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

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Voluntary Inspection and Certification

Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended to delegate to the Assistant Secretary for Marketing and Consumer Services the authority to provide voluntary inspection and certification of technical animal fats, and to redelegate such authority to the Administrator, Animal and Plant Health Inspection Service, as follows:

Subpart C—Delegations of Authority to the Under Secretary, Assistant Secretaries, and Director of Agricultural Economics

Section 2.17 is amended by revising paragraph (b)(28) to read as follows:

§ 2.17 Delegations of authority to the Assistant Secretary for Marketing and Consumer Services.

* * * * *

(b) * * *

(28) The Agricultural Marketing Act of 1946, sections 203, 205, as amended (7 U.S.C. 1622, 1624), with respect to voluntary inspection and certification of edible meat and other products; certified products for dogs, cats, and other carnivora; animal byproducts; and technical animal fats (9 CFR Parts 156, 350, 351, 355).

* * * * * *

Subpart F—Delegations of Authority by the Assistant Secretary for Marketing and Consumer Services

Section 2.51 is amended by revising paragraph (a)(28) to read as follows:

§ 2.51 Administrator, Animal and Plant Health Inspection Service.

(a) * * *

(28) The Agricultural Marketing Act of 1946, sections 203, 205, as amended (7 U.S.C. 1622, 1624), with respect to voluntary inspection and certification of edible meat and other products; certified products for dogs, cats, and other carnivora; animal byproducts; and technical animal fats (9 CFR Parts 156, 350, 351, 355).

* * * * * *

Effective date: October 30, 1975.

Dated: October 24, 1975.

For Subpart C:

J. PHIL CAMPBELL,
Acting Secretary.

Dated: October 24, 1975.

For Subpart F:

RICHARD L. FELTNER,
Assistant Secretary for Marketing and Consumer Services.

[FR Doc.75-29148 Filed 10-29-75;8:45 am]

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

PART 58—GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED DAIRY PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

Subpart A—Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products

FEES AND CHARGES

Statement of consideration leading to amendment of regulations. The Agricultural Marketing Act of 1946 authorizes official inspection and grading of dairy products. Such inspection and grading service is voluntary and is made available to interested parties upon payment of a fee. The Act requires such fees to be reasonable and, as nearly as possible, to cover the cost of performing the services.

Recent increases in salary, travel and other costs incurred in providing inspection and grading service have made it necessary to increase fees charged for inspection and grading services to approximate costs of performing the service. The fees are being amended as follows:

Section 58.43, *Fees for inspection, grading and sampling.* Base rate from $16.00/hour to $17.00/hour; night differential rate from $16.60/hour to $18.60/hour.

Section 58.45, *Fees for continuous resident service.* Base rate from $12.00/hour to $13.00/hour for the inspector or grader in charge and from $10.00/hour to $11.00/hour for the assistant inspector or grader.

Section 58.47, *Fees for continuous nonresident service.* Base rate from $18.60/hour to $21.20/hour; Holiday, Saturday, Sunday or overtime rate from $26.60/hour to $31.80/hour.

Pursuant to the authority of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621-27) the provision of "Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products", Subpart A of 7 CFR, Part 58, is hereby amended to read as follows:

§ 58.43 Fees for inspection, grading and sampling.

Except as otherwise provided in this section and §§ 58.38 through 58.47, charges shall be made for inspection, grading and sampling service at the hourly rate of $17.00 for service performed between 6 a.m. and 6 p.m., and $18.70 for service performed between 6 p.m. and 6 a.m., for the time required to perform the service calculated to the nearest 15 minute period, including the time required for preparation of certificates and reports, and travel of the inspector or grader in connection with the performance of the service. When the Administrator determines it feasible, he may set a minimum charge based on average time for specific types of service. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued.

§ 58.45 Fees for continuous resident service.

Irrespective of the fees and charges provided in §§ 59.39 and 58.43, charges for the inspector or grader in charge of a continuous resident program shall be made at the rate of $13.00/hour for services performed during the assigned tour of duty. Charges for the assistant inspector or grader shall be at the rate of $11.00/hour for the assigned tour of duty. Charges for service performed in excess of the assigned tours of duty shall be at a rate of 1½ times the rates stated in this section.

§ 58.47 Fees for continuous non-resident service.

Irrespective of the fees in §§ 58.39, 58.42 and 58.43, charges for continuous nonresident service shall be made at the hourly rate of $21.20 for services performed between 6 a.m. and 6 p.m., and $23.32 for services performed between 6 p.m. and 6 a.m., for the number of hours each inspector or grader is assigned including travel time at beginning and end of period. The costs of travel are included in this hourly rate. The charge for holiday, Saturday or Sunday work or overtime (work in excess of each eight-hour shift Monday through Friday) shall be at $31.80 per hour.

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

Notice of proposed rulemaking, public procedure thereon, and the postponement of the effective time of this action later than November 9, 1975 (5 U.S.C. 553), are impracticable, unnecessary, and contrary to the public interest in that (1) The Agricultural Marketing Act of 1946, provides that the fees charged shall be reasonable, and as nearly as possible, cover the cost of the service rendered, (2) the increases in fee rates set forth herein are necessary to cover costs; and (3) additional time is not required by users of the inspection service to comply with this amendment.

This amendment shall become effective November 9, 1975, with respect to the inspection and grading service rendered on and after that date.

Done at Washington, D.C., this 24th day of October 1975.

DONALD E. WILKINSON,
Administrator.

[FR Doc.75-29149 Filed 10-29-75;8:45 am]

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

[Valencia Orange Reg. 522]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period Oct. 31–Nov. 6, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.822 Valencia Orange Regulation 522.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges continued to be soft during the past week. Prices f.o.b. averaged $3.21 per carton on a reported sales volume of 428,000 cartons last week, compared with an average f.o.b. price of $3.58 per carton and sales of 400,000 cartons a week earlier. Track and rolling supplies at 197 cars were down 128 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 28, 1975.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 31, 1975, through November 6, 1975, are hereby fixed as follows:

(i) District 1: 147,000 cartons;

(ii) District 2: 328,000 cartons;

(iii) District 3: Unlimited movement."

(2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: October 29, 1975.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-29428 Filed 10-29-75; 11:43 am]

[Lemon Reg. 16, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period October 19–25, 1975. The quantity that may be shipped is increased due to improved market conditions for California-Arizona lemons. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of lemons available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lemon Regulation 16 (40 FR 48685). The marketing picture now indicates that there is a greater demand for lemons than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of lemons to fill the current market demand thereby making a greater quantity of lemons

available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

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

(b) *Order, as amended.* Paragraph (b) (1) of § 910.316 (Lemon Regulation 16) (40 FR 48685) is hereby amended to read as follows: "The quantity of lemons grown in California and Arizona which may be handled during the period October 19, 1975 through October 25, 1975, is unlimited.

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

Dated: October 23, 1975.

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

[FR Doc.75-29096 Filed 10-29-75;8:45 am]

Title 9—Animals and Animal Products

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

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

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA; PROHIBITED AND RESTRICTED IMPORTATIONS

Territory of St. Pierre and Miquelon Declared To Be Free of Rinderpest and Foot-and-Mouth Disease

• The purpose of this amendment is to add the Territory of St. Pierre and Miquelon to the listing in § 94.1(a)(2) of countries declared to be free of rinderpest and foot-and-mouth disease. •

Statement of considerations. Veterinary Services has reviewed all the pertinent information and documents submitted by the authorities of the Territory of St. Pierre and Miquelon in support of their position that the Territory of St. Pierre and Miquelon is free of both rinderpest and foot-and-mouth disease and that it meets all the criteria in § 94.1a which have to be met by a territory or possession of a rinderpest or foot-and-mouth disease infected mother country in order to qualify for rinderpest and foot-and-mouth disease free status. On two occasions, Veterinary Services veterinarians have visited the Territory of St. Pierre and Miquelon to advise and assist the authorities in meeting the specified criteria. Veterinary Services has concluded that the Territory of St. Pierre and Miquelon meets all the criteria contained in § 94.1a and that it therefore qualifies to be declared free of rinderpest and foot-and-mouth disease.

This action will permit the importation of ruminant animals and swine into the United States from the Territory of St. Pierre and Miquelon which were heretofore not eligible for such importation.

Accordingly, Part 94, Title 9 ,Code of Federal Regulations, is amended in the following respect:

§ 94.1 [Amended]

Section 94.1(a) (2) is amended by adding thereto the name of "Territory of St. Pierre and Miquelon," after the reference to "Panama Canal Zone.".

(Sec. 306, 46 Stat. 689, as amended (19 U.S.C. 1306); 37 FR 28464, 28477; 38 FR 19141.)

Effective date. The foregoing amendment shall become effective October 23, 1975.

Insofar as the amendment relieves certain restrictions presently imposed but no longer deemed necessary to prevent the introduction and dissemination of the contagion of rinderpest and foot-and-mouth disease, it must be made effective immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

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

Done at Washington, D.C., this 23d day of October 1975.

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

[FR Doc.75-29098 Filed 10-29-75;8:45 am]

Title 10—Energy

CHAPTER III—UNITED STATES ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

PART 810—UNCLASSIFIED ACTIVITIES IN FOREIGN ATOMIC ENERGY PROGRAMS

Unclassified Activities; Correction

The following preamble was inadvertently omited from FR Doc. 75-26044 appearing on page 44826 of the issue for Tuesday, September 30, 1975.

RECODIFICATION OF REGULATIONS GOVERNING UNCLASSIFIED ACTIVITIES IN FOREIGN ATOMIC ENERGY PROGRAMS

The U.S. Energy Research and Development Administration hereby announces nonsubstantive revisions to its regulations governing unclassified activities in foreign atomic energy programs. By FEDERAL REGISTER notice of January 20, 1975 (40 FR 3242), the regulations of the Atomic Energy Commission applicable to the functions exercised by the Energy Research and Development Administration under the Energy Reorganization Act of 1974, were affirmed by the Administration. By FEDERAL REGISTER notice of March 3, 1975, these regulations were redesignated as Chapter III of Title 10, Code of Federal Regulations, Parts 700 through 870. Pursuant to this redesignation, 10 CFR, Part 110, was redesignated as 10 CFR, Part 810. The present notice is intended to recodify the current provisions of 10 CFR, Part 810, in order to remove all references to the Atomic Energy Commission and substitute therefor the Energy Research and Development Administration, or the Administrator, as appropriate.

Pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553), the Energy Research and Development Administration has found that good cause exists for making this action effective without the customary 30-day waiting period. Accordingly, pursuant to the Energy Reorganization Act of 1974, the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Code of Federal Regulations are published as a document subject to codification to be effective October 30, 1975.

1. Part 810 of Title 10, Code of Federal Regulations, is deleted.

2. A new Part 810 of Chapter III, Title 10, Code of Federal Regulations is adopted as follows:

Dated at Washington, D.C., this 22 day of October, 1975.

For the Energy Research and Development Administration.

VANCE H. HUDGINS,
Assistant Director for Politico-Military Security Affairs, Division of International Security Affairs.

[FR Doc.75-29142 Filed 10-29-75;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

[Reg. F]

PART 206—SECURITIES OF STATE MEMBER BANKS

Adoption of Revised Regulation

By notice of proposed rulemaking of February 21, 1975, appearing in the FEDERAL REGISTER (40 FR 10322), the Board of Governors, pursuant to its authority under section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78l(i)) (the "Act"), proposed to revise its regulations governing Securities of State Member Banks (12 CFR 206) in order that they be substantially similar to comparable rules and regulations issued by the Securities and Exchange Commission. By notice of June 6, 1975, appearing in the FEDERAL REGISTER (40 FR 2031), the Board extended the

period for comment on the proposed revision until June 30, 1975. The Board has considered all comments and views received with respect to the proposed revision, including those of the Securities and Exchange Commission.

A. As a result of a review of the proposed revision and of comments received thereon, and in order that the revised regulation conform even more closely to the corresponding rules and regulations of the Securities and Exchange Commission, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency, some language has been clarified and the following changes have been made to the proposed rules:

1. Language has been added to §§ 206.2(dd) (2) and (3), which define the term "significant subsidiary," in order to provide income percentage tests which take into account the income of a parent's consolidated subsidiaries, in addition to the parent's income, and permit the use of an average of 5 years' income, instead of only the most recent year's income, in determining what is a significant subsidiary.

2. Section 206.4(e)(2) has been revised in order to require registrant banks to file interim reports if they change their fiscal years.

3. A new subparagraph (i) has been added to § 206.5(c), in order to clarify what specific information concerning a bank's operation is required in an annual report to shareholders which accompanies a proxy statement.

4. Language is added to § 206.5(i)(2)(ii)(A), in order to clarify who is not deemed to be a participant to a proxy statement.

5. Section 206.7(b)(3)(B) has been revised to specify the Board's standards for ensuring the independence of public accountants who audit financial statements of registrant banks.

6. Section 206.7(c)(9)(v)(B) has been revised to require information concerning unoptioned shares of stock available for use in an option plan, and information regarding other shares sold or offered for sale to officers, directors, and key employees.

7. New § 206.7(c)(9)(ix) and (x) have been added to provide for disclosure of information in the balance sheet concerning any default in payment with respect to any issue of securities or credit agreements, and any significant changes in the authorized or issued amounts of bonds, mortgages, and similar debt since the date of filing of the latest balance sheet.

8. Section 206.7(c)(10)(iii) has been revised by restructuring the proposed language into separate subparagraphs, and by adding new subparagraphs which provide for disclosure of the amount of interest cost which is capitalized, and information concerning disagreements on accounting and financial disclosure matters which occur after a change in accountants.

9. Revisions have been made to §§ 206.7(d)(5) and (6) regarding the use of consolidated financial statements in order to clarify the circumstances in which such a statement is appropriate, and a new subparagraph (7) has been added to this section which provides that information be submitted with respect to changes in the participants to consolidated or combined financial statements.

10. Item 3 of § 206.42 has been changed to further specify the type of information concerning a bank's business activities required to be included in Form F-2.

11. Item 12 of § 206.43 has been revised to clarify the Board's standards in Form F-3 concerning disclosure of information when a change occurs in a registrant bank's certifying accountant.

12. Item 8 of § 206.51 has been revised to provide for disclosure of additional information with respect to the election of independent public accountants and the existence of an audit committee, if any, within a registrant bank.

13. New Instructions 2 and 3 to Item 9(f) of § 206.51 have been added which provide that no information regarding group health, life or accident insurance benefits need be included in answer to this Item, and that if action is to be taken at a meeting with respect to any plan in which officers or directors may benefit, information must be provided concerning any such previous plans or option arrangements.

14. Language has been added to paragraph 2 of Form F-9A under § 206.71, in order to provide for the inclusion of information with regard to the aggregate fair market value of a registrant bank's investment securities.

B. Any variations remaining between the revised regulation and the corresponding rules and regulations of the Securities and Exchange Commission are either deemed not substantive by the Board, not necessary or appropriate in the public interest or for protection of investors, or not applicable to banking as presently conducted in the United States by State member banks. For example, several particular disclosure provisions of the rules of the Securities and Exchange Commission relate to an issuer's ownership of treasury stock. As State member banks are generally prohibited by Federal law from purchasing shares of their own stock, such a disclosure requirement is deemed inapplicable to State member banks. Similarly, disclosure requirements uniquely applicable to extractive industries were deemed inapplicable to State member banks, the business of which is strictly limited by statutes to banking. For the same reason, line of business disclosure, particularly suitable to conglomerate enterprises, was deemed inapplicable to State member banks. Similarly, disclosure relating to physical plant and equipment, while particularly applicable to manufacturing firms, was not deemed applicable to State member banks. The Commission's use of a percentage of assets test in determining materiality of various items was rejected in favor of a percentage of equity capital accounts test which was deemed more meaningful in banking, as well as eliciting greater disclosure, than a percentage of assets test. Similarly, cross-references to filings under the Securities Act of 1933 were not adopted as no such filings exist, securities issued by banks being exempted from that Act. Mandatory certification of financial statements of all registered banks was rejected as being unnecessary at this time in view of the fact that, unlike the majority of issuers whose securities are registered with the Securities and Exchange Commission, State member banks are subject to periodic examination by State Banking authorities and the Federal Reserve System. Moreover, some apparent differences have developed among public accountants and between public accountants and bank regulatory authorities concerning asset valuation standards that ought to be examined prior to any final determination in this area. However, the Board will continue to consider the question of whether mandatory certification would be appropriate for registered State member banks, or a subgroup thereof, possibly based, for example, upon the size or number of shareholders of such banks.

C. The Board finds that further public participation in this rulemaking process is unnecessary, in that the aforementioned further modifications to the proposal contained in the original notice merely clarify or are otherwise reasonably encompassed within the original proposal. Therefore the relevant provisions of 5 U.S.C. 553 requiring notice of proposed rulemaking and opportunity for public participation are not applicable. Accordingly, 12 CFR 206 is revised as set forth below.

Effective Date: This revised Part shall become effective on December 1, 1975. The existing regulation 12 CFR 206 shall remain in effect until that date.

Board of Governors of the Federal Reserve System, October 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

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206.65 Form for registration of certain successor issues pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.
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AUTHORITY: Sec. 12(i) of the Securities Act of 1934, as amended (15 U.S.C. 781(i) (the "Act")).

REGULATIONS

§ 206.1 Scope of part.[1]

This Part is issued by the Board of Governors of the Federal Reserve System (the "Board") pursuant to section 12(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78) (the "Act") and applies to all securities subject to registration pursuant to section 12(b) or section 12(g) of the Act by a bank that is organized under State law and is a member of the Federal Reserve System ("bank").

§ 206.2 Definitions.

For the purposes of this Part, including all forms and instructions promulgated for use in connection herewith, unless the context otherwise requires:

(a) The terms "exchange", "director", "person", "security", and "equity security" have the meanings given them in section 3(a) of the Act.[2]

(b) The term "affiliate" (whether referred to as an "affiliate" of, or a person "affiliated" with, a specified person) means a person that directly, or indirectly through one of more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

(c) The term "amount", when used with respect to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

(d) The term "associate", when used to indicate a relationship with any person, means (1) any corporation or organization (other than the bank or a majority-owned subsidiary of the bank) of which such person is an officer or partner or is, directly or indirectly, either alone or together with one or more members of his immediate family, the beneficial owner of 10 per cent or more of any class of equity securities, (2) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar fiduciary capacity, and (3) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person, or who is a director or officer of the bank or any of its parents or subsidiaries.

(e) The term "charter" includes articles of incorporation, declarations of trust, articles of association or partnership, or any similar instrument, as amended, effecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

(f) The term "control" (including the terms "controlling", "controlled by", and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.

(g) The term "employee" does not include a director, trustee, or officer.

(h) The term "equity capital accounts" means capital stock, surplus, undivided profits, and reserve for contingencies and other capital reserves.

(i) The term "fiscal year" means the annual accounting period or, if no closing date has been adopted, the calendar year ending on December 31.

(j) (1) For the purpose of determining whether the registration requirements of section 12(g) (1) of the Act are applicable, securities shall be deemed to be "held of record" by each person who is identified as the owner of such securities on records of security holders maintained by or on behalf of the bank, subject to the following:

(i) In any case where the records of security holders have not been maintained in accordance with accepted practice, any additional person who would be identified as such an owner on such records if they had been maintained in accordance with accepted practice shall be included as a holder of record.

(ii) Securities identified as held of record by a corporation, a partnership, a trust whether or not the trustees are named, or other organization shall be included as so held by one person.

(iii) Securities identified as held of record by one or more persons as trustees, executors, guardians, custodians, or in other fiduciary capacities with respect to a single trust, estate, or account shall be included as held of record by one person.

(iv) Securities held by two or more persons as co-owners shall be included as held by one person.

(v) Each outstanding unregistered or bearer certificate shall be included as held of record by a separate person, except to the extent that the bank can establish that, if such securities were registered, they would be held of record, under the provisions of this paragraph (j), by a lesser number of persons.

(vi) Securities registered in substantially similar names, where the bank has reason to believe because of the address or other indications that such names represent the same person, may be included as held of record by one person.

(2) Notwithstanding subparagraph (1):

(i) Securities held subject to a voting trust, deposit agreement, or similar arrangement shall be included as held of record by the record holders of the voting trust certificates, certificates of deposit, receipts, or similar evidences of interest that the bank may rely in good faith on such information as is received in response to its request from a nonaffiliated issuer of the certificates or interests.

(ii) If the bank knows or has reason to know that the form of holding securities of record is used principally to circumvent the provisions of section 12(g) (1) of the Act, the beneficial owners of such securities shall be deemed to be record owners thereof.

(k) The term "immediate family" includes a person's (1) spouse; (2) son, daughter, and descendant of either; (3) father, mother, and ancestor of either; (4) stepson and stepdaughter; and (4) stepfather and stepmother. For the purpose of determining whether any of the foregoing relationships exist, a legally adopted child shall be considered a child by blood.

(l) The term "information statement" means the statement required by § 206.5(a), whether or not contained in a single document.

(m) The term "last fiscal year" of bank means the last fiscal year of bank ending prior to the date of the meeting with respect to which an information statement is required to be distributed.

(n) The term "listed" means admitted to full trading privileges upon application by the bank and includes securities for which authority to add to the list on official notice of issuance has been granted.

(o) The term "majority-owned subsidiary" means a subsidiary more than 50 per cent of whose outstanding securities representing the right, other than as affected by events of default, to vote for the election of directors, is owned by the subsidiary's parent and/or one or more of the parent's other majority-owned subsidiaries.

(p) The term "material", when used to qualify a requirement for furnishing of information as to any subject, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed before buying or selling the security registered.

(q) The term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major

[1] This text corresponds to the Code of Federal Regulations. Title 12, Chapter II, Part 206, cited as 12 CFR 206. The words "this Part", as used herein, mean Regulation F.

[2] See Appendix of Regulation F published by the Board of Governors of the Federal Reserve System.

policy-making functions, and such persons are not officers for the purpose of this Part.

(r) The term "option" means any option, warrant, or right other than those issued to security holders on a pro rata basis.

(s) The term "parent" of a specified person is a person controlling such person directly, or indirectly through one or more intermediaries.

(t) The term "plan" includes all plans, contracts, authorizations, or arrangements, whether or not set forth in any formal document.

(u) The term "predecessor" means a person the major portion of the business and assets of which another person acquired in a single succession or in a series of related successions.

(v) The terms "previously filed" and "previously reported" mean previously filed with, or reported in, a registration statement under section 12, a report under section 13, or a definitive proxy statement or statement where management does not solicit proxies under section 14 of the Act, which statement or report has been filed with the Board, except that information contained in any such document shall be deemed to have been previously filed with or reported to an exchange only if such document is filed with such exchange.

(w) The term "principal underwriter" means an underwriter in privity of contract with the bank of the securities as to which he is underwriter.

(x) The term "promoter" includes: (1) any person who, acting alone or in conjunction with one or more other persons, directly or indirectly takes initiative in founding and organizing the bank; (2) any person who, in connection with the founding and organizing of the bank, directly or indirectly receives in consideration of services or property or both services and property 10 per cent or more of any class of securities of the bank or 10 per cent or more of the proceeds from the sale of any class of such securities. A person who receives such securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not, however, be deemed a promoter if such person does not otherwise take part in founding and organizing the bank.

(y) The term "proxy" includes every proxy, consent, or authorization within the meaning of section 14(a) of the Act. The consent or authorization may take the form of failure to object or to dissent.

(z) The term "proxy statement" means the statement required by § 206.5 (a), whether or not contained in a single document.

(aa) The terms "qualified stock option", "restricted stock option", and "employee stock purchase plan" have the meanings given them in sections 422 through 424 of the Internal Revenue Code of 1954, [as amended. For the purposes of this regulation, an option which meets all of the conditions of section 424(b) of the Internal Revenue Code of 1954, as amended, other than the date of issuance shall be deemed to be a "restricted stock option".

(bb) The term "registration statement" or "statement", when used with reference to registration pursuant to § 206.4 of this Part, includes both an application for registration of securities on a national securities exchange pursuant to section 12(b) of the Act and a registration statement filed pursuant to section 12(g) of the Act.

(cc) The term "share" means a share of stock in a corporation or unit of interest in an unincorporated person.

(dd) The term "significant subsidiary" means a subsidiary meeting any of the following conditions:

(1) The investments in the subsidiary by its parent plus the parent's proportion of the investments in such subsidiary by the parent's other subsidiaries, if any, exceed 5 per cent of the equity capital accounts of the bank. "Investments" refers to the amount carried on the books of the parent and other subsidiaries or the amount equivalent to the parent's proportionate share in the equity capital accounts of the subsidiary, whichever is greater; or

(2) The parent's proportion of the gross operating revenues of the subsidiary exceeds 5 per cent of the gross operating revenues of the parent and its consolidated subsidiaries; or

(3) The parent's proportion of income of the subsidiary before income taxes exceeds 5 per cent or more of the income before income taxes of the parent and its consolidated subsidiaries, provided that if such income of the parent and its consolidated subsidiaries is at least 5 per cent lower than the average of such income for the last five fiscal years such average income may be substituted in the determination.

[NOTE: The subsidiary may be the parent of one or more subsidiaries and, together with such subsidiaries may, if considered in the aggregate, constitute a significant subsidiary.]

(ee) The terms "solicit" and "solicitation" means (1) any request for a proxy whether or not accompanied by or included in a form of proxy; (2) any request to execute or not to execute, or to revoke, a proxy; or (3) the furnishing of a form of proxy or other communication to security holders under circumstances reasonably calculated to result in the procurement, withholding, or revocation of a proxy. The terms do not apply, however, to the furnishing of a form of proxy request of such security holder, the performance by the bank of acts required to a security holder upon the unsolicited by § 206.5(g), or the performance by any person of ministerial acts on behalf of a person soliciting a proxy.

(ff) A "subsidiary" of a bank is (1) an affiliate controlled by the bank, directly or indirectly, through one or more intermediaries, except where the control (i) exists by reason of ownership or control of voting securities by the bank in a fiduciary capacity, or (ii) was obtained by the bank in the course of securing or collecting a debt previously contracted in good faith, or (2) a person a majority of whose voting securities are held in trust for the benefit of the holders of a class of stock of the bank pro rata.

(gg) The term "succession" means the direct acquisition of the [shares or] assets comprising a going business, whether by merger, consolidation, purchase, or other direct transfer. The term does not include the acquisition of control of a business unless followed by the direct acquisition of its [shares or] assets. The term "succeed" and "successor" have meanings correlative to the foregoing.

(hh) The term "verified", when used with respect to financial statements, means either (1) certified by an independent public accountant, or (2) signed in accordance with § 206.7(b)(2) by the person principally responsible for the accounting records of the bank (the "principal accounting officer") and by the person principally responsible for the audit procedures of the bank (the "auditor"); except that the term "verified" shall mean certified by an independent public accountant in any case in which the Board so informs the bank concerned, in writing, at least 90 days prior to the end of the fiscal year to which the financial statements will relate.

(ii) The term "voting securities" means securities the holders of which are presently entitled to vote for the election of directors.

(jj) The terms "beneficial ownership", "beneficially owned", and the like, when used with respect to the reporting of ownership of the bank's equity securities in any statement or report required by this Part, shall include, in addition to direct and indirect beneficial ownership by the reporting person, ownership of such securities (1) by the spouse (except where legally separated) and minor children of such reporting person, and (2) by any other relative of the reporting person who has the same home as such person.

§ 206.3 Inspection and publication of information filed under the Act.

(a) *Filing of material with the Board.* All papers required to be filed with the Board pursuant to the Act or regulations thereunder shall be filed at its office in Washington, D.C. Material may be filed by delivery to the Board, through the mails, or otherwise. The date on which papers are actually received by the Board shall be the date of filing thereof if all of the requirements with respect to the filing have been complied with.

(b) *Inspection.* Except as provided in paragraph (c) of this section, [all information filed, other than ownership reports required to be filed pursuant to § 206.6(a),] regarding a security registered with the Board will be available for inspection at the Federal Deposit Insurance Corporation, 550 Seventeenth Street, NW., Washington, D.C. In addition, copies of the registration statement and reports required by § 206.4 (exclusive of exhibits), the statements required by § 206.5(a), and the annual reports to security holders required by § 206.5(c), will be available for inspection at the New York, Chicago, and San Francisco Federal Reserve Banks and at the Reserve Bank of the district in which the bank filing the statements or reports is located. [The ownership reports required to be filed pursuant to § 206.6(a) will be

available for public inspection at the Board's office in Washington, D.C.]

(c) *Nondisclosure of certain information filed.* Any person filing any statement, report, or document under the Act may make written objection to the public disclosure of any information contained therein in accordance with the procedure set forth below:

(1) The person shall omit from the statement, report, or document, when it is filed, the portion thereof that it desires to keep undisclosed (hereinafter called the confidential portion). In lieu thereof, it shall indicate at the appropriate place in the statement, report, or document that the confidential portion has been so omitted and filed separately with the Board.

(2) The person shall file with the copies of the statement, report, or document filed with the Board:

(i) As many copies of the confidential portion, each clearly marked "CONFIDENTIAL TREATMENT", as there are copies of the statement, report, or document filed with the Board and with each exchange, if any. Each copy shall contain the complete text of the item and, notwithstanding that the confidential portion does not constitute the whole of the answer, the entire answer thereto; except that in case the confidential portion is part of a financial statement or schedule, only the particular financial statement or schedule need be included. All copies of the confidential portion shall be in the same form as the remainder of the statement, report, or document.

(ii) An application making objection to the disclosure of the confidential portion. Such application shall be on a sheet or sheets separate from the confidential portion, and shall contain (A) an identification of the portion of the statement, report, or document that has been omitted, (B) a statement of the grounds of objection, and (C) the name of each exchange, if any, with which the statement, report, or document is filed. The copies of the confidential portion and the application filed in accordance with this subparagraph shall be enclosed in a separate envelope marked "CONFIDENTIAL TREATMENT" and addressed to Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

(3) Pending the determination by the Board as to the objection filed in accordance with paragraph (c)(2) of this section, the confidential portion will not be disclosed by the Board.

(4) If the Board determines that the objection shall be sustained, a notation to that effect will be made at the appropriate place in the statement, report, or document.

(5) If the Board shall have determined that disclosure of the confidential portion is in the public interest, a finding and determination to that effect will be entered and notice of the finding and determination will be sent by registered or certified mail to the person.

(6) The confidential portion shall be made available to the public:

(i) upon the lapse of 15 days after the dispatch of notice by registered or certified mail of the finding and determination of the Board described in paragraph (c)(5) of this section, if prior to the lapse of such 15 days the person shall not have filed a written statement that he intends in good faith to seek judicial review of the finding and determination:

(ii) upon the lapse of 60 days after the dispatch of notice by registered or certified mail or the finding and determination of the Board, if the statement described in clause (i) shall have been filed and if a petition for judicial review shall not have been filed within such 60 days; or

(iii) if such petition for judicial review shall have been filed within such 60 days, upon final disposition, adverse to the person, of the judicial proceedings.

(7) If the confidential portion is made available to the public, a copy thereof shall be attached to each copy of the statement, report, or document filed with the Board and with each exchange concerned.

§ 206.4 Registration statements and reports.

(a) *Requirement of registration statement.* Securities of a bank shall be registered under the provisions of either section 12(b) or section 12(g) of the Act by filing a statement in conformity with the requirements of Form F-1, [Form F-1B (in the case of registration of securities of a successor bank),] or Form F-10 (in the case of registration of an additional class of securities). No registration shall be required under the provisions of section 12(b) or section 12(g) of the Act of any warrant or certificate evidencing a right to subscribe to or otherwise acquire a security of a bank if such warrant or certificate by its terms expires within 90 days after the issuance thereof.

(1) Where in connection with a succession by merger, consolidation, exchange of securities or acquisition of assets, equity securities of a bank, not previously registered pursuant to section 12 of the Act, are issued to the holders of any class of equity securities of another bank which is registered pursuant to section 12(g), the class of securities so issued shall be deemed to be registered pursuant to section 12(g) of the Act unless upon consummation of the succession such class is exempt from such registration or all securities of such class are held of record by less than 300 persons.

(2) Where in connection with a succession by merger, consolidation, exchange of securities or acquisition of assets, equity securities of a bank, which are not registered pursuant to section 12 of the Act, are issued to the holders of any class of equity securities of another bank which is required to file a registration statement pursuant to section 12(g) but has not yet done so, the duty to file such statement shall be deemed to have been assumed by the bank whose class of securities is so issued and such bank shall file a registration statement pursuant to section 12(g) of the Act with respect to such class within the period of time the predecessor bank would have been required to file such a statement, or within such extended period of time as the Board may authorize upon application pursuant to § 206.4(r), unless upon consummation of the succession such class is exempt from such registration or all securities of the class are held of record by less than 300 persons.

(b) *Registration effective as to class or series.* Depending upon whether the security is to be listed on an exchange, registration shall become effective as provided in section 12(d) or section 12(g)(1) of the Act as to the entire class of such security, then or thereafter authorized. If, however, a class of security is issuable in two or more series with different terms, each such series shall be deemed a separate class for the purposes of this paragraph.

(c) *Acceleration of effectiveness of registration.* A request for acceleration of the effective date of registration shall be made in writing by either the bank, an exchange, or both and shall briefly describe the reasons therefor.

(d) *Exchange certification.* (1) Certification that a security has been approved by an exchange for listing and registration pursuant to section 12(d) of the Act shall be made by the governing committee or other corresponding authority of the exchange.

(2) The certification shall specify (i) the approval of the exchange for listing and registration; (ii) the title of the security so approved; (iii) the date of filing with the exchange of the registration statement and of any amendments thereto; and (iv) any conditions imposed on such certification. The exchange shall promptly notify the Board of the partial or complete satisfaction of any such conditions.

(3) The certification may be made by telegram but in such case shall be confirmed in writing. All certifications in writing and all amendments thereto shall be filed with the Board in duplicate and at least one copy shall be manually signed by the appropriate exchange authority.

(4) The date of receipt by the Board of the certification approving a security for listing and registration shall be the date on which the certification is actually received by the Board or the date on which the registration statement to which the certification relates is actually received by the Board, whichever date is later.

(5) If an amendment to the registration statement is filed with the exchange and with the Board after the receipt by the Board of the certification of the exchange approving the security for listing and registration, the certification, unless withdrawn, shall be deemed made with reference to the statement as amended.

(6) An exchange may, by notice to the Board, withdraw its certification prior to the time that the registration to which it relates first becomes effective pursuant to paragraph (b) of this section.

(7) An exchange may suspend from trading a bank security listed and regis-

tered thereon in accordance with its rules. Suspension of trading shall not terminate the registration of any bank security.

(e) (1) *Requirement of annual reports.* Every registrant bank shall file an annual report for each fiscal year after the last full fiscal year for which financial statements were filed with the registration statement. The report, which shall conform to the requirements of Form F–2, shall be filed within 90 days after the close of the fiscal year or within 30 days of the mailing of the bank's annual report to stockholders, whichever occurs first.

(2) Every bank which changes its fiscal closing date after the last fiscal year for which financial statements were filed in a Form F–1 or Form F–2 shall file a report on Form F–2 covering the resulting interim period not more than 120 days after the close of the interim period or after the date of the determination to change the fiscal closing date, whichever is later. A separate report, however, need not be filed for any period of less than three months if the Form F–2 filed for the succeeding full fiscal year covers the interim period as well as the fiscal year. In such case, balance sheets need be furnished only as of the close of the entire period but all other financial statements and schedules shall be filed separately for both periods.

(f) *Annual reports of predecessors.* Every bank having securities registered pursuant to section 12 of the Act on Form F–1 (or Form F–10, in the case of registration of an additional class of securities) shall file an annual report pursuant to paragraph (e) of this section for each of its predecessors which had securities registered pursuant to section 12 covering the last full fiscal year of the predecessor prior to the registrant's succession, unless such report has been filed by the predecessor. Such annual report shall contain the information that would be required if filed by the predecessor.

(g) *Exception from requirement for annual report.* Notwithstanding paragraph (e) of this section, any bank that has filed, within the period prescribed for filing an annual report pursuant to that paragraph, a registration statement that has become effective and is not subject to any proceeding under section 15(c) or section 19(a) of the Act, or to an order thereunder, need not file an annual report if such statement covers the fiscal period that would be covered by such annual report and contains all of the information, including financial statements and exhibits, required for annual reports.

(h) *Current reports.* (1) Every registrant bank shall file a current report in conformity with the requirements of Form F–3 within 10 days after the close of any month during which any of the events specified in that form occurs, unless substantially the same information as required by that form has been previously reported by the bank.

(2) Each bank having securities registered pursuant to section 12(g) of the Act, upon being notified by a national securities association registered pursuant to section 15A of the Act, that a class of the bank's securities is to be quoted on an interdealer quotation system which is sponsored and governed by the rules of such association, shall thereafter notify such association promptly of (i) any increase or decrease in the amount of securities of such class outstanding which exceeds 5 percent of the amount of such class last reported to the association and (ii) any change in the name of the bank. The obligation to report pursuant to this subparagraph (2) shall continue until notification is received from the association that all classes of securities are no longer quoted on such interdealer quotation system.

(3) (i) Any person who, after acquiring, directly or indirectly, the beneficial ownership of any equity security of a member State bank, of a class which is registered pursuant to section 12 of the Act, is directly or indirectly the beneficial owner of more than 5 percent of such class shall, within ten days after such acquisition, send to the bank at its principal executive office, by registered or certified mail, send to each exchange where the security is traded, and file with the Board a statement containing the information required by Form F–11. Eight copies of the statement shall be filed with the Board.

(ii) Acquisitions of securities by a security holder who, prior to such acquisition, was the beneficial owner of more than 5 percent of the outstanding securities of the same class as those acquired shall be exempt from the reporting requirements of paragraph (h)(3)(i) of this section if the following conditions are met: (A) the acquisition is made pursuant to preemptive subscription rights in an offering made to all holders of securities of the class to which the preemptive subscription rights pertain; (B) the purchaser does not, through the exercise of such preemptive subscription rights, acquire more than his or its pro rata share of the securities offered; and (C) the acquisition is duly reported pursuant to section 16(a) of the Act and the provisions of § 206.6 promulgated thereunder.

(4) If any material change occurs in the facts set forth in the statement required by paragraph (h)(3) of this section, the person who filed such statement shall promptly file with the Board and send to the bank and the exchange an amendment disclosing such change.

(5) In determining, for the purposes of § 206.4(h) or § 206.5(1), whether a person is directly or indirectly the beneficial owner of securities of any class, such person shall be deemed to be the beneficial owner of securities of such class which such person has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities, or otherwise. The securities subject to such options, warrants, rights or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by such person but shall not be deemed to be outstanding for the purpose of computing the percentage of the class owned by any other person.

(i) *Quarterly reports.* Every registrant bank shall file a quarterly report in conformity with the requirements of Form F–4 for each fiscal quarter ending after the close of the latest fiscal year for which financial statements were filed in a registration statement, except that no report need be filed for the fiscal quarter which coincides with the end of the fiscal year of the bank. Such reports shall be filed not later than 30 days after the end of such quarterly period, except that the report for any period ending prior to the date on which a class of securities of the bank first becomes effectively registered may be filed not later than 30 days after the effective date of such registration.

(j) *Additional information.* In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(k) *Information not available.* Information required need be given only insofar as it is known or reasonably available to the bank. If any required information is unknown and not reasonably available to the bank, either because the obtaining thereof would involve unreasonable effort or expense or because it rests peculiarly within the knowledge of another person not affiliated with the bank, the information may be omitted, subject to the following conditions:

(1) The bank shall give such information on the subject as it possesses or can acquire without unreasonable effort or expense together with the sources thereof, and

(2) The bank shall include a statement either showing that unreasonable effort or expense would be involved or indicating the absence of any affiliation with the person within whose knowledge the information rests and stating the result of a request made to such person for the information. No such request need be made, however, to any foreign government, or an agency or instrumentality thereof, if, in the opinion of the bank, such request would be harmful to existing relationships.

(l) *Disclaimer of control.* If the existence of control is open to reasonable doubt in any instance, the bank may disclaim the existence of control and any admission thereof; in such case, however, the bank shall state the material facts pertinent to the possible existence of control.

(m) *Incorporation by reference.* (1) Matter contained in any part of a statement or report, other than exhibits, may be incorporated by reference in answer or partial answer to any item of a [same] statement or report. Matter contained in an exhibit may be so incorporated to the extent permitted in paragraph (n) of this section. A registration

statement for an additional class of securities of the bank may incorporate by reference any item contained in a previous registration statement or report.

(2) Material incorporated by reference shall be clearly identified in the reference. An express statement that the specified matter is incorporated by reference shall be made at the particular place in the statement or report where the information is required. Matter shall not be incorporated by reference in any case where such incorporation would render the statement incomplete, unclear, or confusing.

(n) *Summaries or outlines of documents.* Where an item requires a summary or outline of the provisions of any document, only a brief statement shall be made, in succinct and condensed form, as to the most important provisions. In addition to such statement, the summary or outline may incorporate by reference particular items, sections, or paragraphs of any exhibit and may be qualified in its entirety by such reference. Matter contained in an exhibit may be incorporated by reference in answer to an item only to the extent permitted by this paragraph (n).

(o) *Omission of substantially identical documents.* In any case where two or more indentures, contracts, franchises, or other documents required to be filed as exhibits are substantially identical in all material respects except as to the parties thereto, the date of execution, or other details, the bank need file a copy of only one of such documents, with a schedule identifying the documents omitted and setting forth the material details in which such documents differ from the document of which a copy is filed. The Board may at any time in its discretion require the filing of copies of documents so omitted.

(p) *Additional exhibits.* The bank may file such exhibits as it may desire, in addition to those required by the appropriate form. Such exhibits shall be so marked as to indicate clearly the subject matters to which they refer.

(q) *Incorporation of exhibits by reference.* (1) Any document or part thereof previously filed with the Board pursuant to this Part may, subject to the following limitations, be incorporated by reference as an exhibit to any registration statement or report filed with the Board by the same or any other person. Any document or part thereof filed with an exchange pursuant to the Act may be incorporated by reference as an exhibit to any registration statement or report filed with the exchange by the same or any other person.

(2) Any document incorporated by reference pursuant to this paragraph (q) shall be so incorporated only by reference to the specific document and to the prior filing in which it was physically filed, not to another file which incorporates it by reference.

(3) If any modification has occurred in the text of any document incorporated by reference since the filing thereof, the bank shall file with the reference a statement containing the text of any such modification and the date thereof.

(4) No document which has been on file with the Board pursuant to this Part for a period of more than 10 years may be incorporated by reference. This limitation shall not, however, apply to a corporate charter or by-laws if such document has not been amended more than twice since such filing.

(r) *Extension of time for furnishing information.* If the furnishing of any information, document, or report at the time it is required to be filed is impracticable, the bank may file with the Board as a separate document an application (1) identifying the information, document, or report in question, (2) stating why the filing thereof at the time required is impracticable, and (3) requesting an extension of time for filing the information, document, or report to a specified date not more than 60 days after the date it would otherwise have to be filed. The application shall be deemed granted unless the Board, within 15 days after receipt thereof, shall enter an order denying the application.

(i) If the extension requested pursuant to this paragraph is necessitated by the inability of any person other than the registrant to furnish any required opinion, information, report or verification, the application shall have attached as an exhibit, a statement signed by such person stating the specific reasons why such person is unable to furnish the required opinion, information, report or verification.

(ii) If the application pursuant to this paragraph, or the extension of time granted, relates only to a portion of the required information, document or report, the registrant shall file the remaining portion, and the portion filed shall prominently indicate the nature of the omitted portion.

(s) *Number of copies; signatures; binding.* (1) Except where otherwise provided in a particular form, 8 copies of each registration statement and report (including financial statements) and 4 copies of each exhibit and each other document filed as a part thereof, shall be filed with the Board. At least one complete copy of each statement shall be file with each exchange, if any, on which the securities covered thereby are being registered. At least one copy of each report shall be filed with each exchange, if any, on which the bank has securities registered.

(2) At least one copy of each statement or report filed with the Board and one copy thereof filed with an exchange shall be manually signed. If the statement or report is typewritten, one of the signed copies filed with the Board shall be an original "ribbon" copy. Unsigned copies shall be conformed. If the signature of any person is affixed pursuant to a power of attorney or other similar authority, a copy of such power or other authority shall also be filed with the statement or report.

(3) Each copy of a statement or report filed with the Board or with an exchange shall be bound in one or more parts. Copies filed with the Board shall be bound without stiff covers. The statement or report shall be bound on the left side in such a manner as to leave the reading matter legible.

(t) *Requirements as to paper, printing, and language.* (1) Statements and reports shall be filed on good quality, unglazed, white paper 8½ x 13 inches in size, insofar as practicable. Tables, charts, maps, and financial statements may, however, be on larger paper if folded to that size.

(2) The statement or report and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed, photocopied, or typewritten. The statement or report or any portion thereof may, however, be prepared by any similar process that, in the opinion of the Board, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable, and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

(3) The body of all printed statements and reports shall be in roman type at least as large as 10-point modern type. To the extent necessary for convenient presentation, however, financial statements and other statistical or tabular data and the notes thereto may be in type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

(4) Statements and reports shall be in English. If any exhibit or other paper or document filed with a statement or report is in a foreign language, it shall be accompanied by a translation into English.

(u) *Preparation of statement or report.* Each statement and report shall contain the numbers and captions of all items of the appropriate form, but the text of the items may be omitted provided the answers thereto are so prepared as to indicate to the reader the coverage of the items without the necessity of his referring to the text of the items or instructions thereto. Where any item requires information to be given in tabular form, such information shall be given in substantially the tabular form specified in the item. All instructions, whether appearing under the items of the form or elsewhere therein, are to be omitted. Unless expressly provided otherwise, if any item is inapplicable, or the answer thereto is in the negative, an appropriate statement to that effect shall be made.

(v) *Riders; inserts.* Riders shall not be used. If the statement or report is typed on a printed form, and the space provided for the answer to any given item is insufficient, reference shall be made in such space to a full insert page or pages on which the item number and caption and the complete answer are given.

(w) *Amendments.* All amendments shall comply with all pertinent requirements applicable to statements and reports. Amendments shall be filed separately for each separate statement or report amended. Amendments to a state-

ment may be filed either before or after registration becomes effective.

(x) *Title of securities.* Wherever the title of securities is required to be stated, information shall be given that will indicate the type and general character of the securities, including:

(1) In the case of shares, the par or stated value, if any; the rate of dividends, if fixed, and whether cumulative or noncumulative; a brief indication of the preference, if any; and if convertible, a statement to that effect.

(2) In the case of funded debt, the rate of interest; the date of maturity, or if the issue matures serially, a brief indication of the serial maturities, such as "maturing serially from 1970 to 1980"; if payment of principal or interest is contingent, an appropriate indication of such contingency; a brief indication of the priority of the issue; and if convertible, a statement to that effect.

(3) In the case of any other kind of security, appropriate information of comparable character.

(y) *Interpretation of requirements.* Unless the context clearly shows otherwise,

(1) The forms require information only as to the bank.

(2) Whenever any fixed period of time in the past is indicated, such period shall be computed from the date of filing.

(3) Whenever words relate to the future, they have reference solely to present intention.

(4) Any words indicating the holder of a position or office include persons, by whatever titles designated, whose duties are those ordinarily performed by holders of such positions or offices.

(z) *When securities are deemed to be registered.* A class of securities with respect to which a registration statement has been filed pursuant to section 12 of the Act shall be deemed to be registered for the purposes of sections 13, 14, and 16 of the Act and this Part only when such registration statement has become effective as provided in section 12, and securities of said class shall not be subject to sections 13, 14, and 16 of the Act until such registration statement has become effective as provided in section 12.

§ 206.5 Proxy statements and other solicitations under section 14 of the Act.

(a) *Requirement of statement.* No solicitation of a proxy with respect to a security of a bank registered pursuant to section 12 of the Act shall be made unless each person solicited is concurrently furnished, or has previously been furnished, with a written proxy statement containing the information required by Form F-5. If the management of any bank having such a security outstanding fails to solicit proxies from the holders of any such security in such a manner as to require the furnishing of such a proxy statement, such bank shall transmit to all holders of record of such security a statement containing the information required by Form F-5. The "information statement" required by the preceding sentence shall be transmitted (1) at least 20 calendar days prior to any annual or other meeting of the holders of such security at which such holders are entitled to vote, or (2) in the case of corporate action taken with the written authorization or consent of security holders, at least 20 days prior to the earliest date on which the corporate action may be taken. A proxy statement or an "information statement" required by this paragraph is hereinafter sometimes referred to as a "Statement".

(b) *Exceptions.* The requirements of the first sentence of paragraph (a) of this section shall not apply to the following:

(1) Any solicitation made otherwise than on behalf of the management of the bank where the total number of persons solicited is not more than 10.

(2) Any solicitation by a person in respect to securities carried in his name or in the name of his nominee (otherwise than as voting trustee) or held in his custody, if such person

(i) receives no commission or remuneration for such solicitation, directly or indirectly, other than reimbursement of reasonable expenses;

(ii) furnishes promptly to the person solicited a copy of all soliciting material with respect to the same subject matter or meeting received from all persons who will furnish copies thereof for such purpose and who will, if requested, defray the reasonable expenses to be incurred in forwarding such material; and

(iii) in addition, does no more than (A) impartially instruct the person solicited to forward a proxy to the person, if any, to whom the person solicited desires to give a proxy, or (B) impartially request from the person solicited instructions as to the authority to be conferred by the proxy and state that a proxy will be given if no instructions are received by a certain date.

(3) Any solicitation by a person with respect to securities of which he is the beneficial owner.

(4) Any solicitation through the medium of a newspaper advertisement that informs security holders of a source from which they may obtain copies of a proxy statement, form of proxy, and any other soliciting material and does no more than (i) name the bank; (ii) state the reason for the advertisement; and (iii) identify the proposal or proposals to be acted upon by security holders.

(c) *Annual report to security holders to accompany Statements.* (1) Any Statement furnished on behalf of the management of the bank that relates to an annual meeting of security holders at which directors are to be elected shall be accompanied or preceded by an annual report to such security holders containing such financial statements for the last 2 fiscal years as will, in the opinion of the management, adequately reflect the financial position of the bank at the end of each such year and the results of its operations for each such year. The financial statements included in the annual report may omit details or summarize information if such statements, considered as a whole in the light of other information contained in the report and in the light of the financial statements of the bank filed or to be filed with the Board, will not by such procedure omit any material information necessary to a fair presentation or to make the financial statements not misleading under the circumstances. Subject to the foregoing requirements with respect to financial statements, the annual report to security holders may be in any form deemed suitable by the management and the information required by paragraphs (c) (1) (i) to (iv) of this paragraph may be presented in an appendix or other separate section of the report, provided that the attention of security holders is called to such presentation.

(i) The report shall include a summary of the bank's operations containing the information required by Item 4 of Form F-2 except for the reconciliations, exhibits and supplemental information thereto.

(ii) The report shall contain a brief description of the operations done by the bank and its subsidiaries during the most recent fiscal year.

(iii) The report shall identify each of the bank's directors and officers, and shall indicate the principal occupation or employment of each such person and the name and principal business of any organization by which such person is so employed.

(iv) The report shall identify the principal market, if any, in which securities of any class entitled to vote at the meeting are traded, and shall state the high and low sales prices for such securities (or, in the absence of such information, the range of bid and asked quotation) and the dividends paid on such securities for each quarterly period during the bank's two most recent fiscal years. If bank securities are inactively traded, the report shall so state and shall indicate the range of sales prices known to management for the periods specified above and the source(s) of such information.

(2) Management's Statement, or the report, shall contain an undertaking in bold face or otherwise reasonably prominent type to provide without charge to each person solicited, on the written request of any such person, a copy of the bank's annual report on Form F-2 including the financial statements and the schedules thereto, required to be filed with the Board pursuant to § 206.4 of this Part for the bank's most recent fiscal year, and shall indicate the name and address of the person to whom such a written request is to be directed. In the discretion of management, a bank need not undertake to furnish without charge copies of all exhibits to its Form F-2 provided that the copy of the annual report on Form F-2 furnished without charge to requesting security holders is accompanied by a list briefly describing all the exhibits not contained therein and indicating that the bank will furnish any exhibit upon the payment of a specified reasonable fee which fee shall be limited to the bank's reasonable expenses in furnishing such exhibit.

NOTE: Pursuant to the undertaking required by the paragraph (c)(2) of this section, a bank shall furnish a copy of its annual report on Form F-2 to a beneficial owner of its securities upon receipt of a written request from such person. Each request must set forth a good faith representation that, as of the record date for the annual meeting of the bank's security holders, the person making the request was a beneficial owner of securities entitled to vote at such meeting.

(3) Providing copies of material for certain beneficial owners. If the bank knows that securities of any class entitled to vote at a meeting are held of record by a broker, dealer, nonmember or member bank or voting trustee, or their nominees, the bank shall inquire of such record holder whether other persons are the beneficial owners of such securities and, if so, the number of copies of the Statement and other soliciting material, if applicable, and in the case of an annual meeting at which directors are to be elected, the number of copies of the annual report to security holders, necessary to supply such material to such beneficial owners. The bank shall supply such record holder with additional copies in such quantities, assembled in such form and at such a place, as the record holder may reasonably request in order to address and send one copy of each to each beneficial owner of securities so held and shall, upon the request of such record holder, pay its reasonable expenses for completing the mailing of such material to security holders to whom the material is sent.

(4) If bank's list of security holders indicates that some of its securities are registered in the name of "Cede & Co.", a nominee for the Depository Trust Company, or in the name of a nominee for any central certificate depository system, bank shall make appropriate inquiry of the central depository system and thereafter of the participants in such a system who may hold on behalf of a beneficial owner, and shall comply with the above paragraph with respect to any such participant.

This paragraph (c) shall not apply, however, to solicitations made on behalf of management before the financial statements are available if solicitation is being made at the time in opposition to the management and if the management's statement includes an undertaking in bold-face type to furnish such annual report to all persons being solicited at least 20 days before the date of the meeting.

NOTES: 1. To reflect adequately the financial position and results of operations of a bank in its annual report to security holders, the financial presentation shall include, but not necessarily be limited to, the following:

(a) Comparative statements of condition at the end of each of the last 2 fiscal years.

(b) Comparative statements of income in a form providing for the determination of "net income" for each fiscal year and per share earnings and dividend data.

(c) Comparative statements of changes in capital accounts for each fiscal year similar in form to Form F-9C.

(d) Comparative statements of changes in financial position for each fiscal year for which a statement of income is furnished.

(e) A comparative reconciliation of the "Allowance for Possible Loan Losses" account similar in form to Schedule VII, Form F-9D, and a comparative loan classification summary similar in form to Schedule III, of Form F-9D.

(f) Supplemental notes to financial statements to the extent necessary to furnish a fair financial presentation. Such notes should include the aggregate market value as at the balance sheet date for each category of investment securities reported on the balance sheet, and other information required to be furnished in notes to financial statements included in the bank's Form F-2 Annual Report.

2. The financial statements should be prepared on a consolidated basis to the extent required by § 206.7(d). Any difference from the principles of consolidation or other accounting principles or practices, or methods of applying accounting principles or practices, applicable to the financial statements of the bank filed or to be filed with the Board, which have a material effect on the financial position or results of operations of the bank, shall be noted and the effect thereof reconciled or explained in the [financial statements or the notes thereto in the] annual report to security holders.

3. When financial statements included in the annual report (Form F-2) filed, or proposed to be filed, with the Board are accompanied by an opinion of an independent public accountant, the financial statements in the annual report to security holders should also be accompanied by an opinion of such independent public accountant.

4. The requirement for sending an annual report to each person being solicited will be satisfied with respect to persons having the same address by sending at least one report to a holder of record at that address provided (i) that management has reasonable cause to believe that the record holder to whom the report is sent is the "beneficial owner" (see definition in § 206.2(jj)) of securities registered in the name of such person in other capacities or in the name of other persons at such address, or (ii) the security holders at such address consent thereto in writing. Nothing herein shall be deemed to relieve any person so consenting of any obligation to obtain or send such annual report to any other person.

(5) Eight copies of each annual report sent to security holders pursuant to this paragraph (c) shall be sent to the Board not later than (i) the date on which such report is first sent or given to security holders, or (ii) the date on which preliminary copies of the management Statement are filed with the Board pursuant to paragraph (f) of this section, whichever date is later. Such annual report is not deemed to be "soliciting material" or to be "filed" with the Board or otherwise subject to this § 206.5 or the liabilities of section 18 of the Act, except to the extent that the bank specifically requests that it be treated as a part of the proxy soliciting material or incorporates it in the proxy statement by reference.

(d) *Requirements as to proxy.* (1) The form of proxy (i) shall indicate in bold-face type whether or not the proxy is solicited on behalf of the management of the bank, (ii) shall provide a specifically designated blank space for dating the proxy, and (iii) shall identify clearly and impartially each matter or group of related matters intended to be acted upon, whether proposed by the management or by security holders. No reference need be made, however, to proposals as to which discretionary authority is conferred pursuant to paragraph (d)(4) of this section.

(2) Means shall be provided in the form of proxy whereby the person solicited is afforded an opportunity to specify by ballot a choice between approval or disapproval of each matter or group of related matters referred to therein as intended to be acted upon, other than elections to office. A proxy may confer discretionary authority with respect to matters as to which a choice is not so specified if the form of proxy states in bold-face type how the shares represented by the proxy are intended to be voted in each such case.

(3) A form of proxy which provides both for the election of directors and for action on other specified matters shall be prepared so as clearly to provide, by a box or otherwise, means by which the security holder may withhold authority to vote for the election of directors. Any such form of proxy which is executed by the security holder in such manner as not to withhold authority to vote for the election of directors shall be deemed to grant such authority, provided the form of proxy so states in bold-face type. This paragraph (d)(3) does not apply (i) in the case of a merger, consolidation, or other plan if the election of directors is an integral part of the plan and is not to be separately voted upon or (ii) if the only matters to be acted upon are the election of directors and the election, selection, or approval of other persons such as clerks or auditors.

(4) A proxy may confer discretionary authority to vote with respect to any of the following matters:

(i) Matters that the persons making the solicitation do not know, within a reasonable time before the solicitation, are to be presented at the meeting, if a specific statement to that effect is made in the proxy statement or form of proxy;

(ii) Approval of the minutes of the prior meeting if such approval does not amount to ratification of the action taken at that meeting;

(iii) The election of any person to any office for which a bona fide nominee is named in the proxy statement and such nominee is unable to serve or for good cause refuses to serve;

(iv) Any proposal omitted from the proxy statement and form of proxy pursuant to § 206.5(k);

(v) Matters incident to the conduct of the meeting.

(5) No proxy shall confer authority (i) to vote for the election of any person to any office for which a bona fide nominee is not named in the proxy statement, or (ii) to vote at any annual meeting other than the next annual meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to security holders. A person shall not be deemed to be a bona fide nominee and he shall not be named as such unless he has consented to being named in the proxy statement and to serve if elected.

(6) The proxy statement or form of proxy shall provide, subject to reasonable specified conditions, that the shares represented by the proxy will be voted and that where the person solicited specifies by means of a ballot provided pursuant to paragraph (d)(2) of this section a choice with respect to any matters to be acted upon, the shares will be voted in accordance with the specifications so made.

(e) *Presentation of information in Statement.* (1) The information included in the Statement shall be clearly presented and the statements made shall be divided into groups according to subject matter and the various groups of statements shall be preceded by appropriate headings. The order of items in the form need not be followed. Where practicable and appropriate, the information shall be presented in tabular form. All amounts shall be stated in figures. Information required by more than one applicable item need not be repeated. No statement need be made in response to any item that is inapplicable.

(2) Any information required to be included in the Statement as to terms of securities or other subject matter that from a standpoint of practical necessity must be determined in the future may be stated in terms of present knowledge and intention. To the extent practicable, the authority to be conferred concerning each such matter shall be confined within limits reasonably related to the need for discretionary authority. Subject to the foregoing information that is not known to the persons on whose behalf the solicitation is to be made and is not reasonably within the power of such persons to ascertain or procure may be omitted, if a brief statement of the circumstances rendering such information unavailable is made.

(3) There may be omitted from a proxy statement any information contained in any other proxy soliciting material that has been furnished to each person solicited in connection with the same meeting or subject matter if a clear reference is made to the particular document containing such information.

(4) All printed Statements shall be set in roman type at least as large as 10-point modern type except that, to the extent necessary for convenient presentation, financial statements and other statistical or tabular matter may be set in roman type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

(5) All proxy statements shall disclose on the first page thereof the complete mailing address, including ZIP code, of the principal executive offices of bank and the approximate date on which the proxy statement and form of proxy are first sent or given to security holders.

(f) *Material required to be filed.* (1) Three preliminary copies of each Statement, form of proxy, and other items of soliciting material to be furnished to security holders concurrently therewith, shall be filed with the Board by management or any other person making a solicitation subject to this § 206.5 at least 10 calendar days (or 15 calendar days in the case of other than routine meetings, as defined below) prior to the date such item is first sent or given to any security holders, or such shorter period prior to that date as may be authorized. For the purposes of this paragraph (f)(1) of this section, a routine meeting means a meeting with respect to which no one is soliciting proxies subject to this § 206.5 other than on behalf of management and at which management intends to present no matters other than the election of directors, election of inspectors of election, and other recurring matters. In the absence of actual knowledge to the contrary, management may assume that no other such solicitation of the bank's security holders is being made. In cases of annual meetings, one additional preliminary copy of the Statement, the form of proxy, and any other soliciting material, marked to show changes from the material sent or given to security holders with respect to the preceding annual meeting shall be filed with the Board.

(2) Three preliminary copies of any additional soliciting material, relating to the same meeting or subject matter, furnished to security holders subsequent to the proxy statement shall be filed with the Board at least two days (exclusive of Saturdays, Sundays, and holidays) prior to the date copies of such material are first sent or given to security holders, or such shorter period prior to such date as may be authorized upon a showing of good cause therefor.

(3) Eight copies of each Statement, form of proxy, and other items of soliciting material, in the form in which such material is furnished to security holders, shall be filed with, or mailed for filing to, the Board not later than the date such material is first sent or given to any security holders. Three copies of such material shall at the same time be filed with, or mailed for filing to, each exchange upon which any security of the bank is listed.

NOTE: The definitive material filed with the Board should be accompanied by a letter over the signature of an officer of bank or its counsel indicating any material changes which have been made therein, other than those made in response to the staff's comments.

(4) If the solicitation is to be made in whole or in part by personal solicitation, three copies of all written instructions or other material that discusses or reviews, or comments upon the merits of, any matter to be acted upon, and is furnished to the individuals making the actual solicitation for their use directly or indirectly in connection with the solicitation, shall be filed with the Board by the person on whose behalf the solicitation is made at least five days prior to the date copies of such material are first sent or given to such individuals, or such shorter period prior to that date as may be authorized upon a showing of good cause therefor.

(5) All copies of material filed pursuant to paragraphs (f)(1) and (2) of this section shall be clearly marked "Preliminary Copies" and shall be for the information of the Board only, except that such material may be disclosed to any department or agency of the United States Government and the Board may make such inquiries or investigation with respect to the material as may be necessary for an adequate review thereof. All material filed pursuant to paragraphs (f)(1), (2), or (3) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be or have been sent or given to security holders. All material filed pursuant to paragraph (f)(4) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be released to the individuals who will make the actual solicitation.

(6) Copies of replies to inquiries for security holders requesting further information and copies of communications that do no more than request that forms of proxy theretofore solicited be signed, dated, and returned need not be filed pursuant to this paragraph (f).

(7) Notwithstanding the provisions of paragraphs (f)(1), (f)(2), and (i)(5) of this section, copies of soliciting material in the form of speeches, press releases, and radio or television scripts may, but need not, be filed with the Board prior to use or publication. Definitive copies, however, shall be filed with or mailed for filing to the Board as required by paragraph (f)(3) of this section not later than the date such material is used or published. The provisions of paragraphs (f)(1), (f)(2), and (i)(5) of this section shall apply, however, to any reprints or reproductions of all or any part of such material.

(8) Where any Statement, form of proxy, or other material filed pursuant to this paragraph (f) is revised, two of the copies of such revised material filed pursuant to paragraph (f)(3) of this section shall be marked to indicate clearly the changes. If the revision alters the text of the material, the changes in such text shall be indicated by means of underscoring or in some other appropriate manner.

(9) The date that proxy material is "filed" with the Board for purposes of paragraphs (f)(1), (2), and (4) of this section is the date of receipt of the material by the Board, not the date of mailing to the Board. In computing the advance filing period for preliminary copies of proxy soliciting material referred to in such paragraphs, the filing date of the preliminary material is to be counted as the first day of the period and definitive material should not be planned to be mailed or distributed to security holders until after the expiration of such period. Where additional time is required for final printing after receipt of comments, the preliminary proxy material should be filed as early as possible prior to the intended mailing date.

(10) Where preliminary copies of material are filed with the Board pursuant to this subsection, the printing of definitive copies for distribution to security holders should be deferred until comments of the Board's staff have been received and considered.

(g) *Mailing communications for security holders.* If the management of the bank has made or intends to make any proxy solicitation subject to this § 206.5, the bank shall perform such of the following acts as may be requested in writing with respect to the same subject matter or meeting by any security holder who is entitled to vote on such matter or to vote at such meeting and who shall first defray the reasonable expenses to be incurred by the bank in the performance of the act or acts requested:

(1) The bank shall mail or otherwise furnish to such security holder the following information as promptly as practicable after the receipt of such request:

(i) A statement of the approximate number of holders of record of any class of securities, any of the holders of which have been or are to be solicited on behalf of the management, or any group of such holders that the security holder shall designate;

(ii) If the management of the bank has made or intends to make, through bankers, brokers, or other persons, any solicitation of the beneficial owners of securities of any class, a statement of the approximate number of such beneficial owners, or any group of such owners that the security holder shall designate;

(iii) An estimate of the cost of mailing a specified proxy statement, form of proxy, or other communication to such holders, including insofar as known or reasonably available, the estimated handling and mailing costs of the bankers, brokers, or other persons specified in paragraph (g) (1) (ii) of this section.

(2) (i) Copies of any proxy statement, form of proxy, or other communication furnished by the security holder shall be mailed by the bank to such of the holders of record specified in paragraph (g) (1) (i) of this section as the security holder shall designate. The bank shall also mail to each banker, broker, or other persons specified in paragraph (g) (1) (ii) of this section, a sufficient number of copies of such proxy statement, form of proxy, or other communication as will enable the banker, broker, or other person to furnish a copy thereof to each beneficial owner solicited or to be solicited through him;

(ii) Any such material that is furnished by the security holder shall be mailed with reasonable promptness by the bank after receipt of a tender of the material to be mailed, of envelopes or other containers therefor, of postage or payment for postage, and of evidence that such material has been filed with the Board pursuant to paragraph (f) of this section. The bank need not, however, mail any such material that relates to any matter to be acted upon at an annual meeting of security holders prior to the earlier of (A) a day corresponding to the first date on which management proxy soliciting material was released to security holders in connection with the last annual meeting of security holders, or (B) the first day on which solicitation is made on behalf of management. With respect to any such material that relates to any matter to be acted upon by security holders otherwise than at an annual meeting, such material need not be mailed prior to the first day on which solicitation is made on behalf of management.

(iii) Neither the management nor the bank shall be responsible for such proxy statement, form of proxy, or other communication.

(3) In lieu of performing the acts specified above, the bank may, at its option, furnish promptly to such security holder a reasonably current list of the names and addresses of such of the holders of record specified in paragraph (g) (1) (i) of this section as the security holder shall designate, and a list of the names and addresses of the bankers, brokers, or other persons specified in paragraph (g) (1) (ii) of this section as the security holder shall designate together with a statement of the approximate number of beneficial owners solicited or to be solicited through each such banker, broker, or other person and a schedule of the handling and mailing costs of each such banker, broker, or other person, if such schedule has been supplied to the management of the bank. The foregoing information shall be furnished promptly upon the request of the security holder or at daily or other reasonable intervals as it becomes available to the management of the bank.

(h) *False or misleading statements.* (1) No solicitation or communication subject to this section shall be made by means of any Statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or that omits to state any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the same meeting or subject matter that has become false or misleading. Depending upon particular circumstances, the following may be misleading within the meaning of this paragraph: predictions as to specific future market values, earnings, or dividends; material that directly or indirectly impugns character, integrity, or personal reputation, or directly or indirectly makes charges concerning improper, illegal, or immoral conduct or associations, without factual foundation; failure to so identify a Statement, form of proxy, and other soliciting material as to clearly distinguish it from the soliciting material of any other person or persons soliciting for the same meeting or subject matter; claims made prior to a meeting regarding the results of a solicitation.

(2) The fact that a proxy statement, form of proxy, or other soliciting material has been filed with or reviewed by the Board or its staff shall not be deemed a finding by the Board that such material is accurate or complete or not false or misleading, or that the Board has passed upon the merits of or approved any statement therein or any matter to be acted upon by security holders. No representation contrary to the foregoing shall be made.

(i) *Special provisions applicable to election contests.*—(1) *Solicitations to which this paragraph applies.* This paragraph (i) applies to any solicitation subject to this § 206.5 by any person or group of persons for the purpose of opposing a solicitation subject to this section by any other person or group of persons with respect to the election or removal of directors at any annual or special meeting of security holders.

(2) *Participant defined.* (i) For purposes of this paragraph (i) the terms "participant" and "participant in a solicitation" include the following:

(A) The bank;

(B) Any director of the bank, and any nominee for whose election as a director proxies are solicited;

(C) Any committee or group that solicits proxies, any member of such committee or group, and any person whether or not named as a member who, acting alone or with one or more other persons, directly or indirectly, takes the initiative in organizing, directing, or financing any such committee or group;

(D) Any person who finances or joins with another to finance the solicitation of proxies, except persons who contribute not more than $500 and who are not otherwise participants;

(E) any person who lends money or furnishes credit or enters into any other arrangements, pursuant to any contract or understanding with a participant, for the purpose of financing or otherwise inducing the purchase, sale, holding, or voting of securities of the bank by any participant or other person, in support of or in opposition to a participant, except a [member or nonmember] bank, broker, or dealer who, in the ordinary course of business, lends money or executes orders for the purchase or sale of securities and who is not otherwise a participant;

(F) Any other person who solicits proxies.

(ii) Such terms do not include:

(A) Any person or organization retained or employed by a participant to solicit security holders and whose activities are limited to the performance of his or its duties in the course of such retention or employment, or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties;

(B) Any person employed by a participant in the capacity of attorney, accountant, or advertising, public relations, or financial adviser, and whose activities are limited to the performance of his duties in the course of such employment;

(C) Any person regularly employed as an officer or employee of the bank or any of its subsidiaries who is not otherwise a participant; or

(D) Any officer or director of, or any person regularly employed by, any other participant, if such officer, director, or employee is not otherwise a participant.

(3) *Filing of information required by Form F–6.* (i) No solicitation subject to this paragraph (i) shall be made by any person other than the management of the bank unless at least five business days prior thereto, or such shorter period as the Board may authorize upon a showing of good cause therefor, there has been filed with the Board and with each exchange upon which any security of the bank is listed, by or on behalf of each participant in such solicitation, a statement in duplicate containing the information specified by Form F–6.

(ii) Within five business days after a solicitation subject to this paragraph (i) is made by the management of the bank, of such longer period as the Board may authorize upon a showing of good cause therefor, there shall be filed with the Board and with each exchange upon which any security of the bank is listed, by or on behalf of each participant in such solicitation, other than the bank, a statement in duplicate containing the information specified by Form F–6.

(iii) If any solicitation on behalf of management or any other person has been made, or if proxy material is ready for distribution, prior to a solicitation subject to paragraph (i) (3) (i) of this section in opposition thereto, a statement in duplicate containing the information specified in Form F–6 shall be filed by or on behalf of each participant in such prior solicitation, other than the bank, as soon as reasonably practicable after the commencement of the solicitation in opposition thereto, with the Board and with each exchange on which any security of the bank is listed.

(iv) If, subsequent to the filing of the statements required by paragraphs (i) (3) (i), (ii), and (iii) of this section, additional persons become participants in a solicitation subject to paragraph (i) (3) (i) of this section, there shall be filed, with the Board and each appropriate exchange, by or on behalf of each such person a statement in duplicate containing the information specified by Form F–6, within three business days after such person becomes a participant, or such longer period as the Board may authorize upon a showing of good cause therefor.

(v) If any material change occurs in the facts reported in any statement filed by or on behalf of any participant, an appropriate amendment to such statement shall be filed promptly with the Board and each appropriate exchange.

(vi) Each statement and amendment thereto filed pursuant to this paragraph (i) shall be part of the official public files of the Board and shall be deemed a communication subject to the provisions of paragraph (h) of this section.

(4) *Solicitations prior to furnishing required Statement.* Notwithstanding the provisions of § 206.5(a), a solicitation subject to paragraph (i) of this section may be made prior to furnishing security holders a written Statement containing the information specified in Form F–5 with respect to such solicitation if (i) the statements required by subparagraph (3) of this paragraph (i) are filed by or on behalf of each participant in such solicitation; (ii) no form of proxy is furnished to security holders prior to the time the Statement is furnished to security holders, except that paragraph (i) (4) (ii) of this section shall not apply where a Statement then meeting the requirements of Form F–5 has been furnished to security holders by or on behalf of the person making the solicitation; (iii) at least the information specified in Items 2(a) and 3(a) of the statement required by paragraph (i) (3) of this section to be filed by each participant, or an appropriate summary thereof, is included in each communication sent or given to security holders in connection with the solicitation; and (iv) a written Statement containing the information specified in Form F–5 with respect to a solicitation is sent or given security holders at the earliest practicable date.

(5) *Solicitations prior to furnishing required Statement.*—filing requirements. Three copies of any soliciting material proposed to be sent or given to security holders prior to the furnishing of the proxy statement required by § 206.5(a) shall be filed with the Board in preliminary form, at least five business days prior to the date copies of such material are first sent or given to security holders, or such shorter period as the Board may authorize upon a showing of good cause therefor.

(6) *Application of this paragraph to annual report.* Notwithstanding the provisions of § 206.5(c), three copies of any portion of the annual report referred to in that paragraph that comments upon or refers to any solicitation subject to this paragraph (i), or to any participant in any such solicitation, other than the solicitation by the management, shall be filed with the Board as proxy material subject to this section. Such portion of the annual report shall be filed with the Board in preliminary form at least five business days prior to the date copies of the report are first sent or given to security holders.

(7) *Application of paragraph (f).* The provisions of paragraphs (f) (3), (4), (5), (6), and (7) of this section shall apply, to the extent pertinent, to soliciting material subject to subparagraphs (5) and (6) of this paragraph (i).

(8) *Use of reprints or reproductions.* In any solicitations subject to paragraph (i) of this section, soliciting material that includes, in whole or in part, any reprints or reproductions of any previously published material shall:

(i) state the name of the author and publication, the date of prior publication, and identify any person who is quoted without being named in the previously published material.

(ii) except in the case of a public, official document or statement, state whether or not the consent of the author and publisher has been obtained to the use of the previously published material as proxy soliciting material.

(iii) if any participant using the previously published material, or anyone on his behalf, paid, directly or indirectly, for the preparation or prior publication of the previously published material, or has made or proposed to make any payments or given any other consideration in connection with the publication or republication of such material, state the circumstances.

(j) *Prohibition of certain solicitations.* No person making a solicitation that is subject to this § 206.5 shall solicit (1) any undated or postdated proxy; or (2) any proxy that provides that it shall be deemed to be dated as of any date subsequent to the date on which it is signed by the security holder.

(k) *Proposals of security holders.* (1) If any security holder entitled to vote at a meeting of security holders of the bank shall submit to the management of the bank, within the time hereinafter specified, a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, the management shall set forth the proposal in [*its Statement.*] If management issues a proxy statement, it shall identify the proposal in its form of proxy and provide means by which security holders can either approve or disapprove the proposal. [If management issues an information statement, it shall identify the proposal and indicate the disposition proposed to be made of the proposal by the management at the meeting.] The management of the [bank] shall not be required by this paragraph to include the proposal in its [Statement or form of proxy] for an annual meeting unless the proposal is received by the management at the bank's principal executive offices not less than [70] days in advance of a date corresponding to the date set forth on the management's Statement released to security holders in connection with the last annual meeting of security holders. A proposal to be presented at any other meeting shall be received by the management of the bank a reasonable time before the solicitation is made. This paragraph (k) of this section shall not apply, however, to elections of office or to counter proposals to matters to be submitted by the management.

NOTE.—In order to curtail controversy as to the date that a security holder's proposal was received by the management, it is suggested that security holders submit their proposals by Certified Mail—Return Receipt Requested.

(2) If the management opposes the proposal, it shall also, at the written request of the security holder, include in its Statement (i) the name and address of the security holder, or a statement that such name and address will be furnished upon request, and (ii) a statement of the security holder (which shall not include such name and address) of not more than 200 words in support of the proposal. [Any statements in the text of a proposal, such as a preamble or "whereas" clauses, which are in effect arguments in support of the proposal, shall be deemed part of the supporting statement and subject to the 200-word limitation thereon.] The statement and request of the security holder shall be furnished to the management at the

same time that the proposal is furnished. Neither the management nor the bank shall be responsible for such statement.

(3) Notwithstanding paragraphs (k) (1) and (2) of this section, the management may omit a proposal and any statement in support thereof from its [Statement] or form proxy under any of the following circumstances:

(i) if the proposal is impossible to accomplish or, under applicable law, is not a proper subject for action by security holders; or

(ii) if the proposal consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the bank; or

(iii) if it appears that the proposal is submitted by the security holder principally for the purpose of enforcing a personal claim or redressing a personal grievance against the bank or its management, or consists of a recommendation, request or mandate that action be taken with respect to any matter, including a general economic, political, racial, religious, social, or similar cause [that is neither significantly related to the business of the bank nor within the control of the bank;] or

(iv) if the management has at the security holder's request included a proposal in its proxy statement and form of proxy relating to either of the two preceding annual meetings of security holders or any special meeting held subsequent to the earlier of such two annual meetings, and such security holder has failed without good cause to present the proposal, in person or by proxy, for action at the meeting; or

(v) if substantially the same proposal has previously been submitted to security holders in the management's proxy statement and form of proxy relating to any meeting of security holders held within the preceding five calendar years, it may be omitted from the proxy statement relating to any meeting of security holders held within the three calendar years after the latest such previous submission; provided, that (A) if the proposal had been submitted at only one meeting during such preceding period, it received less than [3] percent of the total number of votes cast in regard thereto, or (B) if the proposal had been submitted at only two meetings during such preceding period, it received at the time of its second submission less than [6] per cent of the total number of votes cast in regard thereto, or (C) if the proposal had been submitted at three or more meetings during such period, it received at the time of its latest submission less than [10] per cent of the total number of votes cast in regard thereto; or

(vi) if, prior to the receipt of such proposal, substantially the same proposal has been received by the management from another security holder and is to be included in the bank's proxy soliciting material.

NOTE. Proposals not within the bank's control are those which are beyond its power to effectuate.

(4) Whenever the management asserts that a proposal and any statement in support thereof may properly be omitted from [its Statement] and form of proxy, it shall file with the Board, not later than [30] days prior to the date the preliminary copies of the [Statement] or form of proxy are filed pursuant to § 206.5(f)(1) or such shorter period prior to such date as the Board may permit, a copy of the proposal and any statement in support thereof as received from the security holder, together with a statement of the reasons why the management deems such omission to be proper in the particular case, and, where such reasons are based on matters of law, a supporting opinion of counsel. The management shall at the same time, if it has not already done so, notify the security holder submitting the proposal of its intention to omit the proposal from its [Statement] and shall forward to him a copy of the statement of the reasons why the management deems the omission of the proposal to be proper and a copy of such supporting opinion of counsel.

(l) *Invitation for tenders.* (1) No person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, shall make a tender offer for, or a request or invitation for tenders of, any class of any equity security, which is registered pursuant to section 12 of the Act, of a member State bank if, after consummation thereof, such person would, directly or indirectly, be the beneficial owner of more than 5 per cent of such class, unless, at the time copies of the offer or request or invitation are first published or sent or given to security holders, such person has filed with the Board a statement containing the information and exhibits required by Form F-11.

(2) If any material change occurs in the facts set forth in the statement required by paragraph (l) of this section, the person who filed such statement shall promptly file with the Board an amendment disclosing such change.

(3) All tender offers for, or requests or invitations for tenders of, securities published or sent or given to the holders of such securities shall include the following information:

(i) The name of the person making the tender offer, request or invitation;

(ii) The exact dates prior to which, and after which, security holders who deposit their securities will have the right to withdraw their securities pursuant to section 14(d)(5) of the Act, or otherwise;

(iii) If the tender offer or request or invitation for tenders is for less than all of the outstanding securities of the class and the person making the offer, request or invitation is not obligated to purchase all of the securities tendered, the date of expiration of the period during which the securities will be taken up pro rata pursuant to section 14(d)(6) of the Act, or otherwise; and

(iv) The information required by Items 2 (a) and (c), 3, 4, 5 and 6 of Form F-11, or a fair and adequate summary thereof, and shall be filed with the Board as part of the statement required by paragraph (1) of this section.

(4) Any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain the name of the persons making such solicitation or request and the information required by Items 2 (a) and (c), 3, 4, 5 and 6 of Form F-11, or a fair and adequate summary thereof; provided, however, that such material may omit any of such information previously furnished to the persons solicited or requested for tender offers. Copies of such additional material soliciting or requesting such tender offers shall be filed with the Board not later than the time copies of such material are first published or sent or given to security holders.

(5) If any securities to be offered in connection with the tender offer for, or request or invitation for tenders of, securities with respect to which a statement is required to be filed pursuant to paragraph (l) of this section, have been or are to be registered under the Securities Act of 1933, a copy of the prospectus containing the information required to be included therein under that Act shall be filed as an exhibit to such statement. Any information contained in the prospectus may be incorporated by reference in such statement.

(6) When a person makes a tender offer for, or request or invitation for tenders of, any class of equity securities of a bank registered pursuant to section 12 of the Act, and such person has filed a statement with the Board pursuant to this section, any other person controlling, controlled by, or under common control ("control person") with the issuing bank [which bank is prohibited by R.S. 5201 (12 U.S.C. 83) from purchasing, with certain exceptions, shares of its own capital stock] shall not thereafter, during the period such tender offer, request or invitation continues, purchase any class of equity securities of the issuing bank unless:]

(i) The control person has filed with the Board a statement containing the information specified below with respect to proposed purchases:

(A) The title and amount of equity securities to be purchased, the names of the persons or classes of persons from whom, and the market in which, the securities are to be purchased, including the name of any exchange on which the purchase is to be made;

(B) The purpose for which the purchase is to be made and any plan or proposal for the disposition of such securities; and

(C) The source and amount of funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading the securities, a description of the transaction and the names of the parties thereto.

(ii) The control person has at any time within the past six months sent or

given to the equity security holders of the issuing bank the substance of the information contained in the statement required by paragraph (1)(6)(i) of this section.

(7) Eight copies of the statement required by subparagraph (1) of this paragraph, every amendment to such statement, and all other material required by this section shall be filed with the Board.

(8) Certain communications. The following communications shall not be deemed to be requests or invitations for tenders:

(i) Offers to purchase securities made in connection with a distribution of securities permitted by Rules 10b–6, 10b–7 and 10b–8 under the Act as promulgated by the Securities and Exchange Commission (17 CFR 240.10b–6, 10b–7 and 10b–8).

(ii) The call or redemption of any security in accordance with the terms and conditions of the governing instruments.

(iii) Offers to purchase securities evidenced by a script certificate, order form or similar document which represents a fractional interest in a share of stock or similar security.

(iv) Offers to purchase securities pursuant to a statutory procedure for the purchase of dissenting shareholders' securities.

(v) The furnishing of information and advice regarding a tender offer to customers or clients by attorneys, member or nonmember banks, brokers, fiduciaries or investment advisers, who are not otherwise participating in the tender offer or solicitation, on the unsolicited request of a person or pursuant to a general contract for advice to the person to whom the information or advice is given.

(vi) A communication from a bank to its security holders which does no more than (1) identify a tender offer or request or invitation for tenders made by another person, (2) state that the management of the bank is studying the matter and will, on or before a specified date (which shall be not later than 10 days prior to the date specified in the offer, request or invitation, as the last date on which tenders will be accepted, or such shorter periods as the Board may authorize) advise security holders as to the management's recommendation to accept or reject the offer, request or invitation, and (3) request security holders to defer making a determination as to whether or not they should accept or reject the offer, request or invitation until they have received the management's recommendation with respect thereto.

(m) *Recommendations as to tender offers.* (1) No solicitation or recommendation to the holders of a security to accept or reject a tender offer or request or invitation for tenders subject to section 14(d) of the Act shall be made unless, at the time copies of the solicitation or recommendation are first published or sent or given to holders of the security, the person making such solicitation or recommendation has filed with the Board a statement containing the information specified by Form F–12; provided, however, that this paragraph shall not apply to (i) a person required by § 206.5(1) to file a statement, or (ii) a person, other than the bank or the management of the bank, who makes no written solicitations or recommendations other than solicitations or recommendations copies of which have otherwise been filed with the Board.

(2) If any material change occurs in the facts set forth in the statement required by paragraph (m)(1) of this section, the person who filed such statement shall promptly file with the Board an amendment disclosing such change.

(3) Any written solicitation or recommendation to the holders of a security to accept or reject a tender offer or request or invitation for tenders subject to section 14(d) of the Act shall include the name of the person making such solicitation or recommendation and the information required by Items 1(b) and 2(b) of Form F–12, or a fair and adequate summary thereof; provided, however, that such written solicitation or recommendation may omit any of such information previously furnished to the persons to whom the solicitation or recommendation is made.

(n) *Change in majority of directors.* If, pursuant to any arrangement or understanding with the person or persons acquiring securities in a transaction subject to section 13(d) or 14(d) of the Act, any persons are to be elected or designated as directors of the bank, otherwise than at a meeting of security holders, and the persons so elected or designated will constitute a majority of the directors of the bank, then, not less than 10 days prior to the date any such person takes office as a director, or such shorter period prior to that date as the Board may authorize upon a showing of good cause therefor, the bank shall file with the Board and transmit to all holders of record of securities of the bank who would be entitled to vote at a meeting for election of directors, information substantially equivalent to the information which would be required by Items 5(a), (d), (e) and (f), 6 and 7 of Form F–5 to be transmitted if such person or persons were nominees for election as directors at a meeting of such security holders.

(o) *Solicitation prior to furnishing required proxy statement.* (1) Notwithstanding the provisions of § 206.5(a), a solicitation (other than one subject to § 206.5(i)) may be made prior to furnishing security holders a written proxy statement containing the information specified in Form F–5 with respect to such solicitation if—

(i) The solicitation is made in opposition to a prior solicitation or an invitation for tenders or other publicized activity, which if successful, could reasonably have the effect of defeating the action proposed to be taken at the meeting.

(ii) No form of proxy is furnished to security holders prior to the time the written proxy statement required by § 206.5(a) is furnished to security holders; provided, however, that this paragraph (o)(ii) of this section shall not apply where a proxy statement then meeting the requirements of Form F–5 has been furnished to security holders by or on behalf of the person making the solicitation;

(iii) The identity of the person or persons by or on whose behalf the solicitation is made and a description of their interests, direct or indirect, by security holdings or otherwise, are set forth in each communication sent or given to security holders in connection with the solicitation; and

(iv) A written proxy statement meeting the requirements of this section is sent or given to security holders at the earliest practicable date.

(2) Three copies of any soliciting material proposed to be sent or given to security holders prior to the furnishing of the written proxy statement required by § 206.5(a) shall be filed with the Board in preliminary form at least 5 business days prior to the date definitive copies of such material are first sent or given to security holders, or such shorter period as may be authorized.

§ 206.6 "Insiders'" securities transactions and reports under section 16 of the Act.

(a) *Filing of statements by directors, officers and principal stockholders.* (1) Initial statements of beneficial ownership ownership of equity securities of a bank required by section 16(a) of the Act, and statements of changes in such beneficial ownership, shall be prepared and filed in accordance with the requirements of Form F–7 and Form F–8, respectively.

(2) A person who is already filing statements with the Board pursuant to section 16(a) of the Act need file an additional statement on Form F–7 when an additional class of equity securities of the same bank becomes registered or when he assumes another or an additional relationship to the bank; for example, when an officer becomes a director.

(3) Any bank that has equity securities listed on more than one national securities exchange may designate one of them as the only exchange with which reports pursuant to section 16(a) of the Act need be filed. Such designation shall be filed with the Board and with each national securities exchange on which any equity security of the bank is listed. After the filing of such designation the securities of such bank shall be exempted with respect to the filing of statements pursuant to section 16(a) of the Act with any exchange other than the designated exchange.

(4) Any director or officer who is required to file a statement on Form F–8 with respect to any change in his beneficial ownership of equity securities which occurs within six months after he became a director or officer of the bank issuing such securities, or within six months after equity securities of such bank first became registered pursuant to section 12 of the Act, shall include in the first such statement the informa-

tion called for by Form F-8 with respect to all changes in his beneficial ownership of equity securities of such bank which occurred within 6 months prior to the date of the changes which require the filing of such statement.

(5) Any person who has ceased to be a director or officer of a bank which has equity securities registered pursuant to section 12(g) of the Act, or who is a director or officer of a bank at the time it ceased to have any equity securities so registered, shall file a statement on Form F-8 with respect to any change in his beneficial ownership of equity securities of such bank which shall occur on or after the date on which he ceased to be such director or officer, or the date on which bank ceased to have any equity securities so registered, as the case may be, if such change shall occur within 6 months after any change in his beneficial ownership of such securities prior to such date. The statement on Form F-8 shall be filed within 10 days after the end of the month in which the reported change in beneficial ownership occurs.

(b) *Ownership of more than 10 per cent of a class of equity securities.* (1) In determining for the purpose of section 16(a) of the Act whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of equity securities, such person shall be deemed to be the beneficial owner of securities of such class which such person has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. The securities subject to such options, warrants, rights or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by such person but shall be not be deemed outstanding for the purpose of computing the percentage of the class owned by any other person. This subparagraph shall not be construed to relieve any person of any duty to comply with section 16(a) of the Act with respect to any equity securities consisting of options, warrants, rights or convertible securities which are otherwise subject as a class to section 16(a) of the Act.

(2) For the purpose of this paragraph a person acting in good faith may rely on the information contained in the latest Form F-1, F-1B or F-2 filed with the Board under § 206.4 with respect to the amount of securities of the class outstanding or in the case of voting trust certificates or certificates of deposit the amount thereof issuable.

(3) For the purpose of determining percentage ownership of voting trust certificates or certificates of deposit for equity securities, the class of voting trust certificates or certificates of deposit shall be deemed to consist of the amount of voting trust certificates or certificates of deposits issuable with respect to the total amount of outstanding equity securities of the class which may be deposited under the voting trust agreement or deposit agreement in question, whether or not all of such outstanding securities have been so deposited.

(c) *Disclaimer of beneficial ownership.* Any person filing a statement may expressly declare therein that the filing of such statement shall not be construed as an admission that such person is, for the purpose of section 16 of the Act, the beneficial owner of any equity securities covered by the statement.

(d) *Ownership of securities held in trust.* (1) Beneficial ownership of a bank's securities for the purpose of section 16(a) of the Act shall include:

(i) the ownership of such securities as a trustee where either the trustee or members of his immediate family have a vested interest in the income or corpus of the trust,

(ii) the ownership of vested beneficial interest in a trust, and

(iii) the ownership of such securites as a settlor of a trust in which the settlor has the power to revoke the trust without obtaining the consent of all beneficiaries.

(2) Except as provided in paragraph (d)(3) of this section, beneficial ownership of securities of registrant banks solely as a settlor or beneficiary of a trust shall be exempt from the provisions of section 16(a) of the Act where less than 20 per cent in market value of the securities having a readily ascertainable market value held by such trust (determined as of the end of the preceding fiscal year of the trust) consists of equity securities with respect to which reports are required by section 16(a) of the Act or would be required but for an exemption by the Securities and Exchange Commission, the Comptroller of the Currency, or the Federal Deposit Insurance Corporation similar to the exemption provided for by this sentence. Exemption from section 16(a) of the Act is likewise accorded with respect to any obligation that would otherwise be imposed solely by reason of ownership as settlor or beneficiary of a bank's securities held in trust, where the ownership, acquisition, or disposition of such securities by the trust is made without prior approval by the settlor or beneficiary. No exemption pursuant to this subparagraph shall, however, be acquired or lost solely as a result of changes in the value of the trust assets during any fiscal year or during any time when there is no transaction by the trust in the securities otherwise subject to the reporting requirements of section 16(a) of the Act.

(3) In the event that 10 percent of any class of any equity security of a bank is held in a trust, that trust and the trustees thereof as such shall be deemed a person required to file the reports specified in section 16(a) of the Act.

(4) Not more than one report need be filed to report any holdings of a bank's securities or with respect to any transaction in such securities held by a trust, regardless of the number of officers, directors, or 10 percent stockholders who are either trustees, settlors, or beneficiaries of a trust if the report filed discloses the names of all trustees, settlors, or beneficiaries who are officers, directors, or 10 percent stockholders. A person having an interest only as a beneficiary of a trust shall not be required to file any such report so long as he relies in good faith upon an understanding that the trustee of such trust will file whatever reports might otherwise be required of such beneficiary.

(5) In determining, for the purposes of paragraph (a) of this section, whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of equity security of a bank, the interest of such person in the remainder of a trust shall be excluded.

(6) No report shall be required by any person, whether or not otherwise subject to the requirement of filing reports under section 16(a) of the Act, with respect to his indirect interest in portfolio securities held by

(i) Any holding company registered under the Public Utility Holding Company Act,

(ii) Any investment company registered under the Investment Company Act,

(iii) A pension or retirement plan holding securities of a bank whose employees generally are the beneficiaries of the plan,

(iv) A business trust with over 25 beneficiaries.

(e) *Certain transactions subject to section 16(a)* of the Act. (1) The [granting,] acquisition or disposition of any [presently exercisable] put, call, option, [or other right or obligation to buy securities from, or to sell securities to, another person, or any expiration or cancellation thereof] shall be deemed to effect such a change in the beneficial ownership of the bank's security to which [the right or obligation] relates as to require the filing of a statement reflecting the [granting,] acquisition or disposition of such [right or obligation.] Nothing in paragraph (e) of this section, however, shall exempt any person from filing the statements required upon the exercise of such put, call, [option or other right or obligation to buy or sell securities.]

(i) If any such right or obligation is not initially exercisable, the granting and acquisition thereof shall be reported in a statement filed for the month in which it became exercisable, unless the filing of such statement is otherwise not required.

(ii) The right of a pledgee or borrower of securities to sell the pledge or borrowed securities is not an option or right to sell securities within the meaning of this paragraph. However, the sale of the pledged or borrowed securities by the pledgee or borrower shall be reported by the pledgor or lender.

(iii) The right to acquire securities, or the obligation to dispose of securities, in connection with a merger or consolidation involving the bank issuing the securities is not a right or obligation to buy or sell securities within the meaning of this paragraph.

(2) For the purpose of section 16(a) of the Act both the grantor and the holder of any presently exercisable put, call, option or other right or obligation

to buy or sell securities shall be deemed to be beneficial owners of the securities subject to such right or obligation until it is exercised or cancelled or expires.

(3) Notwithstanding the foregoing, a statement need not be filed pursuant to section 16(a) of the Act (i) by any person with respect to the acquisition, expiration or cancellation of any non-transferable qualified, restricted or other stock option granted by the bank with respect to securities to which the option relates pursuant to a plan provided for the benefit of the bank's employees or the employees of the bank's affiliates if such plan meets the condition specified in § 206.6(1), or (ii) by any bank with respect to any put, call, option or other right or obligation to buy or sell securities of which it is the issuer.

NOTE: An option, otherwise non-transferable, is deemed to be non-transferable even though it may be disposed of by will or by descent and distribution upon the death of the holder.

(f) *Exemption from section 16 of securities purchased or sold by odd-lot dealers.* A bank's securities purchased or sold by an odd-lot dealer (1) in odd-lots so far as reasonably necessary to carry on odd-lot transactions, or (2) in round lots to offset odd-lot transactions previously or simultaneously executed or reasonably anticipated in the usual course of business, shall be exempt from the provisions of section 16 of the Act with respect to participation by such odd-lot dealer in such transactions.

(g) *Exemption of small transactions from section 16(a) of the Act.* (1) Any acquisition of a bank's securities shall be exempt from section 16(a) of the Act where

(i) the person effecting the acquisition does not within six months thereafter effect any disposition, otherwise than by way of gift, of securities of the than by way of gift of securities of the same class, and

(ii) the person effecting such acquisition does not participate in acquisitions or in dispositions of securities of the same class having a total market value in excess of $3,000 for any six-month period during which the acquisition occurs.

(2) Any acquisition or disposition of a bank's securities by way of gift, where the total amount of such gifts does not exceed $3,000 in market value for any six-month period, shall be exempt from section 16(a) of the Act and may be excluded from the computations prescribed in paragraph (g)(1)(ii) of this section.

(3) Any person exempted by paragraphs (g) (1) or (2) of this section shall include in the first report filed by him after a transaction within the exemption a statement showing his acquisitions and dispositions for each six-month period or portion thereof that has elapsed since his last filing.

(h) *Temporary exemption of certain persons from sections 16 (a) and (b) of the Act.* During the period of 12 months following their appointment and qualification, a bank's securities held by the following persons shall be exempt from sections 16(a) and 16(b) of the Act:

(1) Executors or administrators of the estate of a decedent;

(2) Guardians or committees for an incompetent; and

(3) Receivers, trustees in bankruptcy, assignees for the benefit of creditors, conservators, liquidating agents, and similar persons duly authorized by law to administer the estate or assets of other persons. After the 12-month period following their appointment and qualification the foregoing persons shall be required to file reports under section 16(a) with respect to a bank's securities held by the estates that they administer and shall be liable for profits realized from trading in such securities pursuant to section 16(b) only when the estate being administered is a beneficial owner of more than 10 per cent of any class of equity security of the bank.

(i) *Exemption from section 16(b) of transactions that need not be reported under section 16(a).* Any transaction that has been or shall be exempted by the Board from the requirements of section 16(a) shall, insofar as it is otherwise subject to the provisions of section 16(b), be likewise exempted from section 16(b).

(j) *Exemption from section 16(b) of certain transactions by registered investment companies.* Any transaction of purchase and sale or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16 (b), as not comprehended within the purpose of that section, if the transaction is effected by an investment company registered under the Investment Company Act of 1940 and both the purchase and sale of such security have been exempted from the provisions of section 17(a) of the Investment Company Act of 1940 by an order of the Securities and Exchange Commission entered pursuant to section 17(b) of that Act.

(k) *Exemption from section 16(b) of certain transactions effected in connection with a distribution.* (1) Any transaction of purchase and sale, or sale and purchase, of an equity security of a bank that is effected in connection with the distribution of a substantial block of such securities shall be exempt from the provisions of section 16(b), to the extent specified in paragraph (k) of this section, as not comprehended within the purpose of said section, upon the following conditions:

(i) The person effecting the transaction is engaged in the business of distributing securities and is participating in good faith, in the ordinary course of such business, in the distribution of such block of securities;

(ii) The security involved in the transaction is (A) a part of such block of securities and is acquired by the person effecting the transaction, with a view to the distribution thereof, from the bank or other person on whose behalf such securities are being distributed or from a person who is participating in good faith in the distribution of such block of securities, or (B) a security purchased in good faith by or for the account of the person effecting the transaction for the purpose of stabilizing the market price of securities of the class being distributed or to cover an overallotment or other short position created in connection with such distribution; and

(iii) Other persons not within the purview of section 16(b) are participating in the distribution of such block of securities on terms at least as favorable as those on which such person is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(b) by paragraph (k) of this section. However, the performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not preclude an exemption that would otherwise be available under this paragraph.

(2) The exemption of a transaction pursuant to this paragraph (k) with respect to the participation therein of one party thereto shall not render such transaction exempt with respect to participation of any other party therein unless such other party also meets the conditions of this paragraph.

(l) *Exemption from section 16(b) of acquisitions of shares of stock and stock options under certain stock bonus, stock option, or similar plans.* Any acquisition of shares of a bank's stock (other than stock acquired upon the exercise of an option, warrant, or right) pursuant to a stock bonus, profit sharing retirement, incentive, thrift, savings, or similar plan, or any acquisition of a qualified or restricted stock option pursuant to a qualified or restricted stock option plan, or of a stock option pursuant to an employee stock purchase plan, by a director or officer of the bank issuing such stock or stock option shall be exempt from the operation of section 16(b) if the plan meets the following conditions:

(1) The plan has been duly approved, directly or indirectly,

(i) By the holders of a majority of the securities of the bank present, or represented, and entitled to vote at the meeting at which it was approved, or by the written consent of the holders of a majority of the securities of the bank entitled to vote, or

(ii) by the holders of a majority of the securities of a predecessor so entitled to vote, if the plan or obligations to participate thereunder were assumed by the bank in connection with the succession. Provided, however, that if such vote or written consent was not solicited substantially in accordance with the requirements, if any, in effect under § 206.5 at the time of such vote or written consent, the bank shall furnish in writing to the holders of record of the securities entitled to vote for the plan substantially the same information concerning the plan which would be required by the provisions in effect under § 206.5 at the time such information is furnished, if proxies to be voted with respect to the approval or disapproval of the plan were then being solicited, on or prior to the date of the first annual meeting of security holders held subsequent

to the later of (A) the first registration of an equity security under section 12 of the Act, or (B) the acquisition of an equity security for which exemption is claimed. Such written information may be furnished by mail to the last known address of the security holders of record within 30 days prior to the date of mailing. Eight copies of such written information shall be filed with, or mailed for filing to, the Board not later than the date on which it is first sent or given to security holders of the bank.

(2) If the selection of any director or officer of the bank to whom stock may be allocated (or to whom qualified, restricted, or employee stock purchase plan stock options may be granted pursuant to the plan) or the determination of the number or maximum number of shares of stock that may be allocated to any such director or officer (or that may be covered by qualified, restricted, or employee stock purchase plan stock options granted to any such director or officer) is subject to the discretion of any person, then such discretion shall be exercised only as follows:

(i) With respect to the participation of directors (A) by the board of directors of the bank, a majority of which board and a majority of the directors acting in the matter are disinterested persons; (B) by, or only in accordance with the recommendation of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons; or (C) otherwise in accordance with the plan, if the plan specifies the number or maximum number of shares of stock that directors may acquire (or that may be subject to qualified, restricted, or employee stock purchase plan stock options granted to directors) and the terms upon which and the times at which, or the periods within which, such stock may be acquired (or such options may be acquired and exercised); or sets forth, by formula or otherwise, effective and determinable limitations with respect to the foregoing based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors.

(ii) With respect to the participation of officers who are not directors (A) by the board of directors of the bank or a committee of three or more directors; or (B) by, or only in accordance with the recommendations of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons. For the purposes of paragraph (l)(2) of this section, a director or committee member shall be deemed to be a disinterested person only if such person is not at the time such discretion is exercised eligible and has not at any time within one year prior thereto been eligible for selection as a person to whom stock may be allocated (or to whom qualified, restricted, or employee stock purchase plan stock options may be granted) pursuant to the plan or any other plan of the bank or any of its affiliates entitling the participants therein to acquire stock or qualified, restricted, or employee stock purchase plan stock options of the bank or any of its affiliates.

(3) As to each participant or as to all participants the plan effectively limits the aggregate dollar amount or the aggregate number of shares of stock that may be allocated (or may be subject to qualified, restricted, or employee stock purchase plan stock options granted) pursuant to the plan. The limitations may be established on an annual basis, or for the duration of the plan, whether or not the plan has a fixed termination date. Such limitations may be determined either by fixed or maximum dollar amounts, fixed or maximum numbers of shares, formulas based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors that will result in an effective and determinable limitation. Such limitations may be subject to any provisions for adjustment of the plan or of stock allocable (or options outstanding thereunder) to prevent dilution or enlargement of rights.

(4) The term "exercise of an option, warrant or right" contained in the parenthetical clause of the first sentence of § 206.6(l) shall not include (i) the making of any election to receive under any plan compensation in the form of stock or credits therefore; provided that such election is made either prior to the making of the award or prior to the fulfillment of all conditions to the receipt of the compensation and; provided further, that such election is irrevocable until at least six months after termination of employment; (ii) the subsequent crediting of such stock; (iii) the making of any election as to the time for delivery of such stock after termination of employment; provided, that such election is made at least six months prior to any such delivery; (iv) the fulfillment of any condition to the absolute right to receive such stock; or (v) the acceptance of certificates for shares of such stock.

(m) *Exemption from section 16(b) of long-term profits incident to sales within six months of the exercise of an option.* (1) To the extent specified in paragraph (m)(2) of this section, transactions involving the purchase and sale, or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16(b), as not comprehended within the purpose of that section, if such purchase is pursuant to the exercise of an option, warrant, or right either—

(i) Acquired more than six months before its exercise, or

(ii) Acquired pursuant to the terms of an employment contract entered into more than six months before its exercise.

(2) With respect to transactions specified in paragraph (m)(1) of this section, the profits inuring to the bank pursuant to section 16(b) shall not exceed the difference between the proceeds of sale and the lowest market price of any security of the same class within six months before or after the date of sale. Nothing in paragraph (m) of this section shall be deemed to enlarge the amount of profit that would inure to the bank in the absence of this paragraph.

(3) The disposition of any equity security of a bank shall also be exempt from the operation of section 16(b), as not comprehended within the purpose of that section, if purchased in a transaction specified in paragraph (m) of this section pursuant to a plan or agreement for merger or consolidation, or reclassification of the bank's securities, or for the exchange of its securities for the securities of another person that has acquired its assets, where the terms of such plan or agreement are binding upon all stockholders of the bank except to the extent that dissenting stockholders may be entitled, under statutory provisions or provisions contained in the bank's charter, to receive the appraised or fair value of their holdings.

(4) The exemptions provided by paragraph (m) of this section shall not apply to any transaction made unlawful by section 16(c) or by any regulations thereunder.

(5) The burden of establishing market price of a security for the purpose of paragraph (m) of this section shall rest upon the person claiming the exemption.

(n) *Exemption from section 16(b) of dispositions of equity securities pursuant to certain mergers or consolidations incident to formation of a bank holding company.* (1) There shall be exempt from the provisions of section 16(b), as not comprehended within the purpose of that section, the disposition of any equity security, pursuant to a merger or consolidation, of a bank which, prior to said merger or consolidation, held over 85 percent of the combined assets of all the companies undergoing merger or consolidation, as determined by reference to their most recent available financial statements for a 12-month period prior to the merger or consolidation, if, in such merger or consolidation, there are issued, in exchange for such equity securities of such bank equity securities of a bank holding company as defined in the Bank Holding Company Act of 1956, as amended. 12 U.S.C. 1841.

(2) Notwithstanding the foregoing, if an officer, director, or stockholder shall make any purchase (other than a purchase exempted by this paragraph or any rule under section 16(b) of the Act) of an equity security of any company involved in the merger or consolidation and any sale (other than a sale exempted by this paragraph or any rule under section 16(b) of the Act) of an equity security in any other company involved in the merger or consolidation within any period of less than six months during which the merger or consolidation took place, the exemption provided by this rule shall be unavailable to such officer, director, or stockholder to the extent of such purchase and sale.

(o) *Exemptions from section 16(b) of transactions involving the deposit or withdrawal of equity securities under a voting trust or deposit agreement.* (1) Any acquisition or disposition of an equity security involved in the deposit of such security under, or the withdrawal of such security from, a voting trust or deposit agreement, and the acquisition or disposition in connection therewith of the certificate representing such security, shall be exempt from the operation of section 16(b) of the Act if substantially all of the assets held under the voting trust or deposit agreement immediately after the deposit or immediately prior to the withdrawal, as the case may be, consisted of equity securities of the same class as the security deposited or withdrawn; provided, however, that this rule shall not apply to the extent that there shall have been either (i) a purchase of an equity security of the class deposited and a sale of any certificate representing an equity security of such class, or (ii) a sale of an equity security of the class deposited and a purchase of any certificate representing an equity security of such class (otherwise than in a transaction involved in such deposit or withdrawal or in a transaction exempted by any rule under section 16(b)) within a period of less than six months which includes the date of the deposit or withdrawal.

(p) *Exemption from section 16(b) of transactions involving the conversion of equity securities.* (1) Any acquisition or disposition of an equity security involved in the conversion of an equity security which, by its terms or pursuant to the terms of the bank's corporate charter or other governing instruments, is convertible immediately or after a stated period of time into another equity security of the same bank, shall be exempt from the operation of section 16(b) of the Act; provided, however, that this paragraph shall not apply to the extent that there shall have been either (i) a purchase of any equity security of the class convertible (including any acquisition of or change in a conversion privilege) and a sale of any equity security of the class issuable upon conversion, or (ii) a sale of any equity security of the class convertible and any purchase of any equity security issuable upon conversion (otherwise than in a transaction involved in such conversion or in a transaction exempted by any paragraph under section 16(b)) within a period of less than six months which includes the date of conversion.

(2) For the purpose of this paragraph, an equity security shall not be deemed to be acquired or disposed of upon conversion of an equity security if the terms of the equity security converted require the payment or entail the receipt, in connection with such conversion, of cash or other property (other than equity securities involved in the conversion) equal in value at the time of conversion to more than 15 percent of the value of the equity security issued upon conversion.

(3) For the purpose of this paragraph, an equity security shall be deemed convertible if it is convertible at the option of the holder or of some other person or by operation of the terms of the security or of the governing instruments.

(q) *Exemption from section 16(b) of certain transactions involving the sale of subscription rights.* (1) Any sale of a subscription right to acquire any subject security of the same bank shall be exempt from the provision of section 16(b) of the Act, to the extent prescribed in this paragraph, as not comprehended within the purpose of said section, if:

(i) Such subscription right is acquired, directly or indirectly, from the bank without the payment of consideration;

(ii) Such subscription right by its terms expires within 45 days after the issuance thereof; and

(iii) Such subscription right by its terms is issued on a pro rata basis to all holders of the beneficiary security of the bank.

(2) When used within this paragraph the following terms shall have the meaning indicated:

(i) The term "subscription right" means any warrant or certificate evidencing a right to subscribe to or otherwise acquire an equity security.

(ii) The term "beneficiary security" means a security registered pursuant to section 12 of the Act to the holders of which a subscription right is granted.

(iii) The term "subject security" means a security which is the subject of a subscription right.

(3) Notwithstanding anything contained herein to the contrary, if a person purchases subscription rights for cash or other consideration, then a sale by such person of subscription rights otherwise exempted by this paragraph will not be so exempted to the extent of such purchases within the 6-month period preceding or following such sale.

(r) *Exemption of certain securities from section 16(c).* Any equity security of a bank shall be exempt from the operation of section 16(c) to the extent necessary to render lawful under such section the execution by a broker of an order for an account in which he had no direct or indirect interest.

(s) *Exemption from section 16(c) of certain transactions effected in connection with a distribution.* Any equity security of a bank shall be exempt from the operation of section 16(c) to the extent necessary to render lawful under such section any sale made by or on behalf of a dealer in connection with a distribution of a substantial block of the bank's securities, upon the following conditions:

(1) The sale is made with respect to an overallotment in which the dealer is participating as a member of an underwriting group, or the dealer or a person acting on his behalf intends in good faith to offset such sale with a security to be acquired by or on behalf of the dealer as a participant in and underwriting, selling, or soliciting-dealer group of which the dealer is a member at the time of the sale, whether or not the security to be so acquired is subject to a prior offering to existing security holders or some other class of persons; and

(2) Other persons not within the purview of section 16(c) are participating in the distribution of such block of securities on terms at least as favorable as those on which such dealer is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(c) by paragraph (s) of this section. The performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not, however, preclude an exemption that would otherwise be available under this paragraph.

(t) *Exemption of sales of securities to be acquired.* (1) Whenever any person is entitled, as an incident to his ownership of an issued equity security of a bank and without the payment of consideration, to receive another security of the bank "when issued" or "when distributed", the security to be acquired shall be exempt from the operation of section 16(c) if:

(i) The sale is made subject to the same conditions as those attaching to the right of acquisition;

(ii) Such person exercises reasonable diligence to deliver such security to the purchaser promptly after his right of acquisition matures; and

(iii) Such person reports the sale on the appropriate form for reporting transactions by persons subject to section 16(a).

(2) This paragraph (t) shall not be construed as exempting transactions involving both a sale of a security "when issued" or "when distributed" and a sale of the security by virtue of which the seller expects to receive the "when-issued" or "when-distributed" security, if the two transactions combined result in a sale of more units than the aggregate of those owned by the seller plus those to be received by him pursuant to his right of acquisition.

(u) *Arbitrage transactions under section 16.* It shall be unlawful for any director or officer of a bank to effect any foreign or domestic arbitrage transaction in any equity security of the bank, unless he shall include such transaction in the statements required by section 16(a) of the Act and § 206.6(a) and shall account to such bank for the profits arising from such transaction, as provided in section 16(b). The provisions of section 16(c) shall not apply to such arbitrage transactions. The provisions of § 206.6(a) and of section 16 shall not apply to any bona fide foreign or domestic arbitrage transaction insofar as it is effected by any person other than such director or officer of the bank issuing such security.

§ 206.7 Form and content of financial statements.

(a) *Principles of financing reporting.* Financial statements filed with the Board pursuant to this Part shall be prepared in accordance with generally accepted accounting principles and practices applicable to banks. The Board may from time to time issue releases on accounting principles and practices to be used with respect to specific areas.

(b) *Verification.*—(1) *General.* (i) Every verification with respect to financial statements filed pursuant to this Part shall be dated, shall be signed manually, [shall indicate the city and state where issued], and shall identify without detailed enumeration the financial statements covered by the verification.

(ii) If the person or persons making the verification considers that he must take exceptions or express qualifications with respect thereto, each such exception or qualification shall be stated specifically and clearly and, to the extent practicable, shall indicate the effect of the matter on the financial statements to which it relates.

(2) *Opinions to be expressed by principal accounting officer and auditor.* Every verification by a bank's principal accounting officer and auditor shall state:

(i) The opinions of such persons with respect to the financial statements covered by the verification and the accounting principles and practices reflected therein; and

(ii) The opinions of such persons as to any material changes in accounting principles or practices or in the method of applying the accounting principles or practices, or adjustments of the accounts, required to be set forth by paragraph (c) (5) of this section.]

(3) *Certification by independent public accountants.* (i) Qualifications of independent public accountants—

(A) The Board will not recognize any person as an independent public accountant who is not registered or licensed to practice as a public accountant by a regulatory authority of a State and in good standing with such authority as such an accountant.

(B) The Board will not recognize any certified public accountant or public accountant as independent who is not in fact independent. For example, an accountant will be considered not independent with respect to any person or any of its parents, its subsidiaries, or other affiliates (*1*) in which, during the period of his professional engagement to examine the financial statements being reported on or at the date of his report, he or his firm or a member thereof had, or was committed to acquire, any direct financial interest or any material indirect financial interest, or (2) with which, during the period of his professional engagement to examine the financial statements being reported on, at the date of his report or during the period covered by the financial statements, he or his firm or a member thereof was connected as a promoter, underwriter, voting trustee, director, officer, or employee, except that a firm will not be deemed not independent in regard to a particular person if a former officer or employee of such person is employed by the firm and such individual has completely disassociated himself from the person and its affiliates and does not participate in auditing financial statements of the person or its affiliates covering any period of his employment by the person. For the purposes of 206.7 the term "member" means all partners in the firm and all professional employees participating in the audit or located in an office of the firm participating in a significant portion of the audit.

(C) In determining whether a public accountant is in fact, independent with respect to a particular person, the Board will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant and that person or any affiliate thereof, and will not confine itself to the relationships existing in connection with the filing of reports with the Board.

(ii) Representations as to the audit. The independent public accountant's certificate—

(A) shall state whether the audit was made in accordance with generally accepted auditing standards; and

(B) shall designate any auditing procedures generally recognized as normal (or deemed necessary by the accountant under the circumstances of the particular case) that have been omitted, and the reasons for their omission, but no procedure that independent accountants ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by clause (iii) below shall be omitted.

(iii) Opinions to be expressed. The independent public accountant's certificate shall state—

(A) The opinion of the accountant with respect to the financial statements covered by the certificate and the accounting principles and practices reflected therein;

(B) The opinion of the accountant as to any material changes in accounting principles or practices or in the method of applying the accounting principles or practices, or adjustments of the accounts, required to be set forth by paragraph (c) (5) of this section; and

(C) The nature of, and the opinion of the accountant as to, any material differences between the accounting principles and practices reflected in the financial statements and those reflected in the accounts after the entry of adjustments for the period under review.

(iv) Exceptions. If the accountant making the report considers that he must take exceptions or express qualifications with respect thereto, each such exception or qualification shall be stated specifically and clearly and, to the extent practicable, shall indicate the effect of the matter on the financial statements to which it relates.

(v) Certification of financial statements by more than one independent public accountant. If, with respect to the certification of the financial statements of any bank, the principal independent public accountant relies on an examination made by another independent public accountant of certain of the accounts of such bank or its affiliates, the certificate of such other accountant shall be filed (and the provisions of this subparagraph shall be applicable thereto); however, the certificate of such other accountant need not be filed (A) if no reference is made directly or indirectly to such other accountant's examination in the principal accountant's certificate, or (B) if, having referred to such other accountant's examination, the principal accountant states in his certificate that he assumes responsibility for such other accountant's examination in the same manner as if it had been made by him.

(c) *Provisions of general application.* (1) *Requirements as to form.* Financial statements shall be prepared in accordance with the applicable requirements of Forms 9 A, B, C, and D. All money amounts required to be shown in financial statements may be expressed in even dollars or thousands of dollars. If shown in even thousands, an indication to that effect shall be inserted immediately beneath the caption of the statement or schedule, or at the top of each money column. The individual amounts shown need not be adjusted to the nearest dollar or thousand if the failure of the items to add to the totals shown is stated in a note as due to the dropping of amounts of less than $1.00 or $1,000, as appropriate.

(2) *Items not material.* If the amount that would otherwise be required to be shown with respect to any item is not material, it need not be separately set forth.

(3) *Inapplicable captions and omission of unrequired or inapplicable financial statements.* No caption need be shown in any financial statement required by the forms set forth in this Part as to which the items and conditions are not present. Financial statements not required or inapplicable because the required matter is not present need not be filed, but the statements omitted and the reasons for their omission shall be indicated in the list of financial statements required by the applicable form.

(4) *Additional information.* In addition to the information required with respect to any financial statement, such further information shall be furnished as is necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(5) *Changes in accounting principles and practices and retroactive adjustments of accounts.* Any change in accounting principle or practice, or in the method of applying any accounting principle or practice, made during any period for which financial statements are filed that affects comparability of such financial statements with those of prior or future periods, and the effect thereof upon the net income for each period for which financial statements are filed, shall be disclosed in a note to the appropriate financial statement. Any material retroactive adjustment made during any

period for which financial statements are filed, and the effect thereof upon net income of prior periods, shall be disclosed in a note to the appropriate financial statement.

(6) *Summary of accounting principles and practices.* Information required in notes as to accounting principles and practices reflected in the financial statements may be presented in the form of a single statement. In such a case specific references shall be made in the appropriate financial statement to the applicable portion of such single statement.

(7) *Foreign currencies.* The basis of conversion of all items in foreign currencies shall be stated, and the amount and disposition of the resulting unrealized profit or loss shown. Disclosure should be made as to the effect, insofar as this can be reasonably determined, of foreign exchange restrictions upon the consolidated financial position and operating results of the bank and its subsidiaries.

(8) *Commitments.* If material in amount, the pertinent facts relative to firm commitments for the acquisition, directly or indirectly, of fixed assets and for the purchase, repurchase, construction, or rental of assets under long-term leases shall be stated briefly in the balance sheet or in footnotes referred to therein. Where the rentals or obligations under long-term leases are material [the following shall be set forth in a note to the appropriate financial statement:

(i) Total rental expense (reduced by rentals from subleases, with disclosure of such amounts) entering into the determination of results of operations for each period for which an income statement is presented shall be disclosed. Rental payments under short-term leases for a month or less which are not expected to be renewed need not be included. Contingent rentals, such as those based upon usage or sales, shall be reported separately from the basic or minimum rentals. Rentals on noncapitalized financing leases shall be shown separately for both categories or rentals reported.

(ii) The minimum rental commitments under all noncancelable leases shall be disclosed, as of the date of the latest balance sheet presented, in the aggregate (with disclosure of the amounts applicable to noncapitalized financing leases) for (A) each of the five succeeding fiscal years; (B) each of the next three five-year periods; and (C) the remainder as a single amount. The amounts so determined should be reduced by rentals to be received from existing noncancelable subleases (with disclosure of the amounts of such rentals). For purposes of this rule, a noncancelable lease is defined as one that has an initial or remaining term of more than one year and is noncancelable, or is cancelable only upon the occurrence of some remote contingency or upon the payment of a substantial penalty.

(iii) Additional disclosures shall be made to report in general terms: (A) The basis for calculating rental payments if dependent upon factors other than the lapse of time; (B) existence and terms of renewal or purchase options, escalation clauses, etc.; (C) the nature and amount of related guarantees made or obligations assumed; (D) restrictions on paying dividends, incurring additional debt, further leasing, etc.; and (E) any other information, necessary to assess the effect of lease commitments upon the financial position, results of operations, and charges in financial position of the lessee.

(9) *General notes to balance sheets.* If present with respect to the person for which the statement is filed, the following shall be set forth in the balance sheet or in referenced notes thereto:

(i) *Assets subject to lien.* The amounts of assets mortgaged, pledged, or otherwise subject to a lien or security interest shall be designated and the obligation secured thereby, if any, shall be identified briefly.

(ii) *Intercompany profits and losses.* The effect upon any balance sheet item of profits or losses resulting from transactions with affiliated companies not consolidated shall be stated. If impracticable of accurate determination without unreasonable effort or expense, an estimate or explanation shall be given.

(iii) *Preferred shares.* [(A) If convertible, the terms of the conversion shall be described briefly;] (B) If callable, the date or dates and the amount per share at which such shares are callable shall be stated; (C) Arrears in cumulative dividends per share and in total for each class of shares shall be stated; and (D) [Aggregate] preferences on involuntary liquidation, if other than the par or stated value, shall be shown [parenthetically in the equity section of the balance sheet.] When the excess involved is material, there shall be shown the difference between the aggregate preference on involuntary liquidation and the aggregate par or stated value, a statement that this difference (plus any arrears in dividends) exceeds the sum of the par or stated value of the junior capital shares, surplus, and undivided profits if such is the case, and a statement as to the existence (or absence) of any restrictions upon surplus and/or undivided profits growing out of the fact that upon involuntary liquidation the preference of the preferred stock exceeds its par or stated value.

(iv) *Pension and retirement plans.* (A) A brief description of the essential provisions of any employee pension or retirement plan shall be given; (B) The estimated annual cost of the plan shall be stated; (C) If a plan has not been funded or otherwise provided for, the estimated amount that would be necessary to fund or otherwise provide for the past-service cost of the plan shall be disclosed; [(D) The excess, if any of the actually computed value of vested benefits over the total of the pension fund and any balance sheet pension accruals, less any pension prepayments or deferred charges, shall be given as the most recent practicable date; and (E) A statement shall be given of the nature and effect of significant matters affecting comparability of pension cost for any periods for which income statements are presented.]

(v) *Capital stock optioned to officers and employees.* (A) A brief description of the terms of each option arrangement shall be given, including the title and amount of securities subject to the option, the year or years during which the options were granted, and the year or years during which the optionees became, or will become, entitled to exercise the options;

(B) There shall be stated the number of shares under option at the balance sheet date, and the option price and the fair value thereof (per share and in total) at the dates the options were granted; the number of shares with respect to which options became exercisable during the period, and the option price and the fair value thereof (per share and in total) at the dates the options became exercisable; the number of shares with respect to which options were exercised during the period, and the option price and the fair value thereof (per share and in total) at the dates the options were exercised; and the number of unoptioned shares available at the beginning and at the close of the latest period presented, for the granting of options under an option plan. A brief description of the terms of each other arrangement covering shares sold or offered for sale to only directors, officers, and key employees shall be given, including the number of shares, and the offered price and the fair value thereof (per share and in total) at the dates of sale or offer to sell, as appropriate. The required information may be summarized as appropriate with respect to each of the categories referred to in this subclause (B);

(C) The basis of accounting for such option arrangements and the amount of charges, if any, reflected in income with respect thereto shall be stated.

(vi) *Restrictions that limit the availability of surplus and/or undivided profits for dividend purposes.* Any such restriction, other than as reported in paragraph (c)(9)(iii) of this section shall be described, indicating briefly its source, its pertinent provisions, and, where appropriate and determinable, the amount of the surplus and/or undivided profits so restricted.

(vii) *Contingent liabilities.* A brief statement as to contingent liabilities not reflected in the balance sheet shall be made.

(viii) *Standby letters of credit.* State the amount of outstanding "standby letters of credit." For the purpose of this paragraph, "standby letters of credit" include every letter of credit (or similar arrangement however named or designated) which represents an obligation to the beneficiary on the part of the issuing bank (A) to repay money borrowed by or advanced to or for the account of the account party or (B) to make payment on account of any evidence of indebtedness undertaken by the account party, or (C) to make payment on account of any default by the account party in the per-

formance of an obligation,[3] except that, if prior to or at the time of issuance of a standby letter of credit, the issuing bank is paid an amount equal to the bank's maximum liability under the standby letter of credit, or has set aside sufficient funds in a segregated, clearly earmarked deposit account to cover the bank's maximum liability under the standby letter of credit, then the amount of that standby letter of credit need not be stated.

(ix) *Defaults.* The facts and amounts concerning any default in principal, interest, sinking fund, or redemption provisions with respect to any issue of securities or credit agreements, or any breach of covenant of a related indenture or agreement, which default or breach existed at the date of the most recent balance sheet being filed and which has not been subsequently cured, shall be stated. Notation of such default or breach of covenant shall be made in the financial statements and the entire amount of obligations to which the default or breach relates shall be classified as a current liability if said default or breach accelerates the maturity of the obligations and makes it current under the terms of the related indenture or agreement. Classification as a current obligation is not required if the lender has waived the accelerated due date or otherwise agreed to a due date more than one year from the balance sheet date. If a default or breach exists, but acceleration of the obligation has been waived for a stated period of time beyond the date of the most recent balance sheet being filed, state the amount of the obligation and the period of the waiver.

(x) *Significant changes in bonds, mortgages, and similar debt.* Any significant changes in the authorized or issued amounts of bonds, mortgages, and similar debt since the date of the latest balance sheet being filed for a particular person or group shall be stated.

(10) *General notes to statements of income.* If present with respect to the person for which the statement is filed, the following shall be set forth in the statement of income or in referenced notes thereto:

(i) *Intercompany profits and losses.* The amount of any profits or losses resulting from transactions between unconsolidated affiliated companies shall be stated. If impracticable of determination without unreasonable effort and expense, an estimate or explanation shall be given.

(ii) *Depreciation and amortization.* For the period of which statements of income are filed, there shall be stated the policy followed with respect to: (A) The provision for depreciation of physical properties or valuation allowances created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (B) The provision for depreciation and amortization of intangibles, or valuation allowances created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (C) The accounting treatment for maintenance, repairs, renewals, and improvements; and (D) The adjustment of the accumulated valuation allowances for depreciation and amortization at the time the properties were retired or otherwise disposed of, including the disposition made of any profit or loss on sale of such properties.

(iii) *Bonus, profit sharing, and other similar plans.* Describe the essential provisions of any such plans in which only directors, officers or key employees may participate, and state, for each of the fiscal periods for which income statements are required to be filed, the aggregate amount provided for all plans by charges to expense.

(iv) *Income tax expense.* (A) Disclosure shall be made, in the income statement or a note thereto, of the components of income tax expense, including: (*1*) taxes currently payable; (2) the net tax effects, as applicable, of (*i*) timing differences (Types of timing differences that are individually less than 15 percent of the deferred tax amount in the income statement may be combined. If no individual type of difference is more than 5 percent of the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate and the aggregate amount of timing differences is less than 5 percent of such computed amount, disclosure of each of the separate types of timing differences may be omitted.) and (*ii*) operating loses; and (3) the net deferred investment tax credits. Amounts applicable to United States Federal income taxes, to foreign income taxes and to other income taxes shall be stated separately for each major component, unless the amounts applicable to foreign and other income taxes do not exceed 5 percent of the total for the component. (B) Provide a reconciliation between the amount of reported total income tax expense and the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate, showing the estimated dollar amount of each of the underlying causes for the difference. If no individual reconciling item amounts to more than 5 percent of the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate, and the total difference to be reconciled is less than 5 percent of such computed amount, no reconciliation need be provided unless it would be significant in appraising the trend of earnings. Reconciling items that are individually less than 5 percent of the computed amount may be aggregated in the reconciliation. The reconciliation may be presented in percentages rather than in dollar amounts.

(v) *Interest capitalized.* (A) The amount of interest cost capitalized in each period for which an income statement is presented shall be shown within the income statement. Banks which follow a policy of capitalizing interest cost shall make the following additional disclosures required by items (B) and (C) below. (B) The reason for the policy of interest capitalization and the way in which the amount to be capitalized is determined. (C) The effect on net income for each period for which an income statement is presented of following a policy of capitalizing interest as compared to a policy of charging interest to expense as incurred.

(vi) *Disagreements on accounting and financial disclosure matters.* If, within the twenty-four months prior to the date of the most recent financial statements, a Form F-3 has been filed reporting a change of accountants and included in such filing there is a reported disagreement on any matter of accounting principles or practices or financial statement disclosure, and if such disagreement, if differently resolved, would have caused the financial statements to differ materially from those filed, state the existence and nature of the disagreement. In addition, if during the fiscal year in which the change in accountants took place or during the subsequent fiscal year there have been any transactions or events similar to those which involved a reported disagreement and if such transactions are material and were accounted for or disclosed in a manner different from that which the former accountants apparently concluded was required, state the effect on the financial statements if the method which the former accountant apparently concluded was required had been followed. The effects on the financial statements need not be disclosed if the method asserted by the former accountant ceases to be generally accepted because of authoritative standards or interpretations subsequently issued.

(d) *Consolidated financial statements.* (1) Consolidated statements generally present more meaningful information to the investor than unconsolidated statements. Except where good reason exists, consolidated statements of the bank and its majority-owned significant subsidiaries should be filed.

(2) Every majority-owned bank-premises subsidiary and every majority-owned subsidiary operating under the provisions of section 25 or section 25(a) of the Federal Reserve Act ("Agreement Corporation" and "Edge Act Corporations") shall be consolidated with that of the reporting bank irrespective of whether such subsidiary is a significant subsidiary.

(3) If the financial statements of a subsidiary are as of a date or for periods different from those of the bank, such statements may be used as the basis for consolidation of the subsidiary only if the date of such statements is not more than 93 days from the date of the close of the bank's fiscal year; the closing date of the subsidiary is specified; the neces-

[3] As defined, "standby letter of credit" would not include (1) commercial letters of credit and similar instruments where the issuing bank expects the beneficiary to draw upon the issuer and which do not "guaranty" payment of a money obligation or (2) a guaranty or similar obligation issued by a foreign branch in accordance with and subject to the limitations of Regulation M.

sity for the use of different closing dates is explained briefly; and any changes in the respective fiscal periods of the bank and the subsidiary made during the period of report are indicated clearly.

(4) There shall be set forth in a note to each consolidated balance sheet filed a statement of any difference between the investment in subsidiaries consolidated, as shown by the bank's books, and the bank's equity in the net assets of such subsidiaries as shown by the subsidiaries' books. If any such difference exists, there shall be set forth the amount of the difference and the disposition made thereof in preparing the consolidated statements, naming the balance sheet captions and stating the amount included in each.

(5) There may be filed financial statements in which majority-owned subsidiaries not consolidated with the parent are consolidated or combined in one or more groups, and 50 percent or less owned persons, the investments in which are accounted for by the equity method are consolidated or combined in one or more groups, pursuant to principles of inclusion or exclusion which will clearly exhibit the financial position and results of operations of the group or groups.

(6) A brief description of the principles followed in consolidating or combining the separate financial statements, including the principles followed in determining the inclusion or exclusion of (i) subsidiaries in consolidated or combined financial statements and (ii) companies in consolidated or combined financial statements, shall be stated in the notes to the respective financial statements.

(7) As to each consolidated financial statement and as to each combined financial statement, if there has been a change in the persons included or excluded in the corresponding statement for the preceding fiscal period filed with the Board which has a material effect on the financial statements, the persons included and the person"s" excluded shall be disclosed. If there have been any changes in the respective fiscal periods of the persons included made during the periods of the report which have a material effect on the financial statements, indicate clearly such changes and the manner of treatment.

(e) *Statement of changes in capital accounts.* A statement of changes in capital accounts shall be filed with each statement of income filed pursuant to this Part.

(f) *Statement of changes in financial position.* A statement of changes in financial position shall be filed with each statement of income filed pursuant to this Part.

(g) *Schedules to be filed.* (1) The following schedules shall be filed with each balance sheet filed pursuant to this Part: Schedule I—U.S. Treasury Securities, Securites of other U.S. Government Agencies and Corporations, and Obligations of States and Political Subdicisions; Schedule II—Other securities; Schedule III—Other Loans; Schedule IV—Bank Premises and Equipment; Schedule V—Investments in, Dividend Income from, and Share in Earnings or Losses of Unconsolidated Subsidiaries; and Schedule VI—"Other" Liabilities for Borrowed Money.

(2) The following schedule shall be filed with each statement of income filed pursuant to this Part: Schedule VII—Allowance for Possible Loan Losses.

(3) Reference to the schedules referred to in subparagraphs (1) and (2) shall be made against the appropriate captions of the balance sheet or statement of income.

FORMS

§ 206.41 Form for registration of securities of a bank pursuant to section 12 (b) or section 12(g) of the Securities Exchange Act of 1934 (Form F–1).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–1

REGISTRATION STATEMENT FOR SECURITIES OF A BANK

Pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934

(Exact name of bank as specified in charter)

(Address of principal office)

(I.R.S. Employer Identification No.)

(Bank's telephone number, including area code)

Title of each class of securities being registered pursuant to section 12(g) of the Act: [1]

Title of class

Name of each exchange on which class is being registered

Title of each class of securities being registered pursuant to section 12(g) of the Act: [1]

GENERAL INSTRUCTIONS

[Form F–1 shall be used for registration pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934 of classes of securities of issuers that are State-chartered banks that are members of the Federal Reserve System]. This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the definitions in § 206.2 and the general requirements in § 206.4 of this Part. Unless otherwise stated, the information required shall be given as of a date reasonably close to the date of filing the statement. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers with respect thereto are prepared in the manner specified in § 206.4(u). [Attention is directed to § 206.4(j) which states: "In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in light of the circumstances under which they are made, not misleading."]

[Section 206.4(s) requires that four complete copies of the registration statement, including financial statements, exhibits and all other papers and documents filed as a part thereof, and four additional copies which need not include exhibits, shall be filed with the Board. At least one complete copy of the registration statement, including financial statements, exhibits and all other papers and documents filed as a part thereof, shall be filed with each exchange on which any class of securities is to be registered. At least one complete copy of the registration statement filed with the Board and one such copy filed with each exchange shall be manually signed. Copies not manually signed shall bear typed or printed signatures.]

[Information required by any item or other requirement of this form with respect to any foreign subsidiary may be omitted to the extent that the required disclosure would be detrimental to the registrant. However, financial statements, otherwise required, shall not be omitted pursuant to this instruction. Where information is omitted pursuant to this instruction, a statement shall be made that such information has been omitted and the names of the subsidiaries involved shall be separately furnished to the Board. The Board may, in its discretion, call for justification that the required disclosure would be detrimental.]

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. General information.

State the year in which the bank was organized. If organized as a national bank, state the year of conversion into a State bank. Indicate the approximate number of holders of record of each class of equity securities of the bank.

Item 2. Parents and Subsidiaries of the Bank.

(a) List all parents of the bank, showing the basis of control and, as to each parent, the percentage of voting securities owned or other basis of control by its immediate parent, if any.

(b) Furnish a list or diagram of all subsidiaries of the bank and, as to each subsidiary, indicate (1) the State or other jurisdiction under the laws of which it was organized, and (2) the percentage of voting securities owned or other basis of control by its immediate parent. Designate (i) subsidiaries for which separate financial statements are filed; (ii) subsidiaries included in consolidated financial statements; [(iii) subsidiaries included in group financial statements filed for unconsolidated subsidiaries; and (iv)] subsidiaries for which no financial statements are filed, indicating briefly why statements of such subsidiaries are not filed.

Instructions. 1. Include the bank and show clearly the relationship of each person named to the bank and the other persons named, including the percentage of voting securities of the bank owned or other basis of control by its immediate parent. The names of particular subsidiaries may be omitted if the unnamed subsidiaries considered in the aggregate as a single subsidiary would not constitute a significant subsidiary.

2. In case the bank owns, directly or indirectly, approximately 50 per cent of the voting securities of any person and approximately 50 per cent of the voting securities of such person are owned directly or indirectly by another single interest, or if the bank takes up the equity in undistributed earnings of any other unconsolidated person, such person shall be deemed to be a subsidiary for the purpose of this item.]

[NOTE: If any person is controlled by means of the direct ownership of its securities by two or more persons listed in response to this item, so indicate by appropriate cross reference.]

[(c) Describe any contractual arrangement, known to the bank, including any pledge of securities of the bank or any of its parents the operation of the terms of which may at a subsequent date result in a change of control of the bank.]

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[1] If none, so state.

[Instruction. This paragraph does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the registrant.]

Item 3. Description of Business.

Describe briefly the business done [or intended to be done] by the bank and any significant developments or trends in such business occurring over the preceding five years. Information should be furnished as to any mergers, consolidations, or other acquisitions of assets of any other person that were consummated during such period. State the number of banking offices in each city (or county) in the United States in which the bank has offices and the number of banking offices located in each foreign country or jurisdiction. In describing the business done by the bank, the business of its subsidiaries should be included only insofar as the same is important to an understanding of the character and development of the business conducted by the total enterprise.

(a) [The description shall include, without limitation, information as to matters such as the following:]

(1) [Competitive conditions in the market areas involved and the competitive position of the bank, if known or reasonably available to the bank. If several services are involved, separate consideration shall be given to the principal services or classes of services.]

(2) [The principal services rendered by the bank, including any significant changes in the kinds of services rendered, during the past three fiscal years.]

(3) [The estimated dollar amount, if material, spent during each of the last two fiscal years for the development of new services or the improvement of existing services.]

(4) [The number of persons employed by the bank.]

(5) [The extent to which the business of the bank or a material portion thereof is or may be seasonal.]

(6) [Present in tabular form, for each of the three years for which a statement of income is being furnished, ratios of the bank's net income to the following items: (a) Average equity capital accounts, and (b) average daily total deposits. Ratios for such periods of average daily loans to average daily deposits should also be included.]

(7) [If more than 25 percent of the bank's loans are concentrated in any one of the categories specified in Schedule III of Form F-9D, or if more than 10 percent of the bank's loans in any particular category specified in Schedule III of Form F-9D represent the indebtedness of persons or firms in a particular industry (for example, electronics or real estate investment trusts), the category of loans, the particular industry or industries involved, and the percentages that the amounts of such loans bear to the total amount of the bank's loans and to the total amount of the bank's loans in the pertinent category in Schedule III.]

(8) [The dollar amounts of loan and other commitments as of the end of the last fiscal year and previous fiscal year, indicating also the portions thereof reasonably expected to be exercised within the current fiscal year.]

Instructions. [1. If the bank proposes to enter, or has recently entered or introduced a new service requiring the investment of a material amount of its total assets, provide as supplemental information at the time of filing of the registration statement, but not as a part thereof, a copy of any studies conducted or performed by or for the bank relating to such business, and a statement as to the actual or proposed use of such study. Where material, disclosure of the absence of such a study is required.]

[2. The principal methods of competition (e.g., rate service) should be identified and positive and negative factors pertaining to the competitive position of the bank, to the extent that they exist, should be explained, if known or reasonably available to the bank. An estimate of the number of competitors should be included, and where material, the particular market areas in which the bank competes should be identified. Where one or a small number of competitors are dominant, they should be identified.]

[3. The description shall not relate to the powers and objects specified in the charter, but to the actual business done and intended to be done. Include the business of subsidiaries of the bank insofar as is necessary to understand the character and development of the business conducted by the total enterprise.]

[4. In describing developments, information shall be given as to matters such as the following: the nature and results of any other material reorganization, readjustment or succession of the registrant or any of its significant subsidiaries; the acquisition or disposition of any material amount of assets otherwise than in the ordinary course of business; and any material changes in the mode of conducting the business.]

[5. Appropriate disclosure shall also be made as to the material effects that compliance with Federal, State and local provisions which have been enacted or adopted regulating the discharge of materials into the environment, or otherwise relating to the protection of the environment, may have upon the capital expenditures, earnings and competitive position of the bank and its subsidiaries.]

[6. The business of a predecessor or predecessors shall be deemed to be the business of the bank for the purpose of this item.]

[7. Appropriate disclosure shall be made with respect to any material portion of the business, e.g. deposits which may be subject to termination at the election of state, local, or federal governments, or any other depositor.]

[(b) If the bank and its subsidiaries engage in material operations in foreign countries, or if a material portion of revenues is derived from customers in foreign countries, appropriate disclosure shall be made with respect to the importance of that part of the business to the bank and the risks attendant thereto. Insofar as practicable, furnish information with respect to volume and profitability of such operations.]

[(c) The Board may, upon written request of the bank, and where consistent with the protection of investors, permit the omission of any of the information herein required or the furnishing in substitution therefor of appropriate information of comparable character. The Board may also require the furnishing of other information in addition to, or in substitution for, the information herein required in any case where such information is necessary or appropriate for an adequate description of the business done or intended to be done.]

[*Item 4. Summary of Operations.*]

[Furnish in comparative columnar form a summary of operations for the bank or for the bank and its subsidiaries consolidated, as appropriate, for—]

[(a) each of the last five fiscal years of the bank (or for the life of the bank and its predecessors, if less), and]

[(b) any additional fiscal years necessary to keep the summary from being misleading.]

[Where necessary, include information or explanation of material significance to investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the registration statement.]

[*Instruction.* 1. As a minimum, operating income, operating expenses, income before income taxes and security gains (losses), applicable income taxes, income before security gains (losses), security gains (losses), and net income should be presented. The summary shall reflect retroactive adjustments of any material items affecting the comparability of the results.]

[2. Per share earnings and dividends declared for each period of the summary shall be also shown. The basis of the computation of per share earnings shall be stated, together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation can be clearly determined from the answer to this item.]

[3. (a) If debt securities are being registered, the bank may, at its option, show in tabular form for each fiscal year the ratio of earnings to fixed charges. Such ratio shall be calculated both on the basis of excluding interest on deposits and including interest on deposits as part of "fixed charges."]

[(b) Earnings shall be computed after all operating and income deductions except fixed charges and taxes based on income or profits and after eliminating undistributed income or unconsolidated subsidiaries and 50 per cent or less owned persons.]

[(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; (ii) such portion of rentals as can be demonstrated to be representative of the interest factor in the particular case.]

[(d) Any bank electing to show the ratio of earnings to fixed charges, in accordance with this instruction, shall file as an exhibit a statement setting forth in reasonable detail the computations of the ratios shown.]

Item 5. Description of bank premises and other real estate.

Describe briefly, individually or by categories, (a) properties held in fee, by the bank and its subsidiaries, in which the banking offices are located, indicating any major encumbrances with respect thereto, and (b) other real estate of material value that is owned by the bank. In the event aggregate annual rentals paid during the bank's last fiscal year exceeded 5 per cent of its operating expenses, state the amount of such rentals, the average term of the leases pursuant to which such rentals were paid, [and the expiration dates of any material leases.]

Item 6. Organization within five years.

If the bank was organized within the past five years, furnish the following information.

(a) State the names of the promoters, the nature and amount of anything of value (including money, property, contracts, options, or rights of any kind) received or to be received by each promoter directly or indirectly from the bank, and the nature and amount of any assets, services, or other consideration therefor received or to be received by the bank.

(b) As to any assets acquired or to be acquired by the bank from a promoter, state the amount at which acquired or to be acquired and the principle followed [or to be followed] in determining the amount. Identify the persons making the determination and state their relationship, if any, with the bank or any promoter. If the assets were acquired by the promoter within 2 years prior to their transfer to the bank, state the cost thereof to the promoter.

Item 7. Pending Legal Proceedings.

Describe briefly any material pending legal proceedings, other than ordinary routine proceedings incidental to the business, to which the bank or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings were instituted, the date instituted, the principal

parties thereto, [a description of the factual basis alleged to underlie the proceeding and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities.]

Instructions. [1. No collection action or other claim need be described unless it departs from the normal kind of such actions.]

2. No information need be given with respect to proceedings that involve principally claims for damages if the aggregate amount involved does not exceed 10 percent of the equity capital accounts of the bank. If, however, any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.

3. Any material proceedings to which any director, officer, or affiliate of the bank, any security holder named in answer to Item 12(a), or any association of any such director, officer, or security holder, is a party, or has a material interest, adverse to the bank or any of its subsidiaries shall also be described.

4. [Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State or local provisions which have been enacted or adopted relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and the amount involved exclusive of interest and costs, exceeds 10 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of equity capital accounts on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided however, that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the bank, the effect of such proceedings on the business or financial condition of the bank.]

Item 8. Directors and Officers.

[(a)] List all directors and officers of the bank and all persons chosen to become directors or officers. Indicate all positions and offices with the bank held by each person named. [State the age of the persons named, their terms of office, and the periods during which each such person has served. Briefly describe any arrangement or understanding between each director or officer and any other person pursuant to which such director or officer was selected to serve in that capacity.] The term "officer" is defined in § 206.2(q).

Instruction. [Do not include arrangements or understandings with directors or officers of the bank acting solely in their capacities as such.]

[(b) State the nature of any family relationship between any director or officer and any other director or officer.]

Instruction. [The term "family relationship" means any relationship by blood, marriage or adoption, not more remote than first cousin.]

[(c) Give a brief account of the business experience during the past five years of each director and each officer, including his principal occupations and employment during that period and the name and principal business of any corporation or other organization in which such occupations and employment were carried on. Where an executive officer has been employed by the bank or a subsidiary of the registrant for less than five years, a brief explanation should be included as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience.]

[(d) Describe any of the following events which occurred during the past ten years and which are material to an evaluation of ability and integrity of any director or officer of the bank.]

[(1) A petition under the Bankruptcy Act or any state insolvency law was filed by or against, or a receiver, fiscal agent or similar officer was appointed by a court for the business or property of, such person, or any partnership in which he was a general partner at or within 2 years before the time of such filing, or any corporation or business association of which he was an officer at or within 2 years before the time of such filing.]

[(2) Such person was convicted in a criminal proceeding (excluding traffic violations and other minor offenses) or is the subject of a criminal proceeding which is presently pending; or]

[(3) Such person was the subject of any order, judgment or decree of any court of competent jurisdiction permanently or temporarily enjoining him from acting as an investment adviser, underwriter, broker or dealer in securities, or as an affiliated person, director or employee of any investment company, bank, savings and loan association or insurance company, or from engaging in or continuing any conduct or practice in connection with any such activity or in connection with the purchase or sale of any security, or was the subject of any order of a Federal or State authority barring or suspending, for more than 60 days, the right of such person to be engaged in any such activity or to be associated with persons engaged in any such activity, which order has not been reversed or suspended.]

Instruction. [If any event specified in paragraph (d) has occurred but information in regard thereto is omitted on the ground that it is not material, the bank shall furnish, as supplemental information and not as a part of the registration statement, a description of the event and a statement of the reasons for the omission of information in regard thereto.]

Item 9. Indemnification of directors and officers.

State the general effect of any charter provision, by-law, contract, arrangement, or statute under which any director or officer of the bank is insured or indemnified in any manner against any liability that he may incur in his capacity as such.

Item 10. Remuneration of Directors and Officers.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the bank and its subsidiaries during the bank's latest fiscal year to the following persons for services in all capacities:

(1) Each director and each of the [three] highest paid officers of the bank whose annual total direct remuneration exceeded [$40,000], naming each such person.

(2) All directors and officers of the bank as a group, without naming them, but stating the number of persons included.

Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate remuneration
(A)	(B)	(C)

Instructions. 1. This item applies to any person who was a director or officer of the bank at any time during said fiscal year. Information need not, however, be given for any portion of that period during which such person was not a director or officer.

2. The information is to be given on an accrual basis, if practicable. The tables required by this paragraph and paragraph (b) may be combined if the bank so desires.

3. Do not include remuneration paid to a partnership in which any director or officer was a partner. But see Item 13, below.

4. If the bank has not completed a full fiscal year since its organization or if it acquired or is to acquire the majority of its assets from a predecessor within the current fiscal year, the information shall be given for the current fiscal year, estimating future payments if necessary. To the extent that such remuneration is to be computed upon the basis of a percentage of [earnings or] profits, the percentage may be stated without estimating the amount of such profits to be paid.

5. If any part of the remuneration shown in response to this item was paid pursuant to a material bonus or profit-sharing plan, describe briefly the plan and the basis upon which directors or officers participate therein.

(b) Furnish the following information, in substantially the tabular form indicated below, as to all [annuity,] pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the bank or any of its subsidiaries to [(1)] each director of officer named in answer to paragraph (a) (1) [and (2) all directors and officers of the bank who are eligible for such benefits, as a group, stating the number of persons in the group without naming them:]

Name of individual or number of persons in group	Amounts set aside or accrued during bank's last fiscal year	Estimated annual benefits upon retirement
(A)	(B)	(C)

Instructions. 1. Column (B) need not be answered with respect to amounts computed on an actuarial basis under any plan that provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service. [In such case, Columns (A) and (C) need not be answered with respect to directors and officers as a group.]

2. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

3. In the case of any plan (other than those specified in Instruction 1) where the amount set aside each year depends upon the amount of earnings [or profits] of the bank or its subsidiaries for such year or a prior year (or where otherwise impracticable to state the estimated annual benefits upon retirement) there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date, unless impracticable to do so, in which case the method of computing such benefits shall be stated.

(c) Describe briefly all remuneration payments (other than [accrued] payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the bank or any of its subsidiaries pursuant to any existing plan to (i) each director or officer named in answer to paragraph (a) (1), naming each such person, and (ii) all directors and officers of the bank as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization, or similar group payments or benefits. If impractical to state the amount of remuneration, payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments should be stated, together with an explanation of the basis for future payments.

[*Item 11. Management Options to Purchase Securities.* Furnish the following information as to all options to purchase securities from the bank held by any of the following persons: (i) each director or officer named in answer to paragraph (a)(1) of Item 10, naming each such person; and (ii) all directors and officers of the registrant as a group, without naming them.]

[(a) The title and amount of securities called for;]

[(b) The option prices, expiration dates, and other material provisions;]

[(c) Any consideration received for the granting thereof;]

[(d) The market value of the security on the date of grant.]

[Instructions. 1. The term "options" as used in this term includes all options, warrants or rights, other than those issued to security holders as such on a pro rata basis.]

[2. The extension, regranting or material amendment of options shall be deemed the granting of options within the meaning of this item.]

[3. Where the total market value of securities called for by all outstanding options does not exceed $10,000 for any person required to be named, or $40,000 for all directors and officers as a group, this item need not be answered with respect to such person or group.]

[4. In case a number of options are outstanding having different prices and expiration dates, the options may be grouped by prices and dates. If this produces more than five separate groups then there may be shown only the range of the expiration dates and prices.]

Item 12. Principal holders of securities. Furnish the following information as of a specified date within 90 days prior to the date of filing in substantially the tabular form indicated:

(a) As to the voting securities of the bank owned of record or beneficially by each person who owns of record, or is known by the bank to own beneficially, more than 10 per cent of any class of such securities. Show in Column (C) whether the securities are owned both of record and beneficially, or record only, or beneficially only, and show in Columns (D) and (E) the respective amounts and percentages owned in each such manner:

Name and address	Title of class	Type of ownership	Amount owned	Percent of class
(A)	(B)	(C)	(D)	(E)

(b) As to each class of equity securities of the bank or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by all directors and officers of the bank, as a group, without naming them.

Title of class	Amount beneficially owned	Percent of class
(A)	(B)	(C)

Instructions. 1. The percentages are to be calculated on the basis of the amount of securities outstanding, excluding securities held by or for the account of the bank. In any case where the amount owned by directors and officers as a group is less than 1 per cent of the class, the per cent of the class owned by them may be omitted.

2. If, to the knowledge of the bank, more than 10 per cent of any class of voting securities of the bank are held or to be held subject to any voting trust or other similar agreement, state the title of such securities, the amount held or to be held, and the duration of the agreement. Give the names and addresses of the voting trustees and outline briefly their voting rights and other powers under the agreement.

[3. For the purpose of this item a person shall be deemed to be the beneficial owner of securities which he has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. In computing the percentage of the class owned, securities which such person has a right to acquire shall be deemed to be outstanding.]

Item 13. Interest of management and others in certain transactions. [(a)] Describe briefly, and where practicable state the approximate amount of, any material interest, direct or indirect, of any of the following persons in any material transactions during the last three years, or in any material proposed transactions, to which the bank or any of its subsidiaries was, or is to be, a party:

(1) Any Director or officer of the bank;

(2) Any security holder named in answer to Item 11(a); or

(3) Any associate of any of the foregoing persons.

Instructions. 1. See Instruction 1 to Item 10(a). Include the name of each person whose interest in any transaction is described and the nature of the relationship by reason of which such interest is required to be described [as well as the nature of his interest in the transaction]. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

2. As to any transaction involving the purchase or sale of assets by or to the bank or any subsidiary, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and the cost thereof to the seller if acquired by the seller within two years prior to the transaction.

3. This item does not apply to any interest arising from the ownership of securities of the bank where the security holder receives no extra or special benefit not shared on a pro rata basis by all other holders of the same class.

[4. No information need be given in response to this Item 13(a) as to any remuneration or other transaction reported in response to Items 10 or 11, or as to any transaction with respect to which information may be omitted pursuant to Instruction 1 to Item 10(b) or the instruction to Item 10(c).]

5. Information should be included as to any material underwriting discounts and commissions upon the sale of securities by the bank where any of the specified persons was or is to be a principal underwriter or is a controlling person or member of a firm that was or is to be a principal underwriter. Information need not be given concerning ordinary management fees paid by underwriters to a managing underwriter pursuant to an agreement among underwriters the parties to which do not include the bank or its subsidiaries.

6. No information need be given in answer to this item as to any transaction or any interest therein where:

(i) The rates or charges involved in the transaction are fixed by law [or governmental authority] or determined by competitive bids;

(ii) The interest of the specified person in the transaction is solely that of a director of another corporation that is a party to the transaction;

(iii) The specified person is subject to this Item 13(a) solely as a director of the bank (or associate of a director) and his interest in the transaction is solely that of a director and/or officer of another corporation that is a party to the transaction;

(iv) [The transaction does not involve remuneration for services, directly or indirectly, and] (A) the interest of the specified persons arises from the ownership individually and in the aggregate of less than a 10 percent interest in another person that is a party to the transaction, (B) [the transaction is in the ordinary course of business of the bank or its subsidiaries, and (C) the amount of such transaction or series of transactions is less than 10 percent of the equity capital accounts of the bank;]

(v) The transaction involves services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture, or other similar service;

(vi) The interest of the specified person, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed [$40,000.]

(vii) [The transaction consists of extensions of credit by the bank in the ordinary course of its business that (A) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (B) at no time exceed 10 per cent of the equity capital accounts of the bank, or $10 million, whichever is less, and (C) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group, exceeded 20 per cent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included, to the extent applicable, that the bank has had, and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this item 13(a) may be excluded.]

7. Information shall be furnished in answer to this item with respect to transactions not excluded above that involve remuneration, directly or indirectly, to any of the specified persons for services in any capacity

unless the interest of such persons arises solely from the ownership individually and in the aggregate of less than a 10 per cent interest in another person furnishing the services to the bank or its subsidiaries.

8. [The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction.]

(b) [Describe briefly any transactions during the last three years or any presently proposed transactions, to which any pension, retirement, savings or similar plan provided by the bank, or any of its parents or subsidiaries, was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:]

[(1) Any director or officer of the bank;]

[(2) Any security holder named in answer to Item 12(a);]

[(3) Any relative or spouse of any of the foregoing persons, or any relative of such spouse, who has the same home as such person or who is a director or officer of any parent or subsidiary of the bank; or]

[(4) The bank or any of its subsidiaries.]

[*Instructions.* 1. Instructions 1, 2, 3, 4, 6, 7 and 8 to Item 13(a) shall apply to this Item (13(b)).]

[2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remuneration received or any loans received or outstanding during the period, or proposed to be received.]

[3. No information need be given in answer to paragraph (b) with respect to—]

[(i) Payments to the plan, or payments to beneficiaries, pursuant to the terms of the plan;]

[(ii) Payments of remuneration for services not in excess of 5 percent of the aggregate remuneration received by the specified person during the bank's last fiscal year from the bank and its subsidiaries; or]

(iii) Any interest of the bank or any of its subsidiaries which arises solely from its general interest in the success of the plan.

Item 14. Capital stock being registered. If capital stock is being registered, state the title of the class and furnish the following information:

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions; and (8) liability to further calls or to assessment by the bank.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. This item requires only a brief summary of the provisions that are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

2. If the rights evidenced by the securities being registered are materially limited or qualified by the rights of any other class of securities [or by the provisions of any contract or other document], include such information regarding such other securities being registered. [If any securities being registered are to be offered in exchange for other securities, an appropriate description of such other securities shall be given. No information need be given, however, as to any class of securities all of which will be redeemed and retired if appropriate steps to assure such redemption and retirement will be taken prior to registration of the securities being registered.]

Item 15. Long-Term Debt Being Registered. If long-term debt is being registered, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions restricting the declaration of dividends [or requiring the maintenance of any ratio of assets] or the creation or maintenance of reserves [or the maintenance of properties.]

(c) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, [the release or substitution of assets securing the issue], the modification of the terms of the security, and similar provisions.

(d) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(e) [Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to each lien.]

Instruction. 1. The instructions to Item 14 shall apply to this item.

2. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described in answer to paragraph (c).

Item 16. Other Securities Being Registered. If securities other than capital stock or long-term debt are being registered, outline briefly the rights evidenced thereby. If subscription warrants or rights are being registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 14 shall also apply to this item.

Item 17. Recent Sales of Securities. Furnish the following information as to all securities of the bank sold by the bank within the past three years or presently proposed to be sold. Include securities issued in exchange for property, services, or other securities, [and new securities resulting from the modification of outstanding securities.]

(a) Give the date of sale, title, and amount of securities sold.

(b) Give the names of the principal underwriters, if any. As to any securities sold privately, name the persons or identify the class of persons to whom the securities were sold.

(c) As to securities sold for cash, state the aggregate offering price and the aggregate underwriting discounts or commissions. As to any securities sold otherwise than for cash, state the nature of the transaction and the nature and aggregate amount of consideration received by the bank.

(d) [Give a reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds have been or are to be used and the approximate amount to be used for each purpose.]

Instructions. (1) Information need not be set forth as to notes, drafts, bills of exchange, or bank acceptances that mature not later than [12 months] from the date of issuance.

(2) If the sales were made in a series of transactions, the information may be given by such totals and periods as will reasonably convey the information required.

[*Item 18. Nature of Trading Market.*]

[As to each class of securities to be registered pursuant to Section 12(g) of the Act, state briefly the nature of the trading market, if any, in such securities, including the names of the principal market makers and the reported high and low bid prices for each quarterly period during the past three years. If bank securities are inactively traded, so state and indicate the range of sales prices known to management for each such period and the source of such information.]

[*Item 19. Applicability of State Laws.*]

[Describe briefly the manner in which the laws of the State under the laws of which the bank is chartered may materially affect:

(a) [*De novo branching;*]

(b) [*Mergers;*]

(c) [*Interest rates on loans; and*]

(d) [*Bank holding companies.*]

Item 20. Financial statements and exhibits. List all financial statements and exhibits filed as a part of the registration statement.

(a) Financial statements.

(b) Exhibits.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

Date---------- By----------

(Name and title of signing officer)

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

These instructions specify the balance sheets and statements of income required to be filed as a part of a Registration Statement on this form. Section 206.7 of this part governs the verification form, and content of the balance sheets and statements of income required, including the basis of consolidation, and prescribes the statement of changes in capital accounts [, *statement of changes in financial position,*] and the schedules to be filed in support thereof.

A. *Financial statements of the bank.* 1. *Balance sheets.* (a) The bank shall file a verified balance sheet as of the close of its latest fiscal year unless such fiscal year has ended within 90 days prior to the date of filing the Registration Statement, in which case the balance sheet may be as of the close of the preceding fiscal year.

(b) If the latest fiscal year of the bank has ended within 90 days prior to the date of filing the Registration Statement and the balance sheet required by paragraph (a) is filed as of the end of the preceding fiscal year, there shall be filed as an amendment to the Registration Statement, within 120 days after the date of filing, a verified balance sheet of the bank as of the end of the latest fiscal year.

2. *Statements of income.* (a) The bank shall file verified statements of income for each of the three fiscal years preceding the date of the balance sheet required by Instruction 1(a).

(b) There shall be filed with each balance sheet filed pursuant to Instruction 1(b) a verified statement of income of the bank for the fiscal year immediately preceding the date of the balance sheet.

3. *Omission of bank's financial statements in certain cases.* Notwithstanding Instructions 1 and 2, the individual financial statements of the bank may be omitted if consolidated statements of the bank and one or more of its subsidiaries are filed.

B. *Consolidated statements.* 4. *Consolidated balance sheets.* (a) There shall be filed a verified consolidated balance sheet of the bank and its majority-owned (i) bank premises subsidiaries. (ii) subsidiaries operating under the provisions of sections 25 or 25(a) of the Federal Reserve Act ("Agreement Corporations" and "Edge Act Corporations"), and (iii) significant subsidiaries, as of the close of the latest fiscal year of the bank, unless such fiscal year has ended within 90 days prior to the date of filing the Registration Statement, in which case this balance sheet may be as of the close of the preceding fiscal year.

(b) If the latest fiscal year of the bank has ended within 90 days prior to the date of filing the Registration Statement, and the balance sheet required by paragraph (a) is filed as of the end of the preceding fiscal year, there shall be filed as an amendment to the Registration Statement, within 120 days after the date of filing, a verified consolidated balance sheet of the bank and such subsidiaries as of the end of the latest fiscal year.

5. *Consolidated statement of income.* (a) There shall be filed verified statements of income of the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries operating under the provisions of sections 25 or 25(a) of the Federal Reserve Act ("Agreement Corporations" and "Edge Act Corporations"), and (iii) significant subsidiaries, for each of the three fiscal years preceding the date of the consolidated balance sheet required by Instruction 4(a).

(b) There shall be filed with each balance sheet filed pursuant to Instruction 4(b), a verified consolidated statement of income of the bank and such subsidiaries for the fiscal year immediately preceding the date of the balance sheet.

C. *Unconsolidated subsidiaries and other persons.* 6. *Separate statements of unconsolidated subsidiaries and other persons.* There shall be filed such other verified financial statements with respect to unconsolidated subsidiaries and other persons as are material to a proper understanding of the financial position and results of operations of the total enterprise. [For purposes of this item, "other persons" includes 50 percent owned persons and unconsolidated persons in which the bank takes up equity in undistributed earnings.]

D. *Special provisions.* 7. *Succession to other businesses.* (a) If during the period for which its statements of income are required, the bank has by merger, consolidation, or otherwise succeeded to one or more businesses, the additions, eliminations, and other changes effected in the succession shall be appropriately set forth in a note or supporting schedule to the balance sheets filed. In addition, statements of income for each constituent business, or combined statements, if appropriate, shall be filed for such period prior to the succession as may be necessary when added to the time, if any, for which statements of income after the succession are filed to cover the equivalent of the period specified in Instructions 2 and 5 above.

(b) If the bank by merger, consolidation, or otherwise is about to succeed to one or more businesses, there shall be filed for the constituent businesses financial statements, combined if appropriate, that would be required if they were registering securities under the Act. In addition, there shall be filed a balance sheet of the bank giving effect to the plan of succession. These balance sheets shall be set forth in such form, preferably columnar, as will show in related manner the balance sheets of the constituent businesses the changes to be effected in the succession and the balance sheet of the bank after giving effect to the plan of succession. By a footnote or otherwise, a brief explanation of the changes shall be given.

(c) This instruction shall not apply with respect to the bank's succession to the business of any majority-owned subsidiary or to any acquisition of a business by purchase.

8. *Acquisition of other businesses.* (a) There shall be filed for any business directly or indirectly acquired by the bank after the date of the balance sheet filed pursuant to Part A or B above and for any business to be directly or indirectly acquired by the bank, the financial statements that would be required if such business were a registrant.

(b) The acquisition of securities shall be deemed to be the acquisition of a business if such securities give control of the business or combined with securities already held give such control. In addition, the acquisition of securities that will extend the bank's control of a business shall be deemed the acquisition of the business if any of the securities being registered hereunder are to be offered in exchange for the securities to be acquired.

(c) No financial statements need be filed, however, for any business acquired or to be acquired from a majority-owned subsidiary. In addition, the statements of any one or more businesses may be omitted if such businesses, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

9. *Filing of other statements in certain cases.* The Board may, upon the request of the bank, and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Board may also require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

E. *Historical Financial Information.* 10. *Scope of Part E.* The information required by Part E shall be furnished for the seven-year period preceding the period for which statements of income are filed, as to the accounts of each person whose balance sheet is filed. The information is to be given as to all of the accounts specified whether they are presently carried on the books or not. Part E does not call for verification, but only for a survey or review of the accounts specified. It should not be detailed beyond a point material to an investor.

11. *Revaluation of assets.* (a) If there were any material increases or decreases resulting from revaluing of assets, state (1) in what year or years such revaluations were made; (2) the amounts of such increases or decreases, and the accounts affected, including all related entries; and (3) if in connection with such revaluations any related adjustments were made in reserve accounts, the accounts and amounts with explanations.

(b) Information is not required as to adjustments made in the ordinary course of business, but only as to major revaluations made for the purpose of entering on the books current values, reproduction cost, or any values other than original cost.

(c) No information need be furnished with respect to any revaluation entry that was subsequently reversed or with respect to the reversal of a revaluation entry recorded prior to the period if a statement as to the reversal is made.

12. *Capital shares.* (a) If there were any material restatements of capital shares that resulted in transfers from capital share liability to surplus, undivided profits, or reserves, state the amount of each such restatement and all related entries. No statement need be made as to restatements resulting from the declaration of share dividends.

(b) If there was an original issue of capital shares, any part of the proceeds of which was credited to accounts other than capital stock accounts, state the title of the class, the accounts, and the respective amounts credited thereto.

13. *Debt discount and expense written off.* If any material amount of debt discount and expense, on long-term debt still outstanding, was written off earlier than as required under any periodic amortization plan, give the following information: (1) Title of the securities; (2) date of the write-off; (3) amount written off; and (4) to what account charged.

14. *Premiums and discount and expense on securities retired.* If any material amount of long-term debt or preferred shares was retired, and if either the retirement was made at a premium or there remained, at the time of retirement, a material amount of unamortized discount and expense applicable to the securities retired, state for each class (1) title of the securities retired; (2) date of retirement; (3) amount of premium paid and of unamortized discount and expense; (4) to what account charged; and (5) whether being amortized and, if so, the plan of amortization.

15. *Other changes in surplus or undivided profits* If there were any material increases or decreases in surplus or undivided profits, other than those resulting from transactions specified above, the closing of the income account, or the declaration or payment of dividends, state (1) the year or years in which such increases or decreases were made; (2) the nature and amounts thereof; and (3) the accounts affected, including all material related entries. Instruction 11(c) above also applies here.

16. *Predecessors.* The information shall be furnished, to the extent material, as to any predecessor of the bank from the beginning of the period to the date of succession, not only as to the entries made respectively in the books of the predecessor or the successor, but also as to the changes effected in the transfer of the assets from the predecessor. No information need be furnished, however, as to any one or more predecessors that, considered in the aggregate, would not constitute a significant predecessor.

17. *Omission of certain information.* (a) No information need be furnished as to any subsidiary, whether consolidated or unconsolidated, for the period prior to the date on which the subsidiary became a majority-owned subsidiary of the bank or of a predecessor for which information is required above.

(b) No information need be furnished hereunder as to any one or more unconsolidated subsidiaries for which separate financial statements are filed if all subsidiaries for which the information is so omitted, considered in the aggregate, would not constitute a significant subsidiary.

(c) Only the information specified in Instruction 11 need be given as to any predecessor or any subsidiary thereof if immediately prior to the date of succession thereto by a person for which information is required, the predecessor or subsidiary was in insolvency proceedings.

INSTRUCTIONS AS TO EXHIBITS

Subject to provisions regarding incorporation by reference, the following exhibits shall be filed as a part of the Registration Statement. Exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may bear the designation given in the previous filing.

Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits in Item 20.

1. Copies of the charter (or a composite or restatement thereof) and the by-laws (or instruments corresponding thereto) as presently in effect.

2. Copies of any plan of acquisition, reorganization, readjustment, or succession described in answer to Item 3 or [17].

3. (a) Specimens or copies of all securities being registered hereunder, and copies of all constituent instruments defining the rights of holders of long-term debt of the bank and of all subsidiaries for which consolidated or unconsolidated financial statements are required to be filed.

(b) There need not be filed, however, (1) any instrument with respect to long-term debt not being registered hereunder if the total amount of securities authorized thereunder does not exceed 25 per cent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis and if there is filed an agreement to furnish a copy of such instrument to the Board upon request, (2) any instrument with respect to any class of securities if appropriate steps to assure the redemption or retirement of such class will be taken prior to or upon delivery by the bank of the securities being registered, or (3) copies of instruments evidencing scrip certificates for fractions of shares.

4. Copies of all pension, retirement, or other deferred compensation plans, contracts, or arrangements. If any such plan, contract, or arrangement is not set forth in a formal document, furnish a reasonably detailed description thereof. Copies of any booklet or other description of any such plan, contract, or arrangement shall also be filed.

5. Copies of any plan setting forth the terms and conditions upon which outstanding options, warrants, or rights to purchase securities of the bank or its subsidiaries from the bank or its affiliates have been issued, together with specimen copies of such options, warrants, or rights; or, if they were not issued pursuant to such a plan, copies of each such option, warrant, or right.

6. Copies of any voting trust agreement referred to in answer to Item [12].

7. (a) Copies of every material contract not made in the ordinary course of business that is to be performed in whole or in part at or after the filing of the Registration Statement or that was made not more than two years before such filing and performance of which has not been completed. Only contracts need be filed as to which the bank or a subsidiary is a party or has succeeded to a party by assumption or assignment, and in which the bank or such subsidiary has a beneficial interest.

(b) If the contract is such as ordinarily accompanies the kind of business conducted by the bank and its subsidiaries, it is made in the ordinary course of business and need not be filed, unless it falls within one or more of the following categories, in which case it should be filed except where immaterial in amount or significance:

(1) Directors, officers, promoters, voting trustee, or security holders named in answer to Item 11(a) are parties thereto except where the contract merely involves purchase or sale of current assets having a determinable market price, at such price.

(2) It calls for the acquisition or sale of fixed assets for a consideration exceeding [10] per cent of the value of all fixed assets of the bank and its subsidiaries.

(3) It is a lease under which a significant part of the property described under Item 5 is held by the bank, or

(4) The amount of the contract, or its importance to the business of the bank and its subsidiaries, is material, and the terms and conditions are of a nature of which investors reasonably should be informed.

(c) Any bonus or profit-sharing plan, contract, or arrangement shall be deemed material and shall be filed.

§ 206.42 Form for annual report of bank (Form F–2).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–2

ANNUAL REPORT PURSUANT TO SECTION 13 OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended _____.

_____

(Exact name of registrant as specified in its charter)

_____

(State or other jurisdiction of incorporation or organization)

_____

[(I.R.S. Employer Identification No.)]

_____ _____

(Address of principal) (Zip Code)

Bank's telephone number, including area code _____

_____ _____

Securities registered pursuant to Section 12(b) of the Act:

Title of each class

_____

_____

Name of each exchange on which registered

_____

_____

Securities registered pursuant to Section 12 (g) of the Act:

_____

(Title of class)

_____

(Title of class)

[GENERAL INSTRUCTIONS]

A. [*Rule as to Use of Form F–2.*] (a) [Form F–2 shall be used for annual reports pursuant to section 13 of the Securities Exchange Act of 1934.]

(b) [Reports on this form shall be filed within 90 days after the end of the fiscal year covered by the report, or within 30 days of the mailing of the bank's annual report to stockholders, which ever occurs first.]

B. [*Application of Regulation F.*] [(a) The Board's Regulation F contains certain general requirements which are applicable to reports on any form. These general requirements should be carefully read and observed in the preparation and filing of reports on this form.]

[(b) Particular attention is directed to § 206.4 which contains general requirements regarding matters such as the kind and size of paper to be used, the legibility of the report, the information to be given whenever the title of securities is required to be stated, and the filing of the report. The definitions contained in Section 206.2 should be especially noted.]

C. [*Preparation of Report.*] [(a) This form is not to be used as a blank form to be filled in, but only as a guide in the preparation of the report on paper meeting the requirements of § 206.4(t). The report shall contain the item numbers and captions of all items but the text of such items may be omitted. The answers to the items shall be prepared in the manner specified in § 206.4 (u).]

[(b) Except where information is required to be given for the fiscal year or as of a specified date, it shall be given as of the latest practicable date.

(c) Attention is directed to § 206.4(j) which states: "In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading."

D. [*Signature and Filing of Report.*] [Four complete copies of the report, including financial statements, exhibits and all other papers and documents filed as a part thereof, and four additional copies which need not include exhibits, shall be filed with the Board. At least one complete copy of the report, including financial statements, exhibits and all other papers and documents filed as a part thereof, shall be filed with each exchange on which any class of securities of the bank is registered. At least one complete copy of the report filed with the Board and one such copy filed with each exchange shall be manually signed. Copies not manually signed shall bear typed or printed signatures.]

E. [*Disclosure with Respect to Foreign Subsidiaries.*] [Information required by any item or other requirement of this form with respect to any foreign subsidiary may be omitted to the extent that the required disclosure would be detrimental to the bank. However, financial statements, otherwise required, shall not be omitted pursuant to this instruction. Where information is omitted pursuant to this instruction, a statement shall be made that such information has been omitted and the names of the subsidiaries involved shall be separately furnished to the Board. The Board may, in its discretion, call for justification that the required disclosure would be detrimental.]

F. [*Incorporation of Certain Information by Reference.*] [Attention is directed to § 206.4(m) which provides for the incorporation by reference of information contained in certain documents in answer or partial answer to any item of a report.]

G. [*Omission of Information Previously Filed.*] [(a) Except as provided in paragraph (b) below, the information called for by itms 1, 2, 3, 4, 8, 9, 10, 11, 12 and 15 is to be furnished by all banks required to file a report on this form. Items 5, 6, 7, 13 and 14 may be omitted from the report by any bank which, since the close of the fiscal year, has filed with the Board a definitive proxy statement or a definitive information statement pursuant to § 206.5, which involved the election of directors.]

[(b) If the information called for by Item 2, 9, or 12 would be unchanged from that given in a previous report, a reference to the previous report which includes the required information will be sufficient. Copies of such previous report need not be filed with the report currently being filed on this form.]

[*Item 1. Approximate Number of Equity Security Holders.*]

[State in the tabular form indicated below the approximate number of holders of record of each class of equity securities of the bank as of the end of the fiscal year:]

[(1)]
[Title of Class]
[(2)]
[Number of record holders]

[*Instructions.* 1. Attention is directed to the definition of the term "equity security" in section 3(a)(11) of the Act and the definition of the term "held of record" in § 206.2(j).]

[2. The information shall be given as of the end of the last fiscal year or as of any subsequent date, except that if the latest determination of the number of record holders of any class of equity securities was made for some other purpose within 90 days prior to the end of the last fiscal year, the information may be given as of the date of such determination.]

[3. Information need not be given with respect to the number of holders of outstanding nontransferable options to purchase securities of the bank.]

Item 2. Parents and subsidiaries of the bank. Furnish a list or diagram showing the relationship of the bank to all parents and subsidiaries, and as to each person named indicate the percentage of voting securities owned, or other basis of control, by its immediate parent. [See General Instruction G.]

Instructions. 1. This item need not be answered if there has been no change in the list or diagram as last previously reported.

2. The list or diagram shall include the bank and shall be so prepared as to show clearly the relationship of each person named to the bank and to the other persons named. If any person is controlled by means of the direct ownership of its securities by two or more persons, so indicate by appropriate cross reference.

3. Designate by appropriate symbols (a) subsidiaries for which separate financial statements are filed; (b) subsidiaries included in the respective consolidated financial statements, [(c) subsidiaries included in group financial statements filed for unconsolidated subsidiaries], and (d) other subsidiaries, indicating briefly why statements of such subsidiaries are not filed.

4. Indicate the name of the [state or other jurisdiction] in which each subsidiary was organized [or incorporated.]

5. The names of particular subsidiaries may be omitted if the unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

6. A person, approximately 50 per cent of whose voting securities are owned, directly or indirectly, by the bank, and approximately 50 per cent of whose voting securities are owned directly or indirectly, by another person, [or if the bank takes up the equity in undistributed earnings of any other unconsolidated person] shall be considered a subsidiary for the purpose of this item.

Item 3. Business.

Describe the business done or intended to be done by the bank and its subsidiaries, including any material changes during the fiscal year. In describing the business done by the bank, the business of its subsidiaries should be included only insofar as the same is important to an understanding of the character and development of the business conducted by the total enterprise. The description shall also include, without limitation, information as to matters such as the following:

(a) competitive conditions and the competitive position of the bank in its service area;

(b) by appropriate categories the amount of loan and similar commitments (including check credit, over-draft, and credit card lines) as of the end of each of the last two fiscal years, and with respect to the amount as of the end of the most recent fiscal year, the portion considered to be "firm" and the portion not reasonably expected to be exercised within the current year.

Instructions—1. The categorization may include such items as commercial letters of credit, commitments to grant loans, and commitments to purchase loans, or such other classifications deemed appropriate by the bank. Any specific category representing more than 25 percent of the total commitments shown shall, however, be identified and specific categories representing individually less than 25 percent of the total commitments shown may be aggregated as Other Commitments.

2. If more than 25 percent of the total commitments shown are on terms whereby the prices or interest rates are not to be determined by the market conditions to be prevailing at the time of exercise of the commitments, the amount and a description of such commitments should also be disclosed.

(c) If a material portion of the bank's deposits has been obtained from a single person or a few persons (including Federal, State, and local governments and agencies thereunder), the loss of any of one or more of whom would have a materially adverse effect on the business of the bank, or if a material portion of the bank's loans is concentrated within a single industry or group of related industries, a description of such customers, their other relationships, if any, to the bank, and material facts regarding their importance to the business of the bank;

(d) the extent to which the business is or may be seasonal;

(e) appropriate disclosure shall be made with respect to the importance of and risks attendant to foreign sources and applications of funds;

(f) Appropriate disclosure shall also be made as to the material effects that compliance with Federal, State and local provisions which have been enacted or adopted regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, may have upon the capital expenditures, earnings and competitive position of the bank and its subsidiaries; and

(g) the appropriate number of persons employed.

Item 4. Summary of operations. [Furnish in comparative columnar form a summary of operations for the bank or for the bank and its subsidiaries consolidated, as appropriate, for—]

[(a) each of the last five fiscal years of the bank (or for the life of the bank and its predecessors, if less), and]

[(b) any additional fiscal years necessary to keep the summary from being misleading.]

[Where necessary, include information or explanation of material significance to investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the registration statement.]

[*Instruction.* 1. As a minimum, operating income, operating expenses, income before income taxes and security gains (losses), applicable income taxes, income before security gains (losses), security gains (losses), and net income should be presented. The summary shall reflect retroactive adjustments of any material items affecting the comparability of the results.]

[2. Per share earnings and dividends declared for each period of the summary shall be also shown. The basis of the computation of per share earnings shall be stated, together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation can be clearly determined from the answer to this item.]

[3. (a) If debt securities are being registered, the bank may, at its option, show in tabular form for each fiscal year the ratio of earnings to fixed charges. Such ratio shall be calculated both on the basis of excluding interest on deposits and including interest on deposits as part of "fixed charges."]

[(b) Earnings shall be computed after all operating and income deductions except fixed charges and taxes based on income or profits and after eliminating undistributed income or unconsolidated subsidiaries and 50 per cent or less owned persons.]

[(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; and (ii) such portion of rentals as can be demonstrated to be representative of the interest factor in the particular case.]

[(d) Any bank electing to show the ratio of earnings to fixed charges, in accordance with this instruction, shall file as an exhibit a statement setting forth in reasonable detail the computations of the ratios shown.]

[*Item 5.* Principal holders of voting securities and security holdings of management. See General Instruction G. Set forth the same information as to principal holders of voting securities and security holdings of management as is required to be furnished by Item 5 of Form F-5.]

[*Item 6.* Directors of bank. See General Instruction G. Set forth the same information as to directors of bank as is required to be furnished by Item 6 of Form F-5.]

[*Item 7.* Remuneration of director and officers and related matters. See General Instruction G. Set forth the same information as to remuneration of officers and directors and their transactions with management and others as is required to be furnished by Item 7 (a), (b), and (c) of Form F-5.]

[*Item 8.* Bank Premises and Other Real Estate. Describe material changes in the location and general character of premises and real property of the bank and its subsidiaries, whether held in fee or leased, and if leased, the expiration dates of material leases.]

Item 9. [Legal Proceedings. Briefly describe any material pending legal proceedings, other than ordinary routine litigation incidental to the business, to which the bank or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities. See General Instruction G.]

[*Instructions.* 1. No collection action or other claim need be described unless it departs from the normal kind of such actions.]

[2. No information need be given with respect to any proceeding which involves primarily a claim for damages if the amount involved, exclusive of interest and costs, does not exceed 10 per cent of the equity capital of the bank and its subsidiaries on a consolidated basis. However, if any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.]

[3. Notwithstanding Instructions 1 and 2, any material proceedings to which any director, officer or affiliate of the bank, any security holder named in answer to Item 5, or any associate of any such director, officer or security holder, is a party, or has a material interest, adverse to the bank or any of its subsidiaries shall also be described.]

[4. Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State or local provisions regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and

the amount involved, exclusive of interest and costs, exceeds 10 per cent of the equity capital of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of equity capital on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided however, that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the registrant, the effect of such proceedings on the business or financial condition of the bank.]

[*Item 10.* Increases and Decreases In Outstanding Securities. Give the following information as to all increases and decreases during the fiscal year in the amount of equity securities of the bank outstanding:]

[(1) The title of the class of securities involved;]

[(2) The date of the transaction;]

[(3) The amount of securities involved and whether an increase or a decrease;]

[(4) A brief description of the transaction in which the increase or decrease occurred. If previously reported, the description may be incorporated by a specific reference to the previous filing.]

[Instruction. The information shall be prepared in the form of a reconciliation between the amounts shown to be outstanding on the balance sheet to be filed with this report and the amounts shown on the bank's balance sheet for the previous year. The exercise of outstanding options or warrants (separately by class or type of option warrant), conversions of previously issued convertible securities (separately by class of security) and the issuance of options may be grouped together showing the dates between which all such transactions occurred.]

[*Item 11. Officers of the bank.* [(a) List the names and ages of all officers of the bank and all persons chosen to become officers; state the nature of any family relationship between them; indicate all positions and offices with the bank held by each such persons; state his term of office as officer and the period during which he has served as such and briefly describe any arrangement or understanding between him and any other person pursuant to which he was selected as an officer.]

[Instructions. 1. Do not include arrangements or understandings with directors or officers of the bank acting solely in their capacities as such.]

[2. The term "officer" is defined in section] 206.2(q).

[3. The term "family relationship" means any relationship by blood, marriage or adoption, not more remote than first cousin.]

[(b) Give a brief account of the business experience during the past five years of each officer, including his principal occupations and employment during that period and the name and principal business of any corporation or other organization in which such occupations and employment were carried on. Where an officer has been employed by the bank or a subsidiary of the bank for less than five years, a brief explanation should be included as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience.]

[*Item 12. Indemnification of directors and officers.*] See General Instruction G [State the general effect of any charter provision, bylaw, contract, arrangement or statute under which any director or officer of the bank is insured or indemnified in any manner against any liability which he may incur in his capacity as such.

[*Item 13. Options granted to management to purchase securities.*] See General Instruction G [Set forth the same information as to options granted to management to purchase securities as is required to be furnished by Item 7(d) of Form F-5.]

[*Item 14. Interest of management and others in certain transactions.*] See General Instruction G [Set forth the same information as to the interest of management and others in certain transactions as is required to be furnished by Item 7 (e), (f), and (g) of Form F-5.]

Item 15. Financial statements and exhibits. List below all financial statements and exhibits filed as a part of the annual report:

(a) Financial statements.

(b) Exhibits, [*including those incorporated by reference.*]

[*Instruction. Where any financial statement or exhibit is incorporated by reference, the incorporation by reference shall be set forth in the list required by this item. See § 206.4(q).*]

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this annual report to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

Date -------- By ----------
(Name and title of signing officer)

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

These instructions specify the balance sheets and statements of income required to be filed as a part of annual reports on this form. Section 206.7 of this Part governs the verification, form, and content of the balance sheets and statements of income required, including the basis of consolidation, and prescribes the statement of changes in capital accounts, [statement of changes in financial position,] and the schedules to be filed in support thereof.

1. Financial statements of the bank. (a) There shall be filed for the bank, in comparative columnar form, verified balance sheets as of the close of the last two fiscal years and verified statements of income for such fiscal years.

(b) Notwithstanding paragraph (a), the individual financial statements of the bank may be omitted if consolidated statements of the bank and one or more of its subsidiaries are filed.

2. Consolidated statements. There shall be filed for the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries operating under the provisions of sections 25 or 25(a) of the Federal Reserve Act ("Agreement Corporations" and "Edge Act Corporations"), and (iii) significant subsidiaries, in comparative columnar form, verified consolidated balance sheets as of the close of the last two fiscal years of the bank and verified consolidated statements of income for such fiscal years.

3. Separate statements of unconsolidated subsidiaries and other persons. There shall be filed such other verified financial statements with respect to unconsolidated subsidiaries and other persons as are material to a proper understanding of the financial position and results of operations of the total enterprise. [For purposes of this item, "other persons" includes 50 percent owned persons and unconsolidated persons in which the bank takes up equity in undistributed earnings.]

4. Filing of other statements in certain cases. The Board may, upon the request of the bank and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Board may also require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

INSTRUCTIONS AS TO EXHIBITS

Subject to provisions regarding incorporation by reference, the following exhibits shall be filed as part of the report:

1. Copies of all amendments or modifications, not previously filed, to all exhibits previously filed (or copies of such exhibits as amended or modified).

2. Copies of all documents of the character required to be filed as an exhibit to an original form for registration of securities of a bank which have been executed or otherwise put into effect during the fiscal year and not previously filed.

§ 206.43 Form for current report of a bank (Form F-3).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-3

CURRENT REPORT

Pursuant to Section 13 of the Securities Exchange Act of 1934. For the month of ----------, 19--

---
(Exact name of bank as specified in charter)

(Address of principal office)

GENERAL INSTRUCTIONS

A. Preparation of report. This form is not to be used as a blank form to be filled in but only as a guide in the preparation of the report. The report shall contain the numbers and captions of all applicable items, but the text of such items may be omitted if the answers with respect thereto are prepared in the manner specified in § 206.4(u) of this Part. All items which are not required to be answered in a particular report may be omitted and no reference thereto need be made in the report. Particular attention should be given to the definitions in § 206.2 and the general requirements in § 206.4 of this Part.

B. Events to be reported. A report on this form is required to be filed upon the occurrence of any one or more of the events specified in the items of this form. Reports are to be filed within 10 days after the close of each month during which any of the specified events occurs. However, if substantially the same information as that required by this form has been previously reported by the bank, an additional report of the information on this form need not be made.

C. Incorporation by reference to proxy statement, statement where management does not solicit proxies, or annual report to security-holders. Information contained in any Statement previously filed with the Board pursuant to § 206.5(a) of this Part or in an annual report to security holders furnished to the Board pursuant to § 206.5(c) of this Part may be incorporated by reference in answer or partial answer to any item or items of this form. In addition, any financial statements contained in any such Statement or annual report may be incorporated by reference provided such financial

statements substantially meet the requirements of this form.

INFORMATION TO BE INCLUDED IN REPORT

Item. 1. Changes in control of bank.

(a) If any person has become a parent of the bank, give the name of such person, the date and a brief description of the transaction or transactions by which the person became such a parent and the percentage of voting securities of the bank owned by the parent or other basis of control by the parent over the bank.

(b) If any person has ceased to be a parent of the bank, give the name of such person and the date and a brief description of the transaction or transactions by which the person ceased to be such a parent.

(c) If securities of a bank or any of its parents have been pledged under such circumstances that a default may result in a change of control of the bank, state the names of the pledgor and pledgee and the title and amount of securities pledged.

Instruction. Where, pursuant to a previously reported pledge agreement, additional securities are pledged on the same terms, no report is necessary unless there is a significant change in the percentage of voting securities pledged.

Item 2. Acquisition or disposition of assets.

If the bank or any of its [significant subsidiaries] has acquired or disposed of a significant amount of assets, otherwise than in the ordinary course of business, state the date and manner of acquisition or disposition and briefly describe the assets involved, the nature and amount of consideration given or received therefor, the principle followed in determining the amount of such consideration, the identity of the persons from whom the assets were acquired or to whom they were sold and the nature of any material relationship between such persons and the bank or any of its affiliates, any director or officer of the bank, or any associate of any such director or officer.

Instructions. 1. No information need be given as to (i) any transaction between any person and any wholly-owned subsidiary of such person; i.e., a subsidiary substantially all of whose outstanding voting securities are owned by such person and/or its other wholly-owned subsidiaries; (ii) any transaction between two or more wholly-owned subsidiaries of any person; or (iii) the redemption or other acquisition of securities from the public, or the sale or other disposition of securities to the public, by the bank of such securities.

2. The term "acquisition" includes every purchase, acquisition by lease, exchange, merger, consolidation, succession or other acquisition; provided that such term does not include the construction or development of property by or for the bank or its subsidiaries or the acquisition of materials for such purpose, and does not include the acquisition of assets acquired (i) in collecting a debt previously contracted in good faith or (ii) in a fiduciary capacity. The term "disposition" includes every sale, disposition by lease, exchange, merger, consolidation, mortgage, or hypothecation of assets, assignment, abandonment, destruction, or other disposition, but does not include disposition of assets acquired (i) in collecting a debt previously contracted in good faith or (ii) in a fiduciary capacity.

3. The information called for by this item is to be given as to each transaction or series of related transactions of the size indicated. The acquisition or disposition of securities shall be deemed the indirect acquisition or disposition of the assets represented by such securities if it results in the acquisition or disposition of control of such assets.

4. An acquisition or disposition shall be deemed to involve a significant amount of assets (i) if the net book value of such assets or the amount paid or received therefor upon such acquisition or disposition exceeded [5 percent] of the equity capital accounts of the bank, or (ii) if it involved the acquisition or disposition of a business whose gross operating revenues for its last fiscal year exceeded 5 percent of the gross operating revenues of the bank and its consolidated subsidiaries for the bank's latest fiscal year.

5. Where assets are acquired or disposed of through the acquisition or disposition of control of a person, the person from whom such control was acquired or to whom it was disposed of shall be deemed the person from whom the assets were acquired or to whom they were disposed of, for the purposes of this item. Where such control was acquired from or disposed of to not more than five persons, their names shall be given, otherwise it will suffice to indentify in an appropriate manner the class of such persons.

6. Attention is directed to the requirements at the end of the form with respect to the filing of financial statements for businesses acquired.

Item 3. Legal proceedings.

(a) Briefly describe any material legal proceedings, other than ordinary routine proceedings incidental to the business, to which the bank or any of its subsidiaries has become a party or of which any of their property has become the subject. Include the name of the court or agency in which the proceedings were instituted, the date instituted, [a description of the factual basis, the relief sought,] and the principal parties thereto.

(b) If any such proceeding previously reported has been terminated, identify the proceeding, state the date and nature of such termination and the general effect thereof with respect to the bank and its subsidiaries.

Instructions. 1. No information need be given with respect to any proceeding which involves primarily a claim for damages if the amount involved exclusive of interest and costs, does not exceed [10 per cent] of the equity capital accounts of the bank. However, if any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.

2. Any material proceeding to which any director, officer, or affiliate of the bank, any holder of more than 10 per cent of any class of its equity securities, or any associate of any such director, officer, or security holder, is a party adverse to the bank or any of its subsidiaries, shall also be described.

[3. Any proceeding to which any director, officer or affiliates of the registrant, any principal holder of equity securities of the registrant or any associate of any such director, officer or security holder, is a party adverse to the registrant or any of its subsidiaries shall also be described.]

[4. Notwithstanding the foregoing administrative or judicial proceedings arising under any Federal, State or local provisions regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the registrant or if it involves primarily a claim for damages and the amount involved, exclusive of interest and costs, exceeds 10 per cent of the equity capital of the registrant and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 per cent of equity capital on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided however, that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the registrant, the effect of such proceedings on the business or financial condition of the registrant.]

Item 4. Changes in securities.

(a) If the instruments defining the rights of the holders of any class of registered securities have been materially modified, give the title of the class of securities involved and state briefly the general effect of such modification upon the rights of holders of such securities.

(b) If the rights evidenced by any class of registered securities have been materially limited or qualified by the issuance or modification of any other class of securities, state briefly the general effect of the issuance or modification of such other class of securities upon the rights of the holders of the registered securities.

Instruction. Working capital restrictions and other limitations upon the payment of dividends are to be reported hereunder.

Item 5. Defaults upon senior securities.

(a) If there has been any material default in the payment of principal, interest, a sinking or purchase fund installment, or any other material default not cured within 30 days, with respect to any indebtedness of the bank or any of its significant subsidiaries exceeding 5 percent of the equity capital accounts of the bank, identify the indebtedness and state the nature of the default. In the case of such a default in the payment of principal, interest, or a sinking or purchase fund installment, state the amount of the default and the total arrearage on the date of filing this report.

Instruction. This paragraph refers only to events which have become defaults under the governing instruments, i.e., after the expiration of any period of grace and compliance with any notice requirements.

(b) If any material arrearage in the payment of dividends has occurred or if there has been any other material delinquency not cured within 30 days, with respect to any class of preferred stock of the bank which is registered or which ranks prior to any class of registered securities, or with respect to any class of preferred stock of any significant subsidiary of the bank, give the title of the class and state the nature of the arrearage or delinquency. In the case of an arrearage in the payment of dividends, state the amount and total arrearage on the date of filing this report.

Item 6. Increase in amount of securities outstanding.

If the amount of securities of the bank outstanding has been increased through the issuance of any new class of securities or through the issuance or reissuance of any additional securities of a class outstanding and the aggregate amount of all such increases not previously reported exceeds 5 percent of the previously outstanding securities of the class, furnish the following information:

(a) Title of class, the amount outstanding as last previously reported, and the amount presently outstanding (as of a specified date).

(b) A brief description of the transaction or transactions resulting in the increase and a statement of the aggregate net cash pro-

ceeds or the nature and aggregate amount of any other consideration received or to be received by the bank.

(c) The names of the principal underwriters, if any, indicating any such underwriters which are affiliates of the bank.

(d) A reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds have been or are to be used and the approximate amount used or to be used for each such purpose.

[(e) If the securities were capital shares, a statement of the amount of the proceeds credited or to be credited to any account other than the appropriate capital share account.]

Instructions. 1. This item does not apply to notes, drafts, bills of exchange, or bank acceptances which mature not later than *12 months* from the date of issuance. No report need be made where the amount not previously reported, although in excess of 5 percent of the amount previously outstanding, does not exceed [$50,000] face amount of indebtedness or 1,000 shares or other units.

2. This item includes the reissuance of treasury securities and securities held for the account of the issuer thereof. The extension of the maturity date of indebtedness shall be deemed to be the issuance of new indebtedness for the purpose of this item. In the case of such an extension, the percentage shall be computed upon the basis of the principal amount of the indebtedness extended.

Item 7. Decrease in amount of securities outstanding.

If the amount of any class of securities of the bank outstanding has been decreased through one or more transactions and the aggregate amount of all such decreases not previously reported exceeds 5 percent of the amount of securities of the class previously outstanding, furnish the following information:

(a) Title of the class, the amount outstanding as last previously reported, and the amount presently outstanding (as of a specified date).

(b) A brief description of the transaction or transactions involving the decrease and a statement of the aggregate amount of cash or the nature and aggregate amount of any other consideration paid or to be paid by the bank in connection with such transaction or transactions.

Instruction. Instruction 1 to Item 6 shall also apply to this Item. This item need not be answered as to decreases resulting from ordinary sinking fund operations, similar periodic decreases made pursuant to the terms of the constituent instruments, or decreases resulting from the conversion of securities or from the payment of indebtedness at maturity.

Item 8. Options to purchase securities.

If any options to purchase securities of the bank or any of its subsidiaries from the bank or any of its subsidiaries have been granted or extended and the amount of securities called for by all such options the granting or extension of which has not been previously reported exceeds 5 percent of the outstanding securities of the class, furnish the following information:

(a) The dates on which the options were granted or extended;

(b) The total amount of securities called for by such options;

(c) The consideration for the granting or extension of the options;

(d) The exercise prices;

(e) The market value of the securities on the granting or extension dates;

(f) The expiration dates of the options; and

(g) Any other material conditions to which the options were subject.

[*Instructions. 1. The term "option" as used herein means any option, warrant or right to purchase securities. This item does not, however, refer to an issue of securities such as an issue of warrants or rights or an issue of convertible securities.*]

(2) This item need not be answered where the amount not previously reported, although in excess of 5 percent of the amount previously outstanding, does not exceed [$50,000] face amount of indebtedness or 1,000 shares or other units of other securities.

Item 9. Revaluation of assets or restatement of capital stock account.

(a) If there has been a material revaluation of the assets of the bank or any of its significant subsidiaries involving a write-up, write-down, write-off, or abandonment, state the date of the revaluation, the amount involved and the accounts affected, including all related entries. If any adjustment was made in any related reserve account in connection with the revaluation, state the account and amounts involved and explain the adjustment.

(b) If there has been a material restatement of the capital stock account of the bank resulting in a transfer from capital stock to surplus, undivided profits, or reserves, or vice versa, state the date, purpose, and amount of the restatement and give a brief explanation of all related entries in connection with the restatement.

[*Item 10. Extraordinary Item Charges and Credits, Other Material Charges and Credits to Income of an Unusual Nature, and Material Provisions for Loss.*]

[(a) If there have been any extraordinary item charges or credits, any other material charges or credits to income of an unusual nature, or any material provisions for loss, the following shall be furnished for each such charge, credit, or provision:]

[(1) The date of the bank's determination to make the charge, credit, or provision:]

[(2) A statement of the reasons for making the charge, credit, or provision;]

[(3) An analysis of the components (in dollar amounts) of the charge, credit, or provision, which includes]

[(i) A description of the various categories of loans written down or off;]

[(ii) A description of any provision for losses on liquidation of assets or for other losses including a detailed schedule showing the components of any losses provided for, which schedule shows the amount of administrative and fixed costs, if any, allocated to the loss;]

[(iii) A description of any estimated recoveries or costs netted against the charge or credit;]

[(4) A statement setting forth the years in which costs being reflected in the charge (or net credit) being described were or are expected to be incurred and the amount of cost for each year by major category (e.g., fixed assets, research and development costs, operating losses);]

[(5) A statement setting forth the estimated amount of net cash outlays (or inflows) associated with the charge (or credit) in the year the charge (or credit) is made and in each subsequent year in which such estimate of the cash amount differs from the amount of total costs stated in part (4) for that year;]

[(6) A description of the accounting principles or practices followed and any changes therein or in the methods of applying such principles or practices which was made in connection with the transaction; and]

[(7) A report from the bank's independent accountants, if any, in which they state that they have read the description in the Form F-3 of the facts set forth therein and of the accounting principles applied and whether they believe that on the basis of the facts so set forth that such accounting principles are fairly applied in conformity with generally accepted accounting principles or, if not, the respects in which they believe the principles do not conform to generally accepted accounting principles.]

Item 11. Submission of matters to a vote of security holders.

If any matter has been submitted to a vote of security holders, through the solicitation of proxies or otherwise, furnish the following information:

(a) The date of the meeting and whether it was an annual or special meeting.

(b) If the meeting involved the election of directors, state the name of each director elected at the meeting and the name of each other director whose term of office as a director continued after the meeting.

(c) Briefly describe each other matter voted upon at the meeting and state the number of affirmative votes and the number of negative votes cast with respect to each such matter.

Instructions. 1. If any matter has been submitted to a vote of security holders otherwise than at a meeting of such security holders, corresponding information with respect to such submission shall be furnished. The solicitation of any authorization or consent (other than a proxy to vote at a security holders' meeting) with respect to any matter shall be deemed a submission of such matter to a vote of security holders within the meaning of this item.

2. Paragraph (a) need be answered only if paragraph (b) or (c) is required to be answered.

3. Paragraph (b) need not be answered if (i) a proxy statement, or statement where management does not solicit proxies, with respect to the meeting was filed with the Board pursuant to section 206.5(a), (ii) there was no solicitation in opposition to the management's nominees as listed in such Statement, and (iii) all of such nominees were elected.

4. Paragraph (c) need not be answered as to procedural matters or as to the selection or approval of auditors.

5. If the bank has published a report containing all of the information called for by this item, the item may be answered by a reference to the information contained in such report, provided copies of such report are filed as an exhibit to the report on this form.

Item 12. Changes in Bank's Certifying Accountant. If an independent accountant who was previously engaged as the principal accountant to audit the registrant's financial statements resigns (or indicates he declines to stand for re-election after the completion of the current audit) or is dismissed as the registrant's principal accountant, or another independent accountant is engaged as principal accountant, or if an independent accountant on whom the principal accountant expressed reliance in his report regarding a significant subsidiary resigns (or formally indicates he declines to stand for re-election after the completion of the current audit) or is dismissed or another independent accountant is engaged to audit that subsidiary:

(a) State the date of such resignation (or declination to stand for re-election) dismissal or engagement.

(b) State whether in connection with the audits of the two most recent fiscal years and any subsequent interim period preceding such resignation, dismissal or engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure, which disagreements if not resolved to the satisfaction of the former accountant would

have caused him to make reference in connection with his report to the subject matter of the disagreement(s); also, describe each such disagreement. The disagreements required to be reported in response to the preceding sentence include both those resolved to the former accountant's satisfaction and those not resolved to the former accountant's satisfaction. Disagreements contemplated by this rule are those which occur at the decision-making level; i.e., between personnel of the registrant responsible for presentation of its financial statements and personnel of the accounting firm responsible for rendering its report.

(c) State whether the principal accountant's report on the financial statements for any of the past two years contained an adverse opinion or a disclaimer of opinion or was qualified as to uncertainty, audit scope, or accounting principles; also describe the nature of each such adverse opinion, disclaimer of opinion, or qualification.

(d) The registrant shall request the former accountant to furnish the registrant with a letter addressed to the Board stating whether he agrees with the Statements made by the registrant in response to this item and, if not, stating the respects in which he does not agree. The registrant shall file a copy of the former accountant's letter as an exhibit with all copies of the Form F-3 required to be filed pursuant to this Part.

Item 13. Other materially important events.

The bank should, report under this item any events that the bank deems of material importance to security holders, even though information as to such events is not otherwise called for by this form.

Item 14. Financial statements and exhibits.

List below the financial statements and exhibits, if any, filed as a part of this report;

(a) Financial statements.

(b) Exhibits.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

_____
(Name of Bank)

Date _____ By _____
(Name and title of

FINANCIAL STATEMENTS OF BUSINESS ACQUIRED

1. *Business for which statements are required.*

The financial statements specified below shall be filed for any business the acquisition of which by the bank or any of its majority-owned subsidiaries is required to be described in answer to Item 2 above.

2. *Statements required.*

(a) There shall be filed a balance sheet of the business as of a date reasonably close to the date of acquisition. The balance sheet need not be verified but if it is not verified there shall also be filed a verified balance sheet as of the close of the preceding fiscal year.

(b) Statements of income of the business shall be filed for each of the last three full fiscal years and for the period, if any, between the close of the latest of such fiscal years and the date of the latest balance sheet filed. These statements of income shall be verified up to the date of the verified balance sheet.

(c) If the business was in insolvency proceedings immediately prior to its acquisition, the balance sheets required above need not be verified. In such case, the statements of income required shall be verified to the close of the latest full fiscal year.

(d) No supporting schedules need be filed.

(e) [Except as otherwise provided in this instruction, the principles applicable to a registrant and its subsidiaries with respect to the filing of individual, consolidated and group statements in an original application or annual report shall be applicable to the statements required by this instructions.]

3. Filing of other statements in certain cases. The Board may, upon the informal written request of the bank, and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Board may also by informal written notice require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person for which financial statements are required, or whose statements are otherwise necessary for the protection of investors.

EXHIBITS

Subject to provisions as to incorporation by reference, the following documents shall be filed as exhibits to this report:

1. Copies of any contract, plan, or arrangement for any acquisition or disposition described in answer to Item 2, including any plan of reorganization, readjustment, exchange, merger, consolidation, or succession in connection therewith.

2. Copies of any judgment or any document setting forth the terms of any settlement described in answer to Item 3.

3. Copies of the amendments to all constituent instruments and other documents described in answer to Item 4.

4. Copies of all constituent instruments defining the rights of the holders of any new class of securities referred to in answer to Item 6.

5. Copies of the plan pursuant to which the options referred to in answer to Item 8 were granted, or if there is no such plan, specimen copies of the options.

6. Copies of any material amendments to the bank's charter or by-laws, not otherwise required to be filed.

7. Letters from the registrant and the independent accountants furnished pursuant to Item 12.

8. Copies of any letters furnished pursuant to Item 10.

§ 206.44 Form for quarterly report of bank (Form F-4).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-4

QUARTERLY REPORT

PART A—SUMMARIZED FINANCIAL INFORMATION

_____
(Name of bank)

_____
(City and state)

	3 months ending _____		Fiscal year to date (___ months ending ____)	
	19— (current year)	19— (prior year)	19— (current year)	19— (prior year)
1. Operating income:				
(a) Interest fees on loans				
(b) Interest and dividends on securities				
U.S. Treasury securities				
Securities of other U.S. Government agencies and corporations.				
Obligations of States and political subdivisions				
Other securities				
(c) Other operating income				
(d) Total operating income				
2. Operating expenses:				
(a) Salaries and other compensation				
(b) Interest expenses				
(c) Provision for loan losses				
(d) Other operating expenses				
(e) Total operating expenses				
3. Income before income taxes and securities gains (losses)				
4. Applicable income taxes				
5. Income before securities gains (losses)				
6. Net securities gains (losses), less related tax effect				
7. Net income				
Earnings per common share:				
Income before securities gains (losses)				
Net income				
Cash dividends declared per common share				

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-4

QUARTERLY REPORT

PART B—BORROWINGS AND EQUITY CAPITAL

_____
(Date)

Furnish, insofar as practicable in the manner presented below, data as at the end of the latest fiscal quarter.

Borrowings

1. Federal funds purchased and securities sold under agreement to repurchase _____ $_____
2. Mortgages payable _____ $_____
3. Other liabilities for borrowed money _____ $_____
4. Subordinated notes and debentures (if more than one issue, list separately) _____ $_____

Equity Capital

5. Preferred stock:
   Convertible (____ shares outstanding) _____ $_____
   Non-convertible (____ shares outstanding) _____ $_____
6. Common stock (____ shares outstanding) _____ $_____
7. Surplus _____ $_____
8. Undivided profits:
   (a) Balance at beginning of current fiscal year _____ $_____
   (b) Net income to date _____ $_____

(c) Dividends declared:
Common stock:
Cash ---------- $_____
Stock (percent)_____ $_____
Preferred stock:
Cash ($___ per share)_ $_____
(d) Prior period adjustments (list credits and (charges) separately) ---------- $_____
(e) Other credits and (charges) $_____
(f) Balance at end of interim period ---------- $_____
9. Reserves for contingencies_____ $_____
Total equity capital_____ $_____

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this quarterly report to be signed on its behalf by the undersigned, thereunto duly authorized.

_____
(Name of Bank)

Date_____ By_____
(Name and title of signing officer)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-4

GENERAL INSTRUCTIONS

(a) *Use of Form F-4.* (1) Form F-4 is a guide for use in preparation of quarterly reports to be filed with the Board. (2) The interim report shall be filed not later than 30 days after the end of each of the first three fiscal quarters of each fiscal year. No report need be filed for the fourth quarter of any fiscal year.

(b) *Persons for whom the information is to be given.* The required information is to be given as to the registrant bank or, if the bank files consolidated financial statements with the annual reports filed with the Board, it shall cover the bank and its consolidated subsidiaries. If the information is given as to the bank and its consolidated subsidiaries, it need not be given separately for the bank.

(c) *Presentation of information.* The form calls only for the items of information specified. It is not necessary to furnish a formal statement of income. The information is not required to be audited (see §206.7(b) of this Part). The report may carry a notation to that effect and any other qualification considered necessary or appropriate. Amounts may be stated in thousands of dollars if a notation to that effect is made.

(d) *Incorporation by reference to published statements.* If the bank makes available to its stockholders or otherwise publishes, within the period prescribed for filing the report, a financial statement containing the information required by this form, such information may be incorporated by reference to such published statement if copies thereof are filed as an exhibit to this report.

(e) *Extraordinary items.* If present with respect to any interim period reported herein, extraordinary items less applicable income tax effect shall be appropriately segregated and included in the determination of net income. (See Form F-9B, Statement of Income.)

(f) *Acquisitions.* (1) If the bank has entered into a business combination with another bank or other related business treated for accounting purposes as a pooling of interests, the results of operations reported in this report—for both the current year and the preceding year—should reflect the combined results of the pooled entities. Disclosure of the separate results of the combined entities for periods prior to the combination should be given in a footnote with appropriate explanation. (2) In case the bank has acquired a significant amount of assets in a transaction treated for accounting purposes as a purchase, during any of the periods covered by the report, the effect thereof on revenue and net income, in total and per share, should be disclosed in a footnote.

(g) The financial information to be included in this report should be prepared in conformity with the accounting principles and practices, reflected in the financial statements included in the annual report filed with the Board for the preceding fiscal year, except for any changes required to be reported by §206.7(c)(5) of this Part.

§ 206.45 Form for amendment to registration statement or periodic report of bank (Form F-20).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-20

AMENDMENT TO REGISTRATION STATEMENT OR PERIODIC REPORT OF BANK

GENERAL INSTRUCTIONS

The form set forth hereinafter is not to be used as a blank form to be filled in but is intended solely as a guide in the preparation of an amendment to a previously filed registration statement or report. Attention should be given to the general requirements governing amendments, which are prescribed in section 206.4(w) of Regulation F.

The amendment shall contain the number and caption of each item being amended and each such item shall be rstated, as amended, in its entirely. Where a financial statement, or a note or schedule related thereto, is being amended, such statement, note, or schedule likewise shall be restated in its entirely.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Washington, D.C. 20551

AMENDMENT NUMBER _____

To

_____[1]

On

FORM F_____[2]

Pursuant to Section 12 or 13 of the Securities Exchange Act of 1934

_____
(Exact name of bank as specified in charter)

_____
(Address of principal office)

The undersigned bank hereby amends the following items, financial statements or exhibits, constituting part of the aforesaid statement or report, as set forth in the pages attached hereto:

(List all such items, financial statements, exhibits, or other portions amended).

Pursuant to the requirement of the Securities Exchange Act of 1934, the bank has duly caused this amendment to be signed on its behalf by the undersigned, thereunto duly authorized.

Date _____

_____

By _____
(Print name and title of signing office under signature)

[1] Indicate appropriate designation of statement or report being amended, such as "Registration Statement" or "Annual Report for year ended December 31, 19_____."

[2] Indicate the number of the form on which the statement or report was filed, such as "Form F-1."

§ 206.46 Form for registration of additional class of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F-10).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Washington, D.C. 20551

FORM F-10

Registration Statement for Additional Classes of Securities of a Bank

Pursuant to Section 12(b) or Section 12(g) of the Securities Exchange Act of 1934.

_____
(Exact name of bank as specified in charter)

_____
(Address of principal office)

_____
(State of incorporation or organization)

_____
(I.R.S. Employer Identification No.)

Securities being registered pursuant to section 12(b) of the Act:

Title of class.

Name of each exchange on which class is being registered.

Title of each class of equity securities being registered pursuant to section 12(g) of the Act:

GENERAL INSTRUCTIONS

1. *Applicability of this form.*

This form may be used for registration of the following securities pursuant to the Securities Exchange Act of 1934:

(a) For registration pursuant to section 12(g) of the Act of any class of equity securities of a bank which has one or more other classes of securities registered pursuant to either section 12 (b) or (g) of the Act.

(b) For registration on a national securities exchange pursuant to section 12(b) of the Act of any class of securities of a bank which has one or more other classes of securities so registered on the same or another securities exchange.

2. *Preparation of registration statement.*

This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the general requirements in § 206.4 of Federal Reserve Regulation F. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers with respect thereto are prepared in the manner specified in § 206.4(u).

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. Stock to be registered.

If stock is being registered, state the title of the class and furnish the following information (See Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions, and (8) liability to further calls or to assessment.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the

bank while there is any arrearage in the payment of dividends or sinking fund instalments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other document filed with the Board, such description may be incorporated by reference to such other filing in answer to this item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the registration statement filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resumé is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

Item 2. Debt securities to be registered.

If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant (see Instruction 2 below):

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instruction 1. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction 2. In most cases, debt securities issued by banks need not be registered pursuant to section 12(g) of the Securities Exchange Act; the registration requirements of that section apply only to an "equity security". The term "equity security" is defined by section 3(a)(11) of the Act to mean "any stock or similar security; or any security convertible, with or without consideration, into such a security; or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the [Board] shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as it may prescribe in the public interest or for the protection of investors, to treat as an equity security."

Instruction 3. The instructions to Item 1 also apply to this item.

Item 3. Other securities to be registered.

If securities other than those referred to in Items 1 and 2 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, and the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 1 also apply to this item.

Item 4. Exhibits.

List all exhibits filed as a part of the registration statement.

SIGNATURE

Pursuant to the requirements to the securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of Bank)

Date_____ By _____
(Name and Title of Signing Officer)

INSTRUCTIONS AS TO EXHIBITS

[I. If the securities to be registered hereunder are to be registered on an exchange on which other securities of the bank are registered, or are to be registered pursuant to Section 12(g) of the Act, the following exhibits shall, subject to § 206.4(q) regarding incorporation of exhibits by reference, be filed with each copy of the registration statement filed with the Board or with an exchange:]

[1. Specimens or copies of each security to be registered hereunder.]

[2. Copies of all constituent instruments defining the rights of the holders of each class of such securities, including any contracts or other documents which limit or qualify the rights of such holders.]

[II. If the securities to be registered are to be registered on an exchange on which no other securities of the bank are registered, the following exhibits shall be filed with each copy of the registration statement filed with each such exchange, but need not be filed with, or incorporated by reference in, copies of the registration statement filed with the Board:]

[3. Copies of the last annual report filed pursuant to section 13 of the Act or, if no such report has yet been filed, copies of the latest registration statement filed pursuant to section 12(b) or (g) of the Act.]

[4. Copies of all current or quarterly reports filed pursuant to section 13 of the Act since the end of the fiscal year covered by the annual report filed pursuant to Instruction 3 above, or if none, since the effective date of the latest registration statement so filed.]

[5. Copies of the latest definitive proxy statement or information statement, if any, filed with the Board pursuant to section 14 of the Act.]

[6. Copies of the charter and bylaws, or instruments corresponding thereto, and copies of any other documents defining the rights of holders of the securities to be registered.]

[7. Specimens or copies of each security to be registered hereunder.]

[8. Copies of the last annual report submitted to stockholders by the bank or its predecessors. Such annual report shall not be deemed to be "filed" with the exchange or otherwise subject to the liabilities of section 18 of the Act, except to the extent it may already be subject thereto.]

§ 206.47 Form for statement to be filed pursuant to § 206.4(h)(3) or § 206.5(l) of Regulation F (Form F-11).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-11

[Statement filed Pursuant to § 206.4(h)(3) or § 206.5(1) of Regulation F Relating to Securities of:] _____
(Name of Bank)

GENERAL INSTRUCTIONS

The item numbers and captions of the items shall be included but the text of the items may be omitted. The answers to the items shall be so prepared as to indicate clearly the coverage of the items without referring to the text of the items. Answer every item. If an item is inapplicable or the answer is in the negative, so state.

If the statement is filed by a partnership, limited partnership, syndicate, or other group, the information called for by Items 2 to 6, inclusive, shall be given with respect to (1) each partner or any partnership or limited partnership, (2) each member of such syndicate or group and (3) each person controlling such partner or member. If a person referred to in (1), (2), or (3) is a corporation or the statement is filed by a corporation, the information called for by the above-mentioned items shall be given with respect to each principal officer and director of such corporation and each person controlling such partner or member.

Item 1. Security and bank.

State the title of the class of equity securities to which this statement relates and the name and address of the bank which issued such securities.

Item 2. Identity and background.

State the following with respect to the person filing this statement:

(a) Name and business address;

(b) Residence address;

(c) Present principal occupation or employment and the name, principal business and address of any corporation or other organization in which such employment is carried on;

(d) Material occupations, positions, offices or employments during the last 10 years, giving the starting and ending dates of each and the name, principal business and address of any business corporation or other organization in which each such occupation, position, office or employment was carried on; and

(e) Whether or not, during the last 10 years, such person has been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give the dates, nature of conviction, name and location of court, and penalty imposed, or other disposition of the case.

Item 3. Source and amount of funds or other consideration.

State the source and amount of funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading the securities, a description of the transaction and the names of the parties thereto.

Instruction: If the source of funds is a loan made in the ordinary course of business by a bank, the person filing the statement may, at his option, omit the name of the bank, provided it is furnished to the Board in a letter requesting confidential treatment as to such information. Pursuant to section 13(d)(1)(B) of the Act, such information shall not be made available to the public.

Item 4. Purpose of transaction.

[State the purpose or purposes of the purchase or proposed purchase of securities of the issuer.] If the purpose of the purchases or prospective purchases is to acquire control of the bank, describe any plans or proposals which such persons may have to liquidate such bank, to sell its assets to or merge it with any other persons, or to make any other major change in its business or corporate structure.

Item 5. Interest in securities in the bank.

State the number of shares of the security which are beneficially owned, and the number of shares concerning which there is a right to acquire, directly or indirectly, by (i) such person, and (ii) each associate of such person giving the name and address of each such associate. [Furnish information as to all transactions in the class of securities to which this statement relates which were effected during the past 60 days by the person filing this statement and by its subsidiaries and their officers, directors, and affiliated persons.]

Item 6. Contracts, arrangements, or understandings with respect to securities of the bank.

Furnish information as to any contracts, arrangements, or understandings with any person with respect to any securities of the bank, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guaranties of loans, guaranties against loss or guaranties of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into, and giving the details thereof.

Item 7. Persons retained, employed, or to be compensated.

Where this statement relates to a tender offer, or request or invitation for tenders, identify all persons and classes of persons employed, retained, or to be compensated by the person filing this statement, or by any person on his behalf, to make solicitations or recommendations to security holders and describe briefly the terms of such employment, retainer, or arrangement for compensation.

Item 8. Material to be filed as exhibits.

Copies of all requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders, additional material soliciting or requesting such tender offers, solicitations or recommendations to the holders of the security to accept or reject a tender offer or request or invitation for tenders shall be filed as an exhibit.

SIGNATURE

I certify that to the best of my knowledge and belief the information set forth in this statement is true, complete, and correct.

(Date) (Signature)

If the statement is signed on behalf of a person by an authorized representative, evidence of the representative's authority to sign on behalf of such person shall be filed with the statement.

§ 206.51 Form for proxy statement; statement where management does not solicit proxies (Form F–5).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–5

PROXY STATEMENT; STATEMENT WHERE MANAGEMENT DOES NOT SOLICIT PROXIES

GENERAL INSTRUCTIONS

Each Statement required under § 206.5(a) of this Part shall, to the extent applicable, include the information called for under each of the items below. In the preparation of the Statement, particular attention should be given to the definitions in § 206.2 of this Part.

This form is not to be used as a blank form to be filled in nor is it intended to prescribe a form for presentation of material in the Statement. Its purpose is solely to prescribe the information required to be set forth in the Statement; any additional information that management or the soliciting persons deem appropriate may be included.

[Except as otherwise specifically provided, where any item calls for information for a specified period in regard to directors, officers or other persons holding specified positions or relationships, the information shall be given in regard to any person who held any of the specified positions or relationships at any time during the period. However, information need not be included for any portion of the period during which such person did not hold any such position or relationship provided a statement to that effect is made.]

Item 1. Revocability of proxy.

State whether the person giving the proxy has the power to revoke it. If the right of revocation before the proxy is exercised is limited or is subject to compliance with any formal procedure, briefly describe such limitation or procedure.

Item 2. Dissenters' rights of appraisal or similar rights of dissenters with respect to any matter to be acted upon and indicate any statutory procedure required to be followed by dissenting security holders in order to perfect such rights.

Where such rights may be exercised only within a limited time after the date of the adoption of a proposal, the filing of a charter amendment or other similar act, state whether the person solicited will be notified of such date.

Instructions. Indicate whether a security holder's failure to vote against a proposal will constitute a waiver of his appraisal or similar rights and whether a vote against a proposal will be deemed to satisfy any notice requirements under State law with respect to appraisal rights. If the State law is unclear, state what position will be taken in regard to those matters.

Item 3. Persons making the solicitation.

(a) Solicitations not subject to § 206.5(1).

(1) If the solicitation is made by the management of the bank, so state. Give the name of any director of the bank who has informed the management in writing that he intends to oppose any action intended to be taken by the management and indicate the action which he intends to oppose.

(2) If the solicitation is made otherwise than by the management of the bank, so state and give the names of the persons by whom and the persons on whose behalf it is made.

(3) If the solicitation is to be made otherwise than by the use of the mails, describe the methods to be employed. If the solicitation is to be made by specially engaged employees or paid solicitors, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, and (ii) the cost or anticipated cost thereof.

(4) State the names of the persons by whom the cost of solicitation has been or will be borne, directly or indirectly.

(b) Solicitations subject to § 206.5(1)

(1) State by whom the solicitation is made and describe the methods employed and to be employed.

(2) If regular employees of the bank or any other participants in a solicitation have been or are to be employed to solicit security holders, describe the class or classes of employees to be so employed, and the manner and nature of their employment for such purpose.

(3) If specially engaged employees, representatives, of other persons have been or are to be employed to solicit security holders, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, (ii) the cost or anticipated cost thereof, and (iii) the approximate number of such employees or employees of any other person (naming such other person) who will solicit security holders.

(4) State the total amount estimated to be spent and the total expenditures to date for, in furtherance of, or in connection with, the solicitation of security holders.

(5) State by whom the cost of the solicitation will be borne initially by any person other than the bank, state whether reimbursement will be sought from the bank, and, if so, whether the question of such reimbursement will be submitted to a vote of security holders.

Instruction. With respect to solicitations subject to § 206.5(1), costs and expenditures within the meaning of this Item 3 shall include fees for attorneys, accountants, public relations or financial advisors, solicitors, advertising, printing, transportation, litigation, and other costs incidental to the solicitation, except that the bank may exclude the amounts of such costs represented by the amount normally expended for a solicitation for an election of directors in the absence of a contest, and costs represented by salaries and wages of regular employees and officers, provided a statement to that effect is included in the proxy statement.

Item 4. Interest of certain persons in matters to be acted upon. (a) Solicitations not subject to § 206.5(1). Describe briefly any substantial interest, direct or indirect, by security holdings or otherwise, of each of the following persons in any matter to be acted upon, other than elections to office:

(1) If the solicitation is made on behalf of management, each person who has been a director or officer of the bank at any time since the beginning of the last fiscal year.

(2) If the solicitation is made otherwise than on behalf of management, each person on whose behalf the solicitation is made. Any person who would be a participant in a solicitation for purposes of § 206.5(1), as defined in subparagraph 2(1)(C), (D), (E), and (F) thereof, shall be deemed a person on whose behalf the solicitation is made for purposes of this paragraph (a).

(3) Each nominee for election as a director of the bank.

(4) Each associate of the foregoing persons.

Instruction. Except in the case of a solicitation subject to § 206.5 of this Part made in opposition to another solicitation subject to § 206.5 of this Part, this sub-item (a) shall not apply to any interest arising from the ownership of securities of the bank where the security holder receives no extra or special benefit not shared on a pro rata basis by all other holders of the same class.

(b) Solicitations subject to § 206.5(1).

(1) Describe briefly any substantial interest, direct or indirect, by securing holdings or otherwise, of each participant, as defined in § 206.5(1)(2)(i), (b), (c), (d), and (e), in any matter to be acted upon at the meeting, and include with respect to each participant the information, or a fair and adequate summary thereof, required by Items 2(a), 2(d), 3, 4(b), and 4(c) of Form F–6.

With respect to any person named in answer to Item 6(b), describe any substantial interest, direct or indirect, by security holdings or otherwise, that he has in any matter to be acted upon at the meeting, and furnish the information called for by Item 4 (b) and (c) of Form F–6.

Item 5. Voting securities and principal holders thereof.

(a) State, as to each class of voting securities of the bank entitled to be voted at the meeting, the number of shares outstand-

ing and the number of votes to which each class is entitled.

(b) Give the date as of which the record of security holders entitled to vote at the meeting will be determined. If the right to vote is not limited to security holders of record on that date, indicate the conditions under which other security holders may be entitled to vote.

(c) If action is to be taken with respect to the election of directors and if the persons solicited have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

(d) If to the knowledge of the persons on whose behalf the solicitation is made, any person, individually, or together with his associates, owns of record or beneficially more than 10 per cent of the outstanding voting securities of the bank, name such person or persons, state the approximate amount of such securities owned of record but not owned beneficially, and the approximate amount owned beneficially, and the percentage of outstanding voting securities represented by the amount of securities so owned in each such manner.

(e) If to the knowledge of the persons on whose behalf the solicitation is made, a change in contro of the bank has occurred since the beginning of its last fiscal year, state the name of the person or persons who acquired such control, the basis of such control, the date and a description of the transaction or transactions in which control was acquired and the percentage of voting securities of the bank owned by such person or persons.

(f) Describe any contractual arrangements, including any pledge of securities of the bank or any of its parents, known to the persons on whose behalf the solicitation is made, the operation of the terms of which may at a subsequent date result in a change in control of the bank.

Instruction. Paragraph (f) does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the bank.

Item 6. Nominees and directors.

(a) If action is to be taken with respect to the election of directors, furnish the following information, in tabular form to the extent practicable, with respect to each person nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(1) Name each such person, state when his term of office or the term of office for which he is a nominee will expire, and all other positions and offices with the bank presently held by him, and indicate which persons are nominees for election as directors at that meeting.

(2) State his present principal occupation or employment and give the name and principal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of security holders at a meeting with respect to which a proxy statement or statement where management does not solicit proxies was submitted to security holders pursuant to § 206.5(a) of this Part.

(3) If he is or has previously been a director of the bank state the period or periods during which he has served as such.

(4) State, as of the most recent practicable date, the approximate amount of each class of equity securities of the bank, or any of its parents or subsidiaries, "beneficially owned" (as defined in § 206.2(jj)) directly or indirectly by him. If he disclaims beneficial ownership of any such securities, make a statement to that effect.

(b) If any nominee for election as a director is proposed to be elected pursuant to any arrangement or understanding between the nominee and any other person or persons, except the directors and officers of the bank acting solely in that capacity, name such other person or persons and describe briefly such arrangement or understanding.

(c) If fewer nominees are named than the number fixed by or pursuant to the governing instruments, state (1) the reasons for this procedure, and (2) that the proxies cannot be voted for a greater number of persons than the number of nominees named.

Item 7. Remuneration and other transactions with management and others.

Furnish the information called for by this item if action is to be taken with respect to (i) the election of directors, (ii) any bonus, profit sharing or other remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the bank, will participate, (iii) any pension or retirement plan in which any such person will participate, or (iv) the granting or extension to any such person of any options, warrants, or rights to purchase any securities, other than warrants or rights issued to security holders, as such, on a pro rata basis. However, if the solicitation is made on behalf of persons other than the management; the information required need be furnished only as to nominees for election as directors and as to their associates.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the bank and its subsidiaries during the bank's latest fiscal year to the following persons for services in all capacities:

[(1) Each director of the bank whose aggregate direct remuneration exceeded $40,000, and each of the three highest paid officers of the bank whose aggregate direct remuneration exceeded that amount, naming each such director and officer.]

(2) All directors and officers of the bank as a group, without naming them, but stating the number of persons included.

Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate direct remuneration
(A)	(B)	(C)

Instructions. 1. The information is to be given on accrual basis, if practicable. The tables required by this paragraph and paragraph (b) may be combined if the bank so desires.

2. Do not include renumeration paid to a partnership in which any director or officer was a partner. But see paragraph (f) below.

(b) Furnish the following information, in substantially the tabular form indicated, as to all annuities, pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the bank or any of its subsidiaries to (1) each director of officer named in answer to paragraph (a)(1) and, [(2) All directors and officers of the issuer who are eligible for such benefits, as a group, stating the number of persons in the group without naming them.]

Name of individual or number of persons in group	Amount set aside or accrued during bank's last fiscal year	Estimated annual benefits upon retirement
(A)	(B)	(C)

Instructions. 1. Column (B) need not be answered with respect to payments computed on an actuarial basis under any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service. [In such case, Columns (A) and (C) need not be answered with respect to directors and officers as a group.]

2. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

3. In the case of any plan (other than those specified in Instruction) where the amount set aside each year depends upon the amount of earnings of the bank or its subsidiaries for such year or a prior year (or where otherwise impracticable to state the estimated annual benefits upon retirement) there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date, unless impracticable to do so, in which case the method of computing such benefits shall be stated. In addition, furnish a brief description of the material terms of the plan, including the method used in computing the bank's contribution, and the amount set aside or accrued during the bank's last fiscal year for all officers and directors as a group, indicating the number of persons in such group without naming them.

(c) Describe briefly all remuneration payments (other than payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the bank or any of its subsidiaries pursuant to any existing plan or arrangement to (1) each director or officer named in answer to paragraph (a)(1), naming each such person, and (ii) all directors and officers of the bank as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization, or similar group payments or benefits. If it is impracticable to state the amount of remuneration payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments shall be stated, together with an explanation of the basis for future payments.

(d) Furnish the following information as to all options to purchase securities, from the bank or any of its subsidiaries, which were granted to or exercised by the following persons since the beginning of the bank's last fiscal year and as to all options held by such persons as of the latest practicable date: (1) each director or officer named in answer to paragraph (a)(1), naming each such person; and (ii) to all directors and officers of the bank as a group, without naming them:

(1) As to options granted, state (i) the title and amount of securities called for; (ii) the prices, expiration dates, and other material provisions; and (iii) the market value of the securities called for on the granting date.

(2) As to options exercised, state (i) the title and amount of securities purchased;

(ii) the aggregate purchase price; and (iii) the aggregate market value of the securities purchased on the date of purchase.

(3) As to all unexercised options held as of the latest practicable date, regardless of when such options were granted, state (i) the title and aggregate amount of securities called for; (ii) the range of option prices; and (iii) the per share market prices of the securities subject to option, as of the latest practicable date.

[*Instructions.* 1. The term "options" as used in this paragraph (d) includes all options, warrants or rights, other than those issued to security holders as such on a pro rata basis. Where the average option price per share is called for, the weighted average price per share shall be given.

2. The extension, regranting, or material amendment of options shall be deemed the granting of options within the meaning of this paragraph.

3. This item need not be answered with respect to options granted, exercised, or outstanding, as may be specified therein, where the total market value (i) on the granting date of the securities called for by all options granted during the period specified, (ii) on the dates of purchase of all securities purchased through the exercise of options during the period specified, or (iii) as of the latest practicable date of the securities called for by all options held at such time, does not exceed $10,000 for any officer or director named in answer to paragraph (a)(1), or $40,000 for all officers and directors as a group.

4. The information for all directors and officers as a group regarding market value of the securities on the granting date of the options and on the purchase date may be given in the form of price ranges for each calendar quarter during which options were granted or exercised.

(e) State as to each of the following persons who was indebted to the bank at any time since the beginning of the bank's last fiscal year: (i) the maximum amount of the indebtedness outstanding at any time during such period; (ii) the maturity of such indebtedness; (iii) the amount thereof outstanding as of the latest practicable date; and (iv) the rate of interest paid or charged thereon, if the loan was made at other than prevailing interest rates for comparable transactions with unaffiliated persons:

(A) Any director or officer of the bank;

(B) Any nominee for election as a director;

(C) Any security holder named in answer to 5(d); or (iv) any associate of any of the foregoing persons.

Instructions. 1. See Instruction (1) to paragraph (a). Include the name of each person whose indebtedness is described and the nature of the relationship by which the information is required to be given.

2. No information need be given under this paragraph as to any indebtedness where: (i) the specified person is subject to this Item 7(e) solely as an officer of the bank and his interest in the transaction is solely that of a director of another corporation which is a party to the transaction; (ii) the specified person is subject to this Item 7(e) solely as a director of the bank (or associate of a director) and his interest in the transaction is solely that of a director, officer of, and/or owner of less than a 10 percent interest in, another person that is a party to the transaction; or (iii) the transaction consists of extensions of credit by the bank in the ordinary course of its business that (A) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (B) at no time exceed 10 per cent of the equity capital accounts of the bank, or $10 million, whichever is less, and (C) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group, exceeded 20 per cent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included, to the extent applicable, that the bank has had, and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this Item 7(e) may be excluded.

3. If to the knowledge of the persons on whose behalf the solicitation is made, any beginning of the bank's last fiscal year under section 16(b) of the Securities Exchange Act of 1934, as a result of transactions in the bank's stock (or other equity securities) by any director, officer, or security holder named in answer to Item 5(d), which indebtedness has not been discharged by payment, state the amount of any profit realised and whether suit will be brought or other steps taken to recover such profit. If, in the opinion of counsel, a question reasonably exists as to the recoverability of such profit, only facts necessary to describe the transactions, including the prices and number of shares involved, need be stated.

(f) In addition to indebtedness required to be described in Item 7(e), describe briefly, and where practicable, state the approximate amount of, any material interest, direct or indirect, of any of the persons described in Item 7(e), in any other material transactions since the beginning of the bank's last fiscal year, or in any other material proposed transactions, to which the bank or any of its subsidiaries was or is to be a party.

Instructions. 1. No information need be given in response to this Item 7(f) as to any remuneration or other transaction reported in response to Item 7(a), (b), (c), (d), or (e), or as to any transaction with respect to which information may be omitted pursuant to Instruction (2) to Item 7(b), the Instruction to Item 7(c), Instruction (3) to Item 7(d), or Instruction (2) or the Instructions to Item 7(e).

2. No information need be given in answer to this Item 7(f) as to any transaction or any interest therein were: (i) the rates or charges involved in the transaction are fixed by law or determined by competitive bids; (ii) the transactions involve services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture or other similar services; (iii) the amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement, providing the periodic installment does not exceed $40,000; (iv) the interest of the specified person in the transaction is (a) solely that of a director of another corporation which is a party to the transaction or (b) from the direct or indirect ownership by such person and his associates of less than a 10 per cent equity interest in such corporation or organization, or (c) from both such position and ownership.

3. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate amount of interest, the approximate amount involved in the transaction shall be indicated.

4. In describing any transaction involving the purchase or sale of assets by or to the bank or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser or, if acquired by the seller within two years prior to the transaction, the cost thereof to the seller.

(g) Describe briefly any transactions since the beginning of the issuer's last fiscal year or any presently proposed transactions to which any pension retirement savings or similar plan provided by the issuer, or any of its parents or subsidiaries, was or is to be a party in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the issuer, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the issuer;

(2) Any nominee for election as a director;

(3) Any security holder named in answer to Item 5(d);

(4) Any relative or spouse of any of the foregoing persons, or any relative of such spouse, who has the same home as such person or who is a director or officer of any parent or subsidiary of the issuer; or

(5) The bank or any of its subsidiaries.

Instructions. 1. Instructions 2, 3, and 4 to Item 7(f) shall apply to this Item 7(g).

2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remuneration received or any loans received or outstanding during the period, or proposed to be received.

3. No information need be given in answer to paragraph (g) with respect to—

(a) payments to the plan or payments to beneficiaries, pursuant to the terms of the plan;

(b) payment of remuneration for services not in excess of 5 per cent of the aggregate remuneration received by the specified person during the issuer's last fiscal year from the issuer and its subsidiaries; or

(c) any interest of the issuer or any of its subsidiaries which arises solely from its general interest in the success of the plan.

Item 9. Bonus, profit-sharing, and other remuneration plans. If action is to be taken with respect to any bonus, profit-sharing, or other remuneration plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will participate therein, indicate the approximate number of persons in each such class and state the basis of such participation.

(b) State separately the amounts which would have been distributable under the plan during the last fiscal year of the bank (1) to directors and officers, and (2) to employees, if the plan had been in effect.

(c) State the name and position with the bank of each person specified in Item 7(a) who will participate in the plan and the amount *each such person* would have received under the plan for the last fiscal year of the bank if the plan had been in effect.

(d) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit-sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past 5 years, for (1) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all directors and officers of the bank as a group, if any director or officer may partici-

pate in the plan, and (iii) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost thereof to the bank or to alter the allocation of the benefits as between the groups specified in (b), state the nature of the amendments which can be so made.

(f) If action is to be taken with respect to the amendment or modification of an existing plan, this item shall be answered with respect to the plan as proposed to be amended or modified and shall indicate any material differences from the existing plan.

Instructions. 1. If the plan is set forth in a normal plan, contract, or arrangement, three copies thereof shall be filed with the Board at the time preliminary copies of the Statement are filed pursuant to § 206.5(f).

2. Information need not be included as to payments made for, or benefits to be received from group life or accident insurance, group hospitalization or similar group payments or benefits.

3. If action is to be taken with respect to any plan in which directors or officers may participate, the information called for by Item 7(d) (1) and (2) shall be furnished for the last five fiscal years of the issuer and any period subsequent to the end of the latest such fiscal year, in aggregate amounts for the entire period for each such person and group. If any named person, or any other director or officer, purchased securities through the exercise of options during such period, state the aggregate amount of securities of that class sold during the period by such named person and such other directors and officers as a group. The information called for by this Instruction 3 is in lieu of the information since the beginning of the issuer's last fiscal year called for by Item 7(d) (1) and (2). If employees may participate in the plan to be acted upon, state the aggregate amount of securities called for by all options granted to employees during the five-year period and, if the options were other than "restricted" or "qualified" stock options or options granted pursuant to an "employee stock purchase plan", as the quoted terms are defined in Sections 422 through 424 of the Internal Revenue Code, state that fact and the weighted average option price per share.

(d) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past 5 years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all [present] directors and officers of the bank as a group, if any director or officer may participate in the plan, and (iii) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost thereof to the bank or alter the allocation of the benefits as between the groups specified in (b)(3), state the nature of the amendments which can be so made.

(f) If action is to be taken with respect to the amendment or modification of an existing plan, this item shall be answered with respect to the plan as proposed to be amended or modified and shall indicate any material differences from the existing plan.

Instructions. 1. The information called for by paragraph (b)(3) or (c)(2) need not be given as to payments made on an actuarial basis pursuant to any group pension plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

2. The instructions to Item 9 shall apply to this item.

Item 11. Options, warrants, or rights.

If action is to be taken with respect to the granting, extension or amendment of any options, warrants, or rights to purchase securities of the bank or any subsidiary, furnish the following information:

(a) State (i) the title and amount of securities called for or to be called for by such options, warrants, or rights; (ii) the prices, expiration dates, and any other material conditions upon which the options, warrants, or rights may be exercised; [(iii) the consideration received or to be received by the issuer or subsidiary for the granting extension of the options, warrants or rights; (iv) the market value of the securities called for or to be called for by the options, warrants or rights as of the latest practicable date,] and (v) in the case of options, the Federal income tax consequences of the issuance and exercise of such options to the recipient and to the bank.

(b) State separately the amount of options, warrants, or rights received or to be received by the following persons, naming each such person: (i) each director or officer named in answer to Item 7(a); (ii) each nominee for election as a director of the bank; (iii) each associate of such directors, officers, or nominees; and (iv) each other person who received or is to receive 5 percent or more of such options, warrants or rights. State also the total amount of such options, warrants, or rights received or to be received by all directors and officers of the bank as a group, without naming them.

(c) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past 5 years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all directors and officers of the bank as a group, if any director or officer may participate in the plan, and (iii) all employees, if employees may participate in the plan.

Instruction 1. Paragraphs (b) and (c) do not apply to warrants or rights to be issued to security holders as such on a pro rata basis.

2. The Instructions to Item 9 shall apply to paragraph (c) of this item.

3. Include in the answer to paragraph (c) as to each director or officer named in answer to Item 7(a) and as to all directors and officers as a group (i) the amount of securities acquired during the past two years through the exercise of such options, (ii) the amount of securities sold during such period of the same class as those acquired through the exercise of such options, and (iii) the amount of securities subject to all unexercised options held as of the latest practicable date.

Item 12.

Authorization or issuance of securities otherwise than for exchange. If action is to be taken with respect to the authorization or issuance of any securities otherwise than in exchange for outstanding securities of the bank, furnish the following information:

(a) State the title and amount of securities to be authorized or issued.

(b) Furnish a description of the material provisions of the securities such as would be required in a registration statement filed pursuant to this Part. If the terms of the securities cannot be stated or estimated with respect to any or all of the securities to be authorized, because no offering thereof is contemplated in the proximate future, and if no further authorization by security holders for the issuance thereof is to be obtained, it should be stated that the terms of the securities to be authorized, including dividend or interest rates, conversion prices, voting rights, redemption prices, maturity dates, and similar matters will be determined by the board of directors of the bank. If the securities are additional shares of common stock of a class outstanding, the description may be omitted [except for a statement of the preemptive rights, if any. Where the statutory provisions with respect to preemptive rights are so indefinite or complex that they cannot be stated in summarized form, it will suffice to make a statement in the form of an opinion of counsel as to the existence and extent of such rights.]

(c) Describe briefly the transaction in which the securities are to be issued, including a statement as to (1) the nature and approximate amount of consideration received or to be received by the bank, and (2) the approximate amount devoted to each purpose so far as determinable, for which the net proceeds have been or are to be used. If it is impracticable to describe the transaction in which the securities are to be issued, indicate the purpose of the authorization of the securities, and state (i) whether further authorization for the issuance of the securities by a vote of security holders will be solicited prior to such issuance, and (ii) [whether present security holders will have preemptive rights to purchase such securities.]

[(d) If the securities are to be issued otherwise than in a general public offering for cash, state the reasons for the proposed authorization or issuance and the general effect thereof upon the rights of existing security holders.]

Item 13.

Modification or exchange of securities. If action is to be taken with respect to the modification of any class of securities of the bank, or the issuance or authorization for issuance of securities of the bank in exchange for outstanding securities of the bank, furnish the following information:

(a) If outstanding securities are to be modified, state the title and amount thereof. If securities are to be issued in exchange for outstanding securities, state the title and amount of securities to be so issued, the title and amount of outstanding securities to be exchanged therefore, and the basis of the exchange.

(b) Describe any material differences between the outstanding securities and the modified or new securities with respect to any of the matters concerning which information would be required in the description of the securities in a registration statement filed pursuant to this Part.

(c) State the reasons for the proposed modification or exchange and the general effect thereof upon the rights of existing security holders.

(d) Furnish a brief statement as to arrears in dividends or as to defaults in principal or interest with respect to the outstanding securities which are to be modified or exchanged and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(e) Outline briefly any other material features of the proposed modification or exchange.

(f) The instruction to Item 9 shall apply to this item.

[*Instruction.* If the existing security is presently listed and registered on a national securities exchange, state whether it is in-

tended to apply for listing and registration of the new or reclassified security on such exchange or any other exchange. If it is not intended to make such application, state the effect of the termination of such listing and registration.]

Item 14. Mergers, consolidations, acquisitions, and similar matters. If action is to be taken with respect to any plan for (i) the merger or consolidation of the bank into or with any other person, or of any other person into or with the bank, (ii) the acquisition by the bank or any of its subsidiaries of securities of another bank, (iii) the acquisition by the bank of any other going business or of the assets thereof, (iv) the sale or other transfer of all or any substantial part of the assets of the bank, or (v) the voluntary liquidation or dissolution of the bank:

(a) Outline briefly the material features of the plan. State the reasons therefore and the general effect thereof upon the interests of existing security holders. If the plan is set forth in a written document, file three copies thereof with the Board when preliminary copies of the Statement are filed pursuant to section 206.5(f).

(b) Furnish the following information as to the bank and each person which is to be merged into the bank, or into or with which the bank is to be merged or consolidated, or the business or assets of which are to be acquired, or which is the issuer of securities to be acquired by the bank or any of its subsidiaries in exchange for all or a substantial part of its assets [be acquired by security holders of the or to bank.]

(1) A brief description of the business and property of each such person in substantially the manner required by Items 3 and 5.

(2) A brief statement as to dividends in arrears, defaults in principal or interest with respect to any securities of the bank or of such person, and as to the effect of the plan thereon and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(3) Such information with respect to the proposed management of the surviving bank as would be required by Items 6 and 7 of this Form F-5. Information concerning remuneration of management may be projected for the current year based on remuneration actually paid or accrued by each of the constituent persons during the last calendar year. If significantly different, proposed compensation arrangements should be described.

(4) A tabular presentation of the existing and pro forma capitalization.

(5) In columnar form, for each of the last five fiscal years, a historical summary of earnings. Such summary is to be concluded by indicating per share amounts of income before securities gains (losses), net income, and dividends declared for each period reported. (Extraordinary items, if any, should be appropriately reported and per share amounts of securities gains (losses) should be included.)

(6) In columnar form, for each of the last five fiscal years, a combined pro forma summary of earnings, as appropriate in the circumstances, similar in structure to the historical summary of earnings. If the transaction established a new basis of accounting for assets of any of the persons included therein, the pro forma summary of earnings shall be furnished only for the most recent fiscal year and interim period and shall reflect appropriate pro forma adjustments resulting from such new basis of accounting.

(7) A tabular presentation of comparative per share data of the constituent banks or other persons pertaining to:

(A) (i) Income before securities gains (losses), (ii) net income, and (iii) dividends declared, for each of the last three fiscal years; and

(B) book value per share, at the date of the balance sheets included in the Statement.

The comparative per share data shall be presented on a historical and pro forma basis (except dividends which are to be furnished on historical basis only) and equated to a common basis in exchange transactions

(8) To the extent material for the exercise of prudent judgment, the historical and pro forma earnings data specified in (5), (6), and (7) above for the latest available interim period of the current and prior fiscal years.

Instructions. 1. Historical statements of income in their entirety, as required by Item 15, may be furnished in lieu of the summary of earnings specified in paragraph (5). If summary earnings information is presented, include, as a minimum, operating revenues, operating expenses, income before income taxes and security gains (losses), and net income. Th summary shall reflect retroactive adjustments of any material items affecting the comparability of the results.

2. In connection with any interim period or periods between the end of the last fiscal year and the balance sheet date, and any comparable prior period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period or periods between the end of the last fiscal year and the balance sheet date, and any comparable prior period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period or periods have been included, and results of the interim period for the current year are not necessarily indicative of results for the entire year. In addition, there shall be furnished in such cases, as supplemental information but not as a part of the proxy statement, a letter describing in detail the nature and amount of any adjustments, other than normal recurring accruals, entering into the determination of the results shown.

3. The information required by this Item 14(b) is required in a Statement of the "acquiring" or "surviving" bank only where a "significant" merger or acquisition is to be voted upon. For purposes of this item, the term "significant" merger or acquisition shall mean a transaction where either (1) the net book value of assets to be acquired or the amount to be paid therefor exceed 5 percent of the equity capital accounts of the acquiring bank, or (2) in an exchange transaction, the number of shares to be issued exceeds 5 percent of the outstanding shares of the acquiring bank, or (3) gross operating revenues for the last fiscal year of the person to be acquired exceeded 5 percent of the gross operating revenues for the last fiscal year of th acquiring bank, or (4) "income (loss) before income taxes and securities gains or losses" amounts to 5 percent or more of the "income (loss) before income taxes and securities gains or losses" of the acquiring bank. If less than a "significant" merger acquisition is to be voted upon, such information need only be included to the extent necessary for the exercise of prudent judgment with respect thereto.

(c) As to each class of securities of the bank, or of any person specified in paragraph (b), which is admitted to dealing on a national securities exchange or with respect to which a market otherwise exists, and which will be materially affected by the plan, state the high and low sale prices (or, in the absence of trading in a particular period, the range of the bid and asked prices) for each quarterly period within two years. This information may be omitted if the plan involves merely the voluntary liquidation or dissolution of the bank.

Item 15. Financial statements.

(a) If action is to be taken with respect to any matter specified in Items 12, 13, or 14 above, furnish verified financial statements of the bank and its subsidiaries such as would be required in a registration statement filed pursuant to this Part. In addition, the latest available interim date balance sheet and statement of income for the interim period between the end of the last fiscal year and the interim balance sheet date, and comparable prior period, shall be furnished. All schedules, except Schedules I, II, and VII may be omitted.

(b) If action is to be taken with respect to any matter specified in Item 14(b), furnish for each person specified therein, other than the bank, financial statements such as would be required in a registration statement filed pursuant to this Part. In addition, the latest available interim date balance sheet and statement of income for the interim period between the end of the last fiscal year and the interim balance sheet date, and comparable prior period, shall be furnished. However, the following may be omitted: (1) all schedules, except Schedules I, II, and VII; and (2) statements for subsidiary, all of the stock of which is owned by the bank, that is included in the consolidated statement of the bank and its subsidiaries. Such statements shall be verified, if practicable.

(c) Notwithstanding paragraphs (a) and (b) above, any or all of such financial statements which are not material for the exercise of prudent judgment in regard to the matter to be acted upon may be omitted. Such financial statements are deemed material to the exercise of prudent judgment in the usual case involving the authorization or issuance of any material amount of senior securities, but are not deemed material in cases involving the authorization or issuance of common stock, otherwise than in an exchange, merger, consolidation, acquisition, or similar transaction.

(d) The Statement may incorporate by reference any financial statements contained in an annual report sent to security holders pursuant to § 206.5(c) with respect to the same meeting as that to which the Statement relates, provided such financial statements substantially meet the requirements of this item.

Item 16. Acquisition or disposition of property.

[If action is to be taken with respect to the acquisition or disposition of any property furnish the following information:]

[(a) Describe briefly the general character and location of the property.]

[(b) State the nature and amount of consideration to be paid or received by the issuer or any subsidiary. To the extent practicable, outline briefly the facts bearing upon the question of the fairness of the consideration.]

[(c) State the name and address of the transferer or transferee, as the case may be, and the nature of any material relationship of such person to the issuer or any affiliate of the issuer.]

[(d) Outline briefly any other material features of the contract or transaction.]

[*Item 17. Restatement of accounts.* If action is to be taken with respect to the restatement of any asset, capital, or surplus account of the issuer, furnish the following information:]

[(a) State the nature of the restatement and the date as of which it is to be effective.]

[(b) Outline briefly the reasons for the restatement and for the selection of the particular effective date.]

[(c) State the nature and amount of each account (including any reserve accounts) affected by the restatement and the effect of the restatement thereof. Tabular presentation of the amounts shall be made when ap-

propriate, particularly in the case of recapitalizations.]

[(d) To the extent practicable, state whether and the extent, if any, to which, the restatement will, as of the date thereof, alter the amount available for distribution to the holders of equity securities.]

Item 18. Action with respect to reports.

If action is to be taken with respect to any report of the bank or of its directors, officers, or committees or any minutes of a meeting of its security holders, furnish the following information:

(a) State whether or not such action is to constitute approval or disapproval of any of the matters referred to in such reports of minutes.

(b) Identify each of such matters which it is intended will be approved or disapproved, and furnish the information required by the appropriate item or items of this schedule with respect to each such matter.

Item 19. Matters not required to be submitted.

If action is to be taken with respect to any matter which is not required to be submitted to a vote of security holders, state the nature of such matter, the reasons for submitting it to a vote of security holders and what action is intended to be taken by the management in the event of a negative vote on the matter by the security holders.

Item 20. Amendment of charter, by-laws, or other documents.

If action is to be taken with respect to any amendment of the bank's charter, by-laws, or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment.

Instruction. Where the matter to be acted upon is the classification of directors, state whether vacancies which occur during the year may be filled by the board of directors to serve only until this next annual meeting or may be so filled for the remainder of the full term.

Item 21. Other proposed action.

If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter in substantially the same degree of detail as is required by Items 5 to 18, inclusive, above.

Item 22. Vote required for approval.

As to each matter which is to be submitted to a vote of security holders, other than elections to office or the selection or approval of auditors, state the vote required for its approval.

§ 206.52 Form for statement in election contests (Form F–6).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–6

STATEMENT IN ELECTION CONTEST

GENERAL INSTRUCTIONS

The statement shall contain the number and captions of all items, but the text of the items may be omitted. If an item is inapplicable or the answer is in the negative, so state. The information called for by Items 2(a) and 3(a) or a fair summary thereof is required to be included in all preliminary soliciting material by § 206.5(l) of this Part.

Item 1. Bank.

State the name and address of the bank.

Item 2. Identity and background of participant.

(a) State the following: (1) Your name and business address. (2) Your present principal occupation or employment and the name, principal business, and address of any corporation or other organization in which such employment is carried on.

(b) State the following: (1) Your residence address. (2) Information as to all material occupations, positions, offices, or employments during the last ten years, giving starting and ending dates of each and the name, principal business, and address of any business corporation or other business organization in which each such occupation, position, office, or employment was carried on.

(c) State whether or not you are or have been a participant in any other proxy contest involving the bank or other corporations within the past ten years. If so, identify the principals, the subject matter and your relationship to the parties and the outcome.

(d) State whether or not, during the past 10 years, you have been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give dates, nature of conviction, name and location of court, and penalty imposed or other disposition of the case. A negative answer to this sub-item need not be included in the Statement or other proxy soliciting material.

Item 3. Interests in securities of the bank.

(a) State the amount of each class of securities of the bank that you own beneficially, directly, or indirectly.

(b) State the amount of each class of securities of the bank that you own of record but not beneficially.

(c) State with respect to the securities specified in (a) and (b) the amounts acquired within the past two years, the dates of acquisition and the amounts acquired on each date.

(d) If any part of the purchase price or market value of any of the shares specified in paragraph (c) is represented by funds borrowed or otherwise obtained for the purpose of acquiring or holding such securities, so state and indicate the amount of the indebtedness as of the latest practicable date. If such funds were borrowed or obtained otherwise than pursuant to a margin account or bank loan in the regular course of business of a bank, broker, or dealer, briefly describe the transactions, and state the names of the parties.

(e) State whether or not you are a party to any contracts, arrangements or understandings with any person with respect to any securities of the bank, including but not limited to joint ventures, loan or option arrangements, puts or calls, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. If so, name the persons with whom such contracts, arrangements, or understandings exist and give the details thereof.

(f) State the amount of securities of the bank owned beneficially, directly or indirectly, by each of your associates and the name and address of each such associate.

(g) State the amount of each class of securities of any parent or subsidiary of the bank which you own beneficially, directly or indirectly.

Item 4. Further matters.

(a) Describe the time and circumstances under which you became a participant in the solicitation and state the nature and extent of your activities or proposed activities as a participant.

(b) Furnish for your self and your associates the information required by Item 7(f) of Form F–5.

(c) State whether or not you or any of your associates have any arrangement or understanding with any person (1) with respect to any future employment by the bank or its affiliates; or (2) with respect to any future transactions to which the bank or any of its affiliates will or may be a party. If so, describe such arrangement or understanding and state the names of the parties thereto.

[(d) State the total amount contributed and proposed to be contributed by you in furtherance of the solicitation, directly or indirectly, if such amount exceeds or will exceed $500 in the aggregate.]

Item 5. Signature.

The statement shall be dated and signed in the following manner:

I certify that the statements made in this statement are true, complete, and correct, to the best of my knowledge and belief.

(Date)

(Signature of participant or authorized representative)

Instruction. If the statement is signed on behalf of a participant by the latter's authorized representative, evidence of the representative's authority to sign on behalf of such participant shall be filed with the statement.

§ 206.53 Form for statement to be filed pursuant to § 206.5(m) of Regulation F (Form F–12).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–12

STATEMENT RELATING TO SOLICITATIONS OR RECOMMENDATIONS AS TO TENDER OFFER BY ---------- FOR SECURITIES OF ----------

GENERAL INSTRUCTIONS

The item numbers and captions of the items shall be included but the text of the items may be omitted. The answers to the items shall be so prepared as to indicate clearly the coverage of the items without referring to the text of the items. Answer every item. If an item is inapplicable or the answer is in the negative, so state.

Item 1. Security and bank.

(a) State the title of the class of equity securities to which this statement relates and the name and address of the bank which issued such securities.

(b) Identify the tender offer or request or invitation for tenders to which this statement relates and state the reasons for the solicitation or recommendation to security holders to accept or reject such tender offer, request, or invitation for tenders.

Item 2. Identity and background.

(a) State the name and business address of the person filing this statement.

(b) Describe any arrangement or understanding in regard to the solicitation with (i) the bank or the management of the bank or (ii) the maker of the tender offer or request or invitation for tender of securities of the class to which this statement relates.

Item 3. Persons retained, employed or to be compensated.

Identify any person or class of persons employed, retained or to be compensated, by the person filing this Form F–12, or by any person on his behalf, to make solicitations or recommendations to security holders and describe briefly the terms of such employment, retainer or arrangement for compensation.

Item 4. Material to be filed as exhibits.

Copies of all solicitations or recommendations to accept or to reject a tender offer or request or invitation for tenders of the securities specified in Item 1 shall be filed as an exhibit.

Item 5. Additional information to be furnished.

Furnish information as to all transactions in the class of securities to which this statement relates which were effected during the

past 60 days by the bank and its subsidiaries and their officers, directors, and associates.

SIGNATURE

I certify that to the best of my knowledge and belief the information set forth in this statement is true, complete and correct.

(Date) (Signature)

If the statement is signed on behalf of a person by an authorized representative, evidence of the representative's authority to sign on behalf of such person shall be filed with the statement.

§ 206.61 Form for initial statement of beneficial ownership of equity securities (Form F-7).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-7

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

(Filed pursuant to section 16(a) of the Securities Exchange Act of 1934)

(1) Name of bank _____

(2) Name and Business Address of Reporting Person

_____

_____

(3) Relationship of Reporting Person to Company _____ (see Instruction 5)

(4) Nature of event necessitating this statement:

- ☐ Assumption of Directorship
- ☐ Appointed policy making officer
- ☐ Became 10 percent owner
- ☐ Newly Registered Bank

(5) Date of Event Requiring Filing of this statement _____ (see Instruction 6)

(6) If an Amendment give date of statement amended _____

TABLE I. *Securities beneficially owned*

Furnish the information required by the following table as to securities of the company beneficially owned directly or indirectly by the reporting person, including transferable warrants but excluding puts, calls, options and other rights or obligations required to be reported in Table II. (see Instruction 7)

Title of securities owned (Instruction 9)	Amount owned directly or indirectly (Instruction 10)	Nature of beneficial ownership (Instruction 11)
(1)	(2)	(3)

TABLE II. *Puts, calls, options and other rights on obligations*

Furnish the information required by the following table as to all puts, calls, options and other rights or obligations (all hereinafter referred to as "options") pursuant to which the reporting person may buy or sell, or be required to buy or sell, securities of the company. However, transferable warrants issued by the company which give the right to buy other securities of the company are to be reported in Table I. (see Instruction 7)

Title of securities subject to option (Instruction 9)	Nature of option held (Instruction 12)	Amount of securities subject to option (Instruction 11)	Purchase or sale price of securities subject to option (Instruction 13)	Date of expiration of option
(1)	(2)	(3)	(4)	(5)

Explanation of items in tables:

_____
Date of Statement

_____
Signature of person reporting

NOTE: If the space provided in either table is insufficient, use a continuation sheet which identifies the table and columns to which it relates.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-7

INSTRUCTIONS

1. *Person required to file statements.* A statement on this form is required to be filed by every person who, at the time any class of equity securities of a bank becomes registered pursuant to section 12 of the Securities Exchange Act of 1934 (the Act), (i) is directly or indirectly the beneficial owner of more than 10 percent of such class or (ii) is a director or officer of the bank which is the issuer of such securities, and by every person who thereafter becomes such a beneficial owner, director, or officer, the term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions, and such persons are not officers for the purpose of this statement.

2. *When statements are to be filed.* Persons who hold any of the relationships specified in Instruction 1 when any class of equity securities of the bank becomes registered pursuant to section 12 of the Act are required to file a statement on this form within 10 days after the date such registration becomes effective. Persons who subsequently assume any of the relationships specified in Instruction 1 are required to file a statement within 10 days after assuming such relationship. Statements are not deemed to have been filed with the Board or an exchange until they have actually been received by the Board or such exchange.

3. *Where and how statements are to be filed.* One signed copy of each statement shall be filed with the Board of Governors of the Federal Reserve System, Washington, D.C. 20551. One signed copy thereof shall also be filed with each exchange on which any class of equity securities of the bank is listed. However, if such bank has, in accordance with § 206.6(a)(3) of Regulation F, designated a single exchange to receive statements, the statement need only be filed with the Board and the designated exchange.

4. *Separate statement for each bank.* A separate statement shall be filed with respect to the equity securities of each bank.

5. Relationship of reporting person. Indicate clearly the relationship of the reporting person to the bank; for example, "Director", "Director and Vice President", "Beneficial owner of more than 10 percent of the bank's common stock," etc.

6. *Date as of which beneficial ownership is to be given.* The information as to beneficial ownership of securities, [including those subject to puts, calls, options and warrants, etc.,] shall be given as of the date on which the event occurred which requires the filing of a statement on this form. For example, when registration of equity securities of the bank becomes effective pursuant to section 12 of the Act or when the person whose ownership is reported becomes a director or officer of the bank or becomes the beneficial owner of more than 10 percent of a class of registered equity securities of the bank.

7. *Securities to be reported.* Persons specified in Instruction 1 above shall include information as to their beneficial ownership of all classes of equity securities of the bank, even though one or more of such classes may not be registered pursuant to section 12 of the Act. [If any person required to file a statement on this form does not own any securities required to be reported, a statement on this form shall be filed to report that fact.]

[8. *Reporting of Ownership in Certain Cases.* (a) When two or more securities are owned as a unit, such as debentures and transferable warrants to purchase common stock, report each security separately and describe the unit relationship in the space provided for explanation on page 2 of the form. If one or more of the securities comprising the unit is not required to be reported, the other security or securities shall be reported separately and the unit relationship described as indicated above.]

[(b) In reporting the ownership of a convertible security or a transferable warrant, the number of shares or units subject to the conversion privilege and the conversion or exercise price per share or unit shall be set forth in the explanation space on page 2. Transferable warrants issued by the issuer of the security subject to the warrants shall be reported in Table I (in which case the exercise price and date of expiration of the] warrant shall be reported in the explanation space on page 2).

[(c) Securities owned indirectly shall be reported on separate lines from those owned directly and also from those owned through a different type of indirect ownership.]

9. *Title of equity security.* The statement of the title of an equity security should clearly distinguish it from any securities of other classes issued by the bank.

[10. *Nature of ownership of securities—Table I.*] [(a) In reporting the nature of beneficial ownership of securities in Column 3 of Table I, if the securities are owned directly, so state. If they are owned indirectly, state the nature of such indirect ownership: for example, "By self as trustee for sons", "By wife", "By X Trust", "By Y Corporation", etc. If the securities are owned directly and other securities are owned indirectly, the required information shall be furnished separately for each type of ownership; see Instruction 8(c) above. Securities held as joint tenants, tenants in common, tenants by the entirety or as community property are to be reported as held directly.]

[(b) Beneficially owned securities held in the name of the reporting person or in the name of a bank, broker or nominee for the account of the reporting person shall be reported as directly owned by him. A person is regarded as the indirect beneficial owner of securities held in the name of another person if by reason of any contract, understand-

ing, relationship, including a family relationship, or arrangement, such person obtains therefrom benefits substantially equivalent to those of ownership. For example, a person may be the indirect beneficial owner of securities held in the name of a spouse, relative or other person if such person may obtain therefrom benefits substantially equivalent to those of ownership. A person may also be the indirect beneficial owner of securities held in the name of a partnership, corporation, trust or other entity if such person or a spouse or relative of such person, individually or collectively, may exercise a controlling influence over the purchase, sale or voting of such securities.]

11. Statement of amount owned. In stating the amount of equity securities beneficially owned, give the face amount of convertible debt securities or the number of shares of stock or other units of other securities. In the case of equity securities owned indirectly, the entire amount of equity securities owned by the partnership, corporation, trust, or other entity shall be stated. The person whose ownership is reported may, if he so desires, also indicate in a footnote or other appropriate manner the extent of his interest in the partnership, corporation, trust, or other entity.

[*12. Puts, Calls, Options and Other Rights—Table II.* The terms "puts" and "calls" in Table II include, in addition to separate puts and calls, any combination of the two, such as spreads, straddles, strips and straps. In reporting the nature of the option in Column 3 of Table II, state whether it represents a right to buy, a right to sell, an obligation to buy or an obligation to sell, the securities subject to the option.]

[*13. Price at which options may be exercised.* If a warrant is not presently exercisable, state the price at which it will first become exercisable. If a warrant, put, call or option is exercisable at various increasing prices, state the price at which it is presently exercisable.]

14. Inclusion of additional information. A statement may include any additional information or explanation deemed relevant by the person filing the statement.

15. Signature. If the statement is filed for a corporation, partnership, trust, etc., the name of the organization shall appear over the signature of the officer or other person authorized to sign the statement. If the statement is filed for an individual, it shall be signed by him or specifically on his behalf by a person authorized to sign for him. [If signed on his behalf by another person, the authority of such person to sign the statement shall be confirmed to the Board in writing as soon as practicable by the individual for whom the statement is filed, unless such a confirmation which is still in effect is on file with the Board.]

§ 206.62 Form for statement of changes in beneficial ownership of equity securities (Form F–8).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–8

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

(Filed pursuant to section 16(a) of the Securities Exchange Act of 1934)

(1) Name of Bank_____

(2) Name and Business Address of Reporting Person

_____

_____

(Zip)

(3) Relationships of Report Person to Company (Inst. 4)_____

(4) Date of Last Previous Statement_____
(mo.) (day) (year)

(5) If an Amendment, Give Date of Statement Amended_____ _____
(mo.) (day) (year)

(6) Statement for Calendar Month of_____
(mo.) (year)

TABLE I. *Securities bought, sold or otherwise acquired or disposed of.*

Furnish the information required by the following table as to securities of the company brought or sold or otherwise acquired or disposed of by the reporting person during the month for which this statement is filed (See Instruction 6) and as to securities of the company beneficially owned, directly or indirectly, at the end of the month. However, transactions involving the acquisition of disposition of puts, calls, options or other rights or obligations to buy or sell securities of the company shall be reported in Table II.

Title of securities (Instruction 8)	3. Date of transaction (Instruction 9)	4. Amount of securities acquired or disposed of (Instruction 10)	5. Nature of ownership of securities acquired or disposed of (Instruction 11)	6. Character of transaction reported (Instruction 12)	7. Purchase or sale price per share or other unit (Instruction 13)	8. Amount owned at end of month (Instruction 10)	9. Nature of ownership of securities owned at end of month (Instruction 11)

TABLE II. *Puts, calls, options and other rights or obligations*

If during the month for which this statement is filed the reporting person acquired or disposed of any put, call, option or other right or obligation (all hereinafter referred to as "options") to buy or sell, or be required to buy or sell, securities of the company, furnish the information required by the following table. (See Instruction 5.) However, the acquisition or disposition of transferable warrants issued by the company which give the right to buy securities of the company are to be reported in Table I. Options exempted by Rule 16a–6 need not be reported.

Title of securities subject to option (Instruction 8)	3. Date of transaction (Instruction 9)	4. Nature of option (Instruction 14)	5. Amount of securities subject to option (Instruction 10)	6. Character of transaction, if any, reported (Instruction 12)	7. Purchase or sale price of securities subject to option (Instruction 13)	8. Date of expiration of option

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-8

INSTRUCTIONS

1. Persons required to file statements. A statement on this form is required to be filed by every person who at any time during any calendar month was (i) directly or indirectly the beneficial owner of more than 10 percent of any class of equity securities of a bank registered pursuant to section 12 of the Securities Exchange Act of 1934 (the Act) or (ii) a director or officer of the bank which is the issuer of such securities, and who during such month had any change in the nature or amount of his beneficial ownership of any class of equity securities of such bank. The term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President, as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions, and such persons are not officers for the purpose of this statement.

2. When statements are to be filed. Statements are required to be filed on or before the 10th day after the end of each calendar month in which any change in the nature or amount of beneficial ownership has occurred. Statements are not deemed to have been filed with the Board or an exchange until they have actually been received by the Board or such exchange.

3. Where statements are to be filed. One signed copy of each statement shall be filed with the Board of Governors of the Federal Reserve System, Washington, D.C. 20551. One signed copy thereof shall also be filed with each exchange on which any class of equity securities of the bank is listed. However, if such bank has, in accordance with § 206.6 (a) (3) of Regulation F, designated a single exchange to receive statements, the statement need only be filed with the Board and the designated exchange.

4. Separate statement for each bank. A separate statement shall be filed with respect to the equity securities of each bank.

5. Relationship of reporting person to bank. Indicate clearly the relationship of the reporting person to the bank; for example, "Director", "Director and Vice President", "Beneficial owner of more than 10 percent of the bank's common stock", etc.

6. Transactions and holdings to be reported. Persons required to file statements on this form shall include in their statements all changes during the calendar month in their beneficial ownership, and their beneficial ownership at the end of the month, of all classes of equity securities of the bank, even though one or more of such classes may not be registered pursuant to section 12 of the Act.

Every change in beneficial ownership shall be reported even though purchases and sales during the month are equal or the change involves only the nature of beneficial ownership (for example, from direct to indirect ownership or from one type of indirect ownership to another). Beneficial ownership at the end of the month of classes of equity securities of the bank shall be shown even though there has been no reportable change during the month in the ownership of equity securities of a particular class.

[*7. Reporting of Transactions.* (a) When a transaction relates to the acquisition or disposition of two or more securities as a unit, such as debentures and transferable warrants to purchase common stock of the bank, report each security separately and describe the unit relationship in the space provided for explanation on page 2 of the form. If one or more of the securities comprising the unit is not required to be reported, the other security or securities shall be reported separately and the unit relationship described as indicated above.]

[(b) In reporting the acquisition or disposition of a convertible security or a transferable warrant, the number of shares or units subject to the conversion privilege or warrant and the conversion or exercise price per share or unit shall be set forth in the explanation space on page 2. When a convertible security is converted or a warrant is exercised, the amount of securities acquired as a result of such conversion or exercise shall be reported and, in addition, the disposition of the convertible security or warrant shall be reported as a separate transaction.]

[(c) Securities owned indirectly shall be reported on separate lines from those owned directly and also from those owned through a different type of indirect ownership.]

[(d) The acquisition, disposition, exercise, or expiration or cancellation of a put, call, option or other right or obligation to buy or sell securities (all hereinafter referred to as "options") is deemed to effect a change in beneficial ownership of the security to which the option relates and shall be reported in Table II. If the option is exercised, the transaction shall be reported in Table II and the acquisition or disposition of the security subject to the option shall be reported in Table I. Transferable warrants issued by the issuer of the security subject to the warrants shall be reported in Table I (in which case the exercise price and date of expiration of the warrant shall be reported in the explanation space on page 2).]

8. Title of equity security. The statement of the title of an equity security should clearly distinguish it from any securities of other classes issued by the bank.

9. Date of transaction. The exact date (month, date, and year) of each transaction shall be stated opposite the amount involved in the transaction. [In the case of market transactions, the trade date shall be given and in the case of stock splits, stock dividends, etc., the record date shall be given.]

10. Statement of amounts of equity securities. In stating the amount of equity securities acquired, disposed of, or beneficially owned, give the face amount of convertible debt securities or the number of shares of stock or other units of other securities. In the case of equity securities owned indirectly, the entire amount of equity securities involved in the transaction or owned by the partnership, corporation, trust, or other entity shall be stated. The person whose ownership is reported may, if he so desires, also indicate in a footnote or other appropriate manner, the extent of his interests in the transaction or holdings of the partnership, corporation, trust or other entity.

[*11. Nature of ownership of securities—Table I.* [(a) In reporting the nature of ownership of securities on Columns 5 and 9 of Table 1, if the securities are owned directly, so state. If they are owned indirectly, state the nature of such indirect ownership; for example, "By self as trustee for sons", "By wife", "By X Trust", "By Y Corporation" etc. If the securities are owned directly and other securities are owned indirectly, the required information shall be furnished separately for each type of ownership, see Instruction 7(c) above. Securities held as joint tenants, tenants in common, tenants by the entirety or as community property are to be reported as held directly.]

[(b) Beneficially owned securities held in the name of the reporting person or in the name of a bank, broker or nominee for the account of the reporting person shall be reported as directly owned by him. A person is regarded as the indirect beneficial owner of securities held in the name of another person if by reason of any contract, understanding, relationship, including a family relationship, or arrangement, such person obtains therefrom benefits substantially equivalent to those of ownership. For example, a person may be the indirect beneficial owner of securities held in the name of a Spouse, a relative or other person if such person may obtain therefrom benefits substantially equivalent to those of ownership.]

[A person may also be the indirect beneficial owner of securities held in the name of a partnership, corporation, trust or other entity if such person or a spouse or relative of such person, individually or collectively, may exercise a controlling influence over the purchase, sale or voting of such securities.]

12. Character of transaction. If the transaction in equity securities was with the bank, so state. If it involved the purchase of equity securities through the exercise of warrants or options, so state, give the termination date of the option or warrant, and give the exercise price per share. If any other purchase or sale was effected otherwise than in the open market, that fact shall be indicated. If the transaction was not a purchase or sale, indicate its character; for example, gift or stock dividend, stock split, or other type of pro rata distribution, etc., as the case may be. The foregoing information may be appropriately set forth in the table or under "Remarks" below the table.

[*13. Purchase or sale price of securities.*] [(a) If any transaction reported in Table I involved a purchase or sale of securities for cash or obligation to pay cash, including the exercise of an option, state in Column 7 the purchase price per share or other unit, exclusive of brokerage commissions or other costs of execution. If the transaction was only partly for cash and partly for other consideration, state the amount of cash per share or other unit and the nature of the additional consideration. Column 7 need not be answered for transactions not involving cash.]

[(b) When two or more securities are purchased or sold as a unit (see Instruction 7(a) above), the purchase or sale, price of the unit shall be stated opposite one of the securities and cross-referred to opposite the other security or securities.]

[(c) If an option reported in Table II is exercisable at varying increasing prices, state in Column 7 of that table the price at which it is presently exercisable.]

[*14. Puts, calls, options and other Rights—Table II.*]

[The terms "put" and "call" on Table II include, in addition to separate puts and calls, any combination of the two, such as spreads, straddles, strips and straps. In reporting the nature of the option in Column 4 of Table II, state whether it represents a right to buy, a right to sell, an obligation to buy or an obligation to sell, the securities subject to the option.]

15. Inclusion of additional information. A statement may include an additional information or explanation deemed relevant by the person filing the statement.

16. Signature. If the statement is filed for a corporation, partnership, trust, etc., the name of the organization shall appear over the signature of the officer or other person authorized to sign the statement. If the statement is filed for an individual, it shall be signed by him or specifically on his behalf by a person authorized to sign for him. [If signed on his behalf by another person, the authority of such person to sign the state-

ment shall be confirmed to the Commission in writing as soon as practicable by the individual for whom the statement is filed, unless such a confirmation which is still in effect is on file with the Commission.]

§ 206.65 Form for registration of certain successor issuers pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.[1]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
Washington, D.C. 20511

FORM F-1B

FOR REGISTRATION OF SECURITIES OF CERTAIN SUCCESSOR ISSUERS PURSUANT TO SECTION 12(b) OR (g) OF THE SECURITIES EXCHANGE ACT OF 1934

GENERAL INSTRUCTIONS

A. Rule as to Use of Form F-1B.

This form may be used for registration pursuant to section 12(b) or (g) of the Securities Exchange Act of 1934 ("Act") of securities of an issuer which has no securities so registered but which has succeeded to an issuer which at the time of the succession had securities so registered, or to such an issuer and one or more other persons, subject to the following conditions:

(a) The capital structure and balance sheet of the successor issuer immediately after the succession were substantially the same as those of the single predecessor or, if more than one predecessor, the combined capital structures and balance sheets of all of the predecessors; or

(b) Proxies were solicited pursuant to regulations promulgated by the Board, Federal Deposit Insurance Corporation or Comptroller of the Currency, or other government agency, under section 14 of the Act with respect to the succession from the security holders of the predecessor or, if more than one predecessor, from the security holders of at least one of such predecessors and copies of the proxy statement used in such solicitation are filed as an exhibit to the registration statement on this form;

Provided, however, (1) That this form may be used only if the registration statement is filed within 120 days after the date of the succession, and (2) that this form shall not be used for the registration on a national securities exchange pursuant to section 12 (b) of the Act of securities of a successor issuer unless its predecessor or, if more than one predecessor, at least one of its predecessors, had securities listed and registered on the same exchange at the time of the succession.

B. Application of Regulation F.

(a) The Board's Regulation F contains certain general requirements which are applicable to registration on any form. These general requirements should be carefully read and observed in the preparation and filing of registration statements on this form.

(b) Particular attention is directed to § 206.4 which contains general requirements regarding matters such as the kind and size of paper to be used, legibility, information to be given whenever the title of securities is required to be stated, incorporation by reference and the filing of the registration statement. The definitions contained in § 206.2 should be especially noted.

C. Preparation of Registration Statement.

This form is not to be used as a blank form to be filled in, but only as a guide in the preparation of the registration statement on paper meeting the requirements of § 206.4(t). The registration statement shall contain the item numbers and captions, but the text of the items may be omitted provided the answers thereto are prepared in the manner specified in § 206.4(u).

D. Signature and Filing of Registration Statement.

Eight complete copies of the registration statement, including exhibits and all papers and documents filed as a part thereof, shall be filed with the Board. At least one complete copy shall be filed with each exchange on which registration is applied for. At least one of the copies filed with the Board and one filed with each such exchange shall be manually signed. Unsigned copies shall be conformed.

E. Incorporation by Reference.

If the information called for by any item or items of this form is contained in a proxy statement filed as an exhibit pursuant to General Instruction A(b), such information may be incorporated by reference to such document in answer or partial answer to such item or items.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Washington, D.C. 20551

FORM F-1B

FOR REGISTRATION OF SECURITIES OF CERTAIN SUCCESSOR ISSUERS PURSUANT TO SECTION 12 (B) OR (G) OF THE SECURITIES EXCHANGE ACT OF 1934

(Exact name of bank as specified in its charter)

(State or other jurisdiction of incorporation or organization)

(I.R.S. Employer Identification No.)

(Address of principal executive offices) (Zip Code)

Securities to be registered pursuant to section 12(b) of the Act:

Title of each class to be registered

Name of each exchange on which each class is to be registered

---

Securities to be registered pursuant to Section 12(g) of the Act:

(Title of class)

(Title of class)

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. General information.

(a) State the date on which the bank was organized, its form of organization, and the State or other jurisdiction under the laws of which it was organized.

(b) State the date on which the bank's fiscal year ends.

Item 2. Transaction of succession.

(a) Name each predecessor which had securities registered pursuant to Section 12(b) or (g) of the Act at the time of the succession.

(b) Describe briefly the transaction of succession and state the basis upon which securities of the bank have been or are to be issued in exchange for or otherwise in respect of securities of any predecessor.

Item 3. Securities to be registered.

As to each class of securities to be registered, state the number of shares or the amounts of bonds (1) presently authorized, (2) presently issued and (3) presently issued which are held by bank for the account of others.

Item 4. Capital stock to be registered.

If capital stock is to be registered hereunder, state the title of the class and furnish the following information (See Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) pre-emptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions, and (8) liability to further calls or to assessment.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other filing with the Board, such description may, subject to § 206.4(q) be incorporated by reference to such other filing in answer to this item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the application filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

Item 5. Debt securities to be registered.

If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instruction. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

[1] Section 206.65 is proposed to be added in its entirety.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction: The instructions to Item 4 shall also apply to this Item.

Item 6. Other securities to be registered. If securities other than those referred to in Items 4 and 5 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instruction: The instructions to Item 4 shall also apply to this Item.

Item 7. Financial statements and exhibits. List below all financial statements and exhibits, if any, required to be filed as a part of the application or statement:

(a) Financial Statements.

(b) Exhibits.

SIGNATURE

Pursuant to the requirements of Section 12 of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Bank)

Date: ---- By ----

(Signature) *

*Print the name and title of the signing officer under his signature.

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

(a) No financial statements need be filed if the capital structure and balance sheet of the bank immediately after the succession were substantially the same as those of the predecessor or, if more than one predecessor, the combined capital structures and balance sheets of all of the predecessors.

(b) If paragraph (a) above does not apply, the registration statement shall include any financial statements or schedules, not included in the proxy statement filed as an exhibit, which would be called for by Form F-1 if the securities were to be registered on that form.

INSTRUCTIONS AS TO EXHIBITS

Subject to section 206.4(q) regarding the incorporation of exhibits by reference, the following exhibits shall be filed as a part of the registration statement. Such exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may be referred to by the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits called for under Item 7.

1. Copies of the plan or agreement, if any pursuant to which the bank's succession has taken place or is to take place, unless the terms of such plan or agreement are substantially contained in a proxy statement filed as an exhibit pursuant to Instruction 2, below.

2. Copies of any proxy statement required to be filed pursuant to General Instruction A(b).

3. Copies of all other exhibits which would be called for by Form F-1 if the securities to be registered hereunder were to be registered on that form.

§ 206.71 Forms for financial statements (Forms F-9, A, B, C, and D).

(Revised Dec. 31, 1969)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-9: FINANCIAL STATEMENTS

A. Balance Sheet (Form F-9A)

B. Statement of Income (Form F-9B)

C. Statment of Changes in Capital Accounts (Form F-9C)

D. Schedules (Form F-9D)

GENERAL INSTRUCTIONS

1. *Preparation of forms.* The forms for financial statements are not to be used as blank forms to be filled in but only as guides in the preparation of financial statements. The requirements with respect to the filing of balance sheets and statements of income are contained in the instructions as to certain other forms required by this Part. Particular attention should be given to the general requirements as to financial statements in § 206.7 of this Part, including paragraphs (e), (f), and (g) thereof, which prescribe when statements of changes in capital accounts and schedules will be filed. Although inapplicable items specified in the forms for financial statements should be omitted, the detailed instructions that relate to applicable items shall be followed.

2. *Accrual accounting.* Financial statements shall generally be prepared on the basis of accrual accounting whereby all revenues and all expenses shall be recognized during the period earned or incurred regardless of the time received or paid, with certain exceptions: (a) where the results would be only insignificantly different on a cash basis, or (b) where accrual is not feasible. Statements with respect to the first fiscal year that a bank reports on the accrual basis shall indicate clearly, by footnote or otherwise, the beginning-of-year adjustments that were necessary and their effect on prior financial statements filed under this Part.

A. BALANCE SHEET

Assets

1. Cash and due from banks----
2. Investment securities:
   (a) U.S. Treasury securities----
   (b) Securities of other U.S. Government agencies and corporations ----
   (c) Obligations of States and political subdivisions----
   (d) Other securities----
3. Trading account securities----
4. Federal funds sold and securities purchased under agreements to resell ----
5. Other loans----
6. Bank premises and equipment----
7. Other real estate owned----
8. Investments in subsidiaries not consolidate ----
9. Customers' acceptance liability----
10. Other assets----
11. Total assets----

Liabilities

12. Deposits:
    (a) Demand deposits in domestic offices ----
    (b) Savings deposits in domestic offices ----
    (c) Time deposits in domestic offices ----
    (d) Deposits in foreign offices--
13. Federal funds purchased and securities sold under agreements to repurchase----
14. Other liabilities for borrowed money ----
15. Bank's acceptances outstanding---
16. Montgages payable----
17. Other liabilities----
18. Total liabilities----
19. Minority interests in consolidated subsidiaries ----

Reserves

20. Allowance for possible loan losses--

Capital Accounts

21. Capital notes and debentures----
22. Equity capital:
    (a) Capital stock:
        Preferred stock----
        Common stock----
    (b) Surplus ----
    (c) Undivided Profits----
    (d) Reserve for contingencies and other capital reserves ----
23. Total capital accounts----
24. Total liabilities, reserves, and capital ----

Assets

1. *Cash and due from banks.* (a) State the total of (1) currency and coin (A) owned and held in the bank's vaults and (B) in transit to or from a Federal Reserve Bank; (2) the bank's total reserve balance with the Federal Reserve Bank as shown by the bank's books; (3) demand and time balances with other banks; and (4) cash items in process of collection.

(b) Reciprocal demand balances with banks in the United States, except those of private banks and American branches of foreign banks, shall be reported net.

(c) Do not include unavailable balances with closed or liquidating banks. Such balances should be reported in "other assets".

(d) Cash items in process of collection include: (1) checks in process of collection drawn on another bank, private bank, or any other banking institution that are payable immediately upon presentation (including checks with a Federal Reserve Bank in process of collection and checks on hand that will be presented for payment or forwarded for collection on the following business day); (2) Government checks and warrants drawn on the Treasurer of the United States that are in process of collection; and (3) such other items in process of collection, including redeemed United States savings bonds, payable immediately upon presentation in the United States, as are customarily cleared or collected by banks as cash items.

(e) Checks drawn on a bank other than the reporting bank that have been deposited in the reporting bank (or offices or branches of such bank) and have been forwarded for collection to other offices or branches of the reporting bank are cash items in the process of collection.

(f) Do not include commodity or bill-of lading drafts payable upon arrival of goods against which drawn, whether or not deposit credit therefor has been given to a customer. If deposit credit has been given, such drafts should be reported as "loans"; but if the drafts were received by the reporting bank on a collection basis they should not be included in the reporting bank's statement until such time as the funds have been actually collected.

(g) Unposted debits should preferably be deducted form the appropriate deposit liability caption. If such items are included hereunder, the amount shall be stated parenthetically.

2. *Investment securities.* (a) State separately book value of (1) U.S. Treasury securities; (2) Securities of other U.S. Government agencies and corporations; (3) Obliga-

tions of States and political subdivisions; and (4) Other securities owned by the bank; include securities pledged, loaned or sold under repurchase agreements and similar arrangements.

(b) The aggregate amount on the basis of fair market value at the balance sheet date shall be shown either parenthetically on the balance sheet or by a reference note for each category of investment securities reported under caption 2 of each balance sheet required to be filed.

(c) Book value with respect to investment quality securities reported in paragraph (a) shall be cost adjusted for amortization of premium and, at the option of the bank, for accretion of discount. There shall be set forth in a note to financial statements (1) the basis of accounting for book value, and (2) if bond discount is systematically accrued and amounts to 5 per cent or more of interest and dividends or investments, the total of accretion income and deferred income taxes applied thereto.

(d) Include in category (3) of paragraph (a) obligations, including warrants and tax anticipation notes, of the States of the United States and their political subdivisions, agencies, and instrumentalities; also obligations of territorial and insular possessions of the United States. Do not include obligations of foreign states.

(e) Do not include borrowed securities or securities purchased under resale agreements or similar arrangements.

3. *Trading account securities.* State the aggregate value at the balance sheet date, of securities of all types carried by the bank in a dealer trading account (or accounts) that are held principally for resale to customers. Indicate parenthetically, or otherwise in a note to financial statements, whether the inventory is valued at (1) cost, (2) lower of cost or market, or (3) market. If cost basis of valuation is used, furnish aggregate market value of the trading account inventory at the current fiscal year balance sheet date.

4. *Federal funds sold and securities purchased under agreements to resell.* (a) State the aggregate value of Federal funds sold and securities purchased under resale agreement or similar arrangements. All securities purchased under transactions of this type should be included regardless of (1) whether they are called simultaneous purchases and sales, buy-backs, turnarounds, overnight transactions, delayed deliveries, etc., and (2) whether the transactions are with the same or different institutions if the purpose of the transactions is to resell identical or similar securities.

(b) Federal funds sold and purchases of securities under resale agreements should be reported gross and not netted against purchases of Federal funds and sales of securities under repurchased agreements.

5. *Other loans.* (a) State the aggregate gross value of all loans including (1) acceptances of other banks and commercial paper purchased in the open market; (2) acceptances executed by or for the account of the reporting bank and subsequently acquired by it through purchase or discount; (3) customers' liability to the reporting bank on drafts paid under letters of credit for which the bank has not been reimbursed; and (4) "cotton overdrafts" or "advances," and commodity or bill-of-lading drafts payable upon arrival of goods against which drawn, for which the reporting bank has given deposit credit to customers.

(b) Include (1) paper rediscounted with the Federal Reserve or other banks; and (2) paper pledged as collateral to secure bills payable, as marginal collateral to secure bills rediscounted, or for any other purpose.

(c) Do not include contracts of sale or other loans indirectly representing bank premises or other real estate; these should be included in "bank premises" or "other real estate".

(d) Do not deduct bona fide deposits accumulated by borrowers for the payment of loans.

6. *Bank premises and equipment.* (a) State the aggregate cost of (1) bank premises owned, (2) leasehold improvements, and (3) equipment less any accumulated depreciation or amortization with respect to such assets.

(b) All fixed assets acquired subsequent to December 31, 1959, shall be stated at cost less accumulated depreciation or amortization.

(c) All fixed assets acquired prior to January 1, 1960, that are not presently accounted for by the bank on the basis of cost less accumulated depreciation or amortization, may be stated at book value. Any such assets that are still in use and would not have been fully depreciated on an acceptable method of accounting for depreciation if the bank had recorded depreciation on such basis shall be described briefly in a footnote, together with an explanation of the accounting that was used with respect to such assets.

(d) The term "leasehold improvements" comprehends two types of situations: (1) where the bank erects a building on leased property; and (2) where a bank occupies leased quarters or uses leased parking lots and appropriately capitalizes disbursements for vaults, fixed machinery and equipment directly related to such leased quarters, or resurfacing or other improvements directly related to such parking lots that will become an integral part of the property and will revert to the lessor on expiration of the lease.

(e) Bank premises includes vaults, fixed machinery and equipment, parking lots owned adjoining or not adjoining the bank premises that are used by customers or employees, and potential building sites.

(f) Equipment includes all movable furniture and fixtures of the bank.

7. *Other real estate owned.* (a) State the aggregate cost of all real estate owned by the bank that is not a part of bank premises.

(b) With respect to real estate acquired through default of a loan, aggregate cost shall include the unpaid balance on the defaulted loan plus the bank's out-of-pocket costs in acquiring clear title to the property. Any adjustments from aggregate cost shall be explained in a footnote.

(c) The aggregate market value of all real estate owned by the bank that is not a part of bank premises shall be set forth in a footnote, together with an explanation of the method of determining such market value.

8. *Investments in subsidiaries not consolidated.* State the aggregate investment, including advances, in subsidiaries not consolidated.

9. *Customers' acceptance liability.* (a) State the liability to the reporting bank of its customers on drafts and bills of exchange that have been accepted by the reporting bank or by other banks for its account and that are outstanding—that is, not held by the bank, on the reporting date. (If held by the reporting bank, they should be reported as "loans".)

(b) In case a customer anticipates his liability to the bank on outstanding acceptances by paying the bank either the full amount of his liability or any part thereof in advance of the actual maturity of the acceptance, the bank should decrease the amount of the customer's liability on outstanding acceptances. If such funds are not received for immediate application to the reduction of the indebtedness to the bank or the receipt thereof does not immediately reduce or extinguish the indebtedness, then such funds held to meet acceptances must be reported in "demand deposits".

(c) Do not include customer's liability on unused commercial and travelers' letters of credit issued under guaranty or against the deposit of security—that is, not issued for money or its equivalent.

10. *Other assets.* State separately, if material, (1) income earned but not collected; (2) prepaid expenses; (3) property acquired for the purpose of direct lease financing; and (4) any other asset not included in the preceding items.

11. *Total assets.* State the sum of all asset items.

LIABILITIES

12. *Deposits.* (a) State separately (1) demand deposits in domestic offices of the bank, (2) savings deposits in domestic offices of the bank, (3) time deposits in domestic offices of the bank, and (4) deposits in foreign offices. Related unposted debits, if any, should preferably be deducted from domestic deposits.

(b) The domestic deposit liability categories shall be segregated in accordance with the Rules and Regulations of the Federal Deposit Insurance Corporation, Part 327.2—Classification of Deposits.

(c) The term "unposted debit" means a cash item in the bank's possession drawn on itself that has been paid or credited and is chargeable against, but has not been charged against, deposit liabilities at the close of the reporting period. This term does not include items that have been reflected in deposit accounts on the general ledger, although they have not been debited to individual deposit accounts.

(d) Reciprocal demand deposit balances with banks in the United States, except those of private banks and American branches of foreign banks, shall be reported net.

(e) Include outstanding drafts (including advices or authorizations to charge the bank's balance in another bank) drawn in the regular course of business by the reporting bank on other banks pursuant to customer order.

(f) Do not include trust funds held in the bank's own trust department that the bank keeps segregated and apart from its general assets and does not use in the conduct of its business.

13. *Federal funds purchased and securities sold under agreements to repurchase.* (a) State the aggregate value of Federal funds purchased and securities sold under repurchase or similar arrangements. All securities sold under transactions of this type should be included regardless of (1) whether they are called simultaneous purchases and sales, buy-backs, turnarounds, overnight transactions, delayed deliveries, etc., and (2) whether the transactions are with the same or different institutions if the purpose of the transactions is to repurchase identical or similar securities.

(b) Federal funds purchased and sales of securities under repurchase agreements should be reported gross and not netted against sales of Federal funds and purchases of securities under resale agreements.

14. *Other liabilities for borrowed money.* State the aggregate amount borrowed by the reporting bank on its own promissory notes, on notes and bills rediscounted (including commodity drafts rediscounted), or on any other instruments given for the purpose of borrowing money.

15. *Bank's acceptances outstanding.* (a) State the aggregate of unmatured drafts and bills of exchange accepted by the reporting bank, or by some other bank as agent for the reporting bank (other than those reported in "demand deposits"), less the amount of such acceptances acquired by the reporting bank through discount or purchase and held on the reporting date.

(b) Include bills of exchange accepted by the reporting bank that were drawn by banks or bankers in foreign countries, or in dependencies or insular possessions of the United States, for the purpose of creating dollar exchange as required by usage of trade in the respective countries, dependencies, or insular possessions.

16. *Mortgages payable.* (a) State separately here, or in a note referred to herein, such information as will indicate (1) the general character of the debt including the rate of interest; (2) the date of maturity; (3) if the payment of principal or interest is contingent, an appropriate indication of such contingency; and (4) a brief indication of priority.

(b) If there are any liens on bank premises or other real estate owned by the bank or its consolidated subsidiaries which have not been assumed by the bank or its consolidated subsidiaries, report in a footnote the amount thereof together with an appropriate explanation.

17. *Other liabilities.* State separately, if material, (a) accrued payrolls; (b) accrued income tax liability (Federal and State combined); (c) accrued interest; (d) cash dividends declared but not paid; (e) income collected but not earned; and (f) any other liability not included in Items 12 through 16.

18. *Total liabilities.* State the sum of Items 12 through 17.

19. *Minority interests in consolidated subsidiaries.* State the aggregate amount of minority stockholders' interests in capital stock, surplus, and undivided profits of consolidated subsidiaries.

RESERVES

20. *Allowance for possible loan losses.* (a) State the balance of the loan losses allowance account at the end of the fiscal year. Include in this allowance only (1) any provision that the bank makes for possible loan losses pursuant to the Treasury tax formula and (2) any amount in excess of the provision taken under such formula that (A) represents management's judgment as to possible loss or value depreciation and (B) has been established through a charge against income.

(b) Any provision for possible loan losses that the bank establishes as a precautionary measure that is in excess of the amount reported in paragraph (a) shall not be included in this allowance but shall be reported as a contingency reserve—that is, as a segregation of undivided profits.

NOTE.—Any allowance that (1) represents management's judgment as to possible loss or value depreciation in investment securities and (2) has been established through an appropriate charge against income shall be separately stated. Any provision for possible security losses that the bank establishes as a precautionary measure only (such as to reflect normal fluctuations in market value of readily marketable securities) shall not be included in this allowance but shall be reported as a contingency reserve—that is, as a segregation of undivided profits.

CAPITAL ACCOUNTS

21. *Capital notes and debentures.* State separately here, or in a note referred to herein, each issue or type of obligation and such information as will indicate (a) the general character of each type of debt including the rate of interest; (b) the date of maturity (or dates if maturing serially) and call provisions; (c) the aggregate amount of maturities, and sinking fund requirements, each year for the 5 years following the date of the balance sheet; (d) if the payment of principal or interest is contingent, an appropriate indication of the nature of the contingency; (e) a brief indication of priority; and (f) if convertible, the basis.

22. *Equity capital.* (a) Capital stock. State for each class of shares the title of issue, the number of shares authorized, the number of shares outstanding and the capital share liability thereof, and, if convertible, the basis of conversion. Show also the dollar amount, if any, of capital shares subscribed but unissued, and of subscriptions receivable thereon.

(b) Surplus. State the net amount formally transferred to the surplus account on or before the reporting date.

(c) Undivided profits. State the amount of undivided profits shown by the bank's books.

(d) Reserve for contingencies and other capital reserves.

(1) State separately each such reserve and its purpose.

(2) These reserves constitute amounts set aside for possible decrease in the book value of assets, or for other unforeseen or indeterminable liabilities not otherwise reflected on the bank's books and not covered by insurance.

(3) As these reserves represent a segregation of undivided profits, do not include any element of known losses, or losses the amount of which can be estimated with reasonable accuracy.

(4) Reserves for possible security losses, reserves for possible loan losses, and other contingency reserves that are established as precautionary measures only shall be included in these reserves, as they represent segregations of "undivided profits".

23. *Total capital accounts.* State the total of Items 21 and 22.

24. *Total liabilities, reserves and capital.* State the total of Items 18, 19, 20 and 23.

(STATEMENT OF INCOME) FORM F-9B

B. STATEMENT OF INCOME

1. Operating Income:
   - (a) Interest and fees on loans
   - (b) Income on Federal funds sold and securities purchased under agreements to resell
   - (c) Interest and dividends on investments:
     - (1) U.S. Treasury securities
     - (2) Securities of other U.S. Government agencies and corporations
     - (3) Obligations of States and political subdivisions
     - (4) Other securities
   - (d) Trust department income
   - (e) Service charges on deposit accounts
   - (f) Other service charges, collection and exchange charges, commissions, and fees
   - (g) Other operating income
   - (h) Total operating income
2. Operating Expenses:
   - (a) Salaries and wages
   - (b) Pensions and other employee benefits
   - (c) Interest on deposits
   - (d) Expenses of Federal funds purchased and securities sold under agreements to repurchase
   - (e) Interest on other borrowed money
   - (f) Interest on capital notes and debentures
   - (g) Occupancy expense of bank premises, net:
     - Gross occupancy expense _____
     - Less: Rental income _____
   - (h) Furniture and equipment expense (including depreciation of $_____)
   - (i) Provision for loan losses
   - (j) Other operating expenses
   - (k) Total operating expenses
3. Income before Income Taxes and Securities gains (losses)
4. Applicable Income Taxes
5. Income before securities gains (losses)
6. Net Security gains (losses), less related tax effect, $_____
7. Net income

or

7. Income before extraordinary items
8. Extraordinary items, less related tax effect, $_____
9. Net Income
10. Earnings per common share[1]:
    - Income before securities gains (losses)
    - Net Income

[1] Per share amount of securities gains (losses) may be stated separately. If extraordinary items are reported, per share amount of income before extraordinary items and per share amount of extraordinary items shall be stated separately.

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1. *Operating income.* State separately:

(a) *Interest and fees on loans.*

(1) Include interest, fees and other charges on all assets that are reported on the balance sheet as other loans.

(2) Include interest on acceptances, commercial paper purchased in the open market, drafts for which the bank has given deposit credit to customers, etc. Also include interest on loan paper that has been rediscounted with Federal Reserve or other banks or pledged as collateral to secure bills payable or for any other purpose.

(3) Include service charges and other fees on loans.

(4) Include profits (or losses) resulting from the sale of acceptances and commercial paper at discount rates other than those at which such paper was purchased.

(5) Current amortization of premiums on mortgages or other loans shall be deducted from interest on loans and current accumulation of discount on such items shall be added to interest on loans.

(b) *Income on Federal funds sold and securities purchased under agreements to resell.* Include the total gross revenue from Federal funds sold and securities purchased under agreements to resell.

(c) *Interest and dividends on investments.*

(1) State separately interest and dividends from (A) U.S. Treasury securities, (B) securities and other U.S. Government agencies and corporations, (C) obligations of States and political subdivisions, and (D) other securities owned by the bank, including securities pledged, loaned, or sold under repurchase agreements and similar arrangements.

(2) Include accretion of discount on securities, if any; deduct amortization of premiums on securities. If the reporting bank accrues bond discount and such income amounts to 5 per cent or more of the total of interest and dividends on investments, state in a note to financial statements, the amount of accretion income and deferred income taxes applicable thereto.

(3) When securities are purchased, any payment for accrued interest shall not be charged to expenses, nor when collected be credited to earnings. Such interest shall be charged to a separate account that will be credited upon collection of the next interest payment. The balance in the account shall be shown as "Other assets" in the balance sheet.

(d) *Trust department income.*

(1) Include income from commissions and fees for services performed by the bank in any authorized fiduciary capacity.

(2) This item may be reported on the cash basis in those instances where the presentation of the item on the financial statements would not be materially affected thereby. The cash basis may also be used with respect to an individual trust or estate if accrual of income therefrom is not feasible. If any portion of trust department income is not reported on the accrual basis, there shall be a footnote explaining the method of reporting and the reason for departing from reporting on the accrual basis.

(e) *Service charges on deposit accounts.* Include amounts charged depositors that fail to maintain specified minimum deposit balances; charges based on the number of checks drawn on and deposits made in deposit accounts; charges for account maintenance and for checks drawn on "no minimum balance" deposit accounts; return check charges; etc.

(f) *Other service charges, collection and exchange charges, commissions, and fees.* State the aggregate of other service charges, collection and exchange charges, commissions, and fees. Exclude charges on loans and deposits and those related to the Trust Department. Do not include reimbursements for out-of-pocket expenditures made by the bank for the account of customers. If expense accounts were charged with the amount of such expenditures, the reimbursements should be credited to the same expense accounts.

(g) *Other operating income.*

(1) Include all operating income not reported in Items 1(a) through 1(f).

(2) Include (A) net trading account income consisting of profits and losses, interest, and other income and expense related to securities carried in a dealer trading account or accounts that are held principally for resale to customers, but exclude salaries, commissions, and other indirect expenses; (B) income from lease financing; (C) gross rentals from "other real estate" and safe deposit boxes; (D) net remittable profits (or losses) of foreign branches and consolidated subsidiaries less any minority interests (unless the reporting bank preferably combines or consolidates each item of income and expense); (E) interest on time balances with other banks; and (F) all other recurring credits (such as miscellaneous recoveries) and immaterial nonrecurring credit items.

(3) Do not include rentals from bank premises. Such rental income shall be reported in the inset to Item 2(g). In the event there is a net occupancy income, the income shall be shown in parenthesis in Item 2(g).

(4) Itemize (A) net trading account income, (B) net remittable profits (or losses) of foreign branches and consolidated subsidiaries (if included in this sub-Item), and (C) all other amounts that represent 25 percent or more of the total of this sub-Item, unless "other operating income" is less than 5 percent of "total operating income."

(h) *Total operating income.* State the sum of Items 1(a) through 1(g).

2. *Operating expenses.* State separately:

(a) *Salaries.*

(1) Include compensation for personal services of all officers and employees, including dining room and cafeteria employees but not building department employees.

(2) Include amounts withheld from salaries for Social Security taxes and contributions to the bank's pension fund. Do not include Social Security taxes paid by the bank for its own account and the bank's contribution to pension funds. Such amounts shall be included in Item 2(b).

(3) Include bonus and profit sharing paid directly or through a trustee. Such compensation that is deferred and not distributed to employees shall be reported in Item 2(h).

(4) Do not include compensation of officers and employees who spent the major portion of their working time on bank building and related functions. Such compensation shall be included in Item 2(g).

(5) Do not include amounts paid to legal, management, and investment counsel for professional services if such counsel are not salaried officers or employees of the bank. Such amounts shall be included in Item 2(j).

(b) *Pensions and other employee benefits.*

(1) Include all supplementary benefits, other than direct compensation included in Item 2(a) accrued during the report period on behalf of all officers and employees except building department personnel (see Item 2(g)).

(2) Include the bank's own contribution to its pension fund; unemployment and Social Security taxes for the bank's own account; life insurance premiums (net of dividends received) and hospitalization insurance payable by the bank; and other employee benefits.

(3) Do not include expenses related to testing, training, or education of officers and employees; the cost of bank newspapers and magazines; premiums on insurance policies where the bank is beneficiary; and athletic activities where the principal purpose is for publicity or public relations and employee benefits are only incidental. Such amounts shall be included in Item 2(j).

(c) *Interest on deposits.* Include interest on all deposits.

(d) *Expense of Federal funds purchased and securities sold under agreements to repurchase.* Include the total gross expenses of Federal funds purchased and securities sold under agreements to repurchase.

(e) *Interest on other borrowed money.*

(1) Include all interest on bills payable, rediscounts, unsecured notes payable, and other instruments issued for the purpose of borrowing money other than Federal funds purchased and securities sold under agreements to repurchase.

(2) Do not include interest on mortgages on bank premises. Such interest shall be included in Item 2(g).

(f) *Interest on capital notes and debentures.*

(1) Include all interest on capital notes and debentures.

(2) Amortization of premium or discount shall be deducted from or included in the amount reported.

(3) Do not include premium or discount paid or realized on retirement of such securities. Such amounts shall be reported in Item 1(g) or 2(j).

(g) *Occupancy expense of bank premises, net.*

(1) Include in "gross occupancy expense" inset the aggregate amount of (A) salaries, wages, and supplementary compensation of bank personnel who devote the major portion of their time to the operation of bank premises or its consolidated premises subsidiaries; (B) depreciation of bank premises and amortization of leasehold improvements; (C) rent expense of bank premises; (D) real estate taxes; (E) interest on mortgages on bank premises owned; and (F) other bank premises operating and maintenance expenses.

(2) Include in "rental income" inset the aggregate amount of rentals from bank premises leased by the bank or its consolidated premises subsidiaries.

(3) Report the net occupancy expense (or net income) of bank premises. If net income is reported, the amount shall be shown in parenthesis.

(h) *Furniture and equipment expense.*

(1) Include normal and recurring depreciation charges; rental costs of office machines and tabulating and data processing equipment; and ordinary repairs to furniture and office machines, including servicing costs. The amount applicable to depreciation charges shall be shown in parenthesis.

(2) Include taxes on equipment.

(i) *Provision for loan losses.*

(1) Banks which provide for loan losses on a reserve basis shall include an estimated amount for credit losses. Such amount shall be determined by management in light of past loan loss experience and evaluation of potential loss in the current loan portfolio. The estimated loan loss factor allocable to operating expense shall not be less than the amount computed under one of the elective methods set forth in sub-Item (2).

(2) The bank may elect in 1969, and thereafter consistently use for financial reporting purposes, one of the following methods for allocating loan losses to operating expense:

(A) Average ratio of loss over the past five years applied to average loans outstanding during the current year. Ratio of loss shall be the single decimal quotient of total net charge-offs (losses less recoveries) and total average loans for the five most recent years, including the current year.

(B) Average ratio of loss on a forward moving average beginning with the year 1969 applied to average loans outstanding during the current year. Ratio of loss shall be the single decimal quotient of total net charge-offs and total average loans for the number of years beginning with 1969 and ending with the year of report. In 1973, banks which elect the forward moving average method will compute the minimum allocable credit loss expense on the same basis as banks which elect method (1).

NOTE. For purposes of Items 2(A) and (B), annual "average loans outstanding" (1) shall include Federal funds sold and securities purchased under agreements to resell, and (2) may be computed on any reasonable schedule of frequency. In the absence of other procedures, "Other loans", and "Federal funds sold and securities purchased under agreements to resell", as reported in the Statements of Condition called by the supervisory authorities, shall be averaged.

(C) Actual net charge-offs as experienced in the current year.

(3) An estimated amount for loan losses allocable to operating expense in excess of the minimum amount computed as instructed in sub-Item (2) should be provided when judged appropriate in the opinion of management.

(4) Furnish in a note to financial statements an explanation of the basis for allocating loan losses to operating expense including (A) the method followed, and (B) amount added at the discretion of management, if any.

(5) The amount may be expressed in even dollars or thousands of dollars.

NOTE.—The amount reported for loan losses in operating expense shall be adjusted, if necessary, to the amount transferred to the allowance for loan losses recorded on the books of the bank by an entry to the undivided profits account in the statement of changes in capital accounts. For example, if the estimated loan loss expense reported in the statement of income is less than the amount transferred to the allowance for loan losses, the amount of difference, less related tax effect, should be charged against the undivided profits account. If the estimated loan loss expense reported in the statement of income (1) is more than the amount transferred to the allowance for loan losses, and (2) represents the minimum amount the bank is required to allocate under its elected method, the amount of difference, less related tax effect, should be credited to the undivided profits account.

(6) Banks which do not provide for loan losses on a reserve basis shall include the amount of actual net charge-offs (losses less recoveries) for the current year.

(j) *Other operating expenses.*

(1) Include all operating expenses not reported in Items 2(a) through 2(i).

(2) Include advertising, business promotion, contributions, cost of examinations by supervisory authorities, deposit insurance assessment, fees paid to directors and members of committees, memberships, net cash shortages or overages, operating expenses (except salaries) of "Other real estate owned", postage, premium on fidelity insurance, publicity, retainer fees, stationery and office supplies, subscriptions, taxes not reported against other items, telegrams and cables, telephone, temporary agency help, travel, unreimbursed losses on counterfeits, forgeries, payments over stops, and all other recurring expenses and immaterial nonrecurring charges.

(3) Deposit insurance assessment expense shall be reported as a net figure—that is, all assessment credits during the period shall be applied against the assessment expense.

(4) Itemize all amounts that represent 25 per cent or more of this item.

(k) *Total operating expenses.* State the sum of Items 2(a) through 2(j).

3. *Income before income taxes and security gains (losses).* State the difference of Item 1(h) minus Item 2(k).

4. *Applicable income taxes.* (a) State the aggregate of Federal and State taxes applicable to the amount reported in Item (3).

(b) Do not include taxes applicable to net security gains (losses) and extraordinary items. Such taxes (or tax reductions) shall be reported in Items 6 and 8.

5. Income before securities gains (losses). State the difference of Item 3 minus Item 4.

6. *Net security gains (losses).* State the net result of security gains and losses realized. Related income taxes (or tax reductions) shall be shown parenthetically.

7. *Net income.* State the sum or difference of Items 5 and 6.

NOTE. If extraordinary items are reported (See Item 8) the caption to this Item shall read, "Income before extraordinary items."

8. *Extraordinary items.* State the material results of non-recurring transactions that have occurred during the current reporting period. Only the results of major events outside of the ordinary operating activity of the bank are to be reported herein. Such events would include, but not be limited to, material gain or loss from sale of bank premises, expropriation of properties, and major devaluation of foreign currency. Related income taxes (or tax reductions) shall be shown parenthetically. (Less than material results of non-recurring transactions are to be included in Items 1(g) or 2(j), as appropriate.)

9. *Net income.* State the sum or difference of Items 7 and 8.

10. *Earnings per common share.* State the per share amounts applicable to common stock (including common stock equivalents) and per share amounts on a fully diluted basis, if applicable. The basis of computation, including the number of shares used, shall be furnished in a note to financial statements.

C. STATEMENT OF CHANGES IN CAPITAL ACCOUNTS

Increase (decrease)	Capital notes and debentures	Preferred stock $— par	Common stock $— par	Surplus	Undivided profits	Reserve for contingencies and other capital reserves
1. Net income transferred to undivided profits						
2. Capital notes and debentures, preferred stock and common stock sold (par or face value)						
3. Stock issued incident to mergers and acquisitions						
4. Premium on capital stock sold						
5. Additions to, or reductions in, surplus, undivided profits, and reserves incident to mergers						
6. Transfer to allowance for loan loss, exclusive of portion charged against income, less related income tax effect $						
7. Cash dividends declared on preferred stock						
8. Cash dividends declared on common stock						
9. Stock issued in payment of stock dividend, ____ shares at par value						
10. All other increases (decreases) [1]						
11. Net increase (decrease) for the year						
12. Balance at beginning of year [2]						
13. Balance at end of year						

[1] State separately any material amounts, indicating clearly the nature of the transaction out of which the item arose.

[2] If the statement is filed as part of an annual or other periodic report and the balances at the beginning of the period differ from the closing balances as filed for the previous fiscal period, state in a footnote the difference and explain.

D. SCHEDULES

SCHEDULE I—U.S. TREASURY SECURITIES, SECURITIES OF OTHER U.S. GOVERNMENT AGENCIES AND CORPORATIONS, AND OBLIGATIONS OF STATES AND POLITICAL SUBDIVISIONS

Type and maturity grouping	Book value [1]	Market value [1]
U.S. Treasury securities:		
Within 1 year		
After 1 but within 5 years		
After 5 but within 10 years		
After 10 years		
Total U.S. Treasury securities		
Securities of other U.S. Government agencies and corporations:		
Within 1 year		
After 1 but within 5 years		
After 5 but within 10 years		
After 10 years		
Total securities of other U.S. Government agencies and corporations		
Obligations of states and political subdivisions: [2]		
Within 1 year		
After 1 but within 5 years		
After 5 but within 10 years		
After 10 years		
Total obligation of states and political subdivisions		

[1] State briefly in a footnote the basis for determining the amounts in this column.

[2] Include obligations of the States of the United States and their political subdivisions, agencies, and instrumentalities; also obligations of territorial and insular possessions of the United States. Do not include obligations of foreign states.

[3] If market value is determined on any basis other than market quotations at balance sheet date, explain.

SCHEDULE II—OTHER SECURITIES

Type	Book value [1]	Market value [2]
Bonds, notes, and debentures [3]		
Stocks of the Federal Reserve Bank		
Other stocks [3]		
Total		

[1] State briefly in a footnote the basis for determining the amounts shown in this column.

[2] State in a footnote the aggregate amount and book value of foreign securities included.

[3] If market value is determined on any basis other than market quotations or balance sheet date, explain.

SCHEDULE III.—*Other loans* [1]

Type:	Book value
Real estate loans:	
Insured or guaranteed by the U.S. Government or its agencies	
Other	
Loans to financial institutions	
Loans for purchasing or carrying securities (secured or unsecured)	
Commercial and industrial loans	
Loans to individuals for household, family, and other consumer expenditures	
All other loans (including overdrafts)	
Total other loans reported in balance sheet	

[1] If impractical to classify foreign branch and foreign subsidiary loans in accordance with this schedule, a separate caption stating the total amount of such loans may be inserted. Such action should be explained in a footnote.

SCHEDULE IV—BANK PREMISES AND EQUIPMENT

Classification [1]	Gross book value [2]	Accumulated depreciation and amortization [3] [4]	Amount at which carried on balance sheet
Bank premises (including land $____)_____			
Equipment_____			
Leasehold improvements_____			
Totals [5]_____			

[1] If impractical to consolidate foreign branch and foreign subsidiary bank premises and equipment in accordance with the breakdown required by this schedule, a separate caption stating the total amount of all such property may be inserted. Such action should be explained in a foot-note.
[2] State briefly in a footnote the basis of determining the amounts in this column.
[3] If provision for depreciation and amortization is credited in the books directly to the asset accounts, the amounts for the last fiscal year shall be stated in an explanatory footnote.
[4] The nature and amount of significant additions (other than provisions for depreciation and amortization) and deductions shall be stated in an explanatory footnote.
[5] Show in a footnote totals (corresponding to the first two columns) representing amounts reported for Federal income tax purposes.

SCHEDULE V—INVESTMENTS IN, DIVIDEND INCOME FROM, AND SHARE IN EARNINGS OR LOSSES OF UNCONSOLIDATED SUBSIDIARIES

Name of subsidiary	Per cent of voting stock owned	Total investment, including advances	Equity in underlying net assets at balance sheet date [1]	Amount of dividends [2]	Bank's proportionate part of earnings or loss for the period
Totals_____		$	$	$	$

[1] Equity shall include advances reported in preceding column to the extent recoverable.
[2] In a footnote state as to any dividends other than cash, the basis on which they have been reported as income. Also, if any such dividend received has been credited to income in an amount differing from that charged to surplus and/or undivided profits by the disbursing subsidiary, state the amount of such difference and explain.

SCHEDULE VI—
"Other" Liabilities for Borrowed Money

Item:	*Amount*
Borrowings from Federal Reserve Bank_____	
Unsecured notes payable within 1 year_____	
Unsecured notes payable after 1 year_____	
Other obligations_____	
Total_____	

SCHEDULE VII—ALLOWANCE FOR POSSIBLE LOAN LOSSES

Item	Amount set up pursuant to Treasury tax formula	Other amount [1]
Balances at beginning of period_____		
Recoveries credited to Allowance_____		
Additions due to mergers and absorptions [2]_____		
Transfers to Allowance:		
From income_____		
From undivided profits [3]_____		
Totals_____		
Losses charged to Allowance_____		
Balances at end of period [4]_____		

[1] Do not include any provision for possible loan losses that the bank establishes as a precautionary measure. Include only any provision that (1) has been established through a charge against income, (2) represents management's judgment as to possible loss or value depreciation, and (3) is in excess of the provision taken under the Treasury tax formula.
[2] Describe briefly in a footnote any such addition.
[3] Indicate by parentheses the gross amount of any credit adjustment to undivided profits.
[4] Describe briefly in a footnote the basis used in computing the amount accumulated in the Allowance at the end of the period. State the amount that could have been deducted for Federal income tax purposes if such amount is in excess of the amount provided by the bank pursuant to the Treasury tax formula.

NOTE.—The sum of the balances should equal the amount of "Allowance for possible loan losses" reported in the balance sheet.

[FR Doc.75-29093 Filed 10-29-75;8:45 am]

[Reg. Z]

PART 226—TRUTH IN LENDING

Disclosure of Closing Costs

On October 28, 1974, Congress enacted Pub. L. 93-495 containing several amendments to the Truth in Lending Act. Section 409 of Pub. L. 93-495 provides for the disclosure of "closing costs" to be incurred by the customer in consumer credit transactions. On September 22, 1975, the Board of Governors published for comment in the FEDERAL REGISTER (40 FR 43516) proposed amendments to Regulation Z designed to implement section 409. The comment period on this proposal terminated on October 15. The Board of Governors is today publishing final amendments to Regulation Z designed to implement section 409.

While these amendments have been adopted because section 409 becomes effective October 28, 1975, it should be noted that the Board has recommended to Congress that the section be repealed; the Senate voted such repeal on October 9, 1975, and the question of such a repeal is presently under consideration in the House of Representatives.

Approximately 110 written comments were received by the Board. In response to the comments, some changes in the provisions previously published were made. An explanation of most of the substantive changes follows.

Section 226.8(r), the section which requires disclosure of closing costs, applies only to real property transactions, i.e., transactions in which a security interest in real property is or will be retained or acquired by the creditor. But even such real property transactions will not be subject to § 226.8(r) if they are either subject to the Real Estate Settlement Procedures Act (RESPA) or are exempted from the requirements of RESPA by regulations adopted by the Department of Housing and Urban Development (HUD). The Board believes that this limitation is appropriate at this time because in other types of transactions closing costs are generally either not present at all or are minimal in amount and not subject to change among creditors, and with respect to transactions exempted from RESPA, requiring disclosures under section 409 would be inconsistent with the discretion exercised by HUD to exempt certain transactions.

The term "closing" is defined to refer to consumer credit transactions.

The definition of "closing cost" is written to clarify that any fee or charge, other than a downpayment, which is paid in cash at or prior to closing is a closing cost. Closing costs may include finance charges but not any amounts financed nor any loan proceeds paid to satisfy other debts of the customer.

The definition of "commitment" is adjusted to refer to a commitment legally binding on the creditor. This is necessary so that oral and over the telephone shopping for credit is not hampered by having such conversations considered commitments.

The disclosure of closing costs is required to be made, in connection with real property credit sales, prior to the making of any downpayment. With respect to other real property transactions, disclosure is required at the time a lender commitment is given.

With respect to the way in which disclosures are made, the Board adheres to its general policy of not specifying forms but allowing creditors to design their own forms subject only to Regulation Z's requirements as to clarity and sequence. Disclosure is permitted on a separate form, or could be given with the other Truth in Lending disclosures if they are given at the time disclosure of closing costs would otherwise be required or, at the creditor's option, on pages 1 and 2 of HUD Form I. If the latter option is chosen, it will completely satisfy the disclosure requirements of section 409.

In order to facilitate compliance with section 409 by allowing for the development of procedures and the orderly

change of forms, creditors have until January 31, 1976, to bring their forms and procedures into compliance.

Where disclosures are required to be made but exact information is not known, estimates may be used under the provisions of § 226.6(f).

Where Truth in Lending disclosures are made at the same time disclosure of closing costs is made under section 409 and that time is prior to consummation, no further Truth in Lending disclosures need be made at consummation.

Pursuant to the authority granted in 15 U.S.C. 1604 (1970), the Board amends Regulation Z, 12 CFR Part 226, as follows:

1. Section 226.2 is amended as follows:

§ 226.2 Definitions and rules of construction.

* * * * *

(mm) "Closing" means the date on which the bargained-for consideration is exchanged between the parties to any consumer credit transaction, irrespective of when the transaction is consummated.

(nn) "Closing cost" means any fee or charge, other than a downpayment, paid in cash by the customer or on the customer's behalf at or prior to a closing as a condition of the transaction. The term includes fees or charges which are finance charges but does not include amounts which are financed nor loan proceeds paid over in satisfaction of other debts of the customer.

(oo) "Commitment" means an oral or written agreement, which is legally binding on the creditor, to enter into a specified consumer credit transaction with a customer, whether or not such agreement is subject to any conditions and whether or not such agreement is binding upon the customer.

(pp) "Downpayment" means a payment made at or prior to consummation of a transaction which is or will be applied wholly to the cash price of property or services purchased.

(qq) "RESPA" means the Real Estate Settlement Procedures Act of 1974 together with the regulations promulgated thereunder by the Secretary of Housing and Urban Development.

2. Section 226.8 (a) and (r) are amended as follows:

§ 226.8 Credit other than open end—specific disclosures.

(a) *General rule.* Any creditor when extending credit other than open end credit shall, in accordance with § 226.6 and to the extent applicable, make the disclosures required by this section with respect to any transaction consummated on or after July 1, 1969. Except as otherwise provided in this section, such disclosures shall be made before the transaction is consummated. At the time disclosures are made, the creditor shall furnish the customer with a duplicate of the instrument or a statement by which the required disclosures are made and on which the creditor is identified. Except as provided in paragraph (r) of this section, all of the disclosures shall be made together on either:

(1) The note or other instrument evidencing the obligation on the same side of the page and above the place for the customer's signature; or

(2) One side of a separate statement which identifies the transaction.

* * * * *

(r) *Disclosure of closing costs.* The creditor in any real property transaction subject to this section shall disclose to the customer all closing costs, if any, to be paid by the customer in connection with such transaction in accordance with the following provisions:

(1) The disclosure required by paragraph (r) shall include the total amount of closing costs, if any, using the term "closing costs" and, where there is more than one component cost, a description of each. Such disclosures shall be made:

(i) On one side of a separate statement, or

(ii) Together with the other disclosures required by this section, in which case the disclosures required by this paragraph shall, if required to be itemized, either be listed separately, or to the extent that they are itemized elsewhere on such disclosure statement, referenced as being a closing cost by use of an asterisk or other appropriate means, or

(iii) At the creditor's option, on pages 1 and 2 of HUD Form I, as issued by the Department of Housing and Urban Development pursuant to 24 CFR Part 82. Use of this option will completely satisfy the disclosure requirements of this paragraph (r).

(2) In the case of any credit sale, the disclosures required by this paragraph (r) shall be made prior to the making of any downpayment.

(3) In the case of any extension of credit other than a credit sale, the disclosures required by this paragraph (r) shall be made at the time the creditor makes a commitment in connection with that transaction.

(4) Notwithstanding the provisions of paragraph (r) (2) and (3) of this section, the disclosures required by this paragraph (r) shall be made before the transaction is consummated.

(5) This paragraph (r) does not apply to any transaction:

(i) To which the disclosure requirements of RESPA are applicable, or

(ii) Which is exempted from the disclosure requirements of RESPA under regulations issued by the Department of Housing and Urban Development.

(6) This paragraph (r) shall become effective on January 31, 1976.

3. The effective date of these regulations shall be October 28, 1975, except as provided in § 226.8(r) with respect to that section.

4. This notice is published pursuant to section 553(b) of Title 5, United States Code, and § 262.2(a) of the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2 (a)).

By order of the Board of Governors, October 24, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-29250 Filed 10-28-75;10:40 am]

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

PART 341—REGISTRATION OF TRANSFER AGENTS

Regulations and Statements of General Policy

1. On August 28, 1975, the Federal Deposit Insurance Corporation ("Corporation") requested public comment on a proposed Part 341 of its regulations respecting registration of State nonmember bank transfer agents and their subsidiaries (12 CFR Part 341). The proposed regulation was published as a notice of proposed rulemaking in the FEDERAL REGISTER on September 4, 1975 (40 FR 40856-40857, 40860-40863). All interested parties were invited to submit their written data, views and arguments thereon by September 30, 1975. The comments having been considered, the Board of Directors of the Federal Deposit Insurance Corporation has adopted Part 341 and related Form TA-1 (12 CFR Part 341) under the Securities Exchange Act of 1934 ("the Act"). The rule and form set forth the procedures under which transfer agents subject to the registration requirements under the Act and for which the Corporation is the appropriate regulatory agency, as defined in section 3(a)(34)(B) of the Act,[1] will register with the Corporation.

Each federal bank regulatory agency and the Securities and Exchange Commission is publishing, concurrently with the publication of this rule and registration form, a substantially similar rule and an identical registration form for transfer agents which are required to register with that agency.

Background. As amended by the Securities Acts Amendments of 1975 (the "1975 Act"), which was signed into law on June 4, 1975,[2] the Act provides for

[1] Section 3(a)(34)(B) of the Act defined the term "appropriate regulatory agency" when used with respect to a clearing agency or transfer agent to be:

"(i) the Comptroller of the Currency, in the case of a national bank or a bank operating under the Code of Law for the District of Columbia, or a subsidiary of any such bank;

(ii) the Board of Governors of the Federal Reserve System, in the case of a State member bank of the Federal Reserve System, a subsidiary thereof, a bank holding company, or a subsidiary of a bank holding company which is a bank other than a bank specified in clause (i) or (iii) of this subparagraph;

(iii) the Federal Deposit Insurance Corporation, in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System), or a subsidiary thereof; and

(iv) the Commission in the case of all other clearing agencies and transfer agents."

[2] Pub. L. 94-29 (June 4, 1975).

federal regulation of the securities handling process, including clearing agencies, depositories, and transfer agents, with a view to facilitating the establishment of a national system for the prompt and accurate clearance and settlement of securities transactions.

Pursuant to section 17A(c) of the Act, a transfer agent must register with the appropriate regulatory agency if it performs the functions of a transfer agent with respect to any security registered under section 12 of the Act or which would be required to be so registered except for the exemption from registration provided by subsections (g)(2)(B) or (g)(2)(G) of that section. Such registration must be effective on December 1, 1975;[3] otherwise, it shall be unlawful for any transfer agent subject to the registration requirements but not so registered, directly or indirectly to make use of the mails or any means or instrumentality of interstate commerce to perform the function of a transfer agent with respect to such securities.

Under section 17A(c) of the Act, a transfer agent subject to the registration requirements registers by filing with the appropriate regulatory agency for such transfer agent an application for registration containing information and documents prescribed by the appropriate regulatory agency. Registration of a transfer agent becomes effective thirty days after receipt of the application for registration by the appropriate regulatory agency, unless the appropriate regulatory agency takes affirmative action to accelerate, deny or postpone the registration in accordance with the provisions of section 17A(c) of the Act.

A transfer agent which is subject to the registration requirements and which is a national bank or a subsidiary of any such bank or a bank operating under the Code of Law for the District of Columbia or a subsidiary of any such bank is required to register with the Comptroller of the Currency. A transfer agent which is subject to the registration requirements and which is a State member bank of the Federal Reserve System or a subsidiary of any such bank, a bank holding company or a subsidiary of a bank holding company which is a bank[4] (other than a bank which is required to register with the Comptroller of the Currency or the Federal Deposit Insurance Corporation) is required to register with the Board of Governors of the Federal Reserve System. A transfer agent which is subject to the registration requirements and which is a State chartered bank insured by the Federal Deposit Insurance Corporation (other than a bank which is a member bank of the Federal Reserve System) or a subsidiary thereof is required to register with the Federal Deposit Insurance Corporation. All other transfer agents which are subject to the registration requirements are required to register with the Securities and Exchange Commission.

Definition of the Term "Transfer Agent". The term "transfer agent" is defined in section 3(a)(25) of the Act to mean any person who engages on behalf of an issuer of securities or on behalf of itself as an issuer of securities in (i) countersigning such securities upon issuance, (ii) monitoring the issuance of such securities with a view to preventing unauthorized issuance, a function commonly performed by a person called a registrar, (iii) registering the transfer of such securities, (iv) exchanging or converting such securities, or (v) transferring record ownership of securities by bookkeeping entry without physical issuance of securities certificates. The term "transfer agent" does not include any insurance company or separate account which performs such functions solely with respect to variable annuity contracts or variable life policies which it issues or any registered clearing agency which performs such functions solely with respect to options contracts which it issues.

Section 17A(c) of the Act would preclude a person from performing any transfer agent functions set forth in section 3(a)(25) of the Act with respect to certain securities unless such person were registered as a transfer agent with the appropriate regulatory agency. Thus, an issuer who performs any one or more of the specified transfer agent functions in section 3(a)(25) of the Act with respect to certain securities, even if it employs a transfer agent to perform other specified transfer agent functions, would itself be required to register under the Act. For example, an issuer who engages a transfer agent to countersign certificates, monitor the issuance of certificates, and prepare for the issuer information to enable the issuer himself to record the transfer of the securities on the corporate shareholder records would also be required to register since the issuer himself would be performing the function of registering the transfer of such securities on the corporate shareholder records, a transfer agent function.

Part 341. Part 341 requires a transfer agent for which the Corporation is the appropriate regulatory agency to apply for registration with the Corporation on, and in accordance with the instructions contained in, Form TA-1. Registration shall become effective on the thirtieth day after filing unless the Corporation takes affirmative action to accelerate, deny or postpone such registration. The rule further provides that the filing of any amendment to an application for registration, which has not become effective, will postpone the effective date of the registration until the thirtieth day after the date on which the amendment was filed, unless the Corporation takes affirmative action to accelerate, deny or postpone the registration in accordance with the Act.

The rule as adopted also requires Items 1-6 of Form TA-1 to be amended twenty-one calendar days following the date on which such information becomes inaccurate, misleading or incomplete. Information as to the issues which the registrant services must be updated within thirty calendar days following the close of any calendar year (beginning with the period from the date as of which registrant's application is prepared to December 31, 1976) during which the information has become inaccurate, misleading or incomplete.

Finally, every registration or amendment filed pursuant to Part 341 constitutes a "report" or "application" within the meaning of sections 17, 17A(c), and 32(a) of the Act.

Corporation Acceleration of Registration Filed on or Prior to November 17, 1975. Under section 17A(c)(2) of the Act, an application for registration filed by a transfer agent with the appropriate regulatory agency shall be effective thirty days after receipt of such application by such appropriate regulatory agency or within such shorter period of time as such appropriate regulatory agency may determine. Section 17A(c) of the Act, as made effective by section 31(a) of the 1975 Act, would make it unlawful on or after December 1, 1975, for any transfer agent, unless registered with the appropriate regulatory agency, to make use of the mails or any means or instrumentality of interstate commerce to perform the function of a transfer agent with respect to certain securities. Absent an order accelerating the effectiveness of registration, transfer agents required to register must file an application for registration with the appropriate regulatory agency before November 1, 1975.

In view of the fact that Part 341 and related Form TA-1 have just been adopted and that there may be a brief delay in circulating Form TA-1 to all interested parties, the Corporation has determined that to require transfer agents to file Form TA-1 before November 1, 1975 would not be practicable.

Accordingly, the Corporation intends to accelerate the effectiveness of any properly completed application for registration on Form TA-1 which is filed on or before November 17, 1975, unless affirmative action is taken to deny or postpone such registration in accordance with the provisions of the Act. In addition, an amendment to a Form TA-1 which was properly completed and filed on or before November 17, 1975 shall not operate to postpone the effective date of the registration.

Receipt of Form TA-1 by the Corporation. Procedurally, with respect to an application for registration on Form TA-1 filed pursuant to Part 341, in general, the Corporation will acknowledge receipt of Form TA-1 and such registration will become effective either on the thirtieth day after filing or for applications filed on or before November 17, 1975, on December 1, 1975, unless the registrant receives notification that such registration has not become effective for any reason.

Form TA-1. Form TA-1 as adopted has been revised and reorganized to clarify its requirements and simplify the registration process. It continues to be a com-

[3] See section 31(a) of the 1975 Act.

[4] Section 3(a)(34) of the Act provides that for purposes of that section the terms "bank holding company" and "subsidiary of a bank holding company" have the meanings given them in section 2 of the Bank Holding Company Act of 1956.

mon form for the registration of all transfer agents.

The Form is designed to identify and to provide the Corporation with basic information regarding the size and nature of the registrant's transfer agent activities and to assure the development of appropriate regulatory standards.

The information requested includes the name of the registrant, the address of the principal place of the registrant's business, the address of the principal office(s) for transfer agent activities, the name of the person in charge of the registrant's transfer agent activities, the registrant's form of organization, and the types of transfer agent activities engaged in by the registrant.

The form has been revised to require only the names of the issues for which the registrant acts and the capacity in which the registrant acts. Disclosure of the identity of others with whom the registrant acts for an issue (e.g., a transfer agent, a co-transfer agent, a registrar or a co-registrar of the issue) would not be required of the registrant. An update of these issues would be required annually where the information becomes inaccurate, incomplete or misleading and would be accomplished by filing Schedule B to Form TA–1.

The form would also require information related to the registrant's insurance coverage related solely to transfer agent activities, whether or not the registrant is audited, and the number of employees engaged in transfer agent activities.

The information requested on differences and out of proof issues has been revised to clarify the information required.

Statutory Basis. Part 341 and Form TA–1 are adopted pursuant to Sections 2, 17, 17A and 23(a) of the Securities Exchange Act of 1934.

2. Title 12 of the Code of Federal Regulations is amended by adding a new Part 341 which reads as follows:

§ 341.1 Scope.

The requirements of this part are adopted pursuant to Sections 2, 17, 17A and 23(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78) the "Act") and apply to all State nonmember banks, or subsidiaries of such banks, that act as transfer agent for securities registered under Section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781), or for securities which would be required to be registered except for the exemption from registration contained in subsections (g) (2) (B) or (g) (2) (G) of Section 12 of that Act (which subsections relate to securities of investment companies and insurance companies).

§ 341.2 Application for Registration as Transfer Agent.

(a) *Requirement of Application.* An application for registration, pursuant to Section 17A(c) of the Act, of a transfer agent for which the Corporation is the appropriate regulatory agency, as defined in Section 3(a) (34) (B) of the Act, shall be filed with the Corporation on Form TA–1, in accordance with the instructions contained therein and shall become effective on the thirtieth day following the date on which the application is filed unless the Corporation takes affirmative action to accelerate, deny or postpone such registration in accordance with the provisions of Section 17A(c) of the Act.

(b) *Effective Date.* The filing of any amendment to an application for registration as a transfer agent pursuant to paragraph (a) of this section, which registration has not become effective, shall postpone the effective date of the registration until the thirtieth day following the date on which the amendment is filed unless the Corporation takes affirmative action to accelerate, deny or postpone the registration in accordance with the provisions of Section 17A(c) of the Act.

(c) *Required Amendments.* Within twenty-one calendar days following the date on which any information reported at Items 1–6 of Form TA–1 becomes inaccurate, misleading or incomplete, the registrant shall file an amendment on Form TA–1 correcting the inaccurate, misleading or incomplete information. Within thirty calendar days following the close of any calendar year (beginning with the period from the date as of which registrant's application is prepared to December 31, 1976) during which the information required by item 7 of Form TA–1 becomes inaccurate, misleading or incomplete, the registrant shall file an amendment on Form TA–1 correcting the inaccurate, misleading or incomplete information.

(d) *Constitute Reports.* Every registration or amendment filed pursuant to this rule shall constitute a "report" or "application" within the meaning of Sections 17, 17A(c) and 32(a) of the Act.

§§ 341.3–341.9 [Reserved]

§ 341.10 Form for Registration as a Transfer Agent (Form TA–1).

INSTRUCTIONS FOR USE OF FORM TA–1

UNIFORM FORM FOR REGISTRATION AS A TRANSFER AGENT AND FOR AMENDMENT TO REGISTRATION AS A TRANSFER AGENT PURSUANT TO SECTION 17A OF THE SECURITIES EXCHANGE ACT OF 1934 (THE "ACT")

I. *General Instructions for Preparing and Filing Form TA–1.* 1. Form TA–1 is to be used by transfer agents to apply for registration and to amend registration with the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation or the Securities and Exchange Commission. As used hereinafter, the terms "Form TA–1" includes the form and any required schedules and attachments thereto.

2. Transfer agents should register as follows:

A. A national bank or a subsidiary of any such bank or a bank operating under the Code of Law for the District of Columbia or a subsidiary of any such bank registers with the Comptroller of the Currency.

B. A State member bank of the Federal Reserve System or a subsidiary of any such bank or a bank holding company or a subsidiary of a bank holding company which is a bank (other than a bank which is required to register with the Comptroller of the Currency or the Federal Deposit Insurance Corporation) registers with the Board of Governors of the Federal Reserve System.

C. A bank insured by the Federal Deposit Insurance Corporation (other than a bank which is a member bank of the Federal Reserve System) or a subsidiary thereof registers with the Federal Deposit Insurance Corporation.

D. All other transfer agents register with the Securities and Exchange Commission.

3. Transfer agents are required to file six completed copies of Form TA–1 with the appropriate regulatory agency, as described in instruction 2 immediately above, in accordance with the following instructions:

A. For transfer agents registering with the Comptroller of the Currency, six copies of Form TA–1 are to be filed with the Office of the Comptroller of the Currency, Administrator of National Banks, Washington, D.C. 20219.

B. For transfer agents registering with the Board of Governors of the Federal Reserve System, four copies of Form TA–1 are to be filed with the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, and two copies of Form TA–1 are to be filed with the Federal Reserve Bank of the District in which registrants' principal banking operations are conducted.

C. For transfer agents registering with the Federal Deposit Insurance Corporation, six copies of Form TA–1 are to be filed with the Federal Deposit Insurance Corporation, Washington, D.C. 20429.

D. For transfer agents registering with the Securities and Exchange Commission, six copies of Form TA–1 are to be filed with the Securities and Exchange Commission, Washington, D.C. 20549.

An exact copy of Form TA–1 should be retained for your records.

4. The date on which a Form TA–1 is received by the appropriate regulatory agency shall be the date of filing thereof, if all the requirements with respect to filing have been complied with. A Form TA–1 which is not prepared and executed in compliance with applicable requirements may be returned as not acceptable for filing. However, acceptance of Form TA–1 shall not constitute any finding that it has been filed as required or that the information submitted is true, current, or complete.

5. Copies of Form TA–1 and Schedules A and B may be duplicated and are acceptable for filing provided an original, manual signature is affixed to the execution section of each copy. Except as set forth in instruction 20, Form TA–1 and Schedules A and B may be duplicated by any method producing legible copies, of type size identical to that in the Form, on good quality, unglazed, white paper, 8½ x 11 inches in size.

6. If Form TA–1 is filed by a corporation, it shall be signed in the name of the corporation by a principal officer duly authorized; if it is filed other than by a corporation, it shall be signed by a duly authorized principal of the organization filing the Form. As used in this Form, principal officer means the chairman of the board of directors, vice chairman of the board of directors, chairman of the executive committee, president, vice president, treasurer, secretary, comptroller, or any other person performing a similar function.

7. If the space provided for any answer on Form TA–1 is insufficient, the complete answer shall be prepared on Schedule A, which shall be attached to the Form.

8. Individuals' names, except for executing signatures, shall be given in full wherever required (last name, first name, middle name). The full middle name is required. Initials are not acceptable unless the individual legally has only an initial.

9. Unless the context otherwise requires, "registrant" means the entity on whose behalf Form TA–1 is filed, whether as a registration or as an amendment to a previously filed Form TA–1.

10. The information contained in Form TA–1 shall be amended upon the happening

of certain events (See instruction 15 relating to amendments to Form TA-1).

11. Section 17(c)(1) of the Act, among other things, requires every transfer agent who files a registration form or amendment thereto with the Board of Governors of the Federal Reserve System, the Comptroller of the Currency or the Federal Deposit Insurance Corporation to file a copy of such registration form or amendment with the Securities and Exchange Commission. The Securities and Exchange Commission and the federal bank regulatory agencies have developed procedures pursuant to which the federal bank regulatory agencies will transmit a copy of any registration form or amendment filed with them to the Securities and Exchange Commission. Accordingly, such filings with the federal bank regulatory agencies by transfer agents for which the Securities and Exchange Commission is not the appropriate regulatory agency will constitute filings with the Securities and Exchange Commission for purposes of section 17(c)(1) of the Act.

12. The term "transfer agent" is defined in section 3(a)(25) of the Act to mean any person who engages on behalf of an issuer of securities or on behalf of itself as an issuer of securities in (i, countersigning such securities upon issuance; (ii) monitoring the issuance of such securities with a view to preventing unauthorized issuance, a function commonly performed by a person called a registrar, (iii) registering the transfer of such securities, (iv) exchanging or converting such securities, or (v) transferring record ownership of securities by bookkeeping entry without physical issuance of securities certificates. The term "transfer agent" does not include any insurance company or separate account which performs such functions solely with respect to variable annuity contracts or variable life policies which it issues or any registered clearing agency which performs such functions solely with respect to options contracts which it issues.

13. In response to any item (except item 7(a)) of Form TA-1 which requires information about "transfer agent activities," "transfer agent functions," "transfer agent operations," "securities" or "issues," the response should encompass all securities (e.g., municipal securities, debt securities, preferred stock, common stock) for which registrant acts as transfer agent, as defined in Section 3(a)(25) of the Act. The response should not be limited to securities registered under Section 12 of the Act or which would be required to be registered except for the exemption from registration provided by subsection (g)(2)(B) or (g)(2)(G) of section 12 of the Act. (See instruction 19 in responding to item 7 of Form TA-1.)

II. *Instructions Relating to Filing Form TA-1 as a Registration Form.* 14. If Form TA-1 is being filed as a registration form, all applicable items are required to be answered in full. If any item is not applicable, respond with "none" or "N/A" (not applicable), as appropriate.

III. *Instructions Relating to Filing Form TA-1 as an Amendment to a Registration Form.* 15. Within twenty-one calendar days following the date on which information reported at items 1-6 of Form TA-1 becomes inaccurate, incomplete or misleading, the registrant shall file an amendment on Form TA-1 correcting the inaccurate, incomplete or misleading information. Within thirty calendar days following the close of any calendar year (beginning with the period from the date as of which registrant's application is prepared to December 31, 1976) during which the information required by item 7 of Form TA-1 becomes inaccurate, incomplete or misleading, the registrant shall file an amendment on Form TA-1 correcting the inaccurate, incomplete or misleading information. The information reported at items 8-12 of Form TA-1 need not be amended after registration has become effective.

16. If an item is amended, the registrant must answer all other items on the page on which the amended item appears and must file six copies of the new page, each with an updated and properly completed execution page. Unless a schedule or an attachment is being amended, it is not necessary to file a new schedule or attachment pertaining to an unamended item on a page which is filed because such page contains an amended item.

IV. *Instructions as to SPECIFIC ITEMS on Form TA-1.* 17. Item 1—Indicate the agency with which Form TA-1 is to be filed and whether the Form is filed as a registration or an amendment.

18. Item 2(a)—Include a street address; a post office box number alone is not acceptable.

19. Item 7(a)—At the option of registrant, the response to this item may be limited to "issues" or "securities" registered under Section 12 of the Act or which would be required to be registered except for the exemption from registration provided by subsection (g)(2)(B) or (g)(2)(G) of section 12 of the Act.

V. *Instruction Relating to Schedule B of Form TA-1.* 20. Six copies of a facsimile of a computer run providing the information called for by Schedule B may be attached if the facsimile is in the format called for by Schedule B, the type size is legible, and the facsimile is reduced to 8½ x 11 inches in size.

21. Schedule B shall be amended by filing six copies, showing all additions and deletions and so designating them. Each copy shall be filed with an updated and properly completed execution page. Any change in the capacity in which the registrant acts for an issue shall be shown both as a delegation of all capacities previously set forth for the issue and as an addition showing the corrected capacity or capacities in which the registrant acts for the issue.

VI. *Notice.* 22. Under sections 17, 17A(c) and 23(a) of the Securities Exchange Act of 1934 and the rules and regulations thereunder, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation and the Securities and Exchange Commission ("the appropriate regulatory agency") are authorized to solicit the information required to be supplied by this Form from applicants for registration as a transfer agent. Disclosure to the appropriate regulatory agency of the information requested in Form TA-1 (except for the disclosure by an individual registrant of his social security number as an IRS Employee Identification Number, which is voluntary) is a prerequisite to the processing of applications for registration as a transfer agent. The information will be used for the principal purpose of determining whether the appropriate regulatory agency should allow an application for registration to become effective or should deny, accelerate or postpone registration to an applicant. Social security numbers, if furnished, will be used only to assist the appropriate regulatory agency in identifying applicants and, therefore, in promptly processing applications. Information supplied on this Form will be included routinely in the public files of the appropriate regulatory agency and will be available for inspection by any interested person.

FORM TA-1
EXECUTION PAGE

OFFICIAL USE

UNIFORM FORM FOR REGISTRATION AS A TRANSFER AGENT AND FOR AMENDMENT TO REGISTRATION AS A TRANSFER AGENT PURSUANT TO SECTION 17A OF THE SECURITIES EXCHANGE ACT OF 1934

General: Form TA-1 is to be used to register as a transfer agent and to amend registration as a transfer agent with the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation or the Securities and Exchange Commission pursuant to Section 17A of the Securities Exchange Act of 1934 (the "Act") Read all instructions before preparing the Form. Please print or type all responses.

1. This Form is filed with _____ as
(name of agency)
A registration /__/ An amendmeht /__/

2.(a) Exact name, principal business address, mailing address, if different, and telephone number of registrant:

Full name of registrant: IRS Empl. Ident. No..

EXECUTION: The Registrant submitting this Form, any Schedules and any attachments and the person by whom it is executed represent hereby that all information contained herein is true, current and complete. It is understood that all required items, Schedules and attachments are integral parts of this Form and that the submission of any amendment to items 1-6 represents that all unamended parts of items 1-6 and any Schedules and any attachments to items 1-6 remain true, current and complete as previously submitted. An amendment to item 7 and Schedule B and any attachments thereto represents that all unamended parts of item 7 and Schedule B and any attachments thereto and items 1-6 and any Schedules and attachments thereto remain true, current and complete as previously submitted.

Registrant agrees and consents that the notice of any proceeding under Section 17A of the Act involving registrant by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation or the Securities and Exchange Commission may be given by sending such notice by registered or certified mail or confirmed telegram to the registrant at the address of its principal office for transfer agent activities as given in response to item 2(b), "Attention Officer in Charge of Transfer Agent Activities." If more than one office is listed in item 2(b), the first office listed shall constitute the principal office for purposes of the aforementioned notice.

Dated the _____ day of _____ 19 ____

_____
(Name of Transfer Agent)

_____
(Manual signature of Principal Officer or duly authorized Principal)

_____
(Title)

ATTENTION: Intentional misstatements or omissions of fact constitute Federal Criminal Violations (See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a)).

FORM TA-1 Page 1

Name under which transfer agent activities are conducted, if different:

If name of registrant is hereby amended, state name under which registered previously:.

If name under which transfer agent activities are conducted is hereby amended, state name given previously:

Address of registrant's principal place of business:

Number and Street City State Zip Code

Mailing Address, if different:

Number and Street City State Zip Code

Telephone Number:

(Area Code) (Telephone Number)

2.(b) Address of Principal Office(s) for Transfer Agent Activities:

1.
2.
3.

Number and Street City State Zip Code

2.(c) Name, title and telephone number of person in charge of registrant's transfer agent activities:

Name Title

Telephone Number:

(Area Code) (Telephone Number)

3.(a) If registrant is a corporation or a national association:

Date on which registrant became incorporated or was organized and jurisdiction in which incorporated or under which it is organized:

DATE: _____ JURISDICTION: _____

(b) If registrant is not a corporation or a national association, describe on Schedule A the form of organization under which registrant conducts its business and identify the jurisdiction in which registrant is organized.

4. Does registrant have any arrangement with any person other than an issuer or a transfer agent, as defined in Section 3(a)(25) of the Act, under which, with regard to registrant's transfer agent functions, such other person processes, keeps or maintains any records or accounts of registrant or issuers relating to transfer agent functions?

Yes ☐ No ☐

If the answer is "yes", furnish on Schedule A, as to each such arrangement, the full name and principal business address of the other person and a brief summary of each such arrangement. As used in this question the term "person" includes any individual, corporation, partnership, association, joint stock company, business trust, unincorporated organization, or any other entity

5.(a) Does registrant act as a transfer agent solely for its own securities? Yes ☐ No ☐

(b) Does registrant act as a transfer agent solely for securities of a person, as defined in item 4 of Form TA-1, that controls, or is controlled by, or is under common control with, the registrant? Yes ☐ No ☐

6. Check below types of business activities engaged in by registrant:

(a) Countersigning securities upon issuance ☐

(b) Monitoring the issuance of securities with a view to preventing unauthorized issuance, a function commonly performed by a person called a registrar ☐

(c) Registering the transfer of securities ☐

(d) Exchanging or converting securities ☐

(e) Transferring record ownership of securities by bookkeeping entry without physical issuance of securities certificates ☐

(f) Activities related to transfer agent functions:

(1) Acting as dividend disbursing agent or paying agent ☐

(2) Effecting dividend reinvestment ☐

(3) Processing stock subscriptions ☐

(4) Mailing of stockholders notices, proxies and other materials ☐

7.(a) In accordance with instruction 19, list on Schedule B issues serviced as transfer agent in the following capacities, as these terms are commonly used in the transfer agent industry: transfer agent, co-transfer agent, registrar or co-registrar.

(b) Does Schedule B include only securities registered pursuant to Section 12 of the Act, or securities which would be required to be registered except for the exemption from registration contained in subsection (g)(2)(B) or (g)(2)(G) of Section 12 of the Act? Yes ☐ No ☐

(c) State the total number of issues serviced as a transfer agent which are not set forth in Schedule B. _____

8: If registrant is not a bank insured by the Federal Deposit Insurance Corporation, please answer items (a) and (b) below:

(a) Are the registrant's transfer agent activities subject to regulation by an agency of a state or political subdivision: (If yes, specify name of agency). Yes ☐ No ☐

Name of State or Political Subdivision	Name of Agency

(b) Have the registrant's transfer agent activities been the subject of periodic examinations by an agency of a state or political subdivision? (If yes, specify name of agency). Yes ☐ No ☐

Name of State or Political Subdivision	Name of Agency

9.(a) Is registrant audited by an independent public accountant? Yes ☐ No ☐

(b) If registrant is audited by an independent public accountant, does the audit include a review of internal controls related to transfer agent activities? Yes ☐ No ☐

(c) Fiscal year of registrant: Mo. ____ Day ____

10.(a) How many full-time and part-time employees does registrant have engaged in transfer agent activities?

1. Full-Time _____ 2. Part-Time _____

(b) How many years has registrant performed transfer agent activities?

(c) Indicate the average monthly number of certificates registrant issued during each of the following calendar quarters: (Indicate by an asterisk (*) placed adjacent to the number reported whether any original issues occurred in any period requested below)

Period	Average Monthly Number of Certificates Issued
1. October 1, 1974 - December 31, 1974	
2. January 1, 1975 - March 31, 1975	
3. April 1, 1975 - June 30, 1975	
4. July 1, 1975 - September 30, 1975	

11.(a) With regard to transfer agent activities, provide the following information regarding the type of insurance carried or provided:

Type of Insurance	Yes	No	Amount of Coverage	Amount Of Deductible
1. Blanket Bond	☐	☐	$	$
2. Fidelity	☐	☐	$	$
3. Errors and Omissions	☐	☐	$	$
4. Mail Policy	☐	☐	$	$
5. Air Courier	☐	☐	$	$
6. Lost Instrument	☐	☐	$	$
7. Other Insurance related solely to transfer agent activities (Please specify on Schedule A)	☐	☐	$	$

(b) If registrant's transfer activities are not covered by any insurance, has provision been made for self-insurance? Yes ☐ No ☐

If yes, indicate on Schedule A the provisions made for self-insurance (e.g., accounting reserve or funded reserve) and the amount thereof.

12.(a) What are registrant's internal policies and procedures for reconciling differences (including clerical and posting errors and out-of-proof conditions) in its transfer agent operations? (Describe on Schedule A).

(b) Indicate, as of September 30, 1975, the number of issues, if any, out-of-proof beyond thirty calendar days, and for each issue, identify the issue and state the number and market value of the shares or debt securities by which the issue is out-of-proof. (Attach Schedule A).

An out-of-proof condition exists if the total number of all securities reflected in the stockholder or debt holder records differs from the total number of shares or debt securities issued and outstanding pursuant to corporate action.

SCHEDULE A OF FORM TA-1

1. Full name of Registrant exactly as stated in Item 2(a) of Form TA-1.

2. Item of Form (Identify)	Answer

SCHEDULE B List issues serviced as transfer agent, co-transfer agent, registrar or co-registrar. For each issue provide the following information: (See Instructions 19, 20 and 21 before completing this Schedule)

This is: A Registration Form ___ An Amendment ___

Name of Issuer	Issue	CUSIP Number If Applicable	Capacity or Capacities in which registrant acts for issue CHECK THE APPROPRIATE COLUMN				If this is an Amendment	
			Transfer Agent 1/	Co-transfer Agent 1/	Registrar 1/	Co-Registrar 1/	This is an addition to issues or capacities previously listed on Schedule B	This is a deletion of issues or capacities previously listed on Schedule B
							CHECK ONE	

1/ For purposes of this Schedule B, the terms transfer agent and co-transfer agent include the person performing similar functions with respect to debt securities and the terms registrar and co-registrar include the person performing similar functions with respect to debt securities.

3. The Corporation has adopted Part 341 and related Form TA-1 effective November 1, 1975 having found, in accordance with the Administrative Procedure Act, 5 U.S.C. 553(d) and § 302.6 of the Federal Deposit Insurance Corporation's rules and regulations (12 CFR 302.6), that such action is necessary in order to provide an orderly and timely procedure for the registration of transfer agents.

4. *Effective Date.* November 1, 1975.

By order of the Board of Directors, October 21, 1975.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] ALAN R. MILLER,
Executive Secretary.

[FR Doc.75-28927 Filed 10-29-75;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Rev. 13, Amdt. 6]

PART 121—SMALL BUSINESS SIZE STANDARDS REGULATION

Definition of a Small Petroleum Refiner

On March 17, 1975, there was published in the FEDERAL REGISTER (40 FR 12125) a notice that the Small Business Administration proposed to increase the Small Business Size Standards (definition of small business) for petroleum refiners for the purpose of bidding on Government procurements, sales of Government property including royalty oil, and obtaining an SBA loan, to refining capacity not exceeding 75,000 barrels per day (60,000 barrels per day for the purpose of sales of Government property) and employment not exceeding 1,500 persons.

Interested parties were given time in which to file written comment and, as a result of the comment filed, it was decided to hold a public hearing on the proposed changes. The notice of hearing was published in the FEDERAL REGISTER on June 19, 1975 (40 FR 25831).

The hearing was held in the Central Office of the Small Business Administration at 9 a.m., on August 25, 1975. It was well-attended and various points of view were presented. Interested parties were given until September 22, 1975, to file additional comment in writing.

1. *Size Standard for Purpose of Bidding on Government Procurements and Obtaining SBA Loans.* On the basis of all of the evidence, it has been determined to adopt a 50,000 barrels per day and 1,500 employee standard for the purpose of bidding on Government procurements and obtaining SBA loans.

The reasons for the decision are as follows: Since the Small Business Administration promulgated its definition of a small petroleum refiner in 1955, the number of petroleum refiners with less than 30,000 barrels per day (BPD) has shrunk from 127 to 70, and the percentage of total United States refining capacity accounted for by these concerns has diminished from 7.8 percent to 5.1 percent. It is projected that the total demand for petroleum products will substantially increase within the next decade and, although the total productive refinery capacity in the United States has substantially increased since SBA promulgated its current size standard, additional refining capacity will be needed to meet such new demand. Some of the small refiners undoubtedly will expand their capacity because of economies of scale, increased markets, etc. However, others are, or in the future may be, reluctant to expand their capacity, because they wish to avoid losing their small business status and eligibility for assistance under the various SBA assistance programs. Since the SBA does not want to inhibit growth of refineries, it has been concluded that some increase in the capacity standard would be appropriate.

While it originally was proposed to increase the capacity standard to 75,000 BPD, it has been concluded, on the basis of material submitted at or in connection with the public hearing, that the standard should be increased only to 50,000 BPD. This determination was based in part on a finding that concerns having between 50,000 and 75,000 barrels per day capacity did not furnish sufficient evidence that they needed SBA assistance in order to remain competitively viable. Further, it was determined that concerns with capacity not exceeding 50,000 barrels per day capacity would account for 7.8 percent of total U.S. refining capacity and that a 50,000 barrels per day standard would thus be consistent to that extent with the 30,000 barrels per day standard adopted in 1955.

It also has been determined that, in the case of petroleum refining, smaller concerns need to enter certain market-expanding field operations such as truck-stops, motels, gift shops, and camping areas, all of which are labor intensive. A 1,500 employee size standard will add only about 5 or 6 concerns not currently eligible as small, and will permit other concerns to remain small even though adding employees in the additional fields

of operation noted above and, therefore, it has been determined that a 1,500 employee standard should be adopted.

2. *Size Standard for Purpose of Sales of Government Property Including Royalty Oil.* Little opposition has been expressed with respect to the proposal to increase the number of employee standard to 1,500 persons, since royalty oil is allocated on the basis of refining capacity rather than employment size. Accordingly, for the reasons set forth in paragraph 1, above, it has been determined to increase the employee standard for the purpose of sales of Government property to 1,500 employees.

The hearing panel recommended that no increase be made in the refining capacity standard for the purpose of sales of Government property including royalty oil. It based its recommendation to some extent on the limited supply of royalty oil available to small businesses within the definition. Although I agree with this rationale, I also am of the opinion that the expanded growth of the petroleum industry since the last change in the standard (1955) would warrant some increase in the standard. In my view, failure to do so would unnecessarily prohibit the natural and essential growth of eligible small concerns. Therefore, I have determined that the capacity standard for the purpose of sales of Government property, including royalty oil, should be increased to 45,000 barrels per day.

In accordance with the above, Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by:

1. Revising § 121.3–8(g) to read as follows:

§ 121.3–8 Definition of small business for Government procurement.

* * * * *

(g) Refined petroleum products. Any concern bidding on a contract for a refined petroleum product other than a product classified in Standard Industrial Classification Industries No. 2951, Paving Mixtures and Blocks; No. 2952, Asphalt Felts and Coatings; No. 2992, Lubricating Oils and Grease; or No. 2999, Products of Petroleum and Coal, Not Elsewhere Classified; is classified as small if (1) (i) its number of employees does not exceed 1,500 persons; (ii) it does not have more than 50,000 barrels per day crude oil or bona fide feedstock capacity from owned or leased facilities or from facilities made available to such concern under an arrangement such as, but not limited to, an exchange agreement (except one on a refined-product-for-refined product basis), or a throughput or other form of processing agreement, with the same effect as though such facilities had been leased; and (iii) the product to be delivered in the performance of the contract will contain at least 90 percent components refined by the bidder from either crude oil or bona fide feedstocks; *Provided, however,* That a petroleum refining concern which meets the requirements in paragraph (g) (1) (i) and (ii) of this section may furnish the product of a refinery not qualified as small business if such product is obtained pursuant to a bona fide exchange agreement, in effect on the date of the bid or offer, between the bidder or offeror and the refiner of the product to be delivered to the Government which requires exchanges in a stated ratio on a refined-petroleum-product - for - a - refined - petroleum - product basis, and precludes a monetary settlement, and that the products exchanged for the products offered and to be delivered to the Government meet the requirement in paragraph (g) (1) (iii) of this section; and, provided further, That the exchange of products for products to be delivered to the Government will be completed within 90 days after the expiration of the delivery period under the Government contract; and that any product furnished pursuant to a bona fide exchange agreement must be for delivery in the same Petroleum Administration for Defense (PAD) District pursuant to Schedule C of Part 121, as that in which the small refinery is located; or (2) its number of employees does not exceed 500 persons and the product to be delivered to the Government has been refined by a concern which qualifies under paragraph (g) (1) of this section. The proviso that the product to be delivered in the performance of the contract will contain at least 90 percent components refined by the bidder from either crude oil or bona fide feedstocks contemplates that, in accomplishing such refining, the bidder will utilize its own employees and facilities which it owns or obtains under a bona fide lease as distinguished from any other arrangement having the same effect as a lease. The proviso permitting a concern which meets the requirements in paragraph (g) (1) (i) and (ii) of this section to furnish the product of a refinery not qualified as small business if such product is obtained pursuant to a bona fide exchange agreement which meets prescribed requirements, contemplates that the product exchanged by the bidder for the product to be furnished, shall have been refined by the bidder utilizing only its own employees and its own facilities or facilities obtained through a bona fide lease.

2. Revising 121.3–9(a) (1) to read as follows:

§ 121.3–9 Definition of small business for sales of Government property.

* * * * *

(a) Sales of Government property other than timber * * *

(1) Manufacturers. Any concern which is primarily engaged in manufacturing is small if its number of employees does not exceed 500 persons: *Provided, however,* That a concern primarily engaged in SIC Industry 2911, Petroleum Refining, is small if its number of employees does not exceed 1,500 persons and it does not have more than 45,000 barrels per day crude oil or bona fide stock capacity from owned and/or leased facilities, or from facilities made available to such concern under an arrangement such as, but not limited to, an exchange agreement (except one on a refined-product-for-refined-product basis) or a throughput or other form of processing agreement, with the same effect as though such facilities had been leased.

* * * * *

3. Revising the employment size standard for SIC 2911, Petroleum Refining, in Schedule A to 1,500 employees.

4. Revise footnote 2 to Schedule A to read as follows:

[2] Together with its affiliates, does not employ more than 1,500 persons and does not have more than 50,000 barrels per day crude oil or bona fide feedstock capacity from owned and/or leased facilities or from facilities made available to such concerns under an arrangement such as, but not limited to, an exchange agreement (except one on a refined-product-for-a-refined-product basis) or a throughput or other form of processing agreement with the same effect as though such facilities had been leased.

Effective Date. This amendment shall become effective on October 30, 1975, provided, however, That for the purpose of Government procurement or sales, it shall apply only to procurements or sales for which the invitation for bids or requests for proposals are issued 30 days or more after such date.

(Catalog of Federal Domestic Assistance Program No. 59.002, Economic Injury Disaster Loans; 59009, Procurement Assistance to Small Businesses; and 59.012, Small Business Loans)

Dated: October 16, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-29067 Filed 10-29-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 75-WE-45-AD; Amdt. 39-2411]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas DC-10 Series Airplanes

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an emergency airworthiness directive, amending AD 75-18-08, was adopted on October 10, 1975, and made effective immediately by individual telegrams, dated October 10, 1975, to all known United States operators of McDonnell Douglas DC-10 Series airplanes, certificated in all categories.

The amendment to Amendment 39-2351 (40 FR 36762), AD 75-18-08, was required because of several reported localizer antenna anomalies resulting in localizer oscillatory deviations of up to one dot, repeated simultaneously and with comparable phasing without failure warning on both receivers which could appear to be legitimate guidance. Amendment 39-2351, AD 75-18-08, requires approaches be limited to Category I minimums until the airplane is inspected or modified in accordance with McDonnell Douglas Service Bulletins A34-70 or 34-66, or until equivalent inspections or modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region, are accomplished.

After issuing Amendment 39-2351, the agency found that Douglas Service Bulletin A34-70 may not eliminate the

localizer antenna anomalies. The telegraphic AD deleted the inspection program described in Service Bulletin A34-70 as a relieving provision from the Category I approach minima limitation and adopted other editorial changes.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of McDonnell Douglas DC-10 series airplanes, certificated in all categories. These conditions still exist and the amendment to Amendment 39-2351 (40 FR 36762), AD 75-18-08, is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

Amendment 39-2351 (40 FR 36762), AD 75-18-08, is amended as follows:

(1) Delete subparagraph (c)(1).

(2) Remember subparagraphs (c) (2) and (3) as (c) (1) and (2).

(3) Amend the new subparagraph (c) (2) to read:

(2) Accomplish a modification approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment is effective November 10, 1975 for all persons except those to whom it was made effective by telegrams, dated October 10, 1975, which contained this amendment.

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

Issued in Los Angeles, California on October 21, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75-29079 Filed 10-29-75;8:45 am]

[Docket No. 15113; Amdt. No. 992]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

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

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

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

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

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

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, *effective December 18, 1975.*

Arcata-Eureka, CA—Arcata Arpt., VOR/DME Rwy 1, Amdt. 1.
Arcata-Eureka, CA—Arcata Arpt., VOR Rwy 13, Amdt. 2.

* * * *effective December 4, 1975:*

Kansas City, MO—Kansas City Int'l Arpt., VOR Rwy 27, Amdt. 6.

* * * *effective November 6, 1975:*

Franklin, PA—Chess-Lamberton Arpt., VOR Rwy 20, Amdt. 4.
Nogales, AZ—Nogales Int'l Arpt., VOR/DME-A, Orig.
Nogales, AZ—Nogales Int'l Arpt., VOR-B, Orig.

2. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, *effective December 18, 1975.*

Arcata-Eureka, CA—Arcata Arpt., NDB-A, Amdt. 3.

* * * *effective December 11, 1975:*

Cambridge, MN—Cambridge Municipal Arpt., NDB Rwy 34, Orig.

* * * *effective November 20, 1975:*

Coeur d'Alene, ID—Coeur d'Alene Air Terminal Arpt., NDB Rwy 5, Amdt. 2.

* * * *effective November 13, 1975:*

East Liverpool, OH—Columbiana County Arpt., NDB Rwy 24, Orig. Marion, IL—Williamson County Arpt., NDB Rwy 20, Orig.

* * * *effective October 16, 1975:*

Covington, KY—Greater Cincinnati Arpt., NDB Rwy 27L, Amdt. 2, Canceled.

3. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective December 18, 1975.*

Arcata-Eureka, CA—Arcata Arpt., ILS Rwy 31, Amdt. 20.

* * * *effective November 13, 1975:*

Columbus, OH—Ohio State University Arpt., ILS Rwy 9R, Orig.
Marion, IL—Williamson County Arpt., ILS Rwy 20, Orig.

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

Issued in Washington, D.C., on October 23, 1975.

JAMES M. VINES,
Chief, Aircraft Programs Division.

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

[FR Doc.75-29080 Filed 10-29-75;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER D—SPECIAL REGULATIONS

[Regulation SPR-90, Amdt. 2]

PART 378a—ONE-STOP-INCLUSIVE TOUR CHARTERS

Technical Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., September 17, 1975.

By SPR-85, the Board authorized the performance of One-stop-inclusive Tour Charters (OTC's) and Special Event Charters (SEC's) under a new Part 378a and amendments to other parts.

Those engaged in these operations are required to file certain information with the Board. The within amendments prescribe forms for use in filing the OTC passenger list required by § 378a.25, the tour reports required by § 378a.50, and the application for a Statement of Authorization to operate an SEC, required by § 378a.107.

We are also taking this opportunity to amend § 378a.31(b) (2) (ix), in order to make it clear that the bank holding the OTC depository account is permitted, under § 378a.31(b) (2) (iii), to reimburse the tour operator for refunds made by the latter to canceling tour participants.

Finally, we are amending § 378a.50, in order to clarify the application of that section to SEC's as well as ordinary OTC's.

Since the amendments are either interpretative in nature or constitute rules of agency practice and procedure and are designed to facilitate compliance with the substantive requirements of SPR-85, the Board finds that notice and public procedure are unnecessary, and that the amendments may become effective on less than 30 days' notice.

In consideration of the foregoing, the Board hereby amends Part 378a of the Special Regulations (14 CFR Part 378a), effective October 16, 1975, as follows:

1. Amend § 378a.25(b) (1) to read as follows:

§ 378a.25 Operating authorization of tour operators.

* * * * *

(b) * * *

(1) CAB Form 378a-1, which appears as appendix B to this Part, setting forth the name of each passenger in alphabetical order, his address and telephone number, and the name, address, and telephone number of the travel agent (if any) who sold the tour to the passenger.

* * * * *

2. Amend § 378a.31(b) (2) (ix) to read as follows:

§ 378a.31 Surety bond and depository agreement.

* * * * *

(b) * * *

(2) * * *

(ix) Except as provided in paragraph (b) (2) (ii), (iii), (iv), (v), and (viii) of this section, the bank shall not pay out any funds from the account prior to two banking days after completion of each tour, when the balance in the account shall be paid to the tour operator or foreign tour operator, upon certification of the completion date by the direct air carrier.

* * * * *

3. Amend § 378a.50 (b) and (c) to read as follows:

§ 378a.50 Charter trip reporting.

* * * * *

(b) The direct air carrier shall promptly notify the Board (Supplementary Services Division, Bureau of Operating Rights) regarding any charters covered by a Prospectus filed under § 378a.28, or a Statement of Authorization issued pursuant to § 378a.106, that are later canceled.

(c) Within 30 days after termination of a tour or series of tours, or, in the case of a series of tours extending over a period longer than 30 days, every 30 days, the direct air carrier and tour operator or foreign tour operator shall jointly file a report with the Board (Supplementary Services Division, Bureau of Operating Rights), on CAB Form 378a-2, which appears as appendix C to this Part. The report shall indicate whether or not the tours authorized hereunder were, in fact, performed. For each tour operated, the report shall indicate the origin, destination(s), and number of passengers carried. To the extent that the operations differed from those described in the Prospectus filed under § 378a.28 or the Application for a Statement of Authorization under § 378a.107, such differences will be fully detailed, including the reasons therefor. However, the making of such an explanation shall not of itself operate as authority for or excuse any such deviation.

4. Amend § 378a.107(a) to read as follows:

§ 378a.107 Application for Statement of Authorization.

(a) Application for a Statement of Authorization shall be submitted by the direct air carrier or carriers, on CAB Form 85, which appears as appendix D to this Part, addressed to the attention of the Director, Bureau of Operating Rights. If a series of charters is to be operated for one tour operator pursuant to one charter contract, the application may cover the entire series.

* * * * *

5. Amend Part 378a by adding thereto Appendices B, C, D, in the form attached hereto.

NOTE: The reporting requirements herein have been approved by the General Accounting Office in accordance with the Federal Reports Act of 1942, as amended.

(Secs. 101(3), 204(a), 401, 402, 407, 416(a), and 1001 of the Federal Aviation Act of 1958, as amended, 72 Stat. 737 (as amended), 743, 754 (as amended), 757, 766, 771, and 788; 49 U.S.C. 1301, 1324, 1371, 1372, 1377, 1386, and 1481.)

By the Civil Aeronautics Board.

Adopted: September 17, 1975.

Effective: October 16, 1975.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

Approved by GAO
B-180226 (R0274)
Expires 8-31-78

Appendix B
Page 1 of 3

CAB ONE-STOP INCLUSIVE TOUR CHARTER PASSENGER NAME LISTS (See Instructions On Page 3) (1) PAGE __ OF __ (2) OTC NUMBER

(6) NAME OF TOUR OPERATOR (3) DATE OF FIRST FILING

(7) NAME DEPARTURE TRIP DIRECT AIR CARRIER (4) DATE DEPART. LIST FILED

(8) NAME RETURNING TRIP DIRECT AIR CARRIER (5) DATE RETURN LIST FILED

(9) DEPARTURE JOURNEY ORIGIN DESTINATION DATE OF DEPARTURE [Y][Y][M][M][D][D]

(10) RETURN JOURNEY ORIGIN DESTINATION DATE OF RETURN [Y][Y][M][M][D][D]

(11) PSNGR SEQ NOS.	(12) PSNGR STATUS Dep.	Ret.	PASSENGER IDENTIFICATION (13) NAME	(14) ADDRESS AND TELEPHONE NO.	(15) ENPLANEMENT IDENTIFICATION
			M F		Passport No. / Tvl Doc. No. / Other No.
			M F		Passport No. / Tvl Doc. No. / Other No.
			M F		Passport No. / Tvl Doc. No. / Other No.
			M F		Passport No. / Tvl Doc. No. / Other No.
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			M F		Passport No. / Tvl Doc. No. / Other No.
			M F		Passport No. / Tvl Doc. No. / Other No.
A-DEP.			(17) Total Tour Participants Enplaned on the Departure Journey = __	(18) PREPARED BY: First Filing __ Departure __ Return __	
B-RET.			Total No. Pass. Seats Contracted For		

CAB FORM 378a-1 (9-75)

(10) NAME, ADDRESS, AND TELEPHONE NUMBER OF RETAIL AGENT	PASSENGER SEQUENTIAL NUMBERS (From Item 11)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

INSTRUCTIONS

Introduction

Form 378a[1] is to be used in making the first filing of the one-stop-inclusive tour charter passenger name list (OTCPNL), required by Part 378a to be filed by the tour operator (TO) no later than 15 days before the scheduled date of departure in the case of North American OTC's, and no later than 30 days before the scheduled date of departure for all others, pursuant to §378a.25 (the First Filing); and a photostatic or similarly reproduced copy of this form, stamped by the Board, is to be used in filing the enplanement list required to be prepared by the direct air carrier (DAC), and filed after a flight is performed, pursuant to §378a.41 and 378a.50. The information required by all items on Form 378a shall be typewritten except item 12 (Passenger Status) item 15 (Enplanement Identification) and item 18 (Prepared By).

Procedures for First Filing

The TO will prepare Form 378a according to the instructions set forth below and shall file an original and two photostatic or similarly reproduced copies (not carbons) accompanied by a self-addressed and postage-prepaid return envelope, with the Board's Supplementary Services Division, Bureau of Operating Rights (BOR). BOR will stamp the original and two copies to validate their receipt, and return the two stamped copies to the TO. One stamped copy will be for use by the DAC who is to perform the OTC departure flight and the other stamped copy will be for use by the DAC who is to perform the OTC return flight.

Preparation of Form 378a

Each page provides for twenty (20) names. Items 1, 2, and 6 through 15 will be completed on each page, and items 16 through 18 will be prepared only on the first page, by the TO or DAC, as the case may be.

Item 1, page of --The left blank is to contain a sequential number beginning with "1" representing the page number in the set of pages submitted for the OTCPNL. The right blank is to contain the total number of pages in the set for the OTCPNL.

Item 2, OTC Number--Enter the number assigned by BOR for the OTC program, e.g., 75-37; the TO should further identify the passenger lists filed within the program by assigning another number for each passenger list filed, such numbers to be in sequence and begin with "1". Thus, the first passenger list filed in the program 75-37 would be 75-37-1, and the fifth list filed would be 75-37-5.

Item 3, Date of First Filing--Leave blank.

Item 4, Date Departure List Filed--Leave blank.

Item 5, Date Return List Filed--Leave blank.

Item 6, Name of Tour Operator--Enter the name of the tour operator exactly as shown on the OTC Prospectus filed with the Board.

Item 7, Name Departure Trip Direct Air Carrier--Enter the name of the DAC who will perform the departure journey for the OTC exactly as shown on the OTC Prospectus filed with the Board.

Item 8, Name Returning Trip Direct Air Carrier--Enter the name of the DAC who will perform the return journey for the OTC, exactly as shown on the OTC Prospectus filed with the Board. (Although this will generally be the same as shown in item 7, ditto marks are not acceptable. The item must be completed).

Item 9, Departure Journey--Enter details about the departure journey on this line. Show the origin and destination as city, state (or otherwise), and country. Airport names are acceptable only as an addition to the city, state, and country information. The date should appear in the form YYMMDD where YY represents the last two digits of the current calendar year, MM represents the month in a scale where 01 is January and 12 is December, and DD is the day of the month from 01 to 31. For example, December 12, 1975, would be shown as 751212. The ADP coding boxes to the left of item 9 are intended for the three-letter codes of the origin and destination, i.e., Washington, D.C., USA (National Airport) to Baltimore, Md. USA should be shown as DCABAL. Enter these if known, otherwise, leave blank.

Item 10, Return Journey--Follow the same directions as for item 9 above in describing the return journey.

Item 11, Passenger Sequential Number--Two or more pages will be required to list the prospective passenger names. The names of prospective passengers who are tour participants shall be listed first, receiving a sequential number beginning with "1". The names of prospective passengers who are persons occupying "unused space", under §378a.13, shall be listed following those of participants, and shall receive a sequential number in a second series of numbers beginning with "1".

Item 12, Passenger Status--These two (2) columns are to be marked with an x as appropriate to show that the passenger named on this line is a departing enplaned passenger (departure), or returning enplaned passenger (return). The DAC performing the departure journey will mark an x in the departure column and the DAC performing the return journey will mark an x in the return column.

Item 13, Name--Enter the prospective passenger's last name first, followed by a comma, the first name or initials and the middle initial, if any (for example, Doe, John A.). Check block whether Male or Female. Enter the name on one line only. If necessary, drop any element other than the fully spelled out last name. Enter all prospective passengers' names in alphabetical order, according to the last name and in the case of like last names, according to initials of first names.

Item 14, Address and Telephone No.--Enter the address in enough detail to allow contact by mail, and telephone number (including area code, if any).

Item 15, Enplanement Identification--The DAC performing the departure or return journey will verify each enplaning passenger's identity, using as the documentary source of such verification the passenger's passport, or, if he has no passport, using his travel identity document. Only if no passport or travel identity document is available should any other document be used, e.g., a Social Security card. When a passport or Social Security card is used for identification, enter only the number in the appropriate space. Where a travel identity document or document other than a passport or Social Security card is used, then in addition to entering the number in the appropriate space, a brief description of such document should also be noted.

Item 16, Column Totals--Boxes shown are to be used for recording the total x's shown on all the pages of this OTCPNL in the particular column. These entries must appear only on page 1 of the OTCPNL. The box under the column headed DEP (titled A-DEP) should contain the total number of departure flight passengers and the box under the column headed RET (titled B-RET) should contain the total number of return flight passengers. The A-DEP and B-RET figures will be shown on the filings made by the departing DAC and returning DAC, respectively.

Item 17--This computation will be completed by the departure DAC. The calculation requires a division of the number of tour participants (i.e., not including any passengers occupying "unused space") enplaned on the departure journey by the total number of passenger seats contracted for. Express the result to the nearest tenth of a percent.

Item 18, Prepared By--Enter the signature of the person preparing the form for the TO, the departing DAC and the returning DAC, as the case may be.

Item 19, Name, Address, and Telephone Number of Retail Agent--Enter the name, address, and telephone number of each retail agent who has sold a tour to a passenger listed under item 13. For each agent, give the sequential number (item 11) of all passengers to whom tour was sold.

[1] Copies are obtainable from the Board's Publications Services Section.

Approved by GAO
B-180226 (R0275).
Expires 8-31-78

ONE-STOP INCLUSIVE TOUR CHARTER REPORT

General Instructions

1. For the Tour Prospectus Summary and the Market Data Summary, an original and one (1) copy of each shall be jointly filed with the Board (Bureau of Operating Rights, Supplementary Services Division) by the direct air carrier and the tour operator conducting OTC's pursuant to Part 378a of the Board's Special Regulations within thirty (30) days of the close of each calendar month.

2. The information provided for items 1 and 2 of the Tour Prospectus Summary, and all information provided for the Market Data Summary, shall be for the month in which OTC's were operated, and shall not include any information for OTC's previously operated or expected to be operated in the future under any one prospectus -- e.g., reports filed in December shall contain information for OTC's operated during November.

A. Tour Prospectus Summary

OTC Number _____
Month Ended _____, 19__

1. Number of tours operated this month _____.

2. Number of tours listed in OTC prospectus for this month that were not operated. _____.

3. Specifically identify tour(s) in item 2 that were not operated and give reason, and indicate if prospective tour participants received full refunds _____

_____

_____.

4. Indicate if the OTC's performed this month were operated substantially different from the description in the tour prospectus or application for Statement of Authorization, and, if so, state the reason(s).

Name of Direct Air Carrier	Signature of Direct Air Carrier	Date
Name of Tour Operator or Foreign Tour Operator	Signature of Tour Operator or Foreign Tour Operator	Date

CAB FORM 378a-2

ONE-STOP INCLUSIVE TOUR CHARTER REPORT

B. Market Data Summary

Reporting Instructions for Market Data Summary

Field 1 - Air Carrier. This is the official two-letter alpha code of the carrier supplying the charter service.

Field 2 - Month. This is the spelling of the month the services were performed by the carrier.

Field 3 - OTC File Number. This is the official number given to the OTC prospectus.

Field 4 - This is the flight number assigned by the carrier to this group.

Field 5 - This is the three-letter OAG code assigned to the departure airport.

Field 6 - This is the three-letter OAG code assigned to the arrival airport.

Field 7 - These are the number of passengers that enplaned at the departure airport (Field 5) and deplaned at the arrival airport (Field 6).

NOTE Round trips are reported as two one-way trips showing traffic in each direction.

Example A round-trip OTC from JFK to Denver to Los Angeles with 400 people departing JFK and half going to Denver and half to Los Angeles would be reported as follows:

OTC FILE NUMBER	FLIGHT NUMBER	POINT OF ENPLANEMENT	POINT OF DEPLANEMENT	NUMBER OF PASSENGERS ENPLANED
75-12	0005	JFK	DEN	200
75-12	0005	JFK	LAX	200
75-12	0006	LAX	JFK	200
75-12	0006	DEN	JFK	200

AIR CARRIER _____ (1), MONTH OF _____ (2), 19__

OTC FILE NUMBER (3)	FLIGHT NUMBER (4)	POINT OF ENPLANEMENT OAG AIRPORT CODE (5)	POINT OF DEPLANEMENT OAG AIRPORT CODE (6)	NUMBER OF PASSENGERS ENPLANED (7)

Approved by GAO
B-180226 (R0276)

Appendix D.
Page 1 of 2

CAB Form 85
(8-75)

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD

APPLICATION FOR STATEMENT OF AUTHORIZATION FOR A SPECIAL EVENT CHARTER

(See Instructions on Reverse)

DO NOT WRITE — FOR OFFICIAL USE ONLY

Issue Date _____

Approved under delegated authority

Permit expires _____

Director, Bureau of Operating Rights

TO: Civil Aeronautics Board
Attention: Director, Bureau of Operating Rights
Washington, D. C. 20428

Operations pursuant to this authorization shall conform to Part 378a of the Board's Special Regulations.

Application is made for authorization to conduct special event charter flight under provisions of the applicant's certificate or permit and the Board's Special Regulations Part 378a, Subpart F.

1. Name of Applicant Air Carrier(s):

Nationality:

2. Name of Tour Operator:

Address:

3. Send Authorization to:
Name:
Address:

4. Name of Event Sponsor(s):

Address:

5. Dates and Times of the Special Event:
Commencement: Termination:

6. Dates and Times of Proposed Flight(s):
Departure: Return:

7. Routing of Flight(s):
Origin: Destination:

8. Description of Event (include the location, history, purposes and significance of event, and any other pertinent information and printed material necessary to determine eligibility of event):

9. If Application is Being Filed Late, State Reasons for Lateness:

10. Total Air Charter Price:

11. Total Cost of Event-related Charges to Tour Operator:

12. Tour Operator's Compensation Per Passenger:

13. Minimum Price Per Passenger:

CERTIFICATION

I hereby certify that the charter flight(s) for which authority is sought herein conforms to the requirements of Special Regulation Part 378a, Subpart F, and that the air charter price conforms to the applicable tariff on file with the Civil Aeronautics Board.

(Date) (Signature and title of authorized carrier official)

INSTRUCTIONS

1. Prepare an original and three copies of this application (CAB Form 85). If extra space is needed to complete an item, continue on a separate sheet of paper.

2. Attach in duplicate the air charter contract and proposed solicitation material. If applicable, enclose filing fees and attach in duplicate contract between charter organizer and passengers; surety bond (include an original copy); and depository agreement.

3. Send the application to: "Civil Aeronautics Board, Attention: Director, Bureau of Operating Rights, Washington, D.C. 20428" in time to be received at least 30 days in advance of commencement of the proposed operation. Applications received less than 30 days prior to the flight departure will be rejected, unless good cause for lateness is shown.

[FR Doc.75-28707 Filed 10-29-75;8:45 am]

Title 21—Food and Drugs

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

[Docket No. 75N-0177]

PART 310—NEW DRUGS

PART 700—COSMETICS

Certain Halogenated Salicylanilides as Active or Inactive Ingredients in Drug and Cosmetic Products

The Commissioner of Food and Drugs has determined that any drug or cosmetic product containing the halogenated salicylanilides, tribromsalan (TBS, 3,4',5 - tribromosalicylanilide), dibromsalan (DBS, 4',5-dibromosalicylanilide), metabromsalan (MBS, 3,5-dibromosalicylanlilide) and 3,3',4,5'-tetracholorsalicylanilide (TCSA) is a new drug or an adulterated cosmetic. This regulation regarding these halogenated salicylanilides shall be effective on December 1, 1975.

A notice of proposed rulemaking was published in the FEDERAL REGISTER of September 13, 1974 (39 FR 33102), in which the Commissioner proposed that any drug or cosmetic product containing certain halogenated salicylanilides as active or inactive ingredients is a new drug or an adulterated cosmetic. Elsewhere in that same issue of the FEDERAL REGISTER (39 FR 33103), the Commissioner issued the results of the OTC Antimicrobial I Drug Review Panel's evaluation of over-the-counter (OTC) drug products containing antimicrobial ingredients for topical human use and a proposed monograph establishing conditions under which such products are generally recognized as safe and effective and not misbranded.

The Panel reviewed submissions of data and information regarding the use of tribromsalan. Tribromsalan (TBS, 3, 4',5-tribromosalicylanilide) is a halogenated salicylanilide, which is used in OTC drug and cosmetic products as an active ingredient for its antimicrobial action or as an inactive ingredient as a preservative.

The Panel concluded, in its report, that tribromsalan can photosensitize and cause skin eruptions in man and lead to a disabling skin disorder. In some instances the photosensitization may persist for prolonged periods and severe reactions can reoccur in the presence of sunlight even though the individual is not exposed again to tribromsalan. The Panel also reported that there is evidence to indicate that tribromsalan produces cross-sensitization with other halogenated salicylanilides. In addition to citing the problem of photosensitization, the Panel expressed concern about the potential toxicity of this compound if used over an extended period of time. Such exposure would occur if tribromsalan were used in an antimicrobial soap, which is intended for daily use over the entire body and may be used for a lifetime. Although extensive animal and human toxicological data were reviewed by the Panel concerning the amount absorbed through the skin and length of use, the data failed to provide a basis for establishment of a safe level for use. The Panel noted that, although tribromsalan contributes to control of body odor, there are other safer agents available that achieve the same result.

The Panel recommended to the Commissioner that tribromsalan and certain chemically related halogenated salicylanilides also reviewed by the Panel be considered not safe for general use as OTC antimicrobial agents in drug and costmetic products, and that the Food and and Drug Administration take prompt action to remove such ingredients from all products.

The report of the Panel and supporting scientific literature clearly indicate that certain halogenated salicylanilides such as dibromsalan (DBS), metabromsalan (MBS) and tetrachlorosalicylanilide (TCSA) have been shown to be more potent photosensitizers and cross-photosensitizers than tribromsalan. Thus, the Commissioner has determined that any action regarding use of tribromsalan shall also include these other halogenated salicylanilides.

Interested persons were invited to submit written comments regarding the proposal on these halogenated salicylanilides on or before October 15, 1974. Requests for extensions of time to comment on the proposal were received, and the Commissioner permitted additional time through January 13, 1975, on the assurance from the major manufacturer that sales in the United States of halogenated salicylanilides were virtually nil.

The Commissioner has carefully reviewed all of the comments and also again reviewed the findings of the OTC Antimicrobial I Drug Review Panel regarding halogenated salicylanilides (tribromsolar (TBS, 3,4',5-tribromosalicylanilide), dibromsalan (DBS, 4' 5-dibromosalicylanilide), metabromsalan (MBS, 3,5-dibromosalicylanilide), and 3,3',4,5'-tetrachlorosalicylanilide (TCSA)). The Commissioner has reached the following conclusions and decisions.

SENSITIZATION

1. There were several comments stating or implying that tribromsalan is not a primary photosensitizer and that the cases of photosensitization seen and tested are cross-reactions to 3,3',4,5'-tetracholorsalicylanilide (TCSA), other photosensitizing drugs, natural products, or effects elicited because of intrinsic genetic factors operating in a particular patient. In addition it was stated that the incidence of photosensitization should be established.

The Commissioner concludes that the data in the Panel's report adequately demonstrate that tribromsalan is a primary photosensitizer. Conclusive evidence was set forth by the Panel in its discussion of the Danish experience with a marketed soap in the late 1960's. This soap contained 2 percent tribromsalan rather than the 1 percent often used in this country. After introduction of the product, there were approximately 80 verified cases of photosensitization in patients who had used the product. Of crucial importance is the fact that TCSA was never marketed in Denmark, and therefore cross-photosensitization due to it could not have occurred. The only reasonable explanation of the Danish experience is that tribromsalan acts as a primary photosensitizer.

In addition, the published work of T. Masuda et al., "Contact Dermatitis Due to Hexachlorophene, Irgasen CF3, TCC, TBS, and Diaphene," "Japanese Journal of Dermatology," (Series B), 81:245-248, 1971, documents the primary photosensitization potential of tribromsalan from topical application in humans.

The Commissioner is also aware of the significant hazard of cross-photosensiti-

zation. The Commissioner notes that there are literally thousands of people in this country who are sensitized to TCSA, in most cases, by products such as soap and diaper rinses. Some individuals may have also been sensitized by having been patch tested repeatedly with TCSA. The Commissioner recognizes that it is inescapable and unfortunate that these people, when exposed, will react to tribromsalan and other halogenated salicylanilides. These individuals thus add to the population at risk from exposure to tribromsalan.

The Commissioner therefore concludes that sufficient data are available to demonstrate that tribromsalan is a primary photosensitizer and that there is in addition a significant hazard of tribromsalan due to its cross-sensitization potential. Moreover, although the incidence of photosensitization is not known precisely, it is known to a sufficient degree to permit the conclusion that a hazard exists. Therfore it is not necessary to establish the incidence of photosensitization prior to taking final action on this compound.

2. There was comment that the decrease in photosensitization caused by tribromsalan began when the purified ingredient came onto the market, and when TCSA was no longer used as a positive control for patch testing. The commentator concludes from this fact that tribromsalan is therefore not a primary photosensitizer.

The Commissioner recognizes that because of manufacturing limitations earlier formulations of tribromsalan were contaminated with higher concentrations of photosensitizing chemical impurities, e.g., dibromsalan and metabromsalan, which are more potent sensitizers than tribromsalan. With improved manufacturing techniques, the level of impurities was reduced. The Commissioner agrees that with the availability of a purified compound the incidence of tribromsalan sensitization has been declining, but it has not disappeared. Since tribromsalan is a less potent photosensitizer than the impurities which have been reduced in concentration, the increased purity of tribromsalan may well be an explanation for the observed decline in photosensitization. However, the Panel's data, described above, show that tribromsalan is itself a primary photosensitizer. In addition to the data cited in question 1, published and verified positive reactions to tribromsalan in skin photo-patch tests continued to occur even after TCSA was removed from patch-test kits in the late 1960's. Based upon comment, the Commissioner is also aware that cases of tribromsalan photosensitization occurred up to and even after publication of the Panel's report.

3. Several commentators noted that an expert in photosensitization had pointed out to the Panel that there was indeed a rash of reports of halogenated salicylanilide sensitization in the latter half of the 1960's. The commentators stated that this represented all of the cases the expert had reviewed to that point in time and that recent reports noted that photosensitization was caused by a variety of cross-reactions and predisposing factors. The commentators concluded that halogenated salicylanilides were therefore not primary sensitizers.

When photosensitization to halogenated salicylanilides first become evident in the 1960's, it was frequently recognized-and verified by experts working in large dermatologic centers. This resulted in a rash of reports of such cases in the dermatologic literature. As dermatologists became generally aware that antimicrobial bar soaps were a cause of photosensitization, it was no longer a new phenomenon. Hence, they tended not to report additional cases since it did not represent new information and physicians everywhere could identify such cases and recommend that patients stop using the product.

The Panel noted that with the purification of tribromsalan-containing bar soaps the incidence of photosensitization did in fact decline substantially, but it did not decline to zero. The Panel also noted in their report that although the incidence of photosensitization further declined when the major bar soap manufacturers ceased using tribromsalan in their formulations, there were still reported cases of photosensitivity to tribromsalan. The Panel concluded that these cases were not the result of cross-reactions to photopatch testing or due to other predisposing factors. The Commissioner is persuaded by the Panel's argument that even with purification of tribromsalan and modification of photopatch testing techniques, tribromsalan use in bar soaps will result in photosensitization of some individuals.

4. There was comment that the individuals who still react to tribromsalan, either when photopatch tested or when exposed to a tribromsalan-containing product, are members of a small group who are highly active because they are atopic, or they are intrinsically genetically predisposed to be highly reactive.

Absolutely no evidence was submitted to the Commissioner that atopic individuals react to a photosensitizer such as tribromsalan with any higher incidence than the normal population. In fact, there is evidence to the contrary, as reported by Raika in "Studies in Hypersensitivity to Mold and Staphylococci," "Prurigo Besocier, Atopic Dermatitic, Acta Dermato-Venereologica, Stockholm" (1963); Palacias et al. in "Immunological Capabilities of Patients with Atopic Dermatitis," "Journal of Investigational Dermatology," (1966); and Cronin et al. in "Contact Dermatitis in the Atopic," "Acta Dermatovener, Stockholm" (1970).

After a review of the literature, and from the Panel's communications with dermatologists who treat such patients, it is evident to the Commissioner that there is no universal rule that atopic patients are highly reactive to tribromsalan or that they have genetic predisposition to photosensitization. The Commissioner recognizes that there is no dispute that immune reactions are involved in sensitization reactions, including photosensitization. Since the basic mechanism of photosensitization is not fully characterized, some role for intrinsic or genetic factors may eventually be identified.

However, even if there were a segment of the population which is particularly susceptible to harm from a tribromsalan and the other halogenated salicylanilides, the Commissioner concludes that such individuals should not be exposed to these chemicals unless the benefit of their availability outweighs the risk to such persons, or there are no satisfactory substitutes. This is clearly not the case, since safer and equally effective agents are available to the consumer.

5. There was comment suggesting that perhaps all tribromsalan-sensitized patients should be retested by a recognized group of experts in dermatology.

The Commissioner believes that retesting tribromsalan-sensitized patients would serve no useful purpose. The sensitivity of these individuals has already been established by accepted means. To suggest that they resubmit to testing would impose a risk that would not be compensated by any information obtained. The photosensitizing properties of tribromsalan and other halogenated salicylanilides has already been adequately demonstrated in these patients.

6. There was comment that there are no photosensitization reactions reported in the tests performed in guinea pigs, and that this observation means that the Panel's opinion that tribromsalan acts as a primary photosensitizer is unfounded.

The Commissioner recognizes that guinea pigs and their excised skin have been used to screen and study photosensitizing chemicals including tribromsalan, as reported in the book by Herman and Sams, "Soap Photodermatitis: Photosensitivity to Halogenated Salicylanilides" (1972). The guinea pig, as a model for human photosensitization, is a convenient but not a perfect model. It is not unexpected that some materials found negative in the experimental animal model are found to be positive in humans. The contrary situation also exists. Clinical judgment based on evidence from human experience must be given more consideration than evidence from animal models. The Commissioner concludes that evidence of photosensitization potential exists for tribromsalan based on human experience and that observations on guinea pigs, though of scientific interest, do not refute the observations on humans.

7. There was comment that the high levels of tribromsalan used in patch testing do not reflect actual usage levels in OTC products.

It is scientifically rational and common practice in sensitization tests to use procedures that maximize the likelihood of obtaining a reaction and assure induction in those individuals who are reactive. The Commissioner finds that the

levels of tribromsalan used in patch testing are consistent with those used throughout the scientific community for sensitization testing.

8. There was comment that the patch test is an imperfect tool and its use to establish a cause and effect relationship is questionable. The commentator was convinced that in the work of Willis and Kligman, "Diagnosis of Photosensitization Reactions by the Scotch Tape Provocative Patch Test," "Journal of Investigative Dermatology," 51:116–119, 1968, the subjects were exposed to a traumatization, which induced a positive photosensitization test.

The Commissioner agrees that patch testing is an imperfect tool. Nonetheless it has served well in screening for potentially sensitizing materials prior to their use in humans, and has succeeded in identifying previously unknown sensitizing agents for allergic patients. The Commissioner accepts the need for provocative or predictive tests as a means for revealing the existence of moderate sensitizers. Publications by the North American and International Contact Dermatitis Groups have established standards for both induction and elicitation doses in such testing. Using these standards, photosensitivity to the halogenated salicylanilide has been shown. The commentator's contention that traumatization can induce photosensitization by a chemical that is otherwise a nonphotosensitizer is not supported by data and is not accepted by experts in dermatology.

GENERAL TOXICITY

9. There was comment stating that the data submitted to the OTC Antimicrobial I Panel on systemic toxicity testing and percutaneous absorption adequately documents the safety of tribromsalan under the conditions for which it has been used in cleansing products. It was also contended that toxicity of tribromsalan is of the same order of magnitude as other specific ingredients categorized by the Panel in Category III (insufficient information to categorize as generally recognized as safe and effective).

The Commissioner has reviewed the toxicologic data submitted to the Panel. The toxicity profile of tribromsalan indicates toxic effects at high dosage levels. The Commissioner does not agree that the toxicity of tribromsalan is the same order of magnitude as other ingredients classified by the Panel as Category III, which do not have demonstrated photosensitizing properties. While the tribromsalan data showed some similar safety and toxicity data to other ingredients reviewed by the Panel, only the halogenated salicylanilides were recognized as causing photosensitization leading to persistent light reaction.

The Commissioner notes that additional toxicity data are still required as contained in the conclusions of the Antimicrobial I Panel report.

10. Several comments were received concerning the toxicological data for tribromsalan, which had been submitted to the Panel. Several commentators had conducted animal safety tests that failed to produce any abnormalities after 100 days of feeding at 50 mg/kg/day. After feedings with higher doses, the highest amount found in the blood was 2.7 mcg/ml (2.7 parts per million) without any effect on any of the organs examined. They stated that the data showed that topical application to rats failed to produce any brain damage. A research institute reported finding no central nervous system abnormality in the rats tested. There was also comment that no carcinogenic or teratogenic effects were found in an 18-month-multigeneration feeding study in rats.

The Commissioner has again reviewed the data submitted to the Panel and the conclusions included in their report. Toxic effects were seen at high doses in animals, but the entire toxicity profile was not established. The Commissioner notes that the Panel had requested that "effect" and "no-effect" dose information be generated in a single study, but such data either did not exist or were not made available to the Panel.

The data submitted to the Panel help to supply information to complete the toxicological profile for tribromsalan. The Commissioner concludes, however, that even if the complete toxicologic profile became available and showed no toxicity in animals, the risk of photosensitization demonstrated in humans would by itself preclude the use of these halogenated salicylanilides in OTC products.

SAFETY

11. A comment noted that there were very few consumer complaints about tribromsalan-containing soap products even though sales volume was large, and that this fact supports the product's safety.

The Commissioner concludes that the sales record of a product cannot be relied upon solely as proof of safety. There are products such as chloramphenicol, which was extensively tested for safety prior to marketing and others such as hexachlorophene, which was marketed for an extended period without apparent adverse effects, that later proved to cause serious adverse reactions when widely marketed. Therefore, the Commissioner believes that such evidence is not conclusive as to safety, especially with respect to such a complex area as photosensitization. Further, the lack of consumer complaints may also be due to the inability to adequately diagnose adverse reactions or to correlate those reactions with the use of these soap products.

12. There was comment that the consumer complaint index is normally used as evidence for safety of tribromsalan in the market place. One and one-half billion soap bars containing tribromsalan were sold between 1960 and 1974, with a good record of marketing success and a very low consumer complaint index (1 complaint per million soap bars sold), which is comparable to that for nonbacteriostatic bar soaps.

The Commissioner notes that the agency has supported consumer studies that demonstrate that voluntary reports of adverse reactions markedly underestimate the incidence of such reactions. While the consumer complain index may give some indication of the level of adverse reactions, it, like other marketing information, cannot be accepted as definitive evidence of safety in the face of other more pertinent information, discussed above, unequivocally demonstrating a significant hazard. The published literature, as well as communication with dermatologists working in the field of sensitization, documents a number of verified cases of tribromsalan-induced photosensitization, most of which occurred during the period when the products were extensively marketed. The Commissioner noted that apparently not a single one of these patents reported their reaction to the manufacturer of the offending products. A verified case of tribromasalan-induced photosensitization has occurred since the report of the Panel was published.

The Commissioner concludes that many sources of safety information, in addition to the consumer complaint index, should be considered in evaluating the safety of a product.

13. There was comment referring to data on plant-worker health records as evidence for the safety of tribromsalan in the factory and in the marketplace. One commentator stated that it is almost axiomatic that a manufacturer of consumer products will encounter problems associated with a new raw material first among his plant workers exposed to the concentrated agent, rather than in the consumer population which is exposed to a significant dilution of this agent. The same commentator revealed that seminal fluid examination of workers exposed to tribromsalan was normal and that no skin or mucous membrane toxicity was found. It was further noted that plant-worker history of safe contact with tribromsalan must be given serious consideration when it is realized that no special precautions for worker protection were taken, nor have they been found necessary.

The Commissioner agrees that plant-worker health records may have a bearing on the determination of the safety of a product. He is aware of the many documented reports of toxic effects in workers in the asbestos and plastics industry. However, information on the duration of exposure of workers to tribromsalan was not included in the data submitted and is therefore unkown. Other important factors, such as the physical form and concentration of tribromsalan in industrial situations as well as the physical state of tribromsalan required for absorption from body surfaces, are also unknown. For example, the duration of exposure might be inadequate or the concentration might not be within the limits required to induce any sensitization. In addition, a susceptible individual may even develop a tolerance to the product and become immune to its effects.

The Commissioner concludes that the crucial safety problem associated with tribromsalan is its potential for photo-

sensitization. It has been clearly stated in the Panel's report that photosensitization and persistent light reaction are rare events. The true incidence has not been established and probably cannot be accurately estimated. However, the Commissioner notes that primary photosensitization is not common and it is very unlikely that the small number of exposed employees, either at the plant of the manufacturer or formulator, would provide a population large enough to include an individual, on a statistical probability basis, who would be sensitive to tribromsalan. In addition, it is not clear whether the state of industrial hygiene in chemical plants was adequate to protect against the kind of exposure required for inducing sensitization.

The Commissioner is of the opinion that with regard to the seminal fluid examination of workers, interpretation of sperm count data is difficult at best. He notes that the number of samples was low and the range of values great. Interpretation of safety from this fragmentary data is difficult, if not impossible.

The Commissioner concludes that there are no data sufficient to make an objective judgment based on exposed workers.

GENERAL COMMENTS

14. One commentator took issue with the classification of all halogenated salicylanilides into one group with respect to safety.

The Commissioner has confined the proposal to four halogenated salicylanilides: Tribromsalan (TBS, 3,4',5-tribromosalicylanilide), dibromsalan (DBS, 4',5-dibromosalicylanilide), metabromsalan (MBS 3,5-dibromosalicylanilide), and 3,3',4,5' - tetrachlorosalicylanilide (TC SA). Herman and Sams, recognized experts in sensitization, entitled their book, "Soap Photodermatitis: Photosensitivity to Halogenated Salicylanilides," and have stated that all salicylanilides containing certain structural requirements have a potential for photosensitization. However, the Commissioner will insist that any halogenated salicylanilide proposed for future OTC topical use be adequately tested for photosensitization potential prior to use in humans.

15. There was comment regarding a test in which a marketed bar soap containing no antimicrobial ingredients was used and found to be irritating. The commentator noted that the Food and Drug Administration had not removed the soap from the market.

The Commissioner notes that the reaction reported in users of the marketed soap is well known and is a simple irritation reaction probably resulting from the high alkalinity of the product. This irritation is mild and is known to disappear when contact stops. On the other hand, photosensitization with halogenated salicylanilides is much more severe and may lead to persistent light reactions lasting months, years or even a lifetime. The Commissioner finds that the latter obviously represents a significant hazard while the former does not.

16. One commentator stated that the individual nonproprietary names, 4',5-dibromosalicylanilide or dibromsalan and 3,5-dibromosalicylanilide or metabromsalan, be used rather than the incorrect "dibromsalans" when the Panel means "dibrominated" salicylanilides.

The Commissioner concurs with the statement of the commentator. The Food and Drug Administration and other government agencies regularly use these names officially; they are accepted United States Adopted Names (USAN). Accordingly, the nomenclature has been revised to clarify 4',5-dibromosalicylanilide as dibromsalan (DBS) and 3,5-dibromosalicylanilide as metabromsalan (MBS).

17. There was comment that there is a demand in the marketplace for antimicrobial agents, and the obvious result of banning tribromsalan will be an increase in the use of less well-proven antimicrobial agents.

The Commissioner notes the Panel made it clear in their discussion of several ingredients they categorized as Category III (insufficient information upon which to determine general recognition of safety and effectiveness) that general recognition of safety and effectiveness was attainable if certain further testing were successfully carried out; the Commissioner accepts this position.

The Commissioner concludes that those ingredients in Category III have a much better history of safety than tribromsalan and would not result in exposing the American public to a health hazard equal to that created by the use of tribromsalan, nor does it result in the increased use of less well-proven antimicrobial ingredients. The purpose of the review of OTC drug products is to assure that the ingredients are safe and effective.

18. A comment was made that marketing many different antimicrobial ingredients assures that individuals have a decreased body burden for any one antimicrobial chemical. The implication of this remark is that access to a variety of antimicrobials reduces the potential of an individual consumer to be exposed to a toxic burden of a single antimicrobial compound.

The Commissioner concludes that the existence of a number of antimicrobial products does not reduce risks inherent in the toxicity of a single product because a consumer may use only one product. The theoretical advantage of avoiding large concentrations of any one product through use of many different products is far outweighed by the ability of tribromsalan and the other halogenated salicylanilides to cause severe photosensitization reactions. Only if all antimicrobials had the same toxicity profile would the stated conclusion of the commentator have validity. Because of these considerations, the comment cannot be viewed as a basis for modifying the recommendations of the Panel on tribromsalan.

On the basis of the Panel's report, the documented evidence of photosensitization and cross-photosensitization caused by these halogenated salicylanilides, the lack of toxicological data adequate to establish a safe level for use, the availability of other safer agents, the adverse benefit-to-risk ratio, and the foregoing comments, the Commissioner concludes that these halogenated salicylanilides, including tribromsalan, dibromsalan, metabromsalan, and tetrachlorosalicylanilide, cannot be considered generally recognized as safe for any use in drug and cosmetic products. Therefore, the Commissioner has determined that any drug product containing these halogenated salicylanilides as an active or inactive ingredient is a new drug within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(p)) for which an approved new drug application pursuant to section 505 (21 U.S.C. 355) of the act and 21 CFR Part 314 is required. The Commissioner has also determined that these halogenated salicylanilides are deleterious substances that may render any cosmetic product that contains such a halogenated salicylanilide as an ingredient at any level, for any purpose, injurious to users. Accordingly, any such cosmetic product shall be deemed to be adulterated under section 601(a) of the act.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201, 502, 505, 601(a), 701, 52 Stat. 1040–1042 as amended, 1050–1053 as amended, 1055–1056 as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 321, 352, 355, 361(a), 371)) and the Administrative Procedure Act (secs. 4, 5, 10, 60 Stat. 238 and 243 as amended (5 U.S.C. 553, 554, 702, 703, 704)) and under authority delegated to the Commissioner (21 CFR 2.120), Chapter I of Title 21 of the Code of Federal Regulations is amended as follows:

1. In Part 310, by adding a new § 310.508 to Subpart E to read as follows:

§ 310.508 Use of certain halogenated salicylanilides as an inactive ingredient in drug products.

(a) Halogenated salicylanilides (tribromsalan (TBS, 3,4',5-tribromosalicylanilide), dibromsalan (DBS, 4',5-dibromosalicylanilide), metabromsalan (MBS, 3,5-dibromosalicylanilide), and 3,3',4,5' - tetrachlorosalicylanilide (TC-SA)) have been used as active or inactive ingredients in a number of over-the-counter (OTC) drug products, largely antibacterial soaps, for antimicrobial, preservative, and other purposes. These halogenated salicylanilides are potent photosensitizers and can cause disabling skin disorders. In some instances the photosensitization may persist for prolonged periods as a severe reaction without further exposure to these chemicals. Safer alternative antimicrobial agents are available.

(b) These halogenated salicylanilides are not generally recognized as safe and effective for use as active or inactive ingredients in any drug products. Therefore, any drug product containing such a halogenated salicylanilide as an ingredient at any level for any purpose is a new drug within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act for which an approved new drug application pursuant to section 505 of the act and Part 314 of this chapter is required for marketing.

(c) A completed and signed "Notice of Claimed Investigational Exemption for a New Drug" (Form FD–1571), as set

forth in § 312.1 of this chapter, is required to cover clinical investigations designed to obtain evidence that such preparations are safe and effective for the purpose intended.

(d) Any such drug product initially introduced into interstate commerce after December 1, 1975, that is not in compliance with this section is subject to regulatory action.

2. In Part 700, by adding a new § 700.15 to Subpart B to read as follows:

§ 700.15 Use of certain halogenated salicylanilides as ingredients in cosmetic products.

(a) Halogenated salicylanilides (tribromsalan (TBS,3,4',5-tribromosalicylanilide), dibromalan (DBS,4',5-dibromosalicylanilide, metabromsalan (MBS, 3,5-dibromosalicylanilide) and 3,3',4,5'-tetrachlorosalicylanilide (TCSA)) have been used as antimicrobial agents for a variety of purposes in cosmetic products. These halogenated salicylanilides are potent photosensitizers and cross-sensitizers and can cause disabling skin disorders. In some instances, the photosensitization may persist for prolonged periods as a severe reaction without further exposure to these chemicals. Safer alternative antimicrobial agents are available.

(b) These halogenated salicylanilides are deleterious substances which render any cosmetic that contains them injurious to users. Therefore, any cosmetic product that contains such a halogented salicylanilide as an ingredient at any level for any purpose is deemed to be adulterated under section 601(a) of the Federal Food, Drug, and Cosmetic Act.

(c) Any cosmetic product containing these halogenated salicylanilides as an ingredient that is initially introduced into interstate commerce after December 1, 1975, that is not in compliance with this section is subject to regulatory action.

Effective date. This regulation shall be effective on December 1, 1975.

(Secs. 201, 502, 505, 601(a), 701, Pub. L. 717, 52 Stat. 1040–1042 as amended, 1050–1053 as amended, 1055–1056 as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 321, 352, 355, 361(a), 371); (5 U.S.C. 553, 554, 702, 703, 704))

Dated: October 22, 1975.

SHERWIN GARDNER,
Deputy Commissioner of Food and Drugs.

[FR Doc.75-29094 Filed 10-29-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-75-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Submission of Applications

On February 7, 1975, in 40 FR 5952, the Department amended Title 24 of the Code of Federal Regulations by adding Subpart E—Applications and Criteria for Discretionary Grants to Part 570 of Chapter V. On June 9, 1975, at 40 FR 24692, the Department revised 24 CFR Part 570 to consolidate the several changes previously made to the above part, including the above Subpart E. Effective July 22, 1975, the deadline for applicants to submit final applications for general purpose funds for metropolitan areas was changed from May 15, 1975, to September 30, 1975. The Department is extending the September 30, 1975, deadline for certain communities to November 30, 1975.

The additional time is necessary to enable these communities to complete, revise, or update their applications to include new priorities and needs brought on as a result of Federally recognized disasters.

Except for the extension of the deadline for receipt of final applications to November 30, 1975 the regulations governing discretionary grants remain unchanged and are applicable.

It is necessary that this amendment taken effect at the earliest possible date so that applicants unable to meet the previously established deadline can plan the completion of their applications within the time remaining under the extended date. Accordingly, the Assistant Secretary for Community Planning and Development finds good cause for foregoing the usual public comment and notice procedure, and he further finds good cause that this amendment to the regulations should take effect on the date of publication.

In connection with the environmental review of this technical change to the final regulations, a Finding of Inapplicability has been made under HUD Handbook 1390.1, 38 FR 19182. A copy of the Finding is available for public inspection in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10245, Department of Housing and Urban Development, 451–7th Street, SW., Washington, D.C. 20410.

It is hereby certified that the economic and inflationary impacts of these amendments have been carefully evaluated in accordance with OMB Circular No. A-107.

In view of the foregoing, 24 CFR Part 570 is amended by revising § 570.400(c)(3)(i)(A) to read as follows:

§ 570.400 General.

* * * * *

(c) * * *
(3) * * *
(i) * * *

(A) For metropolitan areas—March 15, 1975 through September 30, 1975; except for certain communities which had filed preapplications for assistance under this part and had been invited by HUD to submit full applications but were unable to complete the application because of the occurence of Federally recognized disasters, for which the deadline is extended to November 30, 1975.

* * * * *

(Title I of the Housing and Community Development Act of 1974 (Pub. L. 93-383); and sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d))

Effective date. This amendment shall be effective on October 30, 1975.

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

[FR Doc.75-29167 Filed 10-29-75;8:45 am]

CHAPTER VIII—LOW INCOME HOUSING, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-75-334]

PART 811—FINANCING

Tax Exemption of Obligations of Public Housing

The Department is amending Title 24 by adopting a new Part 811—Financing, and new Subpart A—Tax Exemption of Obligations of Public Housing Agencies Under Section 11(b) of the Act. Subpart A implements, in accordance with section 201(b) of the Housing and Community Development Act of 1974 (42 USC 1437, note), section 11(b) of the United States Housing Act of 1937 (42 USC 1437l) and section 3(6) of the 1937 Act (42 USC 1437a) in relation thereto, both of which sections were incorporated into the Act by section 201 of the Housing and Community Development Act of 1974. (Section 3(6) defines the term "public housing agency" and section 11(b) authorizes tax exemption of obligations issued by a public housing agency in connection with a low-income housing project assisted under the Act.) The Subpart further sets forth requirements and procedures for HUD approval of applicants and applications for tax exemption under section 11(b).

The Department invited interested persons to submit comments on the Interim Rule in which form this amendment was first published on May 27, 1975 at 40 FR 22829. The principal recommendations made by those comments have been incorporated in this amendment: (1) The regulation provides specifically that it applies only to tax exemption sought under section 11(b) of the Act and not to any other tax exemption provision of law or Government regulations and (2) the regulation provides that a reserve equal to one year's debt service may be established out of the proceeds of the obligations.

An additional comment recommended that no limit be placed on the amount or the type of reserve fund so as to allow maximum freedom to local public housing agencies in developing security devices with reserve funds; or that the provisions of Proposed Treasury Regulation 1.103-14-(b) with respect to reserves be adopted. The recommendation that there be no limit was rejected because without such a limit the regulation would fail to prevent the abuses of arbitrage financing under the United States Housing Act of 1937. As to the adoption of the Treasury Regulation reserve policy, it is the De-

partment's position that the Treasury Regulation was drafted as a general regulation and that its provisions are inappropriate with respect to the specific statutory provisions and objectives of the USHAct of 1937.

It has been determined that this amendment will not have a substantial environmental impact. A Finding of Inapplicability will be on file for public inspection at Room 10245, Office of the General Counsel, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C.

Accordingly, Title 24 is amended by adding a new Part 811 and a new Subpart A to read as follows:

Subpart A—Tax Exemption of Obligations of Public Housing Agencies Under Section 11(b) of the Act

Sec.
811.101 Purpose.
811.102 Definitions.
811.103 Tax exemption of obligations.
811.104 Approval of Public Housing Agencies.
811.105 Approval of amount of obligations.
811.106 Exemption of certain additional obligations.
811.107 Inapplicability to tax exemption other than under section 11(b).

AUTHORITY: Sections 3(6) and 11(b) of the U.S. Housing Act of 1937 (42 USC 1437a, 1437i).

Subpart A—Tax Exemption of Obligations of Public Housing Agencies Under Section 11(b) of the Act

§ 811.101 Purpose.

The purpose of this Subpart A is to provide a basis for determining tax exemption of obligations issued by Public Housing Agencies pursuant to section 11(b) of the United States Housing Act of 1937 and this Subpart.

§ 811.102 Definitions.

(a) "Act" means the United States Housing Act of 1937, as amended by section 201 of the Housing and Community Development Act of 1974 (42 USC 1437, note), 42 USC 1437, et seq.

(b) "Department" means the Department of Housing and Urban Development.

(c) "Public Housing Agency" means any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing projects.

(d) "Secretary" means the Secretary of Housing and Urban Development or a designee of the Secretary's authority under sections 3(6) and 11(b) of the Act.

§ 811.103 Tax Exemption of obligations.

(a) Subject to the requirements of paragraph (b) of this section and § 811.104, obligations, including interest thereon, issued by Public Housing Agencies pursuant to this Subpart in connection with low-income housing projects developed, acquired or assisted under the Act shall be exempt from all taxation now or hereafter imposed by the United States, whether paid by such Agency or by the Secretary.

(b) In order for obligations to be tax exempt under § 811.103(a):

(1) The obligation must be issued in connection with a low-income housing project approved by the Department under the Act;

(2) The obligations must be issued by an entity which is approved by the Department, pursuant to § 811.104, as a Public Housing Agency and as legally qualified to carry out the low-income housing project or the financing thereof; and

(3) The amount of the obligations must be approved by the Department as prescribed in § 811.105.

§ 811.104 Approval of Public Housing Agencies.

An application for approval of a Public Housing Agency for purposes of § 811.103 shall be submitted to the Department supported by the following:

(a) The applicant shall identify any prior annual contributions contract under the Act (or under the United States Housing Act of 1937 prior to its amendment by the Housing and Community Development Act of 1974) to which it is a party, and the applicant shall also identify any pending application it has submitted for a contract under the Act. If the applicant has not previously entered into an annual contributions contract, it shall furnish sufficient evidence to establish that:

(1) It is legally authorized to engage in or assist in the development or operation of low-income housing; and

(2) It has the legal capacity to carry out the low-income housing project, or the financing thereof, as described in its application, including the legal capacity to perform the obligations required of it under the Department's regulations applicable to the project.

(b) If the applicant is applying as an agency or instrumentality, as defined in § 811.102(c), the applicant, in addition to complying with paragraph (a) of this section, shall identify the parent entity, shall establish the qualifications of that entity under paragraph (a) of this section and shall submit documentary evidence of the designation or creation of the applicant as the duly authorized agency or instrumentality of the parent entity with powers to carry out the low-income housing project, or the financing thereof, as described in the application.

§ 811.105 Approval of amount of Obligations.

Obligations shall be tax exempt under § 811.103(a), only if the amount of the obligations is determined by the Department not to exceed the estimated reasonable development cost of the project plus reasonable expenses of issuing the obligations. Reasonable development cost may include an amount sufficient to establish a reserve fund equal to one year's debt service.

§ 811.106 Exemption of certain additional obligations.

Sections 811.103(b), 811.104 and 811.105 shall not apply to any obligations if evidence is submitted to the Department that those obligations were sold and delivered before 5 p.m., e.d.t., January 22, 1975, and if the Department certifies to the fact of such prior sale and delivery.

§ 811.107 Inapplicability to tax exemption other than under section 11(b).

The provisions of this Subpart shall not be applicable to obligations issued pursuant to, or purporting to be tax-exempt under, any other provision of law or Government regulation.

(Sec. 7(d) of the Department of Housing and Urban Development Act, 42 USC 3535(d); sec. 201(b) of the Housing and Community Development Act of 1974, 42 USC 1437, note; sec. 5(b) of the United States Housing Act of 1937, 42 USC 1437c(b).)

Effective date. This amendment is effective as of May 27, 1975.

CARLA A. HILLS,
Secretary of Housing and Urban Development.

[FR Doc.75-29110 Filed 10-29-75;8:45 am]

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-443]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Dallas, Texas

On January 10, 1975, in 40 FR 2199, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Dallas, Texas, as an eligible community and included Map No. H 480171 24 which indicates that Lot 4, Block U/8122, White Rock North No. 5, Dallas, Texas, as recorded in Volume 69060, page 1513 of the Deed Records of Dallas County, Texas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective December 13, 1974, Map No. H 480171 24 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 F.R. 17804, November 28, 1968), as amended, (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 F.R. 2680, February 27, 1969, as amended by 39 FR 2787, aJnuary 24, 1974)

Issued: October 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29177 Filed 10-29-75;8:45 am]

[Docket No. FI-321]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the Town of Eliot, Maine

On August 6, 1974, in 39 FR 28256, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Town of Eliot, Maine, as an eligible community and included Map No. H 230149 07 which indicates that some of the lots in Riverview Estates, Eliot, Maine, as recorded in Plan Book 54, Page 28 in the office of the Registry of Deeds of York County, Maine, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 6 through 11, 22, 23, 24, and 36 through 52, and the existing structures on Lots 12, 14, and 18 of the above property are not within the Special Flood Hazard Area. Accordingly, effective June 28, 1974, Map No. H 230149 07 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 F.R. 17804, November 28, 1968), as amended, (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 F.R. 2680, February 27, 1969, as amended by 39 F.R. 2787, January 24, 1974).

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29171 Filed 10-29-75;8:45 am]

[Docket No. FI-279]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Everson, Washington

On June 3, 1974, in 39 FR 19467, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Everson, Washington, as an eligible community and included Map No. H 530200 01 which indicates that the structure located on a tract of land in the NW ¼ of the NE ¼ of Section 31, Township 40 North, Range 4 East of W.M., Whatcom County, Washington, as recorded in Volume 201, page 259 in the office of the Auditor of Whatcom County, Washington, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective May 24, 1974, Map No. H 530200 01 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 F.R. 17804, November 28, 1968), as amended, (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 F.R. 2680, February 27, 1969, as amended by 39 F.R. 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29184 Filed 10-29-75;8:45 am]

[Docket No. FI-246]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Farmers Branch, Texas

On April 16, 1974, in 39 FR 13647, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Farmers Branch, Texas, as an eligible community and included Map No. H 480174 03 which indicates that a tract of land, being a part of the William B. Shahan Survey, Abstract No. 1337, Dallas County, Texas, being a part of the Texas Empire Development Corporation and Wilson H. Brown Tract, and being a part of the tract of land described in the Warranty Deed recorded in Volume 70039, page 1481 in the office of the Clerk of Dallas County, Texas, which can be further described as follows:

Beginning at a point approximately 1850 feet North along the East property line of the tract described above and also along the East line of the William P. Shahan Survey; thence West approximately 650 feet to a point for corner in the West line of the above described tract; thence North along the West line of the above described tract approximately 700 feet to a point for corner; thence East approximately 650 feet to a point for corner in the East line of the above described tract; thence South along the East line of the above described tract approximately 700 feet to the point of beginning;

is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective April 12, 1974, Map No. H 480174 03 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29178 Filed 10-29-75;8:45 am]

[Docket No. FI-744]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for Fauquier County, Virginia

On January 10, 1975, in 40 FR 2199, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included Fauquier County, Virginia, as an eligible community and included Map No. H 510055 12 which indicates that a portion of the W. H. deButts property, located between U.S. Route 50 and Virginia Route 619 in Scott District, Fauquier County, Virginia, as recorded in Book 282, pages 204 through 208 in the office of the Clerk of the Circuit Court of Fauquier, Virginia, which can be described as follows:

Beginning at (B), a point in the center of Virginia Route 619, and corner to Williams, the said point is referenced by an iron pipe set 15.00 feet from (B) in the line (B)–(C), thence with Williams N 52°15'55" W 528.45 feet to a point; thence N 37°44'45" E 270.00 feet to a point; thence S 52°15'55" E 300.00 feet to a point; thence approximately N 84° E approximately 105 feet to a point; thence S 52°50'11" E approximately 252 feet to a point; thence S 53°53'31" W 350.53 feet to the point of beginning,

is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective December 13, 1975, Map No. H 510055 12 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29183 Filed 10-29-75;8:45 am]

[Docket No. FI-277]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Franklin, Wisconsin

On January 9, 1974, in 39 FR 1436, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Franklin, Wisconsin, as an eligible community and included Map No. H 550273 06, which indicates that Lot 8, Block 2, Hawthorne Glen Subdivision, City of Franklin, Wisconsin, as recorded in Plat Volume 102, Pages 37 and 38, in the office of the Register of Deeds of Milwaukee County, Wisconsin, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the existing structure on the above mentioned property is not within the Special Flood Hazard Area. Accordingly, effective January 9, 1974, Map No. H 550273 06 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29185 Filed 10-29-75;8:45 am]

[Docket No. FI-285]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Forest Hill, Texas

On January 23, 1974, in 39 FR 2604, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Forest Hill, Texas, as an eligible community and included Map No. H 480595 02 which indicates that the structures on Lots 11, 12, and 18, Block 5; Lot 11, Block 6; and Lot 16, Block 7, Heritage Heights Addition, Forest Hill, Texas, as recorded in Plat Record Volume 388, pages 54 and 60 in the office of the Clerk of Tarrant County, Texas, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area, Accordingly, effective January 18, 1974, Map No. H 480595 02 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29179 Filed 10-29-75;8:45 am]

[Docket No. FI-250]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for Hampden Township, Pennsylvania

On April 25, 1974, in 39 FR 14608, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included Hampden Township, Pennsylvania, as an eligible community and included Map No. H 420360 03 which indicates that Lot 155, Section A, Countryside Subdivision, Hampden Township, Pennsylvania, as recorded in Plan Book Volume 25, page 6 in the office of the Recorder of Cumberland County, Pennsylvania, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective May 3, 1974, Map No. H 420360 03 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29174 Filed 10-29-75;8:45 am]

[Docket No. FI-270]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Indianapolis, Indiana

On May 17, 1974, in 39 F.R. 17518, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Indianapolis, Indiana, as an eligible community and included Map No. H 180159 49 which indicates that some of the lots of Spring Valley Subdivision, Section Two, Indianapolis, Indiana, as recorded on Instrument No. 74 69040 in the office of the Recorder of Marion County, Indiana, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 38 through 66 of the above property are not within the Special Flood Hazard Area. Accordingly, effective May 17, 1974, Map No. H 180159 49 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29170 Filed 10-29-75;8:45 am]

[Docket No. FI-743]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Irving, Texas

On June 17, 1970, in 35 F.R. 9914, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Irving, Texas, as an eligible community and included Map No. H 480180 15 which indicates that Lot 16, Block C, Sleepy Hollow No. 2 Addition, being 1212 Mosswood Place, Irving, Texas, as recorded in Volume 562, page 2107 of the Map Records of Dallas County, Texas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective June 16, 1970, Map No. H 480180 15 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation

of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29180 Filed 10-29-75;8:45 am]

[Docket No. FI-236]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Little Rock, Arkansas

On October 26, 1973, in 38 F.R. 29580, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Little Rock, Arkansas, as an eligible community and included Map Nos. H 050181B 04 and 07 which indicate that Tract 0-3, Riverdale Addition, Little Rock, Arkansas, subject to the Building Setback Requirements as shown on the plat of Riverdale Addition, prepared by Garver and Garver, Inc., Little Rock, Arkansas, on March 4, 1975, and recorded in Plat Book 35, page 50 in the office of the Circuit Clerk of Pulaski County, Arkansas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective November 2, 1973, Map Nos. H 050181B 04 and 07 are hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29168 Filed 10-29-75;8:45 am]

[Docket No. FI-229]

PART 1920—PROCEDURE FOR MAP CORRECTION.

Letter of Map Amendment for the City of Napa California

On March 27, 1974, in 39 F.R. 11260, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Napa, California, as an eligible community and included Map No. H 060207 05 which indicates that Lots 1 through 9, 13 through 20, 36, 38, 39, and 50 through 53, Spring Creek Subdivision, Napa, California, as recorded in Map Book 10, pages 99 and 100 in the office of the Recorder of Napa County, California, are located within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective March 22, 1974, Map No. H 060207 05 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29169 Filed 10-29-75;8:45 am]

[Docket No. FI-254]

PART 1920—PROCEDURE FOR MAP CORRECTION.

Letter of Map Amendment for the City of Reynoldsburg, Ohio

On November 20, 1973, in 38 FR 31974, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Reynoldsburg, Ohio, as an eligible community and included Map No. H 390177 02 which indicates that a portion of the Alice I. Moore Tract, Half Sections 1 and 2, Township 12, Range 21, Refugee Lands, Reynoldsburg, Franklin County, Ohio, as recorded in Volume 2776, page 135 in the office of the Probate Court, Franklin County, Ohio, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that a portion of the above property which can be described as follows:

Beginning at a stone found at the northeasterly corner of said Alice I. Moore tract, said stone being located within the easterly one-half of Rose Hill Road, near the easterly right-of-way line of said road; thence along the easterly line of Alice I. Moore tract, within the east one-half of said Rose Hill Road, S 8°03'39" E, 128 feet to a point; thence S 81°56'21" W, 180 feet to a point; thence S 8°03' 39" E, 140 feet to a point; thence N 81°56'21" E, 180 feet to a point; thence S 8°03'39" E, 213.37 feet to a spike; thence S 28°09'45" E, 27.40 feet to a spike; thence continuing S 28°09'45" E, 129.79 feet to a spike; thence N 83°32'06" W, 959.52 feet to a point; thence N 89°10'53" W, 1697.13 feet to a point; thence N 0°46'21" E, 618.53 feet to a point; thence S 89°11'34" E, 2506.66 feet to the point of beginning,

is not within the Special Flood Hazard Area. Accordingly, effective November 23, 1973, Map No. H 390177 02 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29172 Filed 10-29-75;8:45 am]

[Docket No. FI-239]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of San Antonio, Texas

On April 11, 1974, in 39 FR 13152, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of San Antonio, Texas, as an eligible community and included Map No. H 480045 11 which indicates that the structure on Lot 29, N.C.B. 11641, Oak Valley Subdivision, San Antonio, Texas, as recorded in Volume 7300, page 201 in the office of the Clerk of Bexar County, Texas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above structure is not within the Special Flood Hazard Area. Accordingly, effective April 5, 1974, Map No. H 480045 11 is hereby corrected to reflect that the above structure is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29181 Filed 10-29-75;8:45 am]

[Docket No. FI-256]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the Township of Upper Merion, Pennsylvania

On May 1, 1974, in 39 F.R. 15108, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Township of Upper Merion, Pennsylvania, as an eligible community and included Map No. H 420957 04 which indicates that a portion of a subdivision in Upper Merion Township, Montgomery County, Pennsylvania, bounded and described according to a plan made for Jared Corporation by Kissane-Leddy and Associates, Inc., Philadelphia, Pennsylvania, on July 28, 1975, and recorded in Plan Book A-25, page 5 in the Office for the Recording of Deeds, Norristown, Pennsylvania is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 1 through 5; Lot 10; and the portions of Lots 6 through 9, including Lot 10, which can be described as follows:

Beginning at a point on the northeasterly side of Tory Turn (variable width) at the distance of 469.80' northwesterly from the center line of Matson Ford Road (32' wide); thence extending the following six directions and distances along the northerly side of Tory Turn; (1) on an arc curving to the left having a radius of 50.00' and a central angle of 120°35'32", the arc distance of 105.24' to a point of reverse curve, (2) on an arc curving to the right having a radius of 40.00' and a central angle of 59°26'41", the arc distance of 41.50' to a point of reverse curve, (3) on an arc curving to the left having a radius of 525.00' and a central angle of 33°37'49" an arc distance of 308.15' to a point of tangent, (4) S. 62°35'20" W., 165.38' to a point of curve, (5) on an arc curving to the right, having a radius of 40.00' and a central angle of 63°36'40", the arc distance of 44.41' to a point of reverse curve, (6) on an arc curving to the left, having a radius of 50.00' and a central angle of 148°50'00", the arc distance of 129.88' to a point; thence extending S. 67°-22'00" W., 185.00' to a point; thence extending N. 22°38'00" W., 231.44' to a point; thence extending N. 47°12'00" E., 121.50' to a point on the One Hundred Year Flood Plain Line of Gulph Creek; thence extending along the said One Hundred Year Flood Plain Line of Gulph Creek, the following twenty-nine directions and distances, (1) S. 69°08'-00" E., 9.00' to a point, (2) S. 80°43'00" E., 35.25' to a point, (3) S. 87°13'00" E., 21.00' to a point, (4) S. 77°43'00" E., 23.49' to a point, (5) S. 63°43'00" E., 23.41' to a point, (6) S. 43°28'00" E., 22.26' to a point, (7) S. 45°08'00" E., 55.98' to a point, (8) N. 83°-22'00" E., 10.05' to a point, (9) N. 25°52'00" E., 13.86' to a point, (10) N. 12°12'00" E., 58.75' to a point, (11) N. 62°22'00" E., 4.92' to a point, (12) S. 44°08'00" E., 11.71' to a point, (13) S. 88°08'00" E., 14.45' to a point, (14) N. 66°07'00" E., 55.00' to a point, (15) N. 51°47'00" E., 54.75' to a point, (16) N. 44°47'00" E., 36.85' to a point, (17) N. 19°-07'00" E., 25.05' to a point, (18) N. 75°57'00" E., 8.93' to a point, (19) S. 15°11'00" E., 15.85' to a point, (20) S. 49°53'00" E., 19.10' to a point, (21) S. 85°03'00" E., 18.35' to a point, (22) N. 76°32'00" E., 35.00' to a point, (23) N. 62°07'00" E., 21.50' to a point, (24) N. 58°39'00" E., 80.00' to a point, (25) N. 74°00'00" E., 34.50' to a point, (26) N. 74°-37'00" E., 20.76' to a point, (27) N. 63°12'00" E., 52.90' to a point, (28) N. 61°12'00" E., 74.75' to a point, (29) N. 64°42'00" E., 87.64' to a point; thence extending S. 22°38'00" E., 278.49' to the first-mentioned point and place of beginning,

are not within the Special Flood Hazard Area. Accordingly, effective May 10, 1974, Map No. H 420957 04 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29175 Filed 10-29-75;8:45 am]

[Docket No. FI-211]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for Washington Township, Ohio

On September 20, 1973, in 38 F.R. 26368, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included Washington Township, Ohio, as an eligible community and included Map No. H 390598 01 which indicates that Lot 24, Point Pleasant Cove Subdivision, Washington Township, Lucas County, Ohio, as recorded in Volume 69, Page 31 in the office of the Recorder of Lucas County, Ohio, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective September 21, 1973, Map No. H 390598 01 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29173 Filed 10-29-75;8:45 am]

[Docket No. FI-321]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Wichita Falls, Texas

On August 6, 1974, in 39 FR 28271, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Wichita Falls, Texas, as an eligible community and included Map No. H 480662 15 which indicates that some lots in University Park, Section F, Wichita Falls, Texas, as recorded in Volume 20, page 33 in the office of the Clerk of Wichita County, Texas, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 59 through 77, Block 4, and Lots 5 through 17, Block 5 of the above property are not within the Special Flood Hazard Area. Accordingly, effective June 28, 1974, Map No. H 480662 15 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29182 Filed 10-29-75;8:45 am]

[Docket No. FI-229]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Yankton, South Dakota

On March 27, 1974, in 39 FR 11266, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Yankton, South Dakota, as an eligible community and included Map No. H 460093 04 which indicates that the structure on the southern half of Lot 8 and Lot 9, Block 85, E. C. Fowler's Addition to Yankton, Yankton County, South Da-

kota, as recorded in Plat Book S–3 in the office of the Register of Deeds of Yankton County, South Dakota, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective March 22, 1974, Map No. H 460093 04 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(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); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: October 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-29176 Filed 10-29-75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1204; Amdt. 2]

PART 1033—CAR SERVICE

Chicago, Milwaukee, St. Paul and Pacific Railroad Co. Authorized To Operate Over Tracks of Chicago and North Western Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23d day of October 1975.

Upon further consideration of Service Order No. 1204 (39 FR 44010 and 40 FR 27940), and good cause appearing therefor:

It is ordered, That: § 1033.1204 *Service Order No. 1204* (Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over tracks of Chicago and North Western Transportation Company) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., April 30, 1976, unless otherwise modified, changed or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., October 31, 1975.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), 17(2)))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the FEDERAL REGISTER.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-29213 Filed 10-29-75;8:45 am]

[Rev. S. O. 1214, Amdt. 1]

PART 1033—CAR SERVICE

Burlington Northern Inc., Authorized To Operate Over Tracks Authorized To Be Abandoned by Chicago and North Western Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23d day of October 1975.

Upon further consideration of Service Order No. 1214 (40 FR 2587, 25024), and good cause appearing therefor:

It is ordered, That: § 1033.1214 *Service Order No. 1214* Burlington Northern Inc., authorized to operate over tracks authorized to be abandoned by Chicago and North Western Transportation Company be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., April 30, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., October 31, 1975.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-29212 Filed 10-29-75;8:45 am]

[S.O. 1221]

PART 1033—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

OCTOBER 24, 1975.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23d day of October 1975.

It appearing, that there are acute shortages of freight cars throughout the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding both the domestic and export movements of agricultural, mineral, forest, and manufactured products, and other commodities; and that the existing car service rules, regulations, and practices of the railroads are ineffective with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of freight cars to meet the requirements of shippers. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1221 Railroad operating regulations for freight car movement.

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) *Application.* (i) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(ii) This order shall apply to all loaded cars.

(iii) This order shall apply to all empty general service freight equipment cars described on pages 1119–1121, inclusive and listed in the Official Railway Equipment, Register ICC RER No. 396, issued by W. J. Trezise, or reissues thereof including cars bearing mechanical designations modified in the manner described in the various notes thereto. (See exceptions, paragraph (a) (1) (iv), (v), (vi), and (vii) of this section.)

(iv) Exception: Cars of mechanical designation FL, SC, SM, ST, or NE.

(v) Exception: Empty cars owned by The Alaska Railroad, while held in the State of Washington, pursuant to instructions of the carowner, are exempt from the provisions of this order.

(vi) Exception: Empty cars, described in paragraph (a) (1) (iii) of this section, owned by and bearing the registered reporting marks assigned to the line holding the car, are exempt from provisions of this order.

(vii) Exception: To alleviate hardships or inequities, exceptions to this order may be authorized to the carrier by the Railroad Service Board, Interstate Commerce Commission, Washington, D.C. Requests for such exceptions may be made only by carriers and shall be sent to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for recording and submission to the Railroad Service Board, Interstate Commerce Commission, for consideration.

(viii) Actual placement means placing a car in an accessible position for loading, unloading, or placing on an industrial interchange track serving the consignor or consignee. If such placing is prevented by any cause attributable to consignor or consignee and car is placed on the private or other-than-public-delivery tracks serving the consignor or consignee, it shall be considered constructively placed without notice.

(ix) Holidays shall be those listed in Item 25 of Agent B. B. Maurer's Tariff 4–J ICC H–59, naming Car Demurrage Rules and Charges, supplements thereto, or successive issues thereof.

(2) *Placing of cars.* (i) Loaded cars shall be actually or constructively placed within 24 hours, exclusive of Saturdays, Sundays, and holidays following arrival at destination, or after arrival at the yard from which cars are dispatched for actual placement.

(ii) Empty cars which after placement will be subject to demurrage, storage or detention rules applicable to cars for loading, or which are subject to storage rules and charges applicable to assigned cars held empty awaiting placement for loading by the assignee, shall be actually placed or appropriate notice as required by applicable tariffs issued within 48 hours, exclusive of Saturdays, Sundays, and holidays, after arrival at the point where held.

(iii) When delivery of a car, either empty or loaded, consigned or ordered to an industrial interchange track or to an other-than-public-delivery track, cannot be made because of any condition attributable to the consignor or consignee, such car shall be held at destination or, if it cannot reasonably be accommodated there, at an available hold point; and constructive placement notice, shall be sent or given the consignor or consignee within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival of car at destination or hold point.

(iv) Proper notice for cars placed on public delivery tracks shall be sent or given within 24 hours after placement, exclusive of Saturdays, Sundays, and holidays.

(v) Cars held at destination for accessorial terminal services described in the applicable tariffs, such as holding for orders or inspection, shall be placed on unloading, hold, or inspection tracks; and proper notice shall be given within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival of car at destination or at hold point. Time and charges shall be computed following such notice and demurrage or detention charges assessed in accordance with provisions of governing tariffs.

(3) *Removal of cars.* (i) Empty cars must be removed from point of unloading or interchange tracks of industrial plants within 24 hours, exclusive of Sundays, and holidays, following unloading or release by consignee or shipper, unless each empty cars are ordered or appropriated by the shipper for reloading within such 24-hour period. Empty cars not ordered for loading at point where made empty must be forwarded or set aside to be cleaned, repaired, or weighed, if to be weighed at that point, within 24 hours following removal of empty cars.

(ii) Outbound loaded freight cars must be removed from point of loading or interchange tracks of industrial plants within 24 hours, exclusive of Sundays, and holidays, following acceptance by carrier of the shipping instructions covering the cars. Such cars must be forwarded, weighed, if to be weighed at that point, or set aside for repairs within 24 hours following release and removal.

(iii) Cars subject to paragraph (a) (3) (i) and (ii) of this section, not made accessible to the carrier, shall be subject to demurrage until such time as they become, and remain, accessible to the carrier.

(iv) Cars shall not be removed from point of unloading or from industrial interchange tracks, nor released from demurrage or detention status, until all bracing, blocking, dunnage, paper, residue of lading, debris, and other foreign matter directly related to the inbound load have been removed from the car in accordance with the requirements of Rules 14 and 27 of the Uniform Freight Classification, I.C.C. 7, issued by J. D. Sherson, supplements thereto, or reissues thereof.

Exception. Dunnage being returned to shipper under provisions of the applicable tariffs may be left in cars released as empty, provided that proper shipping instructions are received by the carrier prior to 5 p.m., of the first day, which is not a Saturday, Sunday, or holiday, immediately following release of the car.

(4) *Forwarding of cars.* (i) Loaded cars and empty cars shall be forwarded within 24 hours, except cars described in paragraph (a) (4) (ii), (iii), or (iv) of this section, or cars described in paragraph (a) (2) (ii) of this section.

(ii) Exception: Loaded cars held subject to instructions of consignee, consignor, or other qualified owner of the freight contained therein, while subject to applicable tariffs.

(iii) Exception: Cars held for repairs, weighing, or cleaning. (See subparagraph (5) of this paragraph.)

(iv) Exception: Cars held because no train or switch engine service is available between hold point and destination.

(5) *Cars held for repairs, weighing, or cleaning.* (i) Cars of system, foreign, or private ownership which are held for light repairs or cleaning shall be placed on repair or cleaning tracks not later than the first 7 a.m., exclusive of Sundays, and holidays, after time carded for repairs or cleaning. Light repairs or cleaning shall be accomplished within 24 hours, exclusive of Sundays, and holidays, after placement on repair or cleaning tracks; except that when necessary to order material from car owner to make the repairs to foreign or private cars held awaiting such material, repairs shall be completed within 24 hours, exclusive of Sundays, and holidays, after receipt of such material at the station at which the repair point is located.

(ii) Light repairs are defined as repairs requiring less than 20 man-hours by repair track forces to complete.

(iii) Cars which must be weighed shall be weighed and restencilled, if required, within 24 hours, exclusive of Sundays and holidays, after arrival at the point at which weighing is to be accomplished, or after request for weight is received, if weights are requested by shipper or by carowner.

(iv) Cars which have been repaired, cleaned or weighed shall become subject to paragraphs (a) (2), (3), or (4) of this section, as applicable, from the date such repairs, cleaning or weighing have been accomplished.

(6) *Movement of Freight Cars.* (i) No common carrier by railroad subject to the Interstate Commerce Act shall delay the movement of cars by holding such cars in yards, terminals, or sidings for the purpose of increasing the time in transit of such cars.

(ii) Cars shall not be set out between terminals except in cases of emergency.

(iii) Back-hauling cars for the purpose of increasing the time in transit is prohibited.

(iv) Through cars shall not be handled on local or way freight trains for the purpose of increasing the time in transit of such cars.

(v) The use by any common carrier by railroad, or the acceptance of instructions from the shipper, for the movement of cars over its line via any route other than its shortest available route or its usual and customary fast freight route from point of receipt of the car from consignor, or connecting line, to point of delivery to consignee, or to next connecting line, except for the purpose of according a lawfully established transit privilege (not including a diversion or reconsignment privilege) is hereby prohibited.

(b) *Rules and Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Effective date.* This order shall become effective at 11:59 p.m., October 31, 1975.

(d) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of

the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911, (49 U.S.C. 1(10–17), 15(4), 17(2).))

By the Commission, Railroad Service Board.

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

[FR Doc. 75-29215 Filed 10-29-75;8:45 am]

[S.O. 1222]

PART 1033—CAR SERVICE

Distribution of Grain Cars

OCTOBER 24, 1975.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 24th day of October 1975.

It appearing, that an acute shortage of covered hopper cars for transporting shipments of grain, grain products, and soybeans; that there are substantial quantities of corn and soybeans on the ground at elevator sites in the States of Ohio, Indiana, Illinois, Kentucky, Iowa, and Nebraska; that such grain is in danger of spoilage and damage from the elements of weather unless it is shipped promptly to protected storage facilities; that the elevators adjacent to which such grain is located are unable to obtain sufficient freight cars to ship this grain promptly to protected storage facilities, thus creating great economic loss; that present regulations and practices with respect to the use, supply, control, movement, and distribution of grain cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1222 Distribution of grain cars.

(a) Each common carrier by railroad subject to the Interstate Commerce Act and serving grain shippers located in the states named herein shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) This order shall apply to railroads serving shippers of grain located in states of:

Ohio	Kentucky
Indiana	Iowa
Illinois	Nebraska

(b) Car distribution rules and regulations. (1) *Priority required.* Priority in the distribution of empty cars for loading grain shall be given to elevators which certify to the carrier that corn and soybeans are stored on the ground in the immediate vicinity of the elevator.

(2) *Certification.* The certification referred to in paragraph (b)(1) of this section shall be in writing and shall separately state the number of bushels of corn or soybeans, stored on the ground in the immediate vicinity of the elevator as of October 24, 1975, or as of the date of certification whichever is the lesser. Grain stored on farms or at sites not adjacent to the elevator shall be excluded from the certification.

(3) *Verification required.* A representative of the railroad will verify the quantity of grain certified as being on the ground in the immediate vicinity of the elevator. Such verification shall be noted on the certification before a priority distribution of cars is allocated to each elevator.

(4) *Certifications to be retained.* The verified elevator certifications referred to in paragraphs (b) (2) and (3) of this section shall be retained by the railroad at the station or office at which records of cars ordered and furnished by the elevator are required by mandatory Car Service Rule 15 to be maintained.

(5) *Termination of priority.* The priority in grain car distribution granted to any elevator under the provisions of paragraph (b)(1) of this section shall terminate when the quantity in bushels, of all grains, regardless of kind, shipped from the elevator equals the quantity of grain certified as being stored on the ground.

(6) *Records required.* The carrier shall record for each elevator requesting priority in the distribution of grain cars because of corn or soybeans stored on the ground, the number of bushels of grain loaded into each car shipped from the date the certification described in paragraphs (b) (2) and (3) of this section is given until the total amount shipped equals the number of bushels certified as being stored on the ground.

(7) *Priority cars to be charged to normal distributive share.* Grain cars furnished to any elevator as a result of the priorities authorized by this order shall be charged to the distributive share of grain cars to which such elevator is normally entitled during the thirty-day period following the furnishing of the last car on a priority basis.

(8) *Exceptions.* Exceptions to this order, including extension of its application to elevators located in other states, may be authorized to railroads by the Railroad Service Board, Washington, D.C. 20423. Requests for such extension must be submitted in writing, or confirmed in writing, and must clearly state the points at which such exceptions are requested and the reason therefor.

(c) Rules and regulations suspended. The operation of all rules, regulations, or tariff provisions is suspended insofar as they conflict with the provisions of this order.

(d) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(e) *Effective date.* This order shall become effective at 11:59 p.m., October 24, 1975.

(f) *Expiration date.* All provisions of this order except paragraph (b)(7) of this section shall expire at 11:59 p.m., November 14, 1975. The provisions of paragraph (b)(7) of this section shall expire at 11:59 p.m., December 14, 1975.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the FEDERAL REGISTER.

By the Commission, Railroad Service Board.

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

[FR Doc.75-29214 Filed 10-29-75;8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 966]

TOMATOES GROWN IN FLORIDA

Proposed Handling Limitations

This regulation, designed to promote orderly marketing of Florida tomatoes, would impose minimum grade, size, quality and maturity standards and require inspection of fresh shipments to keep undesirable tomatoes from being shipped to consumers.

Consideration is being given to the issuance of the handling regulation, hereinafter set forth, which was recommended by the Florida Tomato Committee, established pursuant to Marketing Agreement No. 125 and Marketing Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area. This program is issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1975–76 crop of Florida tomatoes and the marketing prospects for this season. The proposed requirements for containers, container net weights, and size classifications are intended to standardize shipments in the interest of orderly marketing and thereby improve returns to producers. The proposals with respect to special purpose shipments are designed to meet the different requirements for such shipments. The proposals concerning special pack shipments are intended to help handlers in the production area compete on an equal basis with those outside the area by not requiring reinspection of previously inspected tomatoes when repacked in consumer size packages. The minimum grade and size requirements would preclude shipments to fresh market of tomatoes which usually are of negligible economic value to producers.

Consideration will be given to any written data, views, or arguments pertaining to this proposal which are filed in duplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than November 14, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulation is as follows:

§ 966.313 Handling regulation.

During the period November 24, 1975, through June 20, 1976, no person shall handle any lot of tomatoes for shipment outside the regulated area unless they meet the requirements of paragraph (a) of this section or are exempted by paragraphs (b) or (d) of this section.

(a) *Grade, size, container and inspection requirements*—(1) *Grade.* Tomatoes shall be graded and meet the requirements specified in § 51.1855 U.S. No. 1, § 51.1856 U.S. Combination, § 51.1857 U.S. No. 2 or § 51.1858 U.S. No. 3, of the U.S. Standards for Grades of Fresh Tomatoes except that when not more than 15 percent of tomatoes in any lot fail to meet the requirements of U.S. No. 1 grade and not more than one-third of this 15 percent (or 5 percent) are comprised of defects causing very serious damage including not more than one percent of tomatoes which are soft or affected by decay, such tomatoes may be shipped and designated as at least 85 percent U.S. No. 1 grade.

(2) *Size.* (i) Tomatoes shall be over 2⅛2 inches in diameter and be sized in accordance with § 51.1859 of the U.S. tomato standards.

(ii) Tomatoes of designated sizes may not be commingled unless they are over 2⅛2 inches in diameter and each container shall be marked to indicate the designated size.

(iii) Only the generic terms as defined in § 51.1859 may be used to indicate size designations on containers of tomatoes; except that the following abbreviations may be used—sml for small, med for medium, lg for large, ex lg for extra large, or max lg for maximum large.

(3) *Containers.* (i) Tomatoes shall be packed in containers of 20, 30, or 40 pounds designated net weights and comply with the requirements of § 51.1863 of the U.S. tomato standards.

(ii) Each container shall be marked to indicate the designated net weight.

(iii) If the container in which the tomatoes are packed has been previously used, the lid of such container shall be marked with the words "USED BOX" in letters not less than three-fourths inch high.

(4) *Inspection.* Tomatoes shall be inspected and certified pursuant to the provisions of § 966.60. Each handler who applies for inspection shall register with the committee pursuant to § 966.113. Registered handlers shall pay assessments as provided in § 966.42. Inspection certificates must accompany truck shipments.

(b) *Special purpose shipments.* The requirements of paragraph (a) of this section shall not be applicable to shipments of tomatoes for canning, relief, charity or export if the handler thereof complies with the safeguard requirements of paragraph (c) of this section. Shipments for canning are also exempt from the assessment requirements of this part.

(c) *Safeguards.* Each handler making shipments of tomatoes for canning, relief, charity or export in accordance with paragraph (b) of this section shall:

(1) Apply to the committee and obtain a Certificate of Privilege to make such shipments.

(2) Prepare on forms furnished by the committee a report in quadruplicate on such shipments authorized in paragraph (b) of this section.

(3) Bill or consign each shipment directly to the designated applicable receiver.

(4) Forward one copy of such report to the committee office and two copies to the receiver for signing and returning one copy to the committee office. Failure of the handler or receiver to report such shipments by signing and returning the applicable report to the committee office within ten days after shipment shall be cause for cancellation of such handler's certificate and/or receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of any such certificate, the handler may appeal to the committee for reconsideration.

(d) *Exemption*—(1) *For types.* The following types of tomatoes are exempt from these regulations: Elongated types commonly referred to as pear shaped or paste tomatoes and including but not limited to San Marzano, Red Top and Roma varieties; cerasiform type tomatoes commonly referred to as cherry tomatoes, hydroponic tomatoes, and greenhouse tomatoes.

(2) *For minimum quantity.* For purposes of these regulations each person subject thereto may handle up to but not to exceed 60 pounds of tomatoes per day without regard to the requirements of these regulations but this exemption shall not apply to any shipment or any portion thereof of over 60 pounds of tomatoes.

(3) *For special packed tomatoes.* Tomatoes resorted, regraded and repacked by a handler who has been designated as a "Certified Tomato Repacker" by the committee are exempt from the tomato grade classifications of paragraph (a) (1) of this section and the size classifications of paragraph (a) (2) of this section except that tomatoes shall be over 2⅛2 inches in diameter; and the container weight requirements of paragraph (a) (3) of this section if such tomatoes comply with the inspection requirements of paragraph (a) (4) of this section.

(e) *Definition.* "Hydroponic tomatoes" means tomatoes grown in solution without soil; "greenhouse tomatoes" means tomatoes grown indoors. A "Certified To-

mato Repacker" is a repacker of tomatoes in the regulated area who has the facilities for handling, regrading, resorting, and repacking tomatoes into consumer sized packages and has been certified as such by the committee. "U.S. tomato standards" means the revised United States Standards for Grades of Fresh Tomatoes (§§ 51.1855–51.1877 of this title), effective December 1, 1973, or variations thereof specified in this section. Other terms in this section shall have the same meaning as when used in Marketing Agreement No. 125, as amended, and this part, and the U.S. tomato standards.

NOTE: It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A-107.

Dated: October 24, 1975.

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

[FR Doc.75-29152 Filed 10-29-75;8:45 am]

[7 CFR Part 980]

TOMATOES

Proposed Grade, Size and Inspection Requirements

Notice is hereby given of proposed grade, size and inspection requirements to be made applicable to the importation of fresh tomatoes into the United States pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The import regulation would apply the same requirements to be made effective under the Federal marketing order for tomatoes grown in Florida.

All persons who desire to submit data, views, or arguments in connection with this proposal may file the same with the Hearing Clerk, U.S. Department of Agriculture, Room 112-A, Washington, D.C. 20250, not later than November 14, 1975. Written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulation is as follows:

§ 980.209 Tomato import regulation.

Except as otherwise provided during the period November 24, 1975, through June 30, 1976, no person may import fresh tomatoes, except pear shaped, cherry, hydroponic and greenhouse tomatoes as defined herein, unless they are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements.* (1) At least U.S. No. 3 grade and over 2 2/32 inches in diameter;

(2) Not more than 10 percent, by count, in any lot may be smaller than the specified minimum diameter.

(b) *Minimum quantity exemption.* Any importation which in the aggregate does not exceed 60 pounds may be imported without regard to the provisions of this section.

(c) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on tomatoes under the Plant Quarantine Act of 1912.

(d) *Designation of governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, quality and maturity of tomatoes that are imported into the United States under the provisions of Section 8e of the act.

(e) *Inspection and official inspection certificates.* (1) An official inspection certificate certifying the tomatoes meet the United States import requirements for tomatoes under Section 8e (7 U.S.C. 608e-1), issued by a designated governmental inspection service and applicable to a specified lot is required on all imports of fresh tomatoes.

(2) Inspection and certification by the Federal of Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance notice (in days)
All Texas points	L. M. Denbo, P.O. Box 107, San Juan, Tex. 78589 (phone 512-787-4091 or 6881).	1
All Arizona points	B. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621 (phone 602-287-2902)	1
All California points	D. P. Thompson, 784 South Central Ave., Room 256, Los Angeles, Calif. 90021 (phone 213-622-8756).	3
All Hawaii points	Stevenson Ching, P.O. Box 5425, Pawaa Substation, 1428 South King St., Honolulu, Hawaii 96814 (phone 808-941-3071).	1
All Puerto Rico points	John L. Coulon, P.O. Box 9112, Santurce, P.R. 00908 (phone 809-753-2230 or 4110).	2
New York City	Carmine J. Cavallo, Room 23A, Hunts Point Market, Bronx, N.Y. 10474 (phone 212-991-7069 or 7068).	1
New Orleans	Leonard E. Mixon, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (phone 504-589-6741 or 6742).	1
Miami	Lloyd W. Boney, 1330 Northwest 12th Ave., Room 530, Miami, Fla. 33136 (phone 305-324-6116 or 6117).	1
All other Florida points	O. B. Brantley, P.O. Box 1232, Winter Haven, Fla. 33880 (phone 813-294-3511, extension 33, and 813-294-2089).	1
All other points	Chief, FPSI Branch, Fruit and Vegetable Division, AMS, Washington, D.C. 20250 (phone 202-447-5870).	3

(4) Inspection certificates shall cover only the quantity of tomatoes that is being imported at a particular port of entry by a particular importer.

(5) Each inspection certificate issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper, or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks on the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e-1.

(f) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of tomatoes for the purpose of making it eligible for importation.

(g) *Definitions.* For the purpose of this section, "Importation" means release from custody of the United States Bureau of Customs. "Cherry tomatoes" means cerasiform types commonly referred to as "cherry tomatoes." "Pear shaped tomatoes" means elongated types, commonly referred to as pear shaped or paste tomatoes and include San Marzano, Red Top and Roma varieties. "Hydroponic tomatoes" means tomatoes grown in solution without soil. "Greenhouse tomatoes" means tomatoes grown indoors. The terms relating to grade and size, as used herein, shall have the same meaning as when used in the U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855–51.1877 of this title).

Dated: October 24, 1975.

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

[FR Doc.75-29150 Filed 10-29-75;8:45 am]

[7 CFR Part 987]

DOMESTIC DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIF.

Proposed Expenses of California Date Administrative Committee and Rate of Assessment, for 1975–76 Crop Year

Notice is hereby given of a proposal regarding expenses of the California Date Administrative Committee, and rate of

assessment, for the 1975–76 crop year. The proposal is pursuant to §§ 987.71 and 987.72 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987). The amended marketing agreement and order regulate the handling of domestic dates produced or packed in Riverside County, California, and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The California Date Administrative Committee has recommended, for the 1975–76 crop year, expenses totalling $25,830 and an assessment rate of 7 cents per hundredweight on assessable dates. The assessable poundage is estimated by the Committee at 38.5 million pounds. When the proposed assessment rate is applied to the estimated assessable poundage, that rate provides assessment income of $26,950.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20205, not later than November 14, 1975. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 987.320 Expenses of the California Date Administrative Committee and rate of assessment for the 1975–76 crop year.

(a) *Expenses.* Expenses in the amount of $25,830 are reasonable and likely to be incurred by the California Date Administrative Committee during the 1975–76 crop year beginning October 1, 1975, for its maintenance and functioning, and for such other purposes as the Secretary may, pursuant to the applicable provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for that crop year which each handler is required, pursuant to § 987.72, to pay to the California Date Administrative Committee as his pro rata share of the expenses is fixed at 7 cents per hundredweight on all assessable dates. Assessable date are dates which the handler has certified during the crop year as meeting the requirements for marketable dates, including the eligible portion of any field-run dates certified and set aside or disposed of pursuant to § 987.45(f).

Dated: October 24, 1975.

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

[FR Doc.75-29151; Filed 10-29-75;8:45 am]

[7 CFR Part 989]

DIPPED SEEDLESS RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Weight Conversion Factors

Notice is given of a proposal to establish factors for converting the weight of reconditioned Dipped Seedless raisins to natural condition weight. Section 989.601 of Subpart—Conversion Factors (7 CFR 989.601) contains the factors established for converting weights of various varietal types of raisins, and the appropriate conversion factors for Dipped Seedless would be included in this section.

This action, unanimously recommended by the Raisin Administrative Committee, would be taken under § 989.58(e) (4) of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), hereinafter referred to as the "order", and § 989.158(c) (4) (i) of the Subpart—Administrative Rules and Regulations issued under the order. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Certain program obligations (e.g., assessments, reserve tonnage set asides) are based on the natural condition weight of raisins acquired by handlers. When the handler acquires a lot of packed raisins after they have been reconditioned, the weight of the lot is less than its natural condition weight. Thus, factors are established for adjusting the weight of reconditioned raisins to natural condition weight.

Under the order, raisins are regulated by varietal types, and these types are contained in § 989.110. On July 29, 1975, this section was changed (40 FR 31739) by adding "Dipped Seedless" raisins and deleting "Soda Dipped" raisins. This makes it necessary to amend § 989.601 to include Dipped Seedless raisins and to provide appropriate conversion factors. The net weight of raisins acquired by handlers as packed raisins is divided by the applicable factor to obtain natural condition weight. As proposed, the natural condition weight of a lot of Dipped Seedless raisins after that lot had been passed through a stemmer and blower would be determined by dividing its net weight by .96; and that weight after complete processing would be determined by dividing its net weight by .95. Since Soda Dipped raisins are no longer a varietal type of raisin under the order, the proposal would delete them from § 989.601.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than November 14, 1975. All written submissions should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: October 24, 1975.

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

[FR Doc.75-29153 Filed 10-29-75;8:45 am]

[7 CFR Parts 1001, 1002, 1015]

[Docket Nos. AO-14-A55, AO-305-A33, AO-71-A70]

MILK IN BOSTON REGIONAL, CONNECTICUT, AND NEW YORK-NEW JERSEY MARKETING AREAS

Extension of Time for Filing Exceptions To Recommended Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Boston Regional, Connecticut, and New York-New Jersey marketing areas, which was issued September 30, 1975 (40 FR 47316) is hereby extended to November 17, 1975.

This notice 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).

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

DONALD E. WILKINSON,
Administrator.

[FR Doc.75-29097 Filed 10-29-75;8:45 am]

Agricultural Stabilization and Conservation Service

[7 CFR Part 730]

RICE

Determinations To Be Made With Respect to Marketing Quotas, National, State, and County Acreage Allotments, County Normal Yields, and a Period for Conducting a Referendum on Marketing Quotas for the 1976 Crop

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended, (7 U.S.C. 1301, 1352, 1353, and 1354), the Secretary of Agriculture is preparing to determine whether marketing quotas are required to be proclaimed for the 1976 crop of rice; to determine and proclaim the national acreage allotment for the 1976 crop of rice; to apportion among States and counties the national acreage allotment for the 1976 crop of rice; to

establish county normal yields for the 1976 crop of rice; and to establish a period for conducting a referendum on marketing quotas in the event quotas are proclaimed for the 1976 crop of rice.

Section 354 of the act provides that whenever in the calendar year 1975 the Secretary determines that the total supply of rice for the 1975–76 marketing year will exceed the normal supply for such marketing year, the Secretary shall, not later than December 31, 1975, proclaim such fact and marketing quotas shall be in effect for the crop of rice produced in 1976. Within 30 days after the issuance of such proclamation, the Secretary shall conduct a referendum by secret ballot of farmers engaged in the production of the immediately preceding crop of rice to determine whether farmers are in favor of or opposed to such quotas.

Section 352 of the act, as amended, provides that the national acreage allotment of rice for 1976 shall be that acreage which the Secretary determines will, on the basis of the national average yield of rice for the 5 calendar years 1971 through 1975, produce an amount of rice adequate, together with the estimated carryover from the 1975–76 marketing year, to make available a supply for the 1976–77 marketing year not less than the normal supply. The Secretary is required under this section of the act to proclaim such national acreage allotment not later than December 31, 1975.

Section 353(c)(6) of the act, as amended, provides that the national acreage allotment of rice for 1976 shall be not less than the national acreage allotment for 1956, including the 13,512 acres apportioned to States pursuant to paragraph (5) of section 353(c) of the act. Under this provision, the national acreage allotment of rice for 1976 will be not less than 1,652,596 acres.

As defined in section 301 of the act, for purposes of these determinations, "total supply" for any marketing year is the carryover of rice for such marketing year, plus the estimated production of rice in the United States during the calendar year in which such marketing year begins and the estimated imports of rice into the United States during such marketing year; "normal supply" for any marketing year is the estimated domestic consumption of rice for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus the estimated exports of rice for the marketing year for which normal supply is being determined, plus 10 per centum of such consumption and exports, with adjustments for current trends in consumption and for unusual conditions as deemed necessary; and "marketing year" for rice is the period August 1–July 31.

Section 353 (a) and (c)(6) of the act requires that the national acreage allotment of rice for the 1976 crop, less a reserve of not to exceed 1 per centum thereof for apportionment to farms receiving inadequate allotments because of insufficient State or county allotments or because rice was not planted on the farm during all the years of the base period, be apportioned among the several States in which rice is produced in the same proportion that they shared in the total acreage allotted to States in 1956 (State acreage allotments, plus the additional acreage allocated to States under section 353(c)(5) of the act as amended).

The State acreage allotment of rice for the 1976 crop would be apportioned to producers in "producer States" and to farmers in "farm States" in accordance with the Regulations for Determination of Acreage Allotments for 1974 and Subsequent Crops of Rice (§§ 730.61 to 730.87; 39 FR 918; 39 FR 15021 40 FR 20060).

Section 301(b)(13)(D) of the act provides that the "normal yield" of rice for 1976 for any county shall be the average yield per acre of rice for the county during the 5 calendar years 1971 through 1975 adjusted for abnormal weather conditions and trends in yields. Provision is made therein that if for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations of the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

Section 301(b)(13)(F) of the act provides that if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any county for any year during the years 1971 through 1975 is less than 75 per centum of the average, 75 per centum of each average shall be substituted therefor in calculating the normal yield per acre. If on account of abnormally favorable weather conditions, the yield for any county for any year during the years 1971 through 1975 is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Prior to making any of the foregoing determinations with respect to marketing quotas and national, State, and county acreage allotments, and county normal yields for the 1976 crop of rice, including national, State and county reserves, and announcing the period of the referendum, if marketing quotas are required, consideration will be given to data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grains, Oilseeds and Cotton Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. All written submissions must be postmarked by November 19, 1975 to be sure of consideration. All written submissions made pursuant to this notice will be made available for public inspection during normal business hours at the United States Department of Agriculture, Room 5741, South Building, Washington, D.C. 20250.

Signed at Washington, D.C. on: October 24, 1975.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-29166 Filed 10-29-75;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1464]

CIGAR TOBACCO

Proposed Grade Loan Rates for Price Support on 1975 Crop

Notice is hereby given that CCC is considering the grade loan rates to be applied in making price support available on 1975-crop cigar tobacco.

Interested persons are invited to participate in establishing the grade loan rates to be applied by submitting views and recommendations in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. To assure consideration, all submissions must be received not later than December 1, 1975. All such written submissions received will be available for public inspection at the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.) (7 CFR 1.27(b)).

Under the Tobacco Loan Program published in this part, CCC proposes to establish loan rates by grades for the 1975-crop Ohio filler tobacco, types 42–44, Connecticut Valley broadleaf tobacco, type 51, Connecticut Valley Havana seed tobacco, type 52, New York and Pennsylvania Havana seed tobacco, type 53, and Southern Wisconsin tobacco, type 54, Northern Wisconsin tobacco, type 55, and Puerto Rican tobacco, type 46, as set forth herein. These proposed rates, calculated to provide the level of support of 66.5 cents per pound for types 51–52, 49.9 cents per pound for type 46 and 48.0 cents per pound for types 42–44, 53–55, as determined under section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445), are as follows:

§ 1464.22 1975 Crop—Ohio Filler Tobacco, Types 42–44, Loan Schedule.[1]

Grade	*Loan rate*
[Dollars per hundred pounds, farm sales weight]	
Crop run (stripped together):	
X1	50
X2	46
X3	43
X4	39
Nondescript:	
N	30

[1] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated, "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.23 1975 Crop—Connecticut Valley Broadleaf Tobacco, Type 51 Loan Schedule.[2]

Grade	Loan rate
[Dollars per hundred pounds, farm sales weight]	
Binders:	
B1	88
B2	80
B3	70
B4	59
B5	52
Non-binders:	
X1	44

[2] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "N1" or "N2" (nondescript) or "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.24 1975 Crop—Connecticut Valley Havana Seed Tobacco, Type 52, Loan Schedule.[3]

Grade	Loan Rate
[Dollars per hundred pounds, farm sales weight]	
Binders:	
B1	84
B2	77
B3	67
B4	58
B5	52
Non-binders:	
X1	44

[3] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "N1" or "N2" (nondescript) or "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.25 1975 Crop—New York and Pennsylvania Havana Seed Tobacco, Type 53, and Southern Wisconsin Tobacco, Type 54, Loan Schedule.[4]

Grade	Loan Rate
[Dollars per hundred pounds, farm sales weight]	
Crop-run:	
X1	55
X2	48
X3	41
Farm fillers:	
Y1	35
Y2	33
Y3	31
Nondescript:	
N1	31
N2	25

[4] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.26 1975 Crop—Northern Wisconsin Tobacco, Type 55, Loan Schedule.[5]

Grade	Loan rate
[Dollars per hundred pounds, farm sales weight]	
Binders:	
B1	72
B2	66
B3	61
Strippers:	
C1	55
C2	49
C3	40
Crop-run:	
X1	54
X2	48
X3	39
Farm fillers:	
Y1	37
Y2	35
Y3	32
Nondescript:	
N1	31
N2	25

[5] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.27 1975 Crop—Puerto Rican Tobacco, Type 46, Loan Schedule.[6]

[Dollars per hundred pounds, farm sales weight]

Grade:	Loan rate
Price block I (C1f and C1P)	57
Price block II (X1F, X1P, and X1S)	47
Price block III (X2T, X2F, X2P and X2S)	39
Price block IV (N)	23

[6] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco "S" (scrap) or designated, "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

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

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.75-29154 Filed 10-29-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 75-SO-141]

LOCKHEED MODEL 382 SERIES

Proposed Airworthiness Directives

Amendment 39-2342, FR Doc. 75-21572, AD 75-18-03, requires inspection of the outer wing lower forward spar caps at OWS 54 and 108 on Lockheed Model 382 series airplanes. After issuing Amendment 39-2342, the Federal Aviation Administration determined that modification of the wing is required. Therefore the Administration is considering amending Amendment 39-2342 to require modification of the wings in accordance with Lockheed Service Bulletin 382-187.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Southern Region Office, Chief, Engineering and Manufacturing Branch, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before December 15, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments will be available, both before and after the closing date for comments, in the Engineering and Manufacturing Branch, FAA Southern Region, for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2342, FR Doc. 75-21572, AD 75-18-03 by adding the following new paragraphs at the end thereof:

Before the accumulation of more than 30,000 flight hours, preventive modification shall be installed in accordance with Lockheed Service Bulletin 382-187, or later FAA-approved revision, or in an equivalent manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

The inspection required by AD 75-18-03 may be discontinued for those airplanes modified in accordance with the above paragraph.

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

Issued in East Point, Georgia on October 17, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-29081 Filed 10-29-75;8:45 am]

[14 CFR Part 39]

[Docket No. 75-SO-143]

LOCKHEED MODEL 382 SERIES

Proposed Airworthiness Directives

Amendment 39-2249, FR Doc. 75-17068, AD 75-14-05, as amended by Amendment 39-2362, FR Doc. 75-23706, requires inspection of the outer wing lower aft beam caps at OWS 54 and 108 on Lockheed Model 382, series airplanes. After issuing Amendment 39-2362, the Federal Aviation Administration deter-

mined that modification of the wing is required. Therefore, the Administration is considering amending Amendment 39-2362 to require modification of the wings in accordance with Lockheed Service Bulletin 382-187.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Docket Number and be submitted in duplicate to the Federal Aviation Administration, Southern Region Office, Chief, Engineering and Manufacturing Branch, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before December 15, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this Notice may be changed in light of comments received. All comments will be available, both before and after the closing date for comments, in the Engineering and Manufacturing Branch, FAA Southern Region, for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2362, FR Doc. 75-23706, AD 75-14-05, by adding the following new paragraphs at the end thereof:

Before the accumulation of more than 30,000 flight hours, preventive modification shall be installed in accordance with Lockheed Service Bulletin 382-187, or later FAA-approved revision, or in an equivalent manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

The inspections required by this AD may be discontinued for those airplanes which have been modified in accordance with the above paragraph.

Issued in East Point, Georgia on October 17, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-29082 Filed 10-29-75;8:45 am]

[14 CFR Part 39]

[Docket No. 75-SO-142]

LOCKHEED MODEL 382 SERIES

Proposed Airworthiness Directives

Amendment 39-1867, FR Doc. 74-13289, AD 74-12-06, requires inspection of the outer wing lower forward beam cap, web and skin at wing stations 153 to 162 and 198 to 207 on Lockheed Model 382 series airplanes. After issuing Amendment 39-1867, the Federal Aviation Administration determined that modification of the wing is required. Therefore, the Administration is considering amending Amendment 39-1867 to require modification of the wings in accordance with Lockheed Service Bulletins 382-152 and A382-169.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Southern Region Office, Chief, Engineering and Manufacturing Branch, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before December 15, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments will be available, both before and after the closing date for comments, in the Engineering and Manufacturing Branch, FAA Southern Region, for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1867, FR Doc. 74-13289, AD 74-12-06, by adding the following new paragraph at the end thereof:

Before the accumulation of more than 30,000 flight hours, preventive modification shall be installed in accordance with Lockheed Service Bulletin 382-152, Revision 2, and Alert Service Bulletin A382-169A, Revision 4, or later FAA-approved revision, or in an equivalent manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

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

Issued in East Point, Georgia on October 17, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-29803 Filed 10-29-75;8:45 am]

[14 CFR Part 39]

[Docket No. 75-SO-144]

LOCKHEED MODEL 382 SERIES

Proposed Airworthiness Directives

Amendment 39-2343, FR Doc. 75-21619, AD 75-18-04, requires inspection of the outer wing lower panels at OWS 35 on Lockheed Model 382 series airplanes. After issuing Amendment 39-2343, the Federal Aviation Administration determined that modification of the wing is required. Therefore, the Administration is considering amending Amendment 39-2343 to require modification of the wings in accordance with Lockheed Service Bulletin 382-57-43.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Docket Number and be submitted in duplicate to the Federal Aviation Administration, Southern Region Office, Chief, Engineering and Manufacturing Branch, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before December 15, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this Notice may be changed in light of comments received. All comments will be available, both before and after the closing date for comments, in the Engineering and Manufacturing Branch, FAA Southern Region, for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2343, FR Doc. 75-21619, AD 75-18-04 by adding the following new paragraphs at the end thereof:

Before the accumulation of more than 30,000 flight hours, preventive modification shall be installed in accordance with Lockheed Service Bulletin 382-57-43, or later FAA-approved revision, or in an equivalent manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

The inspections required by AD 75-18-04 may be discontinued for those airplanes modified in accordance with the above paragraph.

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

Issued in East Point, Georgia on October 17, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-29084 Filed 10-29-75;8:45 am]

Coast Guard

[33 CFR Part 117]

[CGD 75-180]

INDIAN RIVER, FLORIDA

Proposed Drawbridge Operation Regulations

At the request of the Florida Department of Transportation, the Coast Guard is considering revising the regulations for the drawbridges across the Indian River (Atlantic Intracoastal Waterway) at Melbourne and Eau Gallie to require that the draws open on signal at half-hour intervals from 8:15 a.m. to 4:15 p.m. daily. The present closed periods, from 6:45 a.m. to 8:15 a.m. and 4:15 to 5:45 p.m. would also be extended to Saturday and Sunday, rather than just Monday through Friday as is now the case. Although the vehicular traffic daily average has actually decreased slightly in the past five years (for the Melbourne drawbridge 21,671 per day in 1970 versus 21,445 per day in 1974; for the Eau Gallie drawbridge, 19,371 per day in 1970 versus 17,770 per day in 1974), there is a potential of relieving some of the vehicular traffic problems by this proposal.

Interested persons may participate in this proposed rulemaking by submitting written data, views, or arguments to the Commander (oan), Seventh Coast Guard District, Room 1018, Federal Building, 51 SW., First Avenue, Miami, Florida 33130. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be avail-

able for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before December 2, 1975, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.436(b) and by adding a new § 117.436(b–1) to read as follows:

§ 117.436 Indian River, Fla.; Florida State Road Department bridges at Titusville, Eau Gallie, Melbourne and the National Aeronautics and Space Administration bridge at Addison Point.

* * * * *

(b) The draw of the bridge at Eau Gallie shall open on signal from 5:45 p.m. to 6:45 a.m. From 6:45 a.m. to 8:15 a.m. and from 4:15 p.m. to 5:45 p.m. the draw may remain closed. From 8:15 a.m. to 4:15 p.m. the draw shall open on the quarter-hour and three-quarter hour if any vessels are waiting to pass.

(b–1) The draw of the bridge at Melbourne shall open on signal from 5:45 p.m. to 6:45 a.m. From 6:45 a.m. to 8:15 a.m. and from 4:15 p.m. to 5:45 p.m. the draw may remain closed; however, the draw shall open at 8:15 a.m. and 4:15 p.m. if any vessels are waiting to pass. From 8:30 a.m. to 4:00 p.m., the draw shall open on the hour and half-hour if any vessels are waiting to pass.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; (33 U.S.C. 499, 49 U.S.C. 1655(g)(2)); 49 CFR 1.46(c)(5), 33 CFR 1.05–1(c)(4)).

Dated: October 22, 1975.

D. J. RILEY,
Captain, U.S. Coast Guard, Acting Chief, Office of Marine Environment and Systems.

[FR Doc.75–29133 Filed 10–29–75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20588]

LOGGING OF PROMOTIONAL ANNOUNCEMENTS

Order Extending Time for Filing Comments and Reply Comments

On September 5, 1975, the Commission adopted a notice of inquiry and notice of proposed rule making in the above-entitled proceeding (40 FR 43514). The dates for filing comments and reply comments are presently October 22 and November 3, 1975, respectively.

2. On October 8, 1975, counsel for the National Association of Broadcasting (NAB) requested that the time for filing comments be extended to and including November 24, 1975. Counsel states the instant proceeding contains public interest questions which are applicable to the entire broadcasting industry and as such many parties will be desirous of participating. He points out that the present filing date in this proceeding is only eight days prior to the date for filing comments in Docket 20550, employment practices and nondiscrimination, and in Docket 20600, revision of rules pertaining to program logging. He further states that because of the nearness of filing dates, NAB's participation in its Fall conferences, staff size, and normal workload an extension of time will be necessary.

3. We are of the view that the public interest would be served by extending the time in this proceeding. Accordingly, *it is ordered,* That the dates for filing comments and reply comments are extended to and including November 24 and December 19, 1975, respectively.

4. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

Adopted: October 16, 1975.

Released: October 21, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75–29106 Filed 10–29–75;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 75–941]

FEDERAL SAVINGS AND LOAN SYSTEM

Mobile Home Financing

OCTOBER 15, 1975.

The Federal Home Loan Bank Board considers it desirable to propose to amend § 545.7–1 of the rules and regulations of the Federal Savings and Loan System (12 CFR 545.7–1) for the purpose of increasing the amount that a federal association may lend to home buyers on the security of mobile homes.

Present § 545.7–1(e)(3)(iii)(c) limits the amount attributable to installation and freight charges that a federal association may include in a mobile home loan to the lesser of 10 percent of the manufacturer's invoice price or $500. The proposed amendment would delete the $500 limitation, in recognition of the greater installation and freight costs which prevail today.

Accordingly, the Board hereby proposes to amend Part 545 by revising § 545.7–1(e)(3)(iii)(c) thereof, to read as set forth below.

Interested persons are invited to submit written data, view, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552, by December 1, 1975, as to whether this proposal should be adopted, rejected, or modified. Copies of all written material submitted will be available for public inspection at the above address during normal business hours.

§ 545.7–1 Mobile home financing.

* * * * *

(e) *Retail financing.* Any such association may invest in any retail mobile home chattel paper as to which the association's investment is insured or guaranteed, or the association has a commitment for such insurance or guarantee, under the provisions of the National Housing Act or Chapter 37 of Title 38, United States Code, as now or hereafter amended, if arrangements have been made for satisfactory local servicing of such chattel paper. Any such association may invest in other retail mobile home chattel paper only if:

* * * * *

(3) The amount of the monetary obligation evidenced by such chattel paper (exclusive of any time price differential or any interest, whether on an add-on, discount, or other gross charge basis) does not, except as otherwise provided in paragraph (f) of this section, exceed an amount equal to the total of the following:

* * * * *

(iii) in the case of a new mobile home, (*a*) 100 percent of the manufacturer's invoice price of such mobile home (including any installed equipment), excluding freight, (*b*) 100 percent of the invoice price of the manufacturer of any new equipment installed or to be installed by the dealer, excluding freight, and (*c*) an amount, attributable to set-up and freight costs, not exceeding 10 percent of the total of such invoice price; or

* * * * *

(Sec. 5, 48 Stat. 132, as amended; (12 U.S.C. 1464), Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] J. J. FINN,
Secretary.

[FR Doc. 75–29155 Filed 10–29–75; 8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

[CM-5/119]

ADVISORY COMMITTEE ON TRANSNATIONAL ENTERPRISES

Meeting

The State Department Advisory Committee on Transnational Enterprises will hold its second meeting on Monday, November 17 at 9:30 a.m. in Room B of the Pan American Health Organization, 525 23rd Street, NW., Washington, D.C. The meeting will be to discuss status of ongoing work in international fora related to Transnational Enterprises, including the United Nations, the Organization of Economic Cooperation and Development and the Organization of America States. North-South Issues in general will also be reported on. Among the items on the agenda are:

1. Report on the work of the Committee's Working Group on Information Disclosure.

2. State Department update of transnational enterprises issues in international organizations and North-South Issues in general.

3. Discussion of transnational enterprise issues in international organizations.

Requests for further information on the meeting should be directed to Stephen Bond, Department of State, Office of the Legal Adviser, 2201 C Street, NW., Washington, D.C. 20520. He may be reached by telephone on (area code 212) 632-0349.

Members of the public wishing to attend the meeting must contact Mr. Bond's office in order to arrange entrance to the Pan American Health Organization building.

The Chairman will, as time permits, entertain oral comments from members of the public attending the meeting.

Dated: October 24, 1975.

STEPHEN R. BOND,
Executive Secretary,
Committee on Transnational Enterprises.

[FR Doc.75-29223 Filed 10-29-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-26]

BURTON WEISER, D.O.

Revocation of Registration

On October 25, 1974, the Administrator of the Drug Enforcement Administration issued to Burton Weiser an Order to Show Cause as to why DEA registration #AW5508354 issued him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked for reason that on October 23, 1973, in the United States District Court for the District of New Jersey, he was convicted of conspiracy to sell narcotic drugs, a felony.

Respondent requested a hearing on the Order to Show Cause and, on March 10, 1975, a hearing was held in Washington, D.C., before Administrative Law Judge Lewis F. Parker.

On September 29, 1975, the Judge filed his Recommended Decision with the Acting Administrator of the Drug Enforcement Administration which recommends:

> . . . that the Administrator recognize Dr. Weiser's need to dispense some controlled substances and the substantial benefit which this ability would confer on his patients. Dr. Weiser suggests that if revocation is ordered, it extend only to methadone or, in the alternative, to substances in Schedules I and II, and I recommend that the Administrator adopt the latter proposal by revoking Dr. Weiser's controlled substances registration only with respect to those substances in Schedules I and II. . . .

Having reviewed the record of these proceedings in its entirety, the Acting Administrator finds that on October 23, 1973, in the United States District Court for the District of New Jersey, Burton Weiser was convicted of conspiracy to sell narcotic drugs, a felony. He also finds that Dr. Weiser is now providing valuable medical service to a depressed area of Philadelphia and that his patients require the prescribing of some controlled substances. Therefore the Acting Administrator hereby adopts that part of the Recommended Decision of the Administrative Law Judge set out above, pursuant to § 1316.66, Title 21, Code of Federal Regulations.

Accordingly, under the authority vested in the Attorney General by section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. 823, and redelegated to the Administrator of the Drug Enforcement Administration by § 0.100, as amended Title 28, Code of Federal Regulations, and further, having been duly designated as Acting Administrator by Order No. 607-75 of the Attorney General, dated May 30, 1975, in accordance with the authority stated therein and pursuant to the authority delegated to the Acting Administrator by § 0.132(d) of Title 28 of the Code of Federal Regulations, the Acting Administrator hereby orders that the certificate of registration of Burton Weiser (DEA Registration #AW5508-354) be revoked in Schedules I and II.

This order shall be effective December 1, 1975.

Dated: October 17, 1975.

HENRY S. DOGIN,
Acting Administrator
Drug Enforcement Administration.

[FR Doc.75-29116 Filed 10-29-75;8:45 am]

CONTROLLED SUBSTANCES IN SCHEDULES I AND II

Final 1976 Aggregate Production Quotas

Section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) requires the Attorney General to establish aggregate production quotas for all controlled substances in Schedules I and II each year. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration pursuant to § 0.100 of Title 28 of the Code of Federal Regulations and has been further delegated to the Acting Administrator by virtue of his designation as such by Order Number 607-75 of the Attorney General, dated May 30, 1975 and pursuant to the authority delegated to him by § 0.132(d) of Title 28 of the Code of Federal Regulations.

On August 26, 1975, a notice of the proposed aggregate production quotas for 1976 was published in the FEDERAL REGISTER (40 FR 37240). All interested parties were invited to comment or object to the proposed aggregate production quotas with these comments or objections to be received by September 30, 1975.

Mallinckrodt, Inc. of St. Louis, Missouri submitted comments relative to the proposed aggregate production quota for Thebaine (for sale). Mallinckrodt commented that the proposed quota does not permit the conversion of all Thebaine derived from the processing of raw opium to a stable form. As a result of this valuable quantities of Thebaine would be lost which could be converted to medicinal Hydrocodone or Oxycodone, if the Thebaine were processed to a stable form.

Endo Laboratories, Inc. of Garden City, New York also commented that the proposed aggregate production quota for Thebaine (for sale) will not permit the full recovery of Thebaine from gum opium and poppy straw which is processed in the United States.

Western Fher Laboratories of Ponce, Puerto Rico through their counsel Kleinfeld, Kaplan, and Becker of Washington, D.C. have commented that the proposed aggregate production quota for Phenmetrazine is inadequate to provide for the estimated medical needs of the United States for 1976.

Winthrop Laboratories, Division of Sterling Drug Inc. of Rensselaer, New York has advised that it is their opinion that the proposed aggregate production quota for Pethidine is insufficient for 1976. The firm further advised that the underlying reason for their opinion may be related to the fact that their 1975 and 1976 production cycles have been recently changed.

Pennwalt Corporation of Rochester, New York has commented that the Drug

Enforcement Administration should consider building into the aggregate production quotas an amount to be available to manufacturers later in the quota year, which would allow the Drug Enforcement Administration more flexibility than it currently has and would obviate the administrative time delay which would be encountered by both the Drug Enforcement Administration and individual companies by having to republish in the FEDERAL REGISTER revised aggregate production quotas, when increases of the aggregate production quota are warranted.

Ciba-Geigy Corporation (Ciba) through their Attorney William Ragolia, Jr. filed a comment relative to the proposed aggregate production quota for Methylphenidate for 1976. Ciba requested that the Acting Administrator defer establishing the 1976 aggregate quota for Methylphenidate pending the outcome of Administrative Hearings with reference to the registration of Importers of basic class Methylphenidate (see 40 FR 37060–61, August 25, 1975). It is Ciba's opinion that as a result of these hearings the aggregate production quota as proposed for 1976 may prove to be inadequate.

None of the above mentioned comments specifically requests a formal hearing on the aggregate quotas as proposed for 1976. Pursuant to § 1303.11(c), the Acting Administrator of the Drug Enforcement Administration has deemed, in his sole discretion, that hearings relative to any of the above mentioned comments are not necessary. Representatives of the Drug Enforcement Administration will meet with representatives of the above mentioned firms to review the comments submitted.

Therefore, under the authority vested in the Attorney General by section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations and further, having been duly designated as Acting Administrator by Order No. 607–75 of the Attorney General, dated May 30, 1975, in accordance with the authority stated therein, and pursuant to the authority delegated to the Acting Administrator by § 0.132(d) of Title 28 of the Code of Federal Regulation, the Acting Administrator of the Drug Enforcement Administration hereby orders that the aggregate production quotas for the controlled substances listed below, expressed in grams in terms of their respective anhydrous bases, be established as follows:

SCHEDULE II

Basic class:	Quota Established—1976
Alphaprodine	47,000
Amobarbital	21,975,000
Amphetamine	3,586,000
Anileridine	245,000
Apomorphine	1,700
Cocaine	1,213,000
Codeine (for sale)	51,426,000
Codeine (for conversion)	806,000
Desoxyephedrine	[1] 1,596,000
Dihydrocodeine	395,000
Diphenoxylate	1,141,000
Ethylmorphine	23,100
Fentanyl	2,000
Hydrocodone	718,000
Hydromorphone	96,000
Levorphanol	6,700
Methadone	2,407,000
Methadone Intermediate (4-cyano-2 dimethyl-amino-4,4-diphenyl butane)	759,000
Methaqualone	24,096,000
Methylphenidate	2,007,000
Mixed Alkaloids of Opium	44,000
Morphine (for sale)	592,000
Morphine (for conversion)	46,778,000
Norpethidine	799,000
Opium (tinctures, extracts, et cetera, expressed in terms of opium)	1,692,000
Oxycodone (for sale)	1,475,000
Oxycodone (for conversion)	7,000
Oxymorphone	4,000
Pentobarbital	23,697,000
Pethidine	9,474,000
Phenmetrazine	2,312,000
Secobarbital	30,106,000
Thebaine (for sale)	1,231,000
Thebaine (for conversion)	1,010,000

[1] 1,265,000 g for the production of levodesoxyephedrine for use in a noncontrolled, nonprescription product, and 331,000 g for the production of methamphetamine.

Pursuant to Title 21 of the Code of Federal Regulations, § 1303.23(c), the Acting Administrator of the Drug Enforcement Administration will in early 1976 adjust individual manufacturing quotas allocated for 1976 for the above listed controlled substances based upon 1975 end of year inventories and a review of 1975 disposition data as submitted by quota applicants.

All persons who submitted an application for either an individual manufacturing quota or a procurement quota for 1976 will be notified by mail as to their respective 1976 quotas established by the Drug Enforcement Administration.

This order is effective upon the date of its issuance.

Dated: October 23, 1975.

HENRY S. DOGIN,
Acting Administrator
Drug Enforcement Administration.

[FR Doc.75-29117 Filed 10-29-75;8:45 am]

ENDO LABORATORIES, INC., ET AL.

Manufacture of Controlled Substances: Registration

By notice dated September 3, 1975, and published in the FEDERAL REGISTER on September 10, 1975; (40 FR 42035), the following manufacturers made application to the Drug Enforcement Administration to be registered as bulk manufacturers of the basic class of controlled substances listed below:

Endo Laboratories, Inc., 1000 Stewart Avenue, Garden City, N.Y. 11530 (July 28, 1975):

Drug:	Schedule
Hydrocodone	II
Oxycodone	II
Oxymorphone	II

Eli Lilly & Company, Mfg., Tippecanoe Lab., Box 685 Lilly Road, Lafayette, Indiana 47902 (August 5, 1975):

Drug:	Schedule
Methadone	II
Methadone-Intermediate	II
Secobarbital	II
Amobarbital	II

Eli Lilly & Co., 1249 South White River Parkway, East Drive, Building 80, Indianapolis, Indiana 46225 (August 5, 1975):

Drug:	Schedule
Secobarbital	II
Amobarbital	II

No comments or objections having been received, and pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and 21 CFR 1301.54(e), the Acting Administrator hereby orders that the applications submitted by each of the above firms for registration as bulk manufacturers of the basic classes of controlled substances listed therein, are granted

Dated: October 23, 1975.

HENRY S. DOGIN,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.75-29115 Filed 10-29-75;8:45 am]

Office of the Attorney General

FEDERAL ADVISORY COMMITTEE ON FALSE IDENTIFICATION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. Appendix I) that the ninth meeting of the Federal Advisory Committee on False Identification will be held at 9:30 a.m., Thursday, November 13, 1975, at the Briefing and Conference Center of the Department of Justice (opposite Room 1315), 10th and Constitution Avenue, NW, Washington, D.C.

The Committee was established by the Attorney General to study the criminal use of false identification at Federal, state, and local levels and to recommend measures to prevent such use.

At the November 13th meeting Committee members will complete their work on the scope of the false identification problem and report on their survey of draft recommended solutions. Draft copies of the Executive Steering Committee Report on the Scope of the False Identification Problem will be discussed. Task Forces will continue their deliberations.

The meeting, which will adjourn at approximately 2:00 p.m., is open to the public. The Committee welcomes a broad spectrum of ideas from the public to assist the Committee in its efforts to increase individual privacy and to aid in preventing the criminal use of false identification.

Further information concerning this meeting may be obtained from David J. Muchow, General Crimes Section, Criminal Division, Department of Justice, Room 516, Federal Triangle Building, 315 9th Street, NW, Washington, D.C. 20530. Minutes of the meeting will be available for public inspection two weeks after the meeting in Room 516, Federal Triangle Building.

RICHARD L. THORNBURGH,
Assistant Attorney General.

[FR Doc.75-29144 Filed 10-29-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA OUTER CONTINENTAL SHELF OFFICE SOCIOECONOMIC CONFERENCE

Public Conference

OCTOBER 24, 1975.

Announcement is hereby made of the following conference:

Name: Socioeconomic Conference

Date: November 11 through 13, 1975

Place: The Alaska Room, Anchorage Westward Hotel, 3rd and E Streets, Anchorage, Alaska

Time: 0900 to 1630 hour on November 11, 0830 to 1630 hour on November 12 and 13

The University of Alaska's Sea Grant Program, under contract to the Bureau of Land Management, will hold this conference to provide a public review of an integrated comprehensive planning document which will help guide the Bureau of Land Management in studying the economic and social impact of petroleum development on the Alaskan Outer Continental Shelf. This planning document is based on the results of a scientific workshop held on September 23-25, that brought together experts from many different fields. Copies of the document will be available on request at either the Anchorage (707 A Street) or Fairbanks (Resources Building, Fairbanks Campus) offices of the University of Alaska's Sea Grant Program. Mail requests should be made to Alaska Sea Grant Program Resources Building, University of Alaska, Fairbanks, Alaska 99701. Telephone requests should be directed to (907) 479-7086.

OCTOBER 24, 1975.

FRANK A. EDWARDS,
Acting Associate Director.

[FR Doc.75-29157 Filed 10-29-75;8:45 am]

Bureau of Land Management

LAS CRUCES DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

Notice is hereby given in accordance with Pub. L. 92-463, that a meeting of the Las Cruces District Multiple Use Advisory Board will be held on December 3, 1975 at 9:30 a.m. at the District Office, 1705 N. Valley Drive, Las Cruces, New Mexico.

The advisory board was established to advise the District Manager on matters relating to the use, management, protection and disposition of lands and resources administered within the Las Cruces District.

The purpose of the meeting is to review organization of the board, hold election of board officers, provide a general BLM orientation for the advisory board, discuss current programs within the Las Cruces District and discuss approaches to obtaining public input into the Bureau's planning system in the Las Cruces District.

The meeting will be open to the public. Anyone wishing to make a presentation to the board or submit a written statement should contact the official listed below at least five days prior to the meeting.

Further information concerning this meeting may be obtained from the District Manager, Bureau of Land Management, Las Cruces, New Mexico 88001, (523-5571). Minutes of the meeting will be available for public inspection and copying by January 16, 1976 at the district office in Las Cruces.

WILLIAM K. BARKER,
District Manager.

OCTOBER 21, 1975.

[FR Doc.75-29120 Filed 10-29-75;8:45 am]

Fish and Wildlife Service

MIGRATORY BIRD HUNTING STAMP CONTEST

Announcement of Judging; Correction

In FR Doc. 75-27767, published at page 48535 in the issue of Thursday, October 16, 1975, the fifth line is corrected by changing the year "1975" to "1976."

Dated: October 23, 1975.

F. V. SCHMIDT,
Acting Director,
U.S. Fish and Wildlife Service.

[FR Doc.75-29121 Filed 10-29-75;8:45 am]

Geological Survey

GILLARD HOT SPRINGS, ARIZONA

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by section 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572, 30 U.S.C. (1020)), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as an addition to the Gillard Hot Springs Known Geothermal Resources Area, effective February 1, 1974:

Containing 460 acres, more or less.

(1) ARIZONA

GILLARD HOT SPRINGS KNOWN GEOTHERMAL RESOURCES AREA

Gila and Salt River Meridian, Arizona

T. 5 S., R. 29 E.,
Sec. 22, N½,
Sec. 27, N½SE¼, S½SE¼SE¼,
Sec. 28, NE¼SE¼.

Dated: September 16, 1975.

WILLARD C. GEBE,
Conservation Manager,
Western Region.

[FR Doc.75-29122 Filed 10-29-75;8:45 am]

Office of Hearings and Appeals

[Docket No. M 76-10]

BETHLEHEM MINES CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Bethlehem Mines Corporation has filed a petition to modify the application of 30 CFR 75.1405 to its Mine No. 31, Cambria County, Pennsylvania.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner states:

(1) The mine cars in question are equipped with a link-and-pin apparatus which has been significantly modified in order to permit a worker to couple and uncouple without the necessity of placing himself between the ends of the two mine cars.

a. A mechanism for lifting the coupling pin has been placed on the end of the car where the coupling pin is located. The mechanism consists primarily of a handle which, when pushed down, will lift the coupling pin so that the coupling link of the other car can be inserted during the coupling procedure. The handle to lift the coupling pin can be held in the "up" position by means of a "hold block" until the pin is ready to be lowered into the coupling link from the other car to complete the coupling process.

b. A mechanism for positioning the coupling link has been placed on the end of the car where the coupling link is located. This mechanism consists primarily of a handle connected to the coupling link by means of a chain. When this handle is adjusted, the chain will position the link in such a manner that the link will be ready for coupling with the pin. (See attached drawing labeled "Pin and Link Lift Mechanism," particularly the diagrams entitled "Mechanism for Lifting Link." See also attached photographs.) [1]

In view of the existing modifications of the link-and-pin system, which makes it necessary for a worker to place himself between the ends of two mine cars when coupling and uncoupling the cars, an alternative method of achieving the result of the standard in question exists which will at all times guarantee no less than the same measure of protection afforded the miners by the standard in question.

(2) Automatic couplers had been placed on the cars in question relatively recently, but

[1] The petition is accompanied by a drawing and photographs detailing the alternate method. This supplementary material is available for inspection at the address contained in the last paragraph of this notice.

the automatic couplers proved to be unsatisfactory. A number of steep grades exist in Mine No. 31. It was found that such grades caused the coupler on the end of one car to separate from the coupler on the end of a neighboring car when, due to the steepness of the grades and the shortness of the wheelbase on the cars, the end of one car was either higher or lower than the end of the neighboring car. Also, the weight of automatic couplers on each end of the cars was not conductive to a smooth haulage operation, and derailments occurred. It was therefore obvious under such conditions that the application of the standard in question actually did and would continue to result in a diminution of safety to the involved miners at this mine. This use of automatic couplers on the cars in question was discontinued.

(3) An order has been placed for new supply cars with automatic couplers. As soon as the manufacturer fills that order, mine supervision plans to use the mine cars in question almost exclusively for rock hauling. These new cars will have longer wheelbases than the cars in question, and the automatic couplers undoubtedly will function well on the new cars. In addition, such a change in procedure will substantially reduce the amount of coupling and uncoupling work which is presently required, because once new supply cars are provided, there will be significantly fewer occasions when the mine cars in question have to be uncoupled and left on sidings in order to provide materials for a crew of employees in a certain work area.

(4) In accordance with established safety procedures, employees presently responsible for coupling and uncoupling the cars in question are not to couple or uncouple the cars while the cars are in motion. The coupling and uncoupling activities are to be conducted only when the cars are not in motion. Employes who are given such coupling and uncoupling responsibilities in the future will continue to be advised of proper coupling and uncoupling procedures.

(5) It is submitted that the petition in question conforms in all respects to the conditions imposed by Administrative Law Judge William Fauver's decision dated March 4, 1975, in the matter of "Bethlehem Mines Corporation v. MESA," Docket No. M 74-95, granting Bethlehem's petition filed pursuant to section 301(c) of the Act for mine cars using link-and-pin couplers at Mine No. 41.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29123 Filed 10-29-75;8:45 am]

[Docket No. M 76-4]

BLACK DIAMOND MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Black Diamond Mining Company has filed a petition to modify the application of 30 CFR 75.1405 to its Shannon Mine, Jefferson County, Alabama.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read in conjunction with § 75.-1405 is 30 CFR 75.1405-1 which provides:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of its petition, Petitioner states:

(1) The subject mine cars in use are approximately 30 years old having a capacity of 88.6 cubic feet and are constructed with steel sides and wood bottoms. Cars were originally designed for, and are operated with; pin and link couplings. Weight of a car is approximately 3,500 pounds empty. There have been no lost time accidents due to the pin and link coupling system since this mine was opened approximately 4 years ago and, in fact, the mine has recently completed 26 months without a lost time accident from any cause.

(2) Investigation of automatic couplers available commercially and consultation with coupler manufacturers has convinced Petitioner that they are not suitable for use with our equipment or under our mining conditions. Petitioner has recently, however, become aware of an alternate system of coupling and uncoupling which we believe does not possess the disadvantages of the conventional automatic coupler and which Petitioners believes will achieve a greater measure of protection to the miners.

(3) It is Petitioner's position that application of the foregoing provisions and regulations if applied to Shannon Mine would result in lessening of safety over the present system. Beyond this, however, in order to better achieve the purpose which is sought in the Act and to provide a higher standard of protection to the miners, Petitioners proposes an alternate method of coupling and uncoupling mine cars.

(4) *Alternate method.* (a) All mine cars used at Shannon Mine will be coupled together in units or strings of eight or less cars using pin and link couplings. The coupling link of every other car will be permanently affixed on each end with a permanent pin which cannot be removed without extracting a cotter pin and unscrewing a nut. The remaining cars located alternately in the trip will have a pin and link coupling permanently affixed on one end and fitted on the other with a coupler lever so designed as to permit an employee to lift or trip the pin through the car bumper to secure or release a link that has been inserted from another haulage unit and to do this without the necessity of positioning himself between the units being coupled or uncoupled. If it becomes necessary in the coupling operation to position the link, this also will be done without the employee positioning himself between the units. He will affect this alignment by using a specially designed Hand Link Aligner tool which shall be a part of the equipment of all haulage crews. These aligners will be provided in two basic sizes, a longer variety for use when aligning the couplings from the side of the car and a shorter variety for use by the motorman in the event he wishes to position the link while remaining seated in the locomotive. Attached to this petition are detailed drawings for the coupling lever and hand link aligner.[1]

(b) While it is presently planned that only the front car and every other car in a trip or unit of eight cars will be designed with a lever and pin arrangement, it is possible that experience will indicate these modifications should be made to all cars. While coal is currently being brought from the face to the outside in mine cars, belt conveyors have been purchased which, in the future, will transport all coal to the bottom yard. There it will be loaded in mine cars and pulled to the surface as is presently being done. At that time, no mine cars other than supply cars will be used inby the bottom yard.

(c) All employees at the mine will be trained and instructed in the proper operation and use of the coupling levers and the hand link aligners and their proper use will be mandatory requirements for coupling and uncoupling of all mine cars. If, as presently planned, the coupling levers are employed on every other mine car, cars would be added to and removed from service in pairs. Each pair would consist of one car with permanently affixed couplings and one car with the coupling lever arrangement.

(d) All employees presently engaged in the transportation of coal or supplies will receive particular instruction in the use of the coupling lever and hand link aligner. The use of this equipment will become a specific part of the training and orientation of all new employees hired to operate haulage units. Petitioner presently conducts weekly safety meetings and the use and operation of this equipment will be included as a part of these meetings. The use of hand link aligners shall become a mandatory safety rule at the mine and notice to this effect will be posted on the Union and Company bulletin boards.

(5) *Safety considerations.* The alternate method set forth above will provide no less than the same measure of protection to the miners at Shannon Mine than that afforded by section 314(f) of the Act and 30 CFR 75.1405 and 75.1405-1. Under the circumstances at this mine, the alternate method will actually provide greater protection than would result if conventional automatic couplers were used. This is so because:

(a) These cars are too light to guarantee good coupling upon impact with conventional type couplers. We are familiar with other mines who have experienced this problem and in many instances, to secure firm union between cars, impacts of excessive speed are required.

(b) The Blue Creek seam in this area lies in a saucershaped basin and haulage tracks must be laid out with tight horizontal curves and with numerous vertical curves. It is the latter vertical curves which we feel are most serious and could cause misalignment and uncoupling of conventional automatic couplings. This is particularly true on the rope hoisting slope where quite severe vertical curves are encountered.

(c) When the present cars were designed, no thought was given to automatic couplers and even with extensive modification there would be no way to guarantee the present chassis would not be subject to such severe strain and stress that structural failure might result. The prospect of derailment and

[1] The drawings are available for inspection at the address contained in the last paragraph of the notice.

runaway cars is much less likely if pin and link couplings are used.

(d) No imminent danger is presently involved as evidenced by the safety record already compiled.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29124 Filed 10-29-75;8:45 am]

[Docket No. M 75-139]

ENERGY FUELS CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Energy Fuels Corporation has filed a petition to modify the application of 30 CFR 77.803 to its Energy Fuels Mine, Steamboat Springs, Colorado.

30 CFR 77.803 provides:

On and after September 30, 1971, all high-voltage, resistance grounded systems shall include a fail safe ground check circuit or other no less effective device approved by the Secretary to monitor continuously the grounding circuit to assure continuity. The fail safe ground check circuit shall cause the circuit breaker to open when either the ground or ground check wire is broken.

Petitioners' proposed alternate method is comprised of an electrical system in which the relays only break the circuit to the dragline thereby leaving power to the tipple substation in the event of a dragline ground fault. Petitioner proposes its alternate method based on the following safety considerations:

1. Unscheduled tipple power failures stop all conveyor and loading tunnel ventilation fans creating a potential hazard to personnel.

2. Emergency power failure would create a hazard from loaded conveyor belts in the event of a backstop failure.

3. Both sub-stations are provided with grounding grids.

The petition is supported by a schematic diagram detailing the alternate method.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Departmnetal Hearings Branch, Office of Hearings and Appeals, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84138. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29125 Filed 10-29-75;8:45 am]

[Docket No. M 75-140]

ENERGY FUELS CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Energy Fuels Corporation has filed a petition to modify the application of 30 CFR 77.1605(k) to its Energy Fuels Mine, Steamboat Springs, Colorado.

30 CFR 77.1605(k) provides:

Berms or guards shall be provided on the outer banks of elevated roadways.

In support of its petition, Petitioner states:

(1) Petitioner's mining operation is situated at an elevation of 7500 feet where Petitioner can expect 200 inches of snowfall.

(2) The installation of berms on the haulage roads would seriously hamper snow and mud removal. Therefore, Petitioner requests a waiver of that provision of § 77.1605(k) which requires the installation of berms.

(3) In the alternative, Petitioner would install guard rails on its haulage roads. Attached to the petition is a schematic drawing depicting the location of the guard rails.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Departmental Hearings Branch, Office of Hearings and Appeals, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84138. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29126 Filed 10-29-75;8:45 am]

[Docket No. M 76-9]

HERB COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Herb Coal Company has filed a petition to modify the application of 30 CFR 75.301 to its No. 7 Drift Mine, Tremont, Pennsylvania.

30 CFR 75.301 provides in pertinent part:

All active workings shall be ventilated by a current of air containing not less than 19.5 volume per centum of oxygen, not more than 0.5 volume per centum of carbon dioxide, and no harmful quantities of other noxious or poisonous gases; and the volume and velocity of the current of air shall be sufficient to dilute, render harmless, and to carry away, flamable, explosive, noxious, and harmful gases, and dust, and smoke and explosive fumes. The minimum quantity of air reaching the last open crosscut in any pair or set of developing entries and the last open crosscut in any pair or set of rooms shall be 9,000 cubic feet a minute, and the minimum quantity of air reaching the intake end of a pillar line shall be 9,000 cubic feet a minute. The minimum quantity of air in any coal mine reaching each working face shall be 3,000 cubic feet a minute * * *

Petitioner requests that § 75.301 be modified for the subject anthracite mine to require, in part, that the minimum quantity of air reaching each working face shall be 1,500 cubic feet a minute, that the minimum quantity of air reaching the intake end of a pillar line shall be 5,000 cubic feet a minute, and/or whatever additional quantity of air that may be required in any of these areas to maintain a safe and healthful mine atmosphere.

In support of its alternate method, Petitioner states:

1. Air sample analysis history reveals that harmful quantities of methane are nonexistent in the mine.

2. There is no history of ignition, explosion and mine fire for the mine.

3. There is no history of harmful quantities of carbon dioxide and other noxious or poisonous gases.

4. Mine dust sampling programs have revealed extremely low concentrations of respirable dust.

5. Extremely high velocities in small cross sectional areas of airways and manways required in friable anthracite veins for control purposes, particularly in steeply pitching mines, present a very dangerous flying object hazard to the miners.

6. High velocities and large air quantities cause extremely uncomfortable damp and cold conditions in the already uncomfortable, wet mines.

7. Difficulty in keeping miners on the job and securing additional mine help is due primarily to the conditions cited.

Petitioner avers that its alternate method will in no way provide less than the same measure of protection afforded the miners by the existing mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29127 Filed 10-29-75;8:45 am]

[Docket No. M 76-5]

LAUREL RUN MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Laurel Run Mining Company has filed a petition to modify the application of 30 CFR 75.307 to its No. 1 Mine, Mount Storm, Grant County, West Virginia.

30 CFR 75.307 provides:

At the start of each shift, tests for methane shall be made at each working place immediately before electrically operated equipment is energized. Such tests shall be made by qualified persons. If 1.0 volume per centum or more of methane is detected, electrical equipment shall not be energized, taken into, or operated in, such working place until the air therein contains less than 1.0 volume per centum of methane. Examinations for methane shall be made during the operation of such equipment at intervals of not more than 20 minutes during each shift, unless more frequent examinations are required by an authorized representative of the Secretary. In conducting such tests, such person shall use means approved by the Secretary for detecting methane.

In support of its petition, Petitioner states:

(1) Many sections of Petitioner's No. 1 Mine have steep grades at the working faces. At most of these faces, there exists a severe water problem which is controlled by the continuous use of permissible electric water pumps.

(2) The pumps so used are described as 5 horsepower Flyght Permissible sump pumps, approved under Schedule 2G, number 1895. A permissible circuit breaker set at 7.5 amps is used with each unit.

(3) No methane has ever been detected during any inspection of Petitioner's No. 1 Mine. As evidence of the absence of methane at said mine, the six most recent Mine Atmosphere Analyses Reports of the atmosphere of said mine are enclosed herein. These reports were prepared by the chief chemist of Eastern Associated Coal Corporation's chemistry lab for Petitioner.

(4) Due to this complete absence of methane, it has been the customary procedure at Petitioner's No. 1 Mine not to make methane examinations at 20 minute intervals when the only electrical equipment being operated at each working place was a permissible electric sump pump as described above. Until June 18, 1975, the Mining Enforcement and Safety Administration had issued no notices of violation as a result of this procedure. However, on June 18, 1975, Federal Coal Mine Inspector Junior E. Goodwin issued Notice of Violation No. 2 JEG at Petitioner's No. 1 Mine. Said Notice provided that: "Examinations for methane were not being made at the face in No. 1 entry crosscut right 2 left where an electric water pump was observed operating for 35 minutes." A violation of 30 CFR 75.307 was indicated.

(5) As an alternative to strict compliance with § 75.307, Petitioner proposes that, when the only electrical equipment being operated in a working place in said mine consists of a permissible electric sump pump as described above, methane examinations be made only at the start of each production shift. Under this proposal, methane examinations at 20 minute intervals would not be made during the remainder of the shift, unless electrical equipment other than the above described electric sump pump was to be operated.

(6) Petitioner respectfully requests that its petition for modification, as set forth hereinabove, be granted for the reason that it will provide no less than the same measure of safety to the miners at Petitioner's No. 1 Mine than if 30 CFR 75.307 were strictly complied with.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29128 Filed 10-29-75;8:45 am]

[Docket No. M 76-11]

MOUNTAINEER COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Mountaineer Coal Company has filed a petition to modify the application of 30 CFR 75.1700 to its Loveridge Mine, Marion County, West Virginia.

30 CFR 75.1700 provides:

Each operator of a coal mine shall take reasonable measures to locate oil and gas wells penetrating coalbeds or any underground area of a coal mine. When located, such operator shall establish and maintain barriers around such oil and gas wells in accordance with State laws and regulations, except that such barriers shall not be less than 300 feet in diameter, unless the Secretary or his authorized representative permits a lesser barrier consistent with the applicable State laws and regulations where such lesser barrier will be adequate to protect against hazards from such wells to the miners in such mine, or unless the Secretary or his authorized representative requires a greater barrier where the depth of the mine, other geologic conditions, or other factors warrant such a greater barrier.

Petitioner seeks modification of that portion of 30 CFR 75.1700 which stipulates:

* * * Such operator shall establish and maintain barriers around such oil and gas wells * * *.

In support of its Petition, Petitioner states:

The large majority of petroleum wells in Loveridge Mine were drilled and many were also aabndoned between 1890 and 1920 when no standards for drilling and plugging existed. Oil and gas sands are now nearly depleted, hence no appreciable volume of gas comes from petroleum reservoirs.

In lieu of the provision to establish and maintain barriers around oil and gas wells, it is proposed that the Pittsburgh Coal Seam be sealed from surrounding strata at the wells to be plugged as hereinafter described and that such systems will at all times provide no less than the same degree of safety as intended by the Act.

To provide no less than the same measure of protection intended by the Act, the Petitioner proposes to do the following:

1. Plug the wells in Loveridge Mine using a proven technique developed through a series of cooperative agreements between the United States Bureau of Mines, the Energy Research and Development Administration, the Mining Enforcement and Safety Administration, and the coal industry. The attached Exhibit "A"[1] shows this technique which will be used at each well in a manner acceptable to the Mining Enforcement and Safety Administration. Plugs will be placed in the wellbore below the base of the Pittsburgh coalbed, which will prevent any natural gas from entering the mine after the well is mined through. Before the well is filled to the Pittsburgh coalbed, Petitioner may run a directional survey on the well to determine the exact location of the wellbore in the coalbed; but if it does not, and if it does not penetrate the wellbore in mining, Petitioner shall continue mining until the well is located. Gamma ray neutron and caliper logs shall be run in the well to determine the exact depth of the coalbed, the most competent formation for setting a mechanical bridge plug if needed, and the wellbore diameter for calculating the cement requirements. An automatic tracer injector unit of sulfur hexafluoride will be placed in the well. The well will be plugged back to the base of the Pittsburgh coalbed using an expandable cement and fly-ash-gel water slurry. A 50 percent fly-ash-cement mix will be used to fill the wellbore from the base of the Pittsburgh coalbed to the surface.

2. Petitioner shall mine through and remove segments of the wells between the mine pavement and roof during its normal mining cycle. Petitioner, in cooperation with Mining Enforcement and Safety Administration, shall monitor the mine atmosphere during such mining and for a period of six (6) months thereafter for traces of gas.

A Federal mine inspector shall be present during the mining through operations. Petitioner will cooperate with Mining Enforcement and Safety Administration to sample for gas before, during and after mining through each well.

Petitioner shall instruct all personnel in the affected area to proceed with caution when mining into and through the well-support pillar, and especially diligent efforts shall be made to assure a gas-free atmosphere in the affected areas. In addition to the methane testing procedures in Part 75, Title 30, Code of Federal Regulations, a fireboss dateboard shall be placed in the area and methane examinations made at least one per shift by a qualified person during development and retreat work using an ap-

[1] Exhibit A is available for inspection at the address contained in the last paragraph of the notice.

proved methane detector, recording the date and the time of the examination on the date-board.

The alternate proposal as above described will at all times provide no less than or a greater measure of safety than intended by the Act, as the alternate proposal will effect:

(1) The elimination of possible gas flow path,

(2) The simplification of the mine ventilation system, and

(3) The improvement of subsidence control in second mining.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29129 Filed 10-29-75;8:45 am]

[Docket No. M 75-127]

REX MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Rex Mining Company has filed a petition to modify the application of 30 CFR 75.1405 to its No. 1 Mine, La-Follette, Tennessee.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner states:

1. As an alternative to compliance with § 75.1405 Petitioner proposes to use a manually operated coupling device in lieu of an automatic coupler. This device is detailed in a sketch [1] which accompanies the petition.

2. Petitioner asserts that the manual coupler is preferable to the automatic coupler which is expensive and difficult to acquire.

3. Petitioner avers that its alternate method will at all times guarantee no less than the same measure of protection as the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29130 Filed 10-29-75;8:45 am]

[1] The sketch is available for inspection at the address contained in the last paragraph of the notice.

[Docket No. M 76-14]

SCOTIA COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970); Scotia Coal Company has filed a petition to modify the application of 30 CFR 75.1710-1 to its Scotia Mine, Cumberland, Kentucky.

30 CFR 75.1710-1 provides in pertinent part:

(a) Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roofs, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 43 inches or more, but less than 60 inches;

In support of its petition, Petitioner states:

(1) Petitioner asserts that by installing canopies on its haulage equipment it is creating a hazard to the personnel operating the machinery.

(2) Petitioner's haulage equipment consists of several Torkars, type: 48-48, 48-43, 48-51-40 and 48-51-43. The cars range in height from 43" to 50". These cars were manufactured in the early sixties and unlike the new cars were not designed to have canopies installed.

(3) The subject mine is in the Imboden Seam ranging from 48" to 84" in height. In this seam Petitioner is constantly running into ascending and descending grades, resulting in dips in the coalbed. By installing canopies on the Torkars Petitioner is limiting the visibility of the operators of the equipment, thereby creating a hazard to them as well as other employees in the mine.

(4) The petition is accompanied by a document signed by the shuttle car operators in which the operators express support of the petition for modification of § 75.1710-1.

Persons interested in this Petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29131 Filed 10-29-75;8:45 am]

[Docket No. M 76-6]

ZIMMERMAN COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Zimmerman Coal Company has filed a petition to modify the application of 30 CFR 75.301 to its Buck Mt. Rock Slope Mine, Ravine, Pennsylvania.

30 CFR 75.301 provides in pertinent part:

All active workings shall be ventilated by a current of air containing not less than 19.5 volume per centum of oxygen, not more than 0.5 volume per centum of carbon dioxide, and no harmful quantities of other noxious or poisonous gases; and the volume and velocity of the current of air shall be sufficient to dilute, render harmless, and to carry away, flammable, explosive, noxious, and harmful gases, and dust, and smoke and explosive fumes. The minimum quantity of air reaching the last open cross cut in any pair or set of developing entries and the last open crosscut in any pair or set of rooms shall be 9,000 cubic feet a minute, and the minimum quantity of air reaching the intake end of a pillar line shall be 9,000 cubic feet a minute. The minimum quantity of air in any coal mine reaching each working face shall be 3,000 cubic feet a minute * * *.

Petitioner requests that § 75.301 be modified for the subject anthracite mine to require, in part, that the minimum quantity of air reaching each working face shall be 1,500 cubic feet a minute, that the minimum quantity of air reaching the intake end of a pillar line shall be 5,000 cubic feet a minute, and/or whatever additional quantity of air that may be required in any of these areas to maintain a safe and healthful mine atmosphere.

In support of its alternate method, Petitioner states:

1. Air sample analysis history reveals that harmful quantities of methane are nonexistent in the mine.

2. There is no history of ignition, explosion and mine fire for the mine.

3. There is no history of harmful quantities of carbon dioxide and other noxious or poisonous gases.

4. Mine dust sampling programs have revealed extremely low concentrations of respirable dust.

5. Extremely high velocities in small cross sectional areas of airways and manways re-

quired in friable anthracite veins for control purposes, particularly in steeply pitching mines, present a very dangerous flying object hazard to the miners.

6. High velocities and large air quantities cause extremely uncomfortable damp and cold conditions in the already uncomfortable, wet mines.

7. Difficulty in keeping miners on the job and securing additional mine help is due primarily to the conditions cited.

Petitioner avers that its alternate method will in no way provide less than the same measure of protection afforded the miners by the existing mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before December 1, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

OCTOBER 17, 1975.

[FR Doc.75-29132 Filed 10-29-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

TIMBERLINE LODGE, MT. HOOD NATIONAL FOREST OREGON

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act, the Forest Service has prepared a Final Environmental Statement for Timberline Lodge, Mt. Hood National Forest, Oregon; USDA-FS-R6-FES-(Adm)-74-12.

The Environmental Statement concerns a proposed moderate form of development and management direction for Timberline Lodge. The proposed action to meet these goals is to construct a Day Lodge, remodel Timberline Lodge, construct a retaining wall, overnight accommodations, landscaping, and Palmer and Blossom chairlifts.

This Final Environmental Statement was transmitted to CEQ on October 22, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA Forest Service South Agriculture Bldg., Room 3230 12th St. & Independence Ave., SW. Washington, D.C. 20250
USDA, Forest Service Pacific Northwest Region 319 SW. Pine Portland, Oregon 97204
Mt. Hood National Forest, 2440 SE. 195 Avenue, Portland, Oregon 97233.

A limited number of single copies are available upon request to:

Mt. Hood National Forest, Wright T. Malery, Forest Supervisor, 2440 SE. 195 Avenue, Portland, Oregon 97233.

Copies of the Environmental Statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

WRIGHT T. MALLERY,
Forest Supervisor, Mt. Hood National Forest.

OCTOBER 22, 1975.

[FR Doc.75-29221. Filed 10-29-75;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS' STOCKS OF CANNED FOODS

Determination

In conformity with Title 13, United States Code, sections 181, 224, and 225, and due Notice of Consideration having been published September 22, 1975 (40 FR 43527), I have determined that year-end data on stocks of 30 canned and bottled products, including vegetables, fruits, juices, and fish, are needed to aid the efficient performance of essential government functions, that the data have significant application to the needs of the public and industry, and that they are not publicly available from nongovernmentals or other governmental sources. This is a continuation of the survey conducted in previous years.

All respondents will be required to submit information covering their December 31, 1975 inventories of 30 canned and bottled vegetables, fruits, juices, and fish. Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multi-unit organizations handling canned foods in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases, with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger". (In addition, multiunit firms reporting separately by establishment will be requested to update the list of their establishments maintaining canned food stocks.)

Report forms will be furnished to firms covered by the survey. Additional copies of the forms are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed that this annual survey be conducted for the purpose of collecting these data.

Dated October 23, 1975.

VINCENT P. BARABBA,
Director, Bureau of the Census.

[FR Doc.75-29118 Filed 10-29-75;8:45 am]

Maritime Administration

[Docket No. S-472]

PYRAMID SUGAR TRANSPORT, INC.

Application

Notice is hereby given that Pyramid Sugar Transport, Inc., No. 2 Canal Street, New Orleans, La. 70130, has filed an application dated October 10, 1975, with the Maritime Subsidy Board (the Board) pursuant to Title VI of the Merchant Marine Act, 1936, as amended (the Act), for an operating-differential subsidy contract, to expire December 31, 1975, unless further extended, to operate the MV SUGAR ISLANDER, a bulkcarrier of 29,702 deadweight tons, in the carriage of export bulk raw and processed agricultural commodities in the foreign commerce of the United States (U.S.) from ports in the U.S. to ports in the Union of Soviet Socialist Republics (U.S.S.R.). Dry bulk cargoes may be carried from U.S.S.R. and other foreign ports inbound to U.S. ports during voyages subsidized for carriage of export bulk raw and processed agricultural commodities to the U.S.S.R.

Full details concerning the U.S.-U.S.S.R. export bulk raw and processed agricultural commodities subsidy program, including terms, conditions and restrictions upon both the subsidized operators and vessels, appear in Title 46 of the Code of Federal Regulations, Part 294.

For purposes of section 605(c) of the Act, it should be assumed that, should the Board grant the requested approval, the vessel named above will engage in the described trade, on a full-time basis, during the indicated time period. Under such approval each voyage must be approved for subsidy assistance prior to its commencement and the Board will act on such request(s) as an administrative matter for which there is no requirement for further section 605(c) notice(s).

Any person having an interest in the granting of the application and who would contest a finding of the Board that the service now provided by vessels of U.S. registry for the carriage of cargoes as previously specified is inadequate, must on or before November 7, 1975, notify the Board's Secretary, in writing, of his interest and of his position, and file a petition for leave to intervene in accordance with the Board's rules of practice and procedure (46 CFR Part 201). Each statement of interest and petition to intervene shall state whether a hearing is requested under section 605(c) of the Act and, with as much specificity as possible, the facts that the intervenor would undertake to prove at such hearing.

In the event a hearing under section 605(c) of the Act is ordered to be held with respect to the subject application, the purpose of such hearing will be to receive evidence relevant to (1) whether the application herein described, with respect to the vessel to be operated in an essential service and served by citizens of the U.S., would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Board determines that petitions for leave to in-

tervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Board will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

So ordered by the Maritime Subsidy Board, Maritime Administration.

Dated: October 24, 1975.

JAMES S. DAWSON, Jr.
Secretary.

[FR Doc.75-29218 Filed 10-29-75;8:45 am]

National Oceanic and Atmospheric Administration

MARINE FISHERIES ADVISORY COMMITTEE, MARINE FISHERIES ADVISORY COMMITTEE AD HOC SUBCOMMITTEE

NOAA Role in Implementation of U.S. v. Washington ("The Boldt Decision")

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C., Appendix I (Supp. II, 1972), notice is hereby given of a meeting of the Marine Fisheries Advisory Committee (MAFAC) Ad Hoc Subcommittee on the Role of the National Oceanic and Atmospheric Administration in Implementation of U.S. v. Washington (hereafter known as the Ad Hoc Subcommittee on the Boldt Decision).

The subcommittee will undertake to develop recommendations for consideration by the Marine Fisheries Advisory Committee which will address a role for the National Oceanic and Atmospheric Administration in implementing recent U.S. District court decisions on Indian fishing treaty rights concerned with Pacific Northwest anadromous fisheries.

This meeting is open to the public and will be held on December 2, 1975, in the 4th floor Conference Room of the Lake Union Building, 1700 Westlake Avenue, North, Seattle, Washington, 98109. The meeting will begin promptly at 10 a.m. and continue until 2 p.m. or until adjourned by the subcommittee chairman.

Public participation in this meeting will be permitted and limited to the extent deemed necessary at the discretion of the chairman.

Written comments from interested members of the public should be addressed to:

Mr. Frank L. Cassidy, Chairman, Commissioner Washington Department of Game, 2614 NW. 91st, Vancouver, Washington 08665

and a copy provided to:

Executive Secretary, Marine Fisheries Advisory Committee, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Washington, D.C. 20235

To receive due consideration at the meeting typewritten statements should be provided to the chairman by November 28, 1975. Inquiries concerning the subcommittee or the meeting should be directed to the Executive Secretary, listed above, (202) 634-7270.

This notice is also to advise the public that should another subcommittee meeting be needed to complete the recommendations, that meeting is tentatively scheduled to be held on December 16, 1975. The second subcommittee meeting is planned to be held in the Main Auditorium of the NMFS Northwest Fisheries Center, 2725 Montlake Boulevard East, Seattle, Washington 98112. It will begin at 10:00 a.m. Any changes concerned with the foregoing schedule will be published in the FEDERAL REGISTER.

Dated: October 22, 1975.

ROBERT M. WHITE,
Administrator, National Oceanic and Atmospheric Administration.

[FR Doc.75-29222 Filed 10-29-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

MINORITY ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following National Advisory body scheduled to assemble during the month of November 1975:

Minority Advisory Committee, Adamha
November 20 and 21—Open Meeting
November 20; 9:30 a.m., DHEW Regional Office, Room 5092, Arcade Plaza Building, 1321 Second Avenue (Second and Union Streets), Seattle, Washington 98101
November 21; 9:00 a.m., 4th Floor Conference—Auditorium Room, New Federal Building, 915 Second Avenue, Seattle, Washington 98101
Contact Ernest F. Hurst, Parklawn Building, Room 13C-15, 5600 Fishers Lane, Rockville, Md., 20852, 301-443-3838

Purpose. The Minority Advisory Committee, ADAMHA, advises the Secretary, Department of Health, Education, and Welfare, and the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, on needs, programs, and activities regarding minority alcohol, drug abuse, and mental health matters, and makes recommendations for possible solutions which meet the needs and concerns of minority groups throughout the United States. The Committee functions in an advisory capacity to the Administrator, ADAMHA, on these matters which relate to the National Institute on Alcohol Abuse and Alcoholism, National Institute on Drug Abuse, and the National Institute of Mental Health.

Agenda. This meeting will be open to the public. November 20 will be devoted to discussion of the Fiscal Year 1976-1977 Operating Plan. On November 21 the agenda will include a report by the Chief, ADAMHA Branch, DHEW Regional Office X and discussions with Regional Office Staff and community groups regarding (1) Special Alcohol, Drug Abuse, and Mental Health Needs and Concerns of Minority Groups and (2) Plans, Objectives, Priorities and Minority Initiatives. Agenda items are subject to change as priorities dictate. Attendance by the public will be limited to space available.

Substantive program information may be obtained from the contact person listed above.

Mr. James C. Helsing, Deputy Director, Office of Public Affairs, ADAMHA, will furnish, on request, summaries of the meeting and a roster of committee members. Mr. Helsing is located in Room 16-95, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, telephone 301-443-3783.

Dated: October 23, 1975.

CAROLYN T. EVANS,
Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.75-29095 Filed 10-29-75;8:45 am]

Office of the Secretary

ADVISORY COUNCIL ON EDUCATION STATISTICS

Meeting

Notice is hereby given, pursuant to Pub. L. 92-463, that the meeting of the Advisory Council on Education Statistics will be held on November 11, 1975, from 10 a.m., to 5 p.m., and on November 12, 1975, from 9 a.m. to 3 p.m., in the Education Division Conference Center, Room 3000 of the Federal Office Building Number 6 at 400 Maryland Avenue, S.W., Washington, D.C. 20202.

The Advisory Council on Education Statistics is mandated by section 406(c) of the General Education Provisions Act as added by section 501(a) of the Education Amendments of 1974, Pub. L. 93-380 (20 U.S.C. 1221e-1(c)) to advise the Secretary of the Department of Health, Education and Welfare and the Assistant Secretary for Education, and the National Center for Education Statistics and "shall review general policies for the operation of the Center and shall be responsible for establishing standards to ensure that statistics and analyses disseminated by the Center are of high quality and are not subject to political influence."

The meeting agenda tentatively will include the swearing-in of the Council members, general information on the National Center for Education Statistics program priorities and Center activities, major new activities, an overview on DHEW issues, the Center's mission and opportunities, and a discussion of the Council's role.

Because of limited accommodations, all persons wishing to attend should call for reservations by November 7, 1975, area code 202/245-3184.

Records shall be kept of all Council proceedings and shall be available for public inspection in the Office of the Administrator, National Center for Education Statistics located at 400 Maryland Avenue, SW., Washington, D.C. 20202.

Signed at Washington, D.C., on October 21, 1975.

FRANCIS C. NASSETTA,
Acting Administrator, National Center for Education Statistics.

[FR Doc.75-29100 Filed 10-29-75;8:45 am]

ADVISORY COMMITTEE ON THE RIGHTS AND RESPONSIBILITIES OF WOMEN

Meeting; Amended

Notice is hereby given of a change in the meeting dates of the Secretary's Advisory Committee on the Rights and Responsibilities of Women, which was published in the FEDERAL REGISTER on October 20, 1975 (40 FR 48960).

This Committee was to have convened from 9 a.m. to 5 p.m. on November 6–7, 1975, but because of the inavailability of members to attend, this date has been altered to November 13–14, 1975, from 9 a.m. to 5 p.m. in Room 5051, HEW-North Building, 330 Independence Avenue, SW., Washington, D.C.

Interested persons wishing to address the Committee, should contact the Executive Secretary by COB Friday, October 31. Phone: 202–245–8454. Written statements received by October 31 will be duplicated and distributed to the members. Members of the public are invited to attend the meeting.

Dated: October 21, 1975.

SANDRA S. KRAMER,
Secretary's Advisory Committee on the Rights and Responsibilities of Women.

[FR Doc.75-29099 Filed 10-29-75;8:45 am]

Office of the Secretary

SOCIAL SECURITY CONTRIBUTION AND BENEFIT BASE AND RETIREMENT TEST EXEMPT AMOUNT FOR 1976

Notice of Amounts

Pursuant to authority contained in sections 203(f)(8) and 230 of the Social Security Act (42 U.S.C. 403(f)(8) and 430), as amended by section 3 (j) and (k) of Pub L. 93–233, enacted December 31, 1973, I hereby determine and announce that the contribution and benefit base with respect to remuneration paid in, and taxable years beginning in 1976 shall be $15,300 and the monthly exempt amount under the retirement test shall be $230 with respect to taxable years ending in calendar year 1976.

There follows a statement of the actuarial bases employed in arriving at the amounts of $230 and $15,300 for the retirement test monthly exempt amount and the contribution and benefit base, respectively, for the calendar year 1976.

In determining each of the 1976 amounts, the law specifies a formula which automatically produces a mathematical result based upon reported statistics.

Section 203(f)(8) of the Act provides that the retirement test monthly exempt amount for 1976 shall be equal to the 1975 amount of $210 multiplied by the ratio of (1) the average amount, per employee, of the taxable wages of all employees reported under the program for the first calendar quarter of 1975 to (2) the average amount of such wages reported for the first calendar quarter of 1974. The section further provides that if the amount so determined is not a multiple of $10, it shall be rounded to the nearest multiple of $10.

Similarly, section 230 of the Act provides that the contribution and benefit base for 1976 shall be equal to the 1975 amount of $14,100 multiplied by the ratio of (1) the average amount, per employee, of the taxable wages of all employees reported under the program for the first calendar quarter of 1975 to (2) the average amount of such wages reported for the first calender quarter of 1974. The section further provides that if the amount so determined is not a multiple of $300, it shall be rounded to the nearest multiple of $300.

The data used to make the necessary computations of such average taxable wages were derived from reports submitted to the Social Security Administration of taxable wages paid to employees by their employers. Each quarter, taxable wages are posted to the record of earnings of each individual employee for whom wages were reported. These records are referred to hereinafter as Summary Earnings Records. As the wages were posted to the Summary Earnings Records, the data were tabulated on a 100-percent basis to obtain the total amount of reported taxable wages and the total number of employees for whom such wages were reported.

Because of the requirement in the law that the foregoing determinations be made on or before November 1, 1975, the tabulated data on taxable wages reported for the first calendar quarter of 1975 were necessarily limited to those wages that were reported and posted to the Summary Earnings Records by the end of the quarterly updating operations completed in September 1975. In order that the required ratio referred to above be based on data reflecting comparable reporting and posting periods, the tabulated data on taxable wages reported for the first calendar quarter of 1974 were limited to those wages that were reported and posted to the Summary Earnings Records by the end of the quarterly updating operations completed in September 1974.

About 71.1 million employees had taxable wages reported for the first calendar quarter of 1974 that were posted to the Summary Earnings Records by the end of September 1974, and the average amount of their taxable wages was $2,007.69 per employee. The corresponding number of employees and average amount of taxable wages for the first calendar quarter of 1975 were 70.6 million and $2,157.73, respectively. The ratio of average taxable wages reported for the first quarter of 1975 to average taxable wages reported for the first quarter of 1974 is therefore 1.074733.

Multiplying the 1975 retirement test monthly exempt amount of $210 by the ratio of 1.074733 produces the amount of $225.69, which must then be rounded to $230. Accordingly, the retirement test exempt amount for taxable years ending in calendar year 1976 is $230 on a monthly basis, or $2,760 on an annual basis.

Multiplying the 1975 contribution and benefit base of $14,100 by the ratio of 1.074733 produces the amount of $15,153.74, which must then be rounded to $15,300. Accordingly, the contribution and benefit base for remuneration paid in, and taxable years beginning in calendar year 1976 is $15,300.

The following is an extension of the Table for Determining Primary Insurance Amount and Maximum Family Benefits provided in section 215(a) of the Social Security Act. This extension reflects the new higher average monthly wage and related benefit amounts now possible under the increased contribution and benefit amounts promulgated herein effective January 1976 in accordance with section 215(i) of the Act.

Table for determining primary insurance amount and maximum family benefits beginning January 1976

I		II	III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount effective for June 1974)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis on his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
			$1176	$1180	$523.80	$916.70
			1181	1185	524.80	918.40
			1186	1190	525.80	920.20
			1191	1195	526.80	921.90
			1196	1200	527.80	923.70
			1201	1205	528.80	925.40
			1206	1210	529.80	927.20
			1211	1215	530.80	928.90
			1216	1220	531.80	930.70
			1221	1225	532.80	932.40
			1226	1230	533.80	934.20
			1231	1235	534.80	935.90
			1236	1240	535.80	937.70
			1241	1245	536.80	939.40
			1246	1250	537.80	941.20
			1251	1255	538.80	942.90
			1256	1260	539.80	944.70
			1261	1265	540.80	946.40
			1266	1270	541.80	948.20
			1271	1275	542.80	949.90

(Catalog of Federal Domestic Assistance Programs Nos. 13.802–5, and 13.807 Social Security Programs.)

Dated: October 22, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.75–29014 Filed 10–29–75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. D–75–377]

ASSISTANT SECRETARY AND DEPUTY ASSISTANT SECRETARY FOR HOUSING MANAGEMENT

Delegation of Authority

Section A(16) of the Secretary's delegation of authority to the Assistant Secretary and Deputy Assistant Secretary for Housing Management published at 36 FR 5005, March 16, 1971; as amended at 37 FR 9251, May 6, 1972; 37 FR 17774, August 31, 1972; 37 FR 18232, September 8, 1972; and 38 FR 4430, February 14, 1973; is further amended by adding a new subparagraph (k) to read as follows:

"(k) Public Facility Loans Program under Title II of the Housing amendments of 1955, as amended (42 U.S.C. 1491–1497)."

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535)).

Effective date. This amendment to the delegation of authority is effective as of September 1, 1975.

CARLA A. HILLS,
Secretary of Housing and Urban Development.

[FR Doc.75–29111 Filed 10–29–75;8:45 am]

[Docket No. D–75–378]

ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

Delegation of Authority

Section A of the Secretary's Delegation of Authority to the Assistant Secretary and Deputy Assistant Secretary for Community Planning and Development published March 16, 1971 (36 FR 5004) is amended by deleting Item 15 respecting the Public Facility Loans Program under Title II of the Housing Amendments of 1955 (42 USC 1491–1497).

Effective date. This amendment is effective as of September 1, 1975.

CARLA A. HILLS,
Secretary of Housing and Urban Development.

[FR Doc. 75–29112 Filed 10–29–75; 8:45 am]

[Docket No. D–75–379]

REGIONAL ADMINISTRATORS, ET AL.

Redelegation of Authority With Respect to the Community Planning and Development Programs

Section A, Subsection I of the Assistant Secretary's Redelegation of Authority of Regional Administrators, et al., published October 2, 1970 (35 FR 15408) is amended by 1) changing the introductory paragraph to read:

Assistant Regional Administrator for Community Planning and Development, Area Director, and Deputy Area Director of the Department of Housing and Urban Development is hereby authorized, with respect to the following programs, to (a) authorize grants and loans, as applicable, and establish the terms thereof; (b) execute agreements for grants, loans, and advances, as applicable, and amendments thereto; and (c) approve requisitions for funds and third-party contracts, and with respect to subparagraphs 1 and 2 of Section A but not including subparagraphs 5 through 7 of Section A, the power to (d) suspend or terminate loan or grant assistance.

and 2) deleting subparagraph 3 respecting the Public Facility Loans Program under section 202 of the Housing Amendments of 1955 (42 USC 1492).

Effective date. This amendment is effective as of September 1, 1975.

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

[FR Doc.75–29113 Filed 10–29–75;8:45 am]

[Docket No. D–75–380]

REGIONAL ADMINISTRATORS ET AL.

Redelegation of Authority With Respect to Programs Transferred to the Revolving Fund for Liquidating Programs

Section A. *Authority redelegated.* Each Regional Administrator, Deputy Regional Administrator, Area Director and Deputy Area Director is authorized to exercise the following power and authority of the Secretary of Housing and Urban Development in connection with the Public Facility Loans Program under section 202(a), (b) (2) and (c), of the Housing Amendments of 1955 (42 U.S.C. 1492(a), (b) (2), and (c)).

1. Execute amendments to agreements for loans and advances;

2. Approve requisitions for funds and third-party contracts;

3. Provide for postponement of payment of interest under section 202(b) (2); and

4. Suspend or terminate loan assistance.

(Secretary's delegation of authority to the Assistant Secretary for Housing Management published concurrently herewith.)

Effective date. This redelegation of authority is effective as of September 1, 1975.

H. R. CRAWFORD,
Assistant Secretary for Housing Management.

[FR Doc.75–29114 Filed 10–29–75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. 6337]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Intention To Make Findings; Guarantee of Certificates

The Trustee of the Property of the Chicago, Rock Island and Pacific Railroad Company has filed an application for the guarantee of trustee's certificates in the principal amount of $19 million by the Secretary of Transportation under the Emergency Rail Services Act of 1970, 45 U.S.C. 661 et seq. ("Act").

Notice is hereby given of the intention of the Secretary of Transportation to make findings on or before November 14, 1975 in accordance with the authority vested in him by section 3(a) of the Act. The amount of certificates which may be guaranteed will be limited by the authority remaining under the Act, which is estimated to be a maximum of $17.5 million. Interested persons may submit such data, views and arguments as they deem appropriate during the 15 day period following this notice to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Room 5101, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

Issued in Washington, D.C. on October 28, 1975.

WILLIAM T. COLEMAN, Jr.,
Secretary of Transportation.

[FR Doc.75–29319 Filed 10–29–75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

ADVISORY COMMITTEE ON DEFINITION AND REGULATION OF MARKET INSTRUMENTS

Meeting

Notice is hereby given, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, 10(a), that the Commodity Futures Trading Commission Advisory Committee on Definition and Regulation of Market Instruments ("Advisory Committee on Market Instruments") will conduct a public meeting on November 19, 1975, at 1120 Connecticut Avenue, NW., Washington, D.C., in Room 925, beginning at 10 a.m. The objectives and scope of activities of the Advisory Committee on

Market Instruments will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Appropriate standards to be utilized by the Commission in regulating forms of transactions that are subject to the Commodity Exchange Act, as amended, including consideration of such matters as:

(i) Appropriate standards to be utilized by the Commodity Futures Trading Commission regarding the definition of commodity futures contracts; and

(ii) Appropriate restrictions or prohibitions for options relating to commodity transactions and margin or leverage transactions subject to Section 217 of the CFTC Act.

(2) Responsibilities of the Commission over cash commodity markets. This will include consideration of such matters as:

(i) Contracts for forward delivery;

(ii) Cash market manipulations; and

(iii) Data and reporting needs for cash markets.

The summarized agenda for the meeting is as follows:

1. Organization meeting—Assignment into working groups.

2. Individual working group meetings:

A. Commodity Options Subcommittee.

B. Futures, Forward and Leverage Contracts Subcommittee.

C. Cash Market Subcommittee.

(Analysis of preliminary staff studies; identification of issues; policy discussion; staff work assignments)

In the event the committee does not complete its consideration of the items on the agenda on November 19, 1975, the meeting may be continued on the following day or until the agenda is completed.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the committee should mail a copy of the statement to The Advisory Committee on Market Instruments, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, at least five days before the meeting. Members of the public that wish to make oral statements should inform Margaret Harrison, telephone (202) 254-8955, at least five days before the meeting, and reasonable provision will be made for their appearance on the agenda.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

Dated: October 23, 1975.

WILLIAM T. BAGLEY,
Chairman,
Commodity Futures Trading Commission.

[FR Doc.75-29087 Filed 10-29-75;8:45 am]

ADVISORY COMMITTEE ON REGULATION OF COMMODITY FUTURES TRADING PROFESSIONALS

Meeting

Notice is hereby given, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, 10(a), that the Commodity Futures Trading Commission Advisory Committee on Regulation of Commodity Futures Trading Professionals ("Advisory Committee on Commodity Futures Trading Professionals") will conduct a public meeting on November 18, 1975, at 1120 Connecticut Avenue, NW., Washington, D.C., in Room 925, beginning at 10 a.m. The objectives and scope of activities of the Advisory Committee on Commodity Futures trading professionals, including consider and submit reports and recommendations to the Commission on the following subjects:

Standards for regulation under the Commodity Exchange Act, as amended, of domestic and foreign commodity futures trading professional, including commodity trading advisors, commodity pool operators, futures commission merchants, floor brokers, and associated persons. The advisory committee will consider:

(1) Definition, role and function of commodity futures trading professionals.

(2) Recordkeeping, reporting, and financial responsibility requirements for commodity futures trading professionals.

(3) Training and fitness standards for commodity futures trading professionals.

(4) Regulation of non-member futures commission merchants.

(5) Customer/investor protection standards for commodity futures trading professionals including:

(i) Investor information needs, availability, content, timeliness, format and accuracy; and

(ii) Responsibilities to customers: rules or suitability/know your customer or other alternatives; customer rights.

The summarized agenda for the meeting is as follows:

1. Orientation of members.

2. Review the objectives of the Advisory Committee and outline the proposed study methodology.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the committee should mail a copy of the statement to The Advisory Committee on Commodity Futures Trading Professionals, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, at least five days before the meeting. Members of the public that wish to make oral statements should inform Margaret Harrison, telephone (202) 254-8955, at least five days before the meeting, and reasonable provision will be made for their appearance on the agenda.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings of this committee to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

Dated: October 23, 1975.

WILLIAM T. BAGLEY,
Chairman,
Commodity Futures Trading Commission.

[FR Doc. 75-29089 Filed 10-29-75;8:45 am]

ADVISORY COMMITTEE ON REGULATION OF CONTRACT MARKETS AND SELF-REGULATORY ASSOCIATIONS

Meeting

Notice is hereby given, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 1, 10(a), that the Commodity Futures Trading Commission Advisory Committee on Regulation of Contract Markets and Self-Regulatory Associations ("Advisory Committee on Market Regulation") will conduct a public meeting on November 24, 1975, at 1120 Connecticut Avenue, NW., Washington, D.C., in Room 925, beginning at 10 a.m. The objectives and scope of activities of the Advisory Committee on Market Regulation will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Rulemaking and enforcement roles of contract markets and futures associations subject to section 301 of the Commodity Futures Trading Commission Act of 1974, 88 Stat. 1389, 1406. This will include consideration of such matters as:

(i) Streamlining regulations and rules;

(ii) Uniformity considerations;

(iii) Cost-effectiveness; and

(iv) Duplication, coordination, and cooperation.

(2) Adequacy of contract market practices including:

(i) Procedures for emergency actions by contract markets;

(ii) Desirability of prohibiting or restricting dual broker-dealer activities; and

(iii) Adequacy of transaction records (including time-stamping of executions).

The summarized agenda for the meeting is as follows:

1. Orientation of members.

2. Consideration of objectives and procedures of advisory committee.

3. Consideration of advisory committee work plan.

In the event the committee does not complete its consideration of the items on the agenda on November 24, 1975, the meeting may be continued on the following day or until the agenda is completed.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the com-

mitee should mail a copy of the statement to The Advisory Committee on Market Regulation, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, at least five days before the meeting. Members of the public that wish to make oral statements should inform Margaret Harrison, telephone (202) 254-8955, at least five days before the meeting, and reasonable provision will be made for their appearance on the agenda.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings of the committee to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

Dated October 23, 1975.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-29088 Filed 10-29-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-1146]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Memorandum Opinion and Order Regarding Declaratory Ruling on Interstate Foreign Exchange Service and Common Control Switching Arrangements

In the matter of American Telephone and Telegraph Company and the Associated Bell System Companies, Interconnection With Specialized Carriers in Furnishing Interstate Foreign Exchange (FX) Service[1] and Common Control Switching Arrangements (CCSA).

1. We have before us a Petition for Declaratory Rulings and for Enforcement of Cease and Desist Orders (Petition) filed by Southern Pacific Communications Company (SPCC). Several parties have filed pleadings either supporting or opposing the petition, and SPCC has filed a reply. SPCC raises significant questions regarding Federal-State jurisdiction and what constitutes interstate and intrastate communications.

2. SPCC asks us to grant six specific areas of relief against alleged actions by the American Telephone and Telegraph Company (AT&T) and the Associated Bell System Companies (the Bell System Companies), with particular reference to the Pacific Telephone and Telegraph Company (PT&T) and Southwestern Bell Telephone Company (SW Bell), to enforce our Cease and Desist Order and implement our Decision in Docket No. 19896, Bell System Tariff Offerings, 46 FCC 2d 413 (1974), aff'd sub nom Bell Tel. Co. of Pennsylvania v. FCC, 503 F. 2d 1250 (1974), cert. denied, 43 U.S.L.W. 3654 (1975). The following relief is requested:

(1) That the Commission issue a declaratory ruling reaffirming that the Commission has primacy in authority over the terms and conditions governing the interconnection of facilities of the Bell System Companies essential to the rendition by the specialized common carriers of all of their authorized interstate and foreign communications services, including interconnection by the specialized carriers into the Bell System Companies' local exchange facilities for the purpose of furnishing Foreign Exchange (FX) service or for insertion into Bell System Common Control Switching Arrangements (CCSA);

(2) That the Commission issue a declaratory ruling reaffirming that it possesses and has exercised exclusive authority and jurisdiction over such interconnection facilities so as to preempt any State action invoked to oust or restrict the Commission from its jurisdiction;

(3) That the Commission issue a declaratory ruling reaffirming that its prior rulings and orders in Docket No. 19896 require the Bell System Companies to provide all FX and CCSA interconnections necessary for the specialized carriers to provide the full scope of interstate private line service, including specifically that the Bell System Companies upon order of a specialized carrier must provide a CCSA or an FX interconnection at one end of a private line circuit between two points, whether or not the two points are located within a single state, whenever the other end is connected by a switch to a circuit in interstate service;

(4) That the Commission issue a declaratory ruling that the complaints filed by PT&T before the Public Utilities Commission of California concerning a Southern Pacific CCSA-FX interconnection, and by Southwestern Bell before the Corporation Commission of Oklahoma concerning Southern Pacific FX interconnections, each connected by a switching arrangement with interstate service furnished to the customers, constitute a violation of the Commission's cease and desist orders in Docket No. 19896 enjoining AT&T and the Bell System Companies from engaging in any conduct and implementing any policies or practices designed to deny or delay the establishment of interconnection with specialized carriers of facilities, including FX and CCSA, for the rendition by the specialized carriers of their authorized services;

(5) That the Commission direct PT&T and Southwestern Bell to withdraw the complaints before the California and Oklahoma Commissions, respectively, and enjoin the Bell System Companies from engaging in any further conduct or implementing any policies or practices before any State regulatory agencies designed to deny or delay to specialized carriers the interconnection of facilities, including FX and CCSA, ordered by this Commission; and

(6) That the Commission take such action and grant such other and further relief as to the Commission may seem just and proper in the premises.

3. There is no dispute as to the basic facts of this case. SPCC is a Specialized Common Carrier authorized by us to offer interstate private line services. Pursuant to various Commission orders, AT&T and the Bell System Companies must offer interstate and local distribution facilities to other common carriers (OCCs) in connection with the OCCs' authorized interstate services. See e.g., Docket No. 19896, supra and AT&T Offer of Facilities for Use by Other Common Carriers Docket 20099, 52 F.C.C. 2d 727 (1975).

4. SPCC has also been authorized to offer certain intrastate private line services by the California Public Utilities Commission (PUC) and the Oklahoma Corporation Commission, but in both cases subject to certain conditions and restrictions.[2] The Commission does not question the validity of such orders, but, as the State Commissions recognized, these conditions and restrictions apply only to intrastate facilities and services. The question before us thus is whether the subject facilities and services are interstate or intrastate. If they are the latter, we have no jurisdiction and the State orders, with their restrictions, apply. If they are interstate, our jurisdiction applies, and the State orders by their own terms are inapplicable.

5. The specific facilities which are the subject of the present Petition are lines physically located within one state which are designed to extend, through a switch, interstate FX or Common Control Switching Arrangements (CCSA) from the interstate terminal point to another point in the state. In California, the SPCC FX line will extend to users in San Diego an AT&T provided American Airlines interstate CCSA network which terminates in Los Angeles. It also provides local San Diego telephone exchange access to those who are on the CCSA network, whether located in California or in some other state.[3] The connections requested from PT&T extend the FX line into the San Diego telephone exchange and into the CCSA network in Los Angeles through a PT&T switch. SPCC alleges that 82% of the calls involved in this system will be originated from points outside California. In Oklahoma, SPCC is providing FX lines between Tulsa and Oklahoma City, connected by an SPCC switch to SPCC interstate FX lines into Texas. SW Bell is asked to furnish local loops in Tulsa and Oklahoma City.

6. In support of its Petition, SPCC cites our Decision in Docket No. 19896, supra, as requiring Bell System interconnection with OCC private line services, including FX and CCSA. It also points to recent amendments made to AT&T Tariff FCC No. 260 as a result of Docket No. 20099, supra, under which a customer is charged an interstate rate for interexchange Bell System facilities within a single state when connected to an interstate channel through facilities provided either by AT&T or an OCC. It contends that the present situation is essentially the same as that provided for in this tariff provision.

[1] The California PUC, in an Interim Decision dated March 4, 1975 (Decision No. 84167) conditioned SPCC's grant, inter alia, by ruling: Any direct connection of private line circuits to the exchange network is prohibited. This includes any connection similar to foreign exchange service. The Oklahoma Commission, by Order No. 108727 dated November 14, 1975, granted applications of United Video, Inc., predecessor to SPCC, with the following condition: Certificated telephone companies will be permitted, but not required, to furnish local loops * * *.

[2] The system as presently configured does not permit telephones in San Diego to access the CCSA network through the facilities in question.

7. SPCC further alleges that, although PT&T and SW Bell have provided the requested facilities, installation was delayed due to actions by the Bell Companies before the two State Commissions. Presently complaints against SPCC are pending before the California and Oklahoma Commissions, filed by PT&T and SW Bell, respectively.[3] The filing of those complaints, SPCC asserts, violates the Cease and Desist Orders in Docket No. 19896 by creating Federal-State jurisdictional conflicts over an issue which it alleges has been decided by this Commission.

8. AT&T, PT&T and SW Bell (Bell) jointly filed Comments to SPCC's Petition. They indicate that they have provided all the connections SPCC has requested in Oklahoma and California, and, therefore, they contend that the allegation of SPCC that they have violated our Cease and Desist Order (Docket No. 19896) is without foundation. Bell further alleges that we never ruled on the question of interconnection for OCC intrastate operation. It asserts that our action on this petition would foreclose consideration of whether SPCC was complying with restrictions in state orders and certificates and puts forth several procedural alternatives.

9. Bell suggests that we hold our action in abeyance pending action by the California and Oklahoma Commissions, as such state action will help clarify the issues and develop a more complete record. It may, Bell asserts, avoid a jurisdictional conflict entirely. As an alternative, Bell proposes the prompt convening of a Federal-State Joint Board pursuant to Section 410 of the Communications Act to recommend the proper jurisdictional treatment of SPCC's services. Finally, if we choose to proceed directly by means of a declaratory ruling, Bell asks us first to call conferences with interested parties, including representatives of the State Commissions, to define the jurisdictional disputes. On the merits, Bell disagrees with SPCC that the mere filing of complaints with State Commissions violates our Cease and Desist Order in Docket No. 19896, especially since it claims that neither that decision nor our Order in Telerent Leasing Corp., 45 FCC 2d 204 (1974), petition for review pending sub nom. North Carolina Utilities Commission v. FCC (No. 74-1229, 4th Cir.) addressed the present issues.

10. We have received an Opposition to the SPCC Petition from the National Association of Regulatory Utility Commissioners (NARUC). It states that granting any declaratory relief is a matter of discretion and alleges that SPCC has not made a case for the exercise of such discretion. NARUC gives several reasons for this. First, it asserts that no "uncertainty or confusion" exists in this case as existed in Telerent, supra. Second, it contends that Federal-State relations are so fundamental that any decision must be taken after considerable study, and the SPCC petition would ask us to decide the issue without such careful consideration. Third, SPCC has obtained state authorization and NARUC asserts it cannot ignore State remedies which have not been shown to be inadequate. Fourth, NARUC contends that dual regulation is impractical and questions of fact exist which make a declaratory ruling improper. Finally, NARUC asserts that SPCC may be engaging in a subterfuge to evade State regulation of intrastate communications services. As a relief, NARUC requests denial of the petition and the convening of a Federal-State Joint Board to consider the jurisdictional issues. The Opposition is accompanied by a resolution of the NARUC executive committee opposing the SPCC petition.

11. In replying to Bell and NARUC, SPCC asserts, inter alia, that this Commission is the appropriate forum to determine the extent of its interconnection orders. It claims that Federal regulation pre-empts State regulation where the two conflict. It asserts that Commission precedents require that we assert jurisdiction and conclude that the FX services in question herein are interstate in nature.

12. Oppositions to SPCC have also been received from the United States Independent Telephone Association (USITA) and from the State of California and the California Public Utilities Commission (California). MCI Telecommuncations Corporation, Data Transmission Company and Aeronautical Radio, Inc., filed in support of the petition. California contends that SPCC's petition is premature, as State proceedings have not been concluded and therefore the matter is not ripe for decision. Accordingly, it asks us to dismiss the petition, or, in the alternative, to convene a Federal-State Joint Board pursuant to Section 410(c) of the Act. In a separate reply to California and USITA, SPCC asserts that the key issue herein is the extent of this Commission's own jurisdiction rather than the lawfulness of any decisions which the State might issue.

Discussion and Conclusions

13. At the outset, we believe it inappropriate to defer action on the SPCC Petition pending the outcome of preceedings in California and Oklahoma. The questions presented here are legal determinations of the extent of our authority under the Communications Act over the subject facilities and services, and it is for us, rather than the States, to interpret the extent of our jurisdiction. As we stated in Telerent Leasing Corporation, supra at 213:

> [W]e are not obliged to, nor do we deem it appropriate to, await some definitive action by a State or a carrier which creates a conflict between Federal and State regulations having the ingredients of a conventional "case or controversy" before issuing [a declaratory] ruling. As an administrative agency, we are vested by statute with broad and discretionary power to devise and use procedures, such as the issuance of declaratory judgments, as may be reasonably appropriate to discharge our statutory responsibilities with respect to effective regulation of interstate and foreign communication, including the clarification of the scope and effect of rulings issued by us in the performance of those responsibilities. (See F.C.C. v. Pottsville Broadcasting Co., 309 U.S. 134, 142-43 (1940); Section 4(j) of the Communications Act * * *).

The principal question presented here, whether or not the facilities in question are interstate, is one which does not require interpretation of State statutes or rulings, thus no need exists to await the outcome of State proceedings.

14. By the same token, we believe it inappropriate to convene a Federal-State Joint Board pursuant to Section 410(c) of the Act, as the Bell Carriers, NARUC and California, among others, have requested. Parties to the Telerent case, supra, had made the same request, and we therein refused to convene the Board saying (at 214):

> The Joint Board is an appropriate vehicle for the consideration of technical and economic aspects of the interconnection policies and tariffs. It is not a proper or appropriate vehicle for determining the statutory jurisdiction of this Commission and the legal effects of policies promulgated by us in furtherance of our statutory responsibilities.

15. Since the facts of this case are not in dispute, and no party has disagreed with SPCC's characterization of the capabilities of the facilities, a hearing is not required. Stone v. F.C.C., 466 F 2d 316 (D.C. Cir., 1972); Columbus Broadcasting Coalition v. F.C.C., 505 F 2d 320 (D.C. Cir., 1974). Nor, as indicated above, is there any reason to await State action, since integration of State grants or orders is not required for a solution to the legal question of jurisdiction. Accordingly, we believe the most efficient procedure is for us to rule now on the legal question of the locus of regulatory jurisdiction over the facilities in question. This will provide immediate guidance to the States and carriers as to the interconnections and facilities which AT&T and the Bell Associated Companies must offer to SPCC.

16. The SPCC facilities in question are located within the States of California and Oklahoma and terminate in switches which are designed to interconnect with an interstate CCSA network (California) or one of several interstate FX lines (Oklahoma). In both states, the lines may be utilized alternatively to access a foreign telephone exchange located within the same state as the customer's terminal facilities. Furthermore, the facilities in both California and Oklahoma constitute part of dedicated interstate private line networks which are clearly identifiable as carrying communications of only the customer. They are distinguishable from the non-dedicated public switched telephone network, in which the facilities are intended to be used by all Bell System customers interchangeably for interstate or intrastate calls. If these SPCC facilities are interstate, the Bell System Companies must interconnect their facilities with those of SPCC and must provide SPCC with any requested local distribution facilities. If the facilities are intrastate they are subject to the interconnection policies established by the respective State Commissions.

[3] Copies of these complaints are attached in the Appendix to this Order.

17. One solution proposed in the pleadings would be to limit transmissions over the private line which is interconnected with Bell facilities to interstate calls, leaving intrastate transmissions to a separate FX line which is subject to restrictions imposed by the States. Other than resolving the present conflict, this "solution" is clearly not in the public interest. Requiring the customer to maintain two redundant facilities or to invest in expensive additional equipment simply because of jurisdictional conflicts would violate our congressional mandate in Section 1 of the Communications Act to regulate "interstate and foreign commerce in communication by wire or radio so as to make available, so far possible, to all the people of the United States a rapid, efficient, Nation-wide and world-wide wire and radio communications service with adequate facilities at reasonable charges."

18. In a somewhat similar case, U.S. Department of Defense v. General Telephone Company, 38 FCC 2d 803 (Review Board, 1973) affirmed FCC 73-854, affirmed sub nom St. Joseph Telephone and Telegraph Co. v. F.C.C., Case No. 73-1907 (D.C. Cir., Nov. 11, 1974), we asserted jurisdiction over Dial Restoration Panel (DRP) equipment which is part of a nationwide defense communications system even though the facilities were used in part for the transmission of intrastate communications. As is the case here, it was technically and practically difficult to "split" the DRP between interstate and intrastate transmission functions, and it was held that filing of interstate tariffs with this Commission would not be an "unnecessary burden" to either the carriers or the Commission.

19. We have dealt with the question of our jurisdiction over facilities and services which are used for both interstate and intrastate communications in several other cases as well. For example, in AT&T-TWX, 38 FCC 1127 (1965) we held at 1133:

> We find nothing in Section 2(b)(1) which imposes any limitation upon our full authority over interstate communication service. For us to conclude that, because the facilities or instrumentalities are used in intrastate, as well as interstate communications service, we do not have jurisdiction, or that we should not exercise it, would leave a substantial portion of the interstate communication service unregulated. We do not believe Congress so intended.

Similarly, in Telerent, supra, 45 F.C.C. 2d 204, 217-220, we concluded that Congressional intent in the Communications Act to make available a unified, nationwide communications service would be frustrated if each of the State and local jurisdictions could impose its own terms and conditions for the interconnection with the switched telephone network of equipment which is to be used for both interstate and intrastate communications services. As a result, if the facilities in the present case are interstate, even if they are capable of being utilized for intrastate services as well, they are subject to terms and conditions which this Commission imposes.

20. We now turn to an examination of whether or not the lines in question are interstate, and thus subject to our interconnection policies and tariff rates and conditions. As Judge Newcomer recently stated, the physical location of the facilities is not determinative of whether they are interstate or intrastate for regulatory purposes.

> The Courts have held that transmission facilities located entirely within one state are not thereby immune from the Commission regulation if those facilities are used in an interstate transmission network. United States v. Southwestern Cable Co., 392 U.S. 157, 88 S.Ct. 1994, 20 L. Ed. 2d 1001 (1968); Ward v. Northern Ohio Telephone Company, 300 F. 2d 816 (6th Cir.), cert. denied, 371 U.S. 820, 83 S.Ct. 37, 9 L. Ed. 2d 61 (1962); California Interstate Telephone Co. v. FCC, 117 U.S. App. D.C. 255, 328 F. 2d 556 (1964). It has also been held that Commission regulation of interstate communications does not end with the local switchboard, but continues to the transmission's ultimate destination. United States v. American Telephone and Telegraph Co., 57 F. Supp. 451 (S.D. N.Y. 1944), aff'd. sub nom. Hotel Astor, Inc. v. United States, 325 U.S. 837, 65 S. Ct. 1401, 89 L. Ed. 1964 (1945). And when a local transmission facility is included in an interstate transmission network, the regulation of the interstate uses of that facility lies exclusively with the FCC. Ivy Broadcasting Company v. AT&T, 391 F. 2d 486 (2d Cir. 1968).[4]

21. Section 2(b) of the Act, 47 U.S.C. 102(b), denies the Commission jurisdiction over intrastate communication, while Section 221(b), 47 U.S.C. 221(b), gives the States or local governments authority to regulate exchange service "even though a portion of such exchange service constitutes interstate or foreign communication." Conversely, the States do not have jurisdiction over interstate communications (see Section 1 of the Act, 47 U.S.C. 101).[5]

22. The key issue in determining this question before us is the nature of the communications which pass through the facilities, not the physical location of the lines. United States v. Southwestern Cable Co., 392 U.S. 157, 168-9 (1968). Under the facts given us in both the California and Oklahoma situations, the SPCC facilities are an integral part of a dedicated interstate communications network. The lines in California extend the naitonwide CCSA network from Los Angeles into San Diego, while the Oklahoma facilities extend interstate foreign exchange services into other points within the State. These arrangements, supplied at customer request, render the facilities interstate and place them within our jurisdiction. Therefore, the Bell Companies are required to interconnect their facilities with those of SPCC and to provide SPCC with local distribution facilities in connection with these services. (Docket No. 19896, supra; Docket No. 20099, supra).

23. We now turn to the appropriate remedy, and to SPCC's request for relief. Since PT&T and SW Bell are presently providing the facilities SPCC has requested and are not implementing any policy or practice which forecloses SPCC from establishing through routes, we cannot agree with SPCC that our Cease and Desist Orders in Docket No. 19896 are thereby being violated. The Bell Companies must, however, continue to provide the requested interconnections and facilities as well as any such others needed by SPCC. The filing of complaints with the State Commissions, though superfluous since the facilities are subject to our jurisdiction, does not per se violate our Docket No. 19896 Cease and Desist Orders. We shall not therefore direct SW Bell and PT&T to withdraw the complaints before State Commissions, but we hope that they abandon such unnecessary proceedings.

24. We conclude that the Bell System Companies must continue to provide the interconnections and facilities to SPCC to interconnect with the facilities described herein located within the States of California and Oklahoma, pursuant to applicable interstate tariffs. SPCC implies, however, in asking us to take jurisdiction over the FX services outlined in its petition, that we should assert jurisdiction over the local exchange service which is accessed through the dedicated private line. While we are herein requiring the Bell Companies to interconnect local exchange service to the SPCC private lines in question, we do not thereby intend to assume jurisdiction over the local exchange service.

25. Accordingly, *it is ordered,* That AT&T, PT&T, SW Bell and the other Bell System Companies must continue to offer facilities and services to SPCC as specified in paragraph 24 herein.

26. *It is further ordered,* That the Petition for Declaratory Rulings and For Enforcement of Cease and Desist Order is granted in part and denied in part as provided herein.

FEDERAL COMMUNICATIONS COMMISSION,[6]
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-29107 Filed 10-29-75;8:45 am]

[Docket No. 19660 RM-690]

INTERNATIONAL RECORD CARRIERS' SCOPE OF OPERATIONS IN THE CONTINENTAL UNITED STATES

Extension of Comment Period

In the matter of International Record Carriers' Scope of Operations in the Continental United States, Including

[4] *MCI Communications Corp.* v. *American Telephone and Telegraph Co.*, 369 F. Supp 1004, 1029 (E.D., Pa. 1974), vacated (on grounds that District Court should have deferred to FCC primary jurisdiction), 496 F. 2d 214 (3d Cir., 1974).

[5] These are dedicated interstate private lines which terminate in the local exchange. They are not themselves part of a local exchange service and are thus not subject to Sections 2(b) and 221(b). While the States clearly have the authority to regulate the local exchange service pursuant to Sections 2(b) and 221(b), they cannot in so doing block interstate commerce by prohibiting interstate access to foreign exchanges or by discriminating against or among interstate services.

[6] Commissioner Robinson concurring in the result; Commissioner Hooks dissenting.

Possible Revisions to the Formula Prescribed Under section 222 of the Communications Act.

1. In its Memorandum Opinion and Order released herein on September 18, 1975, FCC 75-1023, the Commission granted in part and otherwise denied in all other respects petitions for partial reconsideration of its June 26, 1975 Memorandum Opinion and Order herein, FCC 75-723. These petitions were filed by ITT World Communications, Inc. (ITT Worldcom) and Western Union International, Inc. (WUI). The petitions were granted to the extent the Commission afforded petitioners and other interested parties 30 days after the September 18, 1975 release date to request a hearing to determine landline haul divisions in lieu of those approved by the Commission in its June 26, 1975 decision. The Commission stated it would give appropriate consideration to any such request.

2. By telex message received October 17, 1975 WUI requests a 14-day extension of this 30-day period. WUI claims it needs this additional time in order to reach "an enlightened decision on this important question." WUI also states that certain executives involved in making the decision have previous commitments which require their being absent from their offices until the last week in October. We believe good cause has been shown for a grant of WUI's request.

3. Accordingly, *it is ordered*, That pursuant to § 0.303(c) of the Commission's rules an extension of time from October 20, 1975 to November 3, 1975 is hereby granted.

[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

Adopted: October 17, 1975.

Released: October 21, 1975.

[FR Doc.75-29105 Filed 10-29-75;8:45 am]

LICENSEES AND OPERATORS OF CITIZENS CLASS D (CB) RADIO TRANSMITTERS

Phenomenal CB Growth

OCTOBER 22, 1975.

Application reciepts for new CB radio licenses during the past 8 months have more than quadrupled over that received for the same period a year ago (an increase in average monthly application receipts from 40,000 to over 160,000). During this same period the number of licensed CB stations has almost doubled (an increase from 1 million to 2 million licenses). It is estimated that approximately 10 million CB transmitters are presently in use in the United States today.

In order that all CB operators may obtain maximum benefit from their CB radio station investments, the FCC strongly urges all CB radio operators to observe the following "Good CB Practices."[1]

[1] 40 FR 37081

Good CB Practices

1. Channel Selection—In selecting a channel for your station, it is very important that the following factors be considered:

a. There are a total of 23 channels available to all CB stations on a shared basis;

b. Channel 11 may be used only for calling purposes (i.e. to establish initial contact for the purpose of moving to one of the other 22 channels);

c. Channel 9 may be used only for communications involving immediate or potential emergency situations and/or assistance to motorists;

d. You may select any of the remaining 21 channels to conduct your normal personal or business radio communications;

e. To prevent unintentional "bleed over" interference to channels 9 and 11, the FCC recommends that all transmissions involving highway travelers be conducted on a channel other than channel 10, preferably one several channels removed from channels 9 or 11.

2. *Channel Usage*—Cooperate with all CB'ers to the fullest extent possible in sharing the CB channels—always try to be courteous and considerate when using a channel. In order to assure that all CB operators will have an equal opportunity to use the frequencies, radio communications between CB stations (interstation) must be limited to no longer than 5 continuous minutes to be followed by a silent period of at least one minute. Every CBer should restrict their time on the air to a practical minimum. We cannot stress enough the importance for all CBers to discipline themselves from needlessly transmitting for long periods of time.

3. *Identification*—Identify your radio transmissions with your own FCC issued call sign before and after each transmission. This call sign is unique in that it is unlike any other CB radio station call sign. Be proud to identify your radio transmissions with it. "Nicknames" or "handles" may also be used to identify your radio transmissions provided they are accompanied by the FCC assigned call sign. It is not necessary to transmit the call sign of the station with whom you are talking.

4. *Equipment*—Have frequency, power and modulation measurements made at regular intervals. Do not tamper with the equipment. A licensed commercial operator is required for any adjustments that might affect the proper operation of the station.

5. *Keep Informed*—You may obtain the FCC Rules and Regulations (Volume VI, Part 95) governing the Citizens Radio Service from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of these Rules are also available at many radio equipment stores at a nominal cost.

6. *Promote "Good CB Practice"*—Encourage other CB users to follow the above suggested practices.

If all CB users make a serious attempt to understand and follow the above recommended practices, we believe efficient utilization of the 23 shared CB channels will be maximized.

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

[FR Doc.75-29109 Filed 10-29-75;8:45 am]

STANDARD BROADCAST APPLICATIONS

Available for Processing

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on November 26, 1975, the standard broadcast applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to § 1.227(b)(1) and § 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on November 25, 1975, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on November 25, 1975. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and applications appearing in previous notices published pursuant to § 1.571(c) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast applications, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: October 9, 1975.

Released: October 21, 1975.

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

APPENDIX

BP-17251	KGRB, West Covina, Calif. Robert Burdette & Associates, Inc. Has: 900 kHz, 250 W, DA-Day. Req: 900 kHz, 500 W, DA-Day.
BP-19525	KGAR, Vancouver, Wash. Gordon A. Rogers. Has: 1550 kHz, 1 kW, Day. Req: 1550 kHz, 10 kW, DA-N, U.
BP-19555	NEW, Wells River, Vt. Puffer Brothers. Req: 1490 kHz, 250 W, 1 kW-LS, U.
BP-19610	WVMI, Biloxi, Miss. New South Communications, Inc. Has: 570 kHz, 1 kW, Day. Req: 570 kHz, 1 kW, 5 kW-LS, DA-2, U.
BP-19616	NEW, Newland, N.C. J. T. Parker, Jr. Req: 1130 kHz, 1 kW, Day.

BP-19644	WLIT, Steubenville, Ohio. Capitol Broadcasting Corp. Has: 950 kHz, 500 W, DA, Day. Req: 950 kHz, 1 kW, DA, Day.
BP-19757	WMLR, Hohenwald, Tenn. The Lewis County Broadcasting Co. Has: 1540 kHz, 250 W, Day. Req: 1230 kHz, 250 W, 1 kW-LS, U.
BP-19817	NEW, Mayfield, Ky. Purchase Sound, Inc. Req: 1430 kHz, 1 kW, DA-1, U.
BP-19855	NEW, Newport, Tenn. Newport Broadcasting Co. Req: 1060 kHz, 1 kW, Day.
BP-19861	NEW, White Castle, La. Lafourche Valley Enterprises, Inc. Req: 1590 kHz, 1 kW, Day.
BP-19867	NEW, Isabel Segunda (Vieques), P.R. Vieques Radio Corp. Req: 1540 kHz, 1 kW, Day.
BP-19870	NEW, Jacksonville, Ala. H-M-S Broadcasting Co. of Jacksonville, Ala. Req: 810 kHz, 500 W, 50 kW-LS, DA-2, U.
BP-19921	WPED, Crozet, Va. McClenahan Broadcasting Corp. Has: 810 kHz, 250 W, Day. Req: 810 kHz, 500 W, Day.
BP-19988	WAKX, Superior, Wisc. Stereo Broadcasting, Inc. Has: 970 kHz, 500 W, Day. Req: 970 kHz, 1 kW, Day.
BP-20010	NEW, Kentwood, Mich. Richard L. Culpepper. Req: 1140 kHz, 5 kW, DA-Day.
BP-20013	NEW, Amherst, Va. Amherst Broadcasting Associates, Inc. Req: 1420 kHz, 1 kW, Day.
BP-20042	KZUL, Parker, Ariz. O. M. Broadcasting, Inc. Has: 1380 kHz, 1 kW, Day. Req: 1380 kHz, 2.5 kW, Day.

[FR Doc. 75-29108 Filed 10-29-75; 8:45 am]

FEDERAL COUNCIL ON THE AGING

COMMITTEE ON OLDER AMERICANS CHARTER

Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 (Pub. L. 93-29) for the purpose of advising the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging, and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to Pub. L. 92-463 that the Council's Committee on the Older Americans Charter will meet on November 11, 1975, from 9:30 a.m. to 5 p.m., in Room 4563, Donohoe Building, 400 Sixth Street SW., Washington, D.C. 20201. The agenda will consist of the revision of the Older Americans Charter developed by the 1961 White House Conference on the Aging. The revision will be based on suggestions sent by State and Area Advisory Committees to the Administration on Aging. The revised Charter will be presented to the Federal Council on the Aging for action at the December Council meeting.

This meeting is open for public observation.

Further information on the Council may be obtained from Cleonice Tavani, Room 4022, Donohoe Building, 400 Sixth Street SW., Washington, D.C. 20201, telephone (202) 245-0441.

CLEONICE TAVANI,
Executive Director,
Federal Council on the Aging.

OCTOBER 20, 1975.

[FR Doc.75-29103 Filed 10-29-75;8:45 am]

ECONOMICS OF AGING COMMITTEE

Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 (Pub. L. 93-29) for the purpose of advising the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging, and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to Pub. L. 92-463 that the Council's Economics of Aging Committee will meet on November 12, from 9:30 a.m. to 5:00 p.m. and on November 13, 1975 from 9 a.m. to 3 p.m. in Room 4563, Donohoe Building, 400 Sixth Street, SW., Washington, D.C. The agenda will consist of: Final Committee Action on Tax Study, Review Effect on Older Americans of Federal Budget Proposals, Review of Possible Reforms in Medicare and Medicaid, Status of HUD Section 202 Housing Program for Elderly and Further Strategies on Services for Frail Elderly.

This meeting is open for public observation.

Further information on the Council may be obtained from Cleonice Tavani, Executive Director, Federal Council on the Aging, 400 Sixth Street, SW., Washington, D.C. 20201, telephone: (202) 245-0441.

CLEONICE TAVANI,
Executive Director,
Federal Council on the Aging.

OCTOBER 15, 1975.

[FR Doc. 75-29102 Filed 10-29-75; 8:45 am]

RESEARCH AND MANPOWER COMMITTEE

Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 (Pub. L. 93-29) for the purpose of advising the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging, and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to Pub. L. 92-463 that the Council's Research and Manpower Committee will meet on November 24, 1975, from 9 a.m. to 3 p.m. in New Federal Office Building, Room 1042, 915 Second Avenue, Seattle, Washington 98174.

The agenda will consist of: Status Reports on the Committee on Mental Health and Illness of the Elderly, the National Institute on Aging Research Plan, the FCA Task Force on the Frail Elderly, and a Planning Session for a Hearing on Manpower Needs of the Frail Elderly.

This meeting will be open for public observation.

Further information on the Council may be obtained from: Cleonice Tavani, Executive Director, Federal Council on the Aging, Room 4022, Donohoe Building, 400 Sixth Street, SW., Washington, D.C. 20201.

OCTOBER 17, 1975.

CLEONICE TAVANI,
Executive Director,
Federal Council on the Aging.

[FR Doc.75-29101 Filed 10-29-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP75-88]

ALGONQUIN GAS TRANSMISSION CO.

Extension of Time

OCTOBER 23, 1975.

On October 20, 1975, Algonquin Gas Transmission Company filed a motion to extend the date on which to respond to the Motion of Bay State Gas Company, et al. For Summary Disposition of a Portion of the Proposed Rate Increase, filed Octber 7, 1975, in the above-designated proceeding.

Notice is hereby given that the date for filing answer to the motion of October 7, 1975 filed by Bay State Gas Company, et al. in the above proceeding is extended for all parties from October 22, 1975 to and including October 29, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29325 Filed 10-29-75;8:45 am]

[Docket Nos. E-9101 and E-9518]

APPALACHIAN POWER CO.

Presiding Administrative Law Judge's Certification of Proposed Settlement

OCTOBER 22, 1975.

Take notice that on October 6, 1975, Presiding Administrative Law Judge Sherman P. Kimball, pursuant to § 1.18 (e) of the rules of practice and procedure, certified to the Commission for "appropriate disposition" a proposed settlement in this proceeding which concerns a new service agreement between Appalachian Power Company (Appalachian) and Virginia Polytechnic Institute and State University (VPI) replacing a service contract that expired on October 31, 1974. In addition to the settlement proposal, contained in a motion jointly filed by Appalachian and VPI on October 1, 1975, there was certified the transcript of the September 12, 1975 hearing, the prepared testimony of the parties entered into the record at the hearing, and Exhibit No. 1, the new service agreement executed by Appalachian and VPI and attached to the joint motion of October 1, 1975.

Judge Kimball stated, in the certification document, that a hearing had been

convened on September 12, 1975, regarding the terms and conditions of an unsigned service agreement filed by Appalachian on November 8, 1975, and a second unsigned agreement submitted by Appalachian on July 23, 1975, to replace the first filing. He stated further that a proposed settlement was reached at an informal conference held following the opening of the hearing and that VIP and Appalachian filed on October 1, 1975, a joint motion reflecting the arrangement at the conference and stating that it was not objected to by counsel for the Commission Staff.

Judge Kimball also noted that the Commission orders of December 6, 1974 and July 18, 1975, accepting for filing the unsigned service agreements and setting the hearing "provided that the rate issues for service to VPI were consolidated with the proceedings pending in Docket No. E-7775 and (are) subject to a final determination of that case."

Any person desiring to comment on the proposed settlement may do so by filing comments with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. All comments should be filed on or before November 21, 1975. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29701 Filed 10-29-75;8:45 am]

[Docket Nos. AR61-2 and AR69-1, etc.]

AREA RATE PROCEEDING, ET AL. (SOUTHERN LOUISIANA AREA)

Extension of Time

OCTOBER 21, 1975.

On September 8, 1975, Robin F. Scully and Clovelly Oil Company, Inc. filed a request to extend the time within which to comply with order issued August 19, 1975, in the above-indicated proceeding.

Notice is hereby given that the time within which to file the report required by ordering paragraph (A) of order issued August 19, 1975, in the above proceeding is extended for all parties to October 30, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29326 Filed 10-29-75;8:45 am]

[Docket Nos. RP73-65;PG75-5]

COLUMBIA GAS TRANSMISSION CO.

Order Granting Motion to Make Certain Producers Parties to This Proceeding and to Show Cause Why They Should Not Be Held Subject to This Commission's Jurisdiction and Certified Pursuant to Section 7 of the Natural Gas Act

OCTOBER 22, 1975.

On January 14, 1975, Columbia Gas Transmission Corporation (Columbia) filed an application for a proposed purchase gas adjustment (PGA) rate increase to become effective March 1, 1975. The Commission issued an order on February 28, 1975, accepting the application for filing and suspending for one day the PGA filing. The Commission directed that a hearing be held to determine the propriety of including allegedly "intrastate" purchases in Columbia's rate adjustments. The following issues are to be addressed at the hearing:

(1) Has Columbia included all Ohio producer purchases in its base rate and in its proposed PGA rate adjustment?

(2) Of the total producer purchases made in Ohio by Columbia, which purchases are, or should be, subject to this Commission's producer jurisdiction? In the determination of this question, which of the Ohio purchases are included in the volumes considered in Columbia's curtailment plan?

(3) Of the Ohio purchases found to be jurisdictional, which of the purchases should be treated as "small producers" under Docket No. R-393 and which should be subject to the applicable area or national rate?

Staff filed a Motion to Make Certain Producers Parties to this Proceeding on August 11, 1975. Ohio Oil & Gas Association (Ohio Oil & Gas)[1] filed an answer to this motion on August 21, 1975, and Columbia filed an answer on August 26, 1975.

Staff requested that all Ohio producers making sales to Columbia be made parties to this proceeding because one of the major issues to be decided is "which producers are, or should be, subject to this Commission's producer jurisdiction."

Ohio Oil & Gas and Columbia oppose the motion, contending that Staff misconstrued the order of Feberuary 28, 1975. It is Ohio Oil & Gas' contention that the sole purpose of the hearing is "to determine the reasonableness and appropriateness of including Ohio intrastate purchases in Columbia's proposed PGA rate adjustment." (Commission Order, issued February 28, 1975, p. 5). Ohio Oil & Gas feels it would be inappropriate to turn a rate matter into an investigation involving producer jurisdiction. Both Columbia and Ohio Oil & Gas assert that any information which the Commission requires could be obtained from Columbia; therefore, Columbia feels that nothing could be gained by including these producers in the proceeding. Furthermore, Ohio Oil & Gas suggests that if the Commission concludes that these sales are within FPC jurisdiction, then an Order to Show Cause could be issued, but until that time there is no need to include these Ohio producers.

The order issued on February 28, 1975, as previously stated, sets out three issues to be examined. One of these issues pertains to the question of the Commission's jurisdiction as to these intrastate purchases. Ohio Oil & Gas would have the Commission wait until it had "tentatively" concluded that these sales are subject to the Commission's jurisdiction before including these producers in the proceeding. To wait until after a hearing when the Commission does not have all the facts before it and then to decide to issue a show cause order at that time would be inappropriate. It is obvious from the material presented that it is necessary to determine the jurisdiction before the rate matter can be properly evaluated. The Commission must have a complete picture in order to give proper weight to all the evidence. Any decision the Commission would make in this matter could have an effect on these Ohio producers. Not only is it necessary for the Commission to have these producers as parties, but also it is in the producers' interest as well since they will be able to present their evidence. For these reasons, the motion that certain producers be made parties shall be granted and we shall require such producers to show cause why they should not be subject to this Commission's jurisdiction under Sections 5 and 7 of the Natural Gas Act and the Commission's rules and regulations promulgated thereunder.

The Commission further finds. Good cause has been shown to warrant granting Staff's Motion to Make Certain Producers Parties to this Proceeding.

The Commission orders. (A) The Motion to Make Certain Producers Parties to this Proceeding is hereby granted.

(B) The procedural dates are changed as follows: On or before November 24, 1974, all Ohio Producers making sales to Columbia (See attachment) shall serve direct cases in this proceeding. On or before December 22, 1975, the Commission Staff shall serve its direct case in this proceeding. Prepared testimony and exhibits of intervenors shall be served on or before January 12, 1976, Ohio Producers' rebuttal cases and Columbia's rebuttal case shall be served on or before February 2, 1975. Cross-examination of the evidence shall commence on February 17, 1976, at 10 a.m., e.d.t. in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX

A

A & P Drilling Company, P.O. Box 248, Racine, Ohio 45771.
A & Z Production, 111 Martinsburg Road, Mt. Vernon, Ohio 43050.
Edward H. Ackerman, Route 1, Monroe County, Lewisville, Ohio 43754.
Roger Adams, Racine, Ohio 45771.
Affeld Oil Company, 700 Willow Lane, Dundee, Illinois 60118.
The Alko Company, Agent c/o George T. Ritsos, 11 S. LaSalle Street, Chicago, Illinois 60603.
O. Stanley & Ester I. Allard, 439 Remson Road, Medina, Ohio 44256.
All States Oil Producing Co., Inc., 515 Mellott Bldg., Canton, Ohio 44702.
Alphie Oil Company, 1945 S. Eleventh Street East, Salt Lake City, Utah 84105.
John F. Altier, Route 1, Corning, Ohio 43730.
N. L. Altier, Jr., Route 2, New Lexington, Ohio 43764.

[1] On July 3, 1975, the Commission issued an order granting Ohio Oil & Gas Association's late petition to intervene. This association represents 80 percent of Ohio's independent producers.

American-European Mineral Exploration Corp., P.O. Box 29068, Northland Station, Columbus, Ohio 43229.
American Exploration Company, 1631 Northwest Professional Plaza, Columbus, Ohio 43220.
American Minerals Management Inc., 450 Kennecott Bldg., Salt Lake City, Utah 84111.
An Car Oil Company, Inc., One Boston Place, Boston, Mass. 02108.
The Anchorage Oil Co., c/o Wood County Bank, 429 Market Street, Parkersburg, W.Va. 26101.
Apex Exploration Inc., 2606 S. Mahoning Avenue, Alliance, Ohio 44601.
Appalachian Exploration, Inc., 1642 Cleveland Avenue N.W., Canton, Ohio 44703.
Daniel L. & Bonnie Artz, Route 7, Newark, Ohio 43055.
Ascot Enterprises, 1919 Akron Peninsula Road, Akron, Ohio 44313.
James Ashcraft, Route 2, Frazeysburg, Ohio 43822.
Ashton Gas Co., c/o Ila Clymer, Noble County, Dexter City, Ohio 45727.
Atlantic International Oil Corp., Suite 2212, 1000 Urlin Avenue, Columbus, Ohio 43212.

B

Dale & Garnet Bachner, R.F.D. 1, Rutland, Ohio.
Monroe M. Badertscher, R.D. 1, Killbuck, Ohio 44637.
Charles W. Badger, % Energy Development Corp., 7667 West 95th Street, Hickory Hills, Illinois 60457.
Julia Badger, % Energy Development Corp., 7667 West 95th Street, Hickory Hills, Ohio 60457.
The Baker Brothers Oil and Gas Co., % Roscoe Baker, Box 84, Killbuck, Ohio 44637.
Baker & Gerber, % John C. Baker, Route 2, Lewisville, Ohio 43754.
Baker Oil & Gas Inc., Caldwell, Ohio 43724.
Baker Oil Company, % John Baker, Route 2, Lewisville, Ohio 43754.
Carl Baker, Caldwell, Ohio 42734.
Carl Baker & John R. Noon, P.O. Box 100, Dexter City, Ohio 45727.
Carl & Gilbert Baker, Route 4, Caldwell, Ohio 43724.
Paul R. Baker, Box 11, Route 1, Killbuck, Ohio 44637.
Robert P. Baker, Attorney in Fact, Route #1, Killbuck, Ohio 44637.
Robert E. & Helen R. Baker, Route 3, Athens, Ohio 45701.
The Ballard & Cordell Corporation, P.O. Box 52151, Lafayette, Louisiana 70501.
The Ed Barr Corporation, 34 S. Frank Blvd., Akron, Ohio 44313.
Robert V. & Joan Barr, Route 1 Box 183, Norwich, Ohio 43767.
Thomas L. Barr, Route 2, New Concord, Ohio 43762.
Alonzo Bartenschlag, Route 2, Woodsfield, Ohio 43793.
Lew Bates, Jr., P.O. Box 256, Marion, Ohio 43302.
Marshall H. Bauman, 1896 Birkdale Drive, Columbus, Ohio 43227.
Clarence E. Beardmore, 1003 Glendale Road, Marietta, Ohio 45750.
Beardsley and Fillmore Inc., P.O. Box 328, Spearfish, South Dakota 57783.
Beasley-Sharp Inc., 502 Masonic Temple Building, Zanesville, Ohio 43701.
Duane E. Bebout, Wellington Mobile Home Park, Lot 62, Wellington, Ohio 44090.
George W. Bebout, % First National Bank, Utica, Ohio 43080.
Agnes Beisser, Route 6, Zanesville, Ohio 43701.
Bell Drilling & Producing Company, % David H. Bell, P.O. Box 502, Logan, Ohio 43138.
Belmont Pulling Company, % William B. Chaney, Attorney at Law, Barnesville, Ohio 43713.
George Benson Cree, Jr., Exec-Estate, Box 1119, Pampa, Texas 79065.
Bern Oil & Gas Co., % Carl J. Bowman, Chesterhill, Ohio 43728.
Berwell Energy Inc., 1350 West Fifth Avenue, Suite 217, Columbus, Ohio 43212.
Best Run Oil & Gas Co., R.R. Ullman Treasurer, Route 1, Lower Salem, Ohio 45745.
Best Way Mechanical Contracting Co., P.O. Box 500, Route 4, Zanesville, Ohio 43701.
Bethel Resources Inc., 1631 Northwest Professional Plaza, Columbus, Ohio 43220.
John M. Bias, Agent, 1338 Third Avenue, Huntington, West Virginia 25701.
John R. Bickle, Route 1, Box 204-A, Amesville, Ohio 45711.
BKT Oil Company, P.O. Box 9077, Canton, Ohio 44709.
Leonard Blood, 1245 Perkins, NW., Canton, Ohio 44703.
O. C. Bode, Sycamore Valley, Ohio 43789.
Helen S. Boer, Apartment 1207, 12540 Edgewater Drive, Lakewood, Ohio 44107.
E. R. Bonzo and Ernest W. Bonzo, Ashland Road, Greenup, Kentucky 41144.
Leonard A. & Eula Borland, 4255 Greenwich Road, Route 1, Seville, Ohio 44273.
Bowman Oil & Gas Co., % Mrs. Margene Emge, Route 2, Marietta, Ohio 45750.
Dow A. Bowman, Box 147, Chesterhill, Ohio 43728.
Samuel H. & Verna Bowman, Route 5, Box 142, Millersburg, Ohio 44654.
Leo J. Boyle d.b.a. Dew Oil Company, 101 East Street, Logan, Ohio 43138.
Braden Development Company, Route 1, Marietta, Ohio 45750.
Brasel and Brasel Inc., 6172 Busch Boulevard, Suite 2021, Columbus, Ohio 43229.
Faye D. Bray, Route 1, Creola, Ohio 45622.
Potter Brestle, Woodsfield, Ohio 43793.
Harold Brillhart, Route 1, Killbuck, Ohio 44637.
Phillip H. Brown, Jr., P.O. Box 338, Lowell, Ohio 45744.
Raymond M. & Marian H. Brown, Route 2, Wadsworth, Ohio 44281.
Walter Brown Heirs Oil Company, P.O. Box 8, Marietta, Ohio 45750.
Betty Bryant, Agent, Suite 566, 100 Central Plaza South, Canton, Ohio 44702.
Buckeye Management Company, P.O. Box 5654, Columbus, Ohio 43221.
Buckeye Oil Producing Co., P.O. Box 123, Wooster, Ohio 44691.
Buckeye Resources Inc., 121 N. Main Street, Fredericktown, Ohio 43019.
Fred & Martha Bucklew, Route 1, Sterling, Ohio.
Howard G. Buckley, Agent, Route 1 Wood County, Williamstown, West Virginia 26187.
Lyman J. & Mary E. Buffington, Route 1, Seville, Ohio 44273.
R. M. Burns, Senecaville, Ohio 43780.
Larry & Betty Jane Bush, Route 2, Box 245, Lowell, Ohio 45744.
Benjamin F. & Richard S. Butt, 143 Eagle Point Road, Rossford, Ohio 43460.

C

Caddo Oil Company, Inc., Attn: Mr. J. M. McMaster, P.O. Box 800, Shreveport, Louisiana 71162.
Merchants Nat'l Bank & Trust Co., Ex., D. P. Cagwin Trust Dept., 216 S. Warren St., Syracuse, New York 13201.
Callander & Kimbrel, Inc., Box C, Worthington, Ohio 43085.
Cameron Brothers Route 4, Airport Road Zanesville, Ohio 43701.
Henry Cameron, 2180 East Pike, Zanesville, Ohio 43701.
Henry Cameron & J. Donald Kincaid, 2180 East Pike, Zanesville, Ohio 43701.
John W. & Ross L. Campbell, Route 1, Glenford, Ohio 43739.
Wilson Canter, 1202 Kirklynn Avenue, Washington, D.C. 20012.
David L. Cantway.
Carlo Producing Co., 345 N. Market St. Wooster, Ohio 44691.
John M. Cassidy, 6509 Parkwood Road, Edina, Minnesota 55436.
Chief Petroleum, Inc., 4770 Indianola Avenue, Suite 141, Columbus, Ohio 43214.
H. H. Choguill Estate, R. N. Choguill, Executor, 2057 Fishinger Rd., Columbus, Ohio 43221.
Benjamin H. Christman, Agt., Route 4, Quaker City, Ohio 43773.
Charles E. Christman, Agt., Route 3, Woodsfield, Ohio 43793.
Dale L. Christman, Agt., Route 1, Lewisville, Ohio 43754.
Lee Christman, Route 4, Quaker City, Ohio 43773.
Nova A. Christman, 403 Eastern Avenue, Woodsfield, Ohio 43793.
Christman Oil Company, Box 275, Caldwell, Ohio 43724.
Thurman J. Christman, Route 1, Jerusalem, Ohio 43747.
Clarence E. Christy, Route 1, Graysville, Ohio 45734.
Ray C. Chute & Hugh E. Chute, Route 5, Box 846, Logan, Ohio 43138.
Circle O Petroleum Corp., % Jack Johnston, P.O. Box 765, Route 40 West, Cambridge, Ohio 43725.
John Clark, Agt., Route 4, Caldwell, Ohio 43724.
Beryl M. Claus, Agt., Route 1, Lewisville, Ohio 43754.
Clay County Production Co., Inc., P.O. Box 9077, Canton, Ohio 44709.
John Claypool, Chatam Rd., Route 3, Newark, Ohio 43055.
Craig Cleary, Route 1, Sarahsville, Ohio 43779.
Clinton Energy Producers, Inc., Box 169, 158 Water Street, Stonington, Conn. 06378.
Clinton Oil Company, Attn: Petroleum Dept., % Nat. Bank of Detroit, P.O. Box 116, Detroit, Michigan 48232.
Clinwell Oil and Gas, Inc., 3040 Riverside Drive, Columbus, Ohio 43221.
Earl G. Clymer, 7575 Charlin Parkway, Orlando, Florida 32807.
Earl or Ila Clymer, P.O. Box 22, Dexter City, Ohio 45727.
Willis J. & Ida B. Coblentz, Star Route, Millersburg, Ohio 44654.
Jack Z. Cole, % Hays & Co., P.O. Box 590, Spencer, W. Va. 25276.
Jack Z. Cole, 4047 Willis Avenue, Sherman Oaks, California 91403.
H. D. Collins, 304 Philtower Building, Tulsa, Oklahoma 74103.
Wilford O. & Gertrude Colopy, Route 2, Danville, Ohio 43014.
Cook Piper Gas Co., % Mr. William G. Cook, Coolville, Ohio 45723.
Ralph L. & Betty D. Coolman, 9296 Hubbard Valley Rd. Seville, Ohio 44273.
Bruce A. & Beulah F. Comstock, 1745 E. 17th Avenue, Columbus, Ohio 43219.
Mary George & Florence Condry Exe., Roue #7, Wooster, Ohio 44691.
Joseph Cosgriff, 4753 Avery Street, Detroit, Michigan 48208.
Cotton Petroleum Company, 2121 S. Columbia Avenue, Tulsa, Oklahoma 74114.
Cougar Development Ltd.—Ky. Drilling & Operating Corp., 1900 Nicholasville Rd., Lexington, Kentucky 40503.
Coulter Bros., P.O. Box 45, Vincent, Ohio 45784.
D. B. Coulter, 334 Muskingum Dr., Marietta, Ohio 45750.
Cove Development, 706 Monroe St., Stroudsburg, Pa. 18360.
Leeper Craig Oil & Gas Co., 203 E. State Street, Athens, Ohio 45701.
James Crisp, Sr. & Nellie Jarrell Crisp, Route 1, Langsville, Ohio 45741.
Walter T. & Mary V. Crum, Route #4, Caldwell, Ohio 43724.

Crusader Oil & Gas Co., % Hay & Company, Spencer, W. Va. 25276.
Crusader Oil & Gas Company, 5576 Elston Avenue, Chicago, Illinois 60630.
Cushing & Bradshaw Operating Co., % Raymond Moley, Jr. Agent, 13 West Grand, Berea, Ohio 44017.
Benjamin Czajka, 115 Park Ave., West, Mansfield, Ohio 44902.

D

D & S Drilling Corp., 2106 W. Royalton Road, Grafton, Ohio 44044.
Pearl Dailey, Route 1, Lowell, Ohio 45744.
Dal Ken Corporation, Box 353, Worthington, Ohio 43085.
Dalton & Hanna Co., % Lloyd Dalton, 345 N. Market Street, Wooster, Ohio 44691.
Dorcas Dalton, Agent, 435 W. Wayne Avenue, Wooster, Ohio 44691.
Virgil Davis, Agent, P.O. Box 133, Lowell, Ohio 45744.
Deck Pipe Company, 2702 Fourth National Bank Building, Tulsa, Oklahoma 74119.
Burris Decker, Agent, 103 Maple Avenue, Woodsfield, Ohio 43793.
Dee Ka Pipe Company, % Lloyd Dalton, 435 W. Wayne Avenue, Wooster, Ohio 44691.
Helen Demiter, Route 2, Wadsworth, Ohio 44281.
Frank M. Dever, Route #6, Cambridge, Ohio 43725.
Charles A. Devoe, Agent, 2404 22nd. Avenue West, Bradenton, Florida 33505.
Devonian Ohio Oil & Gas Co., % Mrs. E. A. Fieraugh, 416 Diamond Street, Ashland, Ohio 44805.
Mary F. Diehl, R. D. #4, Pomeroy, OHIO 45769.
Goldie M. Ditch, Guardian of Charles M. Ditch, Apt. 42-D, 3225 E. Riverside Drive, Fort Myers, Florida 33901.
Ditch & Hanna Co., 345 N. Market Street, Wooster, Ohio 44691.
Kenneth E. Dixon, 725 Stony Hill Road, Hinckley, Ohio 44233.
Greyhound Leasing & Financial Corp., % Elmer Doege, Escrow, Agent, First National Bank, 101 Central Plaza Square, Canton, Ohio 44702.
Harold Donaker & Leiton Nelson, Route 3, Frazeysburg, Ohio 43882.
Central National Bank—Disbursing Agent, Donoco, Inc., Drawer 220, Cambridge, Ohio 43725.
Donald D. Doty, Route 1, Glemont, Ohio 44628.
A. M. Doudna, Agent, % First National Bank, Barnesville, Ohio.
James S. Downing, 2412 Terminal Tower, Cleveland, Ohio 44113.
Brice E. Dreher, R. F. D. 3, Coshocton, Ohio.
Harley Drumm, Route 1, Senecaville, Ohio 43780.
T. E. Drum, Woodsfield, Ohio 43793.
First National Bank in St. Marys, For Duchess Gas Co., St. Marys, W. Va. 26170.
Dugan & Erlywine Oil Company, 17 Wyoming Street, Newark, Ohio 43055.
Selma S. Dunbarger, Route 2, Lowell, Ohio 45744.
S. W. Duvall, Route 1, Box 153 H, Zanesville, Ohio 43701.
Ean, Inc., 1340 Bennington, Pittsburgh, Pennsylvania 15217.
Dwight O. Earlywine, Route 1, Walhonding, Ohio 43843.
Eastern Operating Company, c/o Hays & Company, Inc., P.O. Box 590, Spencer, West Virginia 25276.
Eastern Operating Company, Route 2 (County Road 98) Cambridge, Ohio 43725.
Eastern & Pacific Gas Company, Box 746, Fox Pavilion, Jenkintown, Pennsylvania 19046.
Eaststates Gas Producing Company, 1105 Granville Road, Newark, Ohio 43055.
Clarence S. & Emma B. Ebersole, Box 296, Route 1, Mount Joy, Pennsylvania 17552.
E J H, Inc., c/o Savage Zito Omalley Attorneys, Suite 1320, 75 Public Square, Cleveland, Ohio 44113.
Elkhead Gas & Oil Company, 5900 Roche Drive, Suite 486, Columbus, Ohio 43229.
W. E. Engle, Box S, McArthur, Ohio 45651.
Enney Oilfield Rental Company, c/o Elmer Doege ESC. Agent, First National Bank, 101 Central Plaza Square, Canton, Ohio 44702.
4-B Enterprises, 231-B North 14th Street, Newark, Ohio 43055.
Erie Oil & Gas Company, P.O. Box 449, 714 West Michigan Avenue, Jackson, Michigan 49204.
R. C. Ernst, Box 127, Evans City, Pennsylvania 16033.
Exploration Development, Inc., 744 Free Press Building, Detroit, Michigan 48226.
Robert W. & James G. Ewing, Agents, Route 1, Burbank, Ohio 44214.

F

Fairfield Drilling Company, Agent, c/o Clayton Chilcote, 69 Rainbow Drive NE., Lancaster, Ohio 43130.
Mrs. R. Paul Farmer, 718 Grove Avenue, Newark, Ohio 43055.
Glenn C. Fauss, Route 2, Seville, Ohio 44273.
Fayette Drilling Company, 25 North Hillsdale Street, Hillsdale, Michigan 49242.
Woodrow Ferrel, Route 1, Chesterhill, Ohio 43728.
Bert Fields, Jr., Agent, 11835 Preston Road, Dallas, Texas 75230.
First National Bank of Cicero Age, Arnold Well No. 1, Cicero, Illinois.
Ruth M. Fisher and Grace R. Harden, c/o Grace R. Harden, Route 5, Box 860, Logan, Ohio 43138.
Frank V. Flaugher, Route 5, Mansfield, Ohio 44903.
Frank Fleeman, Agent, Route 1, Lower Salem, Ohio 45745.
Robert Fleeman, Route 1, Whipple, Ohio 45788.
Robert J. Florence, Route 1, Lowell, Ohio 45744.
Charles D. Fogle Trust, c/o Peoples Banking & Trust Company, Marietta, Ohio 45750.
Franklin Gas & Oil Company, Inc., P.O. Box 524, Wooster, Ohio 44691.
Franklin Oil Company, Inc., 6220 Gaston Avenue, Lakewood Tower, Dallas, Texas 75214.
Frontier Oil & Gas Corporation, Route 1, Seville, Ohio 44273.
Robert H. Fulmer, 302 Chestnut Street, Marietta, Ohio 45750.
Clayton Fulton & Beatrice Fulton, Road No. 1, Seville, Ohio 44273.
Gene G. Futlon & Grace I. Fulton, 8701 Hubbard Valley Road, Road No. 1, Seville, Ohio 44273.
Peters Fund, c/o Robert S. Peters, 102 West Main Street, Barnesville, Ohio 43713.
Ady and Jenewein Fussell, 598 Highland Avenue, Cambridge, Ohio 43725.

G

Park National Bank Attn.: R. Oberfie, Credit Account, GBS Management Corporation, 50 North Third Street, Newark, Ohio 43055.
George Gainer-Hays & Company, Box 590, Spencer, West Virginia 25276.
M. Galvin, % Peoples Bank, Nelsonville, Ohio.
Samuel S. Garfield, Box 96, Clare, Michigan 48617.
D. F. Garner, P.O. Box 2009, Zanesville, Ohio 43701.
Joseph & Nina Gasser, Route 1, Sterling, Ohio 44276.
O. T. Gatten, Box 172, Route 2, Lewisville, Ohio 43754.
William E. Gerber, Whipple, Ohio 45788.
George M. Gernhardt, 205 North Diamond Street, Mansfield, Ohio 44902.
Earl R. & Margaret L. Geshwilm, 466 Marks Road, Brunswick, Ohio 44212.
R. William Geyer, Belle Drive, Norwich, Ohio 43767.
Daniel J. Gingerich, Route 5, Box 128A, Millersburg, Ohio 44654.
William A. Glass, % Twinem McLoish & Bowman, 21 South First Street, Newark, Ohio 43055.
Glencliff Oil Company, % Rambeau Accounting Service, 104 South Lincoln Avenue, Bridgeport, Ohio 43912.
Marion Goddard, 726 Hugh Wallis Road, Lafayette, Louisiana 70501.
Delbert Golf Estate, % James F. Shumaker, Administrator, Nelsonville, Ohio 45764.
Aloysius Golabek, 20 Rushby Way, Yonkers, New York 10701.
Goodfellows, Inc., P.O. Box 6357, Charlestown, West Virginia 25302.
Roy G. Gordon, Jr., 1383 Frederick Street, Lancaster, Ohio 43130.
Gossett Oil Company, P.O. Box 3266, Longview, Texas 75601.
Cleo C. Graber & Ruby Petrie, 110 Seventeenth Street, Ashland, Kentucky 41101.
Brown, Graham & Glover, Agents, 132 East Third Street, Hereford, Texas 79045.
E. R. Gregg, Secretary, 2027 Marion Avenue, Zanesville, Ohio 43701.
Green Gas Company, P.O. Box 845, Wooster, Ohio 44691.
H. B. Greiner, Route 1, Guysville, Ohio 45735.
Greyhound Leasing & Financial Corporation, % Elmer Doege, ESC., Agent, First National Bank, 101 Central Plaza Square, Canton, Ohio 44702.
Paul Grim, Route 3, Logan, Ohio 43138.
Grim Brothers, C17 310 West Union Street, Athens, Ohio 45701.
R. O. Grim, Box 503, Springville, California 93265.
Groves Ridge Gas Syndicate, % Eugene D. Ward, Quaker City, Ohio 43773.
Guernsey Petroleum Corporation, 633 Antone Street NW., Atlanta, Georgia 30318.

H

H L M Company, % Charles McDonald, Box 176, Utica, Ohio 43080.
H & M. Oil Company, P.O. Box 66, Lewisville, Ohio 43754.
H Y M G Oil Company, Route #2, Millersburg, Ohio 44654.
Nelle N. Halbirt, Route 4, Athens, Ohio 45701.
Hall & Henning, 225 Putnam St., Marietta, Ohio 45750.
M. A. Hall, Reedsville, Ohio 45772.
Hallwell, Inc., 22154 W. Nine Mile Rd., Southfield, Michigan 48075.
Wm. Paul Hambleton, Agt., Box 522, Hartville, Ohio 44632.
Ralph H. Hamblin, 846 Richland Terrace, Marion, Ohio 43302.
Ralph H. Hamblin or Charles Acitelli, % Ralph H. Hamblin, 846 Richland Terrace, Marion, Ohio 43302.
Leonard O. Hamilton & Luther H. Hun, Dart, Ohio 45725.
E. E. Hamm, P.O. Box 283, Lodi, Ohio 44254.
George L. Hammer, Box 338, Route 3, Ashland, Ohio 44805.
Denver Hamrick, 1307 Stearns Drive, Brunswick, Ohio 44212.
Dalton & Hanna Co., % Loyd Dalton, 345 N. Market St., Wooster, Ohio 44691.
Harris Brothers, Chesterhill, Ohio 43728.
Harris Engineering Co., 16908 Park Hill, Dallas, Texas 75240.
Harris Oil, Inc., Suite 106, 3603 Lemmon Avenue, Dallas, Texas 75219.
Frank Harrison, 104 N. Seventh St., McConnelsville, Ohio 43756.
Hart Gas Company, Mervin C. Nalley, Agent, 305 S. Sycamore Street, Woodsfield, Ohio 43793.
E. E. Atha, Trustee, % Hartman Oil & Gas Co., 418 Avery St., Parkersburg, W. Va. 26101.

Harlan F. Hartshorn, Agent, 3796 Highland Ave., Shadyside, Ohio 43947.
John, Jr. & Joan L. Hartzler, Route 1, Sterling, Ohio 44276.
Robert F. & Ramona Hawk, Hemlock Grove, Ohio 45738.
George R. Hawkins, Route 1, Whipple, Ohio 45788.
Hays & Company, Agent, P.O. Box 590, Spencer, West Virginia 25276.
Rogers W. Hays, Agent, P.O. Box 220, Matton, Illinois 61938.
R. O. Hearn & Donald Creighton, New Matamoras, Ohio 45767.
Kenneth Barnett & Roy R. Heddleston, Route 3, New Matamoras, Ohio 45767.
Albert Heilman, Route 4, Pomeroy, Ohio 45769.
David M. Heinz, % Glen R. Hemsworth, 666 N. Wood Street, Logan, Ohio 43138.
Pearl Heldman Agent, % Ralph W. Hendershot, Dart, Ohio 45725.
Frances M. Helmick, 3778 Cleveland Road, Wooster, Ohio 44691.
Mrs. Frances R. Hensley, Route 3, Coshocton, Ohio 43812.
Hercher Oil Company, % Ralph Hercher, Sycamore Valley, Ohio 43789.
Joseph R. Herlan, Route 1, Newport, Ohio 45768.
Dan S. Hershberger and/or Mike O. Yoder, Route #5, Millersburg, Ohio 44654.
Dale E. & Allen R. Hess, Route 1, Sterling, Ohio 44276.
R. J. Hickin, Agent, Route 2, Seville, Ohio 44273.
William F. Hill, P.O. Box 341, Killbuck, Ohio 44637.
Marvin Hilty, 308 W. High Street, Mt. Gilead, Ohio 43338.
Robert Hilverding et al., Box 46, Stafford, Ohio 43786.
Leonard Hines, 128 Maple Avenue, Woodsfield, Ohio 43793.
Hi-Ridge Producing Company, 1775 E. 45th Street, Cleveland, Ohio 44102.
David L. Hite, Receiver, 26-28 S. Main Street, Utica, Ohio 43080.
Virgil Hixson, 45 Spruce Street, Gallipolis, Ohio 45631.
C. W. Hoback Estate, % Dixie Smith, Exectrx, Route 1, Box 30, Portland, Ohio 45570.
Cora B. Hoey, Executrix, Estate of W. M. Hoey, 1788 Reddington Road, Newark, Ohio 43055.
Barton A. Holl, Agent, % Logan Clay Producing Company, P.O. Box 698, Logan, Ohio 43138.
Holmes Oil & Gas, % R. P. Hipp, North Clay, Millersburg, Ohio 44654.
Harry A. Holtom, 4998 Smoketalk Lane, Westerville, Ohio 43081.
Jenny Holzer, 19 E. Carpenter Street, Athens, Ohio 45701.
Homer Oil & Gas Company, % John S. Patterson, Trustee, P.O. Box 5, Chesterhill, Ohio 43728.
Hoosier Oil Company, P.O. Box 51, Key West, Florida 33040.
Francis R. & Helen S. Hothem, Route 2, Fresno, Ohio 43824.
Glenn D. Hottel, Route 1, West Salem, Ohio 44287.
Okey Householder, % Householders Inc., 1112 E. Main Street, Lancaster, Ohio 43130.
Mark E. Houston, Route 2, Mansfield, Ohio 44903.
Huffman Bowers Inc., P.O. Box 13, New Lexington, Ohio 43764.
Ruby E. Hunter, Clark, Ohio 43810.
Hunting Oil Company Inc., 1105 Granville Road, Newark, Ohio 43055.
Glen & Floyd Huntsman et al., Route 1, Barnesville, Ohio 43713.
Huntsman Brothers, Route 1, Barnesville, Ohio 43713.
R. H. Hutcheson, d.b.a. Energy Services, P.O. Box 9160, Canton, Ohio 44711.

I

Harry J. Iles & L.S. Mikesell, Jr., % Harry J. Iles, Box 155-219 E. Main Street, St. Clairsville, Ohio 43950.
The Independent Machine Co., Inc., 601-607 Munroe Falls Avenue, P.O. Box 271, Cuyahoga Falls, Ohio 44222.
Inland States Gas, 10 East Vine Street, Mt. Vernon, Ohio 43050.
Irvin Producing Co., c/o C. Frank Irvin, Agent, Room 405, Masonic Temple, Zanesville, Ohio 43701.

J

J. & J. Wells Company, Route 2, Seville, Ohio 44273.
J & J Oil & Gas Venture, 810 Lombard Street, Philadelphia, Pa. 19147.
Jadoil, Inc., Box 388, Grandville, Ohio 43022
Jaguar Developments, 1900 Nicholasville Road, Lexington, Kentucky 40503.
James Drilling Corporation, Agent - For Werner Hylan Corp., P.O. Box 337, Blairsville, Pa. 15717.
Jebb, Inc., % James R. Burchfield, Attorney, 1313 E. Broad Street, Columbus, Ohio 43205.
John B. & Joan T. Jenkins, 304 Main Street, Caldwell, Ohio 43724.
Franklin Jobes, St. Louisville, Ohio 43071.
Carl Fouts, Sr., Attorney in Fact, For Johnson Run Oil, % Route 1, Gloucester, Ohio 45732.
Howard A. Johnson, 503 Berea Street, St. Louis, Michigan 48880.
Johnston Petroleum Corp., P.O. Box 765, Route 40 West, Cambridge, Ohio 43725.
Robert D. & Rosalie Johnston, Route 1, Creston, Ohio 44217.

K

K S T Oil and Gas Co., Inc., 34 South Frank Boulevard, Akron, Ohio 44313.
Kalem Oil & Gas Co., % Howard Edgar, Newport, Ohio 45768.
Sallie Mae Kanouff Estate, % Savings & Trust Co., of Indiana, Box 190, Indiana, Pa. 15701.
A. J. Karson, 4776 Nettleton Road, Medina, Ohio 44256.
Stephen A. and Ella Keim, Box 56, Route 1, Dundee, Ohio 44624.
Gerald Kendall, Agent, Route 3, New Matamoras, Ohio 45767.
Kenohio Corporation, P.O. Drawer E, Wooster, Ohio 44691.
Kenoil, % Ken Miller, Route 2, Box 6, Shreve, Ohio 44676.
Kentucky Drilling & Operating Corp., d.b.a. Cougar Developments, 1900 Nicholasville Road, Lexington, Kentucky 40503.
Michael E. Kessler, Estate, % Garnet M. Kessler, Administratix, 229 W. Main St., Apt. A, Logan, Ohio 43138.
Key Resources, Inc., 3450 West Central Avenue, Toledo, Ohio 43606.
Keystone Gas Company, Mellon National Bank & Trust Bldg., Canonsburg, Pa. 15317.
Kidd & McKee Drilling, Inc., 1594 N. 21st Street, Newark, Ohio 43055.
Forrest Kidd, Agent, Post Office Box 82, Bladensburg, Ohio 43005.
King Drilling Company, 3914 Miami Road, Cincinnati, Ohio 45227.
Howard E. Kline, Agent, Route 4, Ashland, Ohio 44805.
Walter H. & Alice E. Klinger, Route 1, Waterford, Ohio 45786.
Herbert A. Koontz, St. Louisville, Ohio 43071.
Clair T. & Neva J. Koval, 8707 Guilford Road, Seville, Ohio 44273.
Herbert T. Kozak, 526 Putnam Avenue, Zanesville, Ohio 43701.
S. C. Kramer, Escrow Account, 810 Peoples Bank Bldg., Canton, Ohio 44702.
Ralph R. & Anna Kreider, Route 1, Seville, Ohio 44273.
Thoburn, S. & Myrtle E. Krofit, Route 1, Mt. Perry, Ohio 43760.
W. H. & E. M. Krueger, 9366 State Road, North Royalton, Ohio 44133.

L

L & B Gas Syndicate, Dallas Law, Secy & Treas, Rt. 1, Senecaville, Ohio.
L. & M. Gas Company, P.O. Box 9077, Canton, Ohio 44711.
Robert A. & Eileen K. LaFollette, Route 1, Box 161, Lewisville, Ohio 43754.
Waldo P. Landis, Route 5, Wooster, Ohio 44691.
John P. Lang, Route 1, Waterford, Ohio 45786.
Laverde Oil Co., 6416 North Ridgeway, Chicago, Illinois.
Ted B. Law, Agent, P.O. Box 478, Alderson, W. Va. 24910.
Lawson Oil & Gas, Route 4, Athens, Ohio 45701.
Lloyd W. Leeseburg, Agent, 2725 Gibson Drive, Rocky River, Ohio 44116.
Doris M. Lehman, Junction City, Ohio 43748.
Paul Lengacher, Route 1, Box 170, Creston, Ohio 44217.
Lenhart & Bennett, Inc., 901 Mayo Building, Tulsa, Oklahoma 74103.
Julius P. Lenz/Receiver For Alley Willey, 227 Hudson Avenue, Newark, Ohio 43055.
Kenneth Levea, 35 Cottage Street, Newark, Ohio 43055.
Charles and Margaret Lewis, Route 1, Middleport, Ohio 45760.
Liberty Petroleum Corporation, 2582 Broadway, Toledo, Ohio 43609.
Paul L. Liberty, 1113 Broadway, Toledo, Ohio 43609.
Charles O. Lighthizer, % Romel and Dunlap, 40 N. Second Street, Newark, Ohio 43055.
Lincoln Oil Well Service Co., 7260 West Ogden Avenue, Riverside, Illinois 60546.
J. M. Lofland, Jr., 261 Rowan Bldg., 600 Camp Bowie Boulevard, Fort Worth, Texas 76116.
Long Run Oil & Gas Co., % Charles Kidd, 1594 N. 21st Street, Newark, Ohio 43055.
Mrs. Carrie Long, R.F.D., Chesapeake, Ohio.
Ruth V. Luburgh, Route 4, Zanesville, Ohio 43701.
Cleo Ludwig Oil Properties, P.O. Box 467, Marion, Ohio 43302.
R. H. Lumbatis, Lewisville, Ohio 43754.
Lunar Oil Co., Inc., P.O. Box 3594, Indialantic, Florida 32903.
W. J. Lydic Company, 411 Woodlawn Avenue, Zanesville, Ohio 43701.
Lydic Oil & Gas Producing Co., P.O. Box 1094, Akron, Ohio 44309.
Lynch Oil & Gas Co., P.O. Box 31, Lowell, Ohio 45744.
John W. Lynch, Route #1, St. Louisville, Ohio 43071.
Lynn Oil & Gas Company, 17 South First Street, Newark, Ohio 43055.
John B. Lytle III, Box 250, Fredericksburg, Ohio 44627.

M

McCandlish Bros., Inc., P.O. Box 126, Bremen, Ohio 43107.
Edgar W. McCauley—Reliance Management Company, 1627 Bryn Maur Drive, Newark, Ohio 43055.
Goerge B. McClellan, 293 W. Main Street, Byesville, Ohio 43723.
Richard C. & Alma M. McDougall, 3340 Easton Road, Norton, Ohio 44203.
Jerome P. McHugh, Suite 412, 180 Cook Street, Denver, Colorado 80206.
David E. & Nancy J. McIlvaine and Milton L. Leohr, P.O. Box 2222, Creston, Ohio 44217.
Ed McIntosh, Route #7, Mt. Pleasant, MI. 48858.
Donald McKee, 1594 N. 21st Street, Newark, Ohio 43055.
Robert N. McKibben, Route 4, Athens, Ohio 45701.
Ray E. & Katherine V. McMains, Route 1, Fleming, Ohio 45729.
E. C. McManawah, 831 Sandusky Street, Ashland, Ohio 44805.
Edith S. McTaggart, Vincent, Ohio 45784.

Management Control Corporation, P.O. Box 916, East Liverpool, Ohio 43920.
First National Bank of Mansfield, A/C E. M. & J. Myers, Jr., 42-44 N. Main Street, Mansfield, Ohio 44902.
Mansfield Drilling Company, Inc., 2631 Crider Road, P.O. Box 2018, Mansfield, Ohio 44905.
First Natl. Bank in Marietta, H. F. McTaggart Acct. 4, Marietta, Ohio 45750.
Marietta Petroleum, Inc., P.O. Box 10, Berea, Ohio 44107.
Mar-Ann Gas Company, % Delmer Morgenstern, Box 70, Whipple, Ohio 45788.
Marion Energy, P.O. Box 453, Marion, Ohio 43302.
Harvey A. Markley, Route 2, Wadsworth, Ohio 44281.
Mask Oil Company, J.O. Box 895, Friona, Texas 79035.
Monroe Marks, 830-20th Street, Boulder, Colorado 80302.
H. L. Martin, 2800 Mustang Drive, Grapevine, Texas 76051.
John C. Mason, Route 2, Millersburg, Ohio 44654.
Roy L. Mason, Route 2, Box 309, Swanton, Ohio 43558.
M. B. Operating Co., Inc., 205 Central Plaza So. Canton, Ohio 44702.
M C F Oil Company, Route 1, Dellroy, Ohio 44620.
Mereidian Oil & Gas Enterprises, P.O. Box 337, Blairsville, Pa. 15717.
M. & L. Drilling Co., P.O. Box 176, Utica, Ohio 43080.
Christ A. & Orrie Mast, Route 5, Millersburg, Ohio 44654.
Marjorie B. Mathews c/o Beasley & Mathews, 19 E. Carpenter Street, Athens, Ohio 45701.
Marie A. Mayberry, P.O. Box 12, Salesville, Ohio 43778.
Meigs Developing Co., P.O. Box 6357, Charleston, WV 25302.
Ralph S. Mickley, Paul A. Mickley, Danville, Ohio.
Ralph S. Mickley, Route 2, Danville, Ohio 43014.
Mid Atlantic Oil Company, 149 Westwood Drive, Hillsdale, Michigan 49242.
Midwest Exploration, Inc., P.O. Box 562, Elmhurst, Illinois 60126.
The Midwest Oil and Gas Company, 250 E. Broad Street, Suite 908, Columbus, Ohio 43215.
Joseph J. Mihelic, Box 855, Flint, Michigan 48501.
Robert E. Milani, 780 Damon Street, Akron, Ohio 44310.
Abe J. & Anna Miller/Eli A. & Barbara Miller, Route 5, Box 140, Millersburg, Ohio 44654.
James M. Miller, Agent, Box 425, Olney, Illinois.
Robert Miller, 6000 Beth Avenue, S.W., Canton, Ohio 44706.
Benjamin H. Mills, 4566 Walburn Road, Columbus, Ohio 43227.
Minacc Inc., 9750 Pinto Court, Cincinnati, Ohio 45242.
Mineral Leasing, Inc., % George Cavagnard, 1570 Madruga Avenue, Coral Gables, Florida 33146.
Estell Mink, Route 1, Galliopolis, Ohio 45631.
Frank N. Miracle, Sterling Drive, Route 1, Marietta, Ohio 45750.
M. & L. Drilling Company, Box 176, Utica, Ohio 43080.
Mobreal Oil Inc., 3410 Silverside Road, Wilmington, Delaware 19810.
Monark Oil & Gas Co., Inc., 5019 North High Street, Columbus, Ohio 43214.
Monroe Oil & Gas Co., % Hazel G. Edwards, 210 Spring Street. Marietta. Ohio 45750.
C. E. Moore, R.D. 8, Marietta, Ohio.
Monroefield Oil & Gas Co., % Lawrence Kahrig, Route 1, Lewisville, Ohio 43754.
Morco Distribution Co. AGTS % Coy & Iannelli 15918 W. McNichols, Detroit, Michigan 48235.
Morgan Oil & Gas Company, 79 East State Street, Columbus, Ohio 43215.
John Morgan, Quaker City, Ohio 43773.
Mormack Industries, Inc. % C. T. Mortensen Atty., P.O. Box 101, Orrville, Ohio 44667.
Jerry Moore, Inc., Suite 536, Citizens Savings Building, Canton, Ohio 44702.
Lewis & Alverna Moore, Route 2, Fresno, Ohio 43824.
Allene M. Mortensen Executrix, Estate of C. T. Mortensen Route 1, Box 199, Dalton, Ohio 44618.
Delcemore & Marcia L. Morris, 5720 Beach Road, Route 2, Medina, Ohio 44256.
Donald Morris, P.O. Box 84, Macksburg, Ohio 45746.
Mumma Oil and Gas Company, 1207 Zorba Drive #9, Whitehall, Pa. 18052.
B. R. & Hester Murray, Route 1, Lowell, Ohio 45744.
Webster Myers, 1614 7th Avenue, Huntington, W. Va. 25703.
N & B Gas Syndicate, % Kyle Day, 707 Harcourt Road, Mount Vernon, Ohio 43050.
National Bank of Detroit and Mary Gordon, Attention: Mr. Terry A. Bethel, 100 East Broad Street, Columbus, Ohio 43215.
National Bank of Detroit, Petroleum Department, For The Act of RMS Investments, Box 116, Detroit, Michigan 48232.
National Treasure Mines Company, 525 Atlas Building, Salt Lake City, Utah 84120.
Delbert & Janette Neighbarger, Route 2, Mount Vernon, Ohio 43050.
Neston Petroleum, Inc. 1207 Zorba Drive #9, Whitehall, Pennsylvania 18052
Brice Neville & Naomi Neville, Route 2, Warsaw, Ohio 43844.
Floyd & Alma Newcomer, Route 1, Seville, Ohio 44273.
New Gilford Gas Transmission Company, % Freman T. Eagleson, Jr., 360 South Third Street, Room 310, Columbus, Ohio 43215.
Paul E. Newhart, 830 Glendale Road, Marietta, Ohio 45750.
Jud Noble & Associates, Suite 151, 4770 Indianola Avenue, Columbus, Ohio 43214.
James P. Noll, Route 1, Somerset, Ohio 43783.
John R. Noon, 802 West Street, Caldwell, Ohio 43724.
North Star Oil & Gas Company, Attention: Glenn Rish, Treasurer, P.O. Box 143, Barberton, Ohio 44203.
North East Natural Gas Company, Inc., Trust Account Suite 655, 110 Central Plaza Square, Canton, Ohio 44702.
Caroline & Mary Obermiller, 150 Myers Street, Creston, Ohio.
Ed Obermiller, P.O. Box 2397, North Canton, Ohio 44720.
Ohio Natural Gas, % Robert Clements, 100 Street Ann Building, Owensboro, Kentucky.
Ohio Production Corporation, The American Road, Dearborn, Michigan 48121.
Ohio Valley National Bank, Box 5188, Vienna, West Virginia 26101.
Ohio West Virginia Oil & Gas Company, Jackson Building, 8222 Perry Highway, Pittsburgh, Pennsylvania 15237.
Oil & Gas Company, Route 2, Zanesville, Ohio 43701.
Rory H. & Diane K. O'Neil, 7171 Greenwich Road, Seville, Ohio 44273.
Orange Coal Company, Inc., P.O. Box 100, Dexter City, Ohio 45727.
F. C. Taylor & George Warner, d.b.a., Orbit Gas & Oil Company, P.O. Box 323, Rutland, Ohio 45775.
The Oxford Oil Company, P.O. Box 2909, Zanesville, Ohio 43701.
Ohio Gas And Oil, Inc., 1473 South Eleventh Street East, Salt Lake City, Utah 84105.

P

Pa.—Tex Oil and Gas, Inc., 1301 Main Tower, 1200 Main Street, Dallas, Texas 75202.
P & G Company, P.O. Box 2009, Zanesville, Ohio 43701.
Palmer Metals Company, 104 Prentiss St., Munroe Falls, Ohio 44262.
Dennis W. & Elizabeth S. Palmquist, 1100 National City Bank Building, Cleveland, Ohio 44114.
Panic Oil Company, % Donald Creighton, New Matamoras, Ohio 45767.
Park National Bank Credit Acct. # 5, Newark, Ohio 43055.
C. M. Parker Estate, % Edward T. Lombardo Administrator, 850 South Third St., Columbus, Ohio 43206.
Patrick Petroleum Corporation, 901 Nelson Building, Charleston, West Virginia 25301.
W. H. Patten Drilling Company, P.O. Box 10, Route #1, Millersburg, Ohio 44654.
Mr. Roger Pattison, Route #2, New Concord, Ohio 43762.
F. S. Paulus, Agt., Route #3, Woodsfield, Ohio 43793.
Paw Paw Oil & Gas Company, Route 1, % Floyd R. Fleeman, Whipple, Ohio 45788.
Clarence W. Payne, Agent, R.D. #1, Whipple, Ohio 45788.
Daniel A. & Everett R. Pearcy, Guysville, Ohio 45735.
PEMCO Gas, Inc., 3829 Willow Avenue, Pittsburgh, Pa. 15234.
R. H. Penick, 1504 Blue Jay Rd., Newark, Ohio 43055.
The Peoples Savings Bank, New Matamoras, Ohio 45767.
Sidney D. Perkins, P.O. Box 147, Mt. Vernon, Ohio 43050.
Perrault Giant Geo Venture, 310 Philtower Building, Tulsa, Oklahoma 74103.
Perry Development Co., 1105 Granville Rd., Newark, Ohio 43055.
Russell J. Petrie, Box 215, Route 3, Proctorville, Ohio 45669.
Petroc Company, 19030 Lake Road, Rocky River, Ohio 44116.
F. E. Petroleum, Inc., 1401 Newbridge Road, North Billmore, New York 11710.
L. Pflieger & D. F. Garner, P.O. Box 2009, Zanesville, Ohio 43701.
W. H. Pickens, 1074 West Main Street, Newark, Ohio 43055.
Pims Oil Company, Inc., P.O. Box 121, Marietta, Ohio 45750.
Pominex—BFG INcome Account, % National Bank of Tulsa, P.O. Box 2300, Tulsa, Oklahoma 74102.
Ponderosa Oil Company, 405 West Liberty Street, Wooster, Ohio 44691.
Ira D. Porter, Box 8292, Route 2, Seville, Ohio 44273.
Leonard E. Porter, 8146 Westfield Road, Seville, Ohio 44273.
Poston Operating Co., Inc., P.O. Box 111, Ashley, Ohio 43003.
Carl M. Poston, P.O. Box 111, Ashley, Ohio 43003.
Hattie E. Powell, RFD, Racine, Ohio 45771.
Prior Oil Company, % James N. Wright Agt., P.O. Box 1486, Parkersburg, W. Va. 26101.
Roy Proffitt, Box 128, Racine, Ohio 45771.
Pure Grit Oil & Gas Co., % E. B. Townsend III, Dime Saving Bldg., Marietta, Ohio 45750.
D. Ray or Margaret Purkey, Route 1, Brick Plant Rd., Somerset, Ohio 43783.
William H. Putnam, % The Tri County Bank, Coolville, Ohio 45723.
Quaker State Oil Refining Corp., P.O. Box 1327, Parkersburg, W. Va. 26101.

R

R M S Investments, National Bank of Detroit, % Petroleum Department, P.O. Box 116, Detroit, Michigan 48232.
Roman A. Raber, Agent, Route 5, Box 0X, Millersburg, Ohio 44654.
Robert A. Rafferty, Jr., and Jane M. Rafferty, 2858 Laneland Parkway, Stow, Ohio 44224.
R. E. Ramser, Jr., Route 2, Box 46, Jelloway Pl., Danville, Ohio 43014.
Fulton or Edna Ramsey, Route 1, Jacobsburg, Ohio.

Reading Gas Company, P.O. Box 271, Wooster, Ohio 44691.
William M. & Kenneth E. Reed, Box 118, Burbank, Ohio 44214.
Refiners Petroleum Corporation, First National Bank Bldg., One East First Street, Reno, Nevada 89501.
Reliance Management Company, 1627 Bryn Mawr Drive, Newark, Ohio 43055.
Reliance Oil Corporation, P.O. Box 1014, Charlottesville, Virginia 22902.
Remoc Oil & Gas Co., % H. H. Hall, Route 1, Marietta, Ohio 45750.
Resource Exploration Inc., 1600 Fairfield Avenue, Suite 400, Shreveport, Louisiana 71101.
Rialto Resources, Inc., 2970 Osbun Road, Marion, Ohio 43302.
Rich Gas Company, % Hazel Rich, Sarahsville, Ohio 43779.
Richmond Drilling Company, 1st National Bank Bldg., P.O. Box 1547, Midland, Texas 79701.
C. E. Ridenour, Agent, 9 Lamer Drive, Athens, Ohio 45701.
Ridge Oil Co., P.O. Box 517, Cambridge, Ohio 43725.
James Ridgway, P.O. Box 317, Danville, Ohio 43014.
R. W. Riggs, R.D. 3, New Matamoras, Ohio.
Rittman Savings Bank, Agent, Robert J. Hickin Well, Rittman, Ohio.
John C. Robbins, P.O. Box 128, Longview, Texas 75601.
Roberson Williams Oil Corporation, 40 N. Second Street, Newark, Ohio 43055.
Eula H. Robinson, Route 2, Box 98, Lewisville, Ohio 43754.
George & Verna Rohrer, Route 2, Wadsworth, Ohio 44281.
N. F. Rohrkaste, Trustee, 605 Gateway Two, Pittsburg, Pa. 15222.
Julius Romei, c/o Romei & Dunlap, 40 N. Second Street, Newark, Ohio 43055.
Rouse Oil & Gas Co., c/o Howard Edgar, Newport, Ohio 45768.
Earl Rouse, Newport, Ohio.
George W. Roush, 503 Second National Building, Akron, Ohio 44308.
Rowill, Inc., 300 N. Monroe Street, Marksville, Louisiana 71351.
Rowley & Brown Petroleum Corporation, 1380 Dublin Road, Suite 206, Columbus, Ohio 43215.
Royalton Oil & Gas Co., 5086 Grafton Road, Brunswick, Ohio 44212.
Robert H. Rummer, Route 2, Lowell, Ohio 45744.

S

S D X Corporation, 706 Monroe Street, Stroudsburg, Pennsylvania 18630.
S & M Oil & Gas Company, % Glen Sturn, 225 Walnut Street, Bremen, Ohio.
Salem Gas Company, % A. C. Radford, Agent, Box 6, Winfield, West Virginia.
Sanyo Investment Company, 5152 Gloria Avenue, Encino, California 91316.
M. A. Sartarius & John Conover, 6139 Valley Park, Toledo, Ohio 43623.
Savannah Pipe Line, 1810-B Northwest Court, Columbus, Ohio 43212.
Charles E. & Clara L. Sayre, Route 4, Pomeroy, Ohio 45769.
Herbert J. Schaefer, 1868 Station Road, Valley City, Ohio 44280.
Fred C. Schafer, Route 1, Senecaville, Ohio 43780.
R. J. Schindler, Sr., P.O. Box 2674, Zanesville, Ohio 43701.
Chris Schmelzer, 214 Purvis Avenue, Bremen, Ohio 43107.
Mark Schmelzer, Route 1, Box 167, Bremen, Ohio 43107.
Ray Schmidt, Route 2, Lowell, Ohio 45744.
Willard Schneider & John Schneider, Route 3, New Matamoras, Ohio 45767.
W. E. Schrock, P.O. Box 143, Berlin, Ohio 44610.
Mrs. Lura Scites, Agent, West Hamlin, West Virginia 25571.
H. W. Scott, 206 Eastmoor Blvd., Columbus, Ohio 43209.
Norman Sehlinger, R.D. 1, New Concord, Ohio 43762.
The Seneca Gas Company, % Mrs. Melba J. Greene, Secretary, 1901 Bellview Road, Cambridge, Ohio 43725.
Sentinel Resources Corporation, 140 Central Building, Midland, Texas 79701.
Berman J. Shafer, Attorney in Fact, % Wayne County National Bank, Wooster, Ohio 44691.
David Shafer Oil Producers Inc., Box 582, Wooster, Ohio 44691.
Harold Shafer, Stafford, Ohio 43786.
James L. & Shirley M. Shafer, Route 2, Lewisville, Ohio 43754.
W. L. Shaffer, Jr., 1811 Calhoun, Chillicothe, Missouri.
Shakespeare Oil Inc., P.O. Box 669, Salem, Illinois 62881.
Charles W. Shane, Route 1, Sterling, Ohio 44276.
Shay Oil Company, Petroleum Building, 565 Turner Boulevard, Omaha, Nebraska 68105.
Shelter Funds, Inc., 6230 Busch Blvd., Suite 330, Columbus, Ohio 43229.
Shenandoah Oil Corporation, 1500 Commerce Building, Fort Worth, Texas 76102.
Frank Shepard, Jr. & William J. Miller, 349 Stouffer Road, Akron, Ohio 44313.
Glenn L. & Mary A. Shepherd, Route 1, Norwich, Ohio 43767.
Sheridan & Hogue, % E. P. Sheridan, Jr., Agent, 311 Redwood Lane, Key Biscayne, Miami 49, Florida.
E. M. Shields, Jr., 1600 N. 14th Street, Cambridge, Ohio 43725.
W. E. Shrider Company, 165 Oakwood Avenue, Newark, Ohio 43055.
Melvin E. Shrock, R.D. #2, Box 100, Danville, Ohio 43014.
Alba M. Sinclair, Route 1, Shade, Ohio 45776.
E. C. Smally, 1819 Shore Drive, Apt. 207, South Pasadena, Florida 33707.
Bernard C. Smith, Route 2, Lewisville, Ohio 43754.
Carl E. Smith, P.O. Box 1069, Zanesville, Ohio 43701.
Gerald E. Smith, 327 Muskingum Drive, Marietta, Ohio 45750.
Hildred I. Smith Oil & Gas Company, Box 6, Holmesville, Ohio 44633.
Ray Smith, Route 1, Roseville, Ohio 43777.
R. Dean Smith, Box 85, Holmesville, Ohio 44633.
Walter L. & Camille W. Smith, 8444 Guilford Road, Route 1, Seville, Ohio 44273.
W. E. Smith, Lewisville, Ohio.
Roman L. Smithberger, Route 1, Lower Salem, Ohio 45745.
Sora Oil Company, % Hays & Company, P.O. Box 590, Spencer, West Virginia 25276.
Warren E. Souers, Agent, 133 Nolan Circle (Devola), Marietta, Ohio 45750.
Southern Triangle Company, % Kernel Oil Company, P.O. Box 473, Mt. Carmel, Illinois 62863.
Otto P. Spangler Estate, Roman Spangler, Trustee, Route 1, Lewisville, Ohio 43754.
Harold Sparks, Route 1, Radnor, Ohio 43066.
Stanann Oil & Gas Company, % F. W. Duvall, Route 1, Box 153 H, Zanesville, Ohio.
Duane F. & Haxel K. Stanley, Route 4, Pomeroy, Ohio 45769.
Star Gas Company, 809 Kanawha Valley Building, Charleston, West Virginia 25301.
Star Gas Company, Inc., % Webster Myers, Agent, 1614 Seventh Avenue, Huntington, West Virginia 25703.
Star Exploration Corporation, P.O. Box 227, Mt. Gilead, Ohio 43338.
Paul F. Starr, Inc., Public Accountant, P.O. Box 158, Spencer, West Virginia 25276.
Stewart Brothers, P.O. Box 546, Mt. Vernon, Illinois 62864.
The Stockport Sand & Gravel Company, P.O. Box 5, Chesterhill, Ohio 43728.
Mitchell Strach, 5576 N. Elston Avenue, Chicago, Illinois 60630.
Julia A. Stump, Agent, 341 Parkview Drive, St. Albans, West Virginia 25177.
Glen Sturm, 225 Walnut Street, Breman, Ohio 43107.
Helen M. Swinehart, 730 Winter Street, Wooster, Ohio 44691.
James R. & Mark B. Swingle, 149 McKeever Street, Crooksville, Ohio 43731.

T

Clark Talbott, P.O. Box 151, Chesterhill, Ohio 43728.
Delva Talbott, P.O. Box 66, Chesterhill, Ohio 43728.
John Tansky, 297 East Main Street, Logan, Ohio 43138.
Titgo Enterprises, P.O. Box 190, Herington, Kansas 67449.
F. C. Taylor, Box 323, Rutland, Ohio 45775.
Robert N. Taylor, Route 1, New Concord, Ohio 43762.
Temple Oil & Gas Company, P.O. Box 121, Crooksville, Ohio 43731.
Thomas Oil & Gas Company, 227 Poplar Street, Mansfield, Ohio 44903.
A. W. Thomas & Milan E. Frase, 309 Main Street, Coshocton, Ohio 43812.
Howard C. Thomas, Route 2, Box 123, Millersburg, Ohio 44654.
Floyd E. Thompson d.b.a. Thompson Oil Company, 15 W 130 Plainfield Road, Hinsdale, Illinois 60521.
James L. & Jeanne M. Thompson, 8966 Guilford Road, Seville, Ohio 44273.
Three M Drilling Company, P.O. Box 67, Mt. Hope, Ohio 44660.
Tiger Oil, Inc., % Herbert J. Pfeifer, Suite 302, 297 S. High Street, Columbus, Ohio 43215.
Jerry L. & Darlene Tillis, Route 4, Pomeroy, Ohio 45769.
William N. Tipka, Agent, 7706 Alan Parkway, Middleburg Heights, Ohio 44130.
Titan Oil Company, Suite 1010, Frank Nelson Bldg., Birmingham, Alabama 35203.
Tosman Royalty Corporation, 293 W. Main Street, Byesville, Ohio 43723.
Herman & Charles Tratchell, R.F.D. 1, Vincent, Ohio
Tri County Gas Company, P.O. Box 387, Corning, Ohio 43730.
The Tri County Bank, Account #1007810, Coolville, Ohio 45743.
Triple R. Oil & Gas Company, % Roscoe Baker Agent, Rt. #1, Killbuck, Ohio 44637.
Triple Gas Company, 510 Dime Bank Building, Marietta, Ohio 45750.
Ronald Truitt, 10281 Stratton Road, Salem, Ohio 44460.
T-S-E Trust, % James Tuschman CO-Trustee, Suite 500, 811 Madison Avenue, Toledo, Ohio 43624.
Twinoaks Oil & Gas Co., % Harold H. Davis, 25 Winterberry Lane, Moreland Hills, Ohio 44022.

U

Jacob Ullman Heirs Gas Company, c/o Luna Ullman, Secretary, Route 1 Box 132, Lower Salem, Ohio 45745.
Jacob Ulrich Oil & Gas Company, c/o Harry A. Devoe, Treasurer, Route 3, Lewisville, Ohio 43754.
United Gas Lines, Inc., 150 East Bridge Street, Elyria, Ohio 44035.
Ute Production Company, P.O. Box 1743, Grand Junction, Colorado 81501.
Grace Utsinger, Rutland, Ohio 45775.

V

William H. Haas, Agent, Valentine Oil Properties, P.O. Box 737, Marietta, Ohio 45750.
Dwight Van Winkle, Bladensburg, Ohio 43005.

James Venus, Route 1 Box 155, Lodi, Ohio 44254.
Don Vernau, d.b.a. Jaddil Well Service, P.O. Box 388, Granville, Ohio 43023.
Viking Resources Corporation, 8041 Hosbrook Road, Cincinnati, Ohio 45236.
Vital Earth Resources, Inc., P.O. Box 354, South Holland, Illinois 60473.

W

Wade Oil Company, Inc., c/o Richard Brumbaugh, P.O. Box 139, Spencer, West Virginia 25276.
David Waldron & Associates, Inc., Box 271, Wooster, Ohio 44691.
Wall Oil & Gas Company, c/o Howard H. Hall, Route 1, Marietta, Ohio 45750.
H. J. Walters, Agent, Woodsfield, Ohio 43793.
Ward Gas Syndicate, c/o Gould Ward, Agent, Route 1, Sarahsville, Ohio 43779.
Eugene B. Ward, Route 1, Quaker City, Ohio 43773.
George H. & Grace M. Warner & James J. & Margie A. Proffitt, Route 4, Pomeroy, Ohio 45769.
H. E. & Amber Warner, Route 4, Pomeroy, Ohio 45769.
Warren Winland, Agent, Rinard Mills, Ohio 45774.
Paul W. & Norma L. Watkins, Route 1, Glenford, Ohio 43739.
W. G. Watkins, Jr., 1855 Cherry No. 12, Springfield, Missouri 65802.
Robert Waugaman, Route 1, Sullivan, Ohio 44880.
The Waverly Oil Works Co. No. 2 Acc., 1627 Bryn Mawr Drive, Newark, Ohio 43055.
Wayne Petroleum Producers, Inc., P.O. Box 446, Jesup, Georgia 31545.
Roman Weaver, Route 5, Millersburg, Ohio 44654.
J. H. Weber Atty-In-Fact, Route 2, Lewisville, Ohio 43754.
Paul T. Webster, 548 Standard Building, Cleveland, Ohio 44113.
Webster Myers, Agent, 1614 Seventh Avenue, Huntington, West Virignia 25703.
Gerald L. Weiss, P.O. Box 51, Malaga, Ohio 43757.
N. M. Welch, 1500 7th Street, Parkersburg, West Virginia.
Well Investments, Inc., Box 309, Logan, Ohio 43138.
Helen V. Welsh, 101 Cherry Avenue, Apt. No. 22, Delmar, New York 12054.
Wenner Petroleum Corporation, 35042 Kesler Court, P.O. Box 283, Fraser, Michigan 48026.
Cameron C. & Mona S. West, Dye Street Box 59, Newport, Ohio 45768.
Western Exploration, Inc., 125 South Marion Street, Cardington, Ohio 43315.
Westland Minerals, % Hays & Company, Spencer, West Virginia 25276.
Westrans Petroleum, 250 Park Avenue, New York, New York 10017.
David E. & Betty M. Wetmore, Route 1 Box 9, Seville, Ohio 44273.
Paul D. & Roberta J. Whedon, Society Natl. Bank of Cleveland, Automated Service Dept., 127 Public Square, Cleveland, Ohio 44114.
Earl R. & Annie White, 5809 Beach Road, Wadsworth, Ohio 44281.
Owen White, Route 2, Nelsonville, Ohio 45764.
Ward W. & Amy H. White, 35 East Road, Delray Beach, Florida 33444.
Thomas C. Whitney, 27118 Cavallo Road, Danville, Ohio 43014.
J. A. Wilburn, 125 Sherwood Drive, Lexington, Ohio 44904.
G. Allen Willey, 90 Western Avenue, Newark, Ohio 43055.
John F. Williams, P.O. Box 433 Route 5, Coshocton, Ohio 43812.
John F. & Sandra Williams, Box 443 Route 5, Coshocton, Ohio 43812.
Max G. & Esther I. Williams, TWP. Road 142, Malta, Ohio 43758.
Mac & Kathryn Williams, Route 4, Box 289-A, Athens, Ohio 45701.
Williston Oil & Development Corp., Plaza 66, P.O. Box 1316, Clifton, New Jersey 07013.
Gay Wilson, Box 19, Walhonding, Ohio 43843.
Wilson Petroleum Corporation, And V. J. Wilson, 6172 Busch Boulevard, Suite 2021, Columbus, Ohio 43229.
Fred & Nina Winkler, Box 322, Rittman, Ohio 44270.
Glenn Winkler, Sterling, Ohio 44276.
The Wiser Oil Company, P.O. Box 192, Sistersville, West Virginia 26175.
O. S. Wittmer, Room 112, 337 22nd Avenue North, St. Petersburg, Florida 33704.
Roger E. Wolfe and/or Agnes Wolfe, 11 Pleasantsview Drive, Athens, Ohio 45701.
Emil Wolny, 2694 Center Road, Hinckley, Ohio 44233.
Woods Petroleum Corporation, 3555 Northwest 58th Street, Oklahoma City, Oklahoma 73112.
Robert Woodyard, Route 1, Chesterhill, Ohio 43728.
Larry H. Wright, Inc., 3040 Riverside Drive, Columbus, Ohio 43221.
Lavonne Wyckoff, Agent, Route 1, Burbank, Ohio.

Y

A. W. Yenne, % Sandy Supply Co., P.O. Box 458, Wooster, Ohio 44691.
Vernon E. & Martha J. Yoder, 8245 Yoder Road #1, Seville, Ohio 44273.
Earl L. Young, 202 N. Clay Street, Millersburg, Ohio 44654.
Mae Young, 240 Condor Street, Pomeroy, Ohio.
William F. Youngeberg, % Robert Grobe, Route 2, Elyria, Ohio 44035.

[FR Doc.75-29078 Filed 10-29-75;8:45 am]

[Project Nos. 2360; 2363]

MINNESOTA POWER & LIGHT CO. AND POTLATCH CORP.

Pre-Hearing Conference

OCTOBER 21, 1975.

By order issued October 6, 1975, the Federal Power Commisison directed that a pre-hearing conference be held before an Administrative Law Judge at 10 a.m. on November 18, 1975, in a hearing room of the Commision at 825 North Capitol Street NE., Washington, D.C. The conference will concern the issues raised by Minnesota Power & Light Company and the corporate predecessor of Potlatch Corporation (Applicants), applicants for Project Nos. 2360 and 2363, respectively, in their applications for rehearing of the Commission's December 11, 1964, Orders Issuing License for the respective projects.

The St. Louis River Project No. 2360 consists of four power developments located on the St. Louis River (Knife Falls, Scanlon, Thomson and Fond du Lac) and five storage reservoirs located on the Cloquet, Whiteface, Skunk, Beaver and Otter Rivers, in Carlton and St. Louis Counties, Minnesota. The Cloquet Project No. 2363 is located in Carlton County, Minnesota on the St. Louis River immediately downstream from the aforementioned Knife Falls development of Project No. 2360.

The prehearing conference on November 18, 1975, has been set to explore the issues raised by Applicants in their respective petitions for rehearing. These issues include the basis for the Commission's jurisdiction over the projects, the effective and termination dates of the licenses, annual charges to be paid the Commission, and certain license conditions, among them a condition providing for such modifications of project operations as may be necessary to alleviate adverse water quality in the St. Louis River.

At the conference, the Presiding Administrative Law Judge will consider the admission into evidence of relevant and uncontroverted facts. If the parties can agree on a statement of facts, the Administrative Law Judge will then require briefs and submit an initial decision. If the parties cannot agree on a statement of facts, the Presiding Judge shall fix a public hearing on the issues raised on rehearing. Upon conclusion of the hearing, in the event one is held, the Presiding Judge will require briefs and forward the record to the Commission with his initial decision on those issues.

Any person desiring to be heard or to make protest with reference to this proceeding should on or before November 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR 1.8 or 1.10 (1975). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to this proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29070 Filed 10-29-75;8:45 am]

[Docket Nos. CP69-249; CP70-163]

MICHIGAN WISCONSIN PIPE LINE CO.

Petition to Amend

OCTOBER 22, 1975.

Take notice that on October 2, 1975, Michigan Wisconsin Pipe Line Company (Petitioner), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket Nos. CP69-249 and CP70-163 a petition to amend the certificates of public convenience and necessity issued pursuant to section 7(c) of the Natural Gas Act in said dockets on June 24, 1969 (41 FPC 828), and August 4, 1970 (44 FPC 241), respectively, insofar as such certificates relate to the offshore transportation of gas by authorizing Petitioner to receive gas for the account of Columbia Gas Transmission Corporation (Columbia Gas) at an additional point of receipt for redelivery at the Calumet Compressor Station, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

It is stated that by application filed July 16, 1975, at Docket No. CI76-30,[1] Shell Oil Company (Shell) requested

[1] Notice published July 31, 1975 (40 FR 32171).

authorization to gather and sell up to 14,706 Mcf of natural gas per day from South Marsh Island Block 130, offshore Louisiana, to Transco Gas Supply Company which would in turn be sold to Transcontinental Gas Pipe Line Corporation (Transco). Petitioner states that because there presently are no pipeline facilities connecting any interstate pipeline system with the Block 130 field, Shell proposes as an interim measure pending construction of a pipeline by Transco to Block 130, to transport the gas through its existing pipeline from Block 130 to South Marsh Island Block 58. The petition states that to effectuate Shell's proposal, Transco has requested and Columbia Gas has agreed to arrange for the further transportation of Transco's gas from Block 58 for subsequent redelivery onshore to Transco's system. The petition further states that Columbia Gas does not have any pipeline facilities in South Marsh Island Block 58.

Petitioner states that it is authorized in the certificates of public convenience and necessity granted by the aforementioned orders, as amended, to transport a contract demand volume for Columbia Gas of 65,000 Mcf of natural gas per day from Eugene Island Block 250, offshore Louisiana, to a point of redelivery near Calumet, St. Mary Parish, Louisiana. Petitioner requests authorization in the instant amendment to transport up to 15,000 Mcf of gas per day for Columbia Gas from an additional point of receipt in South Marsh Island Block 58, offshore Louisiana in lieu of equivalent volumes that would be delivered to Petitioner by Columbia Gas at the Eugene Island delivery point. It is stated that the aggregate contract demand would remain at 65,000 Mcf per day and that the proposed changes in the transportation Service would require no new facilities.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8. or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29702 Filed 10-29-75;8:45 am]

[Rate Schedule Nos. 41, etc.]

SUN OIL COMPANY, ET AL.

Rate Change Filings

OCTOBER 21, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699-H, issued December 4, 1974. Pursuant to Opinion No. 699-H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before November 3, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petititon to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
Oct. 3, 1975	Sun Oil Co., Southland Center, P.O. Box 2880, Dallas, Tex. 75221.	41	Texas Gas Pipe Line Corp.	Texas Gulf Coast.
Do	do	42	do	Do.
Oct. 10, 1975	Tenneco Oil Co., P.O. Box 2511, Houston, Tex. 77001.	141	Trunkline Gas Co.	Do.

[FR Doc.75-29076 Filed 10-29-75;8:45 am]

[Docket No. RP75-75]

TRANSCONTINENTAL GAS PIPELINE CORP.

Further Extension of Time

OCTOBER 22, 1975.

On October 20, 1975, Consolidated Gas Supply Corporation filed a motion to extend the procedural dates fixed by order issued April 30, 1975, as most recently modified by notice issued October 9, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Intervenor Testimony, November 7, 1975.

Service of Company Rebuttal, November 21, 1975.

Hearing, December 16, 1975 (10 a.m. e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29073 Filed 10-29-75;8:45 am]

[Docket No. RP75-75]

TRANSCONTINENTAL GAS PIPELINE CORP.

Order Granting Intervention

OCTOBER 22, 1975.

On March 14, 1975, the Transcontinental Gas Pipeline Corporation (Transco) tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2. Notice of Transco's filing was issued by the Commission on March 19, 1975, with protests and petitions to intervene due on or before April 2, 1975.

An untimely protest and petition to intervene was filed by Sun Oil Company. Having reviewed the above petition to intervene, we believe that the petitioner has sufficient interest in the proceedings to warrant intervention.

The Commission finds. It is desirable and in the public interest to allow the above-named petitioner to intervene.

The Commission orders. (A) The above-named petitioner is hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29074 Filed 10-29-75;8:45 am]

[Docket No. G-232]

UNITED GAS PIPE LINE CO.

Petition to Amend

OCTOBER 22, 1975.

Take notice that on October 7, 1975, United Gas Pipe Line Company (Petitioner), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. G-232 a petition to amend the order of November 10, 1942 (3 FPC 863), issued in said docket pursuant to section 7(c) of the Natural Gas Act issuing a certificate of public convenience and necessity by including authorization to deliver natural gas to The Escatawpa Suburban Utility District (Escatawpa), all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner proposes to reduce deliveries to the City of Pascagoula (Pascagoula) from 15,606 to 14,545 Mcf of gas per day at two of three delivery points. The remaining delivery point is said to have been transferred to Escatawpa, and Petitioner would deliver 1,061 Mcf of natural gas per day to Escatawpa at that delivery point. The rearrangement is stated to be caused by the purchase by Escatawpa of the portion of Pascagoula's distribution system presently being served through Petitioner's City Gate Station No. 1. Escatawpa would take deliveries of the gas at the City Gate Station No. 1. The maximum daily quantity for Escatawpa is said to have been determined by multiplying 15,606, the total maximum daily quantity of Pascagoula, by 6.8 percent, which is said to represent the amount of gas flowing through the City Gate Station No. 1 on the coldest day of the past three winters. The total maximum daily quantity of the proposed deliveries to Pascagoula and Escatawpa is said to equal the total maximum daily quantity presently effective to Pascagoula.

Applicant states that since the total load of the system served through City Gate Station No. 1 is residential and small commercial, Petitioner's curtailment program will be unaffected by the instant proposal.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29075 Filed 10-29-75;8:45 am]

[Docket No. E-9145]

UTAH POWER AND LIGHT CO.

Further Extension of Procedural Dates

OCTOBER 20, 1975.

On October 14, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued April 29, 1975, as most recently modified by notice issued September 30, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, November 14, 1975.

Service of Intervenor Testimony, November 28, 1975.

Service of Company Rebuttal, December 11, 1975.

Hearing, January 5, 1976 (10 a.m. e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-29069 Filed 10-29-75;8:45 am]

[Docket No. E-8867]

WISCONSIN PUBLIC SERVICE CORP.

Order Approving Settlement Agreement With Conditions

OCTOBER 21, 1975.

On June 24, 1974, Wisconsin Public Service Corporation (WPSC) tendered for filing a revised Rate Schedule W-1 for service to eight municipal resale customers located in Wisconsin and Michigan[1] which would have effected an increase of $1,116,306 (27.9 percent) based on billings for the year ended July 31, 1975.

By order issued on August 23, 1974, the Commission, inter alia, (1) suspended the proposed rates for one day, to become effective on August 27, 1974, subject to refund; (2) permitted intervention by seven of the municipal customers (Customers)[2]; and ordered a phased hearing to determine the justness and reasonableness of the proposed rates (Phase I), and to develop an evidentiary record concerning the alleged anticompetitive provisions of WPSC's jurisdictional contracts (Phase II).

On March 5, 1975, a conference was held, attended by WPSC, Staff, and the Customers, in which agreement was reached to settle the issues raised in these proceedings. On July 9, 1975, WPSC submitted a proposed settlement agreement. On July 21, 1975, this settlement agreement was noticed, with comments due on or before August 5, 1975. On August 5, 1975, Staff filed comments urging Commission approval of the proposed settlement. No comments were received from the other parties involved in this proceeding.

Under the terms of the proposed settlement, WPSC has agreed, inter alia, to: (1) File revised rates to effect an increase in revenues of $773,271, based on billings for the year ended July 31, 1975; (2) file a revised fuel adjustment clause consistent with the Commission's Regulations, as modified by Order No. 517, issued on November 13, 1974; (3) reduce the number of billing blocks in the proposed demand and energy charges, respectively, from three to two blocks, and from four to three blocks, and (4) eliminate any unreasonable anticompetitive provisions in the jurisdictional contracts. WPSC has also agreed to make refunds of the excess amounts of revenues collected since August 27, 1974, with interest at 7 percent per annum.

WPSC submitted Appendix A, pages 1-2, attached to this order, with its proposed settlement agreement. Appendix A, page 1, shows a cost of service for the wholesale customers of $4,771,675, and a revenue deficiency of $773,271, which is the amount of rate increase that the settlement agreement proposes. Appendix A, page 2, shows the capital structure of the settlement agreement with a 12.00 percent return on equity and a 8.92 percent overall rate of return.

Our review of the settlement agreement, with respect to Phase I issues, shows that it is just and reasonable and that the rate increase proposed and the rates of return on common equity and overall rate of return are just and reasonable.

With respect to the Phase II issues involving alleged anticompetitive provisions in the jurisdictional contracts, the proposed settlement agreement proposes to change the availability clause in the revised rate schedules and override contrary language in the service contracts to allow the municipalities to interconnect and purchase less than full requirements firm power and to allow the municipalities to deliver power to other utilities. We believe that the proposed changes still leave the contracts and rate schedules unduly restrictive and contrary to the public interest. We stated in our order establishing hearing procedures in this docket, issued August 23, 1974, at mimeo pgs. 3-4:

> If Wisconsin is shown to have restricted its customers' ability to develop other sources of generation or resale markets, we will not hesitate, to the extent we have jurisdiction over the conduct or contracts involved, to order appropriate reformation of the contracts or any other measures which have been shown to be necessary to remedy the conduct established.

The availability clause in rate schedule W-1 which WPSC proposes to revise in the settlement agreement reads as follows:

> AVAILABILITY This schedule is available to any public utility (at existing primary service) upon signing a contract and existing as of the original effective date of this schedule, which then purchased and since then has continuously purchased power from the Company. Service furnished under this schedule shall not be resold to any other electric distribution agency without the written consent of the Company.

The proposed settlement agreement proposes to change this language to:

> AVAILABILITY Upon executing a contract for service hereunder, this schedule is available to any electric utility for the purchase of firm power capacity and associated firm power energy requirements. In the event that the customer interconnects in a manner where it could take any of its requirements from another supplier or deliver to another utility, the company and the customer shall enter into an amended contract with amended rates as may be appropriate under the circumstances.

We believe that this language should state clearly that the municipalities shall have the right to interconnect so as to take any of their requirements from another supplier and to deliver to other purchasers, including, but not restricted, to other utilities. We shall therefore con-

[1] The Cities of Algoma, Eagle River, New Holstein, Sturgeon Bay, Two Rivers, and the Village of Stratford, all located in Wisconsin, and the City of Stephenson and the Village of Daggett, both located in Michigan.

[2] The Village of Daggett, Michigan, did not petition for intervention.

dition our approval of this settlement on a change in the availability clause to read as follows:

AVAILABILITY Upon executing a contract for service hereunder, this schedule is available to any electric utility for the purchase of firm power capacity and associated firm power energy requirements. The purchasing electrical utility shall have the right to interconnect in a manner where it could take any of its requirements from another supplier or deliver to other buyers. In the event that the customer so interconnects, the company and the customer shall enter into an amended contract with amended rates as may be appropriate under the circumstances.

The proposed settlement agreement proposes to override language in the service contracts requiring the municipals to purchase full requirements service and to permit the purchase of partial requirements service subject to conditions.

The language in the existing contracts proposed to be replaced by the settlement agreement reads typically as follows:

The Service Company agrees to furnish and sell to the City, and the City agrees to purchase from the Service Company, all the electrical energy required for the operation of the City's electric distribution system and for other municipal uses.[3]

The settlement agreement proposes to override this language with the following provision:

(g) WPSC and each of the Customers hereby agree that, notwithstanding any provision to the contrary in the Service Contract between WPSC and the Customer, the Customer may purchase less then its full requirements from WPSC, provided that the Customer shall have given WPSC at least two years' prior written notice of its intention to take such action, WPSC and the Customer shall have entered into an amended contract to reflect such change, and an appropriate rate schedule for such partial requirements service shall have become legally effective. As promptly as possible after receipt by WPSC of such notice and of such information as WPSC may reasonably request, WPSC will submit a proposed amendment of the Service Contract and rate schedule.

This proposed clause unduly restricts the ability of the municipals to take partial requirements service and does not reflect the municipals' right to interconnect and sell power, which was granted in the proposed availability clause by WPSC. We shall therefore condition our approval of this settlement by requiring the incorporation by reference of the following language into the contract:

WPSC and each of the Customers hereby agree that, notwithstanding any provision to the contrary in the Service Contract between WPSC and the Customer, the Customer may purchase less than its full requirements and shall have the right to interconnect in a manner where it could take any of its requirements from another supplier or deliver to other buyers. In the event that the Customer purchases less than its full requirements or so interconnects, the Customer will provide the company with at least two years' prior written notice and the company and the Customer shall enter into an amended contract with amended rates as may be appropriate under the circumstances. In the event that an amended contract and/or amended rates are executed by the parties, WPSC will submit to the Federal Power Commission the proposed amendments.

The action taken herein is consistent with the actions and policies this Commission has taken with respect to restrictive provisions in wholesale contracts.

In Wisconsin Power and Light Company, Docket No. E-8158, order issued September 4, 1974, we conditioned approval of a settlement agreement for another Wisconsin utility upon its deletion from an availability clause of a requirement that cooperatives and municipals purchase all their bulk power supply requirements from the Wisconsin utility and upon its deletion from the rate schedules of proposed and existing language restricting interconnections and resales.[4]

In Puget Sound Power and Light Company, Docket Nos. E-8850, et al., order issued June 3, 1975, we conditioned approval of a settlement agreement upon elimination of language in an availability clause restricting resale of electricity purchased to a specified area.

This Commission has the authority and has not hesitated to state its willingness to remedy anticompetitive provisions in jurisdictional contracts upon a proper showing. Sections 205, 206 of the Federal Power Act; "Gulf States Utilities Co. v. F.P.C.", 411 U.S. 747 (1973); Cf. Kentucky Power Company, 49 FPC 564 (1973); Cf. Georgia Power Company, 35 FPC 436 (1966), aff'd 373 F. 2d 485 (5th Cir. 1967); Public Service Company of Indiana, Inc., Docket Nos. E-8556 et al., order issued March 17, 1975, mimeo p. 5; Northern States Power Company, Docket No. E-9155, order issued February 5, 1975, mimeo pgs. 4-5, Virginia Electric and Power Company, Docket No. E-9147, order issued January 22, 1975, mimeo p. 4; Carolina Power and Light Company, Docket No. E-8884, order issued August 26, 1974, mimeo pgs. 3-4; Southwestern Public Service Company, Docket No. E-8753, order issued June 28, 1974, mimeo p. 2; Pacific Gas and Electric Company, Docket No. E-7777, order issued March 14, 1974, mimeo p. 6; and Carolina Power & Light Company, Docket No. E-7918, issued March 12, 1973, mimeo pgs. 2-3.

Our review of the proposed settlement indicates that it does not provide reasonable and appropriate resolution of the Phase II issues. We will therefore condition approval of the proposed settlement on WPSC filing the changes in its rate schedule and service contracts as specified, supra, and according to the timetable to be outlined, infra.

The Commission finds. Approval of the proposed settlement agreement subject to the conditions hereinafter ordered is just and reasonable and in the public interest in carrying out the provisions of the Federal Power Act.

The Commission orders. (A) The proposed settlement agreement is incorporated herein by reference and made effective on August 27, 1974, subject to the terms and conditions of this order.

(B) WPSC and the Customers shall comply fully with each provision of the settlement agreement and the terms and conditions of this order.

(C) WPSC shall remove from the proposed settlement agreement the restrictions on purchase requirements, interconnections and resales contained in the proposed availability clause and amendment to the service contracts and shall refile amended rate schedules and amendments to existing service contracts containing the substitute language as specified in the body of this order within 30 days of the issuance of this order.

(D) Within 30 days of the issuance of this order, WPSC shall file the rate schedules of the settlement agreement, with the changed availability clause, incorporating the rate increase of the proposed settlement agreement as approved in this order.

(E) Within 30 days of the filing of the revised rate schedules WPSC shall refund to its municipal customers the difference between the amounts collected since August 27, 1974, under the rate schedules currently in effect and the amount which would have been collected under the proposed settlement rates, with interest at 7 percent per annum.

(F) WSPC shall file with the Commission, concurrently with the refunds ordered in Paragraph (E), a schedule of such refunds. Upon filing and approval of such schedule, Docket No. E-8867 shall be terminated.

(G) This order is without prejudice to any findings or orders which have been or will be made by the Commission and is without prejudice to any claims or contentions which may be made by the Commission, its Staff, WPSC, or any party or person affected by this order, in any proceeding now pending or hereinafter instituted by or against WPSC or any other person or party.

(H) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[3] From the City of Eagle River, Wisconsin, service agreement, FPC Electric Rate Schedule No. 24, executed November 20, 1967.

[4] The proposed new language which the Commission found unduly restrictive read as follows (see Order at mimeo p. 3):

"While taking service from the Company under this schedule, the Customer shall not sell or otherwise dispose of electrical energy to any other electrical utility or electric distribution agency, unless such action is expressly permitted in writing by the Company, which permission shall not be unreasonably withheld.

Except as provided for in the preceding paragraph, electrical connection of the Customer's utility or electric distributing agency will be permitted when such interconnection can be accomplished without imparing the integrity of the Company's system. In the event of such interconnection, the cost of establishing and maintaining integrity of the Company system shall be borne by the Customer."

Wisconsin Public Service Corporation—Cost of service, period II

Line No.		Total	Production	Transmission	stribution	
1	Total O & M expenses	$60,689,000	$46,766,248	$2,074,725	$11,848,027	Note 1.
2	Depreciation	$20,736,012	$11,661,319	$2,729,394	$6,345,299	Note 2.
3	Taxes—other than income taxes	$9,229,000	$4,871,754	$1,420,928	$2,936,318	Note 3.
4	Total expenses	$90,654,012	$63,299,321	$6,225,047	$21,129,644	
5	Energy component		$36,289,000			Note 4.
6	Demand component	$33,235,368	$27,010,321	$6,225,047		
7	Demand allocation factor (percent)	5.103	5.103	5.103		Note 5.
8	Demand allocation	$1,696,001	$1,378,337	$317,664		
9	Energy allocation (4.194% of line 7)	$1,521,961				Note 6.
10	Distr. O & M expenses-Per M-1	$13,580				
11	Distr. depr. expenses-Per M-1	$30,357				
12	Distr. A&G and taxes (.5339%)—Per M-1	$33,093				
13	Sales and customer accounts	$4,160				
14	Total expenses—wholesale for resale customers	$3,299,152				
15	Income taxes: Federal (2.109056% of rate base)	$268,279				Note 7.
16	State (0.547082% of rate base)	$69,591				Note 7.
17	Return—8.92% per statements G	$1,134,653				
18	Cost of service—wholesale for resale customers	$4,771,675				
19	Revenue at present rates per Ex. 2	$3,997,643				
20	Total other electric income	$756				Note 8.
21	Revenue deficiency	$773,271				

22 Note 1, from statement H, line 17.
23 Note 2, per statement I.
24 Note 3, per statement K.
25 Note 4, from statement H. line 6.
26 Note 5, from statement M-3.
27 Note 6, from statement M-2 (4.194%).
28 Note 7, from statement J.
29 Note 8, from statement M-5.

Wisconsin Public Service Corporation—Capitalization structure, period II

Line No.	Description	Amount of capital outstanding	Percent of total capital	Percent annual cost of capital	Percent weighted cost of capital
1	Rate of return required:				
3	First mortgage bonds	$198,200,000	46.76	6.98	3.264
5	Preferred stock	66,200,000	15.62	7.31	1.142
7	Common stock	159,445,000	37.62	12.00	4.514
9	Total	423,845,000	100.00		8.920

[FR Doc.75-29077 Filed 10-29-75;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST BANCORP OF OAK LAWN, INC.

Formation of Bank Holding Company

First Bancorp of Oak Lawn, Inc., Oak Lawn, Illinois, has applied for the Board's approval section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of First National Bank of Oak Lawn, Oak Lawn, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than November 21, 1975.

Board of Governors of the Federal Reserve System, October 23, 1975.

[SEAL] ROBERT SMITH, III,
Assistant Secretary of the Board.

[FR Doc.75-29091 Filed 10-29-75;8:45 am]

SUBURBAN BANCORPORATION

Acquisition of Bank

Suburban Bancorporation, Hyattsville, Maryland, has applied for the Board's approval under Section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by merger to The Thurmont Bank, Thurmont, Maryland. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Richmond. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 20, 1975.

Board of Governors of the Federal Reserve System, October 23, 1975.

[SEAL] ROBERT SMITH, III,
Assistant Secretary of the Board.

[FR Doc. 75-29092 Filed 10-29-75; 8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on October 22, 1975. See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FPC forms are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed forms, comments (in triplicate) must be received on or before November 17, 1975, and should be addressed to Mr. Carl F. Bogar, Assistant Director, Office of Special Programs, United States General Accounting Office, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

FEDERAL POWER COMMISSION

The Federal Power Commission (FPC) requests an extension no change clearance to continue the use of FPC Form No. 3, Typical Net Monthly Bills for Electric Service. FPC Form No. 3 collects data on charges for various consump-

tions of electric energy to the residential, commercial, and industrial consumers. It serves as the basis for the Commission's annual publication "Typical Electric Bills." FPC Form No. 3 is filed annually by approximately 2600 electric utilities on or before February 1 of each year and it is estimated that an average of less than one hour is required annually per response.

The Federal Power Commission (FPC) requests an extension no change clearance to continue the use of FPC Form No. 3–A, All-Electric Homes Data Sheet. FPC Form No. 3–A collects data on charges for various consumptions of electric energy to residential consumers occupying all-electric homes. It serves as the basis for the Commission's annual publication "All-Electric Homes." FPC Form No. 3–A is filed annually by 190 retail electric utilities serving communities with 50,000 population in all 50 states and it estimated that an average of approximately 21 hours will be required annual per response.

The Federal Power Commission (FPC) requests an extension no change clearance to continue the use of FPC Form No. 4, Monthly Power Plant Report. FPC Form No. 4 is designed to collect monthly data on the capacities, generation and fuels used for electric generating plants from all known electric utilities in the United States and from major industrial establishments. Form No. 4 is filed monthly by mail for approximately 4,450 electric utility plants and industrial generating plants and it is estimated that an average of about one hour will be required monthly per plant per response.

The Federal Power Commission (FPC) requests an extension no change clearance to continue the use of FPC Form No. 12E–1, Monthly Power Statement. FPC Form No. 12E–1 provides primarily for the collection, on a monthly basis, of actual and projected operating data on loan and capacity relative to current monthly and near-term peak period (annual summer and annual winter peaks) power supply conditions. Form No. 12E–1 has been previously reviewed and approved by GAO under No. B–180228 (R0045), issued May 3, 1974. Form No. 12E–1 is filed monthly by a sample of 580 electric utilities and it is estimated that an average of 4 hours will be required monthly per response.

The Federal Power Commission (FPC) requests an extension no change clearance to continue the use of FPC Form No. 67, Steam-Electric Plant Air and Water Quality Control Data. FPC Form No. 67, promulgated by FPC Order No. 412 in re Docket No. R–382 on October 22, 1970, and revised in FPC Order No. 492 in re Docket No. R–465 issued September 26, 1973, is designed essentially to provide the Commission with information which would allow assessment of the electric utility industry's impact on the environment and an assessment of the ability of electric power utilities to assure an abundant and reliable supply of electric energy throughout the United States with the greatest possible economy and with regard to the proper utilization and conservation of natural resources. FPC Form No. 67 is filed annually with appropriate FPC regional offices by May 1 of the year following the report year, by approximately 294 utilities reporting for about 830 power plants; it is estimated that an average of 30 hours will be required annually per response per plant.

The Federal Power Commission (FPC) requests an extension no change clearance to continue the collection of data submitted by the Regional Electric Reliability Councils in response to FPC Order No. 383–3 (Docket No. R–362). This reporting requirement is the form of one annual report filed by each of the nine Regional Electric Reliability Councils in the contiguous United States. Such annual reports contain information on load and capacity projections, existing and proposed generating units and their fuel types, transmission system data, reserve requirements and other utility system planning information relating to the reliability of bulk power supply. Reporting is voluntary both on the part of the utilities to the Electric Reliability Councils and on the part of the Electric Reliability Councils to the Federal Power Commission. There are no estimates of the number of hours required by the Reliability Councils to prepare their responses to FPC Order No. 383–3.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-29217 Filed 10-29-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[AA1921–150]

BIRCH 3-PLY DOORSKINS FROM JAPAN

Investigation and Hearing

Having received advice from the Department of the Treasury on October 10, 1975, that birch 3-ply doorskins from Japan are being, or are likely to be, sold at less than fair value, the United States International Trade Commission on October 22, 1975, instituted investigation No. AA1921–150 under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with the investigation will be held in the Commission's Hearing Room, U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C. 20436, beginning at 10 a.m., e.d.t., on Thursday, November 13, 1975. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received by the Secretary of the Commission, in writing, at its office in Washington, D.C., not later than noon, Monday, November 10, 1975.

Issued: October 24, 1975.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.75-29149 Filed 10-29-75;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N–AR 75–30]

SAFETY RECOMMENDATIONS AND RESPONSES

Availability and Receipt

The National Transportation Safety Board announces the issuance on October 20 of recommendations P–75–12 and 13 to the Stroudsburg Gas Company of Stroudsburg, Pennsylvania. The Class I (urgent followup) recommendations were made when Board investigation of the June 17, 1975 explosion of a house in Stroudsburg disclosed that there had been leakage from a corrosion hole in the gas service line capped in the basement of the house. The Board recommended that the gas company (1) review and revise its emergency procedures and its employee training program to insure that houses in a suspected leakage area are entered and checked for gas, and (2) review and revise its service abandonment procedures to insure that all service lines reported abandoned have been cut and capped at the main.

During the past week, the Safety Board received two letters from the Federal Aviation Administration in response to the following recommendations:

A–75–65 (40 FR 36628), letter dated October 9. FAA believes that a logbook endorsement by a certificated flight instructor, before a pilot's initial flight as pilot-in-command of a high-performance sailplane, would be a redundant requirement—doing little more than the present regulations (FAR 91.31(a)) to prevent the type of accident which occurred at Frederick, Maryland, November 3, 1974. However, FAA is seeking more effective means of dealing with the possibility of accidents involving high-performance gliders. FAA comments, "Possibly, this will involve the soaring and sport aviation professional societies in an effort to publicize operating characteristics of high performance sailplanes." Intended actions are of a long-term nature and should be completed within a year, FAA states.

A–75–68 and 69 (40 FR 36628), letter of October 7. Re A–75–68, FAA notes that instrument approach minimums at Provincetown were established in accordance with FAA Handbook 8260.3A, Terminal Instrument Procedures. FAA states, "There is no credit for visibility reduction for approach lights authorized. The approach light system was installed by the airport sponsor as an additional visual aid due to the airport's close proximity to the water, which produces a

black hole effect. This system adequately serves the purpose as a visual aid and has no effect on the instrument approach procedure at the airport." Concerning A–75–69, FAA comments that lead-in light installations under the Airport Development Aid Program are in accordance with prescribed standards, unless a deviation is authorized. According to FAA, "All deviation requests are now fully coordinated and approved with FAA Flight Standards Service concurrence at headquarters level."

With reference to the midair collision between a Turbo Commander 680 and a USAF F–111A near Kingston, Utah, November 12, 1974 (40 FR 44198), the Department of the Air Force believes that there are inconsistencies between the accident investigation, the determination of probable cause, and the recommendations made to the Department of Defense. By letter of October 10 to the Board, the Air Force requests reconsideration. With reference to the recommendations (40 FR 25107 and 40 FR 33287), the Air Force considers A–75–14 unnecessarily restrictive in addressing only military air refueling operations. The Air Force states, "We believe the recommendation should be expanded to provide a buffer zone between all aircraft operating under VFR and the lowest usable flight level within the PCA [positive control area]. In so doing, corrective action would address the basic deficiency associated with this midair collision." Regarding recommendation A–75–15, the Air Force states that its aircraft participating in the mission were lighted in compliance with current Federal Aviation Regulations. The Air Force comments, "In many cases, basic lighting of Air Force aircraft is augmented to fulfill special military requirements. We believe that if changes in lighting requirements are required to increase aircraft conspicuity for collision avoidance such changes should be applied to the entire aviation community and not limited to military aircraft conducting air refueling operations."

The recommendation letter is available to the general public; single copies may be obtained without charge. A $4.00 user-service charge will be made for each recommendation response, in addition to a charge of 10¢ per page for reproduction. All requests must be in writing, identified by recommendation number and date of FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

(Sec. 307 of the Independent Safety Board Act of 1974 (Pub. L. 93–633, 88 Stat. 2172 (49 U.S.C. 1906)))

MARGARET L. FISHER,
Federal Register Liaison Officer.

OCTOBER 24, 1975.

[FR Doc.75-29165 Filed 10-29-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ABNORMAL OCCURRENCE REPORT

Submission to Congress

Notice is hereby given that pursuant to Section 208 of the Energy Reorganization Act of 1974, the Nuclear Regulatory Commission has published and issued the first periodic Report to Congress on Abnormal Occurrences (NUREG 75/090). Effective release date is Friday, October 17, 1975.

None of the abnormal occurrences in the report had an actual adverse impact on public health and safety, although each fell within the NRC's interpretation of the definition of the Act of an abnormal occurrence.

Under the Energy Reorganization Act of 1974, which created the NRC and requires the report, an abnormal occurrence is defined as "an unscheduled incident or event which the Commission (NRC) determines is significant from the standpoint of public health and safety." In accordance with the Act, the NRC has interpreted the definition on an interim basis to mean those events involving an actual loss or a significant reduction in the degree of protection against radioactive and other hazardous properties of source, special nuclear, and by-product materials.

The first report to Congress covers the first six months of 1975. Subsequent reports will cover three month periods. The report includes a discussion of actions taken to prevent repeat of an abnormal occurrence.

Interested persons may review the report at the NRC's Public Document Room, 1717 H Street, N.W., Washington, D.C. and each of the 122 local public document rooms throughout the country. The report, designated NUREG 75/090, may be purchased from the National Technical Information Service, Springfield, Virginia 22161, at $3.75 a copy.

Dated at Washington, D.C. this 24th day of October 1975.

NUCLEAR REGULATORY COMMISSION,
SAMUEL J. CHILK,
Secretary.

[FR Doc.75-29138 Filed 10-29-75;8:45 am]

[Docket No. P–560–A]

CENTRAL MAINE POWER CO.

Receipt of Partial Application for Construction Permit and Facility License: Time for Submission of Views on Antitrust Matters

Central Maine Power Company (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, which was docketed on August 20, 1975, in connection with their plans to construct and operate a reactor in Searsport, Maine. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portions of the application consisting of an Environmental Report and a Preliminary Safety Analysis Report pursuant to § 2.101 of Part 2, are expected to be filed in April and June 1976, respectively. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

The applicant has solicited from other New England utilities non-binding indications of potential interest in the unit. As utilities indicate their interest, additional antitrust information will be submitted for them.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C 20555, and at the Local Public Document Room, Office of Town Manager, Union Hall, Reservoir Street, Searsport, Maine 04974. Docket No. P–560–A has been assigned to the application and should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Office of Antitrust and Indemnity, Office of Nuclear Reactor Regulation, on or before December 30, 1975.

Dated at Bethesda, Md., this 23rd day of October 1975.

For the Nuclear Regulatory Commission.

KARL KNIEL,
Chief, Light Water Reactors Branch, Division of Reactor Licensing.

[FR Doc.75-29240 Filed 10-29-75;8:45 am]

[Docket No. STN 50–437]

OFFSHORE POWER SYSTEMS (FLOATING NUCLEAR POWER PLANTS)

Reconstitution of Board

Daniel M. Head, Esq., was Chairman of the Atomic Safety and Licensing Board for the above proceeding. Mr. Head is resigning from the Atomic Safety and Licensing Board Panel and therefore is unable to continue his service on this Board.

Accordingly, Thomas W. Reilly, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, is appointed Chairman of this

Board. Reconstitution of the Board in this manner is in accordance with the Rules of Practice of the Commission.

Dated at Bethesda, Maryland this 23rd day of October 1975.

JAMES R. YORE,
Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc.75-29134 Filed 10-29-75;8:45 am]

[Docket Nos. STN 50-546, STN 50-547]

PUBLIC SERVICE COMPANY OF INDIANA, INC. (MARBLE HILL NUCLEAR GENERATING STATION, UNITS 1 AND 2)

Order Relative to Petition to Intervene

The Board learned today that inadvertently the "Notice of Hearing on Application for Construction Permits" was not sent promptly to the local public document room but that it will be on file there not later than Tuesday, October 28, 1975.

Therefore, in accordance with the discretionary authority vested in the Board in 10 CFR 2.714, petitions to intervene filed thirty (30) days from that date will be considered timely by the Board.

It is so ordered.

For the Atomic Safety and Licensing Board.

ELIZABETH S. BOWERS,
Chairman.

Issued this 23rd day of October 1975 at Bethesda, Maryland.

[FR Doc.75-29135 Filed 10-29-75;8:45 am]

[Docket Nos. STN 50-47; STN 50-478]

PUBLIC SERVICE ELECTRIC AND GAS CO. (ATLANTIC NUCLEAR GENERATING STATION, UNITS 1 AND 2)

Reconstitution of Board

Daniel M. Head, Esq., was Chairman of the Atomic Safety and Licensing Board for the above proceeding. Mr. Head is resigning from the Atomic Safety and Licensing Board Panel and therefore is unable to continue his service on this Board.

Accordingly, Thomas W. Reilly, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, is appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with the Rules of Practice of the Commission.

Dated at Bethesda, Maryland this 23rd day of October 1975.

JAMES R. YORE,
Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc.75-29136 Filed 10-29-75;8:45 am]

[Docket No. 50-376]

PUERTO RICO WATER RESOURCES AUTHORITY (NORTH COAST NUCLEAR PLANT, UNIT 1)

Reconstitution of Board

Daniel M. Head, Esq., was Chairman of the Atomic Safety and Licensing Board for the above proceeding. Mr. Head is resigning from the Atomic Safety and Licensing Board Panel and therefore is unable to continue his service on this Board.

Accordingly, James R. Yore, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, is appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with the rules of practice of the Commission.

JAMES R. YORE,
Acting Chairman, Atomic Safety and Licensing Board Panel.

Dated at Bethesda, Maryland this 23rd day of October 1975.

[FR Doc.75-29137 Filed 10-29-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

BUSINESS ADVISORY COUNCIL ON FEDERAL REPORTS

Public Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of a panel of the Business Advisory Council on Federal Reports to be held in Room 9104, New Executive Office Building, 726 Jackson Place, NW., Washington, D.C., on Thursday, November 20, 1975, at 10 a.m.

The purpose of the meeting is to advise the Statistical Policy Division of the Office of Management and Budget concerning reporting problems associated with proposed revisions of the Renegotiation Board's reporting forms RB-1, Standard Form of Contractor's Report for Renegotiation; RB-1-A, Attachment to Standard Form of Contractor's Report for Renegotiation, and; RB-90, Statement of Non-Applicability of the Renegotiation Act of 1951. The meeting will be open to public observation and participation.

Further information regarding the meeting may be obtained from the Statistical Policy Division, Office of Management and Budget, Room 10201, New Executive Office Building, Washington, D.C. 20503, Telephone (202) 395-3443.

VELMA N. BALDWIN,
Assistant to the Director for Administration.

[FR Doc.75-29318 Filed 10-29-75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on October 24, 1975 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

NATIONAL SCIENCE FOUNDATION

Peer Review Survey, single-time, Authors and reviewers of NSF proposals, George Hall, Lowry, R. L., 395-6140.

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service, livestock feed program financial statement, DF-23, on occasion, Farmers applying for purchase of CCC owned livestock feed, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health, Effects of contraceptive steroids on blood pressure—Southeastern Georgia study, NIH-CH-29, single-time, Women on contraceptives; 2 SIBS, Dick Eisinger, 395-6140.

Office of Education:
- Application for Federal assistance (nonconstruction):
- Instructions for part A, Title IV, Pub. L. 92-318, OE 444, annually, LEA's, Lowry, R. L., 395-3772.

Test Arts and Humanities Curriculum Materials, OE 451-1, OE 451-2, OE 451-3, OE 451-4, OE 451-5, OE 451-6, OE 451-7, single-time, counselor, students, teachers, Joan Turek.

Training Course Assessment Instrument—Handicapped, OE 452-1, OE 452-2, OE 452-3, OE 452-4, OE 452-5, on occasion, teachers, public schools, Joan Turek.

National Institutes of Health:
- Effects of Contraceptive Steroids on Blood Pressure—Boston Study, NIH-CH-37, single-time, adult female residents East Boston & Cambridge, Dick Eisinger, 395-6140.
- Effects of Contraceptive Steroids on Blood Pressure—Atlanta Study, NIH-CH-36, single-time, women from family planning clinics in Atlanta, Dick Eisinger, 395-6140.

REVISIONS

Food and Drug Administration, Drug Defect Reporting System, FDABD 0822, on occasion, physicians, pharmacists, chemists, etc., Harry B. Sheftel.

Health Resources Administration, 1976 Health Interview Survey Questionnaire, NCHS 1014, other (See SF-83), Households, George Hall, 395-6140.

Office of Education, Progress Report Title III, Pub. L. 89-329, OE-1126, on occasion, IHE's, Lowry, R. L., 395-3772.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service, Commodity Request, CCC-183, on occasion, registered voluntary relief agencies, Marsha Traynham, 395-4529.

Animal and Plant Health Inspection Service, application-certification purebred animals imported for breeding, ANH 17-388, on occasion, individuals, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-29291 Filed 10-29-75;8:45 am]

OHIO RIVER BASIN COMMISSION

MONONGAHELA RIVER BASIN WATER AND RELATED LAND STUDY

Availability of Report and Draft Environmental Impact Statement

OCTOBER 22, 1975.

Pursuant to section 204(3) of the Water Resources Planning Act of 1965 (Pub. L. 89-80), the Ohio River Basin Commission has completed a Monongahela River Basin Water and Related Land Resources Study Report and a Comprehensive Coordinated Joint Plan (CCJP) for the Monongahela River Basin portion of the Ohio River Basin. A draft Environmental Impact Statement for the Study and CCJP has also been completed as required by section 102(2)(c), of the National Environmental Policy Act (Pub. L. 91-190). It is included as an integral part of the Report.

Views, comments and recommendations on the Report, the CCJP and the Draft EIS are requested by January 15, 1976. Copies are available on request to the Ohio River Basin Commission, 36 E. Fourth Street, Cincinnati, Ohio 45202.

FRED E. MORR,
Chairman.

[FR Doc.75-29061 Filed 10-29-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 3-4767; Release No. 11761]

CAPCO SECURITIES, INC.

Application and Opportunity for Hearing

OCTOBER 23, 1975.

Notice is hereby given that Capco Securities, Inc. ("Capco") has filed an application pursuant to Section 15(a)(2) of the Securities Exchange Act of 1934, as amended (the "Act"), for an order exempting it from the registration requirements of section 15(a)(1) of the Act.

Section 15(a)(2) authorizes the Commission to exempt any broker or dealer or class of brokers or dealers, either unconditionally or upon specified terms and conditions or for specific periods, from the registration requirement of section 15(a)(1) of the Act, if the Commission deems it necessary or appropriate in the public interest or for the protection of investors.

Capco is a District of Columbia corporation which intends to make direct loans to eligible small business concerns under the loan guarantee program of the United States Small Business Administration ("SBA"). A loan made to an eligible small business with SBA approval qualifies for an SBA loan guarantee as to principal and interest to the extent of 90% of the unpaid balance of the loan or $350,000, whichever is less. Capco's application to the SBA to become an approved lender under that program has been approved by the SBA subject to its obtaining the minimum required capital to participate. In return for any loan it makes, Capco will receive a promissory note from the borrower for the full amount of the loan. Capco will then sell, with the consent of the SBA, the guaranteed portion of such loans to institutional investors. All such sales will be made through brokers or dealers registered with the Commission. Capco will retain the non-guaranteed portion of each loan and will service the loan for purchasers of the guaranteed portion.

A more detailed statement of information is contained in the application for exemption which is on file at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street, NW., Washington, D.C.

Notice is further given that any interested person may submit to the Commission not later than November 14, 1975 in writing any views or substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549 and should refer to File No. 3-4767. Any such statement should also briefly provide the nature of the interest of the person submitting information or requesting a hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. Any time after November 14, 1975, an order granting the application may be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-29160 Filed 10-29-75;8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

OCTOBER 23, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½ percent debentures due 1990, 5½ percent convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from October 24, 1975 through November 2, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-29161 Filed 10-29-75;8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Suspension of Trading

OCTOBER 23, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from October 24, 1975 through November 2, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-29163 Filed 10-29-75;8:45 am]

[811-2515]

LIQUID DAILY RESOURCES FUND

Filing of Application for an Order Declaring That Company Has Ceased To Be an Investment Company

OCTOBER 23, 1975.

Notice is hereby given that Liquid Daily Resources Fund, 555 Capitol Mall, P.O. Box 3008, Sacramento, California 95812. ("Applicant"), registered under the Investment Company Act of 1940 ("Act") as an open-end diversified management investment company, filed an application on July 14, 1975 and an amendment thereto on August 19, 1975; pursuant to Section 8(f) of the Act for an order of the Commission declaring that applicant has ceased to be an investment company as defined by 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.

Applicant was organized as a California corporation on August 9, 1974 and registered under the Act by filing a Notification of Registration on Form N-8A on August 23, 1974. Thereafter, it filed a Registration Statement under the Act on Form N-8B-1 and a Registration Statement under the Securities Act of 1933 on Form S-5.

Applicant represents that, due to an inability to secure investment advisory services on satisfactory terms following the termination of its Advisory and Management Services Agreement by its investment advisor, Applicant's Board of Directors, at a meeting held on May 1, 1975, adopted a resolution to dissolve applicant and wind up its business. Applicant further represents that, at a meeting held on June 9, 1975, Applicant's shareholders approved the plan of dissolution.

Applicant states that all of its outstanding securities are beneficially owned by the eleven persons who were the initial investors in Applicant. Applicant also states that it is not now making and does not propose to make a public offer-

ing of its securities and that it intends to make a final distribution of its assets to the remaining eleven shareholders on or after October 31, 1975.

Section 3(c)(1) of the Act excepts from the definition of an investment company any issuer whose outstanding securities are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered management investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than November 17, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-29162 Filed 10-29-75;8:45 am]

[Release 34-11756; File No. S7-595]

SECURITIES INFORMATION PROCESSORS

Application for Registration

Notice is hereby given that, pursuant to section 11A(b)(2) of the Securities Exchange Act of 1934, (the "Act") the Securities Industry Automation Corporation ("SIAC") filed an application on October 20, 1975 with the Securities and Exchange Commission (the "Commission") for registration as a securities information processor.

The Commission is required under new section 11A(b)(3) of the Act to find, before granting registration, that an applicant "is so organized, and has the capacity, to be able to assure the prompt, accurate, and reliable performance of its functions as a securities information processor, . . . and, insofar as it is acting as an exclusive processor, operate fairly and efficiently . . ." Additionally, section 11A(b)(3) of the Act provides that the Commission shall, upon the filing of an application for registration pursuant to section 11A(b)(2) of the Act, publish notice of the filing and afford interested persons an opportunity to submit written data, views and arguments concerning such application. A copy of the SIAC application is available for public inspection in the Commission's Public Reference Room at 1100 L Street, NW., Washington, D.C. 20549.

All persons interested in submitting written data, views and arguments concerning SIAC's application should submit them in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 not later than November 21, 1975. All communications should refer to File No. S7-595 and will be available for public inspection in the Commission's Public Reference Room.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

OCTOBER 21, 1975.

[FR Doc.75-29159 Filed 10-29-75;8:45 am]

[File No. 500-1]

WESTGATE CALIFORNIA CORP.

Suspension of Trading

OCTOBER 23, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (class A and B), the cumulative preferred stock (5 percent and 6 percent), the 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987, and all other securities of Westgate California Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from October 24, 1975 through November 2, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-29164 Filed 10-29-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

DETROIT DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Detroit Advisory Council will hold a public meeting at 9 a.m., Thursday, November 20, 1975, at the Hospitality Motor Inn, Lansing, Michigan, to discuss such business as may be presented by members, staff of the Small Business Administration, and others present.

For further information, write or call Raymond L. Harshman, 1200 Book Building, Detroit, Michigan 48226, (313) 226-7240.

Dated: October 21, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy, Small Business Administration.

[FR Doc.75-29062 Filed 10-29-75;8:45 am]

[License No. 05/08-0001]

MINNESOTA SMALL BUSINESS INVESTMENT CO.

Surrender of License to Operate

Notice is hereby given that Minnesota Small Business Investment Company (MSBIC), 2338 Central Avenue Northeast, Minneapolis, Minnesota 55418, pursuant to the provisions of § 107.105 of the regulations governing small business investment companies (13 CFR 107.105 (1975)), has surrendered its license to operate as a small business investment company (SBIC). The Small Business Administration (SBA) approved this surrender effective October 8, 1975. MSBIC was acquired by MorAmerica Capital Corporation, an SBIC located at Suite 200, American Building, Cedar Rapids, Iowa 52401.

MSBIC was incorporated under the laws of the State of Minnesota to operate solely as an SBIC under the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), (ACT) and it was issued license number 05/08-0001 by SBA on May 18, 1959.

Under the authority vested by the Act and the regulations promulgated thereunder, surrender of the license of MSBIC is hereby accepted and accordingly, it is no longer licensed to operate as an SBIC.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

Dated: October 20, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-29064 Filed 10-29-75;8:45 am]

[Application No. 05/05-5110]

NIA CORP.

Application for License

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 NIA Corporation (applicant) with the Small Business Administration pursuant to CFR 107.102 (1975).

The officers and directors are as follows:

Isadore H. Burney II, 1187 West 10th Street, Jacksonville, Florida 33209, President, Director.

Charles A. Davis, Sr., 2121 W. Howland Avenue, Chicago, Illinois 60659, Administrative V.P., Director.
Chris H. Howard, 8855 South Ridgeland Avenue, Chicago, Illinois 60559, Administrative V.P., Director.
Benjamin J. Johnson, 5619 Lafaye Street, New Orleans, Louisiana 70122, Secretary, Director.
Anderson M. Schweich, 5421 South Cornell Avenue, Unit 10, Chicago, Illinois 60616, Treasurer, Director.
George E. Hill, 1809 Jackson Avenue, Winston-Salem, North Carolina 27102, Director.
Edward M. McIntyre, 2400 South Michigan Avenue, Chicago, Illinois 60616, Director.
Walter H. Williams, P.O. Box 159, Jackson, Mississippi 39205, Director.
John L. Daigre, 710 East Boulevard, Baton Rouge, Louisiana 70802, Director.
Paul E. Harris, 845 Center Way, SW., Birmingham, Alabama 35211, Director.
Joseph O. Misshore, Jr., 5478 Dayna Court, New Orleans, Louisiana 70124, Director.
Joseph H. Miller, Jr., 4924 Inadale Avenue, Los Angeles, California 90043, Director.
Grace B. Casamayor, 709 N. Willow Avenue, Tampa, Florida 33606, Director.
Henry N. Brown, 14th & Peachtree Street, Atlanta, Georgia 30383, Director.
Maceo A. Sloan, 2100 Otis Street, Durham, North Carolina 27707, Director.

The applicant will maintain its principal place of business at 2400 South Michigan Avenue, Chicago, Illinois 60616.

It will begin operations with $197,657 of private capital derived from the sale of 12,196 shares of common stock to members of the National Insurance Association. The following insurance companies will own 10 percent or more of the voting securities, represented by the initial financing: Afro-American Life Insurance Company, Atlanta Life Insurance Company, Chicago Metropolitan Mutual Assurance Company and Pilgrim Health and Life Insurance Company.

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 owner and management and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA rules and regulations.

Any person may on or before November 14, 1975, 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 Chicago, Illinois.

Dated: October 20, 1975.

JAMES THOMAS PHELAN,
Deputy Association Administrator for Investment.

[FR Doc.75-29065 Filed 10-29-75;8:45 am]

SIOUX FALLS DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Sioux Falls District Advisory Council will hold a public meeting at 9 a.m., Friday, November 14, 1975, at the Downtown Holiday Inn, Sioux Falls, South Dakota, to discuss such business as may be presented by members, staff of the Small Business Administration, and others attending.

For further information, call or write Chester B. Leedom, 402 National Bank of South Dakota Building, 8th and Main Avenue, Sioux Falls, South Dakota 57102, (605) 336-2231.

Dated: October 20, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy, Small Business Administration.

[FR Doc.75-29063 Filed 10-29-75;8:45 am]

[License No. 06/10-0025]

SOUTHERN SMALL BUSINESS INVESTMENT CO., INC.

Surrender of License To Operate

Notice is hereby given that Southern Small Business Investment Company, Inc. (Southern), 8137 Oleander Street, New Orleans, Louisiana 70118, pursuant to the provisions of § 107.105 of the regulations governing small business investment companies (13 CFR 107.105 (1975)), has surrendered its license to operate as a small business investment company (SBIC).

Southern was incorporated under the laws of the State of Louisiana to operate solely as an SBIC under the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), (Act) and it was issued license number 06/10-0025 by the Small Business Administration on July 5, 1960.

Under the authority vested by the Act and the Regulations promulgated thereunder, surrender of the license of Southern is hereby accepted effective October 8, 1975, and accordingly, it is no longer licensed to operate as an SBIC.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

Dated: October 20, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-29066 Filed 10-29-75;8:45 am]

UNITED STATES RAILWAY ASSOCIATION

[USRA Docket No. 75-64]

PENN CENTRAL TRANSPORTATION CO., FAIRBROOK BRANCH; BLAIR COUNTY, PENNSYLVANIA

Proposed Interim Abandonment of a Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Fairbrook Branch in Blair County, Pennsylvania, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236.

Section 304(f) provides:

After [January 2, 1975], no railroad in reorganization may discontinue service or abandon any line of railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The Fairbrook Branch sought to be abandoned extends from M.P. 0.0 at Tyrone to its terminus at M.P. 1.1, a distance of 1.1 miles in Blair County, Pennsylvania.

There are no stations on the line.

In support of its request, Penn Central asserts that:

(1) Applicant's line must be removed to accommodate reconstruction of State Highway 350 by the Pennsylvania Department of Transportation.

(2) The sole patron on the line will be accommodated by other facilities to be provided in the Tyrone area.

(3) No passenger service is provided on the line.

(4) The line is not operated as a joint facility.

The request is accompanied by exhibits providing more detailed information.

To assist USRA in its analysis and disposition of this request, all affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2222, Trans Point Building, 2100 Second Street, SW., Washington, D.C., 20595 by December 17, 1975, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address, at the offices of the Pennsylvania Department of Transportation, 1220 Transportation & Safety Building, Harrisburg, Pennsylvania; and the Pennsylvania Public Utilities Commission, Harrisburg, Pennsylvania, at the Divi-

sion Superintendent's Office, Penn Central Transportation Company, General Office Building, Ninth Avenue & Twelfth Street, Altoona, Pennsylvania, and at the Division Superintendent's Office, Penn Central Transportation Company, Room 202 Penn Central Station, Harrisburg, Pennsylvania between 8 a.m. and 4:30 p.m., Monday through Friday.

In addition to this publication, Penn Central, shall by November 3, 1975, furnish a copy of this notice and invitation for written submission, to known shippers on the Fairbrook Branch, sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along the line, continually during the period from November 3 through December 17, 1975.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Governor of Pennsylvania, Pennsylvania Department of Transportation, the Pennsylvania Public Utility Commission, Southeastern Pennsylvania Transportation Authority, the Board of Supervisors of Blair County, the Mayor of the City of Fairbrook, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Rail Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

Publication of this notice does not mean that the Association has reached any conclusion as to merits of the application. The Association will consider the application in the light of the public comments received and the requirements and purposes of the Act before making a decision. The Association will deny any application which a State or local or regional transportation authority is reasonablly opposes, or where the authorization requested is inconsistent with the requirements and purposes of the Act; it will grant the application if that action is consistent with the requirements and purposes of the Act.

Dated at Washington, D.C. this 21st day of October 1975.

JAMES A. HAGEN,
President,
United States Railway Association.

[FR Doc.75-29086 Filed 10-29-75;8:45 am]

[USRA Docket No. 75-127]

PENN CENTRAL TRANSPORTATION CO., (A) LEBANON SECONDARY TRACK, (B) EAST LEBANON BRANCH; LEBANON COUNTY, PENNSYLVANIA

Proposed Interim Abandonment of a Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon portions of two adjoining lines of railroad known as the Lebanon Secondary Track and the East Lebanon Branch in Lebanon County, Pennsylvania, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The lines sought to be abandoned include a portion of the Lebanon Secondary Track between milepost 20.6 and milepost 21.7, a distance of 1.1 miles, and a portion of the East Lebanon Branch between its junction with the Lebanon Secondary Track, on the west side of North Eighth Street, and its terminus at a point 495 feet east of the center of Fifth Avenue, a distance of 1.4 miles, both in the City of Lebanon, Lebanon County, Pennsylvania.

There are no stations on this line.

In support of its request, the Penn Central asserts that:

1. The Reading Company provided service to shippers located on this trackage pursuant to an I.C.C. service order because the portion of the Lebanon Secondary Track South of Lebanon has been out of service since June 1972 on account of Hurricance Agnes damage.

2. Abandonment of a substantial amount of this trackage, between South Eighth Street and North Fourth Street, will permit sale of Penn Central's right of way to the Lebanon County Redevelopment Authority for use in an urban renewal and flood control project.

3. Service to existing shippers will continue to be provided by Reading Company and its successors by means of track connections to adjacent Reading trackage to be constructed at the expense of the Redevelopment Authority.

4. The cost of rebuilding and damaged track would be prohibitive.

5. Alternate transportation service would also be available from the motor carriers servicing the area.

6. No passenger or overhead freight service is provided over the line.

The request was accompanied by exhibits providing more detailed information.

To assist USRA in its analysis and disposition of this request, all affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Any submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2222, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by December 17, 1975, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address between 8:30 a.m. and 5 p.m. Monday through Friday at the offices of the Pennsylvania Department of Transportation, 1220 Transportation and Safety Building, Harrisburg, Pennsylvania, and the Pennsylvania Public Utility Commission, Bureau of Public Transportation, Harrisburg, Pennsylvania, during normal business hours, at the Penn Central Railroad's Division Superintendent's Office, Room 202 Penn Central Station, Harrisburg, Pennsylvania, and at the Penn Central General Manager's office, Room 908, Penn Central Station, 30th and Market Streets, Philadelphia, Pennsylvania, between 8 a.m., and 5 p.m., Monday through Friday.

In addition to this publication, Penn Central shall, by November 3, 1975, furnish a copy of this notice and invitation for written submission, to known shippers on the portions of the Lebanon Secondary Track and East Lebanon Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this copy of this notice at each station along that line, continually during the period from November 3, 1975 through December 17, 1975.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Governor of Pennsylvania, the Pennsylvania Department of Transportation, the Pennsylvania Public Utility Commission, The Pennsylvania Department of State Planning, the Lebanon County Redevelopment Authority, the Mayor of the City of Lebanon, the Board of County Commissioners of Lebanon County, the Director of the Rail Services Planning Office, the President of the National Rail Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

Publication of this notice does not mean that the Association has reached any conclusion as to merits of the application. The Association will consider the application in the light of the public comments received and the requirements and purposes of the Act before making a decision. The Association will deny any application which a State or local or regional transportation authority reasonably opposes, or where the authorization requested is inconsistent with the requirements and purposes of the Act; it will grant the application if that action is consistent with the requirements and purposes of the Act.

Dated at Washington, D.C. this 21st day of October 1975.

JAMES A. HAGEN,
President,
United States Railway Association.

[FR Doc.75-29085 Filed 10-29-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

ALASKA STATE STANDARDS

Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occcupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On August 10, 1973, notice was published in the FEDERAL REGISTER (38 FR 21628) of the approval of the Alaska plan and the adoption of Subpart R to Part 1952 containing the decision.

The Alaska plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. Section 1952.243 of Subpart R sets forth the State's schedule for the adoption of at least as effective State standards.

By letter dated November 9, 1973 (Subpart E) and January 1974 (Subpart M) from R. L. Smith, Commissioner, Department of Labor, and letter dated March 3, 1975 (Subpart F) from Edmund N. Orbeck, Commissioner, Department of Labor to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR Part 1910, Subparts E, M and F. Subpart E, which is contained in subchapter 2 of the Industrial Housing Code, was promulgated after resolution adopted by the Alaska Department of Labor on August 27, 1974, pursuant to AS 44.62.040 and 44.62.120. Subparts M and F, which are contained in Chapter 1 of the General Safety Code, were promulgated by the Alaska Department of Labor on May 31, 1973, pursuant to AS 44.62.080 and 44.62.120.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards and are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; State of Alaska, Department of Labor, Office of the Commissioner, Juneau, Alaska 99801; and Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, New Department of Labor Building, Room N3603, 200 Constitution Avenue NW, Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2(c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Alaska State plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards and are therefore deemed to be at least as effective.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective October 30, 1975.

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

Signed at Seattle, Washington this fifteenth day of September, 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-29187 Filed 10-29-75;8:45 am]

ALASKA STATE STANDARDS

Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On August 10, 1973, notice was published in the FEDERAL REGISTER (38 FR 21628) of the approval of the Alaska plan and the adoption of Subpart R to Part 1952 containing the decision.

The Alaska plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. Section 1952.243 of Subpart R sets forth the State's schedule for the adoption of at least as effective State standards.

By letters dated January 8, 1974 (Subpart K) and February 8, 1974 (Subpart Q) from James A. Witt, Deputy Commissioner to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR Part 1910 Subparts K and Q. These standards, which are contained in Chapter 1 of the General Safety Code, were promulgated by the State on May 31, 1973.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; State of Alaska, Department of Labor, Office of the Commissioner, Juneau, Alaska 99801; and Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, New Department of Labor Building, Room N3603, 200 Constitution Avenue NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Alaska plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason:

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective October 30, 1975.

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

Signed at Seattle, Washington this eleventh day of September, 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-29188 Filed 10-29-75;8:45 am]

ALASKA STATE STANDARDS

Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards in accordance with section 18(c) of the Act and 29 CFR Part 1902. On August 10, 1973, notice was published in the FEDERAL REGISTER (38 FR 21628) of the approval of the

Alaska plan and the adoption of Subpart R to Part 1952 containing the decision.

The Alaska plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. Section 1952.243 of Subpart R sets forth the State's schedule for the adoption of at least as effective State standards.

By letter dated February 28, 1974, from James A. Witt, Deputy Commissioner, Alaska Department of Labor, to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR Part 1910, Subpart L. These standards, which are contained in subchapter 2 of the Industrial Housing Code, were promulgated by the Alaska Department of Labor on August 27, 1974.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; State of Alaska, Department of Labor, Office of the Commissioner, Juneau, Alaska 99801; and Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, New Department of Labor Building, Room N3603, 200 Constitution Avenue NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Alaska State plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective October 30, 1975.

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

Signed at Seattle, Washington this 15th day of September, 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-29189 Filed 10-29-75;8:45 am]

MICHIGAN STATE STANDARDS

Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Directors for Occupational Safety and Health (hereinafter called the Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On October 3, 1973, notice was published in the FEDERAL REGISTER (38 FR 27338) of the approval of the Michigan plan and the adoption of Subpart T to Part 1952 containing the decision.

The Michigan plan provides for the adoption of Federal standards as State standards by reference. Section 1952.263 of Subpart T sets forth the State's schedule for the adoption of Federal standards. By letter dated March 19, 1975, from Keith Molin, Director, Michigan Department of Labor, and Maurice S. Reizen, M.D., Director, Michigan Department of Public Health, to Edward E. Estkowski, Assistant Regional Director, Occupational Safety and Health Administration, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR Part 1910, Subpart S. These standards were adopted by reference under authority of Act No. 154 of the Public Acts of 1974, enacted by the State Legislature on June 18, 1974.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, 230 South Dearborn Street, Chicago, Illinois 60604; State of Michigan, Department of Labor, 300 East Michigan Avenue, Lansing, Michigan 48926; and Office of the Associate Assistant Secretary for Regional Programs, Room N3603, 200 Constitution Avenue, NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Michigan State plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards and are therefore deemed to be at least as effective.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective October 30, 1975.

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

Signed at Chicago, Illinois this 17th day of September 1975.

EDWARD E. ESTKOWSKI,
Assistant Regional Director.

[FR Doc.75-29190 Filed 10-29-75;8:45 am]

OREGON STATE STANDARDS

Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the FEDERAL REGISTER (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision. The notice of Approval of Revised Developmental Schedule was further published on April 1, 1974, in the FEDERAL REGISTER (39 FR 11881).

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act.

Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated October 30, 1974, from M. Keith Wilson, Chairman, Workmen's Compensation Board to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning Subpart G of Part 1910, Title 29, Code of Federal Regulations. These standards, which are contained in Oregon Safety and Health Code were promulgated by the State after Notice of Intent was published in the Department of State's Administrative Rule Bulletin Vol. 14, No. 8, dated October 15, 1974. A public hearing was held on September 24, 1974.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, 909 First Avenue, Federal Office Building, Seattle, Washington 98174; Workmen's Compensation Board, Labor and Industries Building, Room 204, Salem, Oregon 97310; and the Technical Data Center, Room N-3620, 200 Constitution Avenue, NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective October 30, 1975.

(Sec. 18, Pub. L. 91-296, 84 Stat. 1608 (29 U.S.C. 667)).

Signed at Seattle, Washington this 29th day of August 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-29191 Filed 10-29-75;8:45 am]

SOUTH CAROLINA STANDARDS

Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called the Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On December 6, 1972, notice was published in the FEDERAL REGISTER (37 FR 25932) of the approval of the South Carolina plan and the adoption of Subpart C to Part 1952 containing the decision. The South Carolina plan provides for the adoption of Federal standards as State standards after public hearing.

By letters dated April 30, 1975, and June 6, 1975, from Edgar L. McGowan, Commissioner, South Carolina Department of Labor to Donald E. MacKenzie, Assistant Regional Director and incorporated as a part of the plan, the State submitted amended State standards comparable to OSHA standards 29 CFR Part 1910 and 29 CFR Part 1926 as follows: amendments to § 1910.217 and § 1910.106 dated January 27, 1975; amendments to § 1910.67, § 1910.70, § 1910.183, § 1910.189, § 1910.190, § 1910.268, § 1910.269, § 1910.-274, and § 1910.275 dated March 26, 1975; amendment deleting § 1910.267 and replacing it with 29 CFR Part 1928 dated April 25, 1975; amendments to § 1910.40, § 1910.100, § 1910.116, § 1910.141, § 1910.-165, § 1910.171, § 1910.184, and § 1910.254 dated April 28, 1975; recodification of § 1910.93 through § 1910.93q as a new Subpart Z, § 1910.1000 through § 1910.-1017 and amendments to § 1910.94, § 1910.99, § 1910.141, § 1910.178, § 1910.-252, § 1910.261, § 1910.262, § 1910.265, § 1910.1002, § 1910.1499, § 1910.1500, Tables G-1, G-2, and G-3, and § 1926.55 dated May 28, 1975; and correction to § 1910.106 dated June 2, 1975. Further, the State independently revised State standards comparable to § 1926.400(h) and § 1910.309(c) to make inapplicable the National Electrical Code requirement (§ 210-7) on ground fault circuit interruptors.

These standards were promulgated after public hearings held on April 24, 1975, and by filing with the South Carolina Secretary of State on April 24, 1975, and June 5, 1975, respectively, pursuant to Act 379, South Carolina Acts and Joint Resolutions, 1971 (Section 40-261 through 40-274 South Carolina Code of Laws, 1962).

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards, with the exception that the State has not incorporated the requirement of Section 210-7 of the National Electrical Code as adopted by § 1910.309 and §1926.400. The standards are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement along with the approved plan may be inspected and copied during normal business hours at the following locations: Office of the Commissioner of Labor, South Carolina Department of Labor, 3600 Forest Drive, Columbia, South Carolina 29211; Office of the Assistant Regional Director, Suite 587, 1375 Peachtree Street, N.E., Atlanta, Georgia 30309; and Office of the Associate Assistant Secretary for Regional Programs, Room N3603, 200 Constitution Avenue, NW., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds good cause exists for not publishing the supplement to the South Carolina State Plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards and are therefore deemed to be at least as effective.

2. The standards were adopted in accordance with procedural requirements of State law and further participation would be unnecessary.

This decision is effective October 30, 1975.

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

Signed at Atlanta, Georgia, this 10th day of September, 1975.

DONALD E. MACKENZIE,
Assistant Regional Director.

[FR Doc.75-29192 Filed 10-29-75;8:45 am]

VIRGINIA

Consent Findings and Order

Notice is hereby given that on June 16, 1975, the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary) moved for dismissal of the pending proceedings for rejection of the Virginia Occupational Safety and Health Plan on the ground that the amended enabling legislation, enacted by the Virginia General Assembly in its 1975 regular session and considered by the Assistant Secretary as a modification to Virginia's Developmental Plan (see 40 FR 25741, June 18, 1975), had rendered moot the pending rejection proceeding. Notice of that proposed rejection was published at 39 FR 27844, August 1, 1974. The Commonwealth of Virginia objected to the Assistant Secretary's Motion for Dismissal and requested a hearing contending that collateral issues remained pending for the Administrative Law Judge's determination. A hearing on this procedural matter was scheduled for July 25, 1975. Prior to the date scheduled for hearing, however, the Assistant Secretary and the Virginia Commissioner of Labor and Industry agreed upon the following Consent Findings: in the event that the Assistant Secretary approves the amended Virginia enforcement procedures as being "at least as effective as" the Federal enforcement procedures under the Occupational Safety and Health Act of 1970, the current rejection proceedings will be rendered moot. If, however, the Assistant Secretary proposes to reject the amended Virginia enforcement procedures then the amended legislation would be the subject of the rejection proceeding. In accordance with the above findings, a Consent Order was signed by the Administrative Law Judge on July 25, 1975. The Assistant Secretary's Motion for Dismissal was withdrawn and the current rejection proceedings continued pending the outcome of the Assistant Secretary's review of Virginia's legislative amendments in accordance with 29 CFR 1902.11, 1902.3 and 1902.4.

Signed at Washington, D.C. this 9th day of October, 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc.75-29193 Filed 10-29-75;8:45 am.]

Office of the Secretary

[TA-W-244]

CHARLES H. LIEBMAN AND BROTHER, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of Charles H. Liebman and Brother, Inc., Philadelphia, Pennsylvania (TA-W-244). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits and sport coats produced by Charles H. Liebman and Brother, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29199 Filed 10-29-75;8:45 am]

[TA-W-256]

CHRYSLER CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 17, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Chrysler Styling, Chrysler Corporation, Detroit, Michigan (TA-W-256). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with styling of automobiles and trucks produced by Chrysler Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, or or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3d St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 20th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29194 Filed 10-29-75;8:45 am]

[TA-W-258]

COLONNA AND CO., INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 20, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by and on behalf of the workers and former workers of Colonna and Company, Incorporated, Long Island City, New York (TA-W-258). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with marble slabs produced by Colonna and Company, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 20th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29195 Filed 10-29-75;8:45 am]

[TA-W-204]

FAIRFOOT SHOE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 2, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Boot and Shoe Workers Union on behalf of the workers and former workers of Fairfoot Shoe Company, Bedford, Pennsylvania a division of Altoona Shoe Manufacturing Company, Altoona, Pennsylvania (TA-W-204). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with women's footwear produced by Fairfoot Shoe Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 2nd day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29196 Filed 10-29-75;8:45 am]

[TA-W-242]

J. MAIMON AND SONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of J. Maimon and Sons, Inc., Philadelphia, Pennsylvania (TA-W-242). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with Sport coats, suits and slacks produced by J. Maimon and Sons, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29200 Filed 10-29-75;8:45 am]

[TA-W-243]

K & D CLOTHING CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of K & D Clothing Company, Philadelphia, Pennsylvania (TA-W-243). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits produced by K & D Clothing Company, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29197 Filed 10-29-75;8:45 am]

[TA-W-246]

LAWRENCE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of The Lawrence Company, Philadelphia, Pennsylvania (TA-W-246). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits and sport coats produced by The Lawrence Company, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at

the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29198 Filed 10-29-75;8:45 am]

[TA-W-247]

NICK IPPOLITI, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of Nick Ippoliti, Inc., Philadelphia, Pennsylvania (TA-W-247). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's clothing produced by Nick Ippoliti, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29201 Filed 10-29-75;8:45 am]

[TA-W-241]

PENN STATE CLOTHING CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of Penn State Clothing Corporation, Philadelphia, Pennsylvania (TA-W-241). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits and sport coats produced by Penn State Clothing Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29202 Filed 10-29-75;8:45 am]

[TA-W-248]

STANLEY BLACKER, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 14, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of Stanley Blacker, Inc., Philadelphia, Pennsylvania (TA-W-248). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with tailored suits and sport coats produced by Stanley Blacker, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation 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. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before November 10, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 14th day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-29203 Filed 10-29-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 897]

ASSIGNMENT OF HEARINGS

OCTOBER 24, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include

cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 1515 Sub 203, Greyhound Lines, Inc., now assigned November 10, 1975, at San Francisco, Calif., is canceled and transferred to Modified Procedure.
MC 124606 Sub 4, Ford Truck Line, Inc., now assigned November 10, 1975, at Little Rock, Arkansas; is postponed indefinitely.
MC 61592 Sub 355, Jenkins Truck Line, Inc., application dismissed.
MC 138627 Sub 6, Smithway Motor Express, Inc., application dismissed.

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

[FR Doc.75-29206 Filed 10-29-75;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 24, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 43067—*Joint Water-Rail Container Rates—Atlantica Line.* Filed by Atlantica Line (Atlantica, S.P.A. Genoa, Italy), (No. 2), for itself and interested rail carriers. Rates on general commodities, between rail stations on the U.S. Pacific Coast, and ports in Italy, Spain, Portugal, and France.

Grounds for relief—Water competition.

By the Commission.

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

[FR Doc.75-29207 Filed 10-29-75;8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

OCTOBER 24, 1975.

The following applications 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 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, 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, 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.

Texas Docket No. 2674 (amended) filed August 4, 1975, published in the Federal Register issue of October 16, 1975. Applicant: TEXAS TEX-PACK EXPRESS, INC., 150 E. Zavalla St., San Antonio, Tex. 78204. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Procedural Note-Hearing: The FEDERAL REGISTER erroneously shows that a hearing will be scheduled in this docket on or before November 17, 1975. The Texas Railroad Commission has not specified a hearing date, but indicates that a hearing may be scheduled any date 30 days after the October 16, 1975 FEDERAL REGISTER Notice.

By the Commission.

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

[FR Doc.75-29211 Filed 10-29-75;8:45 am]

[Notice No. 39]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

OCTOBER 24, 1975.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 647 (Deviation No. 3), EXHIBITORS SERVICE COMPANY, 85 Helen Street, McKees Rocks, Pa. 15136, filed October 16, 1975. Carrier's representative: Samuel P. Delisi, 604 Law & Finance Bldg., Pittsburgh, Pa. 15219. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 22 and Pennsylvania Highway 764 near Duncansville, Pa., over Pennsylvania Highway 764 to junction Pennsylvania Highway 36, thence over Pennsylvania Highway 36 to junction U.S. Highway 219, thence over U.S. Highway 219 to junction Pennsylvania Highway 286, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Hollidaysburg, Pa., over U.S. Highway 22 to Ebensburg, Pa., thence over U.S. Highway 219 to junction Pennsylvania Highway 286 and return over the same route.

No. MC 42405 (Deviation No. 9), MISTLETOE EXPRESS SERVICE, d.b.a. MISTLETOE EXPRESS, 111 N. Harrison, Oklahoma City, Okla. 73112, filed October 9, 1975. Carrier's representative: Max G. Morgan, 223 Ciudad Bldg., Oklahoma City, Okla. 73112. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Nowata, Okla., over U.S. Highway 169 to Tulsa, Okla., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Nowata, Okla., over U.S. Highway 60 to junction U.S. Highway 66 near Whiteoak, Okla., thence over U.S. Highway 66 to Tulsa, Okla., and return over the same route.

No. MC 48958 (Deviation No. 70), ILLINOIS-CALIFORNIA EXPRESS, INC., 510 E. 51st Ave., Denver, Colo. 80216, filed October 16, 1975. Carrier's representative: Morris G. Cobb, P.O. Box 9050, Amarillo, Tex. 79105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Abilene, Tex., over Interstate Highway 20 (U.S. Highway 80) to junction Interstate Highway 10, thence over Interstate Highway 10 (U.S. Highway 80) to Phoenix, Ariz., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Abilene, Tex., over Texas Highway 351 to junction U.S. Highway 180, thence over U.S. Highway 180 to Albany, Tex., thence over U.S. Highway 283 to junction Texas Highway 79 near Throckmorton, Tex., thence over Texas Highway 79 to Olney, Tex., thence over Texas Highway 199 to Seymour, Tex., thence over U.S. Highway 283 to Vernon, Tex., thence over U.S. Highway 287 to Amarillo, Tex., thence over U.S. Highway 66 to Flagstaff, Ariz., thence over Interstate Highway 17 to Phoenix, Ariz., and return over the same route.

No. MC 75320 (Deviation No. 57), CAMPBELL SIXTY-SIX EXPRESS,

INC., P.O. Box 807, Springfield, Mo. 65801, filed October 10, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Wagoner, Okla., over Oklahoma Highway 16 to junction Muskogee Turnpike, thence over Muskogee Turnpike to junction Interstate Highway 40, thence over Interstate Highway 40 to Alma, Ark., and return over the same rout for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Wagoner, Okla., over Oklahoma Highway 51 to the Arkansas-Oklahoma State line, thence over Arkansas Highway 244 to junction Arkansas Highway 59, thence over Arkansas Highway 59 to junction U.S. Highway 62, thence over U.S. Highway 62 to Fayetteville, Ark., thence over U.S. Highway 71 to Alma, Ark., and return over the same route.

No. MC 111383 (Deviation No. 38) BRASWELL MOTOR FREIGHT LINES, INC., P.O. Box 4447, Dallas, Tex. 75208, filed October 10, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Oklahoma City, Okla., over H. E. Bailey Turnpike to Wichita Falls, Tex., thence thence over U.S. Highway 82 to Brownfield, Tex., thence over U.S. Highway 62 to El Paso, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Oklahoma City, Okla., over U.S. Highway 77 to Dallas, Tex., thence over U.S. Highway 80 to El Paso, Tex., and return over the same route.

By the Commission.

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

[FR Doc.75-29208 Filed 10-29-75;8:45 am]

[Notice No. 85]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 24, 1975.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) Grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under Sections 5(2) and 212(b); (4) notices of filing of Sections 5(2) and 210a(b) finance applications; and (5) notices of filing of section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 CFR § 1100.250.

Protests to the granting of the requested authority must be filed with the Commission on or before December 1, 1975 (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's general rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) or section 240(c)(4) of the special rules, and shall include the certification required therein.

No. MC 10761 (Sub-No. 266) (Republication), filed June 24, 1974, and published in the Federal Register issue of August 15, 1974, and republished this issue. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 5650 Foremost Drive SE., Grand Rapids, Mich. 49508. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. An Initial Decision and Order of Administrative Law Judge Daniel J. Davidson, dated August 13, 1975 and served August 20, 1975, became the Order of the Commission by Notice dated September 19, 1975, and served October 6, 1975, and finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: *electrical distribution transformers*, from the plantsite and warehouse facilities of the RTE Corporation at Waukesha, Wis., to points in Pennsylvania, New York, New Jersey, Maryland and Michigan; that applicant is fit, willing and able to properly perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate New Jersey as a destination state. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 111729 (Sub-No. 496) (Republication), filed January 7, 1975, and published in the Federal Register issue of February 6, 1975, and republished this issue. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). An Supplemental Order of the Commission, Operating Rights Board, dated September 22, 1975, and served October 8, 1975, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *cut flowers* and *decorative greens*, when moving at the same time and in the same vehicle with commodities the transportation of which is subject to economic regulation, (1) from Emerson, N.J. to points in New Jersey and New York restricted to the transportation of traffic having an immediately prior movement by motor vehicle, and and (2) from Newark Airport, Newark, N.J., to points in New Jersey and New York, restricted to the transportation of traffic having an immediately prior movement by air; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that applicant will provide through service from the Newark Airport, at Newark, N.J., to points in New Jersey and New York. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 119367 (Sub-No. 8) (Republication) filed July 24, 1974, and published in the Federal Register issue of August 22, 1974, and republished this issue. Applicant: ANTONA TRUCKING CO., INC., Route 208, P.O. Box 135, Washingtonville, N.Y. 10992. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. An Order of the Commission, Review Board

Number 1, dated October 3, 1975, and served October 17, 1975, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *scrap metal* from points in Dutchess, Orange, and Ulster Counties, N.Y., to points in Fairfield, Litchfield, and New Haven Counties, Conn., Bucks, Chester, Lancaster, Lehigh, and Northumberland Counties, Pa., and points in New Jersey; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate service to points in Chester, Pa. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 139934 (Sub-No. 1) (republication), filed June 10, 1974, and published in the Federal Register issue of July 25, 1974, and republished this issue. Applicant: WALKER CONTRACT CARRIER, INC., 4214 Beach Park Drive, Tampa, Fla. 33609. Applicant's representative: M. Craig Massey, 202 East Walnut Street, P.O. Box Drawer J, Lakeland, Fla. 33802. A Stay Decision and Order of the Commission, Review Board Number 3, dated October 6, 1975, and served October 17, 1975, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes of *general commodities* (except commodities of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, motor vehicles, and chemicals, phosphates, phosphate products, and phosphate by-products in bulk), in containers or in trailers between Tampa and Port Manatee, Fla., on the one hand, and, on the other, points in Florida south of Levy, Alchua, Clay, and Duval Counties, Fla., restricted against the transportation (a) of building and construction materials from Tampa, and (b) of plywood from Port Manatee, and further restricted to the transportation of shipments having an immediately prior or subsequent movement by water. The certificate issued insofar as it concerns the transportation of dangerous commodities shall be subject to the condition that it shall be limited in point of time to a period expiring 5 years from the date of issuance. The purpose of this republication is to indicate the transportation in containers or trailers. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 63838 (Sub-No. 6) (Amended notice of filing of petition to modify certificate), filed August 28, 1975, and published in the Federal Register issue of September 17, 1975, and republished as amended this issue. Petitioner: BOLUS MOTOR LINES, INC., 700 N. Keyser, Ave., Scranton, Pa. 18508. Petitioner's representative: Kenneth R. Davis, 121 S. Main Street, Taylor, Pa. 18517. Petitioner holds a motor *common carrier* certificate in No. MC 63838 (Sub-No. 6), issued April 11, 1975, authorizing transportation, over irregular routes, of *Television bulbs,* from the facilities of Owens-Illinois, Inc., at or near Pittston Township, Pa., to Auburn and Seneca Falls, N.Y. By the instant petition, petitioner seeks to modify the above described authority so as to read, *Television bulbs* and *Glass face plates* used in the manufacture of television bulbs, between the plantsite of Owens-Illinois, Inc., at or near Pittston Township, Pa., on the one hand, and, on the other, Auburn and Seneca Falls, N.Y. The purpose of this republication is to indicate that *television bulbs* should be included in the commodity description of the requested authority. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 119313 and (Sub-No. 2) (Notice of filing of petition to modify territorial descriptions) filed September 25, 1975. Petitioner: CRESCENT TRUCKING, INC., 120 Bridge Street, Mayville, Wis. 53050. Petitioner's Representative: Edward Solie, Executive Building-Suite 100, 4513 Vernon Blvd., Madison, Wis. 53705. Petitioner holds motor *common carrier* certificates in No. MC 119313 and MC 119313 (Sub-No. 2), issued January 8, 1960 and April 6, 1967, respectively, authorizing transportation, as pertinent, over irregular routes, in MC 119313, of (1) *Sheet metal products,* from Mayville, Wis., to points in Illinois, Indiana, Ohio, Michigan, Iowa, and Minnesota; (2) *steel,* from points in Illinois, Indiana, Ohio, Michigan, Iowa, and Minnesota, to Mayville, Wis.; and (3) *dies and tools,* between Mayville, Wis., on the one hand, and, on the other, points in Illinois, Indiana, Ohio, Michigan, Iowa, and Minnesota; and in MC 119313 (Sub-No. 2), of (1) *Fabricated metal products* (except sheet metal products) and *related parts and accessories* thereto, from Mayville, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota and Ohio; and (2) *steel products* used in the manufacture of fabricated metal products, from points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Ohio, to Mayville, Wis.

By the instant petition, petitioner seeks to add Allenton, Wis. as a terminal point in the above described authorities so as to read, in MC 119313, (1) *Sheet metal products,* from Mayville and Allenton, Wis., to points in Illinois, Indiana, Ohio, Michigan, Iowa and Minnesota; (2) *steel,* from points in Illinois, Indiana, Ohio, Michigan, Iowa, and Minnesota, to Mayville and Allenton, Wis.; and (3) *dies and tools,* between Mayville and Allenton, Wis., on the one hand, and, on the other, points in Illinois, Indiana, Ohio, Michigan, Iowa, and Minnesota; and in MC 119313 (Sub-No. 2), (1) *Fabricated metal products* (except sheet metal products) and *related parts* and accessories thereto, from Mayville and Allenton, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Ohio; and (2) *steel products* used in the manufacture of fabricated metal products, from points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Ohio, to Mayville and Allenton Wis. Any interested person or persons desiring to participate may file an original and six copies of his written representations views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 140952 (Notice of filing of petition to modify commodity descriptions), filed July 14, 1975. Petitioner: HELEN G. LEE, doing business as REFRIGERATED EXPRESS, 1209 Kanawha Terrace, Huntington, W. Va. 25701. Petitioner's Representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Petitioner holds a motor *common carrier* certificate in No. MC 140952 issued October 8, 1975, authorizing transportation, over irregular routes, of (1) *Such commodities* as are manufactured, sold, and distributed by packinghouses: (a) between Williamson and Logan, W. Va., on the one hand, and on the other, points in Wyoming, Logan and Lincoln Counties, W. Va.; (b) between Logan, W. Va., on the one hand, and, on the other, points in Mingo and Wayne Counties, W. Va. and those in Pike County, Ky.; and (2) *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses* as described in the appendix to the report in *Modification of Permits of Motor Common Carriers of Packinghouse Products,* 46 M.C.C. 23: (a) between Logan, W. Va., on the one hand, and, on the other, points in Cabell and Putnam Counties, W. Va., Lawrence and Scioto Counties, Ohio, Russel, Ky., and points in Boyd and Lawrence Counties, Ky.; and (b) from Huntington, W. Va., to points in West Virginia, Ohio and Kentucky within 100 miles of Huntington, W. Va.

By the instant petition, petitioner seeks to modify the commodity descrip-

tions in (1) and (2) above so as to read, *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under Sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 105808 (Sub-No. 10), filed October 10, 1975. Applicant: PLYMOUTH ROCK TRANSPORTATION CORP., 1230 Massachusetts Avenue, Boston, Mass. 02125. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving points in Massachusetts as off-route points, in connection with carrier's authorized regular route operations.

NOTE.—The purpose of this application is to convert a Certificate of Registration applicant seeks to acquire to a Certificate of Public Convenience and Necessity. This is a matter directly related to a Section 5(2) proceeding in MC-F-12655 published in the Federal Register issue of October 22, 1975. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 108119 (Sub-No. 45), filed September 18, 1975. Applicant: E. L. MURPHY TRUCKING CO., a Corporation, 3303 Sibley Memorial Highway, P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Donald A. Morken, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which, because of size or weight, require special handling or the use of special equipment, (2) *self-propelled articles*, each weighing 15,000 pounds or more, and (3) *related parts, materials, and supplies*, when their transportation is incidental to commodities in paragraphs (1) and (2) above, restricted to commodities in (2) above which are transported by trailers and further restricted against the transportation of farm machinery, (1) (A) between points in Connecticut, on the one hand, and, on the other, points in Arizona, California, Colorado, Kansas (points on, north, and west of a line extending westerly from the Kansas-Missouri line along Interstate Highway 70 to its junction with the Kansas Turnpike, thence southwesterly along the Kansas Turnpike to its junction with U.S. Highway 166, thence westerly along U.S. Highway 166 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to the Kansas-Oklahoma State Line, and points in the Kansas City Commercial Zone), Missouri (points in the Kansas City Commercial Zone only), Nebraska, Nevada, New Mexico, Oklahoma, points on and west of a line extending southerly from the Kansas-Oklahoma State Line along U.S. Highway 81 to its junction with U.S. Highway 60, thence westerly along U.S. Highway 60 to its junction with U.S. Highway 183.

Thence southerly along U.S. Highway 183 to the Oklahoma-Texas State Line, Texas (points on and west of a line extending southerly from the Oklahoma-Texas State Line along U.S. Highway 283 to its junction with U.S. Highway 80, thence westerly along U.S. Highway 80 to its junction with U.S. Highway 277, thence southwesterly along U.S. Highway 277 to Del Rio, Tex., thence southwesterly along unnumbered highway to the International Boundary with Mexico), Utah and Wyoming and (B) between points in Connecticut, on the one hand, and, on the other, points in Kansas not described in Part (1) (A) above. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota. (2) (A) between points in Delaware, on the one hand, and, on the other, points in Arizona, California, Colorado, Kansas (points on and west of a line extending southerly from the Kansas-Nebraska State Line along U.S. Highway 77 to its junction with U.S. Highway 36, thence westerly along U.S. Highway 36 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to its junction with Kansas Highway 140, thence southwesterly along Kansas Highway 140 to its junction with U.S. Highway 156, thence southwesterly along U.S. Highway 156 to its junction with U.S. Highway 56, thence southwesterly along U.S. Highway 56 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to its junction with U.S. Highway 54, thence southerly along U.S. Highway 54 to the Oklahoma-Kansas State Line), Nebraska (points on, north, and west of a line extending from the Missouri-Nebraska State Line westerly along U.S. Highway 136 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to the Kansas-Nebraska State Line), Nevada, New Mexico, points on and west of a line extending from the New Mexico-Texas State Line westerly along U.S. Highway 62 to its junction with New Mexico Highway 18.

Thence southerly along New Mexico Highway 18 to the New Mexico-Texas State Line, Oklahoma (points on and west of U.S. Highway 54), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 54 to its junction with U.S. Highway 87, thence southerly along U.S. Highway 87 to its junction with U.S. Highway 62, thence southerly along U.S. Highway 62 to the New Mexico-Texas State Line, and also that part of Texas extending southerly from the New Mexico-Texas State Line along Texas Highway 18 to its junction with Texas Highway 115, thence southerly along Texas Highway 115 to its junction with U.S. Highway 80, thence southwesterly along U.S. Highway 80 to its junction with Texas Highway 17, thence southerly along Texas Highway 17 to the International Boundary with Mexico near Presidio, Tex.), Utah and Wyoming and (B) between points in Delaware, on the one hand, and, on the other, points in Nebraska and New Mexico not described above. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota.

(3) (A) (1) from points in Arizona, California, Nevada, Utah, and Wyoming, to points in Maryland, (2) from points in Colorado, Iowa (points in the Council Bluffs Commercial Zone), Kansas (points on and west of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 81 to its junction with U.S. Highway 24, thence westerly along U.S. Highway 24 to its junction with U.S. Highway 183, thence southerly along U.S. Highway 183 to its junction with Kansas Highway 96, thence westerly along Kansas Highway 96 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to the Kansas-Oklahoma State Line), Nebraska (points on, north, and west of a line extending from the Missouri-Nebraska State Line westerly along U.S. Highway 136 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to the Kansas-Nebraska State Line), New Mexico (points on and west of a line extending from the New Mexico-Texas State Line along U.S. Highway 54 to its junction with New Mexico Highway 18, thence southerly along New Mexico Highway 18 to its junction with U.S. Highway 62, thence southwesterly along U.S. Highway 62 to the New Mexico-Texas State Line), Oklahoma (points on and west of U.S. Highway 54), Texas (points on and west of U.S. Highway 54, and points on and west of a line extending from the New Mexico-Texas State Line southerly along U.S. Highway 62 to its junction with Texas Highway 54, thence southerly along Texas Highway 54 to its junction with U.S. Highway 67, thence southerly along U.S. Highway 67 to its end at the International Boundary with Mexico near Presidio, Tex.), to points in Maryland that are on and east of a line extending from the Maryland-Pennsylvania State Line southerly along Interstate Highway 81 to its junction with U.S. Highway 40, thence southeasterly along U.S. Highway 40 to Baltimore, thence easterly along the southern border of Kent County to the Delaware-Maryland State Line.

(3) From points in Colorado, Iowa (points in the Council Bluffs Commer-

cial Zone), Kansas (points on and west of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 81 to its junction with U.S. Highway 24, thence westerly along U.S. Highway 24 to its junction with U.S. Highway 183, thence southerly along U.S. Highway 183 to its junction with U.S. Highway 56, thence westerly along U.S. Highway 56 to its junction with U.S. Highway 283, thence southerly long U.S. Highway 283 to its junction with U.S. Highway 54, thence southwesterly along U.S. Highway 54 to the Kansas-Oklahoma State Line), Nebraska (points on, north, and west of a line extending from the Missouri-Nebraska State Line westerly along U.S. Highway 136 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to the Kansas-Nebraska State Line), New Mexico (points on and west of a line extending from the New Mexico-Texas State Line along U.S. Highway 70 to its junction with U.S. Highway 285, thence southerly along U.S. Highway 285 to its junction with U.S. Highway 62, thence southerly along U.S. Highway 62 to the New Mexico-Texas State Line), Oklahoma (points on and west of U.S. Highway 54), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 54 to its junction with U.S. Highway 87, thence southerly along U.S. Highway 87 to its junction with U.S. Highway 60, thence southwesterly along U.S. Highway 60 to the New Mexico-Texas State Line, and points on and north of a line extending from the New Mexico-Texas State Line southwesterly along U.S. Highway 62 to the International Boundary with Mexico near El Paso, Tex.), to points in Maryland that are on and south of a line extending from the Maryland-West Virginia State Line northerly along Interstate Highway 81 to its junction with U.S. Highway 40, thence easterly along U.S. Highway 40 to Baltimore, thence along the southern boundary of Kent County to the Delaware-Maryland State Line, and

(4) From points in Colorado (points on, north, and west of a line extending from the Colorado-Kansas State Line westerly along U.S. Highway 36 to its junction with Colorado Highway 71, thence southerly along Colorado Highway 71 to its junction with U.S. Highway 24, thence southwesterly along U.S. Highway 24 to its junction with Interstate Highway 25, thence southerly along Interstate Highway 25 to the Colorado-New Mexico State line), Iowa (points in the Council Bluffs Commercial Zone), Kansas (points on, west, and north of a line extending from the Kansas-Nebraska State line southerly along U.S. Highway 83 to its junction with U.S. Highway 36, thence westerly along U.S. Highway 36 to the Colorado-Kansas State Line), Nebraska (points on and north of a line extending from the Iowa-Nebraska State Line westerly along Interstate Highway 80 to its junction with U.S. Highway 6, thence westerly along U.S. Highway 6 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to the Kansas-Nebraska State Line), New Mexico (points on, and west of a line extending from the Colorado-New Mexico State Line southerly along Interstate Highway 25 to its junction with New Mexico Highway 3, thence southerly along New Mexico Highway 3 to its junction with U.S. Highway 54, thence southerly along U.S. Highway 54 to the New Mexico-Texas State Line), Texas (points in El Paso County only), to points in Maryland west of Interstate Highway 81, (B) from points in Colorado, Nebraska, and New Mexico not described above, to points in Maryland. The purpose of this filing is to eliminate the gateways of Points in Pennsylvania, Ohio, and Minnesota.

(4) (A) (1) between points in Massachusetts, on the one hand, and, on the other, points in Arizona, California, Colorado, Nebraska, Nevada, New Mexico, Utah, and Wyoming, (2) between points in Massachusetts on and east of a line extending from the Massachusetts-New Hampshire State Line southerly along U.S. Highway 202 to its junction with Massachusetts Highway 2, thence easterly along Massachusetts Highway 2 to its junction with Massachusetts Highway 140, thence southerly along Massachusetts Highway 140 to its junction with Massachusetts Highway 12, thence southerly along Massachusetts Highway 12 to its junction with Massachusetts Highway 122, thence southerly along Massachusetts Highway 122 to its junction with Massachusetts Highway 140, thence southeasterly along Massachusetts Highway 140 to its junction with Massachusetts Highway 123, thence southwesterly along Massachusetts Highway 123 to the Massachusetts-Rhode Island State Line, on the one hand, and, on the other hand, points in Iowa (points on and west of Interstate Highway 35), Kansas (points on and west of a line extending from the Kansas-Missouri State Line westerly along Kansas Highway 68 to its junction with U.S. Highway 169, thence southerly along U.S. Highway 169 to its junction with Kansas Highway 39, thence southerly along Kansas Highway 39 to its junction with U.S. Highway 160, thence westerly along U.S. Highway 160 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to the Kansas-Oklahoma State Line), Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along U.S. Highway 77 to its junction with U.S. Highway 60, thence westerly along U.S. Highway 60 to its junction with Interstate Highway 35, thence southerly along Interstate Highway 35 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along Interstate Highway 35 to its junction with U.S. Highway 377, thence southwesterly along U.S. Highway 377 to its junction with Texas Highway 16, thence southerly along Texas Highway 16 to its junction with U.S. Highway 183, thence southeasterly along U.S. Highway 183 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to the International Boundary with Mexico, near Laredo, Tex., and also points in the Commercial Zone of Dallas), and

(3) Between points in Massachusetts west of the area described in (2) above, on the one hand, and, on the other, points in Iowa (points on and west of Interstate 35), Kansas (points on and west of a line extending from the Kansas-Missouri State Line southwesterly along Interstate Highway 35 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to its junction with U.S. Highway 166, thence westerly along U.S. Highway 166 to its junction with Interstate Highway 35, thence southerly along Interstate Highway 35 to the Kansas-Oklahoma State Line), Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along Interstate Highway 35 to its junction with U.S. Highway 60, thence westerly along U.S. Highway 60 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 81 to its junction with U.S. Highway 67, thence southwesterly along U.S. Highway 67 to its junction with U.S. Highway 281, thence southerly along U.S. Highway 281 to its junction with U.S. Highway 183, thence southeasterly along U.S. Highway 183 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to its junction with U.S. Highway 57, thence westerly along U.S. Highway 57 to the International Boundary with Mexico at Eagle Pass, Tex., and points in the Commercial Zone of Dallas), and (B) between points in Massachusetts, on the one hand, and, on the other, points in Kansas not described in Part A above. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota.

(5) (A) (1) Between points in New Jersey, on the one hand, and, on the other, points in Arizona, California, Colorado, Nebraska, Nevada, New Mexico, Utah, and Wyoming, (2) between points in New Jersey within the Commercial Zone of New York, on the one hand, and, on the other, points in Iowa (points on and west of U.S. Highway 71), Kansas (points on and west of a line extending from the Kansas-Missouri State Line westerly along Interstate Highway 70 to its junction with the Kansas Turnpike, thence southerly along the Kansas Turnpike to its junction with U.S. Highway 166, thence westerly along U.S. Highway 166 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to the Kansas-Oklahoma State Line), Missouri (points in the Kansas City Commercial Zone), Oklahoma (points on, north, and west of a line extending from the Kansas-Oklahoma State Line southerly along U.S. Highway 81 to its junction with U.S. Highway 60, thence westerly along U.S. Highway 60 to its junction with Oklahoma Highway 34, thence southerly along Oklahoma Highway 34 to its junction with Oklahoma

Highway 33, thence westerly along Oklahoma Highway 33 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to its junction with Oklahoma Highway 9, thence westerly along Oklahoma Highway 9 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line westerly along Texas Highway 203 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to its junction with U.S. Highway 277, thence southerly along U.S. Highway 277 to the International Boundary with Mexico near Del Rio, Tex.).

(3) Between points in New Jersey, other than those in the Commercial Zone of New York, on the one hand, and, on the other, points in Iowa (points on and west of U.S. Highway 75), Kansas (points on, west, and north of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 75 to its junction with U.S. Highway 36, thence westerly along U.S. Highway 36 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to its junction with U.S. Highway 24, thence westerly along U.S. Highway 24 to its junction with U.S. Highway 183, thence southerly along U.S. Highway 183 to its junction with U.S. Highway 56, thence southerly along U.S. Highway 56 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to its junction with U.S. Highway 54, thence southwesterly along U.S. Highway 54 to the Kansas-Oklahoma State Line), Nebraska (points on and west of a line extending from the Iowa-Nebraska State Line westerly along Nebraska Highway 2 to its junction with U.S. Highway 75, thence southerly along U.S. Highway 75 to the Kansas-Nebraska State Line), Oklahoma (points on and west of U.S. Highway 54), Texas, points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 54 to its junction with U.S. Highway 87, thence southerly along U.S. Highway 87 to its junction with U.S. Highway 62, thence southwesterly along U.S. Highway 62 to the New Mexico-Texas State Line, and also that part of Texas west of a line extending from the New Mexico-Texas State Line southerly along Texas Highway 18 to its junction with Texas Highway 115, thence southerly along Texas Highway 115 to its junction with U.S. Highway 80, thence southwesterly along U.S. Highway 80 to its junction with U.S. Highway 290, thence southeasterly along U.S. Highway 290 to its junction with Texas Highway 17, thence southerly along Texas Highway 17 to the International Boundary with Mexico near Presidio, Tex., and

(B) (1) Between points in New Jersey within the Commercial Zone of New York, on the one hand, and, on the other, points in Kansas not described in Part A(2) above and (2) between points in New Jersey, other than those within the Commercial Zone of New York, on the one hand, and, on the other, points in Nebraska not described in Part A(3) above. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota.

(6) (A) (1) between points in New York, on the one hand, and, on the other, points in Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, (2) between points in New York, on, north, and east of a line extending from Lake Ontario easterly along New York Highway 12 to its junction with Interstate Highway 81, thence southerly along Interstate Highway 81 to its junction with New York Highway 5, thence easterly along New York Highway 5 to its junction with U.S. Highway 20, thence easterly along U.S. Highway 20 to its junction with New York Highway 12–B, thence southerly along New York Highway 12–B to its junction with New York Highway 23, thence easterly along New York Highway 23 to the Massachusetts-New York State Line, on the one hand, and, on the other, points in Iowa (points on and west of Interstate Highway 35), Kansas (points on and west of a line extending from the Kansas-Missouri State Line southwesterly along Interstate Highway 35 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to the Kansas-Oklahoma State Line), Missouri (points in the Kansas City Commercial Zone), Nebraska, Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along U.S. Highway 177 to its junction with U.S. Highway 70, thence easterly along U.S. Highway 70 to its junction with U.S. Highway 377, thence southerly along U.S. Highway 377 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 75 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to its junction with Interstate Highway 37, thence southeasterly along Interstate Highway 37 to its end at Corpus Christi, Tex.).

(3) Between points in New York on, east, and south of a line extending from the New York-Pennsylvania State Line northerly along the western boundary of Delaware and Otsego Counties to its junction with New York Highway 23, thence easterly along New York Highway 23 to the Massachusetts-New York State Line, on the one hand, and, on the other, points in Iowa (points on and west of U.S. Highway 59), Kansas (points on and west of a line extending from the Kansas-Missouri State Line westerly along Interstate Highway 70 to its junction with the Kansas Turnpike, thence southerly along the Kansas Turnpike to its junction with U.S. Highway 166, thence westerly along U.S. Highway 166 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to the Kansas-Oklahoma State Line), Missouri (points in the Kansas City Commercial Zones), Nebraska, Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along U.S. Highway 81 to its junction with U.S. Highway 60, thence westerly along U.S. Highway 60 to its junction with Oklahoma Highway 34, thence southerly along Oklahoma Highway 34 to its junction with Oklahoma Highway 33, thence westerly along Oklahoma Highway 33 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to its junction with Oklahoma Highway 9, thence westerly along Oklahoma Highway 9 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line westerly along Texas Highway 203 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to its junction with U.S. Highway 277, thence southerly along U.S. Highway 277 to the International Boundary with Mexico near Del Rio, Tex.

(4) Between points in New York that lie west of the territory described in paragraphs (2) and (3) above, on the one hand, and, on the other, points in Iowa (points on and west of U.S. Highway 75), Kansas (points on and west of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 77 to its junction with U.S. Highway 40, thence westerly along U.S. Highway 40, to its junction with Kansas Highway 140, thence southwesterly along Kansas Highway 140 to its junction with U.S. Highway 156, thence southwesterly along U.S. Highway 156 to its junction with U.S. Highway 56, thence southwesterly along U.S. Highway 56 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to the Kansas-Oklahoma State Line), Nebraska (points on and west of a line extending from the Iowa-Nebraska State Line westerly along Nebraska Highway 2 to its junction with U.S. Highway 75, thence southerly along U.S. Highway 75 to the Kansas-Nebraska State Line), Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along U.S. Highway 283 to its junction with U.S. Highway 66, thence westerly along U.S. Highway 66 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line westerly along U.S. Highway 66 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to the International Boundary with Mexico at Laredo, Tex.), (B) (1) between points in New York, on the one hand, and, on the other, points in Nebraska not described above (2) between points in New York described in Part A, paragraphs (2) and (3), above, on the one hand, and, on the other, points in Kansas not described therein. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota.

(7) (A) (1) Between points in Pennsylvania on and west of U.S. Highway 15 on the one hand, and, on the other, points in Arizona, California, Nevada, Utah, and Wyoming, (2) between points in Pennsylvania on and west of U.S. Highway 15, which also lie on, east, and north of a line extending from the New York-Pennsylvania State Line southerly along

U.S. Highway 62 to its junction with U.S. Highway 6, thence southerly along U.S. Highway 6 to its junction with U.S. Highway 219, thence southerly along U.S. Highway 219 to its junction with U.S. Highway 322, thence southeasterly along U.S. Highway 322, to its junction with U.S. Highway 522, thence easterly along U.S. Highway 522 to its junction with U.S. Highway 15, on the one hand, and, on the other, points in Colorado, Iowa (points on and west of U.S. Highway 75), Kansas (points on, north, and west of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 77 to its junction with Kansas Highway 9, thence westerly along Kansas Highway 9 to its junction with U.S. Highway 24, thence westerly along U.S. Highway 24 to its junction with U.S. Highway 281, thence southerly along U.S. Highway 281 to its junction with U.S. Highway 54, thence westerly along U.S. Highway 54 to its junction with U.S. Highway 183, thence southerly along U.S. Highway 183 to the Kansas-Oklahoma State Line), Nebraska (points on, north, and west of a line extending from the Missouri-Nebraska State Line westerly along U.S. Highway 136 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to the Kansas-Nebraska State Line), New Mexico, Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along U.S. Highway 183 to its junction with Oklahoma Highway 15 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to its junction with U.S. Highway 60, thence westerly along U.S. Highway 60 to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 69 to its junction with Texas Highway 207, thence southerly along Texas Highway 207 to its junction with Texas Highway 669, thence southerly along Texas Highway 669 to its junction with Texas Highway 33, thence southerly along Texas Highway 33 to its junction with Texas Highway 137, thence southerly along Texas Highway 137 to its junction with Texas Highway 163 thence southerly along Texas Highway 163 to its junction with U.S. Highway 90, thence southerly along U.S. Highway 90 to Del Rio, Tex., thence along unnumbered highway to the International Boundary with Mexico near Del Rio, Tex.).

(3) Between points in Pennsylvania on and west of U.S. Highway 15, not included in (2) above, on the one hand, and, on the other, points in Colorado (points on and west of a line extending from the Colorado-Kansas State Line westerly along U.S. Highway 40 to its junction with U.S. Highway 287, thence southerly along U.S. Highway 287 to its junction with U.S. Highway 50, thence southwestrely along U.S. Highway 50 to its junction with U.S. Highway 350, thence southerly along U.S. Highway 350 to its junction with Interstate Highway 25, thence southerly along Interstate Highway 25 to the Colorado-New Mexico State Line), Iowa (points on and west of U.S. Highway 75), Kansas (points on and west of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 383 to its junction with U.S. Highway 40, thence westerly along U.S. Highway 40 to the Colorado-Kansas State Line), Nebraska (points on, west, and north of a line extending from the Iowa-Nebraska State Line westerly along Interstate Highway 80 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to its junction with U.S. Highway 6, thence westerly along U.S. Highway 6 to its junction with U.S. Highway 183, thence southerly along U.S. Highway 183 to the Kansas-Nebraska State Line), New Mexico (points on and west of a line extending from the Colorado-New Mexico State Line southerly along U.S. Highway 85 to its junction with U.S. Highway 84, thence southeasterly along U.S. Highway 84 to its junction with U.S. Highway 54, thence southerly along U.S. Highway 54 to the New Mexico-Texas State Line), and Texas (El Paso County only), (B) (1) between points in Pennsylvania on and west of U.S. Highway 15, on the one hand, and, on the other, points in Nebraska not described in Part A, (2) and (3) above and (2) between points in Pennsylvania described in Part A(3) above, on the one hand, and, on the other points in Colorado and New Mexico not described in Part A(3) above. The purpose of this filing is to eliminate the gateways of points in Ohio and Minnesota.

(8) (A) between points in Rhode Island, on the one hand, and, on the other, points in Arizona, California, Colorado, Iowa (points on and west of Interstate Highway 35), Kansas (points on and west of a line extending from the Kansas-Missouri State Line southerly along U.S. Highway 169 to its junction with Kansas Highway 39, thence westerly along Kansas Highway 39 to its junction with Kansas Highway 96, thence westerly along Kansas Highway 96 to its junction with Kansas Highway 99, thence southerly along Kansas Highway 99 to its junction with U.S. Highway 166, thence westerly along U.S. Highway 166 to its junction with Interstate Highway 35, thence southerly along Interstate Highway 35 to the Kansas-Oklahoma State Line, and including points in the Kansas City Commercial Zone), Nebraska, Nevada, New Mexico, Oklahoma (points on and west of a line extending from the Kansas-Oklahoma State Line southerly along Interstate Highway 35 to its junction with Oklahoma Highway 33, thence westerly along Oklahoma Highway 33 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to its junction with the H. E. Bailey Turnpike, thence southwesterly along the H. E. Bailey Turnpike to the Oklahoma-Texas State Line), Texas (points on and west of a line extending from the Oklahoma-Texas State Line southerly along U.S. Highway 281 to its junction with U.S. Highway 81, thence southwesterly along U.S. Highway 81 to the International Boundary with Mexico near Laredo, Tex.), Utah, and Wyoming and (b) between points in Rhode Island, on the one hand, and, on the other, points in Kansas not described in Part A, above. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota.

(A) (1) from points in California (points on and north of a line extending from the Pacific Ocean near Santa Cruz, Calif., northeasterly along California Highway 17 to its junction with Interstate Highway 680, thence northerly along Interstate Highway 680 to its junction with U.S. Highway 50, thence easterly along U.S. Highway 50 to the California-Nevada State Line), and Nevada (points in Douglas, Lyon, Storey, and Washoe Counties), to points in Virginia west of a line extending from the Virginia-West Virginia State Line southerly along Virginia Highway 311 to its junction with U.S. Highway 220, thence southerly along U.S. Highway 220 to its junction with Virginia Highway 40, thence easterly along Virginia Highway 40 to its junction with U.S. Highway 29, thence southerly along U.S. Highway 29 to the North Carolina-Virginia State Line.

(2) From points in California (points on, north, and west of a line extending from the California-Nevada State Line southwesterly along Interstate Highway 15 to its junction with California Highway 274, thence southerly along California Highway 274 to its junction with California Highway 62, thence southwesterly along California Highway 62 to its junction with Interstate Highway 10, thence westerly along Interstate Highway 10 to its junction with California Highway 111, thence southerly along California Highway 111 to its junction with California Highway 74, thence westerly along California Highway 74 to its junction with California Highway 71, thence southwesterly along California Highway 71 to its junction with U.S. Highway 395, thence southerly along U.S. Highway 395 to the International Boundary with Mexico near San Ysidro, Calif.), Colorado, points on, north, and west of a line extending from the Colorado-Nebraska State Line southwesterly along Interstate Highway 80-S to its junction with Interstate Highway 70, thence westerly along Interstate Highway 70 to its junction with Colorado Highway 82, thence southerly along Colorado Highway 82 to its junction with Colorado Highway 133, thence southerly along Colorado Highway 133 to its junction with Colorado Highway 92, thence westerly along Colorado Highway 92 to its junction with U.S. Highway 50, thence southerly along U.S. Highway 50 to its junction with Colorado Highway 90, thence southwesterly along Colorado Highway 90 to its junction with Colorado Highway 141, thence southwesterly along Colorado Highway 90 to its junction with Colorado Highway 141.

Thence southwesterly along Colorado Highway 141 to its junction with U.S. Highway 666, thence westerly along U.S. Highway 666 to the Colorado-Utah State Line, Nebraska (points on, north, and west of a line extending from the Iowa-Nebraska State Line westerly along

Nebraska Highway 51 to its junction with U.S. Highway 275, thence westerly along U.S. Highway 275 to its junction with U.S. Highway 81, thence southerly along U.S. Highway 81 to its junction with U.S. Highway 30, thence westerly along U.S. Highway 30 to its junction with U.S. Highway 34, thence southerly along U.S. Highway 34 to its junction with Interstate Highway 80, thence westerly along Interstate Highway 80 to the Colorado-Nebraska State Line), Nevada (points on, north, and west of Interstate Highway 15), Utah and Wyoming, to points in Virginia east of the territory described in paragraph (1) above, and west of a line extending from the Virginia-West Virginia State Line southerly along U.S. Highway 522 to its junction with U.S. Highway 33, thence southerly along U.S. Highway 33 to its junction with Interstate Highway 95, thence southerly along Interstate Highway 95 to its junction with Virginia Highway 35, thence southeasterly along Virginia Highway 35 to its junction with U.S. Highway 58, thence easterly along U.S. Highway 58 to its junction with U.S. Highway 258, thence southerly along U.S. Highway 258 to the North Carolina-Virginia State Line.

(3) From points in Arizona, California, Colorado, Iowa (points on and west of U.S. Highway 75), Kansas (points on and north and west of a line extending from the Kansas-Nebraska State Line southerly along U.S. Highway 81 to its junction with U.S. Highway 24, thence westerly along U.S. Highway 24 to its junction with U.S. Highway 183, thence southerly along U.S. Highway 183 to its junction with Interstate Highway 70, thence westerly along Interstate Highway 70 to its junction with U.S. Highway 283, thence southerly along U.S. Highway 283 to its junction with Kansas Highway 96, thence westerly along Kansas Highway 96 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to its junction with U.S. Highway 56, thence southwesterly along U.S. Highway 56 to the Kansas-Oklahoma State Line), Nebraska (points on, north, and west of a line extending from the Missouri-Nebraska State Line westerly along U.S. Highway 136 to its junction with U.S. Highway 77, thence southerly along U.S. Highway 77 to the Kansas-Nebraska State Line), Nevada, New Mexico (points on, north, and west of a line extending from the New Mexico-Oklahoma State Line westerly along U.S. Highway 56 to its junction with U.S. Highway 85, thence southerly along U.S. Highway 85 to its junction with New Mexico Highway 90, thence westerly along New Mexico Highway 90 to its junction with Interstate Highway 10, thence westerly along Interstate Highway 10 to the Arizona-New Mexico State Line), Utah and Wyoming, to points in Virginia on and east of the eastern boundary of the territory described in paragraph (2) above.

(B) (1) From points in California not described in part A, paragraph, to points in Virginia described in Part A, paragraph (2) above, (2) from points in Nebraska not described in Part A, paragraph (3), to points in Virginia described in Part A, paragraph (3) above. The purpose of this filing is to eliminate the gateways of points in Pennsylvania, Ohio, and Minnesota.

(10) (A) (1) Between points in West Virginia, on, north, and east of a line extending from the Ohio-West Virginia State Line easterly along U.S. Highway 50 to its junction with West Virginia Highway 18, thence southerly along West Virginia Highway 18 and unnumbered road to its junction with U.S. Highway 33 at Camden, thence easterly along U.S. Highway 33 to its junction with U.S. Highway 250, thence southeasterly along U.S. Highway 250 to the Virginia-West Virginia State Line, on the one hand, and, on the other, points in Arizona, California, Colorado (points on, north, and west of a line extending from the Colorado-Kansas State Line westerly along U.S. Highway 36 to its junction with Colorado Highway 71, thence southerly along Colorado Highway 71 to its junction with U.S. Highway 24, thence southwesterly along U.S. Highway 24 to its junction with Interstate Highway 25, thence southerly along Interstate Highway 25 to the Colorado-New Mexico State Line), Iowa (points on and west of U.S. Highway 75), Nebraska (points on and north of a line extending from the Iowa-Nebraska State Line westerly along Interstate Highway 80 to its junction with U.S. Highway 6, thence westerly along U.S. Highway 6 to its junction with U.S. Highway 83, thence southerly along U.S. Highway 83 to the Kansas-Nebraska State Line), Nevada, New Mexico (points on and west of a line extending from the Colorado-New Mexico State Line southerly along Interstate Highway 25 to its junction with New Mexico Highway 3, thence southerly along New Mexico Highway 3 to its junction with U.S. Highway 54, thence southerly along U.S. Highway 54 to the New Mexico-Texas State Line), Texas (points in El Paso County only), Utah, and Wyoming, and

(2) Between points in West Virginia south of the territory described in paragraph (1) above, on the one hand, and, on the other, points in Arizona (points on and west of a line extending from the Arizona-Utah State Line southerly along U.S. Highway 163 to its junction with U.S. Highway 160, thence southwesterly along U.S. Highway 160 to its junction with U.S. Highway 89, thence southerly along U.S. Highway 89 to its junction with U.S. Highway 66, thence easterly along U.S. Highway 66 to its junction with Arizona Highway 99, thence southerly along Arizona Highway 99 to its junction with Arizona Highway 288, thence southerly along Arizona Highway 288 to its junction with Arizona Highway 88, thence southerly along Arizona Highway 88 to its junction with Arizona Highway 77, thence southerly along Arizona Highway 88 to its junction with Arizona Highway 77, thence southerly along Arizona Highway 77 to its junction with U.S. Highway 89, thence southerly along U.S. Highway 89 to the International Boundary with Mexico near Nogales, Ariz.), California, Colorado, points on, north, and west of a line extending from the Colorado-Nebraska State Line westerly along Interstate Highway 80–S to its junction with U.S. Highway 6, thence westerly along U.S. Highway 6 to its junction with Colorado Highway 82, thence southerly along Colorado Highway 82 to its junction with Colorado Highway 133, thence southerly along Colorado Highway 133 to its junction with Colorado Highway 92, thence westerly along Colorado Highway 92 to its junction with U.S. Highway 550, thence southerly along U.S. Highway 550 to its junction with Colorado Highway 90, thence southwesterly along Colorado Highway 90 to its junction with Colorado Highway 141.

Thence southwesterly along Colorado Highway 141 to its junction with U.S. Highway 666, thence westerly along U.S. Highway 666 to the Colorado-Utah State Line, Iowa (points on and west of U.S. Highway 75), Nebraska (points on and north of a line extending from the Iowa-Nebraska State Line westerly along Nebraska Highway 92 to its junction with U.S. Highway 30, thence southwesterly along U.S. Highway 30 to its junction with U.S. Highway 34, thence southerly along U.S. Highway 34 to its junction with Interstate Highway 80, thence westerly along Interstate Highway 80 to the Colorado-Nebraska State Line), Nevada (points on and west of a line extending from the Colorado-Utah State Line westerly along U.S. Highway 666 to its junction with U.S. Highway 163, thence southwesterly along U.S. Highway 163 to the Arizona-Utah State Line), and Wyoming, (B) (1) between points in West Virginia described in Part A, paragraph (1) above, on the one hand, and, on the other, points in Colorado, Nebraska, and New Mexico not described in Part A, paragraph (1) and (2) between points in West Virginia described in Part A, paragraph (2) above, on the one hand, and, on the other, points in Arizona, Nebraska, and Utah not described in Part A, paragraph (2). The purpose of this filing is to eliminate the gateways of points in Ohio and Minnesota. (11) *Airplane engines, wings, and wing flaps,* which because of size or weight, require special handling or the use of special equipment, (1) between points in Montana, North Dakota, Minnesota, Iowa, Wisconsin, Illinois, Michigan, Indiana, and Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Massachusetts, New Jersey, New York, Pennsylvania (points on and west of U.S. Highway 15), Rhode Island and West Virginia and

(2) From points in Montana, North Dakota, Minnesota, Iowa, Wisconsin, Illinois, Michigan, Indiana, and Ohio, to points in Maryland and Virginia. The purpose of this filing is to eliminate the gateways of Pennsylvania and Ohio.

NOTE.—Common control may be involved. This is a gateway elimination request and is a matter directly related to a Section 5(2) proceeding in MC-F-12642 published in the FEDERAL REGISTER issue of October 8, 1975. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 116273 (Sub-No. 198) (Correction), filed August 18, 1975, published in the FEDERAL REGISTER issue of September 10, 1975, and republished, as corrected, this issue. Applicant: D & L TRANS-

PORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals, petroleum products, and coal tar products*, in bulk, in tank vehicles, from points in the Illinois counties of Lake, Kane, DuPage, Cook, Kendall, that part of McHenry, on, south, and east of a line beginning at the Lake-McHenry County Boundary line on Illinois Highway 173 and extending in a westerly direction along Illinois Highway 173 to intersection Illinois Highway 47, thence southerly along Illinois Highway 47 to Woodstock, Ill., thence westerly on an unnamed county road to intersection Illinois Highway 23, thence southerly on Illinois Highway 23 to intersection Interstate Highway 90, thence southerly and easterly along Interstate Highway 90 to the McHenry-Kane County Boundary line, that part of Grundy County on, north, and east of a line beginning at the Kendall-Grundy County Boundary line on Illinois Highway 47, thence southerly along Illinois Highway 47 to intersection Illinois Highway 113, thence easterly along Illinois Highway 113 to the Grundy-Will County Boundary line, that part of Will County on, north, and east of a line extending along Illinois Highway 113 from the Grundy-Will County Boundary line to the Will-Kankakee County Boundary line, that part of Kankakee County on and north of a line beginning at the Kendall-Will County Boundary line on Illinois Highway 113, thence southerly and easterly along Illinois Highway 113 to intersection Illinois Highway 17, thence east along Illinois Highway 17 to intersection Illinois Highway 114, thence easterly along Illinois Highway 114 to the Illinois-Indiana State Boundary line, to points in Alabama, Colorado, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, Ohio, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateways at Chicago, Frankfort, LaSalle, Ottawa, Joliet, and Peru, Ill.

(2) *Lubricating oils and dry plastics*, in bulk, in tank vehicles, from points in Michigan, to the origin points named in (1) above. The purpose of this application is to eliminate the gateway of Chicago, Ill.

NOTE.—The purpose of this republication is to indicate applicant seeks authority over Interstate Highway 90 in lieu of intersection highway 90 as previously published in error. This is a gateway elimination request and is directly related to a Section 5(2) proceeding in MC-F-12552 published in the FEDERAL REGISTER issue of June 25, 1975. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124174 (Sub-No. 103), filed July 25, 1975. Applicant: MOMSEN TRUCKING CO., a Corporation, 13811 L Street, P.O. Box 37490, Millard Station, Omaha, Nebr. 68137. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except classes A and B explosives, and commodities requiring special equipment), between points within 15 miles of Waterloo, Nebr. on the one hand, and, on the other, points in Nebraska; and (2) *contractor's and construction equipment and machinery, materials, and supplies*, and commodities which by reason of their weight, size, or length, require special handling), between points within 20 miles of Waterloo, Nebr.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority (I) with its lead certificate on *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (A) (1) at points within 15 miles of Waterloo, Nebr., and also within 60 miles of Auburn, Nebr., to provide service between points in Nebraska on the one hand, and, on the other, points in that part of Nebraska, Iowa, Kansas, and Missouri located within 60 miles of Auburn, Nebr.

(2) At points within 20 miles of Waterloo, Nebr., and also within 60 miles of Auburn, Nebr., to provide service between points within 20 miles of Waterloo, Nebr. and those in Iowa, Kansas, Nebraska, and Missouri within 60 miles of Auburn, Nebr., (B) (1) at points within 20 miles of Waterloo, Nebr., and also within 60 miles of Auburn, Nebr., to provide service between points within 20 miles of Waterloo, Nebr. on the one hand, and, on the other, Anita, Iowa, and points within 15 miles thereof; (C) at Cherokee, Emitsburg, Le Mars, Sheldon, Sioux City, Spencer, Storm Lake, Algona, Charlton, Grinnel, Esterville, Charles City, Clinton, Webster City, Waverly, Iowa Falls, Carroll, Oelwin, Fort Madison, Red Oak, Centerville, Clarinda, Fort Dodge, Perry, Atlantic, Waterloo, Boone, Marshalltown, Harlan, Dennison, Albia, Maquoketa, Knoxville, Fairfield, Creston, Waukon, Decorah, Shannandoah, Manchester, and Jefferson, Iowa.; (1) to provide a through service from Chicago, Ill., to Waterloo, Nebr. and points within 15 miles thereof; (2) to provide a through service from Chicago, Ill. to points in Waterloo, Nebr. and points within 20 miles thereof; (D) a Freemont, Nebr. (1) to provide a through service from Chicago, Ill. to points in Nebraska; (2) to provide a through service from Chicago, Ill. to points within 20 miles of Waterloo, Nebr.; (E) at Freemont and Omaha, Nebr., (1) to provide a through service from points in Nebraska, to Spencer, Iowa and those points within 50 miles thereof; (2) to provide a through service from points within 20 miles of Waterloo, Nebr., to Spencer, Iowa and points within 50 miles thereof; (II) in Sub-No. 18, at Omaha, Nebr.: (1) (a) to provide a through service from points in Nebraska, to points in Iowa, Minnesota and South Dakota.

(1) (b) To provide a through service from Savage, Minn., and Atlantic, Dubuque, and Webster City, Iowa, to points in Nebraska: (2) (a) to provide a through service from points within 20 miles of Waterloo, Nebr., to points in Iowa, Minnesota, and South Dakota; (2) (b) to provide a through service from Savage, Minn., and Atlantic, Dubuque, and Webster City, Iowa, to points within 20 miles of Waterloo, Nebr.; (III) in Sub-No. 33, at Nebraska City, Nebr.: (A) to provide service between points within 15 miles of Waterloo, Nebr. on the one hand, and, on the other, points in Iowa, South Dakota, North Dakota, Minnesota, Kansas, and Missouri (except St. Louis, Atlas, Horn, Neosho, and South River); (B) to provide a through service from points within 15 miles of Waterloo, Nebr., to points in St. Louis, Atlas, Horn, Neosho, and South River, Mo.; (IV) in Sub-No. 35 at the plantsite of Cominco American Incorporated, located at or near Hoag, Nebr. to provide a through service from points within 50 miles of Waterloo, Nebr., to points in Iowa, Kansas, South Dakota, Minnesota, Missouri, and Illinois; (V) in Sub-No. 62, at Omaha, Nebr.: (A) to provide a through service from Lynchburg and Radford, Va., to points in Nebraska; (B) to provide a through service from Lynchburg and Radford, Va., to points within 20 miles of Waterloo, Nebr.; (VI) in Sub-No. 82 (A) at points in Nebraska.

(1) To provide service between points within 15 miles of Waterloo, Nebr. on the one hand, and, on the other, St. Joseph, Mo., restricted to traffic either originating at or destined to the plantsites and/or warehouse facilities of Swift & Company and John Morrell & Co. Said operations are further restricted against the transportation of feed and feed ingredients from points in Iowa west of U.S. Highway 59 and those in Nebraska east of U.S. Highway 81 and north of U.S. Highway 34, to St. Paul, Minn.; from Omaha, Nebr., to points in South Dakota; and from Sioux City, and Scargeant Bluff, Iowa. to points in Nebraska and South Dakota; (2) to provide service between points within 15 miles of Waterloo, Nebr. on the one hand, and, on the other, St. Paul, Minn.; Chicago, Ill.; Omaha, Nebr.; and Sioux City and Scargent Bluff, Iowa, with the same restrictions as described above, as applicable; (B) (1) at points within 20 miles of Waterloo, Nebr., to provide service between points within 20 miles or Waterloo, Nebr. on the one hand, and, on the other, St. Joseph, Mo.; (B) (2) at Omaha, Nebr. to provide service between points within 20 miles of Waterloo, Nebr. on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Minnesota, Nebraska, and South Dakota, subject to the restrictions stated in (VI) (A) above; and (VII) with its existing regular route authority in the lead certificate, at Omaha, Nebr.: (1) to provide service between points in Nebraska and Chicago, Ill.; and (2) to provide service between points within 20 miles of Waterloo, Nebr., and Wiota, Iowa. This is a matter directly related to a Section 5(2) proceeding in MC-F-12579 published in the FEDERAL REGISTER issue of July 16, 1975. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr

No. MC–F–12629. (Amendment) (W & L MOTOR LINES, INC.—PURCHASE (PORTION)—CLAREMONT MOTOR LINES, INC.), published in the September 17, 1975, issue of the FEDERAL REGISTER. By amendment filed October 15,, 1975, GENEVIEVE R. LAWSON, and BRANCH LAWSON, P.O. Box 309, Spruce Pine, N.C. 28777, and JOHN LAWSON, Prof. Bldg., Murtle Ave., Johnson City, N.C. join in as party applicants to the proceeding.

No. MC–F–12653. Authority sought for purchase by ROADWAY EXPRESS, INC., P.O. Box 471, Akron, OH 44309, of a portion of the operating rights and property of KEY LINE FREIGHT, INC., 15 Andre' St. SE., Grand Rapids, MI 49507, and for acquisition by GALEN J. ROUSH, also of Akron, OH 44309, of control of such rights and property through the purchase. Applicants' attorneys: William O. Turney, 2001 Massachusetts Ave. NW., Washington, DC 20036, and Robert A. Sullivan, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167. Operating rights sought to be transferred: *General commodities,* with the usual exceptions, as a *common carrier,* over regular and irregular routes, from, to, and between specified points in the States of Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, and Missouri, with certain restrictions serving various intermediate and off-route points, as more specifically described in Docket No. MC 46280 and Sub-numbers thereunder. This notice does not purport to be a complete description of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. Vendee is authorized to operate as a *common carrier* in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12654. Authority sought for purchase by SWIFT TRANSPORTATION COMPANY, 14719 South San Pedro St., Gardena, CA 90247, of a portion of the operating rights of S & M FREIGHT LINES, 2017 Violet St., Los Angeles, CA 90021, and for acquisition by WILLIAM SIMONOFF, 9434 Tierra Blanca Dr., Whittier, CA 90603, of control of such rights through the purchase. Applicants' attorneys: Donald Murchison, 9454 Wilshire Blvd., Beverly Hills, CA 90212, and Theodore W. Russell, 1545 Wilshire Blvd., Los Angeles, CA 90017. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC 10381 (Sub-No. 3), covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of California. Vendee is authorized to operate as a common carrier in California. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12656. Authority sought for control and merger by FISCHBACH TRUCKING CO., 921 Sherman St., Akron, OH 44311, of the operating rights and properties of COYLE TRUCKING CO., a non-carrier, and PECK MOVERS, INC., both of 700 Carroll St., Akron, OH 44304, and for acquisition by C. B. FISCHBACH, also of Akron, OH 44311, of control of such rights and properties through the transaction. Applicants' attorney: John P. McMahon, 100 E. Broad St., Columbus, OH 43215. Operating rights sought to be controlled and merged: Under a certificate of registration, in Docket No. MC 120311 (Sub-No. 1), covering the transportation of property, as a common carrier, in interstate commerce, within the State of Ohio. Vendee is authorized to operate as a *common carrier* in Arkansas, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE.—MC 11398 (Sub-No. 15), is a matter directly related.

No. MC–F–12657. Authority sought for purchase by BRIGGS TRANSPORTATION CO., 2360 West County Road C, St. Paul, MN 55113, of a portion of the operating rights of ARROW MOTOR TRANSIT, INC., 4600 West 34th St., Chicago, IL 60650, and for acquisition by GEORGE E. BRIGGS AND MICHAEL P. WARDELL, both of St. Paul, MN 55113, of control of such rights through the purchase. Applicants' attorney: Carl L. Steiner, 39 South LaSalle St., Chicago, IL 60603. Operating rights sought to be transferred: *General commodities,* excepting among others, classes A and B explosives, livestock, household goods, and commodities in bulk, as a *common carrier* over regular routes, between Chicago and Rochelle, ILL., serving all intermediate points, and various off-route points, between Marengo and Chicago, ILL., serving all intermediate points and various off-route points; *general commodities,* excepting among other classes A and B explosives, household goods and commodities in bulk, over irregular routes, between points in a defined area in northern Illinois in the Counties of Winnebago, DeKalb, Kendall, DuPage, and Cook, with restrictions. Vendee is authorized to operate as a *common carrier* in Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, Wisconsin, and Wyoming. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12658. Authority sought for purchase by CURTIS TRANSPORT, INC., P.O. Box 388, Arnold, MO 63010, of the operating rights of GILDER TRUCKING COMPANY, 1024 Winding Creek Trail NW., Atlanta, GA 30328, and for acquisition by H. A. GARDNER, 431 Pinecrest Ct. Cape Coral, FL 33904, J. J. THYSON, 408 Olive St., St. Louis, MO 63102, and DAVID G. DIMIT, 13438C Pompeli, Chesterfield, MO 63017, of control of such rights through the purchase. Applicants' attorney: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349. Operating rights sought to be transferred: *Ceramic foam, plastics, plastic products,* and *plastic coated metal* (except in bulk), as a *common carrier* over irregular routes, from the plantsite and warehouse facilities of The Dow Chemical Company at or near Findlay and Ironton, Ohio, and at Royersford, Pa., to points in Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana. Vendee is authorized to operate as a *common carrier* in Alabama Virginia, West Virginia, Kentucky, Tennessee, Illinois, Indiana, Iowa, Missouri, Wisconsin, Arkansas, Kansas, Nebraska, Michigan, Minnesota, Ohio, Oklahoma, Colorado, Connecticut, Delaware, Florida, Georgia, Louisiana, Maryland, Massachusetts, Mississippi, Montana, New Jersey, New Mexico, New York, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, Texas, Wyoming, Maine, Vermont, Pennsylvania, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12659. Authority sought for purchase by WALLACE TRANSPORT CO., LIMITED, 1608 The Queensway, Toronto, Ontario, Canada, of the operating rights of GREEN LINE TRUCKING CO., 608 W. Harrison St., Trenton, MI 48183, and for acquisition by RED STAR EXPRESS LINES of Auburn, Inc., 24–50 Wright Avenue, Auburn, NY, of control of such rights through the purchase. Applicants' attorneys: Leonard A. Jaskiewicz, 1730 M St. NW., Washington, D.C. 20036, and Ramon S. Regan, 2255 City National Bank Bldg., Detroit, MI 48226. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC 99782 (Sub-No. 1), covering the transportation of general commodities, as a *common carrier,* in interstate commerce, within the State of Michigan. Vendee holds no authority from this Commission. However it is affiliated with RED STAR EXPRESS LINES of Auburn, Inc., under MC 59135 and sub numbers, which is authorized to operate as a *common carrier* in New York, New Jersey, Pennsylvania, Massachusetts, Vermont, Connecticut, Rhode Island, Virginia, Maryland, Maine, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

NOTICE

Andrew L. Lewis, Jr. and Joseph L. Castle, Trustees of the property of Reading Company, 415 Reading Terminal, Philadelphia, Pennsylvania 19107, represented by Mr. Joel E. Mazor, 415 Reading Terminal, Philadelphia, Pennsylvania 19107, hereby gives notice that on the 1st day of October, 1975, it filed with the

Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing applicant, to acquire one-half of the stock of the Allentown Terminal Railroad Company from Lehigh Coal and Navigation Company, which application was assigned Finance Docket No. 28006. The line of railroad involved extends from the connection of the Allentown Terminal Railroad with the East Pennsylvania Railroad and extends generally in an easterly direction, a distance of 4,754 feet, all in the City of Allentown, Lehigh County, Pennsylvania.

In the opinion of the applicant, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 C.F.R. 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b) (1)–(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Interstate Commerce Commission no later than 30 days from the date of first publication in the FEDERAL REGISTER.

By the Commission.

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

[FR Doc.75-29209 Filed 10-29-75;8:45 am]

[Notice No. 123]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 24, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 19778 (Sub-No. 89TA), filed October 15, 1975. Applicant: MILWAUKEE MOTOR TRANSPORTATION COMPANY, Suite 508–516 W. Jackson Blvd., Chicago, Ill. 60606. Applicant's representative: W. E. Gallagher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products*, from the plantsite of Gage Bros., Concrete Products, Inc., at or near Sioux Falls, S. Dak., to Minot, N. Dak., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Gage Bros. Concrete Products, Inc., A. C. Gate, President, P.O. Box 1526, Sioux Falls, S. Dak. 57101. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 22065 (Sub-No. 4TA), filed October 15, 1975. Applicant: COMMERCIAL TRANSFER, INC., P.O. Box 12004, Fresno, Calif. 93716. Applicant's representative: Martin J. Rosen, 140 Montgomery St., San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between Fresno, Calif., and its commercial zone, on the one hand, and, on the other, Dinuba, Exeter, Hanford, Lindsay, Madera, Porterville, Sanger, Tulare, and Visalia, Calif., and their commercial zones, limited to shipments having prior or subsequent movement by rail or water, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Crown Zellerbach Corporation, One Bush St., San Francisco, Calif. 94104. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 26396 (Sub-No. 127TA), filed October 17, 1975. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, P.O. Box 990, Livingston, Mont. 59047. Applicant's representative: Jeanne Charlesworth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from Missoula, Mont., to points in Illinois, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 30844 (Sub-No. 556TA), filed October 15, 1975. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial St., Waterloo, Iowa 50704. Applicant's representative: John P. Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Class B poisonous liquids and solids, corrosive No. 1 materials, oxidizing materials, flammable liquids, chemicals No. 1* (except in bulk), *chemical lab apparatus, mineral oil, plastic* cups and articles used by medical laboratories requiring protective service in vehicles equipped with mechanical temperature control, from South Plainfield, N.J., to Cleveland, Ohio; Chicago, Ill.; Boston, Mass.; Dallas, Tex.; and Atlanta, Ga., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Technicon Instruments Corp., 511 Benedict St., Tarrytown, N.Y. 10591. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 40915 (Sub-No. 48TA), filed October 14, 1975. Applicant: BOAT TRANSIT, INC., P.O. Box 1403, Newport Beach, Calif. 92663. Applicant's representative: David R. Parker, 2310 Colorado State Bank Bldg., 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tent campers*, from Costa Mesa, Calif., to points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Starcraft Company, P.O. Box 577, Goshen, Ind. 46526. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 9554 (Sub-No. 934TA), filed October 15, 1975. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, Lakeland, Fla. 33802. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Road, N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles* distributed by meat packinghouses as defined in Sections A and C of Appendix I to the report in *Description in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from points in Fulton County, Ga., to points in Denver County, Colo., for 180 days. Applicant has also

filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Dudahy Foods, Co., a division of General Hosts, Inc., 6540 Powers Ferry Road, Suite 350, Atlanta, Ga. 30339. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, 8410 N.W. 53rd Terrece, Miami, Fla. 33166.

No. MC 107064 (Sub-No. 110TA), filed October 17, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, 2808 Fairmount St., Dallas, Tex. 75221. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the plantsites and storage facilities of Southern Union Oil Products Company and Famariss Oil Corporation in Lea County, N. Mex., to Shallow Water, Kans., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Southern Union Oil Products Company, Fidelity Union Tower, Dallas, Tex. 75201. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

No. MC 107403 (Sub-No. 953TA), filed October 17, 1975. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Designation 10C insulating oil*, in bulk, in tank vehicles, from Hosston, La., to Bryan, Tex.; Dever, Colo.; American Falls, Idaho; Longview, Wash.; Eugene, Oreg.; Adolph, Minn.; Calvert City, Ky.; Richburg Station, Miss., and Parkesburg, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: General Electric Co., 6901 Elmwood Ave., Philadelphia, Pa. 19142. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 107478 (Sub-No. 19TA), filed October 15, 1975. Applicant: OLD DOMINION FREIGHT LINE, P.O. Box 2006, High Point, N.C. 27261. Applicant's representative: Francis W. McInerny, 1000 16th St., N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, with the usual exceptions, between Halifax and Vance Counties, N.C., on the one hand, and, on the other, Baltimore, Md., and points in Pennsylvania, on and east of a line extending from the Maryland-Pennsylvania state line along Interstate Highway 83 (formerly U.S. Highway 111), to York, Pa., and on and south of a line extending from York along U.S. Highway 30 to junction U.S. Highway 202, and thence along U.S. Highway 202 via New Hope, Pa., to the Pennsylvania-New Jersey state line. Applicant intends to tack its existing authority with MC 107478 at points in Vance and Halifax County, N.C., applicant also intends to interline with other carriers including Star Transport at Baltimore, Md., and will tack at Baltimore after merger of Star, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 60 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., of copies thereof which may be examined at the field office named below. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 107496 (Sub-No. 1007TA), filed October 14, 1975. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Ave., Des Moines, Iowa 50309. Applicant's representative: Earl Check, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vapona* (Dichlorovinyl Dimethyl Phosphate), in bulk, in tank vehicles, from Denver, Colo., to Clarksdale, Miss., for 180 days. Supporting shipper: Shell Oil Company, P.O. Box 2099, Houston, Tex. 77001. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 110161 (Sub-No. 6TA), filed October 15, 1975. Applicant: HARRY H. KEMP, doing business as, HARRY H. KEMP ENTERPRISES, 115 Geneva Drive, Oskaloosa, Iowa 52577. Applicant's representative: Kenneth F. Dudley, 611 Church St., P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation*, from Oskaloosa, Iowa to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: U.S. Fiber Corp., P.O. Box 41, Oskaloosa, Iowa 52577. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 110420 (Sub-No. 748TA), filed October 16, 1975. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, in tank vehicles, from the plantsite of CPC International, Inc., at North Kansas City, Mo., Albuquerque, N. Mex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: CPC International, Inc., Englewood Cliff, N.J. 07632. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 113908 (Sub-No. 355TA), filed October 17, 1975. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale St., P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, from Cabool, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Wisconsin, for 180 days. Supporting shipper: Ozark Fertilizer, P.O. Box 542, Cabool, Mo. 65689. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 115669 (Sub-No. 152TA), filed October 16, 1975. Applicant: DAHLSTEN TRUCK LINE, INC., P.O. Box 95, Clay Center, Nebra. 68933. Applicant's representative: Howard N. Dahlsten, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed*, in bags, from the plantsite of The Pillsbury Company, at Falls City, Nebr., to points in Arizona, Arkansas, Illinois, Iowa, Minnesota, Missouri, New Mexico, North Dakota, Oklahoma, Tennessee, Texas, Utah and Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Don Wenz, Plant Manager, The Pillsbury Company, 5th & Morton Streets, Falls City, Nebr. 68355. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., & Courthouse, 100 Centennial Mall North, Lincoln, Nebr. 68508.

No. MC 115904 (Sub-No. 41TA), filed October 15, 1975. Applicant: GROVER TRUCKING CO., 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Miss Irene Warr, 430 Judge Bldg., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber mill products, forest products, sawmill products, wood products, composition board and wall board*, from points in Oregon and Washington to points in Montana, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: (1) North Pacific Lumber Company, P.O. Box 3915, Portland, Oreg. (2) Prentice Lumber Sales, Box 1208, Missoula, Mont. (3) Ferguson Lumber Sales, Inc., P.O. Box 178, Missoula, Mont. 59801. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, 550 West Fort, Box 07, Boise, Idaho 83724.

No. MC 116300 (Sub-No. 20TA), filed October 14, 1975. Applicant: NANCE AND COLLUMS, INC., P.O. Drawer J, Fernwood, Miss. 39635. Applicant's representative: John A. Crawford, 1700 Deposit Guaranty Plaza, P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in packages, from Avery Island, La., to points in Arkansas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: International Salt Company, 1600 Tullie Circle, N.E., Suite 133, Atlanta, Ga. 30329. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 117940 (Sub-No. 168TA), filed October 17, 1975. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from the plantsite of warehouse facilities of Jero's Inc., at or near Sodus, Mich., to points in Arkansas, Connecticut, Delaware, the District of Columbia, Iowa, Kansas, Maine, Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, Vermont, Virginia, West Virginia, and Wisconsin, restricted to traffic originating at the plantsite of Jeno's, Inc., at Sodus, Mich., and the storage facilities of or utilized by Jeno's, Inc., in the states of Michigan and Indiana and destined to the named destination states, for 180 days. Supporting Shipper: Jeno's, Inc., 525 Lake Ave., South, Duluth, Minn. 55802. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 414 Federal Bldg., & U.S. Courthouse, 110 South Fourth St., Minneapolis, Minn. 55401.

No. MC 118806 (Sub-No. 41TA), filed October 16, 1975. Applicant: ARNOLD BROS. TRANSPORT, LTD., 739 Lagimodiere Blvd., Winnepeg, Manitoba, Canada. Applicant's representative: Daniel C. Sullivan, 327 South LaSalle St., Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recreational vehicles*, from Mansfield, Ohio, to the ports of entry on the International Boundary Line between Canada and the United States near Noyes, Minn., and Pembina, N. Dak., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: (1) Sno-Trac Equipment, Ltd., P.O. Box 722, Regina, Saskatchewan, Canada 54P 3A8. (2) Rupp Snowmobiles, 1376 Airport Road, Mansfield, Ohio 44901. (3) Yetman, Ltd., 949 Jarvis Ave., Winnipeg, Manitoba, Canada R2X 0A1. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operation, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 119634 (Sub-No. 13TA), filed October 17, 1975. Applicant: DICK IRVIN, INC., P.O. Box F, Shelby, Mont. 59474. Applicant's representative: Charles R. Irvin, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, in bags, from the ports of entry on the International Boundary line between the United States and Canada, located in Montana to Chicago, Bensonville and McHenry, Ill.; Minneapolis, Minn.; Havelock, Nebr.; Watertown, S. Dak.; Portland, Oreg.; Los Angeles and San Francisco, Calif., and Salt Lake City, Utah, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: D. P. Schwabe, Cancarb, Limited, P.O. Box 310, Medicine Hat, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 124813 (Sub-No. 133TA), filed October 14, 1975. Applicant: UMTHUN TRUCKING CO., 910 South Jackson St., Eagle Grove, Iowa 51533. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone and gypsum feed ingredients and soil conditioners*, (1) from points in Marion County, Iowa, to points in Arkansas, Colorado, Idaho, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Washington, Wisconsin and Wyoming, and (2) from points in Breckinridge County, Ky., to points in Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, for 180 days. Supporting shipper: American Pelletizing Corporation, 7200 Hickman Road, Des Moines, Iowa 50322. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 124846 (Sub.-No. 1TA), filed October 10, 1975. Applicant: KALLMEYER BROS. ENTERPRISES, INC., 4 Schiller St., P.O. Box 233, Hermann, Mo. 65041. Applicant's representative: Thomas P. Rose, P.O. Box 205, Jefferson City, Mo. 65101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Milwaukee, Wis., to Hermann, Mo., under a continuing contract with Marvin's Distributing Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Marvin's Distributing Co., Hermann, Mo. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission.

No. MC 125023 (Sub-No. 30TA), filed October 15, 1975. Applicant: SIGMA-4 EXPRESS, INC., 3825 Beech Ave., P.O. Box 9117, Erie, Pa. 16504. Applicant's representative: Richard G. McCurdy, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Monroe, Wis., to points in Massachusetts, Maryland, New Jersey, New York, Pennsylvania and Washington, D.C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Jos. Huber Brewing Co., 1208 14th Ave., Monroe, Wis. 53566. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, 2111 Federal Bldg., 1000 Liberty Ave., Pittsburgh, Pa. 15222.

No. MC 126286 (Sub-No. 14TA), filed October 17, 1975. Applicant: NIX TRANSPORTATION, INC., P.O. Box 721, Albany, Oreg. 97321. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, between points in Oregon lying on and west of U.S. Highway 97, on the one hand, and, on the other, points in Washington lying on and west of U.S. Highway 97, for 180 days. Supporting shippers: There are approximately 11 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Sent protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 133708 (Sub-No. 18TA), filed October 16, 1975. Applicant: FIKSE BROS., INC., 12647 East South St., Artesia, Calif. 90701. Applicant's representative: Carl H. Fritze, 1545 Wilshire Blvd., Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum wallboard*, from the plantsite of Kaiser Gypsum Company, Inc., at Long Beach, Calif., to the distribution center of Kaiser Gypsum Company, Inc., at Glendale, Ariz., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Kaiser Gypsum Company, Inc., 600 South Commonwealth Ave., Los Angeles, Calif. 90005. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 134145 (Sub-No. 59TA), filed October 16, 1975. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Highway 1 and 59 West, Thief River Falls, Minn. 56701. Applicant's repre-

sentative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts for computing machines and materials and supplies* used in the manufacture or operation thereof (except commodities in bulk), between Minneapolis, Minn., and Rapid City, S. Dak., under a continuing contract with Control Data Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Control Data Corporation, 8100 34th Ave. South, Minneapolis, Minn. 55420. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 134599 (Sub-No. 136TA), filed October 14, 1975. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass* (except commodities in bulk or which because of size or weight require special equipment or special handling), from Tulsa, Okla., to East Paterson and Maywood, N.J., under a continuing contract with Mattel, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Mattel, Inc., 5150 Rosecrans Ave., Hawthorne, Calif. 90250. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 135098 (Sub-No. 2TA), filed October 16, 1975. Applicant: GULF COAST MOLASSES COMPANY, INC., 560 Fairhope Ave., P.O. Drawer Q, Fairhope, Ala. 36532. Applicant's representative: D. H. Markstein, Jr., 512 Massey Bldg., Birmingham, Ala. 35203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid cattle feed*, in bulk, in tank vehicles, from Mobile, Ala., to points in Arkansas, Louisiana and Mississippi, under a continuing contract with Rico Liquids, Inc., for 180 days. Supporting shipper: Rico Liquids, Inc., Box 423, Aliceville, Ala. 35442. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Bldg., Birmingham, Ala. 35203.

No. MC 136166 (Sub-No. 19TA), filed October 15, 1975. Applicant: CF TANK LINES, INC., 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, P.O. Box 3062, Portland, Oreg. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Palm oil*, from Portland, Oreg., to Phoenix, Ariz., for 180 days. Supporting shipper: Palmco, Inc., P.O. Box 03380. Portland, Oreg. 97203. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 136343 (Sub-No. 59TA), filed October 15, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnelle Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp board, wrapping paper and woodpulp*, from the facilities of the Chesapeake Corporation of Va., at West Point, Va., to Pulaski, Buffalo, Binghamton, Syracuse, Rochester, N. Tonawanda, N.Y.; Newark, Yorklyn, Del.; Latrobe, York, Scranton, New Oxford, Gettysburg, Oakmont, Hanover, Pa.; Piqua, N. Randall, Caledonia, Ohio; Monroe Bridge, Irving, Dalton, Holyoke, Turners Falls, Millers Falls, Adams, Whitman, Mass., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Chesapeake Corp., of Va., Box 27-A, Mattaponi, Va. 23110. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 136595 (Sub-No. 4TA), filed October 17, 1975. Applicant: EASTSIDE ENTERPRISES, INC., 1440 South "A" St., Springfield, Oreg. 97477. Applicant's representative: Lawrence V. Smart, Jr., 419 N. W. 23rd Ave., Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sectionalized buildings and mobile homes*, from points in Ventura and Orange Counties, Calif., to points in Lane County, Oreg., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Staffordshire, Inc., Route 7, Box 177G, Eugene, Oreg. 97405. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 139340 (Sub-No. 2TA), (Correction), filed October 3, 1975, published in the FEDERAL REGISTER issue of October 21, 1975, and republished as corrected this issue. Applicant: YELVINGTON TRANSPORT, INC., 800 Big Tree Road, P.O. Box 1686, Daytona Beach, Fla. 32015. Applicant's representative: Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay pipe;* (2) *Joint materials;* (1) from Ocala, Fla., to Gulfport, Miss., and (2) from Gulfport, Miss., to Ocala, Fla., under a continuing contract with United States Concrete Pipe Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: United States Concrete Pipe Company, 2121 East Ohio Bldg., Cleveland, Ohio 44114. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202. The purpose of this republication is to correct the applicant's name.

No. MC 140484 (Sub-No. 12TA), filed October 15, 1975. Applicant: LESTER COGGINS TRUCKING, INC., 2671 E. Edison Ave., P.O. Box 69, Fort Myers, Fla. 33902. Applicant's representative: Clayton Geer, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Macrame, wrought iron stands, glassware and pottery*, from points in San Diego County, Calif., to points in the United States and East of Louisiana, Arkansas, Iowa, Missouri, and Minnesota, for 180 days. Supporting shipper: C. L. C., Inc., 6831 E. Apache Trail, Mesa, Ariz. 85207. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, Miami, Fla. 33166.

No. MC 141361 (Sub-No. 1TA), filed October 10, 1975. Applicant: LONSBERG TRUCKING AND MATERIALS, INC., 545 Broadway, Platteville, Wis. 53818. Applicant's representative: A. R. Hanson, 139 West Wilson St., Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, having a prior movement by rail, from Potosi Brewing Company, rail siding (CB & Q RR Co.), at Potosi, Wis., to the University of Wisconsin, Platteville, Platteville, Wis., under a continuing contract with State of Wisconsin Bureau of Purchases and Services, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: State of Wisconsin Bureau of Purchases and Services, 1 West Wilson St., Madison, Wis. 53702. Send protests to: Barney L. Hardin, District Supervisor, 139 West Wilson St., Room 202, Madison, Wis. 53703.

No. MC 141407 (Sub-No. 1TA), filed October 15, 1975. Applicant: CHARLES N. CASKEY, doing business as, B & C TRANSFER, 3112 Highway 75 North, Sioux City, Iowa 51105. Applicant's representative: A. J. Swanson, 512 S. 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat*, in carcass form, (1) from Hawarden and Hospers, Iowa, to the facilities of Iowa Beef Processors, Inc., at or near Dakota City, Nebr.; and (2) from Hawarden, Iowa, to Schuyler, Fremont, and Omaha, Nebr., and points in the commercial zones thereof, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: (1) Lou Millage, Traffic Manager, Hawarden of Iowa, Inc., P.O. Box 87, Hawarden, Iowa 51023. (2) Don Mehesan, Traffic Manager, Banner Beef Company, P.O. Box 132, Hospers, Iowa 51238. Send protests to: Carroll Russell,

District Supervisor, Suite 620, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 141408 TA, filed October 3, 1975. Applicant: KEPPEL CORPORATION, 1325 Horner Road, Woodbridge, Va. 22191. Applicant's representative: John D. Clark, Suite 404, 1400 N. Uhle St., Arlington, Va. 22201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Antenna panels* and *other electronic equipment used in tuning antennas*, from McLean, Va., and the plantsite of National Science Foundation, to Magdalena, N. Mex., under a continuing contract with Radiation Systems, Inc., for 180 days. Supporting shipper: Radiation Systems, Inc., 1755 Old Medaw Road, McLean, Va. 22101. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th & Constitution Ave., N.W., Room 317, Washington, D.C. 20423.

No. MC 141409 TA, filed October 9, 1975. Applicant: RALPH S. COFFIN, 600 Barnes, Kelso, Wash. 98626. Applicant's representative: Robert R. Hollis, 520 S. W. Yamhill, Portland, Oreg. 97219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shingles, shakes, hip ridge and shims*, from points in Clallam, Jefferson and Grays Harbor Counties, Wash., and Ports of Entry on the United States-Canadian Border near Port Angeles and Blaine, Wash., on the one hand, and, points in California, Arizona and Nevada on the other, for 180 days. Supporting shippers: (1) Lime Bay Shake Ltd., P.O. Box 905, Victoria, B.C., Canada. (2) Nehalem Bay Shake & Shingle Co., Inc., Route 2, Box 19F, Sekiu, Wash. 98381. (3) Robert Gray Shake & Shingle, Inc., P.O. Box 615, Hoquiam, Wash. 98550. R. C. & R Inc., Route 2, Box 19F, Sekiu, Wash. 98381. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97214.

No. MC 141410 TA, filed October 9, 1975. Applicant: KAZERY'S BLACK ANGUS MEATS AND GROCERIES TRUCKING CO., P.O. Box 8780, Jackson, Miss. 39204. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products*, from Jackson, Miss., to points in California, under a continuing contract with Filtrol Corporation, for 180 days. Supporting shipper: Filtrol Corporation, 3200 East Washington Blvd., Los Angeles, Calif. 90023. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 141411 TA, filed October 10, 1975. Applicant: TAMPA BAY ENTERPRISES, INC., 5600 Airport Blvd., Tampa, Fla. 33622. Applicant's representative: John W. McWhirter, Jr., 1915 Exchange Bank Bldg., Tampa, Fla. 33602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Polystyrene shapes and forms* tendered by Dolco Packaging Co., from the plantsite and warehouse facilities of Dolco Packaging Corp., near Lawrenceville, Ga., to points in Hernando, Hillsborough, Pasco and Polk Counties, Fla., under a continuing contract with Dolco Packaging Corp., for 180 days. Supporting shipper: Dolco Packaging Corp., 4405 Riverside Drive, Burbank, Calif. 91505. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, 8410 N.W. 53rd Terrace, Miami, Fla. 33166.

No. MC 141412 TA, filed October 10, 1975. Applicant: ARTHUR L. WILKERSON, doing business as, WILKERSON & SONS, 11029 Cornell Ave., South, Seattle, Wash. 98178. Applicant's representative: Arthur L. Wilkerson, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractors' supplies, materials, and equipment*, from points in King, Pierce, and Snohomish Counties, to points located in said Counties for subsequent movement by water, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: J. P. Francis & Associates, 8223 South 22nd St., Kent, Wash. 98031. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., Seattle, Wash. 98174.

No. MC 141415 TA, filed October 16, 1975. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State St., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Graphite, water base*, in bulk, from Phoenix, Ariz., to Cucamonga, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Wagner-Insul Company, 11899 8th St., Cucamonga, Calif. 91730. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 141416 TA, filed October 17, 1975. Applicant: LEWIS T. STEFFEY, doing business as STEFFEY TRUCKING, P.O. Box 749, 9586 Liden Ave., Bloomington, Calif. 92316. Applicant's representative: William J. Monheim, P.O. Box 1756, 15942 Whittier Blvd., Whittier, Calif. 90609. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles* distributed and used by meat packinghouses, as described in Sections A, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), (1) Between Vernon, Calif., on the one hand, and, on the other, Phoenix and Tucson, Ariz.; (2) from Vernon, Calif., to Yuma, Ariz., under a continuing contract with Clougherty Packing Co., Inc., for 180 days. Supporting shipper: Clougherty Packing Co., Inc., 3049 East Vernon Ave., Los Angeles, Calif. 90058. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

By the Commission.

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

[FR Doc.75-29210 Filed 10-29-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

OCTOBER 24, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 73165 (Sub-No. 342G), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., 830 North 33rd Street, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Contractors' outfits and equipment*, the transportation of which because of size or weight require special equipment, or consisting of *self-propelled articles* each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) from points in Georgia, to points in Texas, (b) from points in Mississippi and that part of Louisiana east of the Mississippi River, to points in Virginia, (c) from points in Tennessee on and east of U.S. Highway 231, to points in Texas, (d) from points in Tennessee on and west of U.S. Highways 45 and 45W, to points in Virginia on and east of a line extending from the Virginia-North Carolina Line over U.S. Highway 220 to Martinsville, Va., thence over U.S. Highway

58 to Clarksville, Va., and thence over U.S. Highway 15 to the Virginia-Maryland Line, and (e) from points in Florida on and west of U.S. Highway 231, to points in Virginia. The purpose of this filing is to eliminate the gateways of Birmingham, Ala. or points within ten miles thereof.

(2) *Roadbuilding machinery and contractors' equipment* which because of size or weight require the use of special equipment or consisting of *self-propelled articles* each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, from Detroit, Mich., and Marion Ohio, to points in Texas on and south of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

(3) *Contractors' equipment* other than oil field equipment, and *contractors' outfits* consistings of *machinery, and structural steel and iron or steel pipe* which because of size or weight requires the use of special equipment, between Bessemer, Ala., and points in Alabama within 100 miles of Bessemer, on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateway at points in Tennessee.

(4) *Machinery, contractors' equipment* other than oil field equipment, structural steel, and iron or steel pipe which because of size or weight requires the use of special equipment, restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment, incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining and milling of lead, zinc, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, (a) between points in Tennessee, on the one hand, and, on the other, points in Kansas, and Oklahoma within 300 miles of Joplin, Mo., on and north of a line extending from the Arkansas-Oklahoma Line along U.S. Highway 62 to Muskogee, Okla., thence along U.S. Highway 69 to Eufaula, Okla., thence along Oklahoma Highway 9 to its junction with U.S. Highway 277 near Blanchard, Okla., and thence along U.S. Highway 277 to the Oklahoma-Texas Line.

(b) Between points in Missouri on and east of Interstate Highway 35, on the one hand, and, on the other, points in Oklahoma on and east of a line extending from the Kansas-Oklahoma Line along U.S. Highway 81 to Chickasha, Okla. and thence along U.S. Highway 277 to the Oklahoma-Texas Line and on and north of a line extending from the Arkansas-Oklahoma Line along U.S. Highway 62 to Muskogee, Okla., thence along U.S. Highway 69 to Eufaula, Okla., thence along Oklahoma Highway 9 to Norman, Okla., and thence along U.S. Highway 77 to the Oklahoma-Texas Line; (c) between points in Missouri on and west of U.S. Highway 66, on the one hand, and, on the other, points in Oklahoma on and east of a line extending from the Oklahoma-Kansas Line along U.S. Highway 66 to Oklahoma City, Okla., and thence along U.S. Highway 77 to the Oklahoma-Texas Line; (d) between points in Missouri in and south of Cape Girardeau, Bollinger, Wayne, Carter, Shannon, Howell, Douglas, Webster, Greene, Dade and Jasper Counties, on the one hand, and, on the other, points in Kansas on and southeast of a line extending from Kansas City, Kans., along U.S. Highway 24 to its junction with U.S. Highway 81 in Cloud County, Kans., and thence along U.S. Highway 81 to the Kansas-Nebraska line; and (e) between points in Missouri, on and south of U.S. Highway 54, on the one hand, and, on the other, points in Kansas on and south of a line extending from the Missouri-Kansas Line along U.S. Highway 54 to Wichita, Kans., and thence along Kansas Highway 96 to the Kansas-Colorado Line. The purpose of this filing is to eliminate the gateways of Jasper, Lawrence, Newton, Barry or Barton Counties, Mo.

(5) *Road and contractors' machinery, contractors' equipment* other than oil field equipment, (a) between points in Tennessee, on the one hand, and, on the other, points in Kansas, and Oklahoma on and north of a line extending from the Arkansas-Oklahoma Line along U.S. Highway 62 to Muskogee, Oklahoma, thence along U.S. Highway 69 to Eufaula, Okla., thence along Oklahoma Highway 9 to its junction with U.S. Highway 277 near Blanchard, Okla., and thence along U.S. Highway 277 to the Oklahoma-Texas Line; (b) between points in Missouri on and east of Interstate Highway 35, on the one hand, and, on the other, points in Oklahoma on and east of a line extending from the Kansas-Oklahoma Line along U.S. Highway 81 to Chickasha, Okla. and thence along U.S. Highway 277 to the Oklahoma-Texas Line and on and north of a line extending from the Arkansas-Oklahoma Line along U.S. Highway 62 to Muskogee, Okla., thence along U.S. Highway 69 to Eufaula, Okla., thence along Oklahoma Highway 9 to Norman, Okla., and thence along U.S. Highway 77 to the Oklahoma-Texas Line; (c) between points in Missouri on and west of U.S. Highway 66, on the one hand, and, on the other, points in Oklahoma on and east of a line extending from the Oklahoma-Kansas Line along U.S. Highway 66 to Oklahoma City, Okla., and thence along U.S. Highway 77 to the Oklahoma-Texas Line; (d) between points in Missouri in and south of Cape Girardeau, Bollinger, Wayne, Carter, Shannon, Howell, Douglas, Webster, Greene, Dade and Jasper Counties, on the one hand, and, on the other, points in Kansas on and southeast of a line extending from Kansas City, Kans., along U.S. Highway 24 to its junction with U.S. Highway 81 in Cloud County, Kans., and thence along U.S. Highway 81 to the Kansas-Nebraska Line; and (e) between points in Missouri on and south of U.S. Highway 54, on the one hand, and, on the other, points in Kansas on and south of a line extending from the Missouri-Kansas Line along U.S. Highway 54 to Wichita, Kans., and thence along Kansas Highway 96 to the Kansas-Colorado Line, and points in Oklahoma on and west of a line extending from the Kansas-Oklahoma Line along U.S. Highway 81 to Chickasha, Okla., and thence along U.S. Highway 277 to the Oklahoma-Texas Line. The purpose of this filing is to eliminate the gateways of Jasper, Lawrence, Newton, Barry or Barton Counties, Mo.

(6) *Contractors' equipment* other than oilfield equipment, and *contractors' outfits* consisting of road and contractors' *machinery*, between Bessemer, Ala., and points in Alabama within 100 miles of Bessemer, on the one hand, and, on the other, points in Kansas and that part of Oklahoma on and north of a line extending from the Oklahoma-Arkansas Line along U.S. Highway 62 to Muskogee, Okla., thence along U.S. Highway 69 to Eufaula, Okla., thence along Oklahoma Highway 9 to its junction with U.S. Highway 62 near Blanchard, Okla., thence along U.S. Highway 62 to the Oklahoma-Texas Line. The purpose of this filing is to eliminate the gateways at points in Tennessee and Jasper, Lawrence, Newton, Barry or Barton Counties, Mo.

(7) *Contractors outfits* consisting of *machinery and contractors' equipment* other than oil field equipment, except those requiring special equipment, (a) between points in Missouri, on the one hand, and, on the other, points in Georgia on and south of a line extending from the Georgia-Alabama Line along Georgia Highway 20 to Cumming, Ga., and thence along U.S. Highway 19 to the Georgia-North Carolina Line; (b) from points in Missouri to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard; and (c) between points in Missouri on and northeast of a line extending from the Misouri-Iowa Line along U.S. Highsway 65 to Chillicothe, Mo., thence along U.S. Highway 36 to Macon, Mo., thence along U.S. Highway 63 to Columbia, Mo., and thence along U.S. Highway 40 to St. Louis, Mo., on the one hand, and, on the other, points in Mississippi on and southeast of U.S. Highway 11. The purpose of this filing is to eliminate the gateways of Birmingham, Ala. and points in Tennessee.

(8) *Contractors' equipment* other than oil field equipment, and *contractors' outfits* consisting of *road and contractors' machinery*, except those requiring special equipment restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and ma-

chinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining and milling of lead, zinc, iron, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, (a) between points in Georgia on and south of a line extending from the Georgia-Alabama Line along Georgia Highway 20 to Cumming, Ga., and thence along U.S. Highway 19, to the Georgia-North Carolina Line, on the one hand, and, on the other, points in Kansas; (b) between points in Georgia, on the one hand, and, on the other, points in Oklahoma on and north of U.S. Highway 62; (c) from points in Kansas, to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., and thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard; (d) from points in Oklahoma on and northeast of a line extending from the Arkansas-Oklahoma Line along Oklahoma Highway 33 to Tulsa, Okla., and thence along U.S. Highway 75 to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard; and (e) from points in Oklahoma on and north of U.S. Highway 62 to points in Florida on and east of U.S. Highway 319 and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Birmingham, Ala., Memphis, Tenn. and Lamar or Joplin, Mo.

(9) *Contractors' outfits and equipment*, which because of size or weight require the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling and repair of pipe lines), (b) between Bessemer, Ala. and points in Alabama within 100 miles of Bessemer and on or north of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and northwest of U.S. Highway 49 extending from the Arkansas-Mississippi Line to junction with U.S. Highway 79 to Fordyce, Ark., and thence along U.S. Highway 167 to the Arkansas-Louisiana Line; (b) between points in Alabama within 100 miles of Bessemer, Ala. and south of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and north of U.S. Highway 49 extending from the Arkansas-Mississippi Line to junction with U.S. Highway 79, thence along U.S. Highway 79 to Pine Bluff, Ark., and thence along U.S. Highway 270 to the Arkansas-Oklahoma Line; and (c) between Bessemer, Ala. and points in Alabama within 100 miles of Bessemer, on the one hand, and, on the other, points in Kentucky west of the Tennessee River and Kentucky Lake. The purpose of this filing is to eliminate the gateways of Memphis or Union City, Tenn.

(10) *Contractors' outfits and equipment*, consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) between Bessemer, Ala. and points in Alabama within 100 miles of Bessemer and on or north of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and northwest of U.S. Highway 49 extending from the Arkansas-Mississippi Line to junction with U.S. Highway 79 and thence along U.S. Highway 79 to Fordyce, Ark., and thence along U.S. Highway 167 to the Arkansas-Louisiana Line; (b) between points in Alabama within 100 miles of Bessemer, Ala., and south of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and north of U.S. Highway 49 extending from the Arkansas-Mississippi Line to junction with U.S. Highway 79 thence along U.S. Highway 79 to Pine Bluff, Ark., and thence along U.S. Highway 270 to the Arkansas-Oklahoma Line; and (c) between Bessmer, Ala. and points in Alabama within 100 miles of Bessemer, on the one hand, and, on the other, points in Kentucky west of the Tennessee River and Kentucky Lake. The purpose of this filing is to eliminate the gateways of Memphis or Union City, Tenn.

(11) *Contractors' outfits and equipment*, consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, except those requiring special equipment, (a) between points in Georgia on and north of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and southwest of U.S. Highway 63 and on and north of a line extending from the Arkansas-Mississippi Line along U.S. Highway 49 to junction U.S. Highway 79, thence along U.S. Highway 79 to Fordyce, Ark., and thence along U.S. Highway 167 to the Arkansas-Louisiana Line; (b) between points in Georgia on and south of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and north of a line extending from the Arkansas-Mississippi Line along U.S. Highway 49 to junction with U.S. Highway 79, thence along U.S. Highway 79 to Pine Bluff, Ark., and thence along U.S. Highway 270 to the Arkansas-Oklahoma Line; (c) between points in Georgia on and south of U.S. Highway 80, on the one hand, and, on the other, points in Kentucky west of the Tennessee River and Kentucky Lake; and (d) from points in Kentucky west of the Tennessee River and Kentucky Lake to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Birmingham, Ala. and points within ten miles thereof and Memphis or Union City, Tenn.

(12) *Contractors' outfits and equipment*, which because of size or weight require the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines, and except those requiring special equipment), (a) between points in Georgia on and north of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and southwest of U.S. Highway 63 and on and north of a line extending from the Arkansas-Mississippi Line along U.S. Highway 49 to junction U.S. Highway 79, thence along U.S. Highway 79 to Fordyce, Ark., and thence along U.S. Highway 167 to the Arkansas-Louisiana Line; (b) between points in Georgia on and south of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and north of a line extending from the Arkansas-Mississippi Line along U.S. Highway 49 to junction with U.S. Highway 79, thence along U.S. Highway 79 to Pine Bluff, Ark., and thence along U.S. Highway 270 to the Arkansas-Oklahoma Line; (c) between points in Georgia on and south of U.S. Highway 80, on the one hand, and, on the other, points in Kentucky west of the Tennessee River and Kentucky Lake; and (d) from points in Kentucky west of the Tennessee River and Kentucky Lake to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Birmingham, Ala. and points within ten miles thereof and Memphis or Union City, Tenn.

(13) *Machinery, contractors' equipment* other than oil field equipment, *structural steel, and iron and steel pipe* (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), restricted to the transportation of commodities which because of size or weight require the use of special equipment, (a) between points in Missouri, on the one hand, and, on the other, points in Kentucky on and south of a line beginning at Paducah, Ky. and extending along U.S. Highway 68 to Glasgow, Ky., thence along Kentucky Highway 80 to Hazard, Ky., thence along Kentucky Highway 15 to Whitesburg, Ky., and thence along U.S. Highway 119 to the Kentucky-West Virginia Line; (b) between points in Kentucky, on the one hand, and, on the other, points in Kansas, in and south of the Kansas Counties of Platte, Clay, Jackson, Johnson, Pettis, Cooper, Moniteau, Cole, Osage, Maries, Phelps, Crawford, Iron, Madison, and Ferry; (c) between points in Missouri in and east of the Missouri Counties of Butler, Wayne, Madison, St. Francois, Jefferson, St. Louis and St. Charles,

on the one hand, and, on the other, points in Arkansas on and south of a line extending from the Arkansas-Missouri Line along U.S. Highway 67 to Bald Knob, Ark., and thence along U.S. Highway 64 to Ft. Smith, Ark.; and (d) between points in Missouri, on and north of U.S. Highway 60, on the one hand, and, on the other, points in Arkansas in and east of the Arkansas Counties of Clay, Greene, Craighead, Poinsett, Cross, Saint Francis, and Crittenden. The purpose of this filing is to eliminate the gateways of Cape Girardeau or Poplar Bluff, Mo.

(14) *Contractors' equipment* other than oil field equipment, consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) between points in Missouri, on the one hand, and, on the other, points in Kentucky on and south of a line beginning at Paducah, Ky., and extending along U.S. Highway 68 to Glasgow, Ky., thence along Kentucky Highway 80 to Hazard, Ky., thence along Kentucky Highway 15 to Whitesburg, Ky., and thence along U.S. Highway 119 to the Kentucky-West Virginia Line; (b) between points in Kentucky, on the one hand, and, on the other, points in Kansas in and south of the Kansas Counties of Platte, Clay, Jackson, Johnson, Pettis, Cooper, Moniteau, Cole, Osage, Maries, Phelps, Crawford, Iron, Madison, and Ferry; (c) between points in Missouri in and east of the Missouri Counties of Butler, Wayne, Madison, St. Francois, Jefferson, St. Louis, and St. Charles, on the one hand, and, on the other, points in Arkansas on and south of a line extending from the Arkansas-Missouri Line along U.S. Highway 67 to Bald Knob, Ark., and thence along U.S. Highway 64 to Ft. Smith, Ark.; and (d) between points in Missouri on and north of U.S. Highway 60, on the one hand, and, on the other, points in Arkansas in and east of the Arkansas Counties of Clay, Greene, Craighead, Poinsett, Cross, Saint Francis, and Crittenden. The purpose of this filing is to eliminate the gateways of Cape Girardeau or Poplar Bluff, Mo.

(15) *Machinery, contractors' equipment* other than oil field equipment, *structural steel, and iron and steel pipe* (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment incidental to or used in the construction, development, opertion, and maintenance of facilities for the discovery, mining and milling of lead, zinc, iron, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, (a) between points in Kentucky on and south of a line beginning at Ashland, Ky., and extending along U.S. Highway 23 to Paintsville, Ky., thence along U.S. Highway 460 to Salyersville, Ky., thence along Kentucky Highway 7 to its junction with Kentucky Highway 80, thence along Kentucky Highway 80 to Hopkinsville, Ky., and thence along U.S. Highway 68 to Paducah, Ky., on the one hand, and, on the other, points in Kansas on and south of U.S. Highway 24 within 300 miles of Joplin, Mo.; (b) between points in Kentucky, on the one hand, and, on the other, points in Oklahoma on and west of U.S. Highway 271, within 300 miles of Joplin, Mo.; and (c) between points in Kentucky, on the one hand, and on the other, points in Kansas within 300 miles of Joplin, Mo., and on and south of a line extending from the Kansas-Missouri Line along U.S. Highway 54 to El Dorado, Kans., thence along U.S. Highway 77 to Junction with U.S. Highway 56, thence along U.S. Highway 56 to junction with Kanses Highway 96, and thence along Kansas 96 to Kansas-Colorado Line. The purpose of this filing is to eliminate the gateways of Cape Girardeau or Popular Bluff, Mo., and Seligman (Barry County) or Lamar (Barton County), Mo.

(16) *Contractors' equipment* other than oil field equipment, consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) between points in Kentucky on and south of a line beginning at Ashland, Ky., and extending along U.S. Highway 23 to Paintsville, Ky., thence along U.S. Highway 460 to Salyersville, Ky., thence along Kentucky Highway 7 to its junction with Kentucky Highway 80, thence along Kentucky Highway 80 to Hopkinsville, Ky., and thence along U.S. Highway 68 to Paducah, Ky., on the one hand, and, on the other, points in Kansas on and south of U.S. Highway 24; (b) between points in Kentucky, on the one hand, and, on the other, points in Oklahoma on and west of U.S. Highway 271; and (c) between points in Kentucky, on the one hand, and, on the other, points in Kansas on and south of a line extending from the Kansas-Missouri Line along U.S. Highway 54 to El Dorado, Kans., thence along U.S. Highway 77 to junction with U.S. Highway 56, thence along U.S. Highway 56 to junction with Kansas Highway 96, and thence along Kansas 96 to Kansas-Colorado Line. The purpose of this filing is to eliminate the gateways of Cape Girardeau or Poplar Bluff, Mo. and Seligman (Barry County) or Lamar (Barton County), Mo.

(17) *Machinery, contractors' equipment* other than oilfield equipment, structural steel, and pipe, the transportation of which because of size or weight requires the use of special equipment (except pipe, pipeline material, machinery, equipment and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), between points in Tennessee on and west of U.S. Highway 45W, on the one hand, and, on the other, points in Kentucky. The purpose of this filing is to eliminate the gateway of Union City, Tenn.

(18) *Contractors' equipment* other than oil field equipment, consisting of self-propelled articles each weighing 15,000 pounds and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Tennessee on and west of U.S. Highways 45 and 45W, on the one hand, and, on the other points in Kentucky. The purpose of this filing is to eliminate the gateway of Union City, Tenn.

(19) *Commodities* (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), the transportation of which because of size or weight require the use of special equipment, between points in Kentucky, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of Union City, Tenn.

(20) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Kentucky, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of Union City, Tenn.

(21) *Machinery*, except commodities requiring special equipment, from Chicago and Peoria, Ill., to Birmingham, Ala., and points and places within 10 miles of Birmingham. The purpose of this filing is to eliminate the gateway of Paris, Tenn.

(22) *Machinery*, consisting of contractors' outfits and equipment, from Chicago and Peoria, Ill., to Bessemer, Ala., and points in Alabama within 100 miles of Bessemer. The purpose of this filing is to eliminate the gateway of Paris, Tenn.

(23) *Machinery*, consisting of contractors' outfits and equipment, except those requiring special equipment, from Chicago and Peoria, Ill., to points in Georgia on and south of U.S. Highway 278, Mississippi on and east of U.S. Highway 11, Louisiana east of the Mississippi River, and points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Paris, Tenn. and Birmingham, Ala.

(24) *Machinery*, (a) from Chicago and Peoria, Ill., to points in Tennessee on and west of U.S. Highway 41 and (b) from Peoria, Ill., to points in Tennessee west of U.S. Highway 41 and on and south of U.S. Highway 70. The purpose of this filing is to eliminate the gateway of Paris, Tenn.

(25) *Machinery*, the transportation of which because of size or weight requires the use of special equipment (except machinery and equipment incidental to and used in connection with the construction, dismantling, and repair of pipe

lines), (a) from Chicago, Ill., to points in Arkansas on and south of a line extending from the Arkansas-Missouri Line along U.S. Highway 67 to Bald Knob, Ark., and thence along U.S. Highway 64 to Ft. Smith, Ark.; (b) from Peoria, Ill., to points in Arkansas on and south of a line extending from the Arkansas-Missouri Line along U.S. Highway 67 to Little Rock, Ark. and thence along U.S. Highway 70 to the Arkansas-Oklahoma Line. The purpose of this filing is to eliminate the gateway of Dyersburg, Tenn.

(26) *Road and bridge building machinery*, the transportation of which because of size or weight requires the use of special equipment (except machinery and equipment incidental to and used in connection with the construction, dismantling, and repair of pipe lines), from Chicago and Peoria, Ill., to points in Louisiana, that part of Mississippi on and southwest of a line extending from Greenville, Miss., along U.S. Highway 82 to junction with U.S. Highway 61, thence along U.S. Highway 61 to Vicksburg, Miss., thence along U.S. Highway 80 to Jackson, Miss., and thence along U.S. Highway 49 to Gulfport, Miss., and that part of Texas on and south of a line extending from Texarkana along U.S. Highway 67 to Greenville, Tex., and thence along U.S. Highway 380 to the Texas-New Mexico Line. The purpose of this filing is to eliminate the gateways of Dyersburg, Tenn. and Warren, Ark.

(27) *Mining, excavating, construction and road building, contractors' machinery, equipment and supplies*, which by reason of size or weight require special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), (a) (1) between points in Indiana, on the one hand, and, on the other, points in Arkansas; (2) between points in Indiana, on the one hand, and, on the other, points in Kentucky on and west of U.S. 45; (3) between points in Indiana, on and north of U.S. Highway 150, on the one hand, and, on the other, points in Kentucky west of the Tennessee River; and (4) between points in Indiana, on the one hand, and, on the other, Memphis, Tenn.

(b) (1) between points in Missouri on and north of U.S. 62, on the one hand, and, on the other, points in Kentucky; (2) between points in Missouri on and east of U.S. 61 commencing at Cape Girardeau and extending to the Missouri-Iowa State line, on the one hand, and, on the other, points in Arkansas on and east of U.S. 67; and (3) between points in Missouri on and west of U.S. 63, on the one hand, and, on the other, points in Tennessee on and east of U.S. 11 and U.S. 11W. The purpose of this filing is to eliminate the gateways of points in Illinois within 50 miles of Sikeston, Mo.; U.S. 45 intersection 5 miles northeast, Metropolis, Ill., Cairo, Ill. and Blytheville, Ark.

(28) *Mining, excavating, construction and road building, and contractors' machinery*, which by reason of size or weight requires the use of special equipment, or consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith, (a) between points in Missouri on the north of U.S. 50, on the one hand, and, on the other, points in Kentucky and points in Indiana on and south of U.S. Highway 50; and (b) between points in Indiana on and north of U.S. Highway 36, on the one hand, and, on the other, points in Missouri on and south of U.S. Highway 50. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

(29) *Mining, excavating, construction and road building, and contractors' machinery*, which by reason of size or weight requires the use of special equipment, or consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith, restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining and milling of lead, zinc, iron, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, between points in Indiana, and those in Kentucky on and northeast of a line beginning at the Indiana-Kentucky Line, thence over U.S. Highway 41 to Henderson, Ky., thence over U.S. Highway 60 to Louisville, Ky., thence over U.S. Highway 150 to Mt. Vernon, Ky., thence over U.S. Highway 25 and U.S. Highway 25W to the Kentucky-Tennessee Line on the one hand, and, on the other, points in Oklahoma within 300 miles of Joplin, Mo. and those in Kansas on and south of U.S. Highway 54 within 300 miles of Joplin, Mo. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill. and Joplin (Jasper County), Mo.

(30) *Contractors' equipment* (other than oil field equipment), which because of size or weight requires the use of special equipment, or consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) between points in Missouri on and north of U.S. Highway 50, on the one hand, and, on the other, points in Kentucky and points in Indiana on and south of U.S. Highway 50; and (b) between points in Indiana on and north of U.S. Highway 36, on the one hand, and, on the other, points in Missouri on and south of U.S. Highway 50. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

(31) *Road and contractors' machinery and contractors' equipment* (other than oil field equipment), which because of size or weight require the use of special equipment, or consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith, restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining and milling of lead, zinc, iron, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, between points in Kentucky on and northeast of a line beginning at the Indiana-Kentucky Line, thence over U.S. Highway 41 to Henderson, thence over U.S. Highway 60 to Louisville, thence over U.S. Highway 150 to Mt. Vernon, thence over U.S. Highway 25 and U.S. Highway 25W to the Kentucky-Tennessee Line, on the one hand, and, on the other, points in Oklahoma, and points in Kansas on and south of U.S. Highway 54. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill. and Joplin (Jasper County), Mo.

(32) *Such self-propelled articles*, each weighing 15,000 pounds or more, which may be included in mining, excavating, construction, roadbuilding and contractors' machinery and equipment, and *related machinery, tools, parts and supplies* moving in connection therewith, (a) (1) between points in Indiana, on the one hand, and, on the other, points in Arkansas; (2) between points in Indiana, on the one hand, and, on the other, points in Kentucky on and west of U.S. Highway 45; (3) between points in Indiana, on and north of U.S. Highway 150, on the one hand, and, on the other, points in Kentucky west of the Tennessee River, and (4) between points in Indiana, on the one hand, and, on the other, Memphis, Tenn; and (b) (1) between points in Missouri on and north of U.S. Highway 62, on the one hand, and, on the other, points in Kentucky; (2) between points in Missouri on and east of U.S. Highway 61 commencing at Cape Girardeau and extending to the Missouri-Iowa State Line, on the one hand, and, on the other, points in Arkansas on and east of U.S. Highway 67, and (3) between points in Missouri on and west of U.S. Highway 63, on the one hand, and, on the other, points in Tennessee on and east of U.S. Highway 11 and U.S. Highway 11W. The purpose of this filing is to eliminate the gateways at points in Illinois within 50 miles of Sikeston, Mo. and Cairo, Ill., U.S. 45 Intersection 5 miles northeast, Metropolis, Ill. and Blythville, Ark.

(33) *Road and bridge building machinery and materials*, the transportation of which because of size and weight require the use of special equipment (ex-

cept pipe, pipeline material, machinery, equipment, and supplies incidential to and used in connection with the construction, dismantling, and repair of pipe lines), (a) between Sikeston, Mo. and points within 50 miles of Sikeston, Mo., Kentucky, and Tennessee on the one hand, and, on the other, points in Louisiana on and west of a line beginning at the Arkansas-Louisiana Line, thence over U.S. Highway 165 to its intersection with U.S. Highway 90, and thence over U.S. Highway 90 to the Louisiana-Texas Line, and points in Texas on and south of U.S. Highway 62; and (b) between points in Kentucky and Tennessee on and east of U.S. Highway 31 and U.S. Highway 31W, on the one hand, and, on the other, points in Oklahoma on and southeast of a line beginning at the Texas-Oklahoma Line, thence over Interstate Highway 40 to Henryetta, thence over the Indian National Turnpike and U.S. Highway 271 to the Oklahoma-Texas Line. The purpose of this filing is to eliminate the gateway of Warren, Ark.

(34) *Road and bridge building machinery,* consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, (a) between Sikeston, Mo., and points within 50 miles of Sikeston, Mo., Kentucky and Tennessee, on the one hand, and, on the other, points in Louisiana on and west of a line beginning at the Arkansas-Louisiana Line, thence over U.S. Highway 165 to its intersection with U.S. Highway 90, and thence over U.S. Highway 90 to the Louisiana-Texas Line, and points in Texas on and south of U.S. Highway 62; and (b) between points in Kentucky and Tennessee on and east of U.S. Highway 31 and U.S. Highway 31W, on the one hand, and, on the other, points in Oklahoma on and southeast of a line beginning at the Texas-Oklahoma Line, thence over Interstate Highway 40 to Henryetta, thence over the Indian National Turnpike and U.S. Highway 271 to the Oklahoma-Texas Line. The purpose of this filing is to eliminate the gateway of Warren, Ark.

(35) *Road and bridge building machinery,* which by reason of size or weight require the use of special equipment (except machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipelines), (a) (1) between points in Indiana on the one hand, and, on the other, points in Texas on and south of U.S. Highway 62, and points in Louisiana on and west of a line beginning at the Louisiana-Mississippi Line, thence over U.S. Highway 61 to Baton Rouge, thence over Louisiana Highway 1 to the Gulf of Mexico; (2) between points in Indiana on and north of a line beginning at the Illinois-Indiana Line, thence over Interstate Highway 70 to Indianapolis, thence over Interstate Highway 69 to the Indiana-Michigan Line, on the one hand, and, on the other, points in Mississippi on and west of a line beginning at Vicksburg, thence over Mississippi Highway 27 to the Mississippi-Louisiana Line, and points in Louisiana on and east of a line beginning at the Gulf of Mexico, thence along Louisiana Highway 1 to Baton Rouge, thence over U.S. Highway 61 to the Louisiana-Mississippi Line; and (b) between points in Louisiana on and south of U.S. Highway 80 on the one hand, and, on the other, points in Missouri on and northeast of a line beginning at Cape Girardeau, thence over Missouri Highway 72 to Rolla, thence over U.S. Highway 63 to Missouri-Iowa Line. The purpose of this filing is to eliminate the gateways of Cairo, Ill. and Warren, Ark.; Poplar Bluff, Mo. (within 50 miles of Sikeston).

(36) *Road and bridge building machinery,* consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) (1) between points in Indiana, on the one hand, and, on the other, points in Texas on and south of U.S. Highway 62, and points in Louisiana on and west of a line beginning at the Louisiana-Mississippi Line, thence over U.S. Highway 61 to Baton Rouge, thence over Louisiana Highway 1 to the Gulf of Mexico; (2) between points in Indiana on and north of a line beginning at the Illinois-Indiana Line, thence over Interstate Highway 70 to Indianapolis, thence over Interstate Highway 69 to the Indiana-Michigan Line, on the one hand, and, on the other, points in Mississippi on and west of a line beginning at Vicksburg, thence over Mississippi Highway 27 to the Mississippi-Louisiana Line, and points in Louisiana on and east of a line beginning at the Gulf of Mexico, thence over Louisiana Highway 1 to Baton Rouge, thence over U.S. Highway 61 to the Louisiana-Mississippi Line; and (b) between points in Louisiana on and south of U.S. Highway 80, on the one hand, and, on the other, points in Missouri on and northeast of a line beginning at Cape Girardeau, thence over Missouri Highway 72 to Rolla, thence over U.S. Highway 63 to the Missouri-Iowa Line. The purpose of this filing is to eliminate the gateways of Cairo, Ill. and Warren, Ark., Poplar Bluff, Mo. (within 50 miles of Sikeston).

(37) *Contractors' outfits and equipment,* consisting of road and bridge building machinery and materials, the transportation of which because of size or weight require the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling and repair of pipelines), between Bessemer, Ala., and points in Alabama within 100 miles of Bessemer, on the one hand, and, on the other, points in Texas and Oklahoma on and west of a line beginning at the Texas-New Mexico Line, thence over U.S. Highway 82 to Wichita Falls, Tex., thence over U.S. Highway 277 to Oklahoma City, thence over Interstate Highway 35 to the Oklahoma-Kansas Line. The purpose of this filing is to eliminate the gateways of Memphis, Tenn. and Warren, Ark.

(38) *Contractors' outfits and equipment* consisting of road and bridge building machinery, restricted to self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, between Bessemer, Ala., and points in Alabama within 100 miles of Bessemer, on the one hand, and, on the other, points in Texas and Oklahoma on and west of a line beginning at the Texas-New Mexico Line, thence over U.S. Highway 82 to Wichita Falls, Tex., thence over U.S. Highway 277 to Oklahoma City, thence over Interstate Highway 35 to the Oklahoma-Kansas Line. The purpose of this filing is to eliminate the gateways of Memphis, Tenn. and Warren, Ark.

(39) *Contractors' outfits and equipment,* consisting of road and bridge building machinery and materials, the transportation of which because of size or weight requires the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines, and except those commodities requiring special equipment), (a) (1) between points in Oklahoma on and west of a line beginning at the Oklahoma-Kansas line, thence over U.S. Highway 75 to Henryetta, thence over the Indiana National Turnpike to Hugo, thence over U.S. Highway 271 to the Oklahoma-Texas line, on the one hand, and, on the other points in Georgia on and south of a line beginning at the Alabama-Georgia line, thence over U.S. Highway 78 to Atlanta, thence over U.S. Highway 278 to the Georgia-South Carolina line; (2) between points in Georgia on and north of Georgia Highway 8, on the one hand, and, on the other, points in Texas on and northwest of a line beginning at the Texas-Arkansas line, thence over U.S. Highway 67 to Dallas, thence over Interstate Highway 35 to the Texas-Mexican border; and (b) from points in Oklahoma, and points in Texas on and north of U.S. Highway 67 to points in Florida on and southeast of a line beginning at the Georgia-Florida line, thence over U.S. Highway 221 to Perry, thence over Florida Highway 361A to the Gulf of Mexico and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Birmingham, Ala., Memphis, Tenn. and Warren, Ark.

(40) *Contractors' outfits and equipment,* consisting of road and bridge building machinery, restricted to self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith (except those commodities requiring special equipment), (a) (1) between points in Oklahoma on and west of a line beginning at the Oklahoma-Kansas line thence over U.S. Highway 75 to Henryetta, thence over Indiana National Turnpike to Hugo, thence over U.S. Highway 271 to the Oklahoma-Texas line, on the one hand, and, on the other, points in Georgia on and south of a line beginning at the

Alabama-Georgia line thence over U.S. Highway 78 to Atlanta, thence over U.S. Highway 278 to the Georgia-South Carolina line; (2) between points in Georgia on and north of Georgia Highway 8, on the one hand, and, on the other, points in Texas, on and northwest of a line beginning at the Texas-Arkansas line thence over U.S. Highway 67 to Dallas, thence over Interstate Highway 35 to the Texas-Mexican border; and (b) from points in Oklahoma, and points in Texas on and north of U.S. Highway 67, to points in Florida on and southeast of a line beginning at the Georgia-Florida line, thence along U.S. Highway 221 to Perry, thence over Florida Highway 361A to the Gulf of Mexico and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along on unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Birmingham, Ala., Memphis, Tenn. and Warren, Ark.

(41) *Commodities*, the transportation of which because of size or weight require the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), (a)(1) between Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and all points in Illinois, on the one hand, and, on the other, points in Arkansas on and south of a line beginning at the Tennessee-Arkansas line, thence over Interstate Highway 40 to Little Rock, thence over U.S. Highway 67 to the Arkansas-Texas line; (2) between points in Illinois on and east of Interstate Highway 57, on the one hand, and, on the other, points in Arkansas; (3) between Dubuque, Iowa, and points in Iowa within 150 miles of Dubuque, on the one hand, and, on the other, points in Kentucky on and south of a line beginning at the Illinois-Kentucky line, thence over U.S. Highway 45 to Paducah, thence over U.S. Highway 62 to Princeton, thence over Kentucky Highway 91 to Hopkinsville, thence over U.S. Highway 68 to Bowling Green, thence over U.S. Highway 231 to the Kentucky-Tennessee line.

(4) Between points in Wisconsin within 150 miles of Dubuque, Iowa, on the one hand, and, on the other, points in Kentucky on and southwest of a line beginning at the Illinois-Kentucky line, thence over U.S. Highway 45 to Paducah, thence over U.S. Highway 62 to Princeton, thence over Kentucky Highway 91 to Hopkinsville, thence over U.S. Highway 41 to the Kentucky-Tennessee line; and (5) between points in Illinois on and northwest of a line beginning at the Illinois-Missouri line, thence over U.S. Highway 40 to Effingham, thence over Interstate Highway 57 to Chicago, on the one hand, and, on the other, points in Kentucky on and west of a line beginning at the Kentucky-Illinois Line, thence over U.S. Highway 45 to Paducah, thence over U.S. Highway 68 to intersection with U.S. Highway 641, thence over U.S. Highway 641 to the Kentucky-Tennessee line; and (b)(1) between Dubuque, Iowa and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and north of U.S. Highway 34, on the one hand, and, on the other, points in Tennessee on and southwest of a line beginning at the Tennessee-Arkansas line, thence along Tennessee Highway 20 to Jackson, thence along U.S. Higwhay 45 to the Tennessee-Alabama line. The purpose of this filing is to eliminate the gateways of Cairo, Ill. and Blytheville, Ark.

(42) *Self-propelled articles* each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith, (a)(1) between Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and all points in Illinois, on the one hand, and, on the other, points in Arkansas on and south of a line beginning at the Tennessee-Arkansas line, thence over Interstate Highway 40 to Little Rock, thence over U.S. Highway 67 to the Arkansas-Texas line; (2) between points in Illinois on and east of Interstate Highway 57, on the one hand, and, on the other, points in Arkansas; (3) between Dubuque, Iowa, and points in Iowa within 150 miles of Dubuque, on the one hand, and, on the other, points in Kentucky on and south of a line beginning at the Illinois-Kentucky line, thence over U.S. Highway 45 to Paducah, thence over U.S. Highway 62 to Princeton, thence over Kentucky Highway 91 to Hopkinsville, thence over U.S. Highway 68 to Bowling Green, thence over U.S. Highway 231 to the Kentucky-Tennessee line; (4) between points in Wisconsin within 150 miles of Dubuque, Iowa, on the one hand, and, on the other, points in Kentucky on and southwest of a line beginning at the Illinois-Kentucky line, thence over U.S. Highway 45 to Paducah, thence over U.S. Highway 62 to Princeton, thence over Kentucky Highway 91 to Hopkinsville, thence over U.S. Highway 41 to the Kentucky-Tennessee line; and (5) between points in Illinois on and northwest of a line beginning at the Illinois-Missouri line, thence over U.S. Highway 40 to Effingham, thence over Interstate Highway 57 to Chicago, on the one hand, and, on the other, points in Kentucky on and west of a line beginning at the Kentucky-Illinois line, thence over U.S. Highway 45 to Paducah, thence over U.S. Highway 68 to intersection with U.S. Highway 641, thence over U.S. Highway 641 to the Kentucky-Tennessee line; and (b)(1) between Dubuque, Iowa and ponts in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and north of U.S. Highway 34, on the one hand, and, on the other, points in Tennessee on and southwest of a line beginning at the Tenessee-Arkansas line, thence along Tennessee Highway 20 to Jackson, thence along U.S. Highway 45 to the Tennessee-Alabama line. The purpose of this filing is to eliminate the gateways of Cairo, Ill. and Blytheville, Ark.

(43) *Road and bridge building machinery and materials*, the transportation of which because of size or weight require the use of special equipment (except pipe, pipe line material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling and repairing of pipelines), (a) between Dubuque, Iowa, and points in Iowa within 150 miles of Dubuque, on the one hand, and, on the other, points in Louisiana on and south of a line beginning at the Louisiana-Texas line, thence over Louisiana Highway 6 to Clarence, thence over U.S. Highway 84 to Tullos, thence over U.S. Highway 165 to the Louisiana-Arkansas line, and points in Mississippi on and east of of a line beginning at the Arkansas-Mississippi line, thence along U.S. Highway 82 to Indianola, thence along U.S. Highway 49W and U.S. Highway 49 to the Gulf of Mexico and (b) between points in Wisconsin within 150 miles of Dubuque, Iowa and on and east of a line beginning at the Illinois-Wisconsin line, thence over U.S. Highway 14 to Madison, thence over U.S. Highway 12 to Wisconsin Dells, thence over Wisconsin 13 to the Wisconsin Border, and points in Illinois on and north of U.S. Highway 34, on the one hand, and, on the other, points in Louisiana, points in Mississippi on and east of a line beginning at the Arkansas-Mississippi line, thence along U.S. Highway 82 to Indianola, thence along U.S. Highway 49W and U.S. 49 to the Gulf of Mexico, and points in Texas on and south of a line beginning at the Arkansas-Texas line, thence over U.S. Highway 59 to Henderson, thence over U.S. Highway 79 to Round Rock, thence over Interstate Highway 35 to Austin, thence over U.S. Highway 290 to Ft. Stockton, thence over U.S. Highway 67 to the Texas-Mexico border. The purpose of this filing is to eliminate the gateways of Cairo, Ill. and Warren, Ark.

(44) *Road and bridge building machinery and materials*, consisting of self-propelled articles, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith, (a) between Dubuque, Iowa, and points in Iowa within 150 miles of Dubuque, on the one hand, and, on the other, points in Louisiana on and south of a line beginning at the Louisiana-Texas line, thence over Louisiana Highway 6 to Clarence, thence over U.S. Highway 84 to Tullos, thence over U.S. Highway 165 to the Louisiana-Arkansas line, and points in Mississippi on and east of a line beginning at the Arkansas-Mississippi line, thence along U.S. Highway 82 to Indianola, thence over U.S. Highway 49W and U.S. Highway 49 to the Gulf of Mexico and (b) between points in Wisconsin within 150 miles of Dubuque, Iowa and on and east of a line beginning at the Illinois-Wisconsin line, thence over U.S. Highway 14 to Madison, thence over U.S. Highway 12, to Wisconsin Dells, thence over Wisconsin Highway 13 to the Wisconsin border, and points in Illinois on and north of U.S. Highway 34, on the one hand, and, on the other, points in Louisiana, points in Mississippi on and

east of a line beginning at the Arkansas-Mississippi line, thence over U.S. Highway 82 to Indianola, thence over U.S. Highway 49W and 49 to the Gulf of Mexico, and points in Texas on and south of a line beginning at the Arkansas-Texas line, thence over U.S. Highway 59 to Henderson, over U.S. Highway 79 to Round Rock, thence over Interstate Highway 35 to Austin, thence over U.S. Highway 290 to Ft. Stockton, thence over U.S. Highway 67 to the Texas-Mexico border. The purpose of this filing is to eliminate the gateways of Cairo, Ill. and Warren, Ark.

(45) *Commodities* the transportation of which because of size or weight require the use of special equipment (except pipe, pipe line material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines, and except commodities of unusual value, dangerous explosives, household goods as defined in *Practice of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, and those requiring special equipment), from Dubuque, Iowa and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and northwest of a line beginning at the Missouri-Illinois line, thence along U.S. Highway 40 to Effingham, thence along Interstate Highway 57 to Chicago, to Birmingham, Ala., and points within ten miles of Birmingham. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark. and Memphis, Tenn.

(46) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (except commodities of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), from Dubuque, Iowa, and points in Iowa, and Wisconsin within 150 miles of Dubuque, and points in Illinois on and northwest of a line beginning at the Missouri-Illinois line, thence over U.S. Highway 40 to Effingham, thence over Interstate Highway 57 to Chicago, to Birmingham, Ala., and points within ten miles of Birmingham. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark., and Memphis, Tenn.

(47) *Contractors' outfits and equipment*, the transportation of which because of size or weight requires the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repairing of pipelines), (a) between Dubuque, Iowa and points in Iowa within 150 miles of Dubuque, on the one hand, and, on the other, Bessemer, Ala., and points in Alabama within 100 miles of Bessemer and (b) between Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and northwest of a line beginning at the Missouri-Illinois line, thence over U.S. Highway 40 to Effingham, thence over Interstate Highway 57 to Chicago, on the one hand, and, on the other, points in Alabama on and southeast of a line beginning at the Alabama-Mississippi line thence over U.S. Highway 11 to Birmingham, thence over U.S. Highway 31 to Montgomery, thence over U.S. Highway 231 to the Alabama-Florida line which are within 100 miles of Bessemer. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark. and Memphis, Tenn.

(48) *Contractors' outfits and equipment*, consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, (a) between Dubuque, Iowa and points in Iowa within 150 miles of Dubuque, on the one hand, and, on the other, Bessemer, Ala., and points in Alabama within 100 miles of Bessemer and (b) between Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and northwest of a line beginning at the Missouri-Illinois line, thence over U.S. Highway 40 to Effingham, thence over Interstate Highway 57 to Chicago, on the one hand, and, on the other, points in Alabama on and southeast of a line beginning at the Alabama-Mississippi line thence over U.S. Highway 11 to Birmingham, thence over U.S. Highway 31 to Montgomery, thence over U.S. Highway 231 to the Alabama-Florida line which are within 100 miles of Bessemer. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark., and Memphis, Tenn.

(49) *Contractors' outfits and equipment*, the transportation of which because of size or weight requires the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repairing of pipelines, and commodities of unusual value, dangerous explosives, household goods as defined in *Practice of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, and those requiring special equipment), (a) (1) between Dubuque, Iowa and points in Iowa within 150 miles of Dubuque, and points in Wisconsin within 150 miles of Dubuque and on and west of Wisconsin Highway 80, on the one hand, and, on the other, points in Georgia on and south of U.S. Highway 80; (2) between points in Wisconsin within 150 miles of Dubuque, Iowa and on and east of U.S. Highway 41, on the one hand, and, on the other, points in Mississippi on and southeast of a line beginning at the Alabama-Mississippi line thence over Mississippi Highway 42 to Hattiesburg, thence over U.S. Highway 11 to the Mississippi-Louisiana line; and (b) from Dubuque, Iowa and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and west of Interstate Highway 57 to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark., Memphis, Tenn. and Birmingham, Ala.

(50) *Contractors' outfits and equipment*, consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), (a) (1) between Dubuque, Iowa and points in Iowa within 150 miles of Dubuque, and points in Wisconsin within 150 miles of Dubuque and on and west of Wisconsin Highway 80, on the one hand, and, on the other, points in Georgia on and south of U.S. Highway 80; (2) between points in Wisconsin within 150 miles of Dubuque, Iowa and on and east of U.S. Highway 41, on the one hand, and, on the other, points in Mississippi on and southeast of a line beginning at the Alabama-Mississippi line thence along Mississippi Highway 42 to Hattiesburg, thence along U.S. Highway 11 to the Mississippi-Louisiana line; and (b) from Dubuque, Iowa and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and west of Interstate Highway 57, to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa; thence along U.S. Highway 92 to Kissimmee, Fla., thence along U.S. Highway 192 to Melbourne, Fla., and thence along an unnumbered Highway to the Atlantic Seaboard. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark., Memphis, Tenn. and Birmingham, Ala.

(51) *Oil field equipment and supplies*, the transportation of which because of size or weight requires the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipe lines), (a) between points in Texas within 200 miles of Texarkana, Tex., including Texarkana, on the one hand, and, on the other, points in Tennessee and (b) between points in Texas within 200 miles of Texarkana, Tex., including Texarkana, on the one hand, and, on the other, points in Kentucky. The purpose of this filing is to eliminate the gateways of Montrose, Ark. (within 150 miles of Texarkana), Texarkana, Ark., and Union City, Tenn.

(52) *Oil field equipment and supplies*, consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, (a) between points in Texas within 200 miles of Texarkana, Tex., including Texarkana, on the one hand, and, on the other, points in Tennessee and (b) between points in Texas within 200 miles of Texarkana, Tex., including Texarkana, on the one hand, and, on the other, points in Kentucky. The purpose of this filing is to eliminate the gateways of

Montrose, Ark. (within 150 miles of Texarkana), Texarkana, Ark., and Union City, Tenn.

(53) *Mining, excavating, construction and road building, contractors' machinery, equipment and supplies*, which by reason of size or weight require special equipment, restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment, incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining and milling of lead, zinc, iron, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, (a) (1) between points in Illinois on and east of U.S. Highway 66 and on and north of U.S. Highway 40, on the one hand, and, on the other, points in Missouri on and south of U.S. Highway 50, and on and west of U.S. Highway 67; (2) between points in Illinois on and west of U.S. Highway 66 and on and east of U.S. Highway 67, on the one hand, and, on the other, points in Missouri on and south of U.S. Highway 66; (3) between points in Illinois on and south of U.S. Highway 50, on the one hand, and, on the other, points in Missouri on and north of U.S. Highway 50; and (b) between points in Illinois on and east of U.S. Highway 67 and on and north of a line beginning at Chester, Ill., thence along Illinois Highway 3 to Murphysboro, thence along Illinois Highway 13 to the Illinois-Indiana line, on the one hand, and, on the other, points in Cherokee, Crawford, Labette, and Montgomery Counties, Kansas, and Ottawa County, Okla. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

(54) *Roadbuilding and contractors' machinery and equipment*, which by reason of size or weight requires the use of special equipment, restricted to the transportation of machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining and milling of lead, zinc, iron, coal, and other minerals, and commodities which because of size or weight require the use of special equipment or special handling, (a) between points in Illinois on and east of U.S. Highway 67 and on and north of a line beginning at Chester, Ill., thence along Illinois Highway 3 to Murphysboro, thence over Illinois Highway 13 to the Illinois-Indiana line, on the one hand, and, on the other, points in Oklahoma; and (b) between points in Illinois on and east of a line beginning at the Missouri-Illinois line, thence over U.S. Highway 66 to Chicago, thence over U.S. Highway 45 to the Illinois-Wisconsin line, on the one hand, and, on the other, points in Kansas on and south of a line beginning at the Kansas-Missouri line, thence over U.S. Highway 54 to Wichita, thence over Kansas Highway 96 to Scott City, thence over U.S. Highway 83 to Oakley, thence over U.S. Highway 40 to the Kansas-Colorado line. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., Joplin (Jasper County), Mo., Ottawa County, Okla., Barton County, Mo., and Pittsburg (Crawford County), Kans.

(55) *Such self-propelled articles*, each weighing 15,000 pounds or more, which may be included in mining, excavating, construction, roadbuilding, and contractors' machinery, and *related machinery, tools, parts and supplies* moving in connection therewith, (a) (1) between points in Illinois on and east of U.S. Highway 66 and on and north of U.S. Highway 40, on the one hand, and, on the other, points in Missouri on and south of U.S. Highway 50, and on and west of U.S. Highway 67; (2) between points in Illinois on and west of U.S. Highway 66 and on and east of U.S. Highway 67, on the one hand, and, on the other, points in Missouri on and south of U.S. Highway 66; (3) between points in Illinois on and south of U.S. Highway 50, on the one hand, and, on the other, points in Missouri on and north of U.S. Highway 50; and (b) between points in Illinois on and east of U.S. Highway 67 and on and north of a line beginning at Chester, Ill., thence along Illinois Highway 3 to Murphysboro, thence over Illinois Highway 13 to the Illinois-Indiana line, on the one hand, and, on the other, points in Cherokee, Crawford, Labette, and Montgomery Counties, Kans., and Ottawa County, Okla. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., Barton, Jasper or Newton Counties, Mo.

(56) *Such self-propelled articles*, each weighing 15,000 pounds or more, which may be included in roadbuilding and contractors' machinery, and *related machinery, tools, parts and supplies* moving in connection therewith, (a) between points in Illinois on and east of U.S. Highway 67 and on and north of a line beginning at Chester, Ill., thence over Illinois Highway 3 to Murphysboro, thence over Illinois Highway 13 to the Illinois-Indiana line, on the one hand, and, on the other, points in Oklahoma; and (b) between points in Illinois on and east of a line beginning at the Missouri-Illinois line, thence over U.S. Highway 66 to Chicago, thence over U.S. Highway 45 to the Illinois-Wisconsin line, on the one hand, and, on the other, points in Kansas on and south of a line beginning at the Kansas-Missouri line, thence over U.S. Highway 54 to Wichita, thence over Kansas Highway 96 to Scott City, thence over U.S. Highway 83 to Oakley, thence over U.S. Highway 40 to the Kansas-Colorado line. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., Joplin (Jasper County), Mo., Ottawa County, Okla., Barton County, Mo., and Pittsburgh (Crawford County), Kans.

(57) (1) *Material handling equipment, winches, compaction and road-making equipment, rollers, mobile cranes and highway freight trailers*, and (2) *parts, attachments and accessories* of the commodities described in (1) above, (restricted to commodities consisting of road and contractors' equipment and machinery, which because of size or weight requires the use of special equipment or such as are self-propelled articles each weighing 15,000 pounds or more), between the plant sites of Hyster Company, located at or near Danville, Kewanee, and Peoria, Ill., on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of Gravette, Ark. (within 300 miles of Joplin, Mo.) and Ottawa County, Okla.

(58) *Material handling equipment and parts, attachments, and accessories* used in connection with material handling equipment (except commodities in bulk), which may be included in contractors' outfits and equipment, covered in (57) except for the following: (a) between Memphis, Tenn., on the one hand, and, on the other, points in California, Idaho, Nevada, Oregon, Washington, Pennsylvania, New York, New Jersey, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, points in Virginia on and east of Interstate Highway 81, and the District of Columbia; and (b) between points in Louisana east of the Mississippi River, on the one hand, and, on the other, points in Virginia, West Virginia, Pennsylvania, New York, New Jersey, Delaware, Maryland, Connecteut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Ohio, Indiana, Illinois, Kentucky, Michigan, Wisconsin, Minnesota, South Dakota, North Dakota, Montana, Idaho, Washington, Oregon, and points in California on and north of Interstate Highway 80, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Winfield, Ala.

(59) *Contractors equipment and road-building machinery*, which because of size or weight require the use of special equipment, or consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) from Peoria, Pekin, and Joliet, Ill., Detroit, Mich., Marion, Ohio, Milwaukee, Wis., and Cedar Rapids and Waverly, Iowa, to points in Mississippi on and south of a line beginning at the Mississippi-Louisiana line, thence over U.S. Highway 80 to Jackson, thence over U.S. Highway 51 to Durant, thence over Mississippi Highway 12 to the Mississippi-Alabama line, points in Louisiana on and east of the Mississippi River; (b) from Detroit, Mich. and Marion, Ohio, to points in Louisiana; (c) from Detroit, Mich. and Marion, Ohio, to points in

Florida on and east of a line beginning at the Georgia-Florida line, thence over U.S. Highway 19 to Perry, thence over Florida Highway 361A to the Gulf of Mexico; and (d) from Peoria, Pekin, and Joliet, Ill., Milwaukee, Wis., and Cedar Rapids, and Waverly, Iowa, to points in Georgia on and south of a line beginning at the Alabama-Georgia line, thence over U.S. Highway 78 to Atlanta, thence over U.S. Highway 23 to McRae, thence over U.S. Highway 341 to Brunswick, and points in Florida. The purpose of this filing is to eliminate the gateway of Winfield, Ala.

(60) *Contractors' equipment* other than oil field equipment and contractors' outfits consisting of machinery, and iron or steel pipe which because of size or weight requires the use of special equipment, as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between points in Missouri, on the one hand, and, on the other, Bessemer, Ala., and points in Alabama within 100 miles of Bessemer and (b) between points in Missouri, on the one hand, and, on the other, points in Alabama on and south of U.S. Highway 78, points in Georgia on and south of a line beginning at the Alabama-Georgia line, thence over U.S. Highway 78 to Washington, thence over U.S. Highway 378 to the Georgia-South Carolina line, and points in South Carolina on and south of a line beginning at the Georgia-South Carolina line, thence over U.S. Highway 378 to Sumter, thence over U.S. 76 to the South Carolina-North Carolina line, and points in Florida. The purpose of this filing is to eliminate the gateways of points in Tennessee and Winfield, Ala.

(61) *Contractors' equipment* other than oilfield equipment and contractors' outfits consisting of road and contractors' machinery, as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between points in Kansas, on the one hand, and, on the other, points in Alabama, Florida, points in Georgia on and south of U.S. 278, points in South Carolina on and south of a line beginning at the Georgia-South Carolina line, thence I–20 to Columbia, thence U.S. 1 to the South Carolina-North Carolina line, and points in North Carolina, on and south of a line beginning at the South Carolina-North Carolina line, thence U.S. 1 to Raleigh, thence U.S. 64 to the Atlantic Ocean and (b) between points in Oklahoma on and west of a line beginning at the Oklahoma-Kansas line, thence U.S. 66 to Oklahoma City, thence U.S. 277 to the Oklahoma-Texas line, on the one hand, and, on the other, points in Alabama on and north of a line beginning at the Mississippi-Alabama line, thence U.S. 82 to Montgomery, thence U.S. 231 to the Alabama-Georgia line, Georgia, Florida on and east of the Ochlockonee River, Georgia on and south of a line beginning at the Alabama-Georgia line, thence U.S. 278 to Atlanta, thence I–85 to the Georgia-South Carolina line, South Carolina, North Carolina on and south of I–85. The purpose of this filing is to eliminate the gateways of Winfield, Ala., Memphis, Tenn., or points in Tennessee, Barton, Jasper, or Newton Counties, Mo. and Pittsburg, Kans.

(62) *Contractors' outfits and equipment,* which because of size or weight require the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling and repair of pipe lines), as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between points in Arkansas, on the one hand, and, on the other, District of Columbia, Delaware, New Jersey, Maryland on and east of I–95, and points in the U.S. on and east of I–87 from New York, N.Y. to the U.S.-Canadian border, (b) between points in Arkansas on and south of I–40, on the one hand, and, on the other, points in South Carolina on and east of a line beginning at Charleston, thence I–26 to Columbia, thence U.S. 321 to the South Carolina-North Carolina line, North Carolina on and east of U.S. 21, Virginia on and east of U.S. 21, West Virginia on and east of U.S. 19, Pennsylvania, Maryland and all points in the United States east thereof, and (c) between points in Arkansas on and north of I–40, on the one hand, and, on the other, points in Florida, Georgia on and south of a line beginning at the Alabama-Georgia line, thence U.S. 278 to Atlanta, thence I–85 to the Georgia-South Carolina line, South Carolina, and North Carolina on and southeast of a line beginning at the South Carolina-North Carolina line, thence I–85 to Salisbury, thence U.S. 601 to the North Carolina-Virginia line. The purpose of this filing is to eliminate the gateways of Memphis, Tenn. and Winfield, Ala.

(63) *Contractors' outfits and equipment,* consisting of self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between points in Arkansas, on the one hand, and, on the other, District of Columbia, Delaware, New Jersey, Maryland on and east of I–95, and points in the U.S. on and east of I–87 from New York, N.Y., to the U.S.-Canadian border, (b) between points in Arkansas on and south of I–40, on the one hand, and, on the other, points in South Carolina on and east of a line beginning at Charleston, thence I–26 to Columbia, thence U.S. 321 to the South Carolina-North Carolina line, North Carolina on and east of U.S. 21, Virginia on and east of U.S. 21, West Virginia on and east of U.S. 19, Pennsylvania, Maryland and all points in the United States east thereof, and (c) between points in Arkansas on and north of I–40, on the one hand, and, on the other, points in Florida, Georgia on and south of a line beginning at the Alabama-Georgia line, thence U.S. 278 to Atlanta, thence I–85 to the Georgia-South Carolina line, South Carolina, and North Carolina on and southeast of a line beginning at the South Carolina-North Carolina line, thence I–85 to Salisbury, thence U.S. 601 to the North Carolina-Virginia line. The purpose of this filing is to eliminate the gateways of Memphis, Tenn. and Winfield, Ala.

(64) *Machinery,* consisting of *contractors' outfits and equipment,* as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, from Chicago and Peoria, Ill., to points in Mississippi on and south of U.S. 80, Alabama on and south of a line beginning at the Alabama-Mississippi line, thence U.S. 82 to Tuscaloosa, thence I–20 to the Alabama-Georgia line, Georgia on and south of U.S. 80, and Florida. The purpose of this filing is to eliminate the gateways of Memphis, Tenn. and Winfield, Ala.

(65) *Contractors' outfits and equipment,* consisting of road and bridge building machinery and materials, the transportation of which because of size or weight require the use of special equipment (except pipe, pipe line material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling and repair of pipe lines), as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between points in Texas on and northwest of a line beginning at El Paso, thence U.S. 80 to Dallas, thence U.S. 75 to the Texas-Oklahoma line, points in Oklahoma on and southeast of a line beginning at the Oklahoma-Texas line, thence I–35 to Oklahoma City, thence U.S. 66 to the Oklahoma-Texas line, on the one hand, and, on the other, points in Alabama on and southeast of a line beginning at the Georgia-Alabama line, thence U.S. 78 to Birmingham, thence U.S. 280 to the Alabama-Georgia line, Georgia on and south of U.S. 278 and on and north of a line beginning at the Alabama-Georgia line, thence U.S. 280 to Americus, thence U.S 19 to Albany, thence U.S. 82 to I–75, thence I–75 to the Georgia-Florida line, Florida on and east of a line beginning at the Georgia-Florida line, thence U.S. 221 to Perry, thence 361A to the Gulf of Mexico, South Carolina, North Carolina on and southeast of a line beginning at the South Carolina-North Carolina line, thence I–85 to Salisbury, thence U.S. 601 to Mt. Airy, thence U.S. 52 to the North Carolina-Virginia line, Virginia on and east of U.S. 21 and (b) between points in Texas on and west of U.S. 75, on the one hand, and, on the other, points in South Carolina, North Carolina on and east of U.S. 21, Virginia on and east of U.S. 21, West Virginia on and east of U.S. 19, Pennsylvania, Maryland, District of Columbia, and all points in the United States east thereof. The purpose of this filing is to eliminate the gateways of Warren, Ark., Memphis, Tenn. and Winfield, Ala.

(66) *Contractors' outfits and equipment* consisting of road and bridge building machinery, restricted to self-propelled articles each weighing 15,000 pounds or more and *related machinery,*

tools, parts and supplies moving in connection therewith, as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between points in Texas on and northwest of a line beginning at El Paso, thence U.S. 80 to Dallas, thence U.S. 75 to the Texas-Oklahoma line, points in Oklahoma on and southeast of a line beginning at the Oklahoma-Texas line, thence I–35 to Oklahoma City, thence U.S. 66 to the Oklahoma-Texas line, on the one hand, and, on the other, points in Alabama on and southeast of a line beginning at the Georgia-Alabama line, thence U.S. 78 to Birmingham, thence U.S. 280 to the Alabama-Georgia line, Georgia, on and south of U.S. 278 and on north of a line beginning at the Alabama-Georgia line, thence U.S. 280 to Americus, thence U.S. 19 to Albany, thence U.S. 82 to I–75, thence I–75 to the Georgia-Florida line, Florida on and east of a line beginning at the Georgia-Florida line, thence U.S. 221 to Perry, thence 361A to the Gulf of Mexico, South Carolina, North Carolina, on and southeast of a line beginning at the South Carolina-North Carolina line, thence I–85 to Salisbury, thence U.S. 601 to Mt. Airy, thence U.S. 52 to the North Carolina-Virginia line, Virginia on and east of U.S. 21 and (b) between points in Texas on and west of U.S. 75, on the one hand, and, on the other, points in South Carolina, North Carolina on and east of U.S. 21, Virginia on and east of U.S. 21, West Virginia on and east of U.S. 19, Pennsylvania, Maryland, District of Columbia, and all points in the United States east thereof. The purpose of this filing is to eliminate the gateways of Warren, Ark., Memphis, Tenn. and Winfield, Ala.

(67) *Contractors' outfits and equipment,* the transportation of which because of size or weight require the use of special equipment, (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repairing of pipelines), as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and north of U.S. 34, on the one hand, and, on the other, points in Mississippi on and east of U.S. 11, Alabama on and southwest of a line beginning at the Mississippi-Alabama line, thence U.S. 78 to Birmingham, thence U.S. 31 to Montgomery, thence U.S. 331 to the Alabama-Florida line, and Florida and (b) between Dubuque, Iowa, and points in Iowa within 150 miles of Dubuque, and points in Wisconsin within 150 miles of Dubuque and on and west of U.S. 51, on the one hand, and, on the other, points in Alabama on and south of U.S. 78, Georgia on and south of U.S. 80. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark., Memphis, Tenn. and Winfield, Ala.

(68) *Contractors' outfits and equipment,* consisting of self-propelled articles each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith, as may be included in material handling equipment and parts, attachments and accessories for material handling equipment, (a) between Dubuque, Iowa, and points in Iowa and Wisconsin within 150 miles of Dubuque, and points in Illinois on and north of U.S. 34, on the one hand, and, on the other, points in Mississippi on and east of U.S. 11, Alabama on and southwest of a line beginning at the Mississippi-Alabama line thence U.S. 78 to Birmingham, thence U.S. 31 to Montgomery, thence U.S. 331 to the Alabama-Florida line, and Florida and (b) between Dubuque, Iowa, and points in Iowa within 150 miles of Dubuque, and points in Wisconsin within 150 miles of Dubuque and on and west of U.S. 51, on the one hand, and, on the other, points in Alabama on and south of U.S. 78, Georgia on and south of U.S. 80. The purpose of this filing is to eliminate the gateways of Cairo, Ill., West Memphis, Ark., Memphis, Tenn. and Winfield, Ala.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR Part 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before November 10, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 2633 (Sub-No. E2), (Correction), filed May 12, 1974, published in the FEDERAL REGISTER September 8, 1975. Applicant: CROSSETT, INC., P.O. Box 946, Warren, Pa. 16365. Applicant's representative: M. A. Burgett (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid petroleum products,* in bulk, in tank vehicles; (1) between points in that part of Ohio on, east, and north of a line beginning at Lake Erie, thence along Ohio Highway 14 to Unity, thence along Ohio Highway 165 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, Jamestown and the Chautauqua County towns of French Creek, Clymer, Sherman, Harmony, North Harmony, Busti, Ellery, Kiantone, Ellicott, Gerry, Charlotte, Carroll, Poland, Effington, and Cherry Creek, N.Y.; * * * The purpose of this filing is to eliminate the gateways of Warren, Pa., and points within seven miles of Warren, Pa., in Warren County, Pa. The purpose of this partial correction is to correct the territorial descriptions above. The remainder of this letter-notice remains as previously published.

No. MC 42261 (Sub-No. E3), (Correction), filed May 10, 1974, published in the FEDERAL REGISTER October 8, 1975. Applicant: LANGER TRANSPORT CORP., P.O. Box 305, Jersey City, N.J. 07303. Applicant's representative: A. J. Langer (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (D) Petroleum products, * * * The purpose of this filing is to eliminate the gateways indicated by asterisks. The purpose of this partial correction is to correct the MC number, previously published as No. MC 42661. The remainder of this letter-notice remains as previously published.

No. MC–52657 (Sub-No. E11), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER May 7, 1975. Applicant: ARCO AUTO CARRIERS, INC., 2140 W. 79th St., Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Truck bodies,* between points in Nevada and that part of California on and north of a line beginning at the Nevada-California State line on U.S. Highway 6 near Benton Station, Calif., thence along U.S. Highway 6 to junction California Highway 120, thence along California Highway 120 to junctio Interstate Highway 205, thence along Interstate Highway 205 to junction Interstate Highway 580, thence along Interstate Highway 580 to junction California Highway 92, thence along California Highway 92 to the Pacific Ocean near Half Moon Bay, Calif., on the one hand, and, on the other, points in Alabama, * * * The purpose of this filing is to eliminate the gateways of (1) Mattoon, Coles County, Ill., and (2) Coles County, Ill., and St. Claire, Mo. The purpose of this partial correction is to correct the territorial description. The remainder of this letter-notice remains as previously published.

No. MC 52657 (Sub-No. E27), (correction), filed June 4, 1974, published in the FEDERAL REGISTER May 12, 1975. Applicant: ARCO AUTO CARRIERS, INC., 2140 W. 79th St., Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Truck bodies,* between points in Iowa, on the one hand, and, on the other, points in Alabama, * * * The purpose of this filing is to eliminate the gateway of Matoon, Coles County, Ill. The purpose of this partial correction is to correct the territorial descriptions. The remainder of this letter-notice remains as previously published.

No. MC 52657 (Sub-No. E33), (correction), filed June 4, 1974, published in the FEDERAL REGISTER May 8, 1975. Applicant: ARCO AUTO CARRIERS, INC., 2140 W. 79th St., Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* and *trailer chassis* (except those designed to be drawn by passenger automobiles), in secondary movements in truckaway service, *parts* of trailers and trailer chassis (except for trailers and trailer chassis designed to be drawn by passenger automobiles) and (except commodities in bulk or in bags), used in the manufacture, assembly, or servicing of trailers and trailer chassis, when moving in mixed loads with such commodities, * * * Kentucky (except that part west of a line beginning at the Ohio River and Kentucky Highway 55 near Carrollton, Ky., thence south on Kentucky Highway 55 to junction Kentucky Highway 61 near Columbia, Ky., and thence along Kentucky Highway 61 to the Kentucky-Tennessee State line near Raydure, Ky.), to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Delta, Ohio. The purpose of this partial correction is to correct the territorial description. The remainder of this letter-notice remains as previously published.

No. MC 65941 (Sub-No. E14), filed May 3, 1974. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: George V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Commodities, which because of size or weight require special handling or special equipment (except knitting machines); (a) between points in North Carolina west of a line beginning at the Atlantic Ocean and extending along U.S. Highway 117 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, on the one hand, and, on the other, points in West Virginia west of U.S. Highway 219; (b) between points in Tennessee east of Interstate Highway 65, on the one hand, and, on the other, points in West Virginia (except Cabell, Wayne, and Lincoln Counties); (c) between points in South Carolina, on the one hand, and, on the other, points in West Virginia; (d) between points in West Virginia on and east of U.S. Highway 219, on the one hand, and, on the other, points in Kentucky on and south of a line beginning at the Kentucky-Indiana State line and extending along U.S. Highway 231 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction U.S. Highway 460, thence along U.S. Highway 460 to the Kentucky-Virginia State line; (e) between points in West Virginia west of a line beginning at the West Virginia-Kentucky State line and extending along U.S. Highway 60 to junction West Virginia Highway 4, thence along West Virginia Highway 4 to junction U.S. Highway 19, thence along U.S. Highway 19 to the West Virginia-Pennsylvania State line, on the one hand, and, on the other, points in Virginia south of U.S. Highway 460 and west of U.S. Highway 29; (f) between points in Pike, Letcher, and Harlan Counties, Ky., on the one hand, and, on the other, points in South Carolina on and west of a line beginning at the North Carolina-South Carolina State line and extending along U.S. Highway 21 to junction Interstate Highway 20, thence along Interstate Highway 20 to the South Carolina-Georgia State line; (g) between points in West Virginia north of U.S. Highway 60, on the one hand, and, on the other, points in Virginia on and west of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 460 to junction Virginia Highway 8, thence along Virginia Highway 8 to the Virginia-North Carolina State line; and (h) between points in Pike, Letcher, and Harlan Counties, Ky., on the one hand, and, on the other, points in North Carolina on and east of U.S. Highway 21 and points in Tennessee on and west of U.S. Highway 45. The purpose of this filing is to eliminate the gateway of Tazewell, Bland, or Giles Counties, Va.

No. MC 65941 (Sub-No. E20), filed January 16, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: George V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; (1) from points in Ohio on and east of Ohio Highway 60 to points in Georgia on and north of a line beginning at the Georgia-South Carolina State line and extending along U.S. Highway 1 to junction Georgia Highway 24, thence along Georgia Highway 24 to junction Georgia Highway 22, thence along Georgia Highway 22 to the Georgia-Alabama State line, and points in South Carolina on and west of U.S. Highway 1; and (2) from points in Ohio on, north, and west of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 70 to junction Ohio Highway 60, thence along Ohio Highway 60 to junction Ohio Highway 39, thence along Ohio Highway 39 to junction Ohio Highway 13, thence along Ohio Highway 13 to Lake Erie, to points in North Carolina on and west of U.S. Highway 1. The purpose of this filing is to eliminate the gateway of Martins Ferry, Ohio.

No. MC 65941 (Sub-No. E21), filed January 16, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: George V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, textile products, chemicals, and lumber* (except commodities in bulk or those requiring special equipment); (1) from points in Georgia on and north of a line beginning at the Georgia-South Carolina State line and extending along U.S. Highway 1 to junction Georgia Highway 24, thence along Georgia Highway 24 to junction Georgia Highway 22, thence along Georgia Highway 22 to the Atlantic Ocean, and points in South Carolina on and west of U.S. Highway 1, to points in Ohio on and east of Ohio Highway 60; (2) from points in North Carolina on and west of U.S. Highway 1, to points in Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 70 to junction Ohio Highway 60, thence along Ohio Highway 60 to junction Ohio Highway 39, thence along Ohio Highway 39 to junction Ohio Highway 13, thence along Ohio Highway 13 to Lake Erie. The purpose of this filing is to eliminate the gateway of Martins Ferry, Ohio.

No. MC 65941 (Sub-No. E22), filed January 16, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: George V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper* and *paper products*, from Sylva, Canton, and Asheville, N.C., the plant site of Champion Paper and Fibre Company at or near Waynesville, N.C., and Charleston and Georgetown, S.C., to points in Ohio on and east of Ohio Highway 60; and (2) *Pulpboard*, from Krannert, Ga., to points in Ohio on and east of Ohio Highway 60. The purpose of this filing is to eliminate the gateway of Martins Ferry, Ohio.

No. MC 65941 (Sub-No. E23), filed January 16, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: George V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those which because of size or weight require the use of special equipment); (1) from points in Ohio on and east of Ohio Highway 60 to points in Florida west of the Apalochicola River and points in Georgia south of a line beginning at the South Carolina-Georgia State line and extending along U.S. Highway 1 to junction Georgia Highway 24, thence along Georgia Highway 24 to junction Georgia Highway 22, thence along Georgia Highway 22 to the Georgia-Alabama State line; and (2) from points in Ohio on and east of a line beginning at the Ohio-West Virginia State line and extending along U.S. Highway 50 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line, to points in Florida east of the Apalochicola River. The purpose of this filing is to eliminate the gateway of the Wheeling-Pittsburgh Steel Corporation plant site at or near Martins Ferry, Ohio.

No. MC 65941 (Sub-No. E27), filed January 22, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: George V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical equipment and fixtures*, from points in Ohio on and east of Ohio Highway 60 to points in Georgia on and north of a line beginning at the Atlantic Ocean and extending along U.S. Highway 80 to junction U.S. Highway 280, thence along U.S. Highway 280 to the Georgia-Alabama State line, and south of a line beginning at the Georgia-South Carolina State line and extending along U.S. Highway 1 to junction Georgia Highway 24, thence along Georgia Highway 24 to junction Georgia Highway 22, thence along Georgia Highway 22 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Georgia-Alabama State line. The purpose of this filing is to eliminate the gateways of Martins Ferry, Ohio, and Glen Dale, W. Va.

No. MC 65941 (Sub-No. E28), filed January 24, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil and grease*, in containers, from points in Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 70 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction Ohio Highway 60, thence along Ohio Highway 60 to Lake Erie, to those points in North Carolina and South Carolina on and west of U.S. Highway 1, and points in Georgia on and north of a line beginning at the Atlantic Ocean and extending along U.S. Highway 80 to junction U.S. Highway 280, thence along U.S. Highway 280 to the Georgia-Alabama State line. The purpose of this filing is to eliminate the gateways of Martins Ferry, Ohio, Greene, Washington, or Allegheny Counties, Pa., and St. Marys, W. Va.

No. MC 65941 (Sub-No. E29), filed January 24, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and tops therefor, corrugated boxes and sheets*, and *wooden bottle carriers*, from points in Ohio on and east of Ohio Highway 60, to those points in North Carolina and South Carolina on and west of U.S. Highway 1, and points in Georgia on and north of a line beginning at the Atlantic Ocean and extending along U.S. Highway 80 to junction U.S. Highway 280, thence along U.S. Highway 280 to the Georgia-Alabama State line. The purpose of this filing is to eliminate the gateways of Martins Ferry, Ohio, Greene, Washington, or Allegheny Counties, Pa., and Parkersburg, W. Va.

No. MC 65941 (Sub-No. E30), filed January 27, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty compressed-gas cylinders*, from those points in North Carolina and South Carolina on and west of U.S. Highway 1, and points in Georgia on and north of a line beginning at the Atlantic Ocean and extending along U.S. Highway 80 to junction U.S. Highway 280, thence along U.S. Highway 280 to the Georgia-Alabama State line, to points in Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 70 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction Ohio Highway 60, thence along Ohio Highway 60 to Lake Erie. The purpose of this filing is to eliminate the gateways of Natrium, W. Va., and Martins Ferry, Ohio.

No. MC 65941 (Sub-No. E31), filed January 27, 1975. Applicant: TOWER TANK LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal burial caskets*, from Atlanta, Ga., to points in Ohio on and east of Ohio Highway 60. The purpose of this filing is to eliminate the gateways of Wheeling, W. Va., and Martins Ferry, Ohio.

No. MC 65941 (Sub-No. E33), filed January 31, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petrochemicals), in containers; (1) from points in Ashtabula, Lake Medina, Geauga, Trumbull, Mahoning, Belmont, Wayne, Tuscarawas, Portage, Carroll, Jefferson, Harrison, Summit, Cuyahoga, Columbiana, and Stark Counties, Ohio, to points in Alabama and Tennessee; (2) from points in Ashtabula, Trumbull, Mahoning, and Columbiana Counties, Ohio, to points in Kentucky; (3) from points in Ohio on and east of Ohio Highway 60, to those points in North Carolina and South Carolina on and east of U.S. Highway 1, points in Georgia south and east of a line beginning at the South Carolina-Georgia State line and extending along U.S. Highway 1 to junction Georgia Highway 24, thence along Georgia Highway 24 to junction Georgia Highway 22, thence along Georgia Highway 22 to the Georgia-Alabama State line, and points in Florida west of the Apalochicola River; (4) from points in Ohio on and east of a line beginning at the Ohio-West Virginia State line and extending along U.S. Highway 50 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line, to points in Florida east of the Apalochicola River; (5) from points in Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 70 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction Ohio Highway 95, thence along Ohio Highway 95 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line, to points in Virginia on and north of U.S. Highway 60 and the District of Columbia; (6) from points in Ohio on, and east of U.S. Highway 250, to points in Virginia south of U.S. Highway 60; and (7) from points in Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 70 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Ohio-Michigan State line, to those points in North Carolina and South Carolina on and east of U.S. Highway 1. The purpose of this filing is to eliminate the gateways of Martins Ferry, Ohio, Green, Washington, or Allegheny Counties, Pa., and St. Marys, W. Va.

No. MC 65941 (Sub-No. E35), filed February 1, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, in containers, from Winston-Salem, N.C., to points in Ohio on and north of Interstate Highway 70 and on and east of Ohio Highway 60. The purpose of this filing is to eliminate the gateways of points in Ohio, Brooke, or Marshall Counties, W. Va. (except Charleston), and Martins Ferry, Ohio.

No. MC 65941 (Sub-No. S37), filed February 1, 1975. Applicant: TOWER LINES, INC., P.O. Box 6010, Wheeling, W. Va. 26003. Applicant's representative: G. V. Thieroff (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard* and *fibreboard*, from Hartsville, S.C., to points in Ohio on and east of U.S. Highway 250. The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa., and Martins Ferry, Ohio.

No. MC 78228 (Sub-No. E163), (Correction), filed May 30, 1975, published in the FEDERAL REGISTER September 10, 1975. Applicant: J. MILLER EXPRESS, INC., 152 Wabash St., Pittsburgh, Pa. 15220. Applicant's representative: Thomas M. Mulroy, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-clay refractories*, from points in West Virginia on, north, and west of a line beginning at

the Ohio-West Virginia State line extending along U.S. Highway 50 to Clarksburg, W. Va., thence along U.S. Highway 19 to Morgantown, thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line, * * * The purpose of this filing is to eliminate the gateway of the facilities of the Universal Refractory Co., at Greenville, Pa. The purpose of this partial correction is to correct the territorial description above. The remainder of this letter-notice remains as previously published.

No. MC 80428 (Sub-No. E2), filed May 12, 1974. Applicant: MC BRIDE TRANSPORTATION, INC., P.O. Box 530, Goshen, N.Y. 10924. Applicant's representative: S. Michael Richards, P.O. Box 225, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, bullion, commodities in bulk, commodities requiring special equipment, those injurious or contaminating to other lading, and articles moving under refrigeration); (1) from Buffalo, N.Y., to New York, N.Y.; and (2) from Buffalo, N.Y., to points in Hudson, Bergen, Essex, Passaic, and Union Counties, N.J. The purpose of this filing is to eliminate the gateways of Wayne County, N.Y., in (1) above; and Wayne County, N.Y., and New York, N.Y., in (2) above.

No. MC 83539 (Sub-No. E94), (Correction), filed June 3, 1975, published in the FEDERAL REGISTER September 18, 1975. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Robert N. Maxwell, 500 W. Sixteenth St., P.O. Box 1945, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Montana, west of Glacier, Pondera, Teton, Louis and Clark, Broadwater, and Gallatin Counties to points in Kansas south of a line beginning * * * The purpose of this filing is to eliminate the gateways of points in Montana on and west of a line running north and south through Dupuyer and Butte, and the facilities of CF & I Steel Corp., at Pueblo, Colo. The purpose of this partial correction is to correct the destination points. The remainder of this letter-notice remains as previously published.

No. MC 92983 (Sub-No. E18) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 7, 1975. Applicant: AMERICAN BULK TRANSPORT, CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Vegetable oils* and *vegetable oil products* (except soap products and paint), in bulk, in tank vehicles; (2) from points in Florida located in Broward, Dade, and Monroe Counties to points in Louisiana located in, north, and west of Winn, Jackson, Quachita, and Morehouse Parishes and points in Sabine and Natchitoches Parishes located north of Louisiana Highway 6 (excluding the many commercial zones); (F) *Acids* and *chemicals*, in bulk, in tank or hopper vehicles, from Panama City, Fla., and points within five miles thereof to points in Colorado, points in Iowa located in and west of Allamakee, Fayette, Buchanan, Benton, Iowa, Keokuk, Wapello, and Davis Counties, points in Kansas, points in Missouri located in, north, and west of Vernon, St. Clair, Henry, Pettis, Saline, Charlton, Linn, Adair, and Schuyler Counties and to points in Oklahoma within Ottawa, Craig, Nowata, Washington, Osage, Kay, Grant, Alfalfa, Woods, Harper, Beaver, Texas, and Cimarron Counties; (J) *Acids* and *chemicals*, in bulk; (9) from points in Florida located in and east of Gladsden, Leon, and Wakulla Counties to points in Kansas and points in Oklahoma located in, north, and west of Roger Mills, Dewey, Major, Garfield, Noble, Pawnee, Osage, Washington, and Nowata Counties. The purpose of this filing is to eliminate the gateways of: in (A)(2) above, Memphis, Tenn.; in (A)(F) above, points in Arkansas within the Memphis, Tenn., commercial zone, and Olathe, Kans. (points in the Kansas City, Mo., commercial zone); and in (J)(9) above, Olathe, Kans. (at points in the Kansas City, Mo., commercial zone). The purpose of this partial correction is to correct typographical errors above. The remainder of this letter-notice remains as previously published.

No. MC 9976 (Sub-No. E1) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER September 11, 1975. Applicant: BUCKNER TRUCKING, INC., P.O. Box 3287, Houston, Tex. 77001. Applicant's representative: Jean Holmes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials*, and *supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and the drilling of water wells; (B) between points in Kansas, on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateway of points in Tulsa County, Okla. The purpose of this partial correction is to include (B) above. The remainder of this letter-notice remains as previously published.

No. MC 99776 (Sub-No. E2), (Correction), filed May 15, 1974, published in the FEDERAL REGISTER September 11, 1975. Applicant: BUCKNER TRUCKING, INC., P.O. Box 3287, Houston, Tex. 77001. Applicant's representative: Ronald E. Butler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe*; (10) from points in Texas on, south, and west of a line beginning at the Texas-New Mexico State line on Texas Highway 116, thence along Texas Highway 116 to Lubbock, Tex., thence along U.S. Highway 84 to Abilene, Tex., thence along Texas Highway 36 to Gatesville, thence along U.S. Highway 84 to Waco, thence along Texas Highway 6 to Bryan, Tex., thence along Texas Highway 30 to Huntsville, Tex., thence along U.S. Highway 75 to a terminus at Galveston, Tex., to points in Georgia; (32) * * * to the Louisiana-Texas State line to points in North Carolina on and north of a line beginning at the North Carolina-Tennessee State line on U.S. Highway 70, thence along U.S. Highway 70 to Asheville, N.C., thence along U.S. Highway 74 to Charlotte, N.C., thence along U.S. Highway 21 to the North Carolina-South Carolina State line; (37) * * * thence along U.S. Highway 84 to Snyder, Tex., thence along U.S. Highway 180A to the Texas-New Mexico State line to points in Pennsylvania; and (43) from points in Texas on, south, and west of a line beginning at the New Mexico-Texas State line on Texas Highway 116 * * * The purpose of this filing is to eliminate the gateway of Houston, Tex. The purpose of this partial correction is to correct the territorial descriptions above. The remainder of this letter-notice remains as previously published.

No. MC 106603 (Sub-No. E49), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, as defined by the Commission, from St. Louis, Mo., to points in Michigan. The purpose of this filing is to eliminate the gateways of Indiana; and Wilmington, Ill.

No. MC 106603 (Sub-No. E50), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from St. Louis, Mo., to those points in Tennessee east of a line beginning at the Tennessee-Kentucky State line and extending along Tennessee Highway 53 to junction Tennessee Highway 135, thence along Tennessee Highway 135 to junction Tennessee Highway 42, thence along Tennessee Highway 42 to junction Tennessee Highway 111, thence along Tennessee Highway 111 to junction Tennessee Highway 8, thence along Tennessee Highway 8 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Tennessee-Alabama State line. The purpose of this filing is to eliminate the gateway of the plant site of the National Gypsum Company, near Shoals (Martin County), Ind.

No. MC 106603 (Sub-No. E51), filed May 10, 1974. Applicant: DIRECT

TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractor's materials*, from St. Louis, Mo., to Louisville, Ky. The purpose of this filing is to eliminate the gateway of Indiana.

No. MC 107064 (Sub-No. E1), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer* and *fertilizer ingredients* (except petroleum products and potash), dry, in bulk; (1) from points in that part of Texas on and west of U.S. Highway 83 (except points in Hansford, Ochiltree, Roberts, Hemphill, Wheeler, and Collingsworth Counties), to points in Nebraska; (2) from points in that part of Texas in and west of Dallam, Hartley, Oldham, Deaf Smith, Castro, Lamb, * * * (3) * * * Yoakum, Terry, Lynn, Garza, Kent, Gaines, Dawson, Borden, Scurry, Andrews, Martin, * * * The purpose of this filing is to eliminate the gateway of Sheerin, Tex. The purpose of this partial correction is to correct typographical errors. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E3), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Bailey, Lamb, Hale, Cochran, Hockley, Lubbock, Crosby, Yoakum, Terry, Lynn, Garza, Gainer, Dawson, Borden, Scurry, Andrews, Martin, Howard, Mitchell, Norlan, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Tom Green, Irion, Reagan, Upton, Crane, Ward, Crockett, Val Verde, Terrell, Pecos, Reeves, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, Tex., to points in Ohio. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to correct typographical errors.

No. MC 107064 (Sub-No. E23), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in that part of Texas in and west of Cochran, Hockley, Lubbock, Lynn, Borden, Scurry, Mitchell, Sterling, Tom Green, Schleicher, Sutton, Val Verde, Kinney, and Maverick Counties, Tex., to points in Illinois. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to correct typographical errors.

No. MC 107064 (Sub-No. E25), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in that part of Texas in and west of Bailey, Lamb, Hockley, Lubbock, Lynn, Borden, Scurry, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, and Val Verde Counties, to points in Michigan. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to correct typographical errors.

No. MC 107064 (Sub-No. E26), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in that part of Texas in and west of Hartley, Moore, Potter, Randall, Swisher, Briscoe, Motley, Dickens, Kent, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, and Val Verde Counties, Tex., to points in Rhode Island. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to correct typographical errors.

No. MC 107064 (Sub-No. E28), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in that part of Texas on, south, and west of a line beginning at the New Mexico-Texas State line, thence along Texas Highway 125 to Whiteface, thence along Texas Highway 116 to Lubbock, thence along U.S. Highway 84 to junction Texas Highway 70, thence along Texas Highway 70 to Fort Chadbourne, thence along U.S. Highway 277 to the United States-Mexico International Boundary line to points in Alabama. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to include the destination point above.

No. MC 107064 (Sub-No. E34), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in that part of Texas on, south, and west of a line beginning at the New Mexico-Texas State line, thence along Texas Highway 125 to Whiteface, thence along Texas Highway 116 to Lubbock, thence along U.S. Highway 84 to junction Texas Highway 70, thence along Texas Highway 70 to Fort Chadbourne, thence along U.S. Highway 277 to San Angelo, thence along U.S. Highway 87 to Eden, thence along U.S. Highway 83 to the United States-Mexico International Boundary line to points in North Dakota. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to correct the destination territory above.

No. MC 107064 (Sub-No. E53), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles; (b) from points in San Juan, McKinley, Sandoval, Valencia, and Bernalillo Counties, N. Mex., to points in that part of Texas on, south, and east of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 271 to Paris, thence along Texas Highway 24 to Greenville, thence along U.S. Highway 380 to Denton, thence along Interstate Highway 35W to Fort Worth, * * * The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this partial correction is to correct the territorial descriptions in (b) above. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E70), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 10, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in that part of New Mexico on and south of a line beginning at the New Mexico-Arizona State line, thence along U.S. Highway 66 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Texas-New Mexico State line to points in Ohio. The purpose of this filing is to eliminate the gateway of Ector County, Tex. The purpose of this correction is to correct the territorial description.

No. MC 107064 (Sub-No. E82), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Fertilizers* (except petroleum products and potash), from points in Gaines, Dawson, Borden, Andrews, Martin, Howard, Loving, Winkler, Ector, Midland, Culberson, Hudspeth, * * *. The purpose of this filing is to eliminate the gateway of Dimmit, Tex. The purpose of this partial correction is to correct the origin points above. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E86), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer* and *fertilizer ingredients* (except petroleum products, potash, and liquid sulphur), from points in El Paso, Hudspeth, Culberson, Reeves, Pecos, * * * The purpose of this filing is to eliminate the gateway of Hale County, Tex. The purpose of this partial correction is to correct the origin points above and to correct the gateway. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E89) (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer* and *fertilizer ingredients* (except petroleum products, potash, and liquid sulphur), from points in Lamb, Hale, Floyd, Motley, Lubbock, Crosby, Dickens, Lynn, Garza, Kent, Dawson, Borden, Scurry, * * * The purpose of this filing is to eliminate the gateway of Hale County, Tex. The purpose of this partial correction is to correct the commodity description and to correct the gateway. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E90), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer* and *fertilizer ingredients*, from points in Randall, Armstrong, Donley, Parmer, Castro, Swisher, Briscoe, Hall, Bailey, Lamb, * * * Terrell, Pecos, Reeves, Culberson, Jeff Davis, Presidio, and Brewster Counties, Tex., to points in Wyoming. The purpose of this filing is to eliminate the gateway of Hale County, Tex. The purpose of this partial correction is to correct the commodity description, territorial description, and gateway above. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E91), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer* and *liquid fertilizer solutions* (except petroleum products and potash), in bulk, in tank vehicles, from points in Oldham, Potter, Deaf Smith, Randall, Armstrong, Parmer, Castro, Swisher, Briscoe, Bailey, Lamb, Hale, Floyd, Motley, Cochran, Hockley, Lubbock, Crosby, Dickens, Yoakum, Terry, Lynn, Garza, Kent, Gaines, Dawson, Borden, Scurry, Andrews, Martin, Howard, Mitchell, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Ward, Crane, Upton, Reagan, Irion, Tom Green, Crockett, Val Verde, Terrell, Pecos, Reeves, Jeff Davis, Culberson, Hudspeth, El Paso, Presidio, and Brewster Counties, Tex., to points in Indiana. The purpose of this filing is to eliminate the gateway of Lubbock County, Tex. The purpose of this correction is to correct the commodity and territorial descriptions.

No. MC 107064 (Sub-No. E111), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer* and *liquid fertilizer ingredients* (except petroleum products and potash), from points in Parmer, * * * Hudspeth, Culberson, Reeves, Jeff Davis, Pecos, Presidio, Brewster, Terrell, Val Verde, Kinney, and Maverick Counties, Tex., to points in Iowa. The purpose of this filing is to eliminate the gateway of Lubbock County, Tex. The purpose of this partial correction is to correct the commodity and territorial descriptions. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E112), Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer* and *liquid fertilizer ingredients* (except petroleum products and potash), in bulk, in tank vehicles, from points in Parmer, * * * Reeves, Culberson, Hudspeth, El Paso, Jeff Davis, Presidio, Brewster, Kinney, and Maverick Counties, Tex., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Lubbock County, Tex. The purpose of this partial correction is to correct the commodity and territorial descriptions. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E114), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer* and *liquid fertilizer ingredients* (except petroleum products

No. MC 107064 (Sub-No. E108), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizers* and *liquid fertilizer ingredients* (except petroleum products and potash), in bulk, in tank vehicles, from points in Parmer, Castro, Swisher, Bailey, Lamb, Hale, Floyd, Cochran, Hockley, Lubbock, Crosby, Jeff Davis, Dickens, Yoakum, Terry, Lynn, Garza, Kent, Gaines, Dawson, Borden, Scurry, Andrews, Martin, Howard, Mitchell, El Paso, Hudspeth, Culberson, Reeves, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Ward, Crane, Upton, Reagan, Pecos, Crockett, Terrell, Presidio, Brewster, and Val Verde Counties, Tex., to points in Illinois. The purpose of this filing is to eliminate the gateway of Lubbock County, Tex. The purpose of this correction is to correct the commodity description and territorial description.

No. MC 107064 (Sub-No. E109), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer* and *liquid fertilizer ingredients* (except petroleum products and potash), in bulk, in tank vehicles, from points in Dallam, Sherman, * * * Reagan, Pecos, Reeves, Culberson, Hudspeth, El Paso, Jeff Davis, Presidio, and Brewster Counties, Tex., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Lubbock County, Tex. The purpose of this partial correction is to correct the commodity description and territorial description. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E110) (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

and potash), in bulk, in tank vehicles, from points in Dallam, Hartley, Moore, Oldham, Potter, * * * Reeves, Culberson, Hudspeth, El Paso, Jeff Davis, Presidio, and Brewster Counties, Tex., to points in South Carolina. The purpose of this filing is to eliminate the gateway of Lubbock County, Tex. The purpose of this partial correction is to correct the commodity and territorial descriptions. The remainder of this letter-notice remains as previously published.

No. MC 107064 (Sub-No. E125), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 18, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals* (except sulphuric acid), in bulk, in tank vehicles, from Chaves, Eddy, Lea, Roosevelt, and Curry Counties, N. Mex., to Cheyenne, Kit Carson, Yuma, Washington, Morgan, Logan, Phillips, and Sedgewick Counties, Colo. The purpose of this filing is to eliminate the gateway of the plant site and storage facilities of the Occidental Chemical Company, in Hale County, Tex. The purpose of this correction is to correct the "E" number, previously published as E25.

No. MC 107064 (Sub-No. E132), (Correction), filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC. P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petro-chemicals* (except sulphuric acid), in bulk, in tank vehicles, from points in Parmer, Castro, Swisher, Bailey, Lamb, Hale, Cochran, Hockley, Lubbock, Yoakum, Terry, Lynn, Gaines, Dawson, Andrews, Martin, El Paso, Hudspeth, Culberson, Jeff Davis, Reeves, Loving, Winkler, Ector, Midland, Ward, Crane, and Presidio Counties, Tex., to points in Arkansas. The purpose of this filing is to eliminate the gateway of the plant site and storage facilities of the Occidental Chemical Co., of Texas, in Hale County, Tex. The purpose of this correction is to correct the territorial description.

No. MC 107064 (Sub-No. E134), (Correction) filed May 21, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr., (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petro-Chemicals* (except sulphuric acid), in bulk, in tank vehicles, from points in Parmer, Castro, Swisher, Bailey, Lamb, Hale, Cochran, Hockley, Lubbock, Crosby, Yoakum, Terry, Lynn, Garza, Gaines, Dawson, Borden, Scurry, Andrews, Martin, Howard, Loving, Winkler, Ector, Midland, Ward, Crane, Upton, El Paso, Hudspeth, Culberson, Reeves, Pecos, Jeff Davis, Presidio, and Brewster Counties, Tex., to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant site and storage facilities of Occidental Chemical Co., of Texas, at Hale County, Tex. The purpose of this correction is to correct the territorial descriptions and gateway.

No. MC 107107 (Sub-No. E43), (Correction), filed April 25, 1975, published in the FEDERAL REGISTER September 19, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 NW 42nd Ave., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods;* (1) * * * to the Mobile-Washington County line, to the Alabama-Mississippi State line, to points in Arkansas, Kentucky, Maryland, Tennessee, and those points in Louisiana on and west of U.S. Highway 67; (2) from * * * The purpose of this filing is to eliminate the gateway of Florida. The purpose of this partial correction is to correct the territorial descriptions in (1) above. The remainder of this letter-notice remains as previously published.

No. MC 109326 (Sub-No. E41), filed May 19, 1975. Applicant: C & D TRANSPORTATION CO., INC., P.O. Box 10506, New Orleans, La. 70121. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products,* and *articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Mobile County, Ala., to points in Louisiana, Arkansas, Missouri, Illinois, Indiana, and Ohio. RESTRICTION: The operations authorized herein shall be subject to the following conditions: Said operations are restricted against the transportation of traffic from or to any facility of the Great Atlantic & Pacific Tea Company of New York, N.Y., and Hunt Foods and Industries, Inc. (merged into Norton-Simon, Inc.), of Fullerton, Calif. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC 109637 (Sub-No. E30), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Jefferson County, Ky., Clark and Floyd Counties, Ind., to points in Alabama, Arkansas, Georgia, Mississippi, and points in Barry, Barton, Carter, Christian, Dade, Douglas, Greene, Howell, Jasper, Lawrence, McDonald, Newton, Oregon, Ozark, Ripley, Stone, Shannon, Taney, Texas, Vernon, Webster, and Wright Counties, Mo. The purpose of this filing is to eliminate the gateway of Robertson County, Tenn. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E38), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Covington, Ky., to points in Alabama, Georgia, Mississippi, and points in Tennessee on and west of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 231 to junction U.S. Highway 70S, thence along U.S. Highway 70S to junction Tennessee Highway 30, thence along Tennessee Highway 30 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Georgia-Tennessee State line. The purpose of this filing is to eliminate the gateways of Clark County, Ind., and Robertson County, Tenn. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E41), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Alabama, Arkansas, Georgia, Mississippi, Missouri, on and south of U.S. Highway 60, and points in Tennessee. The purpose of this filing is to eliminate the gateway of Robertson County, Tenn. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E42), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles (except Benzol, toluol, and xylol), from Louisville and West Point, Ky., to points in Kansas, Louisiana, Minnesota, Nebraska, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of Troy, Ind., and Calvert City, Ky. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E43), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles (except benzol, toluol, and xylol), from Lucas County, Ohio, to points in Arkansas, points in Florida on and west of U.S. Highway 231, points in Kansas and Louisiana, points in Missouri on and south of U.S. Highway 60, and points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Jefferson County, Ky., Troy, Ind., and Calvert City, Ky. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E44), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Lucas County, Ohio, to points in Alabama, Arkansas, Georgia, Mississippi, and points in Tennessee on and west of U.S. Highway 25E. The purpose of this filing is to eliminate the gateways of Jefferson County, Ky., and Robertson County, Tenn. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E46), Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles (except benzol, toloul, and xylol), from Owensboro, Ky., to points in Arkansas; Escambia and Santa Rosa Counties, Fla.; and points in Florida on and south of Florida Highway 40; points in Kansas, Louisiana, and Missouri on and south of U.S. Highway 60; and points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Troy, Ind., and Calverty City, Ky. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E46), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the Petroleum Products Terminal of the LaGloria Oil & Gas Co., near Seymour, Ind., the terminal site of the Texas Eastern Transmission Corp., at or near Lebanon, Warren County, Ohio, and Hamilton County, Ohio, to points in Arkansas, Florida, Louisiana, Oklahoma, Texas, and points in Kansas on, west, and south of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 81 to junction Kansas Highway 196, thence along Kansas Highway 196 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Calverty City, Ky. The purpose of this correction is to correct the commodity description.

No. MC 109637 (Sub-No. E51) (correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.S. 209, in bulk, in tank vehicles (except benzol, toluol, and xylol), from the terminal site of the Texas Eastern Transmission Corp., at or near Princeton, Gibson County, Ind., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, points on and west of U.S. Highway 81, and points in Kansas on, west, and south of a line beginning at the Nebraska-Kasas State line and extending along U.S. Highway 81 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Calvert City, Ky. The purpose of this correction is to correct the commodity description.

No. MC 112595 (Sub-No. E123), filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Ironton (Coal Grove), Ohio. Applicant's representative: Walter S. Dall (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *petrolcum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles (except petroleum products described in Appendices XIV and XV to the report in the *Descriptions* case, *supra*), (except petro-chemicals), from Freedom, Pa., to points in Missouri on, west, and south of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 63 to junction Missouri Highway 6, thence along Missouri Highway 6 to the Missouri-Illinois State line. The purpose of this filing is to eliminate the gateway of refineries at or near Leach, Ky.

No. MC 113855 (Sub-No. E51), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Hay balers and parts*, (2) *Irrigation sprinklers and winches* designed for use with irrigation sprinklers, (3) *Stump-cutting, cable-laying, trench-digging, trench-backfilling, and tree-moving equipment*, (4) *Parts and attachments* for the commodities named in (2) and (3) above, (5) *Trailers* designed for the transportation of commodities named in (2) and (3) above, (6) *Self-propelled hay balers and irrigation sprinklers*, each weighing 15,000 pounds or more, and *related parts* moving in connection therewith (restricted to commodities transported on trailers); from points in North Dakota, to points in Maine, Vermont, New Hampshire, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Arkansas, and Louisiana (South Dakota, and Pella, Iowa)*; (B) (1) *Hay* balers and parts, and (2) *Agricultural and road construction stump-cutting, cable-laying, trench-digging, trench-backfilling, and tree-moving equipment*, and *parts and attachments* therefor, restricted in (1) and (2) to transportation in foreign commerce; from the port of entry on the United States-Canada International Boundary line at Portal, N. Dak., to points in Maine, Vermont, New Hampshire, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Arkansas, and Louisiana (Pella, Iowa)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E60), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which because of their size or weight require the use of special equipment (except boats and iron and steel articles), and *related machinery, parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation by said carrier of the above-described commodities, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers); (a) between points in Kansas on and west of U.S. Highway 281, on the one hand, and, on the other, points

in Illinois on, north, and west of a line beginning at Lake Michigan and extending along U.S. Highway 66 to junction Illinois Highway 53, thence along Illinois Highway 53 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Illinois-Iowa State line; and (b) between points in Kansas east of U.S. Highway 281 and on and west of U.S. Highway 77, on the one hand, and, on the other, points in Illinois on and north of Illinois Highway 64. The purpose of this filing is to eliminate the gateways of South Dakota, and Davenport, Iowa.

No. MC 113855 (Sub-No. E71), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which, because of size or weight, require the use of special equipment, and *related machinery, parts, and related contractors' materials and supplies*, when their transportation is incidental to the transportation of the above-described commodities, (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers); (a) between points in South Dakota, on the one hand, and, on the other, points in Minnesota (Minot, N. Dak., or points in North Dakota south of a line beginning at the Montana-North Dakota State line and extending along U.S. Highway 2 to junction North Dakota Highway 1, thence along North Dakota Highway 1 to the United States-Canada International Boundary line, or points in Minnesota on and south of U.S. Highway 12 and on and west of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 65 to junction Minnesota Highway 50 (formerly portion U.S. Highway 65), to junction Minnesota Highway 3 (formerly portion U.S. Highway 65), to junction U.S. Highway 65, to junction Minnesota Highway 30 (formerly portion U.S. Highway 65), to junction unnumbered highway near Ellendale, to junction U.S. Highway 65 to the Minnesota-Iowa State line)*; and (b) between points in Nebraska, on the one hand, and, on the other, points in Minnesota (points in Minnesota within 50 miles of Sioux Falls, S. Dak.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E73), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which, because of their size or weight, require the use of special equipment, and *related machinery, parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation of the above-described commodities, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers); (a) between points in Colorado, on the one hand, and, on the other, points in North Dakota, Ohio, and Pennsylvania (South Dakota)*; (b) between points in Colorado, on the one hand, and, on the other, points in Minnesota (South Dakota, and points in Minnesota on or south of U.S. Highway 12 and on or west of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 65, to junction Minnesota Highway 50, to junction Minnesota Highway 3, to junction U.S. Highway 65, to junction Minnesota Highway 30, to junction unnumbered highway near Ellendale, to junction U.S. Highway 65, to the Minnesota-Iowa State line, or Minot, N. Dak., or points in North Dakota south of a line beginning at the North Dakota-Montana State line and extending along North Dakota Highway 1 to junction North Dakota Highway 2, to the United States-Canada International Boundary line)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E78), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which, because of their size or weight, require the use of special equipment (except boats and iron and steel articles), and *related machinery, parts and related contractors' materials and supplies*, when their transportation is incidental to the transportation by said carrier of the above-described commodities, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers); (a) between points in Montana, on the one hand, and, on the other, points in West Virginia and Kentucky (points in South Dakota east of the Missouri River and Elgin, Ill.)*; (b) between points in Montana and Wyoming, on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, Delaware, New Jersey, and the District of Columbia (points in South Dakota east of the Missouri River, and points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line and extending along unnumbered highway to junction Business U.S. Highway 15, near Fairplay, to junction U.S. Highway 15, to junction unnumbered highway, through Clear Spring, to junction U.S. Highway 15 to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pa., and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa.)*; and (c) between points in Wyoming, on the one hand, and, on the other, points in West Virginia and Kentucky (points in South Dakota east of the Missouri River or east of South Dakota Highway 73, and Elgin, Ill.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E130), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Lift trucks* and *road construction machinery and equipment*, as defined by the Commission, in flatbed trailers, restricted to commodities which because of size or weight require the use of special equipment, provided that the loading and/or unloading which necessitates the special equipment is performed by the consignor or consignee, or both; and (2) *Street sweeping machines* (except those which because of size or weight require the use of special equipment), in flat bed trailers, from points in Alabama, Georgia, Florida, South Carolina, North Carolina, Tennessee, Kentucky, Virginia, Indiana (except points in the corporate limits of Hammond, Whiting, East Chicago, and Gary), Michigan (except Benton Harbor and Battle Creek), Delaware, New York, Vermont, Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, and Mississippi, to points in Oregon and Washington [(1) points within 15 miles of the Minneapolis-St. Paul, Minn., commercial zone, and Sioux Falls, S. Dak.; and (2) points within 15 miles of the Minneapolis-St. Paul, Minn., commercial zone]; (B) (1) (a) *Road construction machinery and lift trucks*, which because of size or weight, require the use of special equipment, and (b) *Self-propelled articles*, described in (1) above, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers); and (2) (a) *Street sweeping* machine, which because of size or weight require the use of special equipment, and *related parts, attachments, and accessories* when moving in connection therewith, and (b) *Self-propelled street sweeping machines*, each weighing 15,000 pounds or more, and *related* parts, attachments, and accessories when moving in connection therewith (restricted to commodities transported on trailers), from points in Oregon and Washington to points in Alabama, Georgia, Florida,

South Carolina, Tennessee, and Mississippi [(1) Montana or Wyoming, points in South Dakota west of the Missouri River, and points within 15 miles of the Minneapolis, Minn., commercial zone; and (2) Montana or Wyoming, points in South Dakota east of the Missouri River, and Minneapolis, Minn.]*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E138), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Tractors* (except tractors with vehicle beds, bed frames, or fifth wheels), ultility trailers, designed to transport tractors other than truck tractors, *road construction machinery and equipment, earth moving, excavating and loading machinery*, restricted to commodities which because of size or weight require the use of special equipment, provided that the loading and/or unloading which necessitates the special equipment is performed by the consignor or consignee, or both, and related machinery parts, moving in connection therewith, and (II) *Self-propelled articles* described in (I) above, each weighing 15,000 pounds or more, and *related machinery and parts*, moving in connection therewith, restricted in (I) and (II) above against the transportation of iron and steel articles, (a)(1) from points in Illinois on and west of a line beginning at the Illinois-Missouri State line and extending along Illinois Highway 104 to junction U.S. Highway 66, to junction Illinois Highway 53, to junction U.S. Highway 66, to Lake Michigan, to points in Arizona; (2) from points in Illinois as described in (1) above (except points west of U.S. Highway 67 and south of U.S. Highway 34), to points in New Mexico; (3) from points in Illinois north of Illinois Highway 104, west of U.S. Highway 67 and south of U.S. Highway 34, to points in New Mexico in and west of San Juan, McKinley, Valencia, Socorro, Sierra, and Otero Counties (Rock Island, Ill.)*; (b)(1) from points in Indiana on and north of U.S. Highway 150, points in Ohio, West Virginia, and points in Kentucky on and east of a line beginning at the Indiana-Ohio State line and extending along Kentucky Highway 61 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Tennessee State line, to points in Arizona.

(2) From points in Indiana on and north of Interstate Highway 74, points in West Virginia on and north of U.S. Highway 60, and points in Ohio, to points in New Mexico (Elgin, Ill., and Rock Island, Ill.)*; (c)(1) from points in Connecticut, Rhode Island, Massachusetts, New Jersey, and Delaware, to points in New Mexico and Arizona; (2) from points in New York (except Chautauqua and Cattaraugus Counties), points in Maryland (except Garrett, Allegheny, and Washington Counties), points in Virginia on and east of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 11 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction Interstate Highway 95, thence along Interstate Highway 95 to the Virginia-North Carolina State line and points in Currituck, Camden, and Pasquatank Counties, N.C., to points in Arizona; (3) from points in New York on and east of a line beginning at Lake Ontario and extending along New York Highway 18 to junction U.S. Highway 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line, to points in New Mexico; (4) from points in Maryland on and east of U.S. Highway 15, to points in Mexico (except Lea County); (5) from points in Nansemond County, Va., to points in New Mexico on and west of U.S. Highway 54 (points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line and extending along unnumbered highway to junction Business U.S. Highway 15, near Fairplay to junction U.S. Highway 15, to junction unnumbered highway through Clear Spring, to junction U.S. Highway 15, to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above-described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pa., and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia, Counties, Pa.), Elgin, Ill., and Rock Island, Ill.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E139), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Heavy machinery* and other *contractors' materials, supplies, and equipment*, which because of size or weight require the use of special equipment and (II) *Self-propelled article*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers); (A)(1) between points in Iowa on and west of U.S. Highway 75 and on and north of U.S. Highway 18, on the one hand, and, on the other, points in Nebraska on and north of U.S. Highway 75; (2) between points in Iowa on, east, and south of the line described in (1) above, and on and north of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 20 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Iowa-Illinois State line, on the one hand, and, on the other, points in Nebraska on, north, and west of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 30 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line; (3) between points in Iowa, on the one hand, and, on the other, points in North Dakota; (4) between points in North Dakota, on the one hand, and, on the other, points in Minnesota on and south of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 12 to junction Minnesota Highway 9, thence along Minnesota Highway 9 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction Minnesota Highway 48, thence along Minnesota Highway 48 to the Minnesota-Wisconsin State line (South Dakota)*; (B)(1) between points in Nebraska east of Sheridan, Gorden, and Duell Counties, on the one hand, and, on the other, points in Montana.

(2) Between points in Nebraska on and east of U.S. Highway 83, on the one hand, and, on the other, points in Wyoming on and north of U.S. Highway 20; (3) between points in Nebraska on and north of a line beginning at the Nebraska-South Dakota State line and extending along Nebraska Highway 61 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to the Nebraska-Iowa State line, on the one hand, and, on the other, points in Wyoming south of U.S. Highway 20, and on and west of Wyoming Highway 789; (4) between points in Montana, on the one hand, and, on the other, points in Wisconsin, Illinois, Missouri, Indiana, and Michigan; (5) between points in Wyoming, on the one hand, and, on the other, points in Wisconsin, Illinois, Indiana, Michigan, and points in Missouri on and east of U.S. Highway 65; (6) between points in Wyoming (except Laramie, Albany, Platte, and Goshen Counties), on the one hand, and, on the other, points in Missouri west of U.S. Highway 65; (7) between points in Montana, on the one hand, and, on the other, points in Kansas; (8) between points in Wyoming on and north of U.S. Highway 20, on the one hand, and, on the other, points in Kansas; (9) between points in Uinta, Sublette, Lincoln, and Teton Counties, Wyo., on the one hand, and, on the other, points in Kansas on and east of U.S. Highway 81; (10) between points in Montana on and west of U.S. Highway 91, on the one hand, and, on the other, points in North Dakota on, east and south of a line beginning at the North Dakota-South Dakota State line and extending along North Dakota Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to the Minnesota-North Dakota State line.

(11) Between points in Montana on and south of U.S. Highway 12 and east of U.S. Highway 91, on the one hand,

and, on the other, points in North Dakota on and east of North Dakota Highway 3 and on and south of North Dakota Highway 200 (points in South Dakota on and east of South Dakota Highway 73)*; (C)(1) between points in Oregon, Washington, and points in Idaho on and south of Interstate Highway 90, on the one hand, and, on the other, points in North Dakota on, south, and east of a line beginning at the North Dakota-Montana State line and extending along North Dakota Highway 200 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to the United States-Canada International Boundary line; (2) between points in Oregon on, west, and south of a line beginning at the Oregon-Washington State line and extending along Oregon Highway 409 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Oregon Highway 47, thence along Oregon Highway 47 to junction Oregon Highway 99W, thence along Oregon Highway 99W to junction Oregon Highway 22, thence along Oregon Highway 22 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 395, thence along U.S. Highway 395 to the Oregon-California State line, on the one hand, and, on the other, points in North Dakota north and west of the line described in (1) above (Wyoming or Montana, and points in South Dakota on and east of South Dakota Highway 73)*; (D)(1) between points in Montana, on the one hand, and, on the other, points in Kentucky and West Virginia; (2) between points in Wyoming, on the one hand, and, on the other, points in Kentucky on and east of U.S. Highway 41; and (3) between points in Wyoming (except Laramie, Albany, Goshen, and Platte Counties), on the one hand, and, on the other, points in Kentucky west of U.S. Highway 41 (points in South Dakota on and east of South Dakota Highway 73, and Elgin, Ill.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E158), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A)(1) *Agricultural implements, agricultural machinery, soil and beach cleaners*, and *farm tractors* and *tractor attachments*, which because of size or weight require the use of special equipment, and (2) *Self-propelled articles*, described in (1) above, each weighing 15,000 pounds or more (restricted to commodities transported on trailers); (a) from points in Oregon, Washington, points in Idaho west of U.S. Highway 93, and points in Nevada (except Clark, Lincoln, and Whitepine Counties), to points in Arizona; (b) from points in Idaho on and east of U.S. Highway 93 to points in Arizona on and south of a line beginning at the Nevada-Arizona State line and extending along U.S. Highway 93 to junction Arizona Highway 93, thence along Arizona Highway 93 to the United States-Mexico International Boundary line; (c) from points in Nevada, and those points in Oregon and Washington on and west of U.S. Highway 97 to points in Texas; (d) from points in Washington east of U.S. Highway 97 to points in Texas on and south of U.S. Highway 80; (B)(1) *Agricultural machinery, and implements*, other than hand, as defined by the Commission, *farm tractors*, and the following tractors attachments only: *scarifiers, bulldozers, backhoes, buckets, front end loaders, and fork lifts*, restricted to commodities which because of size or weight, require the use of special equipment, provided that the loading and/or unloading which necessitates the special equipment is performed by the consignor or consignee, or both, and

(2) *Self-propelled articles* described in (1) above, each weighing 15,000 pounds or more (restricted to commodities transported on trailers); (a) from points in Nevada (except Elko County), to points in Arkansas and points in New Mexico on and south of U.S. Highway 66; (b) from points in Oregon on and west of Interstate Highway 5 to points in New Mexico on and south of U.S. Highway 66; (c) from points in Oregon on and west of U.S. Highway 97, to points in Arkansas; (d) from points in Washington on and west of U.S. Highway 97, to points in Georgia, South Carolina, and points in Arkansas on and south of Interstate Highway 40; (e) from points in Orgeon, Washington, Nevada, and points in Twin Falls, Owyhee, Elmore, Boise, Ada, Canyon, Gem, Payette, Washington, Adams, and Valley Counties, Idaho, to points in Louisiana; (f) from points in Nevada, points in Oregon on and west of U.S. Highway 395, and points in Washington on and west of U.S. Highway 97, to points in Alabama; (g) from points in Oregon and Nevada to points in Florida, Georgia, and South Carolina; (h) from points in Washington to points in Florida (except points in Baker, Union, Bradford, Clay, St. Johns, Duval, and Nassau Counties); (i) from points in Twin Falls, Owyhee, Elmore, Boise, Ada, Canyon, Gem, Payette, Washington, Adams, and Valley Counties, Idaho, to points in Florida, points in South Carolina east of Spartanburg, Laurens, Greenwood, and McCormick Counties, and in Georgia on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 280 to junction Georgia Highway 30, thence along Georgia Highway 30 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of California.

No. MC 113855 (Sub-No. E161), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Road construction machinery and equipment*, as defined by the Commission (except commodities which because of size or weight require the use of special equipment or handling), in flat bed trailers only; (1) between points in Minnesota on and north of a line beginning at the North Dakota-Minnesota State line and extending along U.S. Highway 2 to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada International Boundary line, on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Kentucky, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, New York, Oklahoma, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Vermont, North Carolina, Connecticut, California (except Los Angeles, Orange, San Diego, San Mateo, Santa Clara, Alameda, Contra Costa, Marin, Sacramento, and San Joaquin Counties), and Indiana (except points within the corporate limits of Hammond, Whiting, East Chicago, and Gary); (2) between points in Minnesota on and north of U.S. Highway 2 and on and east of U.S. Highway 75, on the one hand, and, on the other, points in the Lower Peninsula of Michigan (except Benton Harbor Creek and Battle Creek) (points in Wisconsin within the commercial zone of Minneapolis-St. Paul, Minn., and within 15 miles of the described commercial zone)*; (B) *Road construction equipment*, (1) from points in that part of Minnesota on and north of a line beginning at the North Dakota-Minnesota State line and extending along U.S. Highway 2 to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada International Boundary line to points in Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, New York, Oklahoma, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Vermont, North Carolina, and Connecticut; (2) from points in Minnesota on and north of U.S. Highway 2 and on and east of U.S. Highway 75, to points in the Lower Peninsula of Michigan (points in Wisconsin within 15 miles of Minneapolis and St. Paul, Minn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E375), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Street sweeping machines* which because of size or weight require the use of special equipment, and *parts* and *attachments* therefore, when their transportation is incidental to the transportation of the above-specified commodities, and (2) *Self-propelled street sweeping ma-*

chines, each weighing 15,000 pounds or more, and related parts moving in connection therewith (restricted to commodities transported on trailers); (a) from points in Minnesota (except Houston, Fillmore, and Winona Counties), to points in Alabama, Maryland, Mississippi, and North Carolina; (b) from points in Minnesota (except Rock, Nobles, Jackson, Murray, and Pipestone Counties), to points in Arizona, Louisiana, and Nevada; (c) from points in Minnesota (except Houston, Fillmore, Winona, Rock, Nobles, Jackson, Murray, Martin, Faribault, Freeborn, Pipeston, and Mower Counties), to points in Arkansas; (d) from points in Minnesota to points in California, Delaware, Washington, D.C., Florida, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, South Carolina, Vermont, and Virginia; (e) from points in Minnesota (except points in Wilkin, Grant, Douglas, Pope, Stevens, Traverse, Big Stone, Swift, LacQuiparie, Chippewa, Yellow Medecine, Lincoln, Lyon, Redwood, Cottonwood, Pipestone, Murray, Jackson, Nobles, and Rock Counties), to points in Colorado, New Mexico, Oklahoma, Texas, and Utah; (f) from points in Minnesota on and north of Minnesota Highway 19, to points in Illinois; (g) from points in Minnesota on and north of Minnesota Highway 60, to points in Indiana and Kenutcky; (h) from points in Minnesota on and north of U.S. Highway 12, to points in Iowa on and east of U.S. Highway 69; (i) from points in Minnesota (except points on and east of U.S. Highway 63, and north of U.S. Highway 2 and on and east of U.S. Highway 75), to points in the Lower Peninsula of Michigan; (j) from points in Minnesota on and north of U.S. Highway 10, to points in Missouri and Ohio; (k) from points in Minnesota on and west of U.S. Highway 63, to points in New York, Pennsylvania, Tennessee, and West Virginia; and (l) from points in Minnesota on and east of U.S. Highway 71, to points in Washington. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 113855 (Sub-No. E376), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Road construction equipment and machinery and lift trucks, which, because of their size and weight require the use of special equipment, and (2) Self-propelled articles described in (1) above, each weighing 15,000 pounds or more; (a) from points in Minnesota (except Houston, Fillmore, and Winona Counties), to points in Alabama, Mississippi, North Carolina, and Nevada; (b) from points in Minnesota (except Rock, Nobles, Jackson, Murray, and Pipestone Counties), to points in Arizona; (c) from points in Minnesota (except Houston, Fillmore, Winona, Rock, Nobles, Jackson, Murray, Martin, Faribault, Freeborn, and Mower Counties), to points in Arkansas; (d) from points in Minnesota to points in California, Delaware, Florida, Georgia, Maine, Massachusetts, New Hampshire, Rhode Island, South Carolina, Vermont, and Virginia; (e) from points in Minnesota on and north of Minnesota Highway 60, to points in Indiana and Kentucky; (f) from points in Minnesota (except points on and east of U.S. Highway 63, and north of U.S. Highway 2 and on and east of U.S. Highway 75), to points in the Lower Peninsula of Michigan; (g) from points in Minnesota on and west of U.S. Highway 63, to points in New York and Tennessee; (h) from points in Minnesota (except Wilkin, Grant, Douglas, Pope, Stevens, Traverse, Big Stone, Swift, Lacquiparle, Chippewa, Yellow Medicine, Lincoln, Lyon, Redwood, Cottonwood, Pipestone, Murray, Jackson, Nobles, and Rock Counties) to points in Oklahoma and Utah. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 113855 (Sub-No. E377), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lift trucks* and *road construction machinery and equipment*, as defined by the Commission (in flat bed trailers), restricted to commodities which because of size or weight require the use of special equipment, provided that the loading and/or unloading which necessitates the special equipment is performed by the consignor or consignee, or both; (a) between points in Minnesota (except Houston, Fillmore, and Winona Counties), on the one hand, and, on the other, points in Alabama, Mississippi, and North Carolina; (b) between points in Minnesota (except Rock, Nobles, Jackson, Murray, and Pipestone Counties), on the one hand, and, on the other, points in Arizona and Nevada; (c) between points in Minnesota (except Houston, Fillmore, Winona, Rock, Nobles, Jackson, Murrary, Martin, Fairibault, Freeborn, Mower, and Pipestone Counties), on the one hand, and, on the other, points in Arkansas; (d) between points in Minnesota, on the one hand, and, on the other, points in California (except Los Angeles, Orange, San Diego, San Mateo, Santa Clara, Alameda, Contra Costa, Marin, Sacramento, and San Joaquin Counties); (e) between points in Minnesota on and north of Minnesota Highway 60, on the one hand, and, on the other, points in Kentucky and Indiana (except points within the corporated limits of Hammond, Whiting, Gary, and East Chicago); (f) between points in Minnesota (except points on and east of U.S. Highway 63, and north of U.S. Highway 2 and on and east of U.S. Highway 75), on the one hand, and, on the other, points in the Lower Peninsula of Michigan; (g) between points in Minnesota on and west of U.S. Highway 63, on the one hand, and, on the other, points in New York and Tennessee; (h) between points in Minnesota (except Wilkin, Grant, Douglas, Pope, Stevens, Traverse, Big Stone, Swift, Lacquiparle, Chippewa, Yellow Medicine, Lincoln, Lyon, Redwood, Cottonwood, Pipestone, Murray, Jackson, Nobles, and Rock Counties), on the one hand, and, on the other, points in Oklahoma and Utah. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E439) filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, between points in that part of North Dakota on and east of a line beginning at the South Dakota-North Dakota State line, thence along North Dakota Highway 49 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to junction U.S. Highway 52, thence along U.S. Highway 52 to the North Dakota-Canada International Boundary line on the one hand, and, on the other, points in that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 81 to junction H. E. Bailey Turnpike, thence along H. E. Bailey Turnpike to the Oklahoma-Texas State line. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa and Topeka, Kans.

No. MC 114211 (Sub-No. E755), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts* thereof (*except those commodities the transportation* of which because of size and weight require the use of special equipment), *from Perry, Okla., to points in that part* of Texas on and south of a line beginning at the New Mexico-Texas State line extending along Texas Highway 125 to junction Texas Highway 116, thence along Texas Highway 116 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Texas Highway 29, thence along Texas Highway 29 to junction Texas Highway 95, thence along Texas Highway 95 to junction Texas Highway 36, thence along Texas Highway 36 to junction Texas Highway 53, thence along Texas Highway 53 to junction Texas Highway 320, thence along Texas Highway 320 to junction Texas Highway 7, thence along Texas Highway 7 to junction U.S. High-

way 79, thence along U.S. Highway 79 to junction Texas Highway 155, thence along Texas Highway 155 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Texas Highway 19, thence along Texas Highway 19 to junction U.S. Highway 271, thence along U.S. Highway 271 to the Texas-Oklahoma State line (except Houston, Galveston, Odessa, and El Paso). The purpose of this filing is to eliminate the gateway of Tulsa, Okla.

No. MC 114211 (Sub-No. E1266), filed August 24, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Harold C. Andrews, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from points in Washington and Oregon to points in Michigan, Ohio, and Pennsylvania. The purpose of this filing is to eliminate the gateway of points in Custer, Lawrence, Meade and Pennington Counties, S. Dak.

No. MC 114211 (Sub-No. E1267), filed August 24, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Harold C. Andrews, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from points in Washington, to points in Oklahoma and points in Texas on and east of a line beginning at Del Rin, extending along U.S. Highway 90 to junction Texas Highway 349, thence along Texas Highway 349 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of points in Custer, Lawrence, Meade and Pennington Counties, S. Dak.

No. MC 114211 (Sub-No. E1268), filed August 24, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Harold C. Andrews (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from points in Oregon, to points in Texas on and east of a line beginning at Port Arthur extending along U.S. Highway 69 to junction Texas Highway 37, thence along Texas Highway 37 to junction Texas Highway 154, thence along Texas Highway 154 to junction Texas Highway 24, thence along Texas Highway 24 to junction U.S. Highway 271, thence along U.S. Highway 271 to the Oklahoma-Texas State line, and to points in Oklahoma on and east of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 271 to junction Indian Nation Turnpike, thence along Indian Nation Turnpike to junction U.S. Highway 75, thence along U.S. Highway 75 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of points in Custer, Lawrence, Meade, Pennington Counties, S. Dak.

No. MC 114211 (Sub-No. E1269), filed August 24, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Harold C. Andrews, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from points in Washington on and north of a line beginning at the Washington-Idaho State line extending along U.S. Highway 12 to junction Washington Highway 261, thence along Washington Highway 261 to junction Washington Highway 26, thence along Washington Highway 26 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Washington Highway 18, thence along Washington Highway 18 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Washington Highway 8, thence along Washington Highway 8 to junction U.S. Highway 12, thence along U.S. Highway 12 to Aberdeen, to points in Texas on and east of a line beginning at Presidio extending along U.S. Highway 67 to junction Texas Highway 17, thence along Texas Highway 17 to junction U.S. Highway 285, thence along U.S. Highway 285 to the Texas-New Mexico State line, to points in Colorado on and east of a line beginning at the New Mexico-Colorado State line extending along Interstate Highway 25 to the Colorado-Wyoming State line, and points in Wyoming on and east of a line beginning at the Colorado-Wyoming State line extending along Interstate Highway 25 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction U.S. Highway 16, thence along U.S. Highway 16 to the Wyoming-South Dakota State line, and points in Oklahoma. The purpose of this filing is to eliminate the gateway of points in Custer, Meade, Lawrence and Pennington Counties, S. Dak.

No. MC 114211 (Sub-No. E1270), filed August 24, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Harold C. Andrews, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from points in Oregon on and north of a line beginning at the Idaho-Oregon State line extending along Interstate Highway 80N to junction Oregon Highway 201, thence along Oregon Highway 201 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Oregon Highway 58, thence along Oregon Highway 58 to junction Interstate Highway 5, thence along Interstate Highway 6 to junction U.S. Highway 199, thence along U.S. Highway 199 to the Oregon-California State line, to points in Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 281 to the Oklahoma-Texas State line, and points in Texas on and north of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 281 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 81; thence along U.S. Highway 81 to junction Texas Highway 6, thence along Texas Highway 6 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction U.S. Highway 75, thence along U.S. Highway 75 to Galveston. The purpose of this filing is to eliminate the gateway of points in Custer, Lawrence, Meade, and Pennington Counties, S. Dak.

No. MC 115841 (Sub-No. E82), (correction), filed June 4, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: COLONIAL REFRIGERATED, TRANSPORTATION INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* (except in bulk, or in tank vehicles), in vehicles equipped with mechanical refrigeration, from Brundidge, Ala., and points in Alabama on and north of U.S. Highway 80 (except Cullman, Ala.), to points in Delaware, Maine, Rhode Island, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Birmingham, Ala. The purpose of this correction is to correct the origin territories.

No. MC 115841 (Sub-No. E147), (correction), filed June 3, 1974, published in the FEDERAL REGISTER November 18, 1974. The purpose of this partial correction is to correct the "E" number, previously published as E13. The remainder of this letter-notice remains as previously published.

No. MC 115841 (Sub-No. E148), (Correction), filed May 22, 1974, published in the FEDERAL REGISTER September 5, 1975. The purpose of this partial correction is to correct the "E" number, previously published as E53. The remainder of this letter-notice remains as previously published.

No. MC 115841 (Sub-No. E171), (Correction), filed May 22, 1975, published in the FEDERAL REGISTER September 16, 1975. published in the FEDERAL REGISTER September 16, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh bananas* and *fresh coconuts and pineapples*, when moving in mixed loads with bananas (presently authorized), in vehicles equipped with mechanical refrigeration, . . . The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct the commodity description. The remainder of this letter-notice remains as previously published.

No. MC 115841 (Sub-No. E375), (correction), filed May 22, 1975, published in the FEDERAL REGISTER September 16, 1975. Applicant: COLONIAL REFRIGERATED, TRANSPORTATION INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh bananas*, and *fresh cocónuts and pineapples*, when moving in mixed loads with bananas (presently authorized), in vehicles equipped with mechanical refrigeration, . . . The purpose of this filing is to eliminate the gateway of Birmingham, or Brundige, Ala., Atlanta, Ga., and Chattanooga, Tenn. The purpose of this partial correction is to correct the commodity description. The remainder of this letter-notice remains as previously published.

No. MC 115841 (Sub-No. E383), (correction), filed June 4, 1974, published in the FEDERAL REGISTER September 5, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy*, in vehicles equipped with mechanical refrigeration; (a) from Birmingham, Ala., . . . The purpose of this filing is to eliminate the gateway of Chattanooga, Tenn. The purpose of this partial correction is to correct the "E" number, previously published as E53. The remainder of this letter-notice remains as previously published.

No. MC 115841 (Sub-No. E384), (Correction, filed June 3, 1974, published in the FEDERAL REGISTER September 16, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Edible meats, cheese*, and *cheese products* (except liquid commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from the plant site facilities of Dak Foods, Inc., at East Brunswick, N.J., (a) to points in Alabama, Arkansas, Louisiana, Missisippi, and points in Tennessee on and west of a line beginning at the Tennessee-Georgia State line and extending along Tennessee Highway 68 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Tennessee-Kentucky State line (Pittsburgh, Pa.)*; . . . The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct the "E" number, previously published as E36. The remainder of this letter-notice remains as previously published.

No. MC 119641 (Sub-E6), filed May 9, 1974. Applicant: RINGLE EXPRESS, INC., P.O. Box 471, Fowler, Ind. 47944. Applicant's representative: Robert C. Doran, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cannery machinery* from; (1) points in Maine, New Hampshire, Vermont, New York, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Delaware, Maryland, and the District of Columbia to points in Iowa and Missouri; (2) points in West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, to points in Iowa; and (3) points in South Carolina, Georgia, Alabama, and Florida, to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Hoopeston, Ill.

No. MC 119641 (Sub-E7), filed May 9, 1974. Applicant: RINGLE EXPRESS, INC., P.O. Box 471, Fowler, Ind. 47944. Applicant's representative: Robert C. Doran. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cannery machinery* and parts therefor, from points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington and Wyoming, to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New York, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of Hoopeston, Ill.

No. MC 119641 (Sub-E8), filed May 9, 1974. Aplicant: RINGLE EXPRESS, INC., P.O. Box 471, Fowler, Ind. 47944. Applicant's representative: Robert C. Doran. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cannery machinery*, (1) from points in Arkansas, Arizona, California, Colorado, Kansas, Louisiana, Missisippi, Nevada, New Mexico, Oklahoma, Texas and Utah, to points in the lower Peninsula of Michigan, (2) from points in North Dakota, South Dakota, Nebraska, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Washington, Oregon, Nevada, and California, to points in Ohio; (3) from points in Washington, Oregon, Idaho, Montana, Wyoming, California, Nevada, Utah and Arizona to points in Indiana. The purpose of this filing is to eliminate the gateway of Hoopeston, Ill.

No. MC 119641 (Sub-E22), filed May 10, 1974. Applicant: RINGLE EXPRESS, INC., P.O. Box 471, Fowler, Ind. 47944. Applicant's representative: Robert C. Doran (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and parts* from Horicon, Wis., to points in Illinois west and south of a line beginning at the Kentucky-Illinois State line and extending along Illinois Highway 1 to junction U.S. Highway 45, thence along U.S. Highway 45, to junction Interstate Highway 70, thence along Interstate Highway 70 to the Missouri-Illinois State line, points in Kansas on and south of a line beginning at the Missouri-Kansas State line and extending along U.S. Highway 54 to junction Kansas Highway 99, thence along Kansas Highway 99 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Kansas-Oklahoma State line. Points in Missouri on and south of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 50 to Jefferson City, Missouri, thence along U.S. Highway 54 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateway of Gary, Ind., and Shelbyville, Ill.

No. MC 119944 (Sub-No. E2), filed January 26, 1975. Applicant: BRACKWAY FAST MOTOR FREIGHT, INC., 568 Central Avenue, Summerville, N.J. 08786. Applicant's representative: Morton E. Kiel, Suite 6193, 5 Wared Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic pipe, plastic ducts, plastic tubes, and related fittings and* attachments, and (2) *materials* used in the installation of the commodities in (1) above, (A) from points in that part of New York and New Jersey within 100 miles of Cliffwood, N.J., to Florida, Alabama, Mississippi, Tennessee, South Carolina, Georgia, Kentucky, Indiana, Illinois, Wisconsin, Ohio, and Michigan; (B) from points in that part of New York within 100 miles of Cliffwood, N.J., and points in that part of New Jersey on and north of New Jersey Highway 33 and within 100 miles of Cliffwood, N.J., to North Carolina, and West Virginia; (C) from points in and south of Mercer, Middlesex, Monmouth, Somerset Counties, N.J., within 100 miles of Cliffwood, N.J., to points in that part of New York on and west of Interstate Highway 81 and Franklin, St. Lawrence, Jefferson and Clinton Counties, N.Y.; (D) from New York, N.Y., and Nassau County, N.Y., and that part of Suffolk County, N.Y., within 100 miles of Cliffwood, N.J., to points in New York on and west of U.S. Highway 15; and (E) from New York, N.Y., and points in Nassau, Suffolk, Westchester, Putnam, Dutchess, Rockland, Orange, Sullivan and Ulster Counties, N.Y., points in New Jersey on, east and north of Interstate Highway 287, within 100 miles of Cliffwood, N.J., to points in Virginia on and south of Interstate Highway 64. The purpose of this filing is to eliminate the gateways of points in Middlesex County, N.J., and Nazareth, Pa.

No. MC 120021 (Sub-No. E12), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER July 28, 1975. Applicant: THE COTTER MOVING & STORAGE CO., 265 W. Bowery St., Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St., N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Household goods,* as defined by the Commission; (10) between points in Michigan in, west, and north of Branch, Calhoun, Easton, Clinton, Shiawassee, Saginaw, Tuscola, and Sanilac Counties, on the one hand, and, on the other, those in West Virginia (except Ohio, Brooke, Hancock, Marshall, Wetzel, and Tyler Counties) The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof. The purpose of this partial correction is to include (10) above. The remainder of this letternotice remains as previously published.

No. MC 120021 (Sub-No. E21) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER July 29, 1975. Applicant: THE COTTER MOVING & STORAGE CO., 265 W Bowery St., Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission; (1) between points in Georgia, on the one hand, and, on the other, points in Nebraska, Minnesota, Wisconsin, and those in Indiana and Illinois on and north of Interstate Highway 74; The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof. The purpose of this partial correction is to correct the destination territories. The remainder of this letternotice remains as previously published.

No. MC 123681 (Sub-No. E21) (Correction) filed May 13, 1974, published in the FEDERAL REGISTER September 5, 1975. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V J. Eggleston (same as above) Authority sough to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Commodities,* which because of size or weight require the use of special equipment, and *related* machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation of the commodities authorized above, restricted against the transportation of boats, between points in Utah, on the one hand, and, on the other, points in Idaho in and north of Idaho, Adams, Washington, Payette, and Gem Counties. The purpose of this filing is to eliminate the gateway of Washington or Oregon. The purpose of this correction is to correct the destination territories.

No. MC 123681 (Sub-No. E22), (Correction) filed May 13, 1974, published in the FEDERAL REGISTER September 5, 1975. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Orog. 97203. Applicant's representative: V J. Eggleston, (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Commodities,* which because of size or weight require the use of special equipment, and *related machinery parts and related contractors' materials and supplies* when their transportation is incidental to the transportation of the commodities authorized above, restricted against the transportation of boats, between points in Kootenai, Benewah, Latah, Nez Perce, Lewis, Adams, Washington, Payette, Gem, Canyon, and Ada Counties, Idaho, and in Idaho County, Idaho, on and west of U.S. Highway 95, on the one hand, and, on the other, points in Montana on and east of U.S. Highway 93. The purpose of this filing is to eliminate the gateway of Washington or Oregon.

By the Commission.

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

[FR Doc.75-29205 Filed 10-29-75;8:45 am]

federal register

THURSDAY, OCTOBER 30, 1975

PART II:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

■

FAIR MARKET RENTS FOR HOUSING ASSISTANCE PAYMENT PROGRAMS

Section 8 and Section 23
Existing Housing

Title 24—Housing and Urban Development

CHAPTER VIII—LOW INCOME HOUSING, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-75-311]

PART 888—FAIR MARKET RENTS FOR HOUSING ASSISTANCE PAYMENTS PROGRAMS

Schedule B—Section 8 Existing Housing and Section 23 Existing Housing

Notice was given on July 16, 1975, at 40 FR 29999 that the Department of Housing and Urban Development (HUD) was proposing to amend Schedule B of Part 888 of Title 24 which sets forth the regulations concerning Fair Market Rents for existing housing (including the Housing Finance and Development Agencies Program)

Interested parties were invited to submit written comments concerning the proposed amendments to Schedule B. Comments were received concerning only one of the published rental schedules. Further consideration of the market situation in that locality resulted in HUD determination to publish for effect all the amendments of the Schedule B rents which had been published for comment on July 16, 1975.

Erroneous Fair Market Rents for the Missouri counties of Adair and Calloway were published for comment in the July 16, 1975 notice. The Fair Market Rents for existing housing in these two counties are being published again for effect at the same rental levels as those which were published for effect on April 7, 1975.

Since July 16, several localities in the United States have been designated as metropolitan areas (SMSA's) by the Office of Management and Budget. These are being published for effect under their new metropolitan area name. In Virginia, three Independent Cities have been incorporated in existing metropolitan areas. Fair Market Rents for these localities have been developed at the same levels that are currently effective in the SMSA in which they are located.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of Rules Docket Clerk, Room 10245, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C.

Accordingly, Title 24, Part 888, Schedule B is amended to read as follows:

Effective date. These regulations and schedules shall become effective October 30, 1975.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit—FHA Commissioner

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING[INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM]

REGION 2		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
SAN JUAN, P. R. AREA OFFICE						
SMSA: SAN JUAN						
MUNICIPIO:ALL	NON-ELEVATOR:	152	172	202	232	253
STATE:PR	ELEVATOR:	167	189	222	255	278
SMSA: PONCE						
MUNICIPIO:ALL	NON-ELEVATOR:	153	173	208	224	244
STATE:PR	ELEVATOR:	168	190	229	246	268
SMSA: MAYAGUEZ						
MUNICIPIO:ALL	NON-ELEVATOR:	124	140	165	182	198
STATE:PR	ELEVATOR:	136	154	182	200	218
SMSA: CAGUAS						
MUNICIPIO:ALL	NON-ELEVATOR:	119	135	159	175	191
STATE:PR	ELEVATOR:	131	149	175	193	210
NON SMSA						
MUNICIPIO:ALL OTHER	NON-ELEVATOR:	113	128	151	166	181
STATE:PR	ELEVATOR:	124	141	166	183	199
REGION 3						
BALTIMORE, MARYLAND AREA OFFICE						
SMSA: BALTIMORE, MD						
COUNTY:HOWARD	NON-ELEVATOR:	124	141	168	194	220
STATE:MD	ELEVATOR:	136	155	184	213	242
:-COLUMBIA(U)	NON-ELEVATOR:	150	180	210	240	270
STATE:MD	ELEVATOR:	165	198	231	264	297
PHILADELPHIA, PENNSYLVANIA AREA OFFICE						
NON SMSA						
COUNTY:LEBANON	NON-ELEVATOR:	102	116	130	160	175
STATE:PA	ELEVATOR:	112	128	152	176	192
RICHMOND, VIRGINIA AREA OFFICE						
SMSA: NEWPORT NEWS-HAMPTON, VA						
INDEP. CITY:POQUOSON	NON-ELEVATOR:	110	126	149	165	181
STATE:VA	ELEVATOR:	121	138	164	181	199
WASHINGTON, D.C. AREA OFFICE						
SMSA: WASHINGTON, DC-MD-VA						
INDEP. CITY:MANASSAS	NON-ELEVATOR:	150	180	210	240	270
STATE:VA	ELEVATOR:	165	198	231	264	297
INDEP. CITY:MANASSAS PRK	NON-ELEVATOR:	150	180	210	240	270
STATE:VA	ELEVATOR:	165	198	231	264	297
REGION 4						
JACKSON, MISSISSIPPI AREA OFFICE						
SMSA: MEMPHIS, TN-AR-MS						
COUNTY:DE SOTO	NON-ELEVATOR:	120	136	162	186	209
STATE:MS	ELEVATOR:	131	150	177	205	223
SMSA: PASCAGOULA-MOSS POINT, MS						
COUNTY:JACKSON	NON-ELEVATOR:	82	94	111	129	141
STATE:MS	ELEVATOR:	90	103	123	142	155
JACKSONVILLE, FLORIDA AREA OFFICE						
SMSA: PENSACOLA, FL						
COUNTY:ESCAMBIA	NON-ELEVATOR:	110	125	149	172	187
STATE:FL	ELEVATOR:	121	138	164	189	206
COUNTY:SANTA ROSA	NON-ELEVATOR:	110	125	149	172	187
STATE:FL	ELEVATOR:	121	138	164	189	206
SMSA: TALLAHASSEE, FL						
COUNTY:LEON	NON-ELEVATOR:	105	120	142	157	173
STATE:FL	ELEVATOR:	116	132	156	173	190
COUNTY:WAKULLA	NON-ELEVATOR:	105	120	142	157	173
STATE:FL	ELEVATOR:	116	132	156	173	190
LOUISVILLE, KENTUCKY AREA OFFICE						
SMSA: CLARKSVILLE-HOPKINSVILLE, TN-KY						
COUNTY:CHRISTIAN	NON-ELEVATOR:	99	113	134	149	163
STATE:KY	ELEVATOR:	109	124	147	164	179
MEMPHIS, TENNESSEE INSURING OFFICE						
SMSA: MEMPHIS, TN-AR-MS						
COUNTY:SHELBY	NON-ELEVATOR:	120	136	162	186	209
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:TIPTON	NON-ELEVATOR:	120	136	162	186	209
STATE:TN	ELEVATOR:	131	150	177	205	223
NON SMSA						
COUNTY:MADISON	NON-ELEVATOR:	80	92	110	122	134
STATE:TN	ELEVATOR:	89	101	122	134	147

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING(INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM)

REGION 4		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
NASHVILLE,TENNESSEE INSURING OFFICE						
SMSA: CLARKSVILLE-HOPKINSVILLE, TN-KY						
COUNTY:MONTGOMERY	NON-ELEVATOR:	99	113	134	149	163
STATE:TN	ELEVATOR:	109	124	147	164	179
SMSA: NASHVILLE-DAVIDSON, TN						
COUNTY:CHEATHAM	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:DAVIDSON	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:DICKSON	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:ROBERTSON	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:RUTHERFORD	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:SUMNER	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:WILLIAMSON	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
COUNTY:WILSON	NON-ELEVATOR:	120	136	162	186	204
STATE:TN	ELEVATOR:	131	150	177	205	223
NON SMSA						
COUNTY:PUTNAM	NON-ELEVATOR:	74	85	101	112	123
STATE:TN	ELEVATOR:	81	94	111	123	135
COUNTY:WARREN	NON-ELEVATOR:	74	85	101	112	123
STATE:TN	ELEVATOR:	81	94	111	123	135
TAMPA,FLORIDA INSURING OFFICE						
SMSA: DAYTONA BEACH, FL						
COUNTY:VOLUSIA	NON-ELEVATOR:	100	114	135	151	165
STATE:FL	ELEVATOR:	110	125	149	166	182
SMSA: TAMPA-ST PETERSBURG, FL						
COUNTY:HILLSBOROUGH	NON-ELEVATOR:	109	124	147	171	186
STATE:FL	ELEVATOR:	120	136	162	188	205
COUNTY:PASCO	NON-ELEVATOR:	109	124	147	171	186
STATE:FL	ELEVATOR:	120	136	162	188	205
COUNTY:PINELLAS	NON-ELEVATOR:	109	124	147	171	186
STATE:FL	ELEVATOR:	120	136	162	188	205
REGION 5						
CINCINNATI,OHIO INSURING OFFICE						
SMSA: DAYTON, OH						
COUNTY:GREENE	NON-ELEVATOR:	132	151	178	206	225
STATE:OH	ELEVATOR:	145	166	196	227	248
COUNTY:MONTGOMERY	NON-ELEVATOR:	132	151	178	206	225
STATE:OH	ELEVATOR:	145	166	196	227	248
COUNTY:PREBLE	NON-ELEVATOR:	132	151	178	206	225
STATE:OH	ELEVATOR:	145	166	196	227	248
COLUMBUS,OHIO AREA OFFICE						
SMSA: DAYTON, OH						
COUNTY:MIAMI	NON-ELEVATOR:	132	151	178	206	225
STATE:OH	ELEVATOR:	145	166	196	227	248
INDIANAPOLIS,INDIANA AREA OFFICE						
SMSA: BLOOMINGTON, IN						
COUNTY:MONROE	NON-ELEVATOR:	114	130	154	170	187
STATE:IN	ELEVATOR:	125	143	169	187	205
MILWAUKEE,WISCONSIN AREA OFFICE						
SMSA: EAU CLAIRE, WI						
COUNTY:CHIPPEWA	NON-ELEVATOR:	108	123	145	161	177
STATE:WI	ELEVATOR:	118	135	160	177	194
COUNTY:EAU CLAIRE	NON-ELEVATOR:	108	123	145	161	177
STATE:WI	ELEVATOR:	118	135	160	177	194
SPRINGFIELD,ILLINOIS INSURING OFFICE						
SMSA: ST LOUIS, MO-IL						
COUNTY:CLINTON	NON-ELEVATOR:	134	154	182	211	239
STATE:IL	ELEVATOR:	147	169	200	232	263
COUNTY:MADISON	NON-ELEVATOR:	134	154	182	211	239
STATE:IL	ELEVATOR:	147	169	200	232	263

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING(INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM)

REGION 5		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
SPRINGFIELD,ILLINOIS INSURING OFFICE						
COUNTY:MONROE	NON-ELEVATOR:	134	154	182	211	239
STATE:IL	ELEVATOR:	147	169	200	232	263
COUNTY:ST CLAIR	NON-ELEVATOR:	134	154	182	211	239
STATE:IL	ELEVATOR:	147	169	200	232	263
REGION 6						
ALBUQUERQUE,NEW MEXICO INSURING OFFICE						
NON SMSA						
COUNTY:CHAVES	NON-ELEVATOR:	101	115	135	149	162
STATE:NM	ELEVATOR:	111	127	149	164	179
COUNTY:CURRY	NON-ELEVATOR:	94	106	125	138	150
STATE:NM	ELEVATOR:	103	117	138	152	165
COUNTY:DONA ANA	NON-ELEVATOR:	101	115	135	149	162
STATE:NM	ELEVATOR:	111	127	149	164	179
COUNTY:EDDY	NON-ELEVATOR:	101	115	135	149	162
STATE:NM	ELEVATOR:	111	127	149	164	179
COUNTY:LEA	NON-ELEVATOR:	101	115	135	149	162
STATE:NM	ELEVATOR:	111	127	149	164	179
COUNTY:OTERO	NON-ELEVATOR:	101	115	135	149	162
STATE:NM	ELEVATOR:	111	127	149	164	179
COUNTY:SAN JUAN	NON-ELEVATOR:	101	115	135	149	162
STATE:NM	ELEVATOR:	111	127	149	164	179
DALLAS,TEXAS AREA OFFICE						
SMSA: LONGVIEW, TX						
COUNTY:GREGG	NON-ELEVATOR:	90	102	120	132	144
STATE:TX	ELEVATOR:	99	112	132	145	158
SMSA: SHERMAN-DENISON, TX						
COUNTY:GRAYSON	NON-ELEVATOR:	98	110	130	143	156
STATE:TX	ELEVATOR:	108	121	143	157	172
SMSA: TYLER, TX						
COUNTY:SMITH	NON-ELEVATOR:	90	102	120	132	144
STATE:TX	ELEVATOR:	99	112	132	145	158
NON SMSA						
COUNTY:ANDERSON	NON-ELEVATOR:	83	94	111	122	133
STATE:TX	ELEVATOR:	91	103	122	134	146
COUNTY:COOKE	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:DELTA	NON-ELEVATOR:	80	91	107	118	128
STATE:TX	ELEVATOR:	88	100	118	130	141
COUNTY:HOPKINS	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:HUNT	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:LAMAR	NON-ELEVATOR:	80	91	107	118	128
STATE:TX	ELEVATOR:	88	100	118	130	141
COUNTY:RUSK	NON-ELEVATOR:	83	94	111	122	133
STATE:TX	ELEVATOR:	91	103	122	134	145
FORT WORTH,TEXAS INSURING OFFICE						
SMSA: ABILENE, TX						
COUNTY:CALLAHAN	NON-ELEVATOR:	92	104	122	134	146
STATE:TX	ELEVATOR:	101	114	134	147	161
COUNTY:JONES	NON-ELEVATOR:	92	104	122	134	146
STATE:TX	ELEVATOR:	101	114	134	147	161
COUNTY:TAYLOR	NON-ELEVATOR:	92	104	122	134	146
STATE:TX	ELEVATOR:	101	114	134	147	161
SMSA: SAN ANGELO, TX						
COUNTY:TOM GREEN	NON-ELEVATOR:	90	102	120	132	144
STATE:TX	ELEVATOR:	99	112	132	145	158
NON SMSA						
COUNTY:ERATH	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:MONTAGUE	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:PALO PINTO	NON-ELEVATOR:	98	110	130	143	156
STATE:TX	ELEVATOR:	108	121	143	157	172

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING(INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM)

REGION 6		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
HOUSTON,TEXAS INSURING OFFICE						
NON SMSA						
COUNTY:ANGELINA	NON-ELEVATOR:	83	94	111	122	133
STATE:TX	ELEVATOR:	91	103	122	134	146
COUNTY:NACOGDOCHES	NON-ELEVATOR:	83	94	111	122	133
STATE:TX	ELEVATOR:	91	103	122	134	146
LITTLE ROCK,ARKANSAS AREA OFFICE						
SMSA: FAYETTEVILLE-SPRINGDALE, AR						
COUNTY:BENTON	NON-ELEVATOR:	88	99	117	130	143
STATE:AR	ELEVATOR:	97	108	128	143	157
COUNTY:WASHINGTON	NON-ELEVATOR:	88	99	117	130	143
STATE:AR	ELEVATOR:	97	108	128	143	157
SMSA: FORT SMITH, AR-OK						
COUNTY:CRAWFORD	NON-ELEVATOR:	83	93	110	128	140
STATE:AR	ELEVATOR:	91	102	121	140	154
COUNTY:SEBASTIAN	NON-ELEVATOR:	83	93	110	128	140
STATE:AR	ELEVATOR:	91	102	121	140	154
SMSA: MEMPHIS, TN-AR-MS						
COUNTY:CRITTENDEN	NON-ELEVATOR:	120	136	162	186	204
STATE:AR	ELEVATOR:	131	150	177	205	223
SMSA: PINE BLUFF, AR						
COUNTY:JEFFERSON	NON-ELEVATOR:	86	96	114	127	139
STATE:AR	ELEVATOR:	95	106	125	140	154
SMSA: TEXARKANA, TX-AR						
COUNTY:LITTLE RIVER	NON-ELEVATOR:	83	93	110	128	140
STATE:AR	ELEVATOR:	91	102	121	140	154
COUNTY:MILLER	NON-ELEVATOR:	83	93	110	128	140
STATE:AR	ELEVATOR:	91	102	121	140	154
COUNTY:BOWIE	NON-ELEVATOR:	83	93	110	128	140
STATE:TX	ELEVATOR:	91	102	121	140	154
NON SMSA						
COUNTY:CRAIGHEAD	NON-ELEVATOR:	86	96	113	127	139
STATE:AR	ELEVATOR:	94	106	124	140	153
COUNTY:GARLAND	NON-ELEVATOR:	78	88	104	116	127
STATE:AR	ELEVATOR:	86	97	115	128	140
LITTLE ROCK,ARKANSAS AREA OFFICE						
NON SMSA						
COUNTY:MISSISSIPPI	NON-ELEVATOR:	85	96	113	127	139
STATE:AR	ELEVATOR:	94	106	124	140	153
COUNTY:POINSETT	NON-ELEVATOR:	85	96	113	127	139
STATE:AR	ELEVATOR:	94	106	124	140	153
COUNTY:ST FRANCIS	NON-ELEVATOR:	85	96	113	127	139
STATE:AR	ELEVATOR:	94	106	124	140	153
LUBBOCK,TEXAS INSURING OFFICE						
SMSA: AMARILLO, TX						
COUNTY:POTTER	NON-ELEVATOR:	92	104	122	134	146
STATE:TX	ELEVATOR:	101	114	134	147	161
COUNTY:RANDALL	NON-ELEVATOR:	92	104	122	134	146
STATE:TX	ELEVATOR:	101	114	134	147	161
SMSA: LUBBOCK, TX						
COUNTY:LUBBOCK	NON-ELEVATOR:	101	115	135	149	160
STATE:TX	ELEVATOR:	111	127	149	164	179
SMSA: MIDLAND, TX						
COUNTY:MIDLAND	NON-ELEVATOR:	98	110	130	143	156
STATE:TX	ELEVATOR:	108	121	143	157	172
SMSA: ODESSA, TX						
COUNTY:ECTOR	NON-ELEVATOR:	98	110	130	143	156
STATE:TX	ELEVATOR:	108	121	143	157	172
NON SMSA						
COUNTY:DEAF SMITH	NON-ELEVATOR:	92	104	122	134	146
STATE:TX	ELEVATOR:	101	114	134	147	161
COUNTY:GRAY	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:HALE	NON-ELEVATOR:	89	100	118	130	142
STATE:TX	ELEVATOR:	98	110	130	143	156
COUNTY:HOWARD	NON-ELEVATOR:	98	110	130	143	156
STATE:TX	ELEVATOR:	108	121	143	157	172

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING(INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM)

REGION - 6		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
NEW ORLEANS,LOUISIANA AREA OFFICE						
SMSA: BATON ROUGE, LA						
PARISH:ASCENSION	NON-ELEVATOR:	117	134	158	183	200
STATE:LA	ELEVATOR:	129	147	174	201	220
PARISH:E BATON ROUG	NON-ELEVATOR:	117	134	158	183	200
STATE:LA	ELEVATOR:	129	147	174	201	220
PARISH:LIVINGSTON	NON-ELEVATOR:	117	134	158	183	200
STATE:LA	ELEVATOR:	129	147	174	201	220
PARISH:W BATON ROUG	NON-ELEVATOR:	117	134	158	183	200
STATE:LA	ELEVATOR:	129	147	174	201	220
SMSA: LAFAYETTE, LA						
PARISH:LAFAYETTE	NON-ELEVATOR:	88	101	120	138	151
STATE:LA	ELEVATOR:	97	111	132	152	166
NON SMSA						
PARISH:IBERIA	NON-ELEVATOR:	88	101	120	138	151
STATE:LA	ELEVATOR:	97	111	132	152	166
PARISH:ST LANDRY	NON-ELEVATOR:	88	101	120	138	151
STATE:LA	ELEVATOR:	97	111	132	152	166
PARISH:WASHINGTON	NON-ELEVATOR:	65	74	88	98	108
STATE:LA	ELEVATOR:	71	81	97	108	118
OKLAHOMA CITY,OKLAHOMA AREA OFFICE						
SMSA: LAWTON, OK						
COUNTY:COMANCHE	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
NON SMSA						
COUNTY:CARTER	NON-ELEVATOR:	80	90	107	119	130
STATE:OK	ELEVATOR:	88	99	117	130	143
COUNTY:CUSTER	NON-ELEVATOR:	92	103	122	141	154
STATE:OK	ELEVATOR:	101	113	134	155	170
COUNTY:GARFIELD	NON-ELEVATOR:	92	103	122	141	154
STATE:OK	ELEVATOR:	101	113	134	155	170
COUNTY:GRADY	NON-ELEVATOR:	92	103	122	141	154
STATE:OK	ELEVATOR:	101	113	134	155	170
COUNTY:KAY	NON-ELEVATOR:	84	95	112	129	140
STATE:OK	ELEVATOR:	92	105	123	142	154
COUNTY:KINGFISHER	NON-ELEVATOR:	84	95	112	129	140
STATE:OK	ELEVATOR:	92	105	123	142	154
COUNTY:PAYNE	NON-ELEVATOR:	98	111	131	152	166
STATE:OK	ELEVATOR:	108	122	144	167	183
COUNTY:PONTOTOC	NON-ELEVATOR:	80	90	107	119	130
STATE:OK	ELEVATOR:	88	99	117	130	143
COUNTY:TEXAS	NON-ELEVATOR:	87	99	116	133	145
STATE:OK	ELEVATOR:	96	109	128	146	160
COUNTY:WOODWARD	NON-ELEVATOR:	84	95	112	129	140
STATE:OK	ELEVATOR:	92	105	123	142	154
SAN ANTONIO,TEXAS AREA OFFICE						
SMSA: BROWNSVILLE-HARLINGEN-SAN BENITO, TX						
COUNTY:CAMERON	NON-ELEVATOR:	104	118	140	162	178
STATE:TX	ELEVATOR:	114	129	154	179	195
SMSA: CORPUS CHRISTI, TX						
COUNTY:NUECES	NON-ELEVATOR:	115	131	156	178	197
STATE:TX	ELEVATOR:	127	144	171	198	217
COUNTY:SAN PATRICIO	NON-ELEVATOR:	115	131	155	178	197
STATE:TX	ELEVATOR:	127	144	171	198	217
SMSA: LAREDO, TX						
COUNTY:WEBB	NON-ELEVATOR:	104	118	140	162	178
STATE:TX	ELEVATOR:	114	129	154	179	195
SMSA: MC ALLEN-PHARR-EDINBURG, TX						
COUNTY:HIDALGO	NON-ELEVATOR:	104	118	140	162	178
STATE:TX	ELEVATOR:	114	129	154	179	195
SMSA: SAN ANTONIO, TX						
COUNTY:BEXAR	NON-ELEVATOR:	115	131	155	178	197
STATE:TX	ELEVATOR:	127	144	171	198	217
COUNTY:CORAL	NON-ELEVATOR:	115	131	155	178	197
STATE:TX	ELEVATOR:	127	144	171	198	217

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING(INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM)

REGION 6		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
SAN ANTONIO,TEXAS AREA OFFICE						
SMSA: BROWNSVILLE-HARLINGEN-SAN BENITO, TX						
COUNTY:GUADALUPE	NON-ELEVATOR:	115	131	155	178	197
STATE:TX	ELEVATOR:	127	144	171	198	217
NON SMSA						
COUNTY:MAVERICK	NON-ELEVATOR:	89	100	119	132	145
STATE:TX	ELEVATOR:	98	110	131	146	160
COUNTY:VICTORIA	NON-ELEVATOR:	100	114	135	149	164
STATE:TX	ELEVATOR:	110	125	148	164	180
SHREVEPORT,LOUISIANA INSURING OFFICE						
SMSA: ALEXANDRIA, LA						
PARISH:GRANT	NON-ELEVATOR:	92	105	124	144	157
STATE:LA	ELEVATOR:	101	115	137	158	173
PARISH:RAPIDES	NON-ELEVATOR:	92	105	124	144	157
STATE:LA	ELEVATOR:	101	115	137	158	173
SMSA: LONGVIEW, TX						
COUNTY:HARRISON	NON-ELEVATOR:	90	102	120	132	144
STATE:TX	ELEVATOR:	99	112	132	145	158
SMSA: MONROE, LA						
PARISH:OUACHITA	NON-ELEVATOR:	92	105	124	144	157
STATE:LA	ELEVATOR:	101	115	137	158	173
NON SMSA						
PARISH:NATCHITOCHES	NON-ELEVATOR:	74	85	101	117	128
STATE:LA	ELEVATOR:	82	93	110	129	141
TULSA,OKLAHOMA INSURING OFFICE						
SMSA: FORT SMITH, AR-OK						
COUNTY:LE FLORE	NON-ELEVATOR:	83	93	110	128	140
STATE:OK	ELEVATOR:	91	102	121	140	154
COUNTY:SEQUOYAH	NON-ELEVATOR:	83	93	110	128	140
STATE:OK	ELEVATOR:	91	102	121	140	154
SMSA: TULSA, OK						
COUNTY:CREEK	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
COUNTY:HAYES	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
COUNTY:OSAGE	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
COUNTY:ROGERS	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
COUNTY:TULSA	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
COUNTY:WAGONER	NON-ELEVATOR:	109	122	145	167	182
STATE:OK	ELEVATOR:	120	135	159	183	200
NON SMSA						
COUNTY:OTTAWA	NON-ELEVATOR:	80	90	107	119	130
STATE:OK	ELEVATOR:	88	99	117	130	143
COUNTY:PITTSBURG	NON-ELEVATOR:	77	86	102	113	124
STATE:OK	ELEVATOR:	85	95	112	125	137
COUNTY:WASHINGTON	NON-ELEVATOR:	90	101	120	138	150
STATE:OK	ELEVATOR:	99	111	132	152	165
REGION 7						
ST.LOUIS,MISSOURI AREA OFFICE						
SMSA: COLUMBIA, MO						
COUNTY:BOONE	NON-ELEVATOR:	121	138	163	182	198
STATE:MO	ELEVATOR:	133	152	179	200	218
SMSA: ST LOUIS, MO-IL						
COUNTY:FRANKLIN	NON-ELEVATOR:	134	154	182	211	239
STATE:MO	ELEVATOR:	147	169	200	232	263
COUNTY:JEFFERSON	NON-ELEVATOR:	134	154	182	211	239
STATE:MO	ELEVATOR:	147	169	200	232	263
COUNTY:ST CHARLES	NON-ELEVATOR:	134	154	182	211	239
STATE:MO	ELEVATOR:	147	169	200	232	263
COUNTY:ST LOUIS	NON-ELEVATOR:	134	154	182	211	239
STATE:MO	ELEVATOR:	147	169	200	232	263
INDEP. CITY:ST. LOUIS	NON-ELEVATOR:	134	154	182	211	239
STATE:MO	ELEVATOR:	147	169	200	232	263

SCHEDULE B- FAIR MARKET RENTS FOR EXISTING HOUSING(INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM)

REGION 7		0 BEDROOMS	1 BEDROOM	2 BEDROOMS	3 BEDROOMS	4+BEDROOMS
ST.LOUIS,MISSOURI AREA OFFICE						
NON SMSA						
COUNTY:ADAIR	NON-ELEVATOR:	116	132	155	171	186
STATE:MO	ELEVATOR:	128	145	171	188	205
COUNTY:CALLAWAY	NON-ELEVATOR:	116	132	155	171	186
STATE:MO	ELEVATOR:	128	145	171	188	205
COUNTY:CAPE GIRARDE	NON-ELEVATOR:	98	111	130	143	156
STATE:MO	ELEVATOR:	108	122	143	157	172
COUNTY:SCOTT	NON-ELEVATOR:	98	111	130	143	156
STATE:MO	ELEVATOR:	108	122	143	157	172
REGION 8						
DENVER,COLORADO INSURING OFFICE						
SMSA: FORT COLLINS, CO						
COUNTY:LARIMER	NON-ELEVATOR:	103	117	139	153	167
STATE:CO	ELEVATOR:	113	129	152	168	184
SMSA: GREELEY, CO						
COUNTY:WELD	NON-ELEVATOR:	103	117	139	153	167
STATE:CO	ELEVATOR:	113	129	152	168	184
SALT LAKE CITY,UTAH INSURING OFFICE						
SMSA: PROVO-OREM, UT						
COUNTY:UTAH	NON-ELEVATOR:	113	128	150	165	180
STATE:UT	ELEVATOR:	122	139	163	179	196
SMSA: SALT LAKE CITY-OGDEN, UT						
COUNTY:DAVIS	NON-ELEVATOR:	119	134	160	184	200
STATE:UT	ELEVATOR:	130	149	174	200	217
COUNTY:SALT LAKE	NON-ELEVATOR:	119	134	160	184	200
STATE:UT	ELEVATOR:	130	149	174	200	217
COUNTY:TOOELE	NON-ELEVATOR:	119	134	160	184	200
STATE:UT	ELEVATOR:	130	149	174	200	217
COUNTY:WEBER	NON-ELEVATOR:	119	134	160	184	200
STATE:UT	ELEVATOR:	130	149	174	200	217
NON SMSA						
COUNTY:UINTAH	NON-ELEVATOR:	97	111	131	149	158
STATE:UT	ELEVATOR:	107	122	144	160	174
SOUIX FALLS,SOUTH DAKOTA INSURING OFFICE						
SMSA: SIOUX FALLS, SD						
COUNTY:MINNEHAHA	NON-ELEVATOR:	131	149	175	192	210
STATE:SD	ELEVATOR:	144	164	193	211	231
REGION 9						
HONOLULU,HAWAII INSURING OFFICE						
NON SMSA						
COUNTY:HAWAII	NON-ELEVATOR:	175	200	235	307	334
STATE:HI	ELEVATOR:	193	220	259	0	0
COUNTY:KAUAI	NON-ELEVATOR:	175	200	230	260	280
STATE:HI	ELEVATOR:	0	0	0	0	0
SAN FRANCISCO,CALIFORNIA AREA OFFICE						
SMSA: SANTA CRUZ, CA						
COUNTY:SANTA CRUZ	NON-ELEVATOR:	139	157	185	213	231
STATE:CA	ELEVATOR:	153	173	203	234	254
REGION 10						
SEATTLE,WASHINGTON AREA OFFICE						
NON SMSA						
COUNTY:CORLITZ	NON-ELEVATOR:	109	123	145	161	176
STATE:WA	ELEVATOR:	120	135	160	177	194
SPOKANE,WASHINGTON INSURING OFFICE						
SMSA: SPOKANE, WA						
COUNTY:SPOKANE	NON-ELEVATOR:	137	138	162	184	203
STATE:WA	ELEVATOR:	134	152	178	205	223

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federal register

THURSDAY, OCTOBER 30, 1975

PART III:

PRIVACY ACT OF 1974

■

VARIOUS AGENCIES

Rules, Proposed Rules, and
Notices of Systems of Records

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 627-75]

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Protection of Privacy of Individual Records

This order promulgates in final form the regulations of the Department of Justice implementing the Privacy Act of 1974, Pub. L. 93-579. By notice of proposed rulemaking, published in the FEDERAL REGISTER on August 27, 1975 (40 FR 39404) the Department of Justice proposed regulations relating to individual access to records pursuant to the Privacy Act and the obligations of the Department to insure the security, accuracy and completeness of records. No comments from the public were received with respect to the proposed regulations. This order makes the regulations, as published, final, with the following technical amendments and a new section establishing the Department's policy in granting access to records.

Pursuant to the authority vested in me by 5 U.S.C. 552a and as Attorney General of the United States, the new Subpart D of Part 16, Chapter I, Title 28 of the Code of Federal Regulations, as published in the FEDERAL REGISTER of August 27, 1975 (40 FR 39404) is adopted with the following amendments, to become effective October 30, 1975.

(1) The table of contents of Subpart D is amended to add at the end thereof—"16.57 Relationship of Privacy Act and the Freedom of Information Act."·

(2) Section 16.48—Requests for correction of records is amended by adding at the end of the second sentence of paragraph (b) the words "or his delegate"· and

(3) Subpart D of Part 16, Chapter I, Title 28 of the Code of Federal Regulations is amended by adding at the end thereof the following new section § 16.57.

Subpart D—Protection of Privacy of Individual Records

Sec.

16.40 Purpose and scope.
16.41 Access by individuals to records maintained about them.
16.42 Records exempt in whole or in part.
16.43 Special access procedures.
16.44 Requests for accounting of record disclosures.
16.45 Notice of access decisions; time limits.
16.46 Fees for copies of records.
16.47 Appeals from denials of access.
16.48 Requests for correction of records.
16.49 Records not subject to correction.
16.50 Accounting for disclosures.
16.51 Notices of subpoenas and emergency disclosures.
16.52 Information forms.
16.53 Contracting records systems.
16.54 Security of records systems.
16.55 Use and collection of Social Security numbers.
16.56 Employee standards of conduct with regard to privacy.
16.57 Relationship of Privacy Act and the Freedom of Information Act.

Subpart D—Protection of Privacy of Individual Records

§ 16.40 Purpose and scope.

(a) This subpart contains the regulations of the Department of Justice implementing the Privacy Act of 1974. Pub. L. 93-579. The regulations apply to all records contained in systems of records maintained by the Department of Justice which are retrieved by individual name or identifier, except that for personnel records, where there is a conflict between these regulations and those of the Commission, Civil Service Commission regulations shall prevail. The regulations set forth the procedures by which individuals may seek access to records pertaining to themselves in these systems of records and request correction of them. The regulations also set forth the requirements applicable to Department of Justice employees maintaining, collecting, using or disseminating such records. These regulations are applicable to each Office, Division. Board, Bureau, Service and Administration of the Department (hereafter referred to as a "component")

(b) The Assistant Attorney General for Administration shall provide that the provisions of this subpart and any revisions thereof shall be brought to the attention of and made available to:

(1) Each employee at the time of issuance of this subpart and any amendment thereto· and

(2) Each new employee at the time of employment.

(c) The Assistant Attorney General for Administration shall be responsible for insuring that employees of the Department of Justice are trained in the obligations imposed by the Privacy Act of 1974 and by these regulations, but each component of the Department is authorized to undertake training for its own employees.

§ 16.41 Access by individuals to records maintained about them.

(a) *Access to available records.* An individual seeking access to records about himself in a system of records, which have not been exempted from access pursuant to the Privacy Act of 1974, may present his request in person or in writing to the manager of the particular system of records to which he seeks access or to such other person as may be specified. System managers and others to whom requests may be presented are identified in the "Notice of Records Systems" published by the National Archives and Records Service, General Services Administration. Access to Department of Justice records maintained in National Archives and Records Service Centers may be obtained in accordance with the regulations issued by the General Services Administration. Access to records in multiple systems of records should be addressed to each component maintaining one of the systems. If a requester seeks guidance in defining his request, he may write to the Information Systems Staff, Office of Management and Finance, Department of Justice, 10th and Constitution Avenue, NW., Washington, D.C. 20530.

(b) *Verification of identity.* The following standards are applicable to any individual who requests records concerning himself, unless other provisions for identity verification are specified in the published notice pertaining to the particular system of records.

(1) An individual seeking access to records about himself in person may establish his identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear both a name and address (such as a driver's license, or credit card)

(2) An individual seeking access to records about himself by mail shall establish his identity by a signature, address, date of birth, place of birth, employee identification number if any, and one other identifier such as a photocopy of an identifying document.

(3) An individual seeking access to records about himself by mail or in person who cannot provide the necessary documentation of identification may provide a notarized statement, swearing or affirming to his identity and to the fact that he understands the penalties for false statements pursuant to 18 U.S.C. 1001. Forms for such notarized statements may be obtained on request from the Information Systems Staff, Office of Management and Finance, U.S. Department of Justice, Washington, D.C. 20530.

(c) *Verification of guardianship.* The parent or guardian of a minor or a person judicially determined to be incompetent and seeking to act on behalf of such minor or incompetent shall, in addition to establishing his own identity, establish the identity of the minor or other person he represents as required in paragraph (b) of this section and establish his own parentage or guardianship of the subject of the record by furnishing either a copy of a birth certificate showing parentage or a court order establishing the guardianship.

(d) *Accompanying persons.* An individual seeking to review records about himself may be accompanied by another individual of his own choosing. Both the individual seeking access and the individual accompanying him shall be required to sign the required form indicating that the Department of Justice is authorized to discuss the contents of the subject record in the presence of both individuals.

(e) *Specification of records sought.* Requests for access to records, either in person or by mail shall describe the nature of the records sought, the approximate dates covered by the record, the system or systems in which it is thought to

be included as described in the "Notices of Records Systems" published by the General Services Administration, and the identity of the system manager or component of the Department having custody of the system of records. In addition, the published "Notice of Systems Records" for individual systems may include further requirements of specification where necessary to retrieve the individual record from the system.

§ 16.42 Records exempt in whole or in part.

(a) When an individual requests records about himself which have been exempted from individual access pursuant to 5 U.S.C. 552a (j) or (k) (3) or (k) (4) or which have been compiled in reasonable anticipation of a civil action or proceeding either in a court or before an administrative tribunal, the Department of Justice will neither confirm nor deny the existence of the record but shall advise the individual only that there is no record which is available to him pursuant to the Privacy Act of 1974.

(b) Individual requests for access to records which have been exempted from access pursuant to 5 U.S.C. 552a(k) shall be processed as follows:

(1) Requests for information classified by the Department of Justice pursuant to Executive Order 11652 require the responsible component of the Department to review the information to determine whether it continues to warrant classification under the criteria of sections 1 and 5 (B), (C), (D), and (E) of the Executive Order. Information which no longer warrants classification under these criteria shall be declassified and made available to the individual if not otherwise exempt. If the information continues to warrant classification, the individual shall be advised that the information sought is classified, that it has been reviewed and continues to warrant classification, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k) (1). Information which has been exempted pursuant to 5 U.S.C. 552a(j) and which is also classified shall be reviewed as required by this paragraph but the response to the individual shall be in the form prescribed by paragraph (a) of this section.

(2) Requests for information which has been exempted from disclosure pursuant to 5 U.S.C. 552a(k) (2) shall be responded to in the manner provided in paragraph (a) of this section unless a review of the information indicates that the information has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under federal law. In that event, the individual shall be advised of the existence of the record and shall be provided the information except to the extent it would identify a confidential source. If and only if information identifying a confidential source can be deleted or the pertinent parts of the record summarized in a manner which protects the identity of the confidential source, the document with deletions made or the summary shall be furnished to the requester.

(3) Information compiled as part of an employee background investigation which has been exempted pursuant to 5 U.S.C. 552a(k) (5) shall be made available to an individual upon request except to the extent that it identifies a confidential source. If and only if information identifying a confidential source can be deleted or the pertinent parts of the record summarized in a manner which protects the identity of the confidential source, the document with deletions made or the summary shall be furnished to the requester.

(4) Testing or examination material which has been exempted pursuant to 5 U.S.C. 552a(k) (6) shall not be made available to an individual if disclosure would compromise the objectivity or fairness of the testing or examination process but shall be made available if no such compromise possibility exists.

§ 16.43 Special access procedures.

(a) *Records of other agencies.* When information sought from a system of records in the Department of Justice includes information:

(1) That has been classified pursuant to Executive Order 11652, the request shall be referred to the appropriate classifying authority pursuant to 28 CFR 17.61 and the individual requesting the record shall be so advised unless the record is also exempt from disclosure pursuant to 5 U.S.C. 552a (j) or (k);

(2) That has been furnished by another component of the Department, the request shall be referred to the component originating the information for a decision as to access or correction;

(3) That has been furnished by another agency, the Department shall consult the other agency before granting access or making a correction and may refer the request to the other agency if referral will provide more expeditious access or correction, but the requester shall be notified of the referral.

(b) *Medical Records.* When an individual requests medical records concerning himself, which are not otherwise exempt from disclosure, the system manager shall, if deemed necessary, advise the individual that records will be provided only to a physician designated in writing by the individual. Upon receipt of the designation, the system manager will permit the physician to review the records or to receive copies of the records by mail, upon proper verification of identity. The determination of which records should be made available directly to the individual and which records should not be disclosed because of possible harm to the individual shall be made by the physician.

§ 16.44 Requests for accounting of record disclosures.

At the time of his request for access or correction or at any other time, an individual may request an accounting of disclosures made of his record outside the Department of Justice. Requests for accounting shall be directed to the system manager or other person specified in the "Notices of Records Systems." Any available accounting, whether kept in accordance with the requirements of the Privacy Act or under procedures established prior to September 27, 1975 shall be made available to the individual except that an accounting need not be made available if it relates to: (a) records with respect to which no accounting need be kept (see § 16.50(c) infra); (b) a disclosure made to a law enforcement agency pursuant to 5 U.S.C. 552a(b) (7); (c) an accounting which has been exempted from disclosure pursuant to 5 U.S.C. 552a (j) or (k).

§ 16.45 Notice of access decisions; time limits.

(a) *Responsibility for notice.* The head of the component maintaining the system from which information is sought or his delegate has responsibility for determining whether access to records is available under the Privacy Act and for notifying the individual of that determination in accordance with these regulations. If access is denied because of an exemption, the responsible person shall notify the individual that he may appeal that determination to the Deputy Attorney General within thirty working days of the receipt of the determination.

(b) *Time limits for access determinations.* The following time limits shall be applicable to requests for access to information pursuant to the Privacy Act of 1974:

(1) Any request concerning a single system of records all of which are maintained at the same location and none of which requires consultation with another component or agency shall be responded to within 20 working days unless the records requested exceed the equivalent of 100 pages.

(2) Any request concerning a single system of records some of which require consultation with another component or agency shall be responded to within 25 working days unless the records requested exceed the equivalent of 100 pages.

(3) Any request involving several systems of records or one or more systems maintained at different locations shall be responded to within 40 working days.

(4) Any request involving the equivalent of 100 pages or more, whether maintained in one system or several systems, shall be responded to within 40 working days.

(5) If a request under paragraphs (b) (2), (3) or (4) of this section presents unusual difficulties in determining whether the records involved are exempt from disclosure, the Deputy Attorney General, upon written request of the responsible person, may extend the time period established by these regulations for an additional 15 working days.

§ 16.46 Fees for copies of records.

(a) *When charged.* Fees pursuant to 31 U.S.C. 483a and 5 U.S.C. 552a(f) (5)

shall be charged according to the schedules contained in paragraph (b) of this section for actual copies of records provided to individuals unless the responsible person determining access, in his discretion, waives the fee for good cause (such as the inability of the individual to pay) or a separate fee schedule is established for an exempt system. Fees shall not be charged where they would amount, in the aggregate, to less than $3.

(b) *Fees charged.* Fees may only be assessed for actual copies of materials furnished pursuant to the Privacy Act in accordance with the following schedule:

(1) For copies of documents (maximum of 10 copies will be supplied), $0.10 per page;

(2) For computer material charges:

(i) One-part paper per 1,000 pages	$11.00
(ii) Two-part paper per 1,000 pages	22.80
(iii) Three-part paper per 1,000 pages	36.17
(iv) Four-part paper per 1,000 pages	48.32
(v) Five-part paper per 1,000 pages	63.97
(vi) Stock Hollerith cards per 1,000	1.98
(vii) Magnetic tape per reel	10.75
(viii) Disk pack, each	775.00

(3) For tape recordings and other audio records:

(i) 45 minute cassette	$0.56
(ii) 60 minute cassette	.60
(iii) 90 minute cassette	.77

(4) For materials other than the common ones described in paragraphs (b) (1), (2) and (3) of this section, the direct costs of such materials to the government may be charged, but only if the requester has been notified of such cost before it is incurred.

(c) *Notice of anticipated charges.* Where it is anticipated that access fees chargeable under this section will amount to more than $25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be notified of the amount of the anticipated fees before copies are made. The notification shall offer the requester the opportunity to confer with Department personnel with the object of reformulating the request so as to meet his needs at lower cost.

(d) *Form of payment.* Payment should be made by check or money order payable to the Department of Justice. No employee of the Department of Justice is authorized to accept payment of fees in cash.

(e) *Advance deposit.* Where the anticipated fee chargeable under this section exceeds $25, an advance deposit of part or all of the anticipated fee may be required.

§ 16.47 Appeals from denials of access.

An individual who has been denied access to records concerning him may appeal that decision to the Deputy Attorney General by filing a written appeal within 30 working days of the receipt of the denial. If the denial of access was made by a responsible person in the Office of the Deputy Attorney General, the appeal shall be to the Attorney General. The appeal shall be marked on its face and on the face of the envelope "Privacy Appeal—Denial of Access," and shall be addressed to the Office of the Deputy Attorney General, U.S. Department of Justice, Washington, D.C. 20530, or, if an appeal from a denial by the Deputy Attorney General, to the Assistant Attorney General, Office of Legal Counsel, at the same address. Appeals shall be determined in thirty working days unless the appropriate official, by notice to the individual, extends that period for an additional thirty working days because of the volume of records requested, the scattered location of records, the need to consult other agencies, or the difficulty of the legal issues involved, or other administrative difficulty.

§ 16.48 Requests for correction of records.

(a) *How Made.* Unless a record is exempted from correction, an individual may request amendment or correction of a record concerning him by addressing his request to the person responsible for the system in which the record is maintained either in person or by mail. The request must indicate the particular record involved, the nature of the correction sought, and the justification for the correction or amendment. Requests made by mail should be addressed to the person specified in the Notice of Systems of Records published by the General Services Administration and shall be clearly marked on the request and on the envelope "Privacy Correction Request." Where the individual believes that the same record appears in more than one system, he should address his request to each person responsible for a system of records which may contain the record he seeks to correct.

(b) *Initial determination.* Within 10 working days of the receipt of the request, the appropriate Department official shall advise the individual that his request has been received. If the record is to be amended or corrected, the system manager may so advise the individual but if correction is refused, in whole or in part, it must be done by the head of the component in which the record is located. If a correction is to be made, the individual shall be advised of his right to obtain a copy of the corrected record upon request. If a correction or amendment is refused, in whole or in part, the individual shall be so advised, shall be given reasons for the refusal, and shall be advised of his right to appeal the refusal to the Deputy Attorney General in accordance with the procedures set forth in this section.

(c) *Appeals.* A refusal, in whole or in part, to amend or correct a record may be appealed to the Deputy Attorney General within 30 days of the receipt of notice of the refusal. If the refusal to correct was made by the Office of the Deputy Attorney General, the appeal shall be to the Attorney General. Appeals shall be in writing, shall set forth the specific item of information sought to be corrected, and the individual's documentation justifying the correction. Appeals shall be addressed to the Office of the Deputy Attorney General, U.S. Department of Justice, Washington, D.C. 20530 or, if an appeal from a denial by the Deputy Attorney General, to the Assistant Attorney General, Office of Legal Counsel, at the same address. They shall be clearly marked on the appeal and on the envelope, "Privacy Correction Appeal." The appeal shall be decided within 30 working days unless the appropriate official shall extend the time for an additional 30 working days because of the need to obtain additional information, the volume of records involved, or the complexity of the issue, or other administrative difficulty. The requester shall be advised in advance of any such extension and shall be given the reasons therefor.

(d) *Appeal determinations.* If the Deputy Attorney General or Attorney General determines that an amendment or correction is not warranted on the facts, he shall advise the individual of his refusal to authorize correction or amendment of the record, in whole or in part, and shall advise the individual of his right to provide for the record a "Statement of Disagreement." The individual shall be advised also of his right to judicial review pursuant to the Privacy Act of 1974.

(e) *Statements of disagreement.* Statements of Disagreement may be furnished by the individual within 30 working days of the date of receipt of the notice of refusal of the Deputy Attorney General or Attorney General to authorize correction. They shall be addressed to the Office of the Deputy Attorney General, U.S. Department of Justice, Washington, D.C. 20530. Statements may not exceed one typed page per fact disputed. Statements exceeding this limit will be returned to the requester for condensation. Upon receipt of a statement of disagreement in accordance with this section, the Deputy Attorney General shall take steps to insure that the statement is included in the system or systems of records in which the disputed item is maintained and that the original record is so marked as to indicate that there is a statement of disagreement and where, within the system of records, that statement may be found.

(f) *Notices of correction or disagreement.* When a record has been corrected the system manager shall, within thirty working days thereof, advise all prior recipients of the record whose identity can be determined pursuant to the accounting required by the Privacy Act or any other accounting previously made, of the correction. Any dissemination of a record after the filing of a statement of disagreement shall be accompanied by a copy of that statement. Any statement of the agency giving reasons for refusing to correct shall be included in the file.

§ 16.49 Records not subject to correction.

The following records are not subject to correction or amendment by individuals:

(a) Transcripts or written statements made under oath;

(b) Transcripts of Grand Jury Proceedings, judicial or quasi-judicial pro-

ceedings which form the official record of those proceedings;

(c) Pre-sentence reports comprising the property of the courts but maintained in agency files; and

(d) Records duly exempted from correction by notice published in the FEDERAL REGISTER.

§ 16.50 Accounting for disclosures.

(a) As soon as possible, but not later than September 27, 1975, each system manager, with the approval of the head of his component, shall establish a system of accounting for all disclosures of records, either orally or in writing, made outside the Department of Justice. Accounting procedures may be established in the least expensive and most convenient form that will permit the system manager to advise individuals, promptly upon request, of the persons or agencies to which records concerning them have been disclosed.

(b) Accounting records, at a minimum, shall include the identification of the particular record disclosed, the name and address of the person or agency to which disclosed, and the date of the disclosure. Accounting records shall be maintained until the record is destroyed or transferred to the Archives.

(c) Accounting is not required to be kept for disclosures made within the Department of Justice or disclosures made pursuant to the Freedom of Information Act.

§ 16.51 Notices of subpoenas and emergency disclosures.

(a) *Subpoenas.* When records concerning an individual are subpoenaed by a Grand Jury, Court, or quasi-judicial agency, the official served with the subpoena shall be responsible for assuring that notice of its issuance is provided to the individual. Notice shall be provided within 10 days of the service of the subpoena or, in the case of a Grand Jury subpoena, within 10 days of its becoming a matter of public record. Notice shall be mailed to the last known address of the individual and shall contain the following information: the date the subpoena is returnable, the court in which it is returnable, the name and number of the case or proceeding, and the nature of the information sought. Notice of the issuance of subpoenas is not required if the system of records has been exempted from the notice requirement, pursuant to 5 U.S.C. 552a(j), by a Notice of Exemption published in the FEDERAL REGISTER.

(b) *Emergency disclosures.* If information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety the individual shall be notified at his last known address within 10 working days of the disclosure. Notification shall include the following information: the nature of the information disclosed, the person or agency to whom it was disclosed, the date of the disclosure, and the compelling circumstances justifying the disclosure. Notification shall be given by the officer who made or authorized the disclosure.

§ 16.52 Information forms.

(a) *Review of forms.* Except for forms developed and used by the Law Enforcement Assistance Administration, the Drug Enforcement Administration, the Immigration and Naturalization Service, the Bureau of Prisons, the Federal Bureau of Investigation and the U.S. Marshals Service for the collection of information from individuals, the Office of Management and Finance shall be responsible for reviewing all forms developed and used by the Department of Justice to collect information from individuals. The Law Enforcement Assistance Administration, the Drug Enforcement Administration, the Immigration and Naturalization Service, the Bureau of Prisons, the Federal Bureau of Investigation and the U.S. Marshals Service shall each be responsible for the review of forms it uses to collect information from individuals.

(b) *Scope of review.* The responsible offices shall review each form for the purpose of eliminating any requirement for information that is not relevant and necessary to carry out an agency function and to accomplish the following objectives:

(1) To insure that no information concerning religion, political beliefs or activities, association memberships (other than those required for a professional license), or the exercise of other First Amendment rights is required to be disclosed unless such requirement of disclosure is expressly authorized by statute or is pertinent to and within the scope of an authorized law enforcement activity;

(2) To insure that the form or accompanying statement makes clear to the individual which information he is required by law to disclose and the authority for that requirement and which information is voluntary;

(3) To insure that the form or accompanying statement states clearly the principal purpose or purposes for which the information is being collected, and summarizes concisely the routine uses that will be made of the information;

(4) To insure that the form or accompanying statement clearly indicates to the individual the effect in terms of rights, benefits or privileges of not providing all or part of the requested information; and

(5) To insure that any form requesting disclosure of a Social Security Number, or an accompanying statement, clearly advises the individual of the statute or regulation requiring disclosure of the number or clearly advises the individual that disclosure is voluntary and that no consequence will flow from his refusal to disclose it, and the uses that will be made of the number whether disclosed mandatorily or voluntarily.

(c) *Revision of forms.* Any form which does not meet the objectives specified in the Privacy Act and in this section, shall be revised to conform thereto. If revision, printing and distribution cannot be accomplished prior to September 27, 1975, a separate statement shall be prepared to accompany each form advising the individual that the form is not in compliance with the Privacy Act and specifying the portions thereof which are not in compliance. The statement shall include all the information necessary to accomplish the objectives specified in the Privacy Act and this section.

§ 16.53 Contracting records systems.

(a) No component of the Department shall contract for the operation of a record system by or on behalf of the agency without the express approval of the Attorney General.

(b) Any contract which is approved shall contain the standard contract requirements promulgated by the General Services Administration to insure compliance with the requirements imposed by the Privacy Act of 1974. The contracting agency shall have responsibility for insuring that the contractor complies with the contract requirements relating to privacy.

§ 16.54 Security of records systems.

(a) The Assistant Attorney General for administration shall have responsibility for developing Department regulations governing the security of systems of records. Regulations relating to the security of automated systems shall be consistent with the guidelines developed by the National Bureau of Standards.

(b) Each system manager, with the approval of the head of his component, shall establish administrative and physical controls, consistent with Department regulations, to insure the protection of records systems from unauthorized access or disclosure and from physical damage or destruction. The controls instituted shall be proportional to the degree of sensitivity of the records but at a minimum must insure that the records are enclosed in a manner to protect them from public view, that the area in which the records are stored is supervised during all business hours to prevent unauthorized personnel from entering the area or obtaining access to the records, and that the records are reasonably inaccessible to unauthorized persons outside of business hours.

(c) Each system manager, with the approval of the head of his component shall adopt access restrictions to insure that only those individuals within the agency who have a need to have access to the records for the performance of their duties have access to them. Procedures shall also be adopted to prevent accidental access to or dissemination of records.

§ 16.55 Use and collection of Social Security numbers.

(a) Each system manager of a system of records which utilizes the Social Security number as a method of identification without statutory authorization, or authorization by regulation adopted prior to January 1, 1975, shall take steps to revise the system to avoid future collection and use of the Social Security number.

(b) The head of each component of the Department shall take such measures as are necessary to insure that employees authorized to collect information from individuals are advised that individuals may not be required to furnish Social Security numbers without statutory or regulatory authorization and that individuals who are requested to provide Social Security numbers voluntarily must be advised that furnishing the number is not required and that no penalty or denial of benefits will flow from the refusal to provide it.

§ 16.56 Employee standards of conduct with regard to privacy.

(a) The head of each component of the Department shall be responsible for assuring that employees subject to his supervision are advised of the provisions of the Privacy Act, including the criminal penalties and civil liabilities provided therein, and that such employees are made aware of their responsibilities to protect the security of personal information, to assure its accuracy, relevance, timeliness and completeness, to avoid unauthorized disclosure either orally or in writing, and to insure that no system of records retrieved by individual identifier, no matter how small or specialized, is maintained without public notice.

(b) Except to the extent permitted pursuant to the Privacy Act, employees of the Department of Justice shall:

(1) Collect no information of a personal nature from individuals unless authorized to collect it to achieve a function or carry out a responsibility of the Department;

(2) Collect from individuals only that information which is necessary to Department functions or responsibilities;

(3) Collect information, wherever practicable, directly from the individual to whom it relates;

(4) Inform individuals from whom information is collected of the authority for collection, the purposes thereof, the uses that will be made of the information, and the effects, both legal and practical, of not furnishing the information;

(5) Neither collect, maintain, use nor disseminate information concerning an individual's religious or political beliefs or activities or his membership in associations or organizations, unless (i) the individual has volunteered such information for his own benefit; (ii) the information is expressly authorized by statute to be collected, maintained, used or disseminated; or (iii) the activities involved are pertinent to and within the scope of an authorized investigation, adjudication or correctional activity.

(6) Advise their supervisors of the existence or contemplated development of any record system which retrieves information about individuals by individual identifier;

(7) Wherever required by the Act, maintain an accounting, in the prescribed form, of all dissemination of personal information outside the Department, whether made orally or in writing;

(8) Disseminate no information concerning individuals outside the Department except when authorized by 5 U.S.C. 552a, including pursuant to a routine use published in the FEDERAL REGISTER;

(9) Maintain and process information concerning individuals with care in order to insure that no inadvertent disclosure of the information is made either within or without the Department; and

(10) Call to the attention of the proper Department authorities any information in a system maintained by the Department which is not authorized to be maintained under the provisions of the Privacy Act of 1974, including information on First Amendment activities and information that is inaccurate, irrelevant or so incomplete as to risk unfairness to the individual concerned.

(c) Heads of components within the Department shall, at least annually review the record systems subject to their supervision to insure compliance with the provisions of the Privacy Act of 1974.

§ 16.57 Relationship of Privacy Act and the Freedom of Information Act.

(a) Issuance of this section and actions considered or taken pursuant hereto are not to be deemed a waiver of the Government's position that the materials in question are subject to all of the exemptions contained in the Privacy Act. By providing for exemptions in the Act, Congress conferred upon each agency the option, at the discretion of the agency, to grant or deny access to exempt materials unless prohibited from doing so by any other provision of law. Releases of records under this section, beyond those mandated by the Privacy Act, are at the sole discretion of the Deputy Attorney General and of those persons to whom authority hereunder may be delegated. Authority to effect such discretionary releases of records and to deny requests for those records as an initial matter is hereby delegated to the appropriate system managers as per the Notices of Systems of Records published in 40 FEDERAL REGISTER 167, pages 38703-38801 (August 27, 1975)

(b) Any request by an individual for information pertaining to himself shall be processed solely pursuant ot this Subpart D. To the extent that the individual seeks access to records from systems of records which have been exempted from the provisions of the Privacy Act, the individual shall receive, in addition to access to those records he is entitled to receive under the Privacy Act and as a matter of discretion as set forth in paragraph (a) access to all records within the scope of his request to which he would have been entitled under the Freedom of Information Act, 5 U.S.C. 552, but for the enactment of the Privacy Act and the exemption of the pertinent systems of records pursuant thereto. Only fees set forth in § 16.46 may be charged a requester as to any records to which access is granted pursuant to the provisions of this subsection.

(c) When an individual requests access to records pertaining to criminal, national security or civil investigative activities of the Federal Bureau of Investigation which are contained in systems of records exempted under provisions of the Privacy Act, such requests shall be processed as follows:

(1) Where the investigative activities involved have been reported to F.B.I. Headquarters, records maintained in the F.B.I.'s Central files will be processed; and,

(2) Where the investigative activities involved have not been reported to F.B.I. Headquarters, records maintained in files of the Field Office identified by the requester will be processed.

Dated: October 22, 1975.

EDWARD H. LEVI,
Attorney General.

[FR Doc.75-28905 Filed 10-29-75;8:45 am]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[28 CFR Part 16]

[Order No. 629–75]

PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Exemption of Record Systems Under the Privacy Act

The Department of Justice proposes to issue regulations exempting certain systems of records in the Department from provisions of the Privacy Act of 1974, Pub. L. 93–579, for the reasons set forth in the proposed exemption notices.

Persons wishing to comment on any of the proposed exemptions may address their comments in writing to the individuals specified in each of the proposed exemption notices. All comments must be received on or before December 1, 1975.

Below are notices of proposed exemptions for appropriate record systems (which were inadvertently omitted from the group of notices published on August 27, 1975) of the Department of Justice. These exemption notices will be integrated into the new Subpart E of Part 16, Title 28 of the Code of Federal Regulations.

Dated: October 22, 1975.

EDWARD H. LEVI,
Attorney General.

The Department of Justice proposes to issue regulations exempting certain systems of records (which were inadvertently omitted from the Department of Justice publication in the FEDERAL REGISTER on August 27, 1975), maintained by the Drug Enforcement Administration from the provisions of subsections (c) (3) and (4), (d), (e) (1), (2) and (3), (e) (4) (G) and (H), (e) (5) and (a), (f), (g) and (h) of 5 U.S.C. 552a, in order to maintain the confidentiality of information compiled for law enforcement and criminal investigation purposes.

Written comments on the proposed exemptions should be clearly labeled "Privacy Act Exemption Comments" and sent to:

Chief Counsel, Drug Enforcement Administration, United States Department of Justice, Room 1203, 1405 Eye Street, N.W., Washington, DC 20537.

All comments must be received no later than December 1, 1975. No oral hearings are contemplated.

By virtue of the authority vested in me by 5 U.S.C. 552a (j) and (k) and as Attorney General of the United States, the following sections are amended to read as follows:

1. Section 16.98 is amended to read as follows:

§ 16.98 Exemption of Drug Enforcement Administration Records.

(a) The following systems of records are exempt from 5 U.S.C. 552a (c) (3), (d), (e) (4) (G) and (H), and (f):

* * * * *

(4) Drug Theft Reporting System (JUSTICE/DEA–023).

These exemptions apply only to the extent that information in these systems is subject to exemption pursuant to 5 U.S.C. 552a(k).

(b) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c) (3) because the revealing of the disclosure accounting pursuant to the routine uses published for these systems would enable the subject of an investigation to gain valuable information concerning the nature and scope of the investigation and seriously hamper the regulatory functions of the Drug Enforcement Administration.

(2) From subsection (d) because access to records contained in these systems might provide the subject of an investigation information that could enable him to avoid compliance with the Drug Abuse Prevention and Control Act of 1970 (Pub. L. 91–513).

(3) From subsections (e) (4) (G) and (H) because these systems or records are exempt from individual access pursuant to subsection (k) of the Act.

(4) From subsection (f) because these systems are exempt from the access provisions of subsection (d).

(c) The following systems of records are exempt from 5 U.S.C. 552a (c) (3) and (4), (d), (e) (1), (2) and (3), (e) (4) (G) and (H), (e) (5) and (8), (f), (g) and (h):

* * * * *

(14) Drug Enforcement Administration Semi-Automated Narcotic Trafficker Profiles (KISS) (JUSTICE/DEA–025).

(15) Drug Enforcement Administration Specialized Automated Intelligence Files (JUSTICE/DEA–026).

These exemptions apply only to the extent that information in these systems is subject to exemptions pursuant to 5 U.S.C. 552a (j) and (k).

(d) Exemptions from the particular subsections are justified for the following reasons:

(1) from (c) (3) because the release of the disclosure accounting for disclosure pursuant to the routine uses published for these systems would permit the subject of a criminal investigation to obtain valuable information concerning the nature of that investigation and present a serious impediment to law enforcement.

(2) From subsection (c) (4) because an exemption is being claimed for subsection (d), this subsection will not be applicable.

(3) From subsection (d) because access to records contained in these systems would alert a subject to the existence of an investigation and thereby provide information to the subject which might enable him to avoid detection or apprehension, and present serious impediment to law enforcement.

(4) From subsection (e) (1) because in the course of criminal investigations, the Drug Enforcement Administration often detects violation of non-drug related laws. In the interests of effective law enforcement, it is necessary that DEA retain all information obtained in criminal investigations because it can aid in establishing patterns of criminal activity and assist other law enforcement agencies that are charged with enforcing other segments of criminal law.

(5) From subsection (e) (2) because information collected to the greatest extent possible from the subject individual of a criminal investigation would provide the subject with valuable information which might preclude detection or apprehension of the subject individual.

(6) From subsection (e) (3) because the requirement that individuals supplying information be provided a form stating the requirements of subsection (e) (5) would constitute a serious impediment to law enforcement in that it could compromise the existence of a confidential investigation, reveal the identity of confidential sources of information and endanger the life or physical safety of confidential informants.

(7) From subsections (e) (4) (G) and (H) because these systems of records are exempt from individual access pursuant to subsection (j) of the Privacy Act of 1974.

(8) From subsection (e) (5) because in the collection of information for law enforcement purposes it is impossible to determine in advance what information is accurate, relevant, timely and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light and the accuracy of such information can only be determined in a court of law. The restrictions imposed by subsection (e) (5) would restrict the ability of trained investigators and intelligence analysts to exercise their judgment in reporting on investigations and impede the development of criminal intelligence necessary for effective law enforcement.

(9) From subsection (e) (8) because the individual notice requirements could present a serious impediment to law enforcement by interfering with the Drug Enforcement Administration's ability to issue administrative techniques and procedures.

(10) From subsection (f) because these systems have been exempted from the access provisions of subsection (d).

(11) From subsections (g) and (h) because these systems are compiled for law enforcement purposes and have been exempted from the access provisions of subsections (d) and (f).

(e) The following systems of records are from 5 U.S.C. 552a (d) (1) and (e) (1).

(1) Grants of Confidentiality Files (GCF) (JUSTICE/DEA–022).

(2) DEA Applicant Investigations (JUSTICE/DEA–024).

These exemptions apply only to the extent that information in these systems is subject to exemption pursuant to 5 U.S.C. 552a(k) (5).

(f) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (d) (1) because many persons are contacted who, without an assurance of anonymity, refuse to provide information concerning an applicant for a grant of confidentiality with DEA. Permitting access to the information supplied by persons after a promise of confidentiality has been given could reveal the identity of the source of the information and constitute a breach of the promised confidentiality on the part of the Drug Enforcement Administration. Such breaches ultimately would restrict the free flow of information vital to a determination of an applicant's qualifications for a grant.

(2) From (e) (1) because in the collection of information for investigative and evaluative purposes, it is impossible to determine in advance what exact information may be of assistance in determining the qualifications and suitability of a candidate. Information which may appear irrelevant, when combined with other apparently irrelevant information, can on occasion, provide a composite picture of an applicant which assists in determining whether a grant of confidentiality is warranted.

The Department of Justice proposes to issue regulations exempting the Immigration and Naturalization Service Index System (JUSTICE/INS-001) maintained by the Immigration and Naturalization Service from the provisions of subsections (c) (3) and (4), (d), (e) (1), (2) and (3), (e) (4) (G), (H) and (I), (e) (5) and (8), (f), (g), and (h) of 5 U.S.C. 552a. The purpose of these exemptions is to maintain the confidentiality and security of information compiled for purposes of criminal investigation.

Written comments on the proposed exemptions should be clearly labeled "Privacy Act Exemption Comments" and sent to:

Commissioner, Immigration and Naturalization Service, United States Department of Justice, Room 7100-C, 425 I Street, N.W., Washington, D.C. 20538.

All comments must be received no later than December 1, 1975. No oral hearings are contemplated.

2. Section 16.99 is amended as follows:

§ 16.99 Exception of Immigration and Naturalization Service System—Limited access.

(a) The following subsystems (which were inadvertently omitted from the Department of Justice publication in the FEDERAL REGISTER on August 27, 1975) of the Immigration and Naturalization Service Index System are exempt from 5 U.S.C. 552a (c) (3) and (4), (d), (e) (1), (2) and (3), (e) (4) (G), (H) and (I), (e) (5) and (8), (f), (g), and (h):

* * * * *

(22) Fraudulent Document Center Index.

(23) Emergency Reassignment Index.

These exemptions apply to the extent that information in these subsystems is subject to exemption pursuant to 5 U.S.C. 552a (j) and (k).

(b) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c) (3) because the release of the disclosure accounting for disclosure pursuant to the routine uses published for these subsystems would permit the subject of a criminal or civil investigation to obtain valuable information concerning the nature of that investigation and present a serious impediment to law enforcement.

(2) From subsection (c) (4) since an exemption is being claimed for subsection (d), this subsection will not be applicable.

(3) From subsection (d) because access to the records contained in these subsystems would inform the subject of a criminal or civil investigation of the existence of that investigation, provide the subject of the investigation with information that might enable him to avoid detection or apprehension, and present a serious impediment to law enforcement.

(4) From subsection (e) (i) because in the course of criminal or civil investigations, the Immigration and Naturalization Service often obtains information concerning the violation of laws other than those relating to violations over which INS has investigative jurisdiction. In the interests of effective law enforcement, it is necessary that INS retain this information since it can aid in establishing patterns of criminal activity and provide valuable leads for those law enforcement agencies that are charged with enforcing other segments of the criminal law.

(5) From subsection (e) (2) because in a criminal or civil investigation, the requirement that information be collected to the greatest extent possible from the subject individual would present a serious impediment to law enforcement in that the subject of the investigation would be placed on notice of the existence of the investigation and would therefore be able to avoid detection or apprehension.

(6) From subsection (e) (3) because the requirement that individuals supplying information be provided with a form stating the requirements of subsection (e) (3) would constitute a serious impediment to law enforcement in that it could compromise the existence of a confidential investigation, reveal the identity of confidential sources of information and endanger the life or physical safety of confidential informants.

(7) From subsection (e) (4) (G) and (H) because these subsystems of records are exempt from individual access pursuant to subsection (j) of the Privacy Act of 1974.

(8) From subsection (e) (4) (I) because the Immigration and Naturalization Service maintains the confidentiality of sources of information in order to protect their privacy and physical safety and to maintain the confidentiality of their cooperation. The publication of categories of cources would constitute a breach of confidentiality on the part of INS and restrict the free flow of information essential to effective law enforcement.

(9) From subsection (e) (5) because in the collection of informaiton for law enforcement purposes it is impossible to determine in advance what information is accurate, relevant, timely, and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light and the accuracy of such information can only be determined in a court of law. The restrictions of subsection (e) (5) would restrict the ability of trained investigators and intelligence analysts to exercise their judgment in reporting on investigations and impede the development of criminal intelligence necessary for effective law enforcement.

(10) From subsection (e) (8) because the individual notice requirements of subsection (e) (8) could present a serious impediment to law enforcement as this could interfere with the Immigration and Naturalization Service's ability to issue administrative subpoenas and could reveal investigative techniques and procedures.

(11) From subsection (f) because these subsystems of records have been exempted from the access provisions of subsection (d).

(12) From subsection (g) because these subsystems of records are compiled for law enforcement purposes and have been exempted from the access provisions of subsections (d) and (f).

(13) From subsection (h) because to permit the parent of any minor, or the legal guardian of an individual who has been legally declared incompetent to obtain access to a record which is exempt to the individual would be a serious impediment to law enforcement in that it would enable the individual by himself or through the aid of others, to avoid detection or apprehension.

(14) In addition, these subsystems of records are exempt from compliance with the following provisions of the Privacy Act of 1974 (5 U.S.C. 552a), subsections (c) (3), (d), (e) (1), (e) (4) (G), (H) and (I), and (f) to the extent that the records contained in these subsystems are classified pursuant to Executive order.

(c) The Border Patrol Academy Index Subsystem is exempt from 5 U.S.C. 552a (d) and (f).

This exemption applies only to the extent that information in this subsystem is subject to exemption pursuant to 5 U.S.C. 552a(k).

(d) Exemptions for the particular subsections are justified for the following reasons.

(1) From subsection (d) because exemption is claimed only for those testing and examination materials used to determine an individual's qualifications for retention and promotion in the Immigration and Naturalization Service. This is necessary to protect the integrity of testing materials and to insure fair and uniform examinations.

(2) From subsection (f) because the subsystem of records has been exempted from the access provisions of subsection (d).

[FR Doc.75-28906 Filed 10-29-75;8:45 am]

DEPARTMENT OF JUSTICE

Notices of Systems of Records Pursuant to the Privacy Act of 1974

(Order No. 628-75)

Attached hereto are notices of proposed systems of records maintained by the Department of Justice and required to be published in the Federal Register and in annual compilation form pursuant to the provisions of Privacy Act of 1974, P. L. 93-579.

The following systems of records were inadvertantly omitted from the group of notices published on August 27, 1975: JUSTICE/DEA—021, 022, 023, 024, 025, and 026; JUSTICE/LEAA—008 and 009; JUSTICE/TAX—003; and JUSTICE/OMF—016 and 017.

The following system notices are reprinted in their entirety for the reasons stated. JUSTICE/BOP—001: System notice, as published, was incomplete. JUSTICE/INS—001: Four new subsystems have been added to the original notice and major revisions were made in several subparagraphs of the original notice. JUSTICE/LEAA—003: System Notice, as published, was deleted and is replaced by this notice.

The following system notices are partially reprinted to reflect new or revised "routine uses of records maintained in the system, including categories of users and the purpose of such uses:" JUSTICE/BOP—002, 003, 005, 007, 008, and 009; JUSTICE/DEA—014; and, JUSTICE/OMF—002 and 013.

Pursuant to 5 U.S.C. 552a(e)(11) interested persons are invited to submit written comments on those portions of the notice which describe the routine uses of the system of records listed. Comments may be submitted in writing to the individual listed under the heading "Notifications Procedure" in the record system description. All comments must be received by the thirtieth day following the date of publication of this notice.

No oral hearings are contemplated.

Dated: October 22, 1975.

Edward H. Levi,
Attorney General.

JUSTICE/BOP - 001

System name: Custodial and Security Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Conduct Records; 2) Escape Information; 3) Assault Information; 4) Disturbance Information; 5) Investigative Reports; 6) Social Data; 7) Bus Movements; 8) Transfers; 9) Emergency Plans; 10) Daily Activity Sheet; 11) Intelligence Information; 12) Segregation Reports and Log Book; 13) Special Offender List; 14) Physical Health Data; 15) Personal Property Records; 16) Identification and Sentence Data; 17) Records of Work and Housing Assignments; 18) Visiting and Mail Records; 19) Confidential Informant Information from Inmates, Staff, and Others; 20) Work and Study Release Information; 21) FBI Referral Record; 22) Rectal and X-ray Examination Record; 23) Phone Call Record.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4003, 4042, 4082.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide information source and documented records of the protection given Federal inmates, and security in Federal penal facilities; (b) to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties; (c) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (d) to provide information source for responding to inquiries from federal inmates involved or Congressional inquiries; (e) to provide information source for contracting or consulting correctional agencies who provide services to federal inmates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) Inmates; 2) Federal Law Enforcement Agencies; 3) State and Federal Probation Services; 4) Non-Federal Law Enforcement Agencies; 5) Educational Institution (Study Release); 6) Relatives, friends, and other interested community individuals; 7) Former or Future Employers; 8) Evaluations, Observations, and Findings of Institutional Staff; 9) Foreign Law Enforcement Agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/LEA - 003

System name: Inspector General Investigative System.

System location: Office of Inspector General; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Grantees, subgrantees, contractors, subcontractors, employees, and applicants.

Categories of records in the system: Resolution of Investigations of Criminal or Civil Violations Investigatory Case Index Card File

Authority for maintenance of the system: 5 U.S.C. 301; 42 U.S.C. 3791, 3792, 3793.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation of possible violations of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order pursuant thereto. Records may be referred to the appropriate agency, whether federal, state, or local for the purpose of investigating or prosecuting such violations or enforcing compliance with statute, rule, regulation or order.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:.

Storage: Information in the system is stored in file folders and on index cards.

Retrievability: Information is retrieved by name of respondent and complainant.

Safeguards: Information is kept in locked file cabinets and combination safe. Access is limited to investigative personnel.

Retention and disposal: Complaint control logs are destroyed upon completion of action on the inquiry or complaint. Complaint case files thereafter are not retrievable by name, number, or other information identifiable to the individual. Other investigative information is destroyed four years after the investigation is completed.

System manager(s) and address: Office of Inspector General; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record source categories: Information contained in this system was received from individual complainants, witnesses, grant files, respondents, official state and federal records.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d), (e)(4)(G) and (H), and (f) of the Privacy Act pursuant to 5 U.S.C. 522a(k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/LEAA - 008

System name: Civil Rights Investigative System.

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Complaints of discrimination by individuals affected by the agency program for which the agency has compliance responsibility, grantees, subgrantees, contractors, subcontractors, employees, and applicants.

Categories of records in the system: Civil Rights Complaint Control Logs; Civil Rights Litigation Reference Files.

Authority for maintenance of the system: 42 U.S.C. 3766(c); E.O. 11246 (3 C.F.R. 173) as amended by E.O. 11375.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation of complaints and to obtain compliance with Civil Rights laws. Users of this data are State Planning Agencies, State Governors and Attorneys General, Criminal Justice Agencies, Office of Federal Contract Compliance, Equal Employment Opportunity Commission, and Office of Federal Revenue Sharing.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is stored in file folders and on index cards.

Retrievability: Information is retrieved by name of respondent and complainant.

Safeguards: Information is kept in locked file cabinets and combination safe. Access is limited to investigative personnel.

Retention and disposal: Complaint control logs are destroyed upon completion of action on the inquiry or complaint. Complaint case files thereafter are not retrievable by name, number, or other information identifiable to the individual. Other investigative information is destroyed four years after the investigation is completed.

System manager(s) and address: Office of Civil Rights Compliance; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record containing civil rights investigatory material shall be made in writing with the envelope and letter clearly marked 'Privacy Access Request' to the Civil Rights System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The information contained in this system was received from individual complainants, witnesses, grant files, respondents, official State and Federal records.

Systems exempted from certain provisions of the act: None.

JUSTICE/LEAA - 009

System name: Federal Advisory Committee Membership Files.

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Individuals who have been or are presently members of or are being considered for membership on advisory committees within the jurisdiction of the Law Enforcement Assistance Administration.

Categories of records in the system: Correspondence with and documents relating to committee members.

Authority for maintenance of the system: Federal Advisory Committee Act, 5 U.S.C. App. I et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the President; administrative reports to OMB and other federal agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is stored in file folders.

Retrievability: Information is retrieved by name of individual.

Safeguards: Data is maintained in file cabinets. The entrance to the building requires building pass or security sign-in.

Retention and disposal: The data is placed in an inactive file upon discontinuance of membership, held for two years and then retired to the Federal Records Center.

System manager(s) and address: Federal Advisory Committee Officer; Office of General Counsel; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information are supplied directly by individuals about whom the record pertains, references, recommendations, program personnel, and biographical reference books.

Systems exempted from certain provisions of the act: None.

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System name: THE IMMIGRATION AND NATURALIZATION SERVICE INDEX SYSTEM WHICH CONSIST OF THE FOLLOWING SUBSYSTEMS.

A. Agency information control record index.
B. Alien address report index.
C. Alien enemy index.
D. Automobile decal parking identification system for employees.
E. Centralized index and records relating to, but not limited to aliens lawfully admitted for permanent residence and United States citizens (Master index).
F. Congressional Mail Unit correspondence control index.
G. Document vendors and alterers index (Service documents).
H. Enforcement branch indices:
  1. Air detail office index system.
  2. Anti-smuggling index (general).
  3. Anti-smuggling information centers systems for Canadian and Mexican borders.
  4. Border Patrol Academy index.
  5. Border Patrol sectors general index system.
  6. Contact index.
  7. Criminal, immoral, narcotic, racketeer, and subversive indices.
  8. Enforcement correspondence control index.
  9. Fraudulent document center index system.
  10. Informant index.
  11. Suspect third party index.
I. Examinations correspondence control index.
  1. Branch indices.
  2. Service lookout system.
J. Extension training program enrollees.
K. Finance section indices.
  1. Accounts with creditors.
  2. Accounts with debtors.
L. Freedom of Information correspondence control index
M. Intelligence index.
N. Microfilmed manifest records
O. Naturalization and citizenship indexes.
  1. Naturalization and citizenship docket cards.
  2. Examiner's docket lists of petitioners for naturalization.
  3. Master docket list of petitons for naturalization pending one year or more.
P. Personnel investigations index.
Q. Procurement - property issued employees.
R. Security system access clearance information index system.
S. White House and Attorney General correspondence control index.
T. Health Record System.
U. Personal Data Card System.
V. Compassionate Cases System.

W. Emergency Reassignment Index.

System location:

A. Central Office: 425 'I' Street; N.W. Washington; D.C. 20536.
B. Regional Offices:
1. Burlington, Vermont
2. Fort Snelling, Twin Cities, Minnesota
3. Richmond, Virginia
4. San Pedro, California
C. District Offices in the United States:
1. Anchorage, Alaska
2. Atlanta, Georgia
3. Baltimore, Maryland
4. Boston, Massachusetts
5. Buffalo, New York
6. Chicago, Illinois
7. Cleveland, Ohio
8. Denver, Colorado
9. Detroit, Michigan
10. El Paso, Texas
11. Hartford, Connecticut
12. Helena, Montana
13. Honolulu, Hawaii
14. Houston, Texas
15. Kansas City, Missouri
16. Los Angeles, California
17. Miami, Florida
18. Newark, New Jersey
19. New Orleans, Louisiana
20. New York, New York
21. Omaha, Nebraska
22. Philadelphia, Pennsylvania
23. Phoenix, Arizona
24. Portland, Maine
25. Portland, Oregon
26. St. Albans, Vermont
27. St. Paul, Minnesota
28. San Antonio, Texas
29. San Francisco, California
30. San Juan, Puerto Rico
31. Seattle, Washington
32. Washington, D.C.
D. District offices in foreign countries:
1. Hong Kong, B.C.C.
2. Mexico City, Mexico
3. Rome, Italy
E. Sub Offices:
1. Agana, Guam
2. Albany, New York
3. Cincinnati Ohio
4. Dallas, Texas
5. Hammond, Indiana
6. Harlingen, Texas
7. Las Vegas, Nevada
8. Memphis, Tennessee
9. Milwaukee, Wisconsin
10. Norfolk, Virginia
11. Pittsburgh, Pennsylvania
12. Providence, Rhode Island
13. Reno, Nevada
14. St. Louis, Missouri
15. Salt Lake City, Utah
16. San Diego, California
17. Spokane, Washington
F. Border Patrol Sector Headquarters:
1. Blaine, Washington;
2. Buffalo, New York;
3. Chula Vista, California;
4. Del Rio, Texas;
5. Detroit, Michigan;
6. El Centro, California;
7. El Paso, Texas;
8. Grand Forks, North Dakota;
9. Harve, Montana;
10. Houlton, Maine;
11. Laredo, Texas;
12. Livermore, California;
13. Marfa, Texas;
14. McAllen, Texas;
15. Miami, Florida;
16. New Orleans, Louisiana;
17. Ogdensburg, New York;
18. Spokane, Washington;
19. Swanton, Vermont;
20. Tucson, Arizona;
21. Yuma, Arizona
G. Border Patrol Academy - Los Fresnos, Texas
H. Charlotte Amalie, St. Thomas, Virgin Islands
I. Sub offices in foreign countries:
1. Athens, Greece
2. Frankfurt, Germany
3. Naples, Italy
4. Palermo, Italy
5. Rome, Italy
6. Tokyo, Japan
7. Vienna, Austria

Addresses of each office are listed in the telephone directories of the respective cities listed above under the heading 'United States Government, Immigration and Naturalization Service'.

Categories of individuals covered by the system:

A. Agency information control record index (Location A, supra)
1. United States citizens, resident and non-resident aliens named in documents classified for National Security reasons.
2. Individuals referenced in documents classified for National Security reasons.

B. Alien address reports (Form I-53), 1975 and subsequent years. (Locations: C, D, and H supra).

C. Alien enemy index (Location: A supra)
1. Alien enemies who were interned during World War II.
2. Americans of Japanese ancestry (Nisei) who returned to Japan and, during World War II, either accepted employment by the Japanese Government or became naturalized in Japan.

D. Automobile decal parking identification for employees. (Location B-4 supra).
Current Service employees of this office who have the privilege of parking their cars on government premises, have a decal for their cars for parking identification.

E. Centralized index (Master index). (Locations: A, C, D, E and I supra)
1. Aliens lawfully admitted for permanent residence, and United States citizens; and individuals who are under investigation, were investigated in the past, or who are suspected of violating the criminal or civil provisions of treaties, statutes, Executive orders and Presidential proclamation administered by the Immigration and Naturalization Service, hereinafter referred to as the Service, and witnesses and informants having knowledge of such violations.

F. Congressional Mail Unit (Location A, supra)
1. Aliens lawfully admitted for permanent residence and United States citizens named in correspondence received including, but not necessarily limited to: a. employees and past employees; b. federal state and local officials; and c. members of the general public.
2. Aliens lawfully admitted for permanent residence and United States citizens named in reports or correspondence received, as individuals investigated in the past or under active investigations for, or suspected of violations of, the criminal or civil provisions of statutes enforced by the Service, including Presidential proclamations and Executive orders relating thereto, and witnesses and informants having knowledge of violations.

G. Document vendors and alterers index (Service documents) (Location B-4; duplicates are housed in several Service offices in the southwest region). This index relates to, but is not limited to, aliens lawfully admitted for permanent residence and United States citizens.

H. Enforcement Branch Indices
1. Group one -- (Locations: A, B, C and E, supra) - contact index; informant index; anti-smuggling index (General); criminal, immoral, narcotic, racketeer and subversive indices; and suspect third party index -- all relate to same general categories of individuals as follows:
(a) Aliens lawfully admitted for permanent residence, and citizens who are in a position to know or learn of, and assist in locating aliens illegally in the United States.
(b) Aliens lawfully admitted for permanent residence, and citizens who are former or present members of an organization subversive in nature, whether foreign or

domestic, and are willing to appear as government witnesses to testify as to their knowledge of an individual's membership therein, or as to the nature, aims and purpose of the organization, or as to the identification, publication, distribution and authenticity of the literature of such organization, or are in possession of information relative to such organization or on specific individuals and are willing to cooperate with the Immigration and Naturalization Service, or who although they have not been members of subversive organizations, are in possession of information relating to such organizations or members thereof, and are willing to cooperate with the Service on a continuing basis;

(c) Aliens lawfully admitted for permanent residence, and citizens who are known or suspected of being professional arrangers, transporters, harborers, and smugglers of aliens, who operate or conspire to operate with others to facilitate the surreptitious entry of an alien over a coastal or land border of the United States and witnesses having knowledge of such matters;

(d) Aliens lawfully admitted for permanent residence and citizens who are known or suspected of being habitual or notorious criminals, immorals, narcotic violators or racketeers, or subversive functionaries or leaders;

(e) Aliens lawfully admitted for permanent residence, and citizens who are known, or are believed, to be engaged in fraud operations involving the preparation and submission of visa petitions and other applications for Service benefits, or the preparation and submission of applications for immigrant visas and/or Department of Labor certifications, or the filing of false United States birth registrations for alien children to enable parents who are immigrant visa applicants to evade the labor certification requirements or to enable such children to pose as citizens.

2. Group two -- relate to specific categories of individuals as follows:

(a) Air detail office index system (Location: F, 21, supra) (1) The majority of the system contains information relating to United States citizens and aliens lawfully admitted for permanent residence who are pilots and/or owners of private aircraft and who have engaged in flying between the United States and foreign countries. (2) The system also contains information of an investigative nature relative to pilots, owners, and associates, including United States citizens and aliens lawfully admitted for permanent residence, who engage in, or are suspected of being engaged in, illegal activity, such as alien smuggling or entry without inspection.

(b) Anti-smuggling information centers for the Canadian border and Mexican border. (Location: Northern Border: F-19, supra - Southern Border: F-21, supra). Categories of individuals include United States citizens and aliens lawfully admitted for permanent residence who are smugglers or transporters of illegal aliens, or who are suspects in the violation of statutes relating to smuggling and transporting illegal aliens.

(c) Border Patrol Academy index system -- (Location: G, supra). United States citizens who are: students in attendance at the Border Patrol Academy; former students who have attended the Academy; and officers attending advanced training classes at the Academy.

(d) Border Patrol Sectors general index -- (Locations: F, supra). (1) United States citizens who are past or present employees of the Service; and (2) United States citizens and aliens lawfully admitted for permanent residence classified as law violators, witnesses, contacts, informants, members of the general public, federal, state, county and local officials.

(e) Fraudulent Document Center index system -- (Location: F-21, supra). The system contains information relating to United States citizens and/or aliens lawfully admitted for permanent residence categorized as members of the general public, Notaries Public, state and local birth registration officials and employees, immigration law violators, vendors of documents, donors of documents, midwives and witnesses. Also included in the system are names and information of fictitious non-existent individuals such as may be used by counterfeiter or alterer of citizenship documents.

3. Group three --

(a) Enforcement correspondence control index -- (Location: A, supra -- Associate Commissioner, Enforcement). (1) Aliens lawfully admitted for permanent residence and citizens of the United States named in corresppondence received, including but not necessarily limited to: a. employees and past employees; b. federal, state, and local officials; and c. members of the general public. (2) Aliens lawfully admitted for permanent residence and citizens of the United States named in documents, reports or correspondence received as individuals under investigation, or investigated in the past, or suspected of violation of the criminal or civil provisions of the statutes enforced by the Service, including Presidential Executive Orders and Proclamations relating thereto, and witnesses and informants having knowledge of violations.

I. Examinations branch indexes (Location: A, supra (duplicates are in some local offices)) Aliens lawfully admitted for permanent residence and United States citizens and individuals who are violators or suspected violators of the criminal or civil provisions of statutes enforced by the Service.

J. Extension training program enrollees (Location: A, supra) contains the names of Service employees, and other federal agency employees enrolled in extension training program courses.

K. Finance Section indexes -- (Locations: A and B, supra)

1. Individuals who are indebted to the United States Government for goods, services, or benefits or for administrative fines and assessments;
2. Employees who have received travel advances or overpayments from the United States Government, who are in arrears in their accounts, or who are liable for damage to Government property,
3. Vendors who have furnished supplies, material, equipment and services to the Government;
4. Employees, witnesses and special deportation attendants who have performed official travel; and
5. Employoees and individuals who have a valid claim against the Government.

L. Freedom of Information correspondence control index (Locations: A; B; C; D; E; F; G; H and I, supra) Individuals who request, under the Freedom of Information Act, access to, or copies of, records maintained by the Service.

M. Intelligence index -- (Locations: A and B, supra) Aliens who have been lawfully admitted to the United States for permanent residence and United States citizens, who have, or who are suspected of having, violated the criminal or civil provisions of the statutes enforced by the Service.

N. Microfilmed manifest records -- (Locations: A, C-26, C-10, C-20, and C-29, supra) Aliens lawfully admitted for permanent residence to the United States and United States citizens.

O. Naturalization and citizenship indexes.

1. Naturalization and citizenship docket cards (Locations: C and E supra, except E-6, 7, 8 and 13). Aliens lawfully admitted for permanent residence and citizens of the United States, and other individuals seeking benefits under Title III of the Immigration and Nationality Act of 1952, as amended.
2. Examiner's docket lists of petitioners for naturalization. (Locations: C and E supra, Except E- 6, 7, 8, and 13.) Petitioners for naturalization and beneficiaries
3. Master docket list of petitioners for naturalization pending one year or more. (Locations: A, B, C and E supra, Except E-6, 7, 8 and 13.) Petitioners for naturalization and beneficiaries.

P. Personnel Investigations -- (Location: A, supra) Employees, former employees, other Government agency employees designated to perform immigration functions, witnesses, informants, and certain persons having contacts with Service operations.

Q. Property issued to employees -- (Locations: A, B, C, E and F, supra). Employees of the Service who have been issued property and have in addition signed for receipt of the property on Form G-570.

R. Security system -- (Location: A supra). United States citizens and aliens lawfully admitted for permanent residence to the United States currently employed with the Service who have been cleared for access to documents and materials classified in the interest of National Security.

S. White House and Attorney General correspondence control index -- (Location: A, supra). Citizens and aliens lawfully admitted for permanent residence to the United States named in correspondence received, including, but not necessarily limited to: (a) employees and past employees of the Service; (b) federal, state and local officials; and (c) members of the general public.

T. Health Record System (Location: A, supra). Persons at Location A, supra, who need health services or who require emergency treatment.

U. Personal Data Card System (Locations: A and B, supra). Employees and former employees of the Service.

V. Compassionate Cases System. (Locations: A and B-1 and 4, supra). Employees of the Service.

W. Emergency Reassignment Index (Locations: B, C, E and F). Employees of the Service.

Categories of records in the system:

A. Agency information control record index system contains.

1. Top secret and secret material originated, received or transmitted by Service officers that has been classified as National Security information including all copies prepared from a controlled document.
2. Confidential material originated by another agency which is received by this Service including all copies prepared from a controlled document.
3. All investigative reports, responses to security checks, and material of an intelligence nature concerning individuals, organizations, movements, conditions in foreign countries, received from sources within the Department of Justice and other federal intelligence sources.

B. Alien address report index. This system contains information such as name, address, occupation, date of admission into the United States and Alien Registration number.

C. Alien enemy index. This system contains a microfilm index of each file opened on these individuals.

D. Automobile decal parking identification system for employees vehicles. This system contains a list by number of each DJ decal car sticker issued by the Security Division to regional employees who require car parking permission.

E. Centralized index and records relating to permanent resident alliens, and citizens of the United States (Master index). The system consists of records relating to the categories of individuals described in E-1, supra. The records contain various Service forms, applications and petitions for benefits under the immigration and nationality laws, reports of investigation, sworn statements, and reports, correspondence and memoranda.

F. Congressional mail unit. This system contains a permanent index record for each report or piece of correspondence received. Information maintained in the index of this subsystem is that which is entered on a 3" x 5" index card. The index record is solely a locator reflecting the name of the individual and the number of the file in which specific information concerning the individual is maintained.

G. Document vendors and alterers index (Service documents). This system consists of 'mug book' containing photos of alleged immigration law violators involved in the supply of fradulent documents, and data relating to the pictured violators including: name, aliases, vital statistics, method of operation, list of convictions, present location, and source material.

H. Enforcement branch.

1. Group one – contact index; informant index; anti-smuggling index (general); criminal, immoral, narcotic, racketeer and subversive indices; and suspect third party index: These systems of records are maintained on the following.
   (a) Form G-598, 'Contact Record'.
   (b) Form G-169, 'Informant Record'.
   (c) Form G-170, 'Smuggler Information Index Card'.
   (d) Alphabetical index cards reflecting the name of the individual and the file in which specific information concerning the individual is housed. Some index cards reflect the individual's biographic data, address, etc., and may contain a brief description of the individual's activities.
2. Group two.
   (a) Air detail office index. The primary record in the system is Form I-92A, Report of Private Aircraft Arrival, which is executed by the inspecting official upon arrival of a private aircraft from foreign territory. There are also indices, forms, investigative reports, records, and correspondence relative to aircraft arrivals, failure to report for inspection, and known or suspected alien smuggling operations wherein aircraft are utilized. In addition, microfiche containing names of owners of aircraft of United States registry are maintained at this location.
   (b) Anti-smuggling information centers for the Canadian and Mexican borders. This system contains G-170, Smuggler Information Index Card, other index cards, and correspondence relating to anti-smuggling activities. Two indices of active smugglers are compiled, one for the Canadian border and the other for the Mexican border area. These indices are in loose leaf booklet form and are distributed to Border Patrol offices in the respective border areas.
   (c) Border Patrol Academy index. This system contains general information and correspondence regarding the student's academic progress in training. Thee information is maintained on the following forms. (1) SW 91 - Probationary Achievement Report. (2) SW 91A - Scholastic Grade Worksheets. (3) SW 91B-10 BTC Achievement Report Immigration Inspector. (4) SW 91C - 10 BTC Achievement Report Investigator. (5) SW 96 - Class Rating Form. (6) SW 128 - Training Data. (7) SW 282 - Registration Information Form. (8) 446 - Conduct and Efficiency Report of Probationary Employee 5 1/2 and 10 months exam grades.
   (d) Border Patrol sectors general index. (1) This system contains indices, forms, reports and records relating to activities of the Border Patrol. Included in the various segments of the system are the following numbered and titled forms: a. Form I-44 - Record of Apprehension or Seizure; b. Form I-215W - Affidavit - witness; c. Form I-263A and I-263B - Record of Sworn Statement; d. Form I-195 - Criminal Prosecution Control Card; e. Form I-263W - Records of Sworn Statement - witness; f. Form I-326 - Prosecution Reports; g. Form G-170 - Smuggler Information Index Card; h. Form G-296 - Report of Violation of Section 239, Immigration and Nationality Act; i. Form G-330 - Notice of Action Information; j. Form G-445 - Conduct and Efficiency Evaluation of Probationary Appointees; and k. Form G-598 - Contact Record. (2) This system also contains copies of correspondence and memoranda between offices of the Service and with outside agencies and individuals, as well as photographs of some violators of the immigration laws or of individuals suspected of being involved in immigration law violations. (3) The Service lookout book and booklets of indexes of active smugglers are at each location; however, these are duplicated records which are reported separately in other systems of records.
   (e) Fraudulent document center index. This system contains birth certificates, baptismal certificates, and other indentification documents used by aliens to support their fraudulent claims to United States citizenship. Most of the documents are genuine, however, there are also counterfeit and altered documents in the system. Also within the system are cross indexes, investigative reports, and records of individuals involved in fraud schemes and of individuals whose documents have been put to fraduulent usage. Correspondence and memoranda between the Fraudulent Document Center and other Service Offices, outside agencies and individuals are retained.
3. Group three.
   (a) Enforcement correspondence control index. This system contains a semi-permanent index record for each document, report or piece of correspondence received. Information maintained in the system is that which is entered on Form G-617, 'Correspondence Control Card', and CO Form 147, 'Call-Up Index - Domestic Control'. The index record is primarily a locator reflecting the name of the individual and the file in which specific information concerning the individual is housed.

I. Examinations branch.

1. Examinations correspondence control index: contains a semi-permanennt index record for each document, report or piece of correspondence received. Information maintained in the system is that which is entered on Form G-617, 'Correspondence Control Card'. The index record is primarily a locator reflecting the name of the individual and the file in which specific information concerning the individual is housed.
2. Service lookout system contains names of violators, alleged violators and suspected violators of the criminal or civil provisions of statutes enforced by the Service.

J. Extention training program enrollees. The system contains a folder for each enrollee. Each folder contains a complete record of the enrollee's test scores, correspsondence and dates of every action taken with regard to the mailing of lesson materials, receipt of tests, scoring and mailing out test results and dates certificates were completed and mailed.

K.

1. Accounts with creditors. The records consist of vendors' invoices, purchase orders, travel vouchers and claims filed

by appropriation for the fiscal year from which payment is chargeable.

2. Accounts with debtors. The records consist of bills for inspection services performed under the Act of March 2, 1931 (8 U.S.C. 1353a); fees, fines, penalties and deportation expenses assessed pursuant to the Immigration and Nationality Act; and employee indebtedness for travel advances, for the unofficial use of Government facilities and services, for damage to or loss of Government property, and for the erroneous or overpayment of compensation for travel expenses.

L. Freedom of Information correspondence control index. The system contains an index record for each piece of correspondence received requesting information under the Freedom of Information Act.

M. Intelligence index. This system contains a semi-permanent index record for each document, report, bulletin or correspondence received. The index is categorized by name, violation, and activity. The index is primarily a locator reflecting the category, source of material and specific housing of information.

N. Microfilmed manifest records. Microfilmed indices, and arrival and departure manifests reflecting brief biographical data and facts of arrival or departure. The arrival records for certain ports date from 1891 and departure records date from 1900. The records are not complete; certain records were destroyed and were not microfilmed.

O.

1. Naturalization and citizenship docket cards. Docket cards consist of 3" x 5" or 5" x 8" index cards arranged alphabetically according to name of applicant, beneficiary or petitioner, indicating type of application submitted, date of receipt, file and/or petition number, and court number wherein petition for naturalization was filed. The docket cards are locators for the files in which specific information concerning the individuals is maintained.
2. Examiner's docket lists of petitioners for naturalization. Lists of petitioners for naturalization (Form N-476) are arranged chronologically for each court exercising naturalization jurisdiction, showing petition number, petition filing date, file number, court number, name of petitioner for naturalization, name of beneficiary in whose behalf a petition is filed, proposed recommendation by the naturalization examiner and reasons for the continuance. The lists serve as locators for the files in which specific information concerning the petitioners is maintained.
3. Master docket lists of petitions for naturalization pending one year or more. Master docket lists of petitions for naturalization (Form N-476) pending for a year or more are arranged chronologically for each court exercising naturalization jurisdiction showing the petition number, petition filing date, petitioner's name, recommendation and issues and reason why petition is still pemding. The lists serve as locators for the files in which specific information concerning the petitioners is maintained.

P. Personnel investigations index. Contains two separate card index files, one for cases under active investigation, and the other for formerly active cases now closed. These cards are locator cards listing names of investigation subjects, their locations, and the allegations under investigation. Two relating sets of temporary work folders exist housing open/closed allegations of misconduct and investigative reports.

Q. Property issued to employees. The records consist of a Form G-570, 'Record-Receipt-Property Issued to Employee,' which lists property issued to an employee. The Form G-570 lists the employee's name, description of the property, serial number, date received and employee's initials, and finally date returned and supervisor's intials.

R. Security system index. The system is comprised of 3" x 5" index cards filed alphabetically which reflect levels of access clearances granted to employees of the Service and the dates when the clearances were granted.

S. White House and Attorney General correspondence control index. Contains an index record for each piece of correspondence addressed to the President and the Attorney General, with certain exceptions, which has been referred to this Service for appropriate attention. Information maintained in the system is that which is entered on Form G-617, 'Correspondence Control Card'. The index record is primarily a locator reflecting the name of the correspondent and/or the subject individual of the correspondence and the file in which specific information concerning the individual is housed.

T. Health Record System. The record consists of a 5" x 7" index card that lists the name, date and treatment given any person in the Health Unit.

U. Personal Data Card System. The record consists of a 3" x 5" card for each employee or former employee (G-74). The entries on the card (G-74) include name, date of birth, height, weight, sex, blood type, photograph, and color of hair and eyes.

V. Compassionate Cases System. The reccord consists of a 3" x 5" index card containing employee's name, position, grade, present location, date request received in Central Office, date circulated to compassionate committee, disposition, new location of employee whose request is granted; and a folder containing copy of employee's Form G-410, employee's request (memo), local and regional recommendations, doctor's statement (where applicable), record of committee action, and response to employee.

W. Emergency Reassignment Index. The record consists of 3" x 5" card (G-560) which reflects the name, age, grade, title, official station, residence, telephone number and emergency assignment activity.

Authority for maintenance of the system:

A. General, applicable to all Service index systems, includes but is not limited to: Sections 103, 265 and 290 and Title III of the Immigration and Nationality Act, hereinafter referred to as the Act (66 Stat. 163), as amended, (8 U.S.C. 1103; 8 U.S.C. 1305; 8 U.S.C. 1360), and the regulations pursuant thereto.

B. Specific, applicable to some of the indices, including but not limited to: (1) Executive Order 11652, and 28 C.F.R. 17.79 - agency control information record index, and access clearance information system. (2) 31 U.S.C. 66a - Finance branch indices. (3) Title III of the Act, as amended, (8 U.S.C. sections 1401 through 1503), and the regulations promulgated thereunder - naturalization and citizenship indices. (4) Sections 235 and 287 of the Act, as amended, (8 U.S.C. 1225; and 8 U.S.C. 1357), and the regulations promulgated pursuant thereto in personnel investigations. (5) Section 231 of the Act, as amended, (8 U.S.C. 1221) - manifest records. (6) 40 U.S.C. 483 - property management system. (7) 5 U.S.C. 4113 - extension training program. (8) 5 U.S.C. 552. The Freedom of Information Act, requires certain record keeping, this system was established and is maintained in order to enable the Service to comply with this requirement. (9) 5 U.S.C. 301 - Health Record System, Personal Data Card System, and Compassionate Cases System. (10) Executive Order 11490 - Emergency Reassignment Index.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system of records is used to serve the public by providing data for responses, when authorized, to written inquiries, complaints, and so forth. It is also used to administer the management, operational, and enforcement activities of the Service. The records are used by officers and employees of the Service and the Department of Justice in the administration and enforcement of the immigration and nationality laws, and related statutes, including the processing of applications for benefits under these laws, detecting violations of these laws, and for referrals for prosecution.

Relevant information contained in this system of records maintained by the Service to carry out its functions may be referred, as a routine use, to clerks and judges of courts exercising naturalization jurisdiction for the purpose of filing petitions for naturalization and to enable such courts to determine eligibility for naturalization or grounds for revocation of naturalization.

Relevant information contained in this system of records maintained by the Service to carry out its functions may be referred, as a routine use, to the Department of State in the processing of petitions or applications for benefits under the Immigration and Nationality Laws Act, and all other immigration and nationality laws, including treaties and reciprocal agreements.

Relevant information contained in this system of records maintained by the Service to carry out its functions may be provided, as a routine use, to other federal, state, and local government law enforcement and regulatory agencies, foreign governments, the Department of Defense, including all components thereof, the Department of State, the Department of the Treasury, the Central Intelligence Agency, the Selective Service System, the United States Coast Guard, the United Nations, Interpol, and individuals and organizations during the course of investigation in the processing of a matter or a proceeding within the purview of the immigration and nationality laws, to elicit information

required by the Service to carry out its functions and statutory mandates.

In the event that this system of records maintained by the Service to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforceing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

In the event that this system of records maintained by the Service to carry out ist functions indicates a violation or potential violation of the immigration and nationality laws, or of a general statute within Service jurisdiction, or by regulation, rule, or order issued pursuant thereto, the relevant records in this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal and to opposing counsel in the course of discovery.

A record from this system of records may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record from this system of records may be disclosed, as a routine use, to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision of this Service concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

Indication of a violation or potential violation of the laws of another nation, whether civil or criminal, may be referred to the appropriate foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforceing or implementing such laws; indication of any such violation or potential violation may also be referred to international organizations engaged in the collection and dissemination of intelligence concerning criminal activity.

Relevant information contained in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: General.

Storage: Generally, information is stored manually; in some instances, in automated index systems. The actual records relating to individuals are stored in file folders at the addresses located in locations A, B, C, E, F and H, supra.

Retrievability: In general, records are indexed alphabetically by name and/or 'A' file number or petition and court number, some include date and port of entry. They are generally retrieved manually, and in some cases can be retrieved electronically.

Safeguards: Each system of records is safeguarded and protected in accordance with Department of Justice and Service rules and procedures.

Retention and disposal:

a. The period of retention for alien registration records is 100 years from the closing date or date of last action.

b. Materials retained in correspondence portion of subject files are normally retained no longer than two years and are then either microfilmed or destroyed by burning.

c. Materials retained in policy portions of subject files are retained indefinitely.

d. Indexes and records not enumerated above are generally retained only so long as they serve a useful purpose.

e. Microfilmed manifest records are retained permanently.

f. Freedom of Information Act index cards and materials kept in the correspondence portion of files are retained for one year; the disposal is by burning, shredding or pulverizing.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Exceptions to the general practices above:

Storage:

a. Air detail office index systems. Forms I-92 are filed in rotary index machines by calendar year. Suspect files are in letter size cabinets, both are operated manually.

b. Alien address reports, I-53, are microfilmed from 1975 and subsequent. In 1973 and 1974 they are filed in cabinets in Service offices and in Federal Record Centers.

c. Alien enemy index information is maintained in the system and is on microfilm. The actual filess are stored in Federal Record Centers.

d. Intelligence indices, are stored not by name, but by organization, activity or violation.

e. Some systems are stored numerically, or by subject, or by court and petition number or time sequence, as well as alphabetically.

Retrievability: Aircraft data is filed in numerical sequence (air detail office index system).

Retention and disposal:

a. Access clearance index is maintained on a current basis. Cards comprising the index are destroyed upon the resignation, death or retirement of the employee.

b. Air detail office index, Form I-92A, forms information is retained for 5 years.

c. Border Patrol examination papers are destroyed 6 months after the trainee officer completes his probationary year.

d. Finance indices: Accounts with creditors and debtors are retained by the Service for 2 years from the close of the fiscal year to which they relate and are then transferred to the Federal Record Centers pending their ultimate disposition. The records are disposed of in accordance with General Service Administration regulations.

e. Intelligence indices: Intelligence bulletins are retained indefinitely.

f. Index Form G-617 is maintained for three years, then destroyed. However, in the White House and Attorney General Correspondence Indexes, form G-617 information is retained through the administration of each President and one year beyond.

g. Index Form CO - 147 is maintained until the subject matter is finally acted upon and is then destroyed.

h. Personnel investigations are generally destroyed in June of the year following the one year anniversary of the close of the investigation. Operation Clean Sweep cases are being retained as a package until the program is terminated. Criminal matters of unusual sensitivity are retained as long as there is a useful need.

i. Health Unit records: The records are retained for a period of 6 years after the date of the last entry therein. The records are disposed of by burning, shredding, macerating or pulverizing.

j. Indexes relating to law violators and witnesses are retained for 3 years and then destroyed. General correspondence is retained for no longer than 2 years. Investigative matters of a routine nature may be disposed of when the investigation is closed. Information on present and past employees is retained only as long as such information serves a useful purpose.

k. Naturalization examiners docket lists and master docket lists of petitioners for naturalization are retained for two years, disposal is by tearing, shredding, pulverizing, or burning. Naturalization and citizenship docket cards are purged after applications are rejected, closed, petitions non-filed, applications granted or denied, or petitions for naturalization granted, or denied, the disposal is by tearing the cards.

l. Personal Data Card System: The record is retained for a period of 3 years after an employee is separated and then destroyed (Location: A, supra). The record is ratined until an employee is separated and then destroyed (Location: B, supra). The records are disposed of by burning, shredding, macerating or pulverizing (Locations: A and B, supra).

m. Compassionate Cases System: The records are retained for 3 years and then destroyed. The records are disposed of by burning, shredding, macerating or pulverizing.

n. Emergency Reassignment Index: The records are retained on a current basis and are destroyed upon the transfer, separation, retirement or death of the employee. The records are destroyed by burning.

System manager(s) and address:

A. The system manager, service-wide is the Associate Commissioner, Management (Location: A supra)

B. The Associate Commissioner, Management is the sole manager of the following systems:

1. Agency information control record index;
2. Alien address report (I-53);
3. Alien enemy index;
4. Centralized index (Master index);
5. Congressional mail unit index;
6. Document vendors and alterers;
7. Enforcement correspondence control index;
8. Examinations correspondence control index;
9. Finance unit indexes;
10. Freedom of Information Act correspondence control index;
11. Intelligence indexes;
12. Microfilmed manifest records;
13. Property issued to employees;
14. Access clearance information system; and
15. White House and Attorney General correspondence control index.
16. Health Record System.

C. The following official for Service personnel investigations: Director, Internal Investigations (Location: A supra).

D. The following officials (for inquiry for special need) by category:

1. Alien address reports for portion of system maintained: (a) Associate Commissioner, Management; (b) District Directors (Locations: C supra); and/or (c) Officers in Charge - (Locations: - E supra).
2. Investigation units indices for: Contact index; enforcement index; anti-smuggling index (general); criminal, immoral, narcotic, racketeer and subversive indices; and suspect third party index, the managers are the ranking Service officer, of the Service offices in which such indices are maintained - (Location: A, B, C and E supra).
3. Border Patrol unit indices. (a) Air detail office index: Chief Patrol Agent (Location: F-21 supra). (b) Anti-smuggling information center: (1) Canadian Border: Chief Patrol Agent (Location: F-19 supra); and (2) Mexican Border: Chief Patrol Agent (Location: F-21 supra). (c) Fraudulent Document Center: Chief Patrol Agent (Location: F-21 supra). (d) Border Patrol Academy: Chief Patrol Agent (Location: G supra). (e) Border Patrol sector general indices: Chief Patrol Agent (Location: F-1 thru 21 supra).
4. Assistant Regional Commissioner, Security (Location: B-4 supra) For automobile decal identification system.
5. Chief, Employee Development Branch. Office of Assistant Commissioner, Personnel (Location: A supra) for extension training program enrollee file.
6. Naturalization and Citizenship indexes. (a) Naturalization and citizenship docket cards: District Directors and Officers in Charge (Locations: C and E supra, except E-6, 7, 8 and 13). (b) Docket lists of Petitioners for Naturalization Form N-476: District Directors and Officers in Charge (Locations: C and E supra, except E-6 and 8). (c) Docket lists of petitions pending at least one year (Form N-476): The Associate Commissioner Mgt. (Location: A supra), Regional Commissioners (Location: B supra), District Directors and OIC's (Locations: C and E supra, except E-6, 7, 8 and 13).
7. Personal Data Card System: Associate Commissioner, Management (Location: A, supra); Regional Commissioners (Location: B, supra).
8. Compassionate Cases System: Associate Commissioner, Management (Location: A, supra); Regional Commissioners (Locations: B-1 and 4, supra).
9. Emergency Reassignment Index: Regional Commissioners (Location: B, supra); District Directors (Location: C, supra); Officers in charge (Location: E, supra); and Chief patrol agents (Location: F, supra).

Notification procedure:

A. Address inquiries to the respective systems managers listed in System Manager supra, except Finance unit inquiries shall be addressed to the office of the Service at which the individual did business (for locations see Location supra) and Freedom of Information Act inquiries shall be addressed to the office of the Service nearest the requestor's place of residence, or if known, the office of the Service where the requestor knows his record is located.

B. Systems totally exempt from disclosure pursuant to 5 U.S.C. 552a (j) and (k).

1. Agency information control index system.
2. Anti-smuggling index (general).
3. Anti-smuggling information centers system for Canadian and Mexican Borders.
4. Contact index.
5. Criminal, immoral, narcotic, racketeer and subversive indexes.
6. Document vendors and alterers index.
7. Informant index.
8. Intelligence indexes.
9. Service look out system.
10. Suspect third party index.
11. Emergency Reassignment Index.

Record access procedures: In all cases, requests for access to a record from any record subsystem shall be in writing or in person; if request for access is made in writing, the envelope and letter shall be clearly marked 'Privacy Access Request'. The requester must include a description of the general subject matter and, if known, the relating numerical identifier. The request must also include sufficient data to identify a relating record, such as the individual's full name, date and place of birth, and if appropriate, the date and place of entry into the United States, or departure from the United States. The requester shall also provide a return address for transmitting the information. Most of the systems contain records which the Attorney General has exempted from disclosure pursuant to 5 U.S.C. 552a (j) and (k) and records which are classified pursuant to Executive order. The requester will be accorded access to the records relating to himself only to the extent that such records are not within the scope of exemptions and are not classified.

Contesting record procedures: Any individual desiring to contest or amend information maintained in the system should direct his request to the office of this Service nearest his residence, or in which he believes a record concerning him may exist, (see Notification, supra), stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: The basic information contained in these records is supplied by the individual on Department of State and Service applications and reports; inquiries and/or complaints from members of the general public, members of the Congress; referrals of inquiries and/or complaints directed to the White House or to the Attorney General by members of the general public; Service reports of investigation, sworn statements, correspondence and memoranda; official reports, memoranda and written referrals from other government agencies, including Federal, state and local; from the various courts and regulatory agencies; and infromation from foreign government agencies and international organizations.

The source of the data in the Freedom of Information Act correspondence control index is those individuals who seek information under that Act.

The information contained in the Emergency Reassignment Index is supplied by the individual and the Associate Commissioner, Management.

Nearly all the systems contain information received from sources which are exempted from disclosure pursuant to 5 U.S.C. 552a (j) and (k).

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/TAX - 003

System name: Freedom of Information Request Files.

System location: U.S. Department of Justice; Tax Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have requested information under the Freedom of Information Act.

Categories of records in the system: (a) Correspondence relating to requests for information; (b) documents relevant to appeals and lawsuits under the Freedom of Information Act.

Authority for maintenance of the system: The system is maintained to enable the Tax Division to process requests under the Freedom of Information Act (5 U.S.C. 552).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is maintained

to insure the efficient processing of requests made pursuant to the Freedom of Information Act (5 U.S.C. 552).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored manually in standard file folders, alphabetically by name of the person making the request.

Retrievability: Information is retrieved manually by name of the persons making the request.

Safeguards: The system of records is stored in a file cabinet in a locked closet. Access is restricted to the Freedom of Information Unit staff on a need-to-know basis.

Retention and disposal: Destruction schedules will be developed as the needs of the system requirements become known. Presently, records are retained indefinitely.

System manager(s) and address: Assistant Attorney General; Tax Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning this system should be directed to the System Manager listed above. Inquiries should contain the inquirer's name, date and place of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: (a) Persons requesting information; (b) Department of Justice employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 016

System name: Inter-Divisional Information System (IDIS), (A non-operational, deactivated system).

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals who were allegedly involved or connected with civil disturbances or other activities.

Categories of records in the system: IDIS, consisted of two subsystems. The incident subsystem was used to establish a record of various events, such as meetings and demonstrations. The subject subsystem provides individual's names, biographical sketches, and organizational affiliation(s). Some cross referencing between the two subsystems exists.

Authority for maintenance of the system: The system is currently being maintained by reason of an agreement between the Department of Justice and members of the Committee on the Judiciary of the United States Senate.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no present or anticipated operational uses of IDIS records by Department of Justice personnel. IDIS material is exclusively used to respond to inquiries from citizen who are subject of the files and also may be used by litigants involved in court proceedings.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained on index cards and computer produced reports stored in locked cabinets.

Retrievability: Index cards of the subject subsystem are filed alphabetically by individual name.

Safeguards: IDIS information is maintained in secured storage devices in a locked room, rendered inaccessible for any operational use and accessible by a limited number of employees who must respond to Freedom of Information Act requests and to decrees in court proceedings.

Retention and disposal: IDIS information will be maintained until such time as the legislative and executive branches of government agree to its disposal.

System manager(s) and address: Director, Information Systems Staff; U.S. Department of Justice; Office of Management and Finance; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: Access to information maintained in IDIS will be granted in accordance with the procedures set forth in 28 C.F.R. 16.41. Requests for access will be directed to the System Manager.

Contesting record procedures: Requests for correction of IDIS data will be processed in accordance with the procedures set forth in 28 C.F.R. 16.53. Requests for correction will be directed to the System Manager.

Record source categories: Information in IDIS was derived from FBI reports and teletypes; U.S. Attorney Offices; the Bureau of Alcohol, Tobacco, and Firearms; U.S. Department of Treasury; citizen complaints; wire service clippings; and articles in periodicals.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 017

System name: Department of Justice Controlled Parking Records.

System location: U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Department of Justice employees who have applied for vehicle parking space which is assigned and controlled by the Department of Justice, per Department of Justice Order 2540.2C, November 11, 1974.

Categories of records in the system: This system contains copies of Form DOJ-362, Department of Justice Parking Space Application (DOJ Space), and Form DOJ-OT-20, Department of Justice Parking Space Application (DOJ Carpool Space), which have been completed and submitted by Department of Justice employees.

Authority for maintenance of the system: This system is established and maintained in accordance with Federal Energy Office (FEO) memorandum of January 17, 1974, Federal Management Circular 74-1 of January 21, 1974, and Federal Energy Office memorandum of April 5, 1974, as reflected in Federal Property Management (Temporary) Regulation D-47 of May 22, 1974. Operating procedures are contained in Department of Justice Order 2450.2C of November 11, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to assign, identify and control the use of vehicle parking space for which the Department of Justice is responsible.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in a locked file cabinet.

Retrievability: These records are indexed alphabetically, by the last name of the applicant, within the organizational element.

Safeguards: Information contained in this system is unclassified and is disseminated on a need to know basis by the Office of the Director, Operations Support Staff, Office of Management and Finance.

Retention and disposal: Although these records are currently retained as long as applicants remain as employees of the Department of Justice, the establishment of a disposal schedule is still pending.

System manager(s) and address: Director; Operations Support Staff; Office of Management and Finance; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Applications from employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/DEA - 021

System name: Drug Enforcement Administration Accounting System (DEAAS).

System location: Drug Enforcement Administration: 1405 Eye Street, N.W.; Washington, D.C. 20537. Also field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: All individuals who submit vouchers requesting payment for goods or services rendered, except payroll vouchers for DEA employees. These include vendors, contractors, experts, witnesses, court reporters, travelers, relocated employees, etc.

Categories of records in the system: All vouchers paid except payroll vouchers for DEA employees.

Authority for maintenance of the system: The system is established and maintained in accordance with the Budget and Accounting Procedures Act of 1950 as amended 31 U.S.C. 66(a) and 31 U.S.C. 200(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: After payment of the vouchers, the accounting data is used for the purpose of internal management reporting and external reporting to agencies such as OMB, U.S. Treasury, and the GAO.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Voucher files are maintained alphabetically by payees name.

Retrievability: Information is retrieved primarily by using the name of the payee.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with organizational rules and procedures.

Retention and disposal: The payment documents are retained at this location for three fiscal years (current and two prior years). The records are then shipped to a Federal Records Center for storage in accordance with the General Record Schedule published by the General Services Administration.

System manager(s) and address: Controller, Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Notification procedure: Inquiries should be addressed to Freedom of Information Unit, Drug Enforcement Administration, 1405 Eye Street, N.W., Washington, D.C., 20537.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Submitted by the payee involved.

Systems exempted from certain provisions of the act: None.

JUSTICE/DEA - 022

System name: Grants of Confidentiality Files (GCF).

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Applicants for grants of confidentiality.

Categories of records in the system: A) Requests for and actual Grants of Confidentiality; B) Correspondence relating to above; C) Documents relating to investigations of said applicants.

Authority for maintenance of the system: Pursuant to 21 U.S.C. 872 of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records are utilized for the purpose of investigating applicants prior to the granting of confidentiality. In the course of such investigations, information may be disseminated to state and local law enforcement and regulatory agencies to other federal law enforcement and regulatory agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on standard case folders.

Retrievability: The information in this system is retrieved by name of grantee.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the records are stored in bar lock filing cabinets and access to the system is restricted to members of the DEA employees on a 'need to know basis'.

Retention and disposal: Records in this system are retained indefinitely.

System manager(s) and address: Chief Counsel; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Notification procedure: Inquiries should be addressed to: Freedom of Information Unit; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537. Inquiries should include the inquirer's name, date, and place of birth.

Record access procedures: Same as above

Contesting record procedures: Same as above.

Record source categories: A) DEA investigative reports; B) Applicants; C) Reports from other federal, state and local agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (c) and have been published in the Federal Register.

JUSTICE/DEA - 023

System name: Drug Theft Reporting System (DTR)

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Registrants of DEA.

Categories of records in the system: The system of records contains reports (DEA Form 106) listing the name and address of the firm and the type and quantity of controlled substances lost due to theft.

Authority for maintenance of the system: This system of records is maintained to enable the Drug Enforcement Administration to perform its regulatory functions under the 'Comprehensive Drug Abuse Prevention and Control Act of 1970'.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the system is used for law enforcement and regulatory purposes. Information concerning thefts and patterns of thefts are provided to state and local law enforcement agencies for investigatory purposes. Statistics derived from the system are used for regulatory purposes. Users of this information include federal, state and local law enforcement and regulatory agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copies of the reports are grouped and maintained in standard file folders. Information from these reports is also maintained on magnetic tape.

Retrievability: The records in the system are indexed by location and date of theft occurance.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to authorized DEA employees with appropriate clearances on 'a need to know basis'.

Retention and disposal: The DEA Form 106 is held for three years then destroyed. The information on the magnetic tapes is maintained for five years and then destroyed.

System manager(s) and address: Chief, Statistical and Data Services Division; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Record source categories: Firms manufacturing, distributing, wholesaling, retailing, or dispensing controlled substances that have experienced a theft of these substances.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), (d), (c)(4)(6) and (h), (f) of the Privacy Act pursuant to 5 U.S.C. 552a(k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 024

System name: DEA Applicant Investigations (DAI)

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Applicants for employment with DEA.

Categories of records in the system: Information in records may include date and place of birth, citizenship, marital status, military and social security status. These records contain investigative information regarding an individual's character, conduct, and behavior in the community where he or she lives or lived; arrests and convictions for any violations against the law; information from inquiries directed to present and former supervisors, co-workers, associates, educators, etc., credit and National Agency checks; and other information developed from the above.

Authority for maintenance of the system: 5 U.S.C. 301 and Executive Order No. 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by DEA to implement an effective screening process for applicants. To foreign, federal, state and local law enforcement and regulatory agencies, where appropriate, for referral to avoid duplication of the investigative process and where the appropriate agency is charged with the responsibility of investigating or prosecuting potential violations of law.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard investigative folders.

Retrievability: These records are retrieved by use of a card index maintained alphabetically by employee name.

Safeguards: These records are maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to employees of the office of Internal Security and upper level management officials. The records are stored in safe-type combination lock file cabinets.

Retention and disposal: These records are maintained indefinitely.

System manager(s) and address: Chief Inspector; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Notification procedure: Inquiries should be addressed to: Freedom of Information Unit; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537. Inquiries should include the inquirer's name, date, and place of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: DEA investigations, federal, state and local law enforcement agencies. Cooperating individuals, employees, educational institutions, references, neighbors, associates, credit bureaus, medical officials, probation officials.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements at 5 U.S.C. 553(b),(c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 025

System name: Semi-Automated Narcotics Trafficker Profiles (KISS)

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Categories of individuals covered by the system: Known and suspected drug traffickers.

Categories of records in the system: Trafficker profile data are maintained on McBee edge notched cards.

Authority for maintenance of the system: This system will be maintained to provide DEA with a semi-automated intelligence capability pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970, Reorganization Plan No. 2 of 1973 and the Single Convention on Narcotic Drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system will be used to produce association and link analysis reports and such special reports as required by DEA intelligence analysts. Information from this system will be provided to the following categories of users for law enforcement purposes.

A. Other federal law enforcement agencies;

B. State and local law enforcement agencies;

C. Foreign law enforcement agencies with whom DEA maintains liaison;

D. U.S. intelligence and military intelligence agencies involved in drug enforcement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on edge notched cards.

Retrievability: These records are retrievable by name and by subject matter.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, this system is stored in a GEA approved security area. Access to the system is restricted to authorized DEA personnal with appropriate clearance on a need-to-know basis.

Retention and disposal: Records in this system are kept indefinitely.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Record source categories: A) DEA Intelligence Reports; B) Reports of other federal agencies; C) Reports of foreign agencies with whom DEA maintains liaison.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1),(2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k)(1). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 026

System name: Specialized Automated Intelligence Files (NIMROD)).

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Known and suspected drug traffickers.

Categories of records in the system: Special purpose applications from which information includes, but is not limited to, comprehensive personality data, activity data, significant event data, phone numbers, addresses, and special purpose information related to individuals.

Authority for maintenance of the system: This system will be maintained to provide DEA with an automated intelligence capability pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970, Reorganization Plan No. 2 of 1973 and the Single Convention on Narcotic Drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system will be used to produce association and link analysis reports and such special reports as required by DEA intelligence analysts. Information from this system will be provided to the following categories of users for law enforcement purposes: A) Other federal law enforcement agencies; B) State and local law enforcement agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic tape. Reference materials are maintained on microfiche.

Retrievability: This system is retrievable by data elements as a single entity or by a combination of data elements.

Safeguards: This system of records is maintained by DEA Headquarters which is protected by twenty-four hour guard service and surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the system is housed in a special computer facility which meets CIA and NSA standards for intrusion, electronic and acoustic penetration. Access to the system is strictly limited to DEA intelligence analysts with appropriate clearances on a specific need-to-know basis.

Retention and disposal: Information will be maintained in the system indefinitely.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Record source categories: A) DEA Intelligence Reports; B) Reports of other Federal agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f)(g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k)(1). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 002

System name: Freedom of Information Act Record System

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to maintain public records concerning the processing and determination of requests for information made pursuant to the Freedom of Information Act 5 U.S.C. 552; (b) to provide documentation of receipt and processing requests for information made pursuant to the Freedom of Information Act for purposes of litigation of contested denial of release of information; (c) to furnish information to employees of the Department of Justice who have a need for information from the system in performance of their duties; (d) to provide information relating to federal offenders and state courts, court personnel, and probation officials.

JUSTICE/BOP - 003

System name: Industrial Inmate Employment Record System

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to determine compensation of inmates pursuant to 18 U.S.C. 4002, 4126, 4125, 4121 et seq.; (b) to record employment history of an inmate within the Federal Prison Industries, Inc.; (c) to record disbursement of Federal Prison Industries, Inc., funds for payroll purposes; (d) to evaluate effectiveness of industrial training of inmates; (e) to evaluate authenticity of Federal Prison Industries, Inc., accounting records; (f) to provide information source to officers and employees of the Department of Justice who have need for information in the performance of their duties; (g) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (h) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

JUSTICE/BOP - 005

System name: Inmate Central Records System.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide documented records of the classification, care, subsistence, protection, discipline and programs, etc., of persons committed to the custody of the Attorney General; (b) to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties; (c) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (d) to provide information source for disclosure of information that are matters solely of general public record, such as name, offense, sentence data, release date, and etc; (e) to provide information source for disclosure to contracting or consulting correctional agencies that provide correctional services for federal inmates; (f) to provide informational source for responding to inquiries from federal inmates involved or Congressional inquiries; (g) Internal Users - Employees of the Department of Justice who have a need to know information in the performance of their duties; (h) External Users - State and Federal law enforcement officials for the purposes of investigation, possible criminal prosecution, civil court actions, and regulatory proceedings; state correctional agencies providing services to federal inmates; (i) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

JUSTICE/BOP - 007

System name: Inmate Physical and Mental Health Record System.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide documented records of the diagnosis, treatment, and cure of illnesses of persons committed to the custody of the Attorney General pursuant to 18 U.S.C. 4082; (b) to provide documented records and background medical, mental, or dental history to contracting, or consulting physicians, psychologists and psychiatrists, and dentists, or other specialists, for diagnosis, treatment and cure of federal inmates; (c) to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties; (d) to provide information source for disclosure to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (e) to provide information source for responding to inquiries from federal inmates or Congressional inquiries; (f) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials; (g) to provide medical information relevant to the treatment being provided by physicians, psychiatrists, psychologists, state and federal medical facility personnel, other medical agencies and etc., providing treatment for a pre-existing condition for ex-federal offenders.

JUSTICE/BOP - 008

System name: Inmate Safety and Accident Compensation Record System

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide a documented record of inmate accidents, injuries, for the purpose of measuring safety programs effectiveness; (b) to provide information source for compliance with the Occupational Safety and Health Act; (c) to provide documented records of inmate accidents, injuries, and disabilities for adjudication of claims by inmates filed pursuant to the Inmate Accident Compensation System, 18 U.S.C. 4126; Chapter III, Federal Prisons Industries, 28 C.F.R., Part 301; (d) furnished to employees of the Department of Justice who require information from these records for performance of their duty; (e) to provide background information and litigation reports to United States Attorneys for purpose of defending civil actions filed against the Bureau of Prisons; (f) furnished to consultant physicians, and physicians treating inmates following release from custody for the purpose of providing prior medical history in conjunction with further treatment of the individual inmate; (g) to provide documented records for disclosure to appropriate law enforcement authorities, state or federal, for investigation and possible criminal prosecution, civil court action, or regulatory proceeding; (h) to provide information source for responding to inquiries from the inmate involved or Congressional inquiries; (i) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

JUSTICE/BOP - 009

System name: Federal Tort Claims Act Record System

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide information source for purposes of adjudicating claims for personal injury and property damages pursuant to the Federal Tort Claims Act, 28 U.S.C. 2675; (b) to provide information source for purposes of preparing reports concerning litigation in United States Courts under the Federal Tort Claims Act, 28 U.S.C. 2671 et seq; (c) to provide information source that is furnished to counsel for claimants under the Federal Tort Claims Act; (d) to provide information source that is furnished to medical officials when requested by claimants under the Federal Tort Claims Act; (e) to provide information source that is disclosed to employees of the Department of Justice who have a need for the information in the performance of their duties; (f) to provide information source to state and federal law enforcement officials for the purpose of investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (g) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

JUSTICE/DEA - 014

System name: Office of Internal Security Records

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system prepares reports on inspections of DEA field offices and is used to document investigations into allegations of wrongdoing against DEA employees. Information contained in this system is supplied on a routine basis to the following categories of users for the purposes stated: A) Other Federal law enforcement agencies in connection with investigations of violations of criminal law; B) State and local law enforcement agencies in connection with investigations or prosecutions of violations of criminal law; C) Other Federal agencies in connection with security background investigations; D) Foreign law enforcement agencies with whom DEA maintains liason.

JUSTICE/OMF - 002

System name: Controlled Substances Act Nonpublic Records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are retained by the Department of Justice and are available only to a Federal court upon a Federal court order issued to the Attorney General demanding such records for use by said court in determining whether or not a person qualified under Public Law 91-513 Sec. 404 (b), 21 U.S.C. 844 (b).

JUSTICE/OMF - 013

System name: Employee Locator File.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The locator system is used to provide address data to federal, state and local tax authorities in accordance with the reporting requirements of their income tax withholding programs. The locator system is also used to contact employees of the Department at their official place of business or their residence regarding matters of an official nature relating to their employment with the Department of Justice. It is also used in medical emergencies to contact an employee's personal physician if he or she has an indicated preference, and to notify next of kin. Use of the file for these purposes is limited to supervisors of the employees concerned or individuals having the permission of a supervisor of the employee concerned.

[FR Doc.75-28907 Filed 10-29-75;8:45 am]

Title 15—Department of Commerce

SUBTITLE A—OFFICE OF THE SECRETARY OF COMMERCE

PART 4b—PRIVACY ACT

Implementation Provisions; Technical Corrections

On October 2, 1975, the Department of Commerce issued a notice of proposed rulemaking in the FEDERAL REGISTER (40 FR 45632–45633) proposing to amend Part 4b to further implement provisions of the Privacy Act of 1974 (Pub. L. 93–579, 88 Stat. 1896) Interested persons were invited to submit comments. No comment was received through the date of this adoptive action.

Inasmuch as the text of the proposed amendments was contained in the unified text of 15 CFR Part 4b published in the FEDERAL REGISTER on October 2, 1975 (40 FR 45621–45631) and explained in footnote 1 at 40 FR 45619, there is no need to republish the full text at this juncture.

Therefore, the Department hereby adopts the proposed amendments to 15 CFR Part 4b as a final regulation, subject to the following corrections of a typographical character (these typographical errors do not appear in the unified text)

1. On page 45632, the second column, the paragraph title "Section 4b.14(b) (2) (vii) " should read "Section 4b.14(a) "

2. On page 45632, the second column, in the paragraph entitled "Appendix C," a new last sentence should be added to read "A complementary amendment adds the words 'to the extent indicated in Appendix C to this part. to the end of the fifth sentence of § 4b.3(h) " This exact sentence erroneously appears as the last sentence in the third column of the same page and should be deleted therefrom.

3. On page 45632, the third column, in paragraph "(5)" insert a semicolon after the period at the end of the paragraph.

4. On page 45632, the third column, the fourth paragraph, the fifth line, the reference "4b.1(e) (2) " should read "4b.1(e) (2) "

5. On page 45632, the third column, the dividing line signifying footnotes should be deleted, and the text of footnotes 1, 2, 3 and 4 should be removed to page 45633, the second column, the fifth line, and inserted after the colon.

6. On page 45633, the first column, the last words in the paragraph entitled "§ 4b.14 [Amended]" reading "COMMERCE/PAT–TM–5; and," and," should read "COMMERCE/PAT–TM–5." and,"

7. On page 45633, the second column, the first three lines reading "Payroll and Travel Records of Department Employees at Diplomatic Posts Overseas, Department of State." should read "Payroll and travel records of Department employees at diplomatic posts overseas, Department of State."

Dated: October 23, 1975.

GUY W CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.75–29090 Filed 10–29–75;8:45 am]

Title 29—Labor

CHAPTER I—NATIONAL LABOR RELATIONS BOARD

PART 102—RULES AND REGULATIONS, SERIES 8

Records and Information

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following rule which it finds necessary to carry out the provisions of said Act.

This rule is issued following proceedings conforming to the requirements of section (f) of the Privacy Act of 1974, 5 U.S.C. Section 552a(f) and of 5 U.S.C. 553 (see 40 FR 39764, August 28, 1975) The rule shall be effective October 30, 1975 and shall apply to all matters affected thereby which are pending at the time of such publication or which may arise thereafter.

Dated: Washington, D.C., October 23, 1975.

By direction of the Board.

[SEAL] JOHN C. TRUESDALE,
Executive Secretary.

Section 102.118(a) of 29 CFR Chapter I is redesignated § 102.118(a) (1) This section is amended by adding the following subparagraph (2)

§ 102.118 Board employees prohibited from producing files, records, etc., pursuant to subpoena ad testificandum or subpoena duces tecum; prohibited from testifying in regard, thereto; production of witnesses' statements after direct testimony.

(a) (1) * * *

(2) No regional director, field examiner, administrative law judge, attorney, specially designated agent, general counsel, member of the Board, or other officer or employee of the Board shall, by any means of communication to any person or to another agency, disclose personal information about an individual from a record in a system of records maintained by this agency, as more fully described in the notices of systems of records published by this agency in accordance with the provisions of section (e) (4) of the Privacy Act of 1974, 5 U.S.C. Sec. 552a(e) (4), or by the Notices of Government-wide Systems of Personnel Records published by the Civil Service Commission in accordance with those statutory provisions, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be in accordance with the provisions of section (b) (1) through (11), both inclusive, of the Privacy Act of 1974, 5 U.S.C. Sec. 552a(b) (1) through (11)

[FR Doc.75–29147 Filed 10–29–75;8:45 am]

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[1] 49 Stat. 449; 29 U.S.C. 151–166, as amended by act of June 23, 1947 (61 Stat. 136; 29 U.S.C. Sup. 151–167), act of October 22, 1951 (65 Stat. 601; 29 U.S.C. 158, 159, 168), and act of September 14, 1959 (73 Stat. 519; 29 U.S.C. 141–168).

federal register

THURSDAY, OCTOBER 30, 1975

PART IV·

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

■

COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants; Interim Rule

Title 24—Housing and Urban Development

CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-75-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants Interim Rule

On February 7, 1975, the Department of Housing and Urban Development (HUD) published in the FEDERAL REGISTER regulations setting forth application requests and criteria for discretionary grants under title I of the Housing and Community Development Act of 1975. These appear as 24 CFR Part 570, Subpart E., included in complete publication at 40 FR 24692, June 9, 1975.

The Department has now had the experience of making grants under Subpart E in fiscal year 1975. This experience shows the need for some changes. Also certain changes need to be made in Subpart E to delete material specifically designed for fiscal year 1975 and no longer appropriate and to add policies or requirements specifically intended for fiscal year 1976. Further, the Department has received a number of comments from the public indicating the desirability of making certain changes in Subpart E.

Accordingly, notice is hereby given that HUD is revising Subpart E to incorporate a series of technical and substantive amendments. The significant changes are as discussed in the following paragraphs:

1. Requirement for Preapplications. Section 570.400(b) is being amended to require preapplications for discretionary grants from general purpose funds for metropolitan and nonmetropolitan areas and for areawide projects. The regulations governing the first year of the block grant program, fiscal year 1975, provided that preapplications would be accepted for metropolitan and nonmetropolitan area discretionary grants, but that an applicant could also submit a full application even though a preapplication had not previously been submitted. This policy was necessary in fiscal year 1975 because of the short lead time between passage of the legislation and implementation of the program. For fiscal year 1976 preapplications will be required for all grants from the general purpose fund for metropolitan and nonmetropolitan areas and for areawide projects.

2. Time Limits for Submitting Applications and Preapplications. Paragraphs (b)(3) and (c)(3) of § 570.400 provide that the Secretary will establish from time to time the earliest and latest dates for submission of preapplications and applications for each fiscal year. The revised regulations establish those dates for fiscal year 1976 for all discretionary grants, except grants for innovative projects.

3. Scope of Applications—Generally. Paragraph (c)(2) of § 570.400 sets forth general requirements concerning the scope of application under Subpart E. This is being deleted because the subject matter is not equally applicable to all sections of this subpart. However, the substance of this paragraph is retained for grants for general purpose funds by addition of a new subsection (d) in § 570.402, as explained below.

4. Circular A-95. Section 570.400(d) is being revised to establish policy for meeting the requirements of OMB Circular No. A-95 for all fiscal year 1976 discretionary grants. Because of the short lead time for implementing the new block grant legislation of fiscal year 1975, certain exceptions were granted by OMB to the regular requirements of the Circular. In fiscal year 1976, the regular clearinghouse review procedures will apply. Special requirements applying to preapplications and to full applications that follow preapplications are spelled out in the revised section.

5. Letters to Proceed. Section 570.400 (e) is being amended by deletion of certain material pertaining only to fiscal year 1975. It is also being given a new heading, Letter to Proceed. However, no substantive change is being made.

6. Urgent Needs Grants—Planned Variations, Section 570.401.(b)(2), which made the need to continue Model Cities planned variation demonstrations a criterion for urgent needs funding, is being deleted. In fiscal year 1976, the urgent needs fund will not be used for planned variations demonstrations under the Model Cities Program.

7. Applications for Urgent Needs Funds. Section 570.401(c) is being revised to eliminate references to planned variations (see paragraph 6 above); to provide that documentation establishing the basis for grants may be submitted at any time but that full applications will be submitted only at the request of HUD; and to specify the certifications that must be included with applications.

8. General Purpose Funds—Preapplication Selection Criteria. Section 570.402 (b) is revised to modify the criteria for selection among preapplications for general purpose funds for metropolitan and nonmetropolitan areas. Experience with the first year of the block grant program has suggested that modifications from the criteria for selection used in fiscal year 1975 would substantially improve the administration of the program. Specifically, the criteria for selection described in § 570.402(b)(1) and (2) are being modified to make clear that both absolute amounts and percentages of substandard housing and poverty will be taken into consideration. This will permit HUD to give equal consideration to applicants of all sizes in making funding decisions. Also, material is being deleted (final undesignated paragraph) which provided that an additional priority could be given for certain cases involving cooperation agreements among States and local governments or among different local governments and which authorized HUD area officers to set maximum grant amounts.

9. General Purpose Funds—HUD Review of Preapplications. A new paragraph (c) is being added to § 570.402. This provides that each HUD regional office must establish a review and rating system for evaluating preapplications. Each system must give consideration to the degree proposed activities directly address the general selection criteria and primarily benefit low income persons, as well as to the consistency of these activities with local and areawide plans. The applicant's capacity to complete the activity within estimated time and cost limit is also to be considered.

10. General Purpose Funds—Scope of Preapplications. A new paragraph (d), entitled Scope of Preapplication, is being added to § 570.402. This is essentially the same language that was formerly included in § 570.400(c)(2) (see 3 above). A new sentence is added, however, to require that citizen participation requirements must be met prior to submission of a preapplication.

11. General Purpose Funds—Applications. Paragraph (c) of § 570.402 is being redesignated paragraph (e) and is being revised to provide that full applications will be accepted only upon invitation from HUD, based on HUD's review of the preapplication. Furthermore, addition of new activities or the substitution of different activities between the preapplication and the full application will not be approved if such addition or substitution will alter HUD's rating of the preapplication.

12. Redesignation of Paragraphs. Paragraphs (d) and (e) of § 570.402 relating to application requirements and waivers are redesignated (f) and (g), respectively.

13. General Purpose Funds—State Applications. Paragraph (g) of § 570.402 (formerly paragraph (e)—see 12 above) is modified to permit a State, at its option, to submit a single application covering more than one metropolitan area, and to establish that a housing assistance plan submitted by a State shall not be inconsistent with a housing assistance plan adopted by a unit of general local government, if such plan exists and has been approved by HUD, for the same area in which the State proposes to undertake block grant activities.

14. New Communities Grants—Eligible Applicants. In § 570.402 a new subparagraph (b)(4) is being added to provide that a State or local public body or agency as defined in section 711(e) of the Housing and Urban Development Act of 1970 is an eligible applicant for a new communities discretionary grant.

15. New Communities Grants—Application Requirements. Section 570.403(c)(2) is being revised to require an applicant to identify the entity that will own any land, facilities or improvements acquired or constructed with block grant funds.

16. New Communities Grants—Ownership of Land, Facilities and Improvements. In § 570.403 a new paragraph (h) is being added requiring that land, facilities and improvements acquired or constructed with block grant funds shall be publicly owned. A limited exception would be made for a privately owned neighborhood facility if it is available for public use to the same extent as a publicly owned facility.

17. New Communities Grants—Management of Grants. Section 570.403(f) is being revised to provide that a cost control system established by the New Communities Administration will apply to the management of new communities discretionary grants.

18. Grants for Territories. Section 570.405(b) is being revised to provide that the procedures used to establish grant amounts in fiscal year 1975 for Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands, will also apply to fiscal year 1976.

19. Innovative Projects. Section 570.406(b) concerning criteria for selection, and § 570.406(c), concerning application requirements are being deleted and reserved. New regulations on these subjects will be issued at a later date.

20. Disaster Grants—Eligibility of Activities. A new paragraph (d) is being added which specifies that, in the case of disaster grants, otherwise eligible activities must also be activities for which funds cannot be provided under the Disaster Relief Act of 1974 or other Federal programs.

21. Disaster Grants—Application Requirements. A new paragraph (e) is being added to § 570.407. This provides that applications for disaster grants must be submitted within 120 days of the official Federal recognition of the disaster and must generally include the materials called for by § 570.303 for entitlement grant applications, with some exceptions or modifications to reflect the special circumstances likely to be involved in disaster situations and to require specification of particular disaster related needs and identification of funding priorities.

22. Inequities Funds—Criteria for Selection. The last sentence in § 570.408(c)(3) is being deleted. This sentence provided that inequities funds could be used whenever significant decreases occur in the anticipated levels of funding available for discretionary grants in metropolitan areas as a result of the qualification of urban counties. This provision is no longer necessary.

23. Reallocated Funds. Section 570.409, Reallocated Funds, was published in the FEDERAL REGISTER on September 12, 1975 (40 FR 42347). Only minor changes to conform to other sections of this subpart are contained herein.

The revised Subpart E is needed so that applicants for discretionary grants can complete their applications or preapplications and so that HUD can act on these requests for discretionary grants. This process of submission and HUD review must begin very quickly if the Department is to meet its overall responsibilities for reviewing and approving all title I fiscal year 1976 applications in a timely fashion. Accordingly, the revised Subpart E sets forth a schedule under which preapplications for general purpose grants may be submitted beginning December 1, 1975. It further contemplates that applicants for urgent needs, inequities, and new communities grants, as well as disaster grants, may begin submitting applications early in the fiscal year. Because of this schedule, and the necessity for adhering to it, the Assistant Secretary for Community Planning and Development has determined that it is impracticable to follow a notice of proposed rulemaking procedure and that good cause exists for making these regulations effective on November 1. However, interested persons are invited to participate in the making of this rule by furnishing written comments, data and suggestions. All such materials should refer to the Docket No. and should be filed with the Rules Docket Clerk, Office of General Counsel, Room 10245, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410.

All comments received on or before December 31, 1975 will be considered before adoption of a final rule in this matter. Copies of all comments will be available for public inspection at the above address during regular business hours both before and after the close of the comment period.

In connection with the environmental review of these amendments to the regulations, a Finding of Inapplicability has been made under HUD Handbook 1390.2, 38 FR 19182. A copy of the Finding is available for inspection in the Office of the Rules Docket Clerk at the above address.

It is hereby certified that the economic and inflation impacts of these amendments have been carefully evaluated in accordance with OMB Circular No. A-107.

In consideration of the foregoing, 24 CFR Part 570, Subpart E, is amended to read as follows:

Subpart E—Applications and Criteria for Discretionary Grants

570.400 General.
570.401 Urgent needs fund.
570.402 General purpose funds for metropolitan and nonmetropolitan areas.
570.403 New communities.
570.404 Areawide projects [Reserved]
570.405 Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.
570.406 Innovative projects.
570.407 Federally recognized disasters.
570.408 Inequities funds.
570.409 Reallocated funds.

Subpart E—Applications and Criteria for Discretionary Grants

§ 570.400 General.

(a) *Applicability of rules and regulations.* The policies and procedures set forth in Subpart A, B, C, F, G, H, I, and J of this Part shall apply to this subpart and to the funds described in § 570.104, except to the extent that they are specifically modified or augmented by the contents of this subpart, including specified exemptions described herein. The HUD Environmental Review Procedures contained in 24 CFR Part 58 also apply to this subpart, unless otherwise specifically provided herein.

(b) *Preapplications.* Preapplications are required for grants from general purpose funds for metropolitan and nonmetropolitan areas as described in § 570.402(b), and for areawide projects as described in § 570.404. The purpose of the preapplication is to determine how well an application will compare with similar applications from other jurisdictions, and to discourage full applications which have little or no chance for Federal funding before applicants incur significant expenditures for preparing full applications.

(1) *Submission requirements.* Preapplications shall be submitted on HUD forms to the appropriate HUD Area Office. The preapplication shall consist of a brief description of the applicant's community development needs, the activities proposed to meet those needs, and the general location and estimated cost of the proposed activities. The applicant's statement shall address the specific criteria under which it requests priority consideration for funding.

(2) *HUD review of preapplications.* HUD will review preapplications based upon the appropriate criteria set forth in this subpart, to determine how well an application is likely to compete with other applications for the same discretionary funds submitted by other jurisdictions. Applicants will be advised of HUD's determinations and judgments on the preapplication, and of the availability of funds for that particular fiscal year.

(3) *Preapplication submission dates.* The Secretary will establish from time to time the earliest and latest dates for submission of preapplications for each fiscal year. For Fiscal Year 1976, the earliest and latest dates for submission of preapplications shall be as follows:

(i) General purpose funds for metropolitan areas—February 1, 1976 through March 15, 1976;

(ii) General purpose funds for nonmetropolitan areas—December 1, 1975 through January 15, 1975.

(iii) Areawide projects—February 15, 1976 through March 31, 1976.

(c) *Applications.*—(1) *Submission requirements.* Applications shall be submitted on HUD forms to the appropriate HUD Area Office. Specific submission requirements are contained in the following sections of this subpart which describe each discretionary fund. To the maximum extent possible, documentation submitted in support of an application previously submitted for funding under this part will be accepted and need not be resubmitted with an application for a discretionary grant.

(2) *Application submission dates.* The Secretary will establish from time to time the earliest and latest dates for submission of applications for discretionary grants for each fiscal year. For Fiscal Year 1976 the earliest and latest dates shall be as follows:

(i) General purpose funds for metropolitan and nonmetropolitan areas—To

be established by each HUD Regional Office at the time a full application is requested after HUD review of the preapplication.

(ii) Urgent needs fund—July 1, 1975 through September 30, 1976;

(iii) Secretary's fund:

(A) New communities—September 1, 1975 through September 30, 1976;

(B) Areawide projects—June 15, 1976 through July 30, 1976;

(C) Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands—not later than 75 days prior to the end of the current program year;

(D) Innovative projects—(Reserved).

(E) Federally recognized disasters—July 1, 1975 through September 30, 1976;

(F) Inequities funds—July 1, 1975 through September 30, 1976.

(d) *Meeting the requirements of OMB Circular A-95.* (1) *General.* All applicants under this subpart must comply with the procedures set forth in OMB Circular No. A-95. Federally-recognized Indian tribes are not subject to the regular A-95 requirements; however, they are encouraged to participate voluntarily in the A-95 Project Notification and Review System. HUD will notify the appropriate State and areawide clearinghouses of any applications from federally-recognized Indian tribes upon their receipt. For those discretionary grants not requiring a preapplication, the procedures set forth in Part I of OMB Circular No. A-95 shall apply.

(2) *Modified procedures—Grants involving preapplications.* The following special procedures apply to those discretionary grants for which a preapplication is required to be submitted to HUD.

(i) *Preapplications and notice of intent to apply.* A copy of the preapplication shall be submitted to the appropriate State and areawide clearinghouses at least 30 days prior to submission of the preapplication to HUD. Applicants are also urged to contact their clearinghouses for forms and instructions developed by such clearinghouses in order to facilitate the reviews. The preapplication submitted will serve as the notification of intent to apply for a Federal grant and the clearinghouses will have 30 days for review of the preapplication and response to the applicant.

(ii) *Full application review.* At least 30 days prior to submission of a full application to HUD, the applicant shall transmit the application to the appropriate State and areawide clearinghouses for review and comment unless the clearinghouses relinquish this requirement. They shall be provided 30 days for review and comments.

(e) *Letter to proceed.* In response to a request by a unit of general local government, the Secretary may, however, in cases of demonstrated need, issue a letter to proceed authorizing an applicant to incur costs for the planning and preparation of an application for funds available under this subpart. Reimbursement for such costs will be dependent upon HUD approval of such application. Costs incurred by a recipient prior to notification of a funding approval or issuance of a letter to proceed by HUD are not eligible for assistance under this Part.

(f) *Review of applications for discretionary grants.*—(1) *Acceptance of application.* HUD will accept an application for review, *Provided*, That:

(i) It has been received before the close of business on the final date established by HUD for submission of applications for each fiscal year;

(ii) The application is complete, as required in this subpart;

(iii) The required certifications have been properly executed; and

(iv) The applicant has attached or enclosed any comments or recommendations made by or through State and areawide clearinghouses or has stated that no comments or recommendations have been received.

(2) *Timing of review.* While the Secretary is not required by the Act to review and approve a discretionary grant application within any specified time period, the Secretary will make every effort to complete his review of all such applications within 75 days.

(3) *Notification to applicants.* The Secretary will notify the applicant in writing that the application has been approved, partially approved, or disapproved. If an application is partially approved or disapproved, the applicant will be informed of the specific reasons for partial approval or disapproval. The Secretary may make conditional approvals, as provided in § 570.306(e).

(g) *Program amendments.* Recipients shall request prior HUD approval for program amendments wherever the amendment results from changes in the scope or the objective of the approved program.

(h) *Performance report.* Except for new communities and innovative projects, each recipient shall, upon completion of the activities carried out with the discretionary grant, or upon submission of a subsequent discretionary grant application, whichever is earlier, submit a performance report as described in § 570.906(b), and shall meet the requirements of § 570.906(c) concerning notice of the availability of the report for examination by the public.

§ 570.401 Urgent needs fund.

(a) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3(v). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(b) *Criteria for selection.* The Secretary shall make grants for the purpose of facilitating an orderly transition to the community development block grant program and to provide for urgent community development needs which cannot be met through the allocation provisions of § 570.102, § 570.103, and § 570.104(c), giving priority to the following:

(1) The analysis performed by the unit of general local government (and concurred in by HUD) of its ongoing projects or program undertaken pursuant to Title I of the Housing Act of 1949 indicates that the entitlement amount is: (i) Insufficient, over a three-year period beginning January 1, 1975, to complete the program or project plan as approved by HUD; or (ii) in any one of those three years the entitlement amount will be insufficient to maintain the progress schedules adopted locally for achievement of the program and the inability to maintain such progress will seriously and adversely affect the Federal interest in the project or program.

(2) A state or unit of general local government, as a result of cost increases due to circumstances beyond its control, has been unable to complete a previously approved project assisted under one or more of the following terminated categorical programs: (i) Water and sewer facilities under section 702 of the Housing and Urban Development Act of 1965; (ii) neighborhood facilities under section 703 of the Housing and Urban Development Act of 1965; (iii) open-space land under Title VII of the Housing Act of 1961; and the Secretary's analysis of the financial capacity of the unit of general local government indicates a lack of available resources locally or otherwise to finance completion of the project and the Federal investment in the project as of January 1, 1975 warrants the incremental Federal assistance required to complete the project.

(c) *Application requirements.* Applications for funds to meet urgent community development needs shall be submitted by States and units of general local government to the HUD Area Office serving the locality. The required documentation establishing the basis for grants under this section may be submitted to the appropriate HUD Area Office at any time during the fiscal year. Full applications shall be submitted only at the request of, and in a form prescribed by, HUD and shall provide the certifications required by § 570.303(e) (1), (3), (4), (5), (6), and (8).

§ 570.402 General purpose funds for metropolitan and nonmetropolitan areas.

(a) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3 (v), excluding metropolitan cities, urban counties and units of general local government which are included in urban counties as described in § 570.105(b) (3) (ii) and (iii). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(b) *Criteria for selection.* In selection among preapplications, priority will be extended to those preapplications showing at least one of the following conditions, and proposing activities which appropriately address these conditions:

(1) Extent of substandard housing conditions determined as follows:

(i) for metropolitan areas, the proportion and extent of overcrowded housing as defined in § 570.3(i) and expressed both as an absolute amount and as a percentage of the total housing units in the

unit of general local government; and

(ii) for nonmetropolitan areas, the proportion and extent of housing units lacking plumbing as published by the United States Bureau of the Census for 1970 for rural areas and expressed both as an absolute amount and as a percentage of the total housing units in the unit of general local government.

(2) The proportion and extent of poverty as defined in § 570.3(j) and expressed both as an absolute amount and as a percentage of the total population for the unit of general local government.

(3) An extraordinarily high rate of growth or a severe and rapid decline in population and economic activity, either one of these conditions resulting primarily from the impact of national policy decisions or direct Federal program decisions, and where the program is designed to offset or mitigate the effects of sudden spurts or declines in growth.

(4) Conditions which represent an imminent threat to public health or safety.

(c) *HUD review procedures.* Consistent with the criteria for selection in the preceding paragraph, each HUD Regional Office will establish a review and rating system for evaluating preapplications from applicants within its jurisdiction. Separate review and rating systems may be developed for each Area Office within a particular Region. Copies of the review and rating system may be obtained from the appropriate Regional or Area Office prior to submission of a preapplication.

(1) *Rating factors:* The review and rating system will provide for a rating of preapplications according to the following factors only:

(i) The degree to which the proposed activities directly address the criteria for selection described in § 570.402(b).

(ii) The degree to which the proposed activities primarily benefit persons of low and moderate income.

(iii) Consistency of the proposed activities with local and areawide plans.

(2) *Capacity of the applicant.* The review system will also give consideration to the capacity of the applicant to complete the proposed activity within a reasonable period of time and within the estimated cost. In evaluating the capacity of the applicant, HUD will review the performance and the status of completion of any other approved activities that may have been funded under this Part.

(d) *Scope of preapplication.* A preapplication may include any number of eligible activities, identified by priority, up to the maximum dollar amount established by the Secretary. A preapplication may be for any reasonable period of time necessary to complete the proposed activities. The applicant shall apply for discretionary funds in an amount, which together with other resources that may be available, will be adequate to complete the proposed activities. While a recipient remains eligible for discretionary grant funding in subsequent years, an applicant shall not assume that additional funding will be available in subsequent years to continue or expand activities. A preapplication may not, however, be only for planning purposes, as defined in § 570.200(a)(12). The applicant must meet all citizen participation requirements called for in § 570.303(e)(2) prior to submission of a preapplication.

(e) *Application requirements.* Full applications will be accepted only upon invitation from HUD, based on HUD's review of the preapplication. Addition of new activities or the substitution of different activities from those proposed in the preapplication will not be approved if such addition or substitution will alter HUD's rating of the preapplication. Full applications shall meet the application requirements of § 570.303.

(f) *Waiver of application requirements.* The provisions of § 570.304 shall also apply to applications under this section.

(g) *Applications submitted by States.* States (including the Commonwealth of Puerto Rico) may apply for general purpose funds for metropolitan and nonmetropolitan areas to carry out eligible activities in metropolitan and nonmetropolitan areas, respectively.

(1) Separate applications are required for nonmetropolitan areas and for metropolitan areas. A State may, at its option, submit separate applications for each metropolitan area for which it seeks funds or a single application for more than one metropolitan area, provided that such application clearly identifies the proposed cost attributable to each metropolitan area.

(2) The geographical area to be covered by the application shall be the jurisdiction of the unit or units of general local government in which the proposed activity or activities are to be located or carried out. This policy pertains particularly to the community development plan summary, as described in § 570.303(a), and the housing assistance plan, as described in § 570.303(c). The State application shall indicate that the housing assistance plan is not inconsistent with a housing assistance plan adopted by a unit of general local government if such plan exists and has been approved by HUD.

(3) A State may not apply for activities to be located in or carried out in metropolitan cities, urban counties or units of general local government which are included in urban counties, unless such funds have been reallocated in accordance with the provisions of § 570.107.

(4) A State may apply for activities to be carried out pursuant to State authority or pursuant to an agreement with one or more units of general local government.

§ 570.403 New communities.

(a) *General.* This Section covers grants made in behalf of activities and projects to be undertaken in direct support of a new community (which term means a new community approved by the Secretary under Title VII of the Housing and Urban Development Act of 1970 or Title IV of the Housing and Urban Development Act of 1968), and reflected in a current new community development plan (the development plan which forms an attachment to each new community project agreement by and between each developer and the United States, as the same may be revised and amended from time to time).

(b) *Eligible applicants.* States, and units of general local government which meet the definition contained in § 570.3(v) may apply under this subsection for grants made on the basis of the provisions of this section. For the purpose of this section, the second sentence in § 570.3(v) includes only:

(1) A State land development agency or local public body or agency with authority to act as a developer of a new community.

(2) Any community association (including any homes association), or other similar nonprofit organization established in a new community under covenants approved by the Secretary in connection with approved new community development projects, or any community authority established under State law for similar purposes, or any of the foregoing organizations otherwise approved by the Secretary which is legally and administratively qualified to carry to successful completion those projects for which grant assistance is sought by the applicant.

(3) A private new community developer or any subsidiary thereof organized in a form satisfactory to the Secretary: *Provided,* That a request has been made to an appropriate unit of general local government or a non-profit organization to apply for and serve as grantee for the direct benefit of the new community, and such request has been denied, or in the judgment of the New Communities Administration (NCA) of HUD, no acceptable response has been received within a reasonable period of time.

(4) A State or a local public body or agency as defined in Section 711(e) of the Housing and Urban Development Act of 1970.

(c) *Application requirements*—(1) *General.* The requirements set forth in this paragraph are designed to supplement application procedures and approval requirements of the new communities program under which applicants will have already provided substantial information to the Secretary.

(2) *Activities program.* The application shall be submitted on forms as approved by NCA and include a brief description of the activities and costs to be funded from the grants for the program year. The application shall identify separately any activities not previously submitted to and approved by NCA as part of Title IV or Title VII documentation. The estimated costs and general location of these latter activities are to be shown. The applicant shall also indicate the entity which will own the land, facilities or improvements acquired or constructed with funds provided under this Part.

(3) *Certifications.* The Applicant shall submit certifications in such form as NCA will prescribe, providing the assurances required under § 570.303(e) (1), (3) if applicable, (4) if applicable, (5) and (6) with respect to activities undertaken with funds under this Part.

(4) *Environmental review requirements.* (i) For activities proposed by an applicant eligible under § 570.403(b) (2) or (3), no new environmental review or clearances will be required by virtue of any such activity's proposed funding under this part if the activity is a part of a previously approved project for which environmental review clearances have been completed, which clearances adequately covered such activity, and for which circumstances, including the availability of additional data or advances in technology, have not changed significantly.

If NCA determines that an additional review is required, environmental review shall be conducted by HUD pursuant to HUD Handbook 1390.1.

(ii) For activities proposed by an applicant eligible under § 570.403(b), other than under § 570.403(b) (2) or (3), environmental reviews shall be conducted pursuant to 24 CFR Part 58.

(5) *Clearinghouse review.* Applicants must comply with the procedures set forth in OMB Circular A-95 (requiring review by a clearinghouse) only where the proposed Title I funded activities have not previously been the subject of clearinghouse review.

(6) *Performance report.* Progress in execution activities funded under the Act shall be reported to NCA as a part of the quarterly and annual reporting and review procedures.

(d) *Review and approval of applications.* All applications for grants to assist new community development projects pursuant to this section shall be submitted to NCA through the appropriate HUD Area Office.

(1) *Scope of review.* NCA will review the application, based upon data and information supplied by the developer of the new community project and other independent reviews conducted by NCA staff or others at NCA request, to determine pertinent facts and goals and their consistency with information contained in the Project Agreement, Development Plan, and other documents submitted by the developer or obtained by NCA in the project review process. The review will include application of the selection criterion in paragraph (d) (2) of this section.

(2) *Criterion for selection.* The criterion to be used in selecting among applications and activities is whether the grants are necessary to achieve new community objectives.

(e) *Exceptions to regulations.* (1) The provisions of Subpart F, Grant Administration, shall be applicable to recipents, except that a recipient under § 570.403(b) (2) and (3) shall not be required to comply with the competitive bidding requirements of subsections 3c (5), (6), and (8) of Attachment O of Federal Management Circular 74-7, "Procurement Standards," which is incorporated in § 570.587.

(2) The provisions of Subpart G, Other Program Requirements, shall be applicable to recipients, except as follows:

(i) A recipient under § 570.403(b) (2) and (3) which is not a "State agency" under Section 101(3) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is not subject to the provisions of § 570.602(a), (b) and (c), regarding Title II and III of such Act.

(ii) A recipient under § 570.403(b) (2) and (3) is not subject to the provisions of § 570.608 regarding the Hatch Act.

(f) *Program management.* Program management shall be accomplished within the framework of NCA project management, including the financial and physical progress reports required by NCA administrative procedures and the cost control system which NCA has developed specifically for grants pursuant to this section.

(g) *Remedies for non-compliance.* The provisions of §§ 570.911, 570.912, and 570.913 shall apply, except that the provisions of § 570.912, dealing with securing compliance through State governors, shall not apply to private developers, or prospective grantees controlled by private developers.

(h) *Ownership of land, facilities and improvements.* All land, facilities and improvements acquired or constructed with grant funds provided under this Part shall be publicly owned, and entities eligible under § 570.403(b) (2) (except a community authority described therein) or § 570.403(b) (3) shall dedicate any such land, facilities or improvements to a public body eligible under the first sentence of § 570.3(v) or under § 570.403(b) (1) or (4), pursuant to a dedication agreement in form and substance satisfactory to the Secretary; provided, that an applicant eligible under § 570.403(b) (2) may own and operate a neighborhood facility eligible under § 570.200(a) (2) if such facility will be available for public use to the same extent as a publicly-owned neighborhood facility.

§ 570.404 Areawide projects [Reserved]

§ 570.405 Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

(a) *Eligible applicants.* Eligible applicants are Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

(b) *Criteria for funding.* Applicants may submit applications for discretionary grants for the full range of eligible activities described in § 570.200. The Secretary will establish for each fiscal year an amount for which each eligible applicant may apply. For fiscal year 1976, the following shall apply:

(1) Guam and the Virgin Islands shall each receive their hold-harmless amount as calculated pursuant to § 570.103(c). Guam and the Virgin Islands may also apply for funds to cover urgent needs not met by the hold-harmless amounts.

(2) The Secretary shall establish a funding level for American Samoa and the Trust Territory of the Pacific Islands, taking into account their needs and their local administrative capacity.

(c) *Application requirements.* Applicants shall meet the application requirements in § 570.303.

§ 570.406 Innovative projects.

(a) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3 (v). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(b) *Criteria for selection.* (Reserved)

(c) *Application requirements.* (Reserved)

(d) *Reports.* In lieu of the annual performance report cited in § 570.906, recipients shall submit the following:

(1) *Outline for final project report.* Midway through completion of the project (or at an alternate point in time as specified by HUD) each recipient shall prepare a detailed outline of the final project report under guidelines provided by HUD.

(2) *Draft report.* The recipient shall submit to HUD, six copies of a draft of the final project report with all readily reproducible charts, tables, graphs, and appendices that are to be included in the final report. In addition, each recipient shall meet the requirements of § 570.906 (c) concerning notice of the availability of the report for examination by the public with the exception that reports need only be available to be copied by the public.

(3) *Final report.* The report shall describe in appropriate detail the objectives of the project and how they were met, the methods and techniques that were used, the types of problems encountered during project execution and the methods used to resolve them and the conclusions and recommendations that are to be drawn from the demonstration project. The final report shall be in a form and manner prescribed by HUD.

(e) *Records.* Recipients must comply with th e requirements of § 570.907, excluding § 570.907(b). In lieu of this exception, recipients shall maintain records describing the process used to provide an opportunity for citizens to comment on the application.

§ 570.407 Federally recognized disasters.

(a) *General.* Grants under this section shall be for the purpose of meeting emergency community development needs caused by federally recognized disasters. For purposes of this section, "federally recognized disasters" means any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the United

States which (1) in the determination of the President, pursuant to the Disaster Relief Act of 1974 (49 U.S.C. 5121n), (i) causes damage of sufficient severity and magnitude to warrant major disaster assistance under such Act, above and beyond emergency services by the Federal Government, to supplement the efforts and available resources of States, local governments and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby, or (ii) requires Federal emergency assistance to supplement State and local effort to save lives and protect public health and safety or to avert or lessen the threat of a major disaster, or (2) in the determination of a Federal agency requires disaster or emergency assistance pursuant to the statutory authority of such Federal agency.

(b) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in § 570.3 (v). For the purpose of this section, the second sentence in § 570.3(v) includes those entities described in § 570.403(b) (1), (2) and (3).

(c) *Criteria for funding.* Within the limits of available funds, applications will be funded on the basis of the following criteria:

(1) Severity and magnitude of the federally recognized disaster, with priority given to needs caused by Presidentially declared major disasters.

(2) Community development needs identified which are essential for the immediate restoration or maintenance of community health, safety, or economic stability and resources are not available from other sources to meet these community development needs in a timely fashion.

(d) *Eligible activities.* The activities eligible for assistance under this section are the same as those listed in § 570.200, but only to the extent that funds to meet emergency community development needs cannot be provided under the Disaster Relief Act of 1974 (see 24 CFR Part 2205 and HUD Handbook 3300.5 and 3300.6) or by other Federal programs. Applicants proposing activities which might be assisted by other Federal programs are encouraged to follow the procedures of § 570.607. Section 570.607 procedures must be followed whenever public services or flood or drainage facilities are proposed.

(e) *Application requirements.* An application must be submitted to the appropriate HUD Area Office within 120 days after either the Presidential declaration or other Federal recognition that disaster or emergency assistance is required. Applications for grants under this section shall meet the application requirements of § 570.303 with the following modifications:

(1) The community development plan summary required by § 570.303(a) and the Community Development Program required by § 570.303(b) shall specifically describe and identify the emergency community development needs caused by the disaster and the activities proposed to meet those needs.

(2) The Community Development Program shall indicate the applicant's priorities for funding.

(3) The housing assistance plan required by § 570.303(c) shall identify separately those housing conditions and needs directly related to the disaster or emergency.

(4) The applicant shall provide the certifications required by § 570.303(e) (1), (3), (4), (5) and (8).

Applicants that are entitlement recipients may elect to submit and amendment to their approved application incorporating the information required by this paragraph.

§ 570.408 Inequities funds.

(a) *General.* Funds are available under this subpart to correct in whole or in part inequities resulting from the allocation provisions of Section 106 of the Act.

(b) *Eligible applicants.* Eligible applicants are States, and units of general local government as defined in the first sentence of § 570.3(v).

(c) *Criteria for selection.* The Secretary shall make grants to eligible applicants, giving priority to the following:

(1) Funding under this subpart is necessary to correct a technical error in the computation of a locality's entitlement amount.

(2) Funding under this subpart is needed by an applicant, meeting the criteria as specified in § 570.401(b) for urgent needs funds.

(3) Funding under this subpart is necessary to compensate for the fact that the applicant's hold harmless amount as calculated pursuant to § 570.103(c) is significantly lower than the average amount of funds approved by HUD for applicable programs in such governmental unit during the fiscal years immediately preceding and immediately following the base period of Fiscal Years 1968 through 1972, and the applicant is subject to the phase-in provisions of § 570.102(c).

(d) *Application requirements.* Applicants requesting funds under criterion (2) shall meet the application requirements of § 570.401(c). All other applicants shall meet all application requirements in § 570.303.

§ 570.409 Reallocated funds.

(a) *General.* This section governs the reallocation of funds as required by the provisions of § 570.107. In accordance with § 570.107 (a) and (b), any amounts allocated to metropolitan cities, urban counties, or other units of general local government for basic grants or hold-harmless grants in metropolitan areas or nonmetropolitan areas which are not applied for, or which are disapproved by the Secretary as part of the application review or program monitoring process, will be reallocated as set forth in subsection (f). As required by § 570.107(c), the following shall constitute the policies to be employed in the reallocation of funds appropriated for Fiscal Year 1975.

(b) *Timing of reallocation.* Any amounts appropriated for Fiscal Year 1975 which become available for reallocation as of August 15, 1975, will be reallocated no later than October 15, 1975.

(c) *Eligible applicants.* States and units of general local government, as defined in § 570.3(v), are eligible to apply for reallocated funds. For the purpose of this section, the second sentence in §570.3(v) includes those entities described in § 570.403(b) (1), (2), and (3).

(d) *Criteria for selection.* Reallocated funds will be used to make grants to eligible applicants with urgent needs, including those with entitlements as well as others with special needs arising from urban renewal closeout activities. The term "urgent needs" as used in this section means those urgent needs described in § 570.401(b). In selecting among applications, the Secretary will give priority first, where reallocated funds will be sufficient to complete a HUD-approved urban renewal project (including a neighborhood development program) within Fiscal Year 1976, a water and sewer project, a neighborhood facilities project, or an open-space land project, and second, where reallocated funds in conjunction with funds provided under § 570.401 will be sufficient to complete one of the above-mentioned projects.

(e) *Application requirements.* (1) Applicants seeking grant assistance for the completion of ongoing urban renewal projects shall submit the analysis called for in § 570.401(b)(1). Applicants seeking grant assistance for the completion of a water and sewer, neighborhood facility, or open-space land project shall submit documentation which indicates how the applicant meets the criteria of § 570.401(b)(2). Communities considering applying for reallocated funds are urged to contact the appropriate HUD Area Office for more specific instructions regarding submission requirements.

(2) In selecting among applicants, the Secretary will consider all analyses and applications submitted for urgent needs funds under § 570.401 as of August 15, 1975. Final applications shall be submitted only when requested by the Secretary.

(f) *Priorities for reallocation of funds.* (1) *Metropolitan areas.* Any amounts which become available for reallocation from appropriations for Fiscal Year 1975, will be reallocated in accordance with the following priorities: (i) to the same metropolitan area; (ii) if reallocated funds are available after meeting the urgent needs in that metropolitan area, to other metropolitan areas in the same State; and (iii) if reallocated funds are available after meeting the urgent needs in that State, to other metropolitan areas in other States.

(2) *Nonmetropolitan areas.* Any amounts which become available for reallocation from appropriations for Fiscal Year 1975, will be reallocated in accordance with the following priorities:

(i) To the nonmetropolitan area in the same State; and (ii) if reallocated funds are available after meeting the urgent needs in that State, to the nonmetropolitan areas in other States.

(3) *Additional considerations.* In determining to which metropolitan area or areas funds shall be reallocated under paragraphs (1)(ii) and (iii), and to which State or States funds shall be reallocated under paragraph (2)(ii), the Secretary shall give priority consideration to the metropolitan areas or States where the greatest unmet urgent needs exist.

(Title I of the Housing and Community Development Act of 1974 (Public Law 93-383); and sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535 (d))

Effective date. This amendment shall be effective on November 1, 1975.

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

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