDETACHED	18,400	22,150	27,350	32,700	39,200	43,600	45,700
ROW DWELLINGS	16,600	20,000	24,700	29,300	35,300	39,250	41,050
WALKUP	17,550	22,000	27,700	32,800	38,100	42,050	43,950
ELEVATOR-STRUCTURE	28,850	33,350	42,450				
EVANSVILLE							
DETACHED AND SEMIDETACHED	17,800	21,500	26,500	31,750	38,000	40,650	44,350
ROW DWELLINGS	17,950	21,450	26,500	31,500	37,950	42,350	44,200
WALKUP	17,850	22,400	28,300	33,450	38,750	42,650	44,750
ELEVATOR-STRUCTURE	27,850	32,450	41,200				
FORT WAYNE							
DETACHED AND SEMIDETACHED	18,100	21,850	26,950	32,050	38,550	43,250	44,850
ROW DWELLINGS	15,800	19,100	23,400	27,950	33,550	37,500	39,200
WALKUP	16,800	21,050	26,750	31,400	36,400	40,150	42,200
ELEVATOR-STRUCTURE	28,200	32,650	41,500				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION V--CONTINUED

INDIANA --CONTINUED

	0	1	2	3	4	5	6
GARY							
DETACHED AND SEMIDETACHED	18,900	22,900	28,250	33,650	40,400	44,800	47,000
ROW DWELLINGS	19,950	24,150	29,850	35,450	42,600	47,700	49,600
WALKUP	21,600	26,750	33,700	39,850	43,300	50,750	53,200
ELEVATOR-STRUCTURE	28,200	32,750	41,500				
HAMMOND							
DETACHED AND SEMIDETACHED	19,650	24,200	29,750	35,400	42,500	47,350	49,500
ROW DWELLINGS	23,700	28,700	35,350	41,950	50,450	56,400	58,800
WALKUP	18,500	23,250	29,200	34,550	40,000	44,000	46,300
ELEVATOR-STRUCTURE	28,800	33,350	42,250				
LAFAYETTE							
DETACHED AND SEMIDETACHED	19,150	23,200	28,500	34,000	40,650	45,450	47,600
ROW DWELLINGS	16,600	20,000	24,750	29,500	35,450	39,500	41,250
WALKUP	17,400	21,750	27,650	32,600	37,700	41,600	43,600
ELEVATOR-STRUCTURE	29,100	33,750	42,650				
SOUTH BEND							
DETACHED AND SEMIDETACHED	19,250	23,300	28,650	34,250	41,100	45,800	47,900
ROW DWELLINGS	18,250	22,100	27,150	32,250	38,750	43,350	45,250
WALKUP	17,850	22,300	28,100	33,250	38,400	42,250	44,400
ELEVATOR-STRUCTURE	29,300	34,100	43,100				
TERRE HAUTE							
DETACHED AND SEMIDETACHED	19,800	23,950	29,600	35,200	42,200	47,000	49,150
ROW DWELLINGS	20,900	25,050	31,000	36,950	44,200	49,400	51,700
WALKUP	19,200	23,700	30,100	35,750	41,300	45,400	47,750
ELEVATOR-STRUCTURE	29,700	34,500	43,850				

MICHIGAN

	0	1	2	3	4	5	6
DETROIT							
DETACHED AND SEMIDETACHED	24,550	25,950	31,850	38,050	45,700	51,000	53,250
ROW DWELLINGS	18,150	21,900	27,050	32,200	38,850	43,150	45,150
WALKUP	17,700	21,850	27,800	32,850	37,950	41,900	44,050
ELEVATOR-STRUCTURE	28,250	32,900	41,700				
ANN ARBOR							
DETACHED AND SEMIDETACHED	26,450	27,900	34,200	40,900	49,300	54,800	57,250
ROW DWELLINGS	19,500	23,550	29,100	34,600	41,800	46,400	48,600
WALKUP	18,400	22,750	28,800	34,150	39,350	43,600	45,650
ELEVATOR-STRUCTURE	28,250	32,900	41,700				
FLINT							
DETACHED AND SEMIDETACHED	27,400	29,000	35,650	42,600	51,150	57,000	59,950
ROW DWELLINGS	20,400	24,600	30,300	36,050	43,250	48,200	50,650
WALKUP	17,300	21,500	27,150	32,200	37,350	41,150	43,100
ELEVATOR-STRUCTURE	27,150	31,600	40,100				
SAGINAW							
DETACHED AND SEMIDETACHED	25,350	26,850	32,900	39,150	47,150	52,550	55,050
ROW DWELLINGS	18,800	22,700	27,850	33,300	40,000	44,500	46,700
WALKUP	17,450	21,800	27,500	32,750	37,950	41,700	43,750
ELEVATOR-STRUCTURE	27,150	31,600	40,100				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

		0	1	2	3	4	5	6
MICHIGAN		REGION V--CONTINUED						
--CONTINUED								
YPSILANTI								
DETACHED AND SEMIDETACHED		27,900	29,500	36,200	43,000	51,650	57,750	60,500
ROW DWELLINGS		20,800	24,800	30,750	36,600	44,150	48,950	51,400
WALKUP		17,700	21,950	27,650	32,850	37,950	41,900	44,100
ELEVATOR-STRUCTURE		27,900	32,650	41,250				
GRAND RAPIDS								
DETACHED AND SEMIDETACHED		21,550	26,100	32,150	38,300	46,050	51,500	53,700
ROW DWELLINGS		18,200	22,000	27,250	32,300	38,750	43,250	45,200
WALKUP		17,600	22,200	28,000	33,000	38,400	42,350	44,300
ELEVATOR-STRUCTURE		27,950	32,600	41,100				
MT PLEASANT								
DETACHED AND SEMIDETACHED		22,500	27,250	33,500	39,900	48,100	53,700	56,050
ROW DWELLINGS		19,050	22,900	28,400	33,650	40,350	45,100	47,200
WALKUP		18,350	23,100	29,250	34,450	40,000	44,150	46,200
ELEVATOR-STRUCTURE		29,200	34,050	42,800				
BATTLE CREEK								
DETACHED AND SEMIDETACHED		22,150	26,750	32,850	39,250	47,250	52,650	55,000
ROW DWELLINGS		18,650	22,450	27,750	33,100	39,850	44,400	46,400
WALKUP		17,600	21,850	27,850	32,900	38,050	42,100	44,100
ELEVATOR-STRUCTURE		28,700	33,350	42,000				
BENTON HARBOR								
DETACHED AND SEMIDETACHED		23,900	28,850	35,450	42,300	50,850	56,900	59,300
ROW DWELLINGS		20,200	24,300	30,000	35,700	42,850	49,900	49,900
WALKUP		18,800	23,400	29,600	35,150	40,450	44,800	47,050
ELEVATOR-STRUCTURE		30,050	35,050	44,200				
JACKSON								
DETACHED AND SEMIDETACHED		22,950	27,950	34,400	40,800	49,400	55,000	57,450
ROW DWELLINGS		19,550	23,350	28,950	34,500	41,550	46,250	48,400
WALKUP		18,850	23,750	29,950	35,500	40,800	45,350	47,400
ELEVATOR-STRUCTURE		29,900	34,750	43,900				
LANSING								
DETACHED AND SEMIDETACHED		25,650	30,950	38,200	45,450	54,650	61,050	63,900
ROW DWELLINGS		21,700	30,650	32,300	38,400	46,150	51,200	53,800
WALKUP		18,350	22,900	29,000	34,350	39,800	44,000	46,100
ELEVATOR-STRUCTURE		29,100	34,150	43,000				
* MANISTIQUE								
DETACHED AND SEMIDETACHED		24,600	29,750	36,500	43,450	52,150	58,450	60,050
ROW DWELLINGS		21,250	25,700	31,600	37,550	45,050	50,450	51,900
WALKUP		20,800	25,150	30,900	36,800	44,200	49,500	50,850
ELEVATOR-STRUCTURE		31,850	37,200	46,950				
MARQUETTE								
DETACHED AND SEMIDETACHED		23,800	28,850	35,400	42,200	50,900	56,800	59,350
ROW DWELLINGS		20,100	24,300	29,900	35,650	42,950	47,900	50,050
WALKUP		20,400	24,600	30,250	35,950	43,450	48,450	50,650
ELEVATOR-STRUCTURE		30,250	35,400	44,500				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION V--CONTINUED

MICHIGAN --CONTINUED

	0	1	2	3	4	5	6
MUSKOGON							
DETACHED AND SEMIDETACHED	21,750	26,200	32,450	36,600	46,500	52,000	54,150
ROW DWELLINGS	18,450	22,150	27,400	32,500	38,950	43,550	45,750
WALKUP	15,650	19,550	24,700	29,300	33,750	37,300	39,100
ELEVATOR-STRUCTURE	27,950	32,600	41,100				
TRAVERSE CITY							
DETACHED AND SEMIDETACHED	23,800	28,750	35,450	42,300	50,750	56,800	59,200
ROW DWELLINGS	20,200	24,300	30,000	35,600	42,850	47,800	50,050
WALKUP	17,150	21,350	27,050	32,100	37,050	41,150	42,800
ELEVATOR-STRUCTURE	30,700	35,800	45,050				

MINNESOTA

	0	1	2	3	4	5	6
PINEAPPLES							
DETACHED AND SEMIDETACHED	23,500	28,450	35,200	42,050	50,450	56,150	58,700
ROW DWELLINGS	20,050	24,400	29,950	35,750	42,950	47,750	50,000
WALKUP	20,000	25,050	31,500	37,150	42,900	47,550	49,750
ELEVATOR-STRUCTURE	27,550	31,850	40,500				
* CASS LAKE							
DETACHED AND SEMIDETACHED	28,900	34,850	42,950	51,350	61,600	68,700	71,950
ROW DWELLINGS	25,700	30,800	37,950	45,350	54,400	60,700	63,350
WALKUP	22,000	27,250	34,700	41,400	47,400	50,400	54,850
ELEVATOR-STRUCTURE							

DULUTH

	0	1	2	3	4	5	6
DETACHED AND SEMIDETACHED	23,900	28,950	35,550	42,600	51,150	57,050	59,650
ROW DWELLINGS	20,500	24,700	30,500	36,300	43,550	48,600	50,800
WALKUP	21,200	26,200	33,400	39,300	45,450	50,300	52,700
ELEVATOR-STRUCTURE	27,950	32,450	40,950				

MANKATO

	0	1	2	3	4	5	6
DETACHED AND SEMIDETACHED	22,300	27,350	33,550	40,050	48,250	53,650	56,150
ROW DWELLINGS	19,300	23,150	28,650	34,200	41,200	45,750	47,750
WALKUP	21,200	26,050	33,250	39,300	45,300	49,950	52,700
ELEVATOR-STRUCTURE	26,300	30,500	38,500				

ROCHESTER

	0	1	2	3	4	5	6
DETACHED AND SEMIDETACHED	23,000	27,900	34,400	41,000	49,400	54,850	57,400
ROW DWELLINGS	19,750	23,700	29,350	35,000	41,950	46,600	48,900
WALKUP	19,500	24,200	30,600	36,250	41,950	46,300	48,600
ELEVATOR-STRUCTURE	25,650	29,900	37,950				

* RED LAKE

	0	1	2	3	4	5	6
DETACHED AND SEMIDETACHED	26,400	31,800	39,500	47,000	56,250	62,650	65,500
ROW DWELLINGS	23,400	28,300	34,900	41,550	49,900	55,750	58,100
WALKUP	20,150	25,000	31,850	37,650	43,450	47,900	50,350
ELEVATOR-STRUCTURE							

ST CLOUD

	0	1	2	3	4	5	6
DETACHED AND SEMIDETACHED	22,300	27,000	33,550	39,950	47,800	53,250	55,750
ROW DWELLINGS	19,250	23,200	28,650	34,200	40,900	45,750	47,700
WALKUP	20,000	24,900	31,750	37,450	43,300	47,750	50,050
ELEVATOR-STRUCTURE	25,400	29,450	37,250				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION V--CONTINUED

MINNESOTA --CONTINUED

WORTHINGTON

DETACHED AND SEMIDETACHED	21,400	25,950	32,000	38,200	45,700	51,050	53,350
ROM DWELLINGS	18,450	22,050	27,300	32,450	39,100	43,400	45,550
WALKUP	18,300	22,800	28,950	34,150	39,400	43,450	45,750
ELEVATOR-STRUCTURE	25,150	29,300	37,150				

OHIO

CINCINNATI

DETACHED AND SEMIDETACHED	21,900	26,500	32,750	39,150	46,800	52,250	54,750
ROM DWELLINGS	21,100	25,600	31,550	37,400	44,800	50,000	52,550
WALKUP	21,000	25,900	33,000	39,100	45,100	49,650	52,200
ELEVATOR-STRUCTURE	33,200	38,550	48,700				

DAYTON

DETACHED AND SEMIDETACHED	21,900	26,500	32,750	39,150	46,800	52,250	54,750
ROM DWELLINGS	21,550	26,150	32,300	38,350	46,000	51,300	53,800
WALKUP	21,000	25,900	33,000	39,100	45,100	49,650	52,200
ELEVATOR-STRUCTURE	33,200	38,550	48,700				

CLEVELAND

DETACHED AND SEMIDETACHED	21,450	26,250	32,100	38,400	46,100	51,350	53,850
ROM DWELLINGS	21,300	25,550	31,700	37,900	45,400	50,800	52,950
WALKUP	20,650	25,500	32,300	38,400	44,400	49,000	51,550
ELEVATOR-STRUCTURE	26,700	31,150	39,400				

AKRON

DETACHED AND SEMIDETACHED	21,200	25,750	31,650	37,850	45,450	50,550	53,050
ROM DWELLINGS	21,050	25,200	31,300	37,400	44,600	50,050	52,250
WALKUP	20,450	25,150	31,800	37,900	43,800	48,300	50,800
ELEVATOR-STRUCTURE	26,300	30,800	38,900				

FINLAY

DETACHED AND SEMIDETACHED	19,650	23,950	29,300	34,950	42,000	46,800	48,900
ROM DWELLINGS	19,400	23,400	28,900	34,450	41,350	46,150	48,200
WALKUP	18,800	23,200	29,400	35,000	40,400	44,600	46,850
ELEVATOR-STRUCTURE	24,350	28,350	35,850				

LORAIN

DETACHED AND SEMIDETACHED	21,350	26,000	31,850	38,100	45,650	50,950	53,300
ROM DWELLINGS	21,200	25,250	31,400	37,550	44,850	50,250	52,500
WALKUP	20,550	25,300	31,950	38,000	43,950	48,500	50,950
ELEVATOR-STRUCTURE	26,400	30,900	39,050				

MANSFIELD

DETACHED AND SEMIDETACHED	20,000	24,450	29,900	35,700	42,900	47,800	50,050
ROM DWELLINGS	19,800	23,800	29,450	35,200	42,200	47,200	49,200
WALKUP	19,300	23,800	30,000	35,750	41,350	45,550	47,900
ELEVATOR-STRUCTURE	24,750	28,950	36,650				

TOLEDO

DETACHED AND SEMIDETACHED	21,450	26,250	32,100	38,400	46,100	51,350	53,850
ROM DWELLINGS	21,300	25,550	31,700	37,900	45,400	50,800	52,950
WALKUP	20,650	25,500	32,300	38,400	44,400	49,000	51,550
ELEVATOR-STRUCTURE	26,700	31,150	39,400				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION V-CONTINUED

OHIO

--CONTINUED

	0	1	2	3	4	5	6
YOUNGSTOWN							
DETACHED AND SEMIDETACHED	20,700	25,350	30,750	36,900	44,300	49,350	51,750
ROW DWELLINGS	20,500	24,650	30,500	36,350	43,550	48,700	50,850
WALKUP	19,800	24,550	31,000	36,950	42,700	47,100	49,500
ELEVATOR-STRUCTURE	25,650	30,000	37,750				
COLUMBUS							
DETACHED AND SEMIDETACHED	20,400	24,550	30,450	36,300	43,600	48,600	50,850
ROW DWELLINGS	19,600	23,650	29,200	34,650	41,650	46,500	48,650
WALKUP	19,900	24,650	31,100	37,000	42,650	47,050	49,550
ELEVATOR-STRUCTURE	28,250	32,600	41,550				
ATHENS							
DETACHED AND SEMIDETACHED	20,650	25,000	30,900	36,600	44,300	49,550	51,450
ROW DWELLINGS	19,250	23,050	28,450	34,000	40,800	45,450	47,600
WALKUP	19,200	23,950	30,400	36,000	41,600	45,800	48,350
ELEVATOR-STRUCTURE	28,550	33,300	42,150				
LIMA							
DETACHED AND SEMIDETACHED	20,400	24,550	30,450	36,300	43,600	48,600	50,850
ROW DWELLINGS	19,150	23,050	28,450	33,950	40,800	45,450	47,600
WALKUP	19,250	24,000	30,400	36,050	41,650	45,950	48,250
ELEVATOR-STRUCTURE	28,250	32,600	41,550				
NEMARK							
DETACHED AND SEMIDETACHED	19,900	24,100	29,700	35,350	42,550	47,600	49,550
ROW DWELLINGS	19,150	23,050	28,400	33,850	40,700	45,300	47,450
WALKUP	19,200	23,950	30,350	36,000	41,550	45,800	48,000
ELEVATOR-STRUCTURE	27,550	32,050	40,500				
SPRINGFIELD							
DETACHED AND SEMIDETACHED	20,400	24,550	30,450	36,300	43,600	48,600	50,850
ROW DWELLINGS	19,350	23,500	28,900	34,500	41,400	46,000	48,200
WALKUP	19,700	24,400	30,800	36,650	42,100	46,600	48,950
ELEVATOR-STRUCTURE	28,250	32,600	41,550				
SIDNEY							
DETACHED AND SEMIDETACHED	20,600	25,250	31,000	36,950	44,350	49,750	51,800
ROW DWELLINGS	19,300	23,350	28,700	34,300	41,000	45,750	47,850
WALKUP	19,300	24,250	30,650	36,550	41,950	46,400	48,600
ELEVATOR-STRUCTURE	28,800	33,450	42,250				
ZANESVILLE							
DETACHED AND SEMIDETACHED	20,650	25,000	30,900	36,600	44,300	49,550	51,450
ROW DWELLINGS	19,900	23,950	29,600	35,200	42,250	47,300	49,450
WALKUP	19,850	24,600	31,000	36,950	42,650	46,950	49,500
ELEVATOR-STRUCTURE	28,550	33,300	42,150				
WISCONSIN							
MILWAUKEE							
DETACHED AND SEMIDETACHED	25,300	30,750	37,900	45,200	54,350	60,550	63,450
ROW DWELLINGS	22,700	27,250	33,400	39,900	48,000	53,300	55,950
WALKUP	20,200	24,950	31,750	37,350	43,400	47,900	50,150
ELEVATOR-STRUCTURE	26,350	30,500	38,500				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION V--CONTINUED

WISCONSIN --CONTINUED

	0	1	2	3	4	5	6
EAU CLAIRE							
DETACHED AND SEMIDETACHED	24,600	29,700	36,600	43,650	52,600	56,700	61,250
ROW DWELLINGS	21,950	26,200	32,350	38,500	46,250	51,450	53,950
WALKUP	20,300	25,200	32,000	37,750	43,800	48,050	50,500
ELEVATOR-STRUCTURE	25,600	29,750	37,550				
GREEN BAY							
DETACHED AND SEMIDETACHED	23,500	28,350	34,950	41,900	50,100	56,050	58,700
ROW DWELLINGS	20,350	24,300	29,950	35,900	42,950	47,900	50,100
WALKUP	18,800	23,400	29,450	34,850	40,400	44,650	46,650
ELEVATOR-STRUCTURE	24,400	28,400	36,000				
* LAC DU FLAMBEAU							
DETACHED AND SEMIDETACHED	26,150	31,550	38,850	46,400	55,600	62,250	65,100
ROW DWELLINGS	23,350	27,950	34,400	40,950	49,200	54,750	57,400
WALKUP	19,700	24,450	31,050	36,550	42,350	46,600	48,850
ELEVATOR-STRUCTURE	23,450	27,150	34,350				
MADISON							
DETACHED AND SEMIDETACHED	24,900	30,300	37,250	44,450	53,550	59,650	62,350
ROW DWELLINGS	21,700	25,850	31,900	38,050	45,700	51,150	53,300
WALKUP	20,000	24,700	31,400	37,100	43,050	47,450	49,600
ELEVATOR-STRUCTURE	26,050	30,300	38,250				
* RED CLIFF							
DETACHED AND SEMIDETACHED	25,100	30,250	37,250	44,500	53,450	59,700	62,500
ROW DWELLINGS	22,300	26,650	32,800	39,250	47,200	52,450	54,950
WALKUP	18,950	23,350	29,650	35,000	40,450	44,700	46,900
ELEVATOR-STRUCTURE	23,450	27,150	34,350				
REEDSVILLE							
DETACHED AND SEMIDETACHED	24,000	29,050	35,650	42,800	51,150	57,300	60,000
ROW DWELLINGS	20,700	25,100	30,700	36,750	44,050	49,050	51,450
WALKUP	19,350	24,000	30,100	35,750	41,500	45,600	47,900
ELEVATOR-STRUCTURE	25,100	29,100	36,800				
SUPERIOR							
DETACHED AND SEMIDETACHED	25,600	30,850	38,100	45,550	54,700	61,100	63,850
ROW DWELLINGS	22,750	27,250	33,600	40,150	48,400	53,600	56,250
WALKUP	21,050	26,000	32,850	38,900	45,000	49,700	52,100
ELEVATOR-STRUCTURE	26,600	30,950	39,150				
* MAUSU							
DETACHED AND SEMIDETACHED	24,000	29,050	35,650	42,800	51,150	57,300	60,000
ROW DWELLINGS	20,650	25,000	30,450	36,650	43,800	48,950	51,300
WALKUP	19,350	23,900	30,000	35,600	41,100	45,400	47,650
ELEVATOR-STRUCTURE	24,950	28,950	36,750				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI

ARKANSAS

LITTLE ROCK

DETACHED AND SEMIDETACHED	17,450	21,150	26,150	31,150	37,400	41,700	43,350
ROW DWELLINGS	16,500	19,950	24,500	29,250	35,200	39,100	41,050
WALKUP	16,600	20,700	26,150	31,050	36,000	39,800	41,600
ELEVATOR-STRUCTURE	28,700	33,200	42,300				

FAYETTEVILLE

DETACHED AND SEMIDETACHED	17,400	20,900	25,950	30,900	37,250	41,250	43,150
ROW DWELLINGS	16,350	19,900	24,400	29,100	35,050	38,850	40,650
WALKUP	14,950	18,750	23,650	27,950	32,550	35,750	37,400
ELEVATOR-STRUCTURE	28,500	32,950	41,550				

FORT SMITH

DETACHED AND SEMIDETACHED	16,350	19,900	24,600	29,100	35,050	39,000	40,700
ROW DWELLINGS	15,700	19,000	23,550	27,950	33,600	37,350	39,100
WALKUP	15,800	19,350	24,750	29,250	33,850	37,400	39,150
ELEVATOR-STRUCTURE	28,950	33,700	42,600				

JONESBORO

DETACHED AND SEMIDETACHED	16,250	19,550	24,350	28,800	34,700	38,600	40,100
ROW DWELLINGS	15,450	18,650	23,300	27,400	33,050	37,100	38,450
WALKUP	15,450	19,200	24,300	28,750	33,200	36,750	38,550
ELEVATOR-STRUCTURE	28,050	32,500	41,250				

TEXARKANA

DETACHED AND SEMIDETACHED	16,800	20,250	25,050	29,850	35,900	39,800	41,550
ROW DWELLINGS	15,700	19,100	23,550	28,000	33,800	37,550	39,200
WALKUP	15,850	19,800	24,950	29,600	34,300	37,750	39,600
ELEVATOR-STRUCTURE	28,500	32,950	41,550				

LOUISIANA

NEW ORLEANS

DETACHED AND SEMIDETACHED	16,200	22,100	27,050	32,150	39,000	43,350	45,050
ROW DWELLINGS	16,800	20,400	25,450	30,200	36,250	40,250	42,350
WALKUP	15,500	19,300	24,250	28,550	33,100	36,650	38,100
ELEVATOR-STRUCTURE	28,050	32,450	41,350				

BATON ROUGE

DETACHED AND SEMIDETACHED	19,600	23,550	29,100	34,400	41,450	46,350	48,150
ROW DWELLINGS	18,100	21,850	27,250	32,300	38,650	42,900	45,100
WALKUP	14,600	18,500	23,250	27,500	31,700	35,150	36,700
ELEVATOR-STRUCTURE	27,750	32,150	40,900				

MOBILE

DETACHED AND SEMIDETACHED	18,150	21,850	26,900	31,950	38,650	42,850	44,650
ROW DWELLINGS	16,750	20,300	25,200	29,950	35,950	39,950	41,950
WALKUP	15,150	19,000	23,650	28,100	32,600	36,050	37,600
ELEVATOR-STRUCTURE	27,750	32,150	40,900				

LAFAYETTE

DETACHED AND SEMIDETACHED	18,150	21,850	26,900	31,950	38,650	42,850	44,650
ROW DWELLINGS	16,750	20,300	25,200	29,950	35,950	39,950	41,950
WALKUP	15,350	19,250	23,850	28,350	32,950	36,250	37,950
ELEVATOR-STRUCTURE	27,750	32,150	40,900				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION VI--CONTINUED

LOUISIANA --CONTINUED

	0	1	2	3	4	5	6
LAKE CHARLES							
DETACHED AND SEMIDETACHED	19,550	23,550	29,000	34,400	41,450	46,150	48,150
ROW DWELLINGS	18,050	21,800	27,250	32,300	38,650	42,900	45,100
WALKUP	15,600	19,550	24,600	29,050	33,650	37,300	38,950
ELEVATOR-STRUCTURE	28,050	32,450	41,350				
SHREVEPORT							
DETACHED AND SEMIDETACHED	18,350	21,950	27,300	32,300	39,100	43,600	45,400
ROW DWELLINGS	16,950	20,600	25,450	30,300	36,600	40,550	42,350
WALKUP	15,250	19,000	24,150	28,600	33,000	36,600	38,350
ELEVATOR-STRUCTURE	28,100	32,650	41,350				
ALEXANDRIA							
DETACHED AND SEMIDETACHED	16,700	19,900	24,750	29,500	35,300	39,500	41,250
ROW DWELLINGS	16,300	18,800	23,200	27,950	33,100	37,000	38,650
WALKUP	14,050	18,400	23,400	27,700	32,050	35,300	37,200
ELEVATOR-STRUCTURE	27,300	31,700	39,950				
MARSHALL							
DETACHED AND SEMIDETACHED	16,750	19,950	24,850	29,600	35,500	39,650	41,350
ROW DWELLINGS	15,700	19,150	23,550	28,100	33,800	37,650	39,300
WALKUP	14,800	18,350	23,300	27,400	31,900	35,250	36,750
ELEVATOR-STRUCTURE	26,050	30,250	38,400				
MONROE							
DETACHED AND SEMIDETACHED	16,550	19,800	24,450	29,150	35,100	39,250	40,750
ROW DWELLINGS	15,450	18,700	23,050	27,550	33,050	36,850	38,400
WALKUP	15,250	18,900	23,950	28,350	32,850	36,150	38,050
ELEVATOR-STRUCTURE	27,850	32,250	41,100				

NEW MEXICO

	0	1	2	3	4	5	6
ALBUQUERQUE							
DETACHED AND SEMIDETACHED	19,300	23,150	25,850	30,750	36,950	41,350	43,100
ROW DWELLINGS	17,900	21,350	23,800	28,450	34,000	37,900	39,850
WALKUP	15,450	19,150	21,750	25,700	29,900	32,750	34,400
ELEVATOR-STRUCTURE	25,250	29,450	37,300				
ALAMOGORDO							
DETACHED AND SEMIDETACHED	20,300	24,150	27,050	32,150	38,750	43,250	45,100
ROW DWELLINGS	18,600	22,250	24,800	29,600	35,300	39,300	41,300
WALKUP	16,050	19,950	22,500	26,650	30,900	34,050	35,800
ELEVATOR-STRUCTURE	23,750	27,650	34,850				
ARTESIA							
DETACHED AND SEMIDETACHED	20,300	24,150	28,950	32,100	38,750	43,200	44,750
ROW DWELLINGS	18,600	22,250	24,850	29,600	35,450	39,450	41,400
WALKUP	16,150	20,000	22,550	27,050	31,100	34,350	35,900
ELEVATOR-STRUCTURE	24,100	28,050	35,250				
CARLSBAD							
DETACHED AND SEMIDETACHED	20,550	24,700	27,450	32,750	39,350	43,900	45,650
ROW DWELLINGS	18,850	22,750	25,300	30,300	36,050	40,200	42,200
WALKUP	16,000	20,000	22,550	26,650	30,900	34,100	35,750
ELEVATOR-STRUCTURE	24,100	28,050	35,250				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION VI--CONTINUED

NEW MEXICO

CLUVIS

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 FORT SUMNER

20,300
 18,600
 16,000
 23,850

24,150
 22,250
 19,850
 27,700

26,950
 24,850
 22,300
 34,850

32,100
 29,800
 26,650

38,750
 35,450
 30,800

44,750
 41,400
 35,500

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 GALLUP

20,900
 19,400
 16,850
 24,800

25,250
 23,300
 20,850
 28,950

33,400
 30,850
 27,950

40,300
 37,000
 32,300

46,900
 43,200
 37,400

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 MOBBS

22,100
 20,050
 17,200
 25,400

26,550
 23,900
 21,450
 29,750

35,200
 31,800
 28,850

42,550
 38,050
 33,400

49,350
 44,400
 38,400

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 LAS CHUCES

20,300
 18,600
 16,150
 23,850

24,150
 22,250
 20,000
 27,700

32,100
 29,800
 27,050

38,750
 35,450
 31,100

44,750
 41,400
 35,900

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 LAS VEGAS

20,300
 18,600
 16,450
 23,850

24,150
 22,250
 20,500
 27,700

32,100
 29,800
 27,400

38,750
 35,450
 31,650

44,750
 41,400
 36,600

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 LOS ALAMOS

20,750
 19,600
 16,850
 24,800

25,000
 23,350
 20,850
 28,750

33,050
 31,100
 28,000

39,900
 37,100
 32,300

46,350
 43,250
 37,500

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 RATON

21,600
 20,050
 17,300
 25,350

25,900
 23,900
 21,450
 29,600

34,150
 31,800
 28,800

41,350
 38,100
 33,200

48,100
 44,450
 38,400

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 SANTA FE

20,600
 19,600
 16,850
 24,800

24,750
 23,350
 20,850
 28,750

32,800
 31,100
 28,000

39,550
 37,100
 32,300

45,950
 43,250
 37,500

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE

20,650
 19,600
 16,850
 24,800

24,750
 23,350
 20,850
 28,750

32,850
 31,100
 28,000

39,600
 37,100
 32,300

46,050
 43,250
 37,500

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

NEW MEXICO --CONTINUED

SILVER CITY

DETACHED AND SEMIDETACHED	21,300	25,850	28,700	34,000	41,200	45,950	47,750
ROW DWELLINGS	19,800	23,750	26,450	31,500	37,800	42,000	44,150
WALKUP	17,150	21,350	24,150	28,450	33,000	36,400	38,150
ELEVATOR-STRUCTURE	25,250	29,350	37,200				
TRUTH OR CONSEQUENCES							
DETACHED AND SEMIDETACHED	20,000	23,850	26,850	31,800	38,300	42,750	44,400
ROW DWELLINGS	18,500	22,000	24,750	29,550	35,100	39,200	40,950
WALKUP	16,000	19,850	22,450	26,600	30,850	33,950	35,550
ELEVATOR-STRUCTURE	23,450	27,400	34,600				
FARMINGTON							
DETACHED AND SEMIDETACHED	21,600	25,900	28,950	34,400	41,450	46,350	48,200
ROW DWELLINGS	20,050	23,900	26,800	31,800	38,050	42,350	44,400
WALKUP	17,200	21,450	24,250	28,850	33,400	36,750	38,400
ELEVATOR-STRUCTURE	25,400	29,750	37,400				
TERRA AMARILLO							
DETACHED AND SEMIDETACHED	21,600	25,900	28,850	34,150	41,350	46,200	48,100
ROW DWELLINGS	20,050	23,900	26,800	31,800	38,100	42,350	44,450
WALKUP	17,300	21,450	24,250	28,600	33,200	36,700	38,400
ELEVATOR-STRUCTURE	25,350	29,600	37,350				
TAOS							
DETACHED AND SEMIDETACHED	24,400	29,150	32,600	38,700	46,850	52,150	54,200
ROW DWELLINGS	22,650	27,200	30,250	35,900	43,200	47,950	50,300
WALKUP	19,250	23,750	27,050	31,850	36,950	40,650	42,750
ELEVATOR-STRUCTURE	25,200	29,450	37,150				
SOCORRO							
DETACHED AND SEMIDETACHED	20,000	23,850	26,850	31,800	38,300	42,750	44,400
ROW DWELLINGS	18,500	22,000	24,750	29,550	35,100	39,200	40,950
WALKUP	16,000	19,850	22,450	26,600	30,850	33,950	35,550
ELEVATOR-STRUCTURE	23,450	27,400	34,600				
RUIDOSO							
DETACHED AND SEMIDETACHED	21,600	25,900	28,850	34,150	41,350	46,200	48,100
ROW DWELLINGS	20,050	23,900	26,800	31,800	38,100	42,350	44,450
WALKUP	17,300	21,450	24,250	28,600	33,200	36,700	38,400
ELEVATOR-STRUCTURE	25,350	29,600	37,350				
* DULCE							
DETACHED AND SEMIDETACHED	27,500	33,000	36,750	43,850	52,700	58,950	61,350
ROW DWELLINGS	23,450	28,050	31,300	37,200	44,500	49,550	51,900
WALKUP	21,900	26,950	30,700	36,250	42,150	46,300	48,600
ELEVATOR-STRUCTURE	35,700	41,550	52,500				
* ISLETA							
DETACHED AND SEMIDETACHED	25,550	30,500	34,150	40,700	49,150	54,800	57,150
ROW DWELLINGS	20,750	24,800	27,600	33,100	39,450	44,100	46,100
WALKUP	17,800	21,900	24,800	29,400	34,050	37,300	39,350
ELEVATOR-STRUCTURE	31,000	36,100	45,650				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

NEW MEXICO --CONTINUED

	0	1	2	3	4	5	6
* LAGUNA							
DETACHED AND SEMIDETACHED	25,950	31,250	34,650	41,500	50,050	55,650	58,100
ROW DWELLINGS	23,650	28,200	31,500	37,600	45,050	50,950	57,200
WALKUP	20,000	24,750	28,250	33,400	38,650	42,350	44,650
ELEVATOR-STRUCTURE	33,600	39,450	49,700				
* MESCALERO							
DETACHED AND SEMIDETACHED	25,950	31,350	34,850	41,550	50,050	55,800	58,050
ROW DWELLINGS	24,000	29,000	32,150	38,400	45,800	51,000	53,600
WALKUP	20,500	25,300	28,750	34,050	39,550	43,350	43,950
ELEVATOR-STRUCTURE	34,350	40,200	50,700				
* PENASCO							
DETACHED AND SEMIDETACHED	26,100	31,500	35,100	41,800	50,450	56,400	58,650
ROW DWELLINGS	27,250	29,400	32,700	39,000	46,600	51,800	54,350
WALKUP	20,800	25,800	29,250	34,650	40,000	44,150	46,250
ELEVATOR-STRUCTURE	35,050	40,850	51,600				
* POJOABUE							
DETACHED AND SEMIDETACHED	26,550	31,950	35,650	42,500	50,900	57,000	59,150
ROW DWELLINGS	24,400	29,550	32,650	39,000	46,600	51,900	54,450
WALKUP	20,950	25,800	29,400	34,750	40,300	44,200	46,250
ELEVATOR-STRUCTURE	34,550	40,400	51,050				
* JUNI							
DETACHED AND SEMIDETACHED	25,150	30,200	37,450	44,600	53,700	59,700	62,550
ROW DWELLINGS	22,500	27,250	33,650	40,200	48,150	53,600	56,000
WALKUP	19,700	24,500	31,000	36,700	42,300	46,650	49,150
ELEVATOR-STRUCTURE	29,600	34,200	43,300				
* STANDING ROCK							
DETACHED AND SEMIDETACHED	26,300	31,600	39,100	46,500	56,100	62,250	65,300
ROW DWELLINGS	24,650	30,100	38,450	44,450	53,100	59,400	61,900
WALKUP	21,500	26,850	33,950	40,250	46,300	51,100	53,750
ELEVATOR-STRUCTURE	27,600	31,850	40,300				
* NAGEEZI							
DETACHED AND SEMIDETACHED	26,750	32,050	39,750	47,250	56,950	63,250	66,300
ROW DWELLINGS	25,250	30,550	37,950	45,050	53,900	60,400	62,900
WALKUP	21,850	27,300	34,450	40,800	47,050	51,800	54,650
ELEVATOR-STRUCTURE	28,000	32,400	40,650				
* ALAMO							
DETACHED AND SEMIDETACHED	26,300	31,600	39,100	46,500	56,100	62,250	65,300
ROW DWELLINGS	24,850	30,100	37,300	44,450	53,100	59,400	61,900
WALKUP	21,500	26,850	33,950	40,250	46,300	51,100	53,750
ELEVATOR-STRUCTURE	27,600	31,850	40,300				
OKLAHOMA							
OKLAHOMA CITY							
DETACHED AND SEMIDETACHED	18,350	22,100	27,450	32,700	39,250	43,600	45,750
ROW DWELLINGS	15,750	18,950	23,300	27,850	33,400	37,300	38,850
WALKUP	14,650	18,200	23,100	27,350	31,800	34,950	36,700
ELEVATOR-STRUCTURE	25,000	29,050	36,850				

PHOTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

OKLAHOMA --CONTINUED

	0	1	2	3	4	5	6
ADA							
DETACHED AND SEMIDETACHED	18,700	22,250	27,750	33,000	39,700	44,350	46,150
ROW DWELLINGS	16,350	19,800	24,450	29,150	34,850	38,850	40,700
WALKUP	15,250	19,200	24,150	28,650	33,400	36,600	38,450
ELEVATOR-STRUCTURE	25,350	29,300	37,050				
ARDMORE							
DETACHED AND SEMIDETACHED	18,600	22,250	27,750	33,000	39,700	44,250	46,200
ROW DWELLINGS	16,900	20,300	25,000	29,800	35,800	39,900	41,600
WALKUP	16,150	20,000	25,300	30,000	34,850	38,450	40,200
ELEVATOR-STRUCTURE	25,700	29,800	37,700				
ENID							
DETACHED AND SEMIDETACHED	19,100	22,650	28,400	33,950	40,650	45,500	47,350
ROW DWELLINGS	16,650	20,150	24,650	29,550	35,450	39,450	41,250
WALKUP	14,800	18,500	23,200	27,700	32,200	35,400	37,050
ELEVATOR-STRUCTURE	26,150	30,050	38,200				
GUYMON							
DETACHED AND SEMIDETACHED	19,450	23,350	29,200	34,600	41,600	46,550	48,500
ROW DWELLINGS	17,050	20,400	25,100	29,950	36,050	40,150	41,850
WALKUP	15,900	19,550	24,900	29,450	34,200	37,600	39,600
ELEVATOR-STRUCTURE	26,500	30,850	38,900				
LANTON							
DETACHED AND SEMIDETACHED	18,500	22,400	27,650	33,000	39,750	44,250	46,150
ROW DWELLINGS	16,050	19,300	23,700	28,350	34,000	37,900	39,650
WALKUP	14,800	18,650	23,500	27,750	32,300	35,850	37,400
ELEVATOR-STRUCTURE	25,300	29,350	37,100				
SHARNEE							
DETACHED AND SEMIDETACHED	18,900	22,500	28,000	33,350	40,100	44,800	46,650
ROW DWELLINGS	16,350	19,800	24,450	29,150	34,850	38,850	40,700
WALKUP	15,250	19,200	24,150	28,650	33,400	36,600	38,450
ELEVATOR-STRUCTURE	25,550	29,600	37,350				
STILLMATER							
DETACHED AND SEMIDETACHED	18,900	22,500	28,000	33,350	40,100	44,800	46,650
ROW DWELLINGS	16,350	19,800	24,450	29,150	34,850	38,850	40,700
WALKUP	15,250	19,200	24,150	28,650	33,400	36,600	38,450
ELEVATOR-STRUCTURE	25,550	29,600	37,350				
WOODWARD							
DETACHED AND SEMIDETACHED	19,250	23,050	28,700	34,300	41,250	45,950	47,800
ROW DWELLINGS	16,650	20,150	24,650	29,550	35,450	39,450	41,250
WALKUP	15,550	19,400	24,450	29,050	33,750	37,100	39,000
ELEVATOR-STRUCTURE	26,350	30,300	38,500				
TULSA							
DETACHED AND SEMIDETACHED	18,200	22,050	27,400	32,450	39,150	43,500	45,400
ROW DWELLINGS	16,050	19,550	23,950	28,500	34,200	38,150	39,950
WALKUP	15,050	18,750	23,650	28,000	32,550	35,850	37,600
ELEVATOR-STRUCTURE	25,100	28,950	36,650				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

OKLAHOMA --CONTINUED

	0	1	2	3	4	5	6
BARTLESVILLE							
DETACHED AND SEMIDETACHED	18,950	22,900	28,350	33,750	40,500	45,150	47,150
ROW DWELLINGS	16,850	20,500	25,100	30,300	35,900	40,000	41,900
WALKUP	15,100	18,950	23,700	28,200	32,900	36,150	37,850
ELEVATOR-STRUCTURE	26,100	30,100	38,150				
MCALLESTER							
DETACHED AND SEMIDETACHED	18,900	22,600	28,050	33,450	40,050	44,700	46,550
ROW DWELLINGS	16,850	20,300	25,100	29,950	35,900	40,000	41,850
WALKUP	14,700	18,450	23,150	27,400	31,800	34,900	36,650
ELEVATOR-STRUCTURE	25,750	30,000	37,950				
MUSKOGEE							
DETACHED AND SEMIDETACHED	18,650	22,700	28,250	33,450	40,250	44,850	46,800
ROW DWELLINGS	17,400	21,100	26,200	31,100	37,200	41,650	43,450
WALKUP	15,050	18,750	23,550	27,900	32,450	35,700	37,500
ELEVATOR-STRUCTURE	25,800	29,950	37,950				

TEXAS

DALLAS

DETACHED AND SEMIDETACHED	17,800	21,550	26,550	31,700	38,100	42,500	44,300
ROW DWELLINGS	15,700	18,700	23,300	27,800	33,500	37,300	38,950
WALKUP	14,400	18,000	22,700	26,850	31,250	34,200	35,900
ELEVATOR-STRUCTURE	25,000	29,050	36,850				

SHERMAN

DETACHED AND SEMIDETACHED	18,100	21,850	26,950	32,150	38,700	42,900	45,000
ROW DWELLINGS	15,550	18,700	23,250	27,650	33,250	37,150	38,900
WALKUP	14,400	18,000	22,650	26,850	31,250	34,100	35,850
ELEVATOR-STRUCTURE	25,450	29,700	37,450				

TYLER

DETACHED AND SEMIDETACHED	17,150	20,850	25,700	30,750	36,950	41,000	42,800
ROW DWELLINGS	15,350	18,400	22,900	27,150	32,750	36,400	38,050
WALKUP	13,600	16,900	21,450	25,250	29,250	32,100	34,000
ELEVATOR-STRUCTURE	25,900	30,250	38,300				

WACO

DETACHED AND SEMIDETACHED	17,100	20,700	25,650	30,550	36,800	40,850	42,750
ROW DWELLINGS	15,200	18,300	22,700	27,100	32,600	36,200	37,900
WALKUP	13,600	17,000	21,450	25,250	29,550	32,100	33,900
ELEVATOR-STRUCTURE	25,950	29,450	37,250				

FORT WORTH

DETACHED AND SEMIDETACHED	17,750	21,150	26,350	31,450	37,000	42,100	43,950
ROW DWELLINGS	15,500	18,600	23,100	27,600	33,000	36,900	38,650
WALKUP	14,300	17,750	22,500	26,650	30,850	34,050	35,500
ELEVATOR-STRUCTURE	27,450	31,800	40,400				

ABILENE

DETACHED AND SEMIDETACHED	18,400	22,050	27,350	32,600	39,200	43,850	45,400
ROW DWELLINGS	16,050	19,150	23,850	28,400	34,200	38,250	39,750
WALKUP	13,450	16,850	21,300	25,050	29,050	32,100	33,550
ELEVATOR-STRUCTURE	28,450	32,900	41,750				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

TEXAS

--CONTINUED

	0	1	2	3	4	5	6
SAN ANGELO							
DETACHED AND SEMIDETACHED	18,100	21,850	27,150	32,400	38,850	43,450	45,400
ROW DWELLINGS	16,200	19,300	24,000	28,550	34,450	38,450	40,200
WALKUP	14,050	17,400	21,950	26,150	30,400	33,350	34,900
ELEVATOR-STRUCTURE	28,650	33,300	42,050				
MICHITA FALLS							
DETACHED AND SEMIDETACHED	18,400	21,950	27,450	32,600	39,150	43,850	45,650
ROW DWELLINGS	16,200	19,300	24,000	28,550	34,450	38,450	40,200
WALKUP	15,600	19,550	24,650	29,200	34,050	37,400	39,050
ELEVATOR-STRUCTURE	28,650	33,300	42,050				
HOUSTON							
DETACHED AND SEMIDETACHED	18,650	22,550	27,700	32,950	39,700	44,350	46,200
ROW DWELLINGS	16,250	19,650	24,300	28,850	34,700	38,550	40,350
WALKUP	14,900	18,750	23,600	28,000	32,300	35,750	37,450
ELEVATOR-STRUCTURE	26,900	31,450	39,600				
BEAUMONT							
DETACHED AND SEMIDETACHED	19,100	23,050	28,550	33,800	40,900	45,500	47,450
ROW DWELLINGS	16,600	20,100	24,800	29,600	35,500	39,500	41,350
WALKUP	15,200	19,100	24,050	28,500	32,950	36,400	38,050
ELEVATOR-STRUCTURE	27,650	32,250	40,700				
BRYAN							
DETACHED AND SEMIDETACHED	22,050	26,650	32,900	39,100	47,200	52,700	54,650
ROW DWELLINGS	17,450	21,200	26,200	31,100	37,300	41,550	43,400
WALKUP	13,800	17,200	21,750	25,800	29,900	32,950	34,500
ELEVATOR-STRUCTURE	26,500	31,000	39,050				
EL CAMPO							
DETACHED AND SEMIDETACHED	20,450	24,550	30,200	35,900	43,400	48,300	50,550
ROW DWELLINGS	16,050	19,600	24,100	28,600	34,450	38,250	40,100
WALKUP	15,500	19,300	24,350	28,850	33,400	36,800	38,600
ELEVATOR-STRUCTURE	26,750	31,150	39,300				
LUFKIN							
DETACHED AND SEMIDETACHED	20,050	24,200	29,900	35,600	42,850	47,600	50,100
ROW DWELLINGS	17,450	21,200	26,550	31,150	37,400	41,600	43,550
WALKUP	14,900	18,750	23,650	28,150	32,500	35,900	37,650
ELEVATOR-STRUCTURE	26,900	31,450	39,600				
TEXAS CITY							
DETACHED AND SEMIDETACHED	18,650	22,550	27,700	32,950	39,700	44,350	46,200
ROW DWELLINGS	16,250	19,650	24,300	28,850	34,700	38,550	40,350
WALKUP	15,650	19,550	24,700	29,200	34,050	37,400	39,200
ELEVATOR-STRUCTURE	26,900	31,450	39,600				
LUBBOCK							
DETACHED AND SEMIDETACHED	17,750	21,250	26,400	31,500	37,900	42,150	43,900
ROW DWELLINGS	15,650	18,750	23,450	27,800	33,300	37,200	38,950
WALKUP	14,150	17,800	22,350	26,500	30,700	33,650	35,300
ELEVATOR-STRUCTURE	24,250	28,150	35,700				

PHOTOPYE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

TEXAS

--CONTINUED

	0	1	2	3	4	5	6
APARILLO							
DETACHED AND SEMIDETACHED	17,700	21,300	26,550	31,650	38,150	42,400	44,200
ROW DWELLINGS	16,700	20,000	24,850	29,550	35,550	39,650	41,300
WALKUP	14,950	18,650	23,600	27,850	32,400	35,650	37,350
ELEVATOR-STRUCTURE	24,800	28,800	36,450				
EL PASO							
DETACHED AND SEMIDETACHED	17,750	21,150	26,300	31,250	37,700	42,000	43,850
ROW DWELLINGS	17,400	20,650	25,850	30,700	36,900	41,350	42,950
WALKUP	15,350	19,000	24,000	28,350	32,900	36,200	37,900
ELEVATOR-STRUCTURE	23,600	27,550	34,900				
MIDLAND							
DETACHED AND SEMIDETACHED	16,800	20,350	25,200	30,250	36,250	40,350	42,150
ROW DWELLINGS	15,250	18,450	22,750	27,250	32,600	36,450	38,150
WALKUP	14,050	17,700	22,300	26,300	30,650	33,600	35,250
ELEVATOR-STRUCTURE	23,150	26,800	34,050				
ODESSA							
DETACHED AND SEMIDETACHED	16,050	20,400	25,200	30,300	36,250	40,400	42,200
ROW DWELLINGS	15,350	18,400	22,800	27,150	32,600	36,400	38,050
WALKUP	14,150	17,600	22,300	26,450	30,600	33,600	35,300
ELEVATOR-STRUCTURE	23,150	26,800	34,050				
SAN ANTONIO							
DETACHED AND SEMIDETACHED	16,950	20,300	25,200	30,150	36,250	40,300	42,050
ROW DWELLINGS	19,000	18,500	22,600	27,100	32,500	36,300	37,650
WALKUP	14,250	17,900	22,550	26,650	31,050	34,100	35,700
ELEVATOR-STRUCTURE	23,300	27,150	34,450				
AUSTIN							
DETACHED AND SEMIDETACHED	17,650	21,150	26,100	31,150	37,600	41,800	43,550
ROW DWELLINGS	15,800	19,050	23,450	27,950	33,600	37,500	39,100
WALKUP	14,000	17,750	22,100	26,450	30,700	33,550	35,350
ELEVATOR-STRUCTURE	20,400	23,650	30,000				
CORPUS CHRISTI							
DETACHED AND SEMIDETACHED	18,350	22,050	27,600	32,750	39,300	43,850	45,550
ROW DWELLINGS	16,600	20,150	25,000	29,650	35,650	39,750	41,300
WALKUP	15,350	19,100	24,200	28,450	32,950	36,300	38,200
ELEVATOR-STRUCTURE	19,000	22,050	28,150				
DEL RIO							
DETACHED AND SEMIDETACHED	16,650	19,950	24,750	29,650	35,550	39,650	41,100
ROW DWELLINGS	15,150	18,250	22,600	26,900	32,250	35,950	37,450
WALKUP	14,250	17,850	22,550	26,650	31,050	34,100	35,800
ELEVATOR-STRUCTURE	21,400	24,850	31,650				
EAGLE PASS							
DETACHED AND SEMIDETACHED	19,550	23,350	28,950	34,600	41,650	46,250	48,050
ROW DWELLINGS	15,700	19,000	23,400	27,900	33,550	37,400	38,850
WALKUP	14,650	18,600	23,250	27,750	32,150	35,350	37,050
ELEVATOR-STRUCTURE	21,850	25,500	32,250				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VI--CONTINUED

TEXAS

--CONTINUED

	0	1	2	3	4	5	6
MARLINGEN							
DETACHED AND SEMIDETACHED	18,350	22,050	27,300	32,750	39,250	43,600	45,550
ROW DWELLINGS	15,800	19,000	23,450	28,150	33,550	37,500	39,100
WALKUP	14,650	18,600	23,350	27,750	32,200	35,450	37,250
ELEVATOR-STRUCTURE	20,350	23,450	29,800				
JUNCTION							
DETACHED AND SEMIDETACHED	18,250	22,000	27,200	32,300	38,950	43,350	45,050
ROW DWELLINGS	15,800	19,200	23,700	28,250	34,050	37,900	39,450
WALKUP	14,900	18,700	23,500	28,100	32,500	35,800	37,600
ELEVATOR-STRUCTURE	22,250	25,900	32,700				
LAREDO							
DETACHED AND SEMIDETACHED	18,250	21,850	27,150	32,300	38,750	43,250	44,950
ROW DWELLINGS	16,150	19,700	24,250	29,000	34,700	38,750	40,250
WALKUP	14,100	17,750	22,250	26,400	30,800	33,750	35,500
ELEVATOR-STRUCTURE	21,400	24,850	31,650				
VICTORIA							
DETACHED AND SEMIDETACHED	17,100	20,750	25,600	30,600	36,650	40,800	42,450
ROW DWELLINGS	16,100	19,600	24,150	28,700	34,650	38,650	40,200
WALKUP	15,150	19,050	23,950	28,450	33,100	36,300	38,200
ELEVATOR-STRUCTURE	22,100	25,750	32,600				

REGION VII

IOWA

	0	1	2	3	4	5	6
DES MOINES							
DETACHED AND SEMIDETACHED	19,500	23,650	29,100	34,750	41,650	46,350	48,600
ROW DWELLINGS	19,050	22,900	28,150	33,550	40,400	44,900	46,950
WALKUP	17,550	22,000	27,850	33,050	38,200	41,900	44,100
ELEVATOR-STRUCTURE	25,850	29,900	38,000				
BETTENDORF							
DETACHED AND SEMIDETACHED	20,350	24,600	30,300	36,250	43,600	48,500	50,700
ROW DWELLINGS	19,800	23,800	29,300	34,800	42,100	46,900	48,900
WALKUP	18,400	22,850	29,050	34,250	39,750	43,700	45,950
ELEVATOR-STRUCTURE	26,700	30,900	39,100				
CEDAR RAPIDS							
DETACHED AND SEMIDETACHED	20,250	24,400	30,200	35,750	43,100	48,000	50,100
ROW DWELLINGS	19,700	23,700	29,050	34,600	41,700	46,500	48,550
WALKUP	17,600	21,900	27,800	34,100	39,450	41,750	43,850
ELEVATOR-STRUCTURE	26,500	30,700	38,950				
COUNCIL BLUFFS							
DETACHED AND SEMIDETACHED	19,600	23,650	29,100	34,750	41,950	46,400	48,600
ROW DWELLINGS	19,000	22,850	28,150	33,850	40,450	45,250	47,150
WALKUP	17,500	21,900	27,850	32,950	38,100	41,950	44,000
ELEVATOR-STRUCTURE	25,900	30,150	38,000				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VII--CONTINUED

--CONTINUED

ICWA

	0	1	2	3	4	5	6
DAVENPORT							
DETACHED AND SEMIDETACHED	20,250	24,400	30,200	35,750	43,100	48,000	50,100
ROW DWELLINGS	19,650	23,700	29,100	34,650	41,650	46,500	48,500
WALKUP	18,300	22,750	28,900	35,450	41,100	43,500	45,650
ELEVATOR-STRUCTURE	26,700	30,900	39,100				
DUBUQUE							
DETACHED AND SEMIDETACHED	20,250	24,400	30,200	35,750	43,100	48,000	50,100
ROW DWELLINGS	19,650	23,700	29,100	34,650	41,650	46,500	48,500
WALKUP	18,300	22,750	28,900	35,450	41,100	43,500	45,650
ELEVATOR-STRUCTURE	26,150	30,500	38,600				
MASON CITY							
DETACHED AND SEMIDETACHED	20,250	24,400	30,200	35,750	43,100	48,000	50,100
ROW DWELLINGS	19,650	23,700	29,100	34,650	41,650	46,500	48,500
WALKUP	18,200	22,700	28,900	35,600	41,150	43,500	45,750
ELEVATOR-STRUCTURE	26,150	30,500	38,600				
SIoux CITY							
DETACHED AND SEMIDETACHED	20,250	24,400	30,200	35,750	43,100	48,000	50,100
ROW DWELLINGS	19,500	23,400	28,900	34,450	41,450	46,200	48,200
WALKUP	18,200	22,500	28,650	35,350	40,850	43,250	45,400
ELEVATOR-STRUCTURE	26,150	30,500	38,600				
WATERLOO							
DETACHED AND SEMIDETACHED	20,250	24,400	30,200	35,750	43,100	48,000	50,100
ROW DWELLINGS	19,650	23,700	29,100	34,650	41,650	46,500	48,500
WALKUP	18,300	22,750	28,900	35,450	41,100	43,500	45,650
ELEVATOR-STRUCTURE	26,150	30,500	38,600				
* SAC FOX							
DETACHED AND SEMIDETACHED	21,700	26,100	32,350	38,350	46,200	51,400	53,750
ROW DWELLINGS	20,500	24,600	30,200	35,900	43,200	48,250	50,400
WALKUP	18,450	22,950	29,250	35,750	41,500	43,900	46,150
ELEVATOR-STRUCTURE	26,500	30,700	38,950				

KANSAS

KANSAS CITY

DETACHED AND SEMIDETACHED	20,150	24,450	30,100	35,800	43,100	47,900	50,150
ROW DWELLINGS	19,450	23,300	28,800	34,300	41,300	45,900	47,950
WALKUP	18,700	23,050	29,500	34,800	40,250	44,450	46,700
ELEVATOR-STRUCTURE	27,800	32,150	40,700				
TOPEKA							
DETACHED AND SEMIDETACHED	19,650	23,650	29,300	34,800	41,950	46,700	48,850
ROW DWELLINGS	18,950	22,550	28,050	33,300	40,100	44,800	46,800
WALKUP	18,300	23,050	29,300	34,400	39,850	44,200	46,100
ELEVATOR-STRUCTURE	26,800	31,000	39,250				
* HOLTON							
DETACHED AND SEMIDETACHED	22,200	26,850	33,250	39,400	47,450	52,850	55,400
ROW DWELLINGS	21,400	25,500	31,700	37,700	45,450	50,700	52,850
WALKUP	20,750	26,050	33,050	39,000	45,200	49,950	52,200
ELEVATOR-STRUCTURE	26,750	31,000	39,250				

PHOTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VII--CONTINUED

KANSAS

--CONTINUED

GARDEN CITY

DETACHED AND SEMIDETACHED	18,350	22,100	27,350	32,600	39,300	43,600	45,700
ROW DWELLINGS	17,700	21,200	26,150	31,200	37,500	42,000	43,650
WALKUP	17,350	21,500	27,200	32,300	37,450	41,250	43,300
ELEVATOR-STRUCTURE	25,150	29,050	36,650				

PITTSBURG

DETACHED AND SEMIDETACHED	18,050	21,750	26,900	32,050	38,600	42,900	44,900
ROW DWELLINGS	17,400	20,850	25,750	30,500	36,900	41,200	43,000
WALKUP	16,900	21,150	26,800	31,550	36,750	40,600	42,450
ELEVATOR-STRUCTURE	24,500	28,500	35,950				

SALINA

DETACHED AND SEMIDETACHED	18,050	21,750	26,900	32,200	38,800	42,950	45,100
ROW DWELLINGS	17,450	20,900	25,950	30,700	36,950	41,300	43,200
WALKUP	17,000	21,200	27,050	31,700	36,900	40,600	42,500
ELEVATOR-STRUCTURE	24,750	28,600	36,050				

WICHITA

DETACHED AND SEMIDETACHED	18,950	22,850	28,450	33,700	40,550	45,150	47,350
ROW DWELLINGS	18,150	21,800	27,100	32,050	38,850	43,250	45,100
WALKUP	17,750	22,250	28,250	33,300	38,600	42,500	44,600
ELEVATOR-STRUCTURE	24,500	28,500	35,950				

MISSOURI

KANSAS CITY

DETACHED AND SEMIDETACHED	20,150	24,450	30,100	35,800	43,100	47,900	50,150
ROW DWELLINGS	19,400	23,250	28,800	34,200	41,150	45,850	47,850
WALKUP	18,700	23,150	29,500	34,800	40,250	44,450	46,800
ELEVATOR-STRUCTURE	27,800	32,150	40,700				

JOPLIN

DETACHED AND SEMIDETACHED	18,650	22,600	28,050	33,250	40,050	44,650	46,700
ROW DWELLINGS	18,150	21,800	26,800	32,000	38,450	42,800	44,600
WALKUP	17,500	21,350	27,550	32,400	37,600	41,350	43,550
ELEVATOR-STRUCTURE	25,900	30,050	38,000				

ST. JOSEPH

DETACHED AND SEMIDETACHED	19,450	23,300	28,750	34,250	41,300	46,050	48,200
ROW DWELLINGS	18,700	22,300	27,600	32,750	39,550	44,050	45,900
WALKUP	17,950	22,400	28,350	33,500	38,950	42,800	45,050
ELEVATOR-STRUCTURE	26,600	30,850	39,100				

SEDALIA

DETACHED AND SEMIDETACHED	19,450	23,300	28,750	34,250	41,300	46,050	48,200
ROW DWELLINGS	18,700	22,300	27,600	32,750	39,550	44,050	45,900
WALKUP	17,950	22,400	28,350	33,500	38,950	42,800	45,050
ELEVATOR-STRUCTURE	26,600	30,850	39,100				

SPRINGFIELD

DETACHED AND SEMIDETACHED	19,550	23,400	29,000	34,550	41,700	46,350	48,450
ROW DWELLINGS	18,750	22,400	27,800	33,100	39,900	44,650	46,250
WALKUP	17,100	21,300	26,850	31,700	36,900	40,650	42,500
ELEVATOR-STRUCTURE	26,350	30,650	38,800				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VII--CONTINUED

MISSOURI --CONTINUED

	0	1	2	3	4	5	6
ST LOUIS							
DETACHED AND SEMIDETACHED	20,500	24,750	30,450	36,300	43,750	48,650	50,900
ROW DWELLINGS	19,500	23,200	28,850	34,400	41,400	46,250	48,150
WALKUP	18,500	23,100	29,100	34,450	40,050	44,000	46,100
ELEVATOR-STRUCTURE	27,350	31,700	40,050				
CAPE GIRARDEAU							
DETACHED AND SEMIDETACHED	19,300	23,400	29,050	34,550	41,650	46,500	48,600
ROW DWELLINGS	18,700	22,250	27,500	32,850	39,250	43,800	45,800
WALKUP	17,600	21,950	27,550	32,850	38,200	41,750	44,000
ELEVATOR-STRUCTURE	26,200	30,350	38,300				
COLUMBIA							
DETACHED AND SEMIDETACHED	20,150	24,250	30,000	35,850	43,150	47,900	50,200
ROW DWELLINGS	19,100	22,900	28,300	33,800	40,550	45,250	47,200
WALKUP	18,300	22,750	28,700	34,100	39,600	43,300	45,350
ELEVATOR-STRUCTURE	26,200	30,350	38,400				
KIRKSVILLE							
DETACHED AND SEMIDETACHED	20,150	24,250	30,000	35,850	43,150	47,900	50,200
ROW DWELLINGS	19,100	22,900	28,300	33,800	40,550	45,250	47,200
WALKUP	18,400	22,800	28,900	34,250	39,750	43,700	45,800
ELEVATOR-STRUCTURE	26,200	30,350	38,400				
ROLLA							
DETACHED AND SEMIDETACHED	18,300	22,100	27,400	32,550	39,100	43,450	45,500
ROW DWELLINGS	17,450	20,900	25,900	30,700	37,100	41,400	43,200
WALKUP	16,600	20,600	26,100	30,850	35,900	39,400	41,300
ELEVATOR-STRUCTURE	24,050	27,850	35,150				

NEBRASKA

	0	1	2	3	4	5	6
OPAPA							
DETACHED AND SEMIDETACHED	20,300	24,450	30,150	36,050	43,350	48,150	50,350
ROW DWELLINGS	18,950	22,750	28,050	33,450	40,450	44,850	46,800
WALKUP	18,100	22,600	28,600	33,800	39,150	43,150	45,250
ELEVATOR-STRUCTURE	26,800	31,150	39,450				
GRAND ISLAND							
DETACHED AND SEMIDETACHED	21,300	25,350	31,400	37,400	45,200	50,150	52,600
ROW DWELLINGS	20,000	24,100	29,850	35,550	42,900	47,500	49,700
WALKUP	18,800	23,600	29,950	35,250	42,900	45,000	47,250
ELEVATOR-STRUCTURE	27,750	32,250	40,550				
LINCOLN							
DETACHED AND SEMIDETACHED	20,150	24,400	29,950	35,850	43,000	47,600	50,150
ROW DWELLINGS	19,100	23,000	28,150	33,700	40,650	45,000	47,050
WALKUP	17,250	21,450	27,100	32,200	37,250	41,150	43,100
ELEVATOR-STRUCTURE	26,550	30,750	38,600				
MACY							
DETACHED AND SEMIDETACHED	24,250	29,200	36,100	43,050	51,850	58,050	60,550
ROW DWELLINGS	22,650	27,350	33,750	40,300	48,300	53,850	56,050
WALKUP	21,250	26,400	33,450	39,650	46,000	51,800	53,800
ELEVATOR-STRUCTURE	31,800	36,750	46,500				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION VII--CONTINUED

NEBRASKA

NRGFOLK

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

NORTH PLATTE

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

* SANTEE

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

SCOTTSBLUFF

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

* WINNEBAGO

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

ASPEN-VAIL

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

GRAND JUNCTION

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

ASPEN-VAIL

REGION VIII

COLORADO

DENVER

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

GRAND JUNCTION

DETACHED AND SEMIDETACHED

ROM DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

ASPEN-VAIL

20,550

19,250

17,900

28,100

18,650

17,950

17,600

27,100

25,500

22,150

20,700

31,800

21,000

19,450

18,650

27,350

25,500

22,150

20,700

31,800

25,500

22,150

20,700

31,800

24,800

23,150

22,150

32,450

22,450

21,600

21,750

31,350

30,700

26,650

25,750

36,750

25,350

23,300

23,000

31,650

30,700

26,650

25,750

36,750

30,650

28,600

28,100

41,250

27,650

26,650

27,800

39,800

37,950

33,000

32,650

46,500

31,000

28,850

29,350

37,850

37,950

33,000

32,650

46,500

44,050

40,950

38,650

39,850

38,100

38,000

54,500

47,250

44,850

44,600

41,300

40,100

54,500

47,250

44,850

47,350

39,350

34,450

40,100

36,550

34,100

33,150

33,150

33,150

31,850

32,900

45,300

39,300

38,650

37,050

34,450

37,850

45,300

39,300

38,650

45,300

39,300

38,650

49,150

45,650

42,750

44,450

42,500

42,100

60,950

52,650

49,650

49,600

46,000

44,300

44,300

60,950

52,650

49,650

51,350

47,550

44,700

46,500

44,400

44,200

63,650

54,800

51,850

51,750

46,000

44,300

63,650

54,800

51,850

24,800

23,150

22,150

32,450

22,450

21,600

21,750

31,350

30,700

26,650

25,750

36,750

25,350

23,300

23,000

31,650

30,700

26,650

25,750

36,750

30,650

28,600

28,100

41,250

27,650

26,650

27,800

39,800

37,950

33,000

32,650

46,500

31,000

28,850

29,350

37,850

37,950

33,000

32,650

46,500

44,050

40,950

38,650

44,450

38,100

38,000

54,500

47,250

44,850

44,600

41,300

40,100

54,500

47,250

44,850

47,350

39,350

34,450

40,100

36,550

34,100

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VIII--CONTINUED

MONTANA

	0	1	2	3	4	5	6
HELENA							
DETACHED AND SEMIDETACHED	22,750	27,400	33,850	40,300	48,700	54,250	56,600
ROW DWELLINGS	19,600	23,300	29,200	34,650	41,750	46,350	48,650
WALKUP	18,200	22,900	29,100	34,250	39,600	43,750	45,650
ELEVATOR-STRUCTURE	28,100	32,650	41,450				
BILLINGS							
DETACHED AND SEMIDETACHED	21,550	26,050	32,050	38,250	45,950	51,050	53,500
ROW DWELLINGS	18,750	22,200	27,500	32,800	39,550	44,050	46,050
WALKUP	17,100	21,650	27,500	32,400	37,300	41,400	43,300
ELEVATOR-STRUCTURE	26,650	30,750	39,250				
GREAT FALLS							
DETACHED AND SEMIDETACHED	22,750	27,350	33,850	40,350	48,300	53,950	56,400
ROW DWELLINGS	19,900	23,600	29,200	35,100	42,200	46,800	49,400
WALKUP	18,350	23,050	29,100	34,200	39,650	43,950	45,800
ELEVATOR-STRUCTURE	28,150	32,500	41,450				
MISSOULA							
DETACHED AND SEMIDETACHED	21,100	25,500	31,300	37,400	44,950	49,900	52,300
ROW DWELLINGS	18,350	21,850	27,050	32,050	38,650	43,100	45,050
WALKUP	16,750	21,200	27,000	31,700	36,600	40,600	42,400
ELEVATOR-STRUCTURE	26,100	30,150	38,400				
* RONAN							
DETACHED AND SEMIDETACHED	26,050	32,350	38,550	44,450	53,600	59,750	62,600
ROW DWELLINGS	25,550	29,450	35,050	40,350	48,850	54,350	57,000
WALKUP	24,900	28,700	34,150	39,450	47,600	53,000	55,550
ELEVATOR-STRUCTURE	33,300	38,500	49,000				
* BRUNING							
DETACHED AND SEMIDETACHED	29,000	33,300	39,400	45,350	54,550	60,900	63,700
ROW DWELLINGS	26,300	30,150	35,800	41,150	49,500	55,200	57,800
WALKUP	25,650	29,450	34,850	40,100	48,200	53,800	56,350
ELEVATOR-STRUCTURE	30,900	35,700	45,450				
* HARLEM							
DETACHED AND SEMIDETACHED	29,800	34,350	40,900	47,250	57,000	63,500	66,500
ROW DWELLINGS	27,100	31,250	37,200	42,950	51,800	57,700	60,450
WALKUP	26,400	30,450	36,250	41,900	50,500	56,200	58,950
ELEVATOR-STRUCTURE	33,800	39,000	49,650				
* WOLF POINT							
DETACHED AND SEMIDETACHED	29,250	34,000	40,350	47,100	56,450	63,100	66,150
ROW DWELLINGS	26,550	30,900	36,700	42,750	51,300	57,250	60,050
WALKUP	25,850	30,100	35,750	41,650	49,900	55,750	58,450
ELEVATOR-STRUCTURE	33,600	38,850	49,400				
* LODGE GRASS							
DETACHED AND SEMIDETACHED	29,500	35,050	40,500	46,750	56,350	62,800	65,850
ROW DWELLINGS	26,150	31,100	36,950	41,500	50,000	55,750	58,450
WALKUP	25,500	29,400	35,000	40,400	48,700	54,300	56,850
ELEVATOR-STRUCTURE	31,400	36,350	46,250				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VIII--CONTINUED

NORTH DAKOTA

FARGO

DETACHED AND SEMIDETACHED	23,700	28,350	35,100	42,200	50,750	56,050	58,950
ROW DWELLINGS	19,250	23,350	28,750	34,150	41,300	45,700	47,850
WALKUP	17,800	22,350	27,750	32,900	38,550	42,350	44,550
ELEVATOR-STRUCTURE	27,200	31,700	39,950				

RISPARCK

DETACHED AND SEMIDETACHED	25,500	30,700	37,600	45,200	54,450	60,300	63,200
ROW DWELLINGS	20,750	25,100	30,850	36,850	44,550	49,300	51,650
WALKUP	19,300	24,150	29,750	35,500	41,750	45,750	48,200
ELEVATOR-STRUCTURE	29,150	33,850	42,850				

DICKINSON

DETACHED AND SEMIDETACHED	24,750	29,750	36,800	44,100	52,950	58,600	61,750
ROW DWELLINGS	20,150	24,500	30,250	35,850	43,300	47,900	50,100
WALKUP	18,700	23,500	29,150	34,450	40,650	44,700	46,800
ELEVATOR-STRUCTURE	28,600	33,300	42,000				

* FORT TUTTEN

DETACHED AND SEMIDETACHED	34,050	37,850	43,200	48,350	56,350	61,800	64,150
ROW DWELLINGS	30,950	34,350	39,200	43,900	51,150	56,100	58,250
WALKUP	29,750	33,150	37,750	42,250	49,300	54,000	56,050
ELEVATOR-STRUCTURE							

SOUTH DAKOTA

SIoux FALLS

DETACHED AND SEMIDETACHED	23,650	28,400	35,050	41,600	50,200	56,000	58,500
ROW DWELLINGS	21,550	26,100	32,350	38,500	46,450	51,150	53,950
WALKUP	18,700	23,250	29,450	34,950	40,500	44,700	46,900
ELEVATOR-STRUCTURE	26,950	31,350	39,550				

PIERRE

DETACHED AND SEMIDETACHED	24,900	30,250	37,050	44,100	53,450	59,350	61,800
ROW DWELLINGS	22,550	27,300	33,650	40,000	48,400	53,600	56,150
WALKUP	18,800	23,600	29,600	35,200	40,800	44,850	47,250
ELEVATOR-STRUCTURE	27,450	31,800	40,350				

RAPID CITY

DETACHED AND SEMIDETACHED	23,800	28,900	35,650	42,200	50,750	56,700	59,150
ROW DWELLINGS	21,800	26,650	32,700	39,300	47,000	51,850	54,750
WALKUP	19,550	24,550	31,000	36,500	42,250	46,700	49,200
ELEVATOR-STRUCTURE	27,300	31,750	40,150				

* MISSION

DETACHED AND SEMIDETACHED	29,500	34,250	40,800	47,250	56,900	63,300	65,950
ROW DWELLINGS	28,000	32,550	38,750	44,850	54,050	60,100	62,650
WALKUP	25,100	29,100	34,700	40,150	48,400	53,650	56,050
ELEVATOR-STRUCTURE	29,500	34,350	43,400				

* FORT THOMPSON

DETACHED AND SEMIDETACHED	30,650	35,550	42,350	49,050	59,100	65,850	68,750
ROW DWELLINGS	29,150	33,750	40,300	46,600	56,150	62,550	65,300
WALKUP	26,100	30,200	36,000	41,700	50,250	56,000	58,450
ELEVATOR-STRUCTURE	30,650	35,550	44,650				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION VIII--CONTINUED

WYOMING

--CONTINUED

CODY

DETACHED AND SEMIDETACHED	24,450	29,050	36,650	44,050	52,900	58,750	61,600
ROW DWELLINGS	21,200	25,300	31,500	37,500	44,950	49,950	52,500
WALKUP	19,200	24,100	30,550	35,950	41,450	45,900	47,900
ELEVATOR-STRUCTURE	28,200	32,650	41,550				

REGION IX

ARIZONA

PHOENIX

DETACHED AND SEMIDETACHED	20,250	24,350	30,050	35,800	43,150	48,000	50,300
ROW DWELLINGS	18,350	22,200	27,400	32,800	39,200	43,900	45,750
WALKUP	16,800	20,850	26,550	31,400	36,200	39,950	42,000
ELEVATOR-STRUCTURE	27,700	32,150	40,750				

CASA GRANDE

DETACHED AND SEMIDETACHED	21,150	25,500	31,350	37,400	45,100	50,050	52,600
ROW DWELLINGS	19,200	23,250	28,500	34,000	40,900	45,650	47,600
WALKUP	17,450	21,850	27,750	32,850	37,900	41,800	43,800
ELEVATOR-STRUCTURE	28,650	33,550	42,500				

DOUGLAS

DETACHED AND SEMIDETACHED	20,750	24,950	30,900	36,650	44,050	49,200	51,600
ROW DWELLINGS	18,950	22,900	28,250	33,650	40,400	45,150	47,150
WALKUP	17,300	21,500	27,300	32,250	37,050	40,950	43,050
ELEVATOR-STRUCTURE	28,550	33,050	41,900				

FLAGSTAFF

DETACHED AND SEMIDETACHED	20,600	24,850	30,900	36,550	42,950	49,050	51,450
ROW DWELLINGS	18,950	22,900	28,250	33,650	40,400	45,150	47,150
WALKUP	17,200	21,400	27,300	32,150	37,050	41,000	42,950
ELEVATOR-STRUCTURE	29,550	34,100	43,100				

* KAIBAB

DETACHED AND SEMIDETACHED	26,000	31,200	38,550	46,000	55,300	61,750	64,500
ROW DWELLINGS	23,550	28,400	35,000	41,850	50,100	55,900	58,450
WALKUP	21,250	26,600	34,050	40,050	46,450	51,100	53,750
ELEVATOR-STRUCTURE	33,000	38,500	48,700				

KINGMAN

DETACHED AND SEMIDETACHED	21,000	25,300	31,100	37,200	44,800	49,700	52,200
ROW DWELLINGS	19,150	22,200	28,450	33,950	40,750	45,550	47,500
WALKUP	17,350	21,750	27,500	32,600	37,550	41,450	43,450
ELEVATOR-STRUCTURE	28,600	33,300	42,200				

* FT. MOJAVE

DETACHED AND SEMIDETACHED	22,800	27,300	33,950	40,200	48,400	53,900	56,500
ROW DWELLINGS	21,500	25,750	32,000	37,900	45,650	50,800	53,350
WALKUP	19,500	23,350	29,000	34,300	41,400	46,100	48,300
ELEVATOR-STRUCTURE	31,050	36,300	45,950				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IX--CONTINUED

--CONTINUED

ARIZONA

* SACATON	22,150	26,850	32,900	39,350	47,350	52,600	55,200
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	20,200	24,300	29,900	35,650	42,900	47,900	49,950
WALKUP	18,400	23,150	29,100	34,500	39,800	43,900	46,000
ELEVATOR-STRUCTURE	30,000	34,800	44,100				
* SAN CARLOS	22,700	27,500	34,000	40,350	48,650	54,150	56,700
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	20,750	25,100	31,000	37,000	44,400	49,450	51,500
WALKUP	19,000	23,850	30,000	35,650	41,100	45,350	47,550
ELEVATOR-STRUCTURE	29,150	33,800	42,900				
* SELLS	23,200	28,050	34,500	41,100	49,550	55,050	57,850
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	21,150	25,600	31,400	37,450	45,050	50,250	52,400
WALKUP	19,300	24,300	30,500	36,150	41,800	46,050	48,250
ELEVATOR-STRUCTURE	31,400	36,400	46,250				
* WHITE RIVER	23,050	27,600	34,250	40,700	48,950	54,350	57,200
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	21,200	25,550	31,500	37,550	45,100	50,450	52,450
WALKUP	19,050	24,000	30,200	35,900	41,350	45,750	47,950
ELEVATOR-STRUCTURE	29,350	33,950	43,000				
SAFFORD	21,300	25,450	31,550	37,500	45,050	50,300	52,800
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	19,300	23,450	29,050	34,500	41,400	46,300	48,300
WALKUP	17,500	21,900	27,900	33,000	38,100	42,000	44,100
ELEVATOR-STRUCTURE	29,100	33,900	42,800				
* CAMP VERDE	22,550	27,150	33,650	39,750	48,150	53,650	56,250
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	20,550	25,050	30,800	36,700	44,100	49,300	51,400
WALKUP	18,800	23,500	29,700	35,200	40,550	44,700	46,850
ELEVATOR-STRUCTURE	29,200	33,950	42,900				
* KEAMS CANYON	27,950	33,450	41,450	49,300	59,350	66,000	69,100
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	26,200	31,750	39,350	47,850	55,950	62,650	64,800
WALKUP	22,600	28,350	35,750	42,350	48,850	53,800	56,600
ELEVATOR-STRUCTURE	33,950	39,250	49,600				
* FORT MCDOWELL	22,450	26,900	33,450	39,550	47,700	53,150	55,700
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	20,500	25,000	30,800	36,600	43,850	49,250	51,200
WALKUP	18,550	23,200	29,500	34,900	40,150	44,550	46,750
ELEVATOR-STRUCTURE	29,300	34,100	43,100				
* PAKKER	23,400	28,400	34,850	41,450	50,050	55,750	58,450
DETACHED AND SEMIDETACHED							
ROW DWELLINGS	21,500	25,850	31,800	38,000	45,600	50,950	53,200
WALKUP	19,550	24,400	30,850	36,400	42,050	46,550	48,700
ELEVATOR-STRUCTURE	29,950	34,750	44,050				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION IX--CONTINUED

ARIZONA

---CONTINUED

PEACH SPRINGS

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

TUCSON

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

YUMA

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

ROUGH ROCK

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

NGGALES

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

STEAMBOAT

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

KAIBITU

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

CALIFORNIA

LCS ANGELES

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

BAKERSFIELD

DETACHED AND SEMIDETACHED

ROW DWELLINGS

WALKUP

ELEVATOR-STRUCTURE

	0	1	2	3	4	5	6
PEACH SPRINGS							
DETACHED AND SEMIDETACHED	25,400	30,700	38,000	45,100	54,400	60,600	63,450
ROW DWELLINGS	23,400	28,300	34,900	41,600	49,950	55,650	58,200
WALKUP	21,300	26,500	33,600	39,750	45,800	50,650	53,200
ELEVATOR-STRUCTURE	32,400	37,650	47,500				
TUCSON							
DETACHED AND SEMIDETACHED	20,350	24,500	30,250	35,850	43,250	48,250	50,550
ROW DWELLINGS	19,000	22,950	28,350	33,800	40,600	45,400	47,450
WALKUP	16,950	21,150	26,750	31,600	36,450	40,300	42,150
ELEVATOR-STRUCTURE	32,700	37,950	47,900				
YUMA							
DETACHED AND SEMIDETACHED	20,050	24,150	29,850	35,450	42,750	47,600	50,000
ROW DWELLINGS	18,100	21,900	27,100	32,150	38,000	43,200	44,950
WALKUP	16,800	20,700	26,350	31,300	36,050	39,750	41,650
ELEVATOR-STRUCTURE	27,450	32,050	40,450				
ROUGH ROCK							
DETACHED AND SEMIDETACHED	29,100	35,000	43,300	51,550	62,100	68,950	72,350
ROW DWELLINGS	27,950	33,100	41,150	49,000	58,550	65,450	68,150
WALKUP	23,700	29,600	37,400	44,300	51,050	56,250	59,300
ELEVATOR-STRUCTURE	32,500	37,550	47,500				
NGGALES							
DETACHED AND SEMIDETACHED	24,700	29,650	36,600	43,450	52,400	58,500	61,250
ROW DWELLINGS	22,300	27,100	33,350	39,900	47,950	53,400	55,600
WALKUP	20,650	25,550	32,350	38,400	44,400	48,600	51,450
ELEVATOR-STRUCTURE	33,600	39,100	49,600				
STEAMBOAT							
DETACHED AND SEMIDETACHED	27,700	33,300	41,200	49,000	59,000	65,550	68,750
ROW DWELLINGS	26,100	31,500	39,100	46,550	55,650	62,200	64,850
WALKUP	22,500	28,200	35,550	42,100	48,550	53,450	56,350
ELEVATOR-STRUCTURE	32,900	38,000	48,050				
KAIBITU							
DETACHED AND SEMIDETACHED	30,850	36,750	45,500	54,150	65,200	72,500	75,950
ROW DWELLINGS	28,800	34,850	43,200	51,450	61,500	68,800	71,650
WALKUP	24,900	31,100	39,300	46,550	53,650	59,050	62,250
ELEVATOR-STRUCTURE	32,900	38,000	48,050				
CALIFORNIA							
LCS ANGELES							
DETACHED AND SEMIDETACHED	23,800	28,300	35,200	42,050	50,500	56,500	59,000
ROW DWELLINGS	23,250	28,200	34,650	41,250	49,750	55,350	57,750
WALKUP	21,650	27,250	34,050	40,450	46,600	51,450	54,050
ELEVATOR-STRUCTURE	35,300	41,100	51,850				
BAKERSFIELD							
DETACHED AND SEMIDETACHED	23,450	27,950	34,800	41,550	49,850	55,700	58,300
ROW DWELLINGS	22,900	27,800	34,200	40,650	49,050	54,600	57,000
WALKUP	21,350	26,900	33,550	39,850	45,900	50,700	53,300
ELEVATOR-STRUCTURE	35,150	40,850	51,600				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION IX--CONTINUED

CALIFORNIA --CONTINUED

	0	1	2	3	4	5	6
INYO							
INYOCKERN							
DETACHED AND SEMIDETACHED	24,600	29,250	36,400	43,250	52,200	58,450	61,150
ROW DWELLINGS	24,200	29,300	35,850	42,850	51,550	57,350	59,950
WALKUP	22,350	28,050	35,200	41,700	48,100	52,950	55,650
ELEVATOR-STRUCTURE	36,400	42,550	53,600				
LANCASTER							
DETACHED AND SEMIDETACHED	23,950	28,700	35,450	42,250	50,900	56,900	59,650
ROW DWELLINGS	23,300	28,300	34,900	41,600	49,950	55,400	58,050
WALKUP	21,850	27,400	34,250	40,550	47,100	51,750	54,350
ELEVATOR-STRUCTURE	35,350	41,300	52,200				
* LONE PINE							
DETACHED AND SEMIDETACHED	25,650	31,950	40,400	47,750	55,300	60,900	64,050
ROW DWELLINGS	24,950	30,500	38,550	45,550	52,800	58,150	61,150
WALKUP	23,300	29,050	36,700	43,400	50,250	55,350	58,250
ELEVATOR-STRUCTURE	40,450	46,950	59,400				
POJAVE							
DETACHED AND SEMIDETACHED	24,450	29,050	36,150	43,000	51,850	57,900	60,400
ROW DWELLINGS	23,950	28,950	35,600	42,650	51,250	57,050	59,550
WALKUP	22,250	27,850	34,950	41,250	47,550	52,600	55,150
ELEVATOR-STRUCTURE	36,150	42,150	53,250				
OJAI							
DETACHED AND SEMIDETACHED	22,150	26,500	33,100	39,300	47,250	52,600	55,150
ROW DWELLINGS	21,750	26,400	32,550	38,750	46,550	51,900	54,250
WALKUP	20,200	25,400	31,950	38,000	43,900	48,100	50,750
ELEVATOR-STRUCTURE	33,500	39,000	49,100				
OXNAHO							
DETACHED AND SEMIDETACHED	23,400	27,950	34,800	41,350	49,750	55,550	58,350
ROW DWELLINGS	22,850	27,750	34,200	40,650	48,950	54,500	56,800
WALKUP	21,300	26,700	33,550	39,700	45,650	50,650	53,200
ELEVATOR-STRUCTURE	35,150	40,850	51,600				
PASO RUBLES							
DETACHED AND SEMIDETACHED	23,300	27,850	34,500	41,100	49,300	55,200	57,950
ROW DWELLINGS	22,800	27,750	33,950	40,750	48,600	54,400	56,700
WALKUP	21,250	26,550	33,350	39,350	45,350	50,200	52,600
ELEVATOR-STRUCTURE	36,100	42,100	53,200				
PIRU							
DETACHED AND SEMIDETACHED	22,150	26,500	33,100	39,300	47,250	52,600	55,150
ROW DWELLINGS	21,750	26,400	32,550	38,750	46,550	51,900	54,250
WALKUP	20,200	25,400	31,950	38,000	43,900	48,100	50,750
ELEVATOR-STRUCTURE	33,500	39,000	49,100				
RIDGECREST							
DETACHED AND SEMIDETACHED	22,850	27,200	33,850	40,200	48,700	54,150	56,750
ROW DWELLINGS	22,300	27,050	33,250	39,550	47,600	53,000	55,250
WALKUP	20,700	26,000	32,650	38,700	44,650	49,150	51,650
ELEVATOR-STRUCTURE	36,250	42,350	53,350				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IX--CONTINUED

CALIFORNIA --CONTINUED

	0	1	2	3	4	5	6
SANTA ANA							
DETACHED AND SEMIDETACHED	23,850	28,450	35,200	42,000	50,650	56,250	59,100
ROW DWELLINGS	23,350	28,250	34,650	41,450	49,850	55,550	57,850
WALKUP	21,750	27,000	34,050	40,150	46,600	51,300	53,700
ELEVATOR-STRUCTURE	35,400	40,950	51,850				
DESERT CENTER							
DETACHED AND SEMIDETACHED	26,400	31,700	39,250	46,900	56,450	62,850	65,950
ROW DWELLINGS	26,000	31,100	38,650	46,150	55,450	61,850	64,850
WALKUP	25,550	30,650	37,900	45,300	54,450	60,700	63,700
ELEVATOR-STRUCTURE	39,100	45,750	57,750				
NEEDLES							
DETACHED AND SEMIDETACHED	26,750	32,050	39,850	47,200	56,850	63,300	66,300
ROW DWELLINGS	25,250	30,250	37,600	44,600	53,700	59,800	62,700
WALKUP	22,800	27,350	33,950	40,200	48,400	54,000	56,550
ELEVATOR-STRUCTURE	31,900	37,250	47,150				
SACRAMENTO							
DETACHED AND SEMIDETACHED	21,750	26,050	32,250	38,250	46,150	51,350	53,800
ROW DWELLINGS	20,100	24,250	29,900	35,650	42,850	47,800	49,800
WALKUP	17,000	21,300	27,050	31,750	36,850	40,650	42,600
ELEVATOR-STRUCTURE	35,650	41,500	52,350				
* FT. BIDWELL							
DETACHED AND SEMIDETACHED	33,400	40,150	49,800	54,450	60,300	63,950	65,850
ROW DWELLINGS	31,700	38,100	47,350	51,750	57,200	59,450	61,700
WALKUP	28,700	34,550	42,900	46,800	51,850	53,900	56,000
ELEVATOR-STRUCTURE	38,700	44,750	56,450				
PLACERVILLE							
DETACHED AND SEMIDETACHED	21,900	26,200	32,650	38,750	46,700	51,950	54,300
ROW DWELLINGS	20,250	24,450	30,250	36,150	43,300	48,350	50,400
WALKUP	17,600	21,900	27,900	32,850	38,050	41,900	43,900
ELEVATOR-STRUCTURE	36,000	42,050	53,000				
REDDING							
DETACHED AND SEMIDETACHED	21,700	26,100	32,250	38,500	46,300	51,400	53,800
ROW DWELLINGS	20,050	24,250	29,900	35,600	42,700	47,650	49,800
WALKUP	17,350	21,600	27,550	32,400	37,500	41,300	43,250
ELEVATOR-STRUCTURE	35,500	41,500	52,350				
* SUSANVILLE							
DETACHED AND SEMIDETACHED	32,800	39,500	49,100	55,400	62,200	66,000	69,100
ROW DWELLINGS	31,150	37,550	46,500	52,750	58,700	62,650	65,400
WALKUP	28,150	34,050	42,900	47,700	53,100	56,750	59,400
ELEVATOR-STRUCTURE	38,600	44,650	56,500				
YREKA							
DETACHED AND SEMIDETACHED	21,850	26,300	32,950	38,650	46,550	51,850	54,100
ROW DWELLINGS	20,150	24,350	30,850	35,800	43,150	47,900	50,150
WALKUP	17,500	21,750	27,700	32,600	37,750	41,600	43,650
ELEVATOR-STRUCTURE	35,750	41,650	52,600				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IX--CONTINUED

CALIFORNIA --CONTINUED

SOUTH LAKE TAHOE

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

22,400	26,950	33,350	39,550	47,700	53,200	55,600
20,650	24,900	30,900	36,750	44,250	49,250	51,450
17,900	22,450	28,450	33,400	38,800	42,700	44,800
38,000	44,100	55,550				

SAN FRANCISCO

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

28,500	34,400	42,600	50,700	61,050	67,900	70,900
27,200	32,750	40,350	48,150	57,700	64,300	67,250
24,050	30,050	37,950	44,850	52,000	57,300	59,950
42,400	49,250	62,150				

EUREKA

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

28,700	34,400	42,550	50,700	61,100	68,050	71,150
21,050	25,500	31,300	37,400	44,800	50,050	52,200
19,350	24,000	30,400	35,850	41,650	45,800	47,950
31,500	36,500	46,100				

SANTA ROSA

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

26,550	31,800	39,300	46,800	56,400	62,900	65,750
20,700	25,050	30,750	36,750	44,000	49,200	51,350
19,050	23,600	29,900	35,250	40,950	45,050	47,200
30,950	35,900	45,250				

FRESNO

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

21,900	26,000	32,350	38,450	46,400	51,550	54,050
19,750	23,950	29,500	35,150	42,200	47,050	49,200
18,150	22,550	28,600	33,650	39,050	42,950	45,100
33,250	38,700	48,950				

* GRINDSTONE

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

29,450	35,550	44,100	49,900	55,700	59,350	62,050
28,150	33,850	42,050	47,400	53,000	56,400	58,950
25,400	30,700	38,050	42,950	47,800	51,050	53,500
33,000	38,150	48,200				

* HOOPA

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

30,150	36,250	45,050	49,000	54,350	58,000	59,050
28,550	34,400	42,650	46,550	51,700	53,500	55,650
25,900	31,150	38,600	42,100	46,600	48,400	50,350
32,250	37,300	47,100				

* TULE RIVER

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

30,950	37,200	46,200	50,250	55,750	58,000	60,600
29,300	35,300	43,750	47,750	53,000	54,850	57,050
26,550	31,950	39,550	43,200	47,800	49,650	51,650
33,050	38,200	48,300				

MODESTO

DETACHED AND SEMIDETACHED
ROW DWELLINGS
WALKUP
ELEVATOR-STRUCTURE

22,350	27,050	33,250	39,550	47,700	53,000	55,550
21,150	25,950	31,950	37,600	45,100	50,200	52,750
18,500	23,000	29,150	34,250	39,700	43,950	45,700
30,250	35,050	44,200				

PHOTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION IX--CONTINUED

CALIFORNIA --CONTINUED

OAKLAND-MARIN						
DETACHED AND SEMIDETACHED	24,900	29,950	36,850	43,850	52,800	58,800
ROW DWELLINGS	22,800	27,300	33,700	40,250	48,350	53,900
WALKUP	20,900	25,750	32,600	38,500	44,800	49,100
ELEVATOR-STRUCTURE	34,550	40,200	50,650			
SAN JOSE						
DETACHED AND SEMIDETACHED	24,100	28,950	35,850	42,750	51,400	59,900
ROW DWELLINGS	22,500	27,300	33,500	40,000	47,900	53,500
WALKUP	20,750	25,700	32,550	38,400	44,600	49,000
ELEVATOR-STRUCTURE	32,650	37,850	47,750			
SANTA CRUZ						
DETACHED AND SEMIDETACHED	29,150	34,950	43,250	51,500	62,100	69,150
ROW DWELLINGS	21,350	25,900	31,800	38,000	45,550	50,900
WALKUP	19,900	24,700	31,250	36,850	42,800	47,100
ELEVATOR-STRUCTURE	32,450	37,600	47,550			
SAN DIEGO						
DETACHED AND SEMIDETACHED	23,200	27,850	34,500	41,000	49,350	55,000
ROW DWELLINGS	21,100	25,400	31,400	37,200	44,750	50,000
WALKUP	19,650	24,550	31,200	36,700	42,450	46,800
ELEVATOR-STRUCTURE	35,400	41,200	52,150			
EL CAJON						
DETACHED AND SEMIDETACHED	23,200	27,850	34,500	41,000	49,350	55,000
ROW DWELLINGS	21,100	25,400	31,400	37,200	44,750	50,000
WALKUP	20,050	25,200	32,000	37,750	43,750	48,100
ELEVATOR-STRUCTURE	35,400	41,200	52,150			
* BAKONA						
DETACHED AND SEMIDETACHED	17,400	21,750	33,350	41,050	49,300	55,100
ROW DWELLINGS	16,250	20,400	31,200	38,300	45,950	51,350
WALKUP	15,150	19,850	31,200	38,100	44,150	48,450
ELEVATOR-STRUCTURE	27,950	32,650	41,350			
* CAMPU						
DETACHED AND SEMIDETACHED	15,550	19,500	33,650	41,450	49,800	55,600
ROW DWELLINGS	14,600	18,250	31,500	38,700	46,450	51,850
WALKUP	13,600	17,900	31,650	38,700	44,800	49,150
ELEVATOR-STRUCTURE	28,200	32,900	39,650			
* MORNOGO						
DETACHED AND SEMIDETACHED	16,650	20,850	32,000	39,450	47,350	52,800
ROW DWELLINGS	15,600	19,700	29,950	36,950	44,250	49,500
WALKUP	14,400	18,900	29,800	36,400	42,150	46,250
ELEVATOR-STRUCTURE	28,450	33,200	42,100			
* TORRES-MARTINEZ						
DETACHED AND SEMIDETACHED	23,750	28,500	35,400	42,250	50,850	56,550
ROW DWELLINGS	22,500	26,950	33,100	39,550	47,700	52,950
WALKUP	21,200	26,200	33,100	39,350	45,550	49,900
ELEVATOR-STRUCTURE	30,700	35,800	45,400			

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION IX--CONTINUED

CALIFORNIA --CONTINUED

	0	1	2	3	4	5	6
* CHEMUEVEU							
DETACHED AND SEMIDETACHED	24,400	29,650	36,450	43,250	52,250	58,100	60,900
ROM DWELLINGS	23,150	27,950	34,100	40,650	49,200	54,550	56,950
WALKUP	22,750	27,550	33,900	40,250	48,600	54,100	56,650
ELEVATOR-STRUCTURE	32,250	37,600	47,700				
* SANTA YNEZ							
DETACHED AND SEMIDETACHED	24,350	29,250	36,000	42,800	51,600	57,500	60,250
ROM DWELLINGS	24,100	28,950	32,100	39,750	51,250	57,150	59,850
WALKUP	21,400	25,700	31,900	37,900	45,850	50,950	53,400
ELEVATOR-STRUCTURE	30,000	35,050	44,400				
* RIMCON							
DETACHED AND SEMIDETACHED	17,650	21,350	32,750	40,250	48,250	53,950	56,300
ROM DWELLINGS	16,600	20,050	30,600	37,650	45,150	50,550	51,150
WALKUP	15,450	19,500	30,600	37,500	43,400	47,600	50,000
ELEVATOR-STRUCTURE	28,500	33,300	42,150				
* PALA							
DETACHED AND SEMIDETACHED	16,500	20,700	31,750	39,150	46,900	52,350	54,750
ROM DWELLINGS	15,450	19,550	29,700	36,650	43,900	49,100	49,750
WALKUP	14,300	18,750	29,550	36,100	41,800	45,900	48,150
ELEVATOR-STRUCTURE	29,100	34,000	43,100				

HAWAII

	0	1	2	3	4	5	6
HONOLULU							
DETACHED AND SEMIDETACHED	30,250	36,850	45,450	54,050	70,150	72,500	75,850
ROM DWELLINGS	29,400	35,200	43,650	51,800	62,550	69,650	72,750
WALKUP	27,500	34,250	43,450	51,400	59,450	65,600	68,750
ELEVATOR-STRUCTURE	48,900	56,950	72,150				
HILC							
DETACHED AND SEMIDETACHED	33,650	40,500	50,000	59,550	71,650	79,600	83,600
ROM DWELLINGS	32,000	38,850	47,950	56,900	68,650	76,550	79,950
WALKUP	30,350	37,700	47,850	56,600	65,600	72,050	75,700
ELEVATOR-STRUCTURE	53,950	61,850	79,200				
KAUAI							
DETACHED AND SEMIDETACHED	35,050	42,800	52,300	62,450	75,450	83,650	87,650
ROM DWELLINGS	33,750	40,700	50,450	59,700	72,050	80,550	84,050
WALKUP	31,000	38,500	48,800	57,700	66,950	73,700	77,300
ELEVATOR-STRUCTURE	55,200	64,000	81,000				
KOHC							
DETACHED AND SEMIDETACHED	34,150	41,450	51,000	60,800	73,250	81,450	85,100
ROM DWELLINGS	32,850	39,600	49,000	58,050	70,200	78,350	81,650
WALKUP	31,000	38,500	48,800	57,700	66,950	73,700	77,300
ELEVATOR-STRUCTURE	55,200	64,000	81,000				
MAUI							
DETACHED AND SEMIDETACHED	33,200	40,250	49,450	59,100	71,150	79,100	82,900
ROM DWELLINGS	31,950	38,600	47,800	56,550	68,250	76,150	79,600
WALKUP	30,150	37,500	47,650	56,000	67,500	75,100	78,100
ELEVATOR-STRUCTURE	53,600	62,300	78,800				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0

1

2

3

4

5

6

REGION IX--CONTINUED

HAWAII --CONTINUED

GUAM

DETACHED AND SEMIDETACHED	27,950	33,700	41,600	49,450	59,750	66,450	69,600
ROW DWELLINGS	26,850	32,200	39,950	47,400	57,500	63,600	66,600
WALKUP	25,250	31,250	39,650	46,900	54,450	59,700	62,800
ELEVATOR-STRUCTURE	44,750	52,250	66,150				

NEVADA

RENO

DETACHED AND SEMIDETACHED	22,050	26,300	32,700	38,850	46,900	52,050	54,600
ROW DWELLINGS	20,400	24,800	30,600	36,300	43,800	49,050	51,000
WALKUP	19,300	23,850	30,450	35,950	41,650	46,050	48,000
ELEVATOR-STRUCTURE	37,450	43,650	55,150				

LAS VEGAS

DETACHED AND SEMIDETACHED	22,800	27,250	34,050	40,450	48,450	54,150	56,750
ROW DWELLINGS	21,550	26,000	31,950	37,950	46,000	51,350	53,600
WALKUP	20,200	25,000	31,750	37,450	43,550	47,950	50,150
ELEVATOR-STRUCTURE	38,650	44,900	56,600				

*ELKO

DETACHED AND SEMIDETACHED	30,300	36,400	40,450	47,350	56,600	62,750	65,700
ROW DWELLINGS	28,250	34,600	38,450	45,000	53,750	59,650	62,400
WALKUP	26,400	31,700	35,300	41,300	49,300	54,750	57,250
ELEVATOR-STRUCTURE							

*FALLON

DETACHED AND SEMIDETACHED	30,300	36,400	40,450	47,350	56,600	62,750	65,700
ROW DWELLINGS	28,800	34,600	38,450	45,000	53,750	59,650	62,400
WALKUP	26,400	31,700	35,300	41,300	49,300	54,750	57,250
ELEVATOR-STRUCTURE							

*GARDNERVILLE

DETACHED AND SEMIDETACHED	30,300	36,400	37,250	43,800	52,400	57,900	60,700
ROW DWELLINGS	28,800	34,600	38,450	45,000	53,750	59,650	62,400
WALKUP	25,750	30,950	34,350	40,250	48,050	53,350	55,800
ELEVATOR-STRUCTURE							

REGION X

ALASKA

ANCHORAGE

DETACHED AND SEMIDETACHED	29,600	35,900	44,200	52,800	63,300	70,450	73,800
ROW DWELLINGS	29,150	35,300	43,450	51,700	62,500	69,450	72,500
WALKUP	26,800	33,400	42,150	50,050	57,950	63,700	67,100
ELEVATOR-STRUCTURE	45,900	53,450	67,600				

FAIRBANKS

DETACHED AND SEMIDETACHED	31,650	38,150	46,950	56,250	67,600	75,000	78,700
ROW DWELLINGS	31,150	37,650	46,300	54,950	66,600	73,950	77,350
WALKUP	28,450	35,550	44,950	53,150	61,700	68,000	71,550
ELEVATOR-STRUCTURE	48,550	56,450	71,300				

PHOTOPYE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION X--CONTINUED

ALASKA

--CONTINUED

	0	1	2	3	4	5	6
JUNEAU							
DETACHED AND SEMIDETACHED	28,650	34,650	42,600	51,050	61,200	68,200	71,400
ROW DWELLINGS	28,250	34,150	42,200	50,300	60,700	67,400	70,450
WALKUP	26,800	33,400	42,450	50,050	57,950	63,900	67,100
ELEVATOR-STRUCTURE	44,300	51,650	65,100				
KETCHIKAN							
DETACHED AND SEMIDETACHED	28,500	34,550	42,500	50,850	60,800	67,950	71,050
ROW DWELLINGS	27,950	33,900	41,850	49,650	60,000	66,600	69,750
WALKUP	26,850	33,450	42,500	50,250	58,050	64,050	67,400
ELEVATOR-STRUCTURE	44,850	52,150	65,900				
SITKA							
DETACHED AND SEMIDETACHED	28,650	34,600	42,650	51,050	61,200	68,200	71,350
ROW DWELLINGS	28,250	34,050	42,000	49,800	60,250	66,950	70,100
WALKUP	27,200	33,950	42,950	51,000	58,900	64,750	68,000
ELEVATOR-STRUCTURE	46,250	53,750	68,000				
KENAI							
DETACHED AND SEMIDETACHED	32,400	39,250	48,450	57,650	69,100	77,400	80,650
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
* YAKUTAT							
DETACHED AND SEMIDETACHED	32,250	39,050	48,200	57,350	68,750	77,000	80,250
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
* FORT YUKON							
DETACHED AND SEMIDETACHED	45,000	54,550	67,500	80,300	97,900		
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
* GALENA							
DETACHED AND SEMIDETACHED	48,350	58,750	72,500	86,400	105,200		
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
* COASTAL AREA N OF ALEUTIANS							
DETACHED AND SEMIDETACHED	54,450	66,200	81,750	97,200	118,800		
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							
* TOK JUNCTION							
DETACHED AND SEMIDETACHED	41,850	50,850	62,650	74,650	91,000		
ROW DWELLINGS							
WALKUP							
ELEVATOR-STRUCTURE							

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION X--CONTINUED

ALASKA

--CONTINUED

*BARTER ISL. N. COASTAL AREA

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † INLAND AREA N OF ALEUTIANS
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE

56,050
 68,100
 64,100
 100,150
 122,250
 61,750
 75,550
 93,350
 111,150
 135,550

58,000
 53,000
 49,250
 55,250
 50,550
 47,100
 60,050
 56,050
 51,300
 57,300
 52,550
 49,000
 60,700
 55,500
 51,700
 61,000
 55,900
 49,400
 64,000
 58,550
 54,700
 63,650
 58,150
 54,200
 62,250
 56,900
 49,000
 65,600
 61,600
 53,900

IDAHO

BOISE

DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † IDAHO FALLS
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † MCCALL
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † PUGATELLO
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † TWIN FALLS
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † LEWISTON
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE
 † COEUR D'ALENE
 † DETACHED AND SEMIDETACHED
 ROW DWELLINGS
 WALKUP
 ELEVATOR-STRUCTURE

23,350
 21,250
 19,750
 29,850
 24,000
 21,950
 26,750
 25,250
 31,100
 24,350
 22,400
 20,850
 31,250
 25,500
 23,500
 21,650
 33,050
 25,400
 23,200
 21,600
 32,800
 24,850
 22,850
 19,650
 30,700
 26,300
 24,650
 21,600
 32,800

28,150
 25,650
 24,600
 34,800
 34,500
 31,550
 31,300
 43,950
 35,900
 32,800
 32,400
 44,150
 45,650
 36,100
 32,950
 32,650
 46,050
 31,150
 28,500
 25,850
 36,200
 38,200
 34,900
 27,300
 38,350
 31,750
 28,250
 26,900
 38,200
 30,150
 27,600
 24,300
 35,900
 31,800
 29,950
 26,750
 34,350
 41,400
 37,750
 36,950
 42,950
 39,150
 38,400
 43,350
 39,550
 38,550
 45,700
 41,700
 40,900
 45,300
 37,750
 40,500
 44,150
 37,300
 34,200
 31,000
 45,150
 46,750
 43,700
 40,250
 46,750
 43,000
 40,500
 48,350

49,750
 45,450
 42,550
 51,650
 47,200
 44,150
 52,000
 47,600
 44,650
 55,000
 50,100
 47,100
 55,000
 50,100
 47,100
 61,000
 55,900
 49,400
 60,700
 55,500
 51,700
 64,000
 58,550
 54,700
 63,650
 58,150
 54,200
 62,250
 56,900
 49,000
 65,600
 61,600
 53,900

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION X--CONTINUED

OREGON

	0	1	2	3	4	5	6
PORTLAND							
DETACHED AND SEMIDETACHED	24,000	28,650	35,650	42,650	51,250	58,900	59,650
ROW DWELLINGS	22,400	27,200	33,650	39,750	48,050	51,700	55,700
WALKUP	21,100	26,450	33,450	39,450	45,900	50,450	53,050
ELEVATOR-STRUCTURE	30,500	35,100	44,500				
PENDELTON							
DETACHED AND SEMIDETACHED	24,500	29,450	36,350	43,650	52,350	58,100	61,000
ROW DWELLINGS	25,150	30,650	37,750	44,600	54,100	60,000	62,650
WALKUP	21,600	27,150	34,300	40,400	47,100	51,750	54,400
ELEVATOR-STRUCTURE	33,250	38,450	48,750				
* MISSION							
DETACHED AND SEMIDETACHED	27,350	32,900	40,500	48,650	58,400	64,850	67,950
ROW DWELLINGS	25,600	31,200	38,450	45,550	55,000	61,150	63,850
WALKUP	24,100	30,150	38,200	45,000	52,400	57,650	60,600
ELEVATOR-STRUCTURE							
ONTARIO							
DETACHED AND SEMIDETACHED	25,450	30,800	37,750	45,450	54,450	60,650	63,600
ROW DWELLINGS	24,200	29,050	35,750	42,500	51,450	57,350	60,100
WALKUP	22,700	28,300	35,650	42,350	48,700	53,950	56,500
ELEVATOR-STRUCTURE	31,650	37,000	47,100				
BEND							
DETACHED AND SEMIDETACHED	23,350	28,150	34,650	41,600	49,950	55,350	58,100
ROW DWELLINGS	21,700	26,450	32,750	38,650	46,700	52,000	54,200
WALKUP	20,300	25,150	31,900	37,700	43,900	48,050	50,600
ELEVATOR-STRUCTURE	30,500	35,100	44,500				
* WASH SPRINGS							
DETACHED AND SEMIDETACHED	25,600	30,800	37,950	45,500	54,650	60,650	63,550
ROW DWELLINGS	23,850	29,000	35,800	42,300	51,200	56,900	59,850
WALKUP	22,450	28,100	35,550	41,900	48,800	53,650	56,450
ELEVATOR-STRUCTURE							
COOS BAY							
DETACHED AND SEMIDETACHED	23,400	28,400	34,850	42,050	50,250	55,900	58,500
ROW DWELLINGS	22,850	27,650	34,350	40,450	49,050	54,800	56,800
WALKUP	21,750	27,100	34,300	40,600	47,350	52,000	54,600
ELEVATOR-STRUCTURE	31,200	36,150	45,750				
EUGENE							
DETACHED AND SEMIDETACHED	22,400	27,050	33,350	40,050	47,900	53,300	55,800
ROW DWELLINGS	20,850	25,450	31,450	37,200	44,900	49,900	52,100
WALKUP	19,450	23,100	30,950	36,400	42,500	46,700	49,150
ELEVATOR-STRUCTURE	29,650	34,500	43,750				
MEDFORD							
DETACHED AND SEMIDETACHED	22,800	27,300	33,650	40,450	45,900	54,000	56,800
ROW DWELLINGS	22,000	26,550	32,850	38,950	47,100	52,350	54,500
WALKUP	20,750	25,700	32,750	38,400	44,750	49,350	52,050
ELEVATOR-STRUCTURE	30,050	34,750	44,150				

PROTOTYPE PER UNIT COST SCHEDULE

NUMBER OF BEDROOMS

0 1 2 3 4 5 6

REGION X--CONTINUED

OREGON

--CONTINUED

	0	1	2	3	4	5	6
WEST SALEM							
DETACHED AND SEMIDETACHED	22,950	27,900	34,150	41,150	49,350	54,750	57,400
ROW DWELLINGS	21,500	26,200	32,400	38,200	46,300	51,400	53,650
WALKUP	20,300	25,150	31,800	37,550	43,800	48,050	50,600
ELEVATOR-STRUCTURE	30,550	35,650	44,850				

WASHINGTON

SEATTLE

DETACHED AND SEMIDETACHED	22,950	27,750	34,100	40,700	48,850	54,250	56,950
ROW DWELLINGS	21,700	26,350	32,350	38,600	46,350	51,450	54,000
WALKUP	20,650	25,050	30,850	36,750	44,150	49,000	51,450
ELEVATOR-STRUCTURE	30,750	35,700	45,000				

PORT ANGELES

DETACHED AND SEMIDETACHED	22,950	27,750	34,100	40,700	48,850	54,250	56,950
ROW DWELLINGS	21,700	26,350	32,350	38,600	46,350	51,450	54,000
WALKUP	20,650	25,050	30,850	36,750	44,150	49,000	51,450
ELEVATOR-STRUCTURE	31,450	36,600	46,300				

* TAHOLA

DETACHED AND SEMIDETACHED	23,700	28,700	35,200	42,100	50,600	56,250	59,100
ROW DWELLINGS	22,900	27,650	34,000	40,650	48,800	54,350	57,050
WALKUP	21,800	26,400	31,750	38,700	46,500	51,750	54,300
ELEVATOR-STRUCTURE	27,300	31,700	40,100				

LONGVIEW

DETACHED AND SEMIDETACHED	22,700	27,550	33,850	40,450	48,550	53,900	56,600
ROW DWELLINGS	21,500	26,050	32,100	38,350	46,050	51,100	53,650
WALKUP	20,550	24,350	30,600	36,450	43,900	48,650	51,100
ELEVATOR-STRUCTURE	31,600	36,950	46,650				

ABERDEEN

DETACHED AND SEMIDETACHED	22,700	27,550	33,850	40,450	48,550	53,900	56,600
ROW DWELLINGS	21,500	26,050	32,100	38,350	46,050	51,100	53,650
WALKUP	20,550	24,350	30,600	36,450	43,900	48,650	51,100
ELEVATOR-STRUCTURE	30,950	35,850	45,500				

BELLINGHAM

DETACHED AND SEMIDETACHED	22,950	27,750	34,100	40,700	48,850	54,250	56,950
ROW DWELLINGS	21,700	26,350	32,350	38,600	46,350	51,450	54,000
WALKUP	20,650	25,050	30,850	36,750	44,150	49,000	51,450
ELEVATOR-STRUCTURE	30,950	35,850	45,500				

OLYMPIA

DETACHED AND SEMIDETACHED	22,950	27,750	34,100	40,700	48,850	54,250	56,950
ROW DWELLINGS	21,700	26,350	32,350	38,600	46,350	51,450	54,000
WALKUP	20,650	25,050	30,850	36,750	44,150	49,000	51,450
ELEVATOR-STRUCTURE	30,950	35,850	45,500				

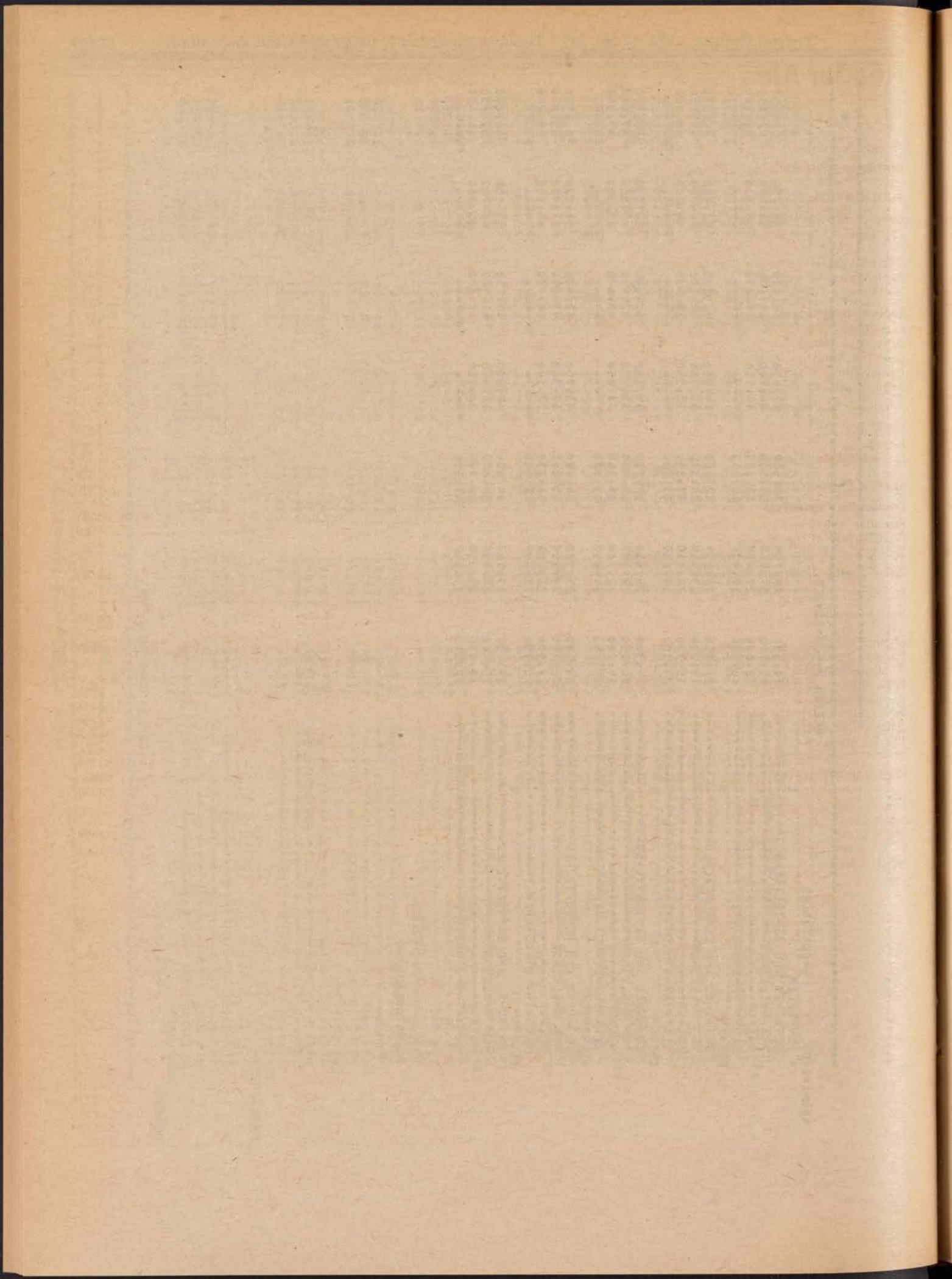
YAKIMA

DETACHED AND SEMIDETACHED	23,800	28,800	35,400	42,300	50,850	56,500	59,350
ROW DWELLINGS	22,600	27,300	33,500	40,100	48,150	53,550	56,250
WALKUP	21,500	26,000	32,000	38,150	45,900	51,050	53,600
ELEVATOR-STRUCTURE	32,200	37,500	47,500				

PROTOTYPE PER UNIT COST SCHEDULE
NUMBER OF BEDROOMS

		0	1	2	3	4	5	6
WASHINGTON --CONTINUED								
NESPELLEM								
	DETACHED AND SEMIDETACHED	24,550	29,750	36,950	43,650	52,400	58,150	61,050
	ROW DWELLINGS	23,100	27,950	34,300	40,900	49,150	54,600	57,250
	WALKUP	22,600	27,400	33,600	40,150	48,200	53,500	56,100
	ELEVATOR-STRUCTURE	26,150	30,400	38,600				
SPOKANE								
	DETACHED AND SEMIDETACHED	21,900	26,600	32,600	38,950	46,800	52,000	54,550
	ROW DWELLINGS	19,700	23,950	29,350	35,100	42,100	46,800	49,100
	WALKUP	18,700	22,700	27,850	33,350	39,950	44,350	46,600
	ELEVATOR-STRUCTURE	29,300	34,050	43,200				
CHENEY								
	DETACHED AND SEMIDETACHED	22,300	26,600	33,200	39,650	47,600	52,850	55,500
	ROW DWELLINGS	20,050	23,950	29,900	35,650	42,850	47,550	49,950
	WALKUP	19,050	22,700	28,350	33,850	40,600	45,100	47,350
	ELEVATOR-STRUCTURE	29,650	34,650	43,800				
KENNEWICK								
	DETACHED AND SEMIDETACHED	24,600	27,000	36,600	43,700	52,400	58,200	61,100
	ROW DWELLINGS	22,100	24,300	33,000	39,300	47,200	52,400	55,000
	WALKUP	21,000	23,100	31,250	37,300	44,750	49,700	52,200
	ELEVATOR-STRUCTURE	30,750	33,800	42,900				
PULLMAN								
	DETACHED AND SEMIDETACHED	22,850	27,700	34,000	40,600	48,750	54,150	56,850
	ROW DWELLINGS	20,600	24,950	30,600	36,550	43,900	48,700	51,150
	WALKUP	19,500	23,650	29,000	34,750	41,650	46,300	48,600
	ELEVATOR-STRUCTURE	32,250	37,650	47,600				

[FR Doc. 82-33341 Filed 12-6-82; 8:45 am]
BILLING CODE 4210-27-C



Reader Aids

Federal Register

Vol. 47, No. 235

Tuesday, December 7, 1982

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419
	523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Privacy Act	523-5237
Public Inspection Desk	523-5215
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282
	523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

United States Government Manual

	523-5230
--	----------

SERVICES

Agency services	523-5237
Automation	523-3408
Library	523-4986
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public Inspection Desk	523-5215
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, DECEMBER

54053-54268	1
54269-54418	2
54419-54758	3
54759-54924	6
54925-55198	7

CFR PARTS AFFECTED DURING DECEMBER

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR	220	54980
Administrative Orders:	221	54980
Memorandums:	224	54980
November 29, 1982		
Proclamations:		
4941 (Amended by Proc. 5002)	54269	
5002	54269	
4 CFR		
Proposed Rules:		
28	54972	
5 CFR		
1201	54419	
Proposed Rules:		
213	54974	
890	54974	
7 CFR		
55	54420	
53	54925	
56	54420	
59	54420	
68	54271	
70	54420	
319	54273	
800	54055, 54275	
905	54926	
907	54281	
910	54421	
1126	54421	
1132	54421	
1421	54281	
1497	54284	
1901	54422	
1942	54422	
1944	54422	
1948	54422	
Proposed Rules:		
52	54086	
967	54975	
987	54307	
1106	54977	
1135	54978	
9 CFR		
92	54285	
317	54286	
381	54286	
Proposed Rules:		
113	54090, 54307	
12 CFR		
201	54424	
211	54057	
217	54759	
614	54760	
701	54424	
745	54424	
Proposed Rules:		
207	54980	
14 CFR		
21	54287, 54288	
39	54289-54291, 54760, 54761	
71	54291, 54762, 54763	
73	54763	
75	54763	
97	54292	
253	54764	
Proposed Rules:		
Ch. I	54829	
39	54830	
61	54414	
71	54308, 54309, 54831	
75	54309	
15 CFR		
904	54429	
16 CFR		
1000	54927	
Proposed Rules:		
13	54452	
17 CFR		
200	54764	
210	54764	
229	54764	
230	54764	
239	54764	
240	54057, 54764	
249	54764	
260	54764	
18 CFR		
271	54928	
274	54063	
Proposed Rules:		
385	54981	
19 CFR		
4	54064	
Proposed Rules:		
4	54092	
148	54092	
20 CFR		
609	54686	
614	54696	
21 CFR		
5	54750	
74	54429	
81	54429	
82	54429	
175	54430	
201	54750	

330.....	54750
558.....	54929
Proposed Rules:	
182.....	54454
184.....	54454, 54456
186.....	54454
333.....	54981
348.....	54982
357.....	55076
358.....	54646

24 CFR

200.....	54790
203.....	54790
204.....	54790
213.....	54790
220.....	54790
221.....	54790
222.....	54790
226.....	54790
227.....	54790
233.....	54790
235.....	54430, 54790
237.....	54790
240.....	54790
804.....	54293, 54790
805.....	54293, 54790, 55136
812.....	54790
841.....	54790, 55136
860.....	54293
880.....	54293
881.....	54293
882.....	54293
883.....	54293
884.....	54293
886.....	54293
890.....	54431

26 CFR

1.....	54296, 54791, 54803
35.....	54065
Proposed Rules:	
1.....	54093
11.....	54093
54.....	54093
601.....	54459, 54461

28 CFR

540.....	55128
Proposed Rules:	
2.....	54982
540.....	55131
551.....	55131

29 CFR

102.....	54432
1910.....	54533

30 CFR

Proposed Rules:	
221.....	54462
936.....	54472
942.....	54474

31 CFR

Proposed Rules:	
1.....	54475

32 CFR

1285.....	54929
Proposed Rules:	
701.....	54104

33 CFR

1.....	54298
--------	-------

2.....	54298
114.....	54298
115.....	54298
117.....	54298-54301
165.....	54301

Proposed Rules:

110.....	54310
207.....	54832

34 CFR**Proposed Rules:**

201.....	54718
202.....	54718
203.....	54718
204.....	54718
300.....	54311
302.....	54718

35 CFR

103.....	54071
113.....	54105
119.....	54105
123.....	54105

Proposed Rules:

Ch. I.....	54105
------------	-------

36 CFR

7.....	54930-54932
--------	-------------

38 CFR

3.....	54435
--------	-------

40 CFR

50.....	54896
52.....	54072, 54312, 54808, 54933-54936
60.....	54073, 54258, 54259
81.....	54080
440.....	54598
465.....	54232
716.....	54642
761.....	54436
Proposed Rules:	
52.....	54476, 54984
86.....	54250
180.....	54106
201.....	54107, 54313
202.....	54313
204.....	54108
205.....	54108-54111
228.....	54834
403.....	54477

41 CFR

101-36.....	54810, 54937
-------------	--------------

42 CFR

57.....	54437
58.....	54437
401.....	54939
405.....	54302, 54811, 54939
Proposed Rules:	
124.....	54314
405.....	54113
447.....	54113

44 CFR

6.....	54815
64.....	54816
65.....	54941
67.....	54941
70.....	54440-54444

Proposed Rules:

67.....	54477, 54478, 54835
---------	---------------------

45 CFR

600.....	54081
612.....	54943
680.....	54081
681.....	54081
682.....	54081
683.....	54081
684.....	54081
1601.....	54943

46 CFR

67.....	54305
---------	-------

47 CFR

63.....	54944
73.....	54444, 54446
74.....	54446
87.....	54449
90.....	54450

Proposed Rules:

67.....	54479
73.....	54519-54522
76.....	54523
81.....	54836

49 CFR

Ch. X.....	54081
171.....	54817, 54824
172.....	54817, 54824
173.....	54817, 54824
175.....	54817, 54824
177.....	54824
178.....	54824
1057.....	54083
1306.....	54083

Proposed Rules:

Ch. X.....	54985
571.....	54839

50 CFR

23.....	54968
671.....	54451

Proposed Rules:

29.....	54840
611.....	54841
652.....	54985
671.....	54125
675.....	54841

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.) Documents normally scheduled for publication

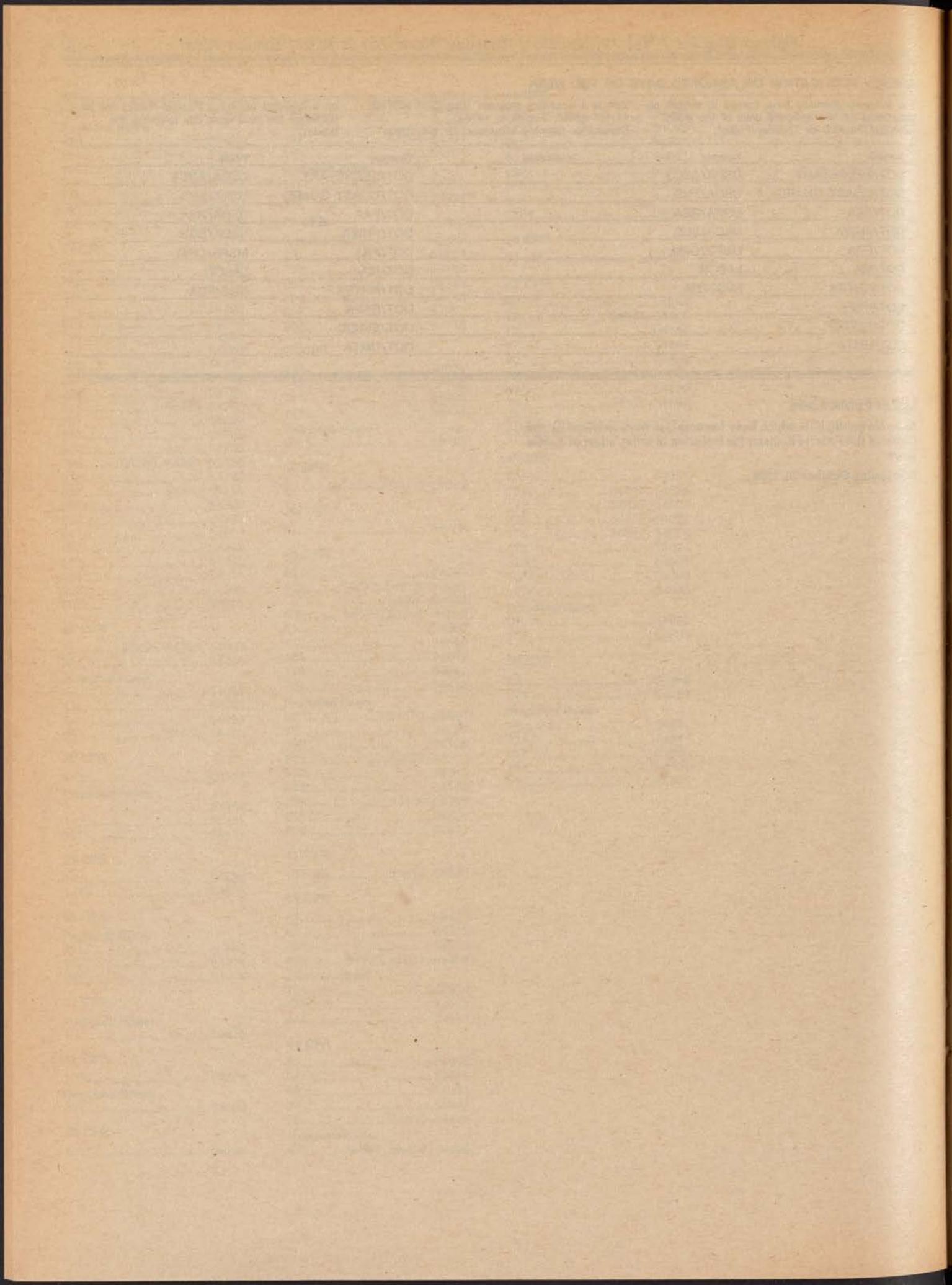
on a day that will be a Federal holiday will be published the next work day following the holiday.

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing October 28, 1982



The Federal Register

Published daily, except on Saturdays, Sundays, and public holidays.

The Federal Register is published daily, except on Saturdays, Sundays, and public holidays. It contains the following information:

- 1. Executive orders and proclamations.
- 2. Rules and regulations of the Federal Government.
- 3. Notices of public hearings and other proceedings.
- 4. General notices.
- 5. Administrative orders and decisions.
- 6. Notices of proposed rulemaking.
- 7. Notices of public information.
- 8. Notices of public utility proceedings.
- 9. Notices of public hearings and other proceedings.
- 10. Notices of public information.



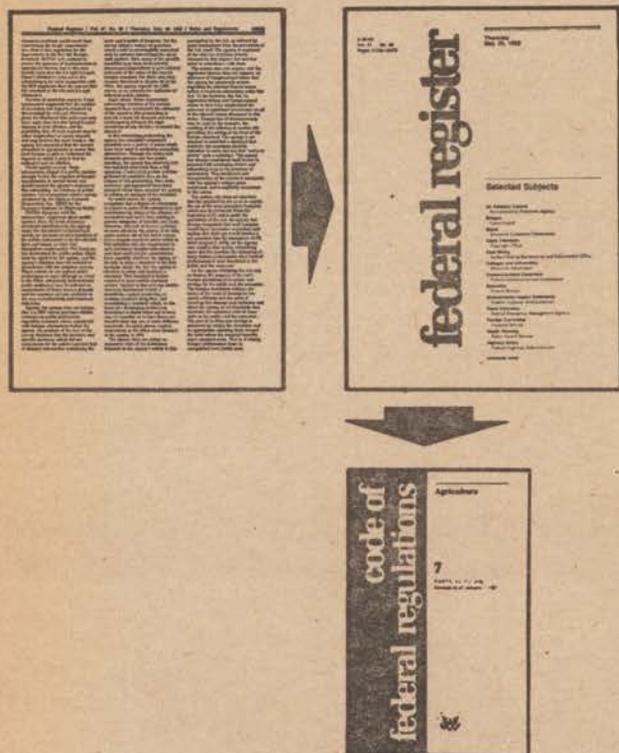
Information on the Federal Register is available on the Internet at <http://www.federalregister.gov>.

For more information on the Federal Register, contact the Office of the Federal Register, 400 Andover Drive, Washington, DC 20543.

PLEASE PRINT OR TYPE

The Federal Register

Regulations appear as agency documents which are published daily in the **Federal Register** and codified annually in the **Code of Federal Regulations**



The **Federal Register**, published daily, is the official publication for notifying the public of proposed and final regulations. It is the tool to use to participate in the rulemaking process by commenting on the proposed regulations. And it keeps people up to date on the Federal regulations currently in effect.

Mailed monthly as part of a **Federal Register** subscription are: the LSA (List of CFR Sections Affected) which leads users of the **Code of Federal Regulations** to amendatory actions published in the daily **Federal Register**; and the cumulative **Federal Register Index**.

The **Code of Federal Regulations (CFR)** contains the annual codification of the final regulations printed in the **Federal Register**. Each of the 50 titles is updated annually.

Subscription Prices:

Federal Register

One year: \$300 domestic; \$375 foreign
Six months: \$150 domestic; \$187.50 foreign

Code of Federal Regulations

One year: \$615 domestic; \$768.75 foreign
Single volumes: Individually priced.

ORDER FORM

Mail To: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Enclosed is \$ _____ check,
 money order, or charge to my
Deposit Account No.

_____ - _____

Order No. _____



Credit Card Orders Only

Total charges \$ _____ Fill in the boxes below.

Credit Card No. _____

Expiration Date _____
Month / Year

Please send me

..... **Federal Register**: \$300 per year domestic; \$375 foreign
\$150 per six-month domestic; \$187.50 foreign

..... **Code of Federal Regulations**: \$615 per year domestic; \$768.75 foreign

Name—First, Last

Company name or additional address line

Street address or additional address line

City

State

ZIP Code

(or Country)

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Quantity	Charges
..... Enclosed
..... To be mailed
..... Subscriptions
..... Postage
..... Foreign handling
..... MMOB
..... OPNR
..... UPNS
..... Discount
..... Refund