

# federal register

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This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

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# presidential documents

## Title 3—The President

PROCLAMATION 4356

### Earth Day, 1975

*By the President of the United States of America*

#### A Proclamation

The earth will continue to regenerate its life sources only as long as we and all the peoples of the world do our part to conserve its natural resources. It is a responsibility which every human being shares.

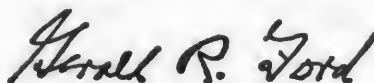
Energy problems have heightened our growing awareness of the interdependence of our natural resources. We must work together to solve the environmental issues associated with the proper use and preservation of those resources.

Through voluntary action, each of us can join in building a productive land in harmony with nature.

By a joint resolution, the Congress has pointed out the need to continue our environmental education and to promote a greater understanding of the environmental problems facing America.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby proclaim Friday, March 21, 1975, as Earth Day. I call upon all concerned citizens and government officials to observe this day with appropriate ceremonies and activities. I ask that special attention be given to personal voluntary activities and educational efforts directed toward protecting and enhancing our lifegiving environment.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of March, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred ninety-ninth.



[FR Doc.75-7729 Filed 3-20-75;4:46 pm]





# rules and regulations

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

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

## Title 7—Agriculture

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

#### PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

##### Subpart C—U.S. Standards for Rough Rice

###### Correction

In FR Doc. 75-5925 appearing at page 10472 in the issue of Thursday, March 6, 1975, make the following changes:

1. On page 10472 in column three the table of contents entry for § 68.213 should read *Special grade designation*.
2. On page 10474 in the table in § 68.210 the entry for U.S. No. 6 in the column "Color requirements" should read "May be dark gray or rosy."

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

[Navel Orange Reg. 343, Amdt. 1]

#### PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

This regulation increases the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period March 14-20, 1975. The quantity that may be shipped is increased due to improved market conditions for Navel oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907.

(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel 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 Navel 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 Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Navel Orange Regulation 343 (40 FR 11706). The marketing picture now indicates that there is a greater demand for Navel oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Navel oranges to fill the current market demand thereby making a greater quantity of Navel oranges 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 thereof 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 Navel oranges grown in Arizona and designated part of California.

(b) *Order, as amended*. The provisions in paragraphs (b)(1) (i), and (ii) of § 907.643 (Navel Orange Regulation 343) (40 FR 11706) are hereby revised to read as follows:

##### § 907.643 Navel Orange Regulation 343.

- (b) *Order*. (1) . . . . .  
 (i) District 1: 1,360,000 cartons;  
 (ii) District 2: 240,000 cartons;

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

Dated: March 19, 1975.

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

[FR Doc. 75-7595 Filed 3-21-75; 8:45 am]

#### PART 946—IRISH POTATOES GROWN IN WASHINGTON

##### Approval of Redistricting and Reapportionment

This redistricts and reapportions membership among districts on the State of Washington Potato Committee.

Notice of rulemaking was published in the February 12, 1975, FEDERAL REGISTER (40 FR 6505) regarding the proposed redistricting and reapportionment of committee membership to be effective under Marketing Agreement No. 113 and Order No. 946, both as amended (7 CFR Part 946). The program regulates the handling of Irish potatoes grown in the State of Washington and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written comments not later than February 27, 1975. None was filed.

*Statement of consideration*. The order provides in § 946.31 that upon recommendation of the committee the Secretary may reestablish districts within the production area and may reapportion committee membership among various districts.

In recent years potato production in the State of Washington has increased in the Grant County area, due in part to the Columbia Basin Project. The Columbia Basin Project is a large-scale irrigation project being carried out by the U.S. Department of Interior's Bureau of Reclamation. Centered in Grant County, it was begun in the 1940's and currently has facilities completed and water available for over 500,000 acres. Additional land is under investigation for potential development.

The new districts will be defined by county and township lines and the Columbia Basin Project's three irrigation districts with their distinct separation by topography, traffic flow and area awareness. Boundaries of the three irrigation districts are on file with the U.S. Department of the Interior and the local irrigation district offices and are well known to producers in the area. Also, each irrigation district maintains published statistical data showing Irish potato acreage, et cetera, which are not available in Crop Reporting Board releases.

In unanimously recommending redistricting and reapportionment at its September 18, 1974, public meeting, the committee considered (1) the relative importance of new areas of production, (2) changes in the relative position with respect to production of existing districts, (3) the geographic location of production areas as it would affect the efficiency of administering the marketing order program and (4) other relevant factors. The committee determined the changes would result in more efficient administration of the program and provide greater equity of representation on the committee.

RULES AND REGULATIONS

The reapportionment will adjust producer committeemen from four to three in District No. 1, and from one to two in District No. 2. The remaining three districts' representation will be unchanged, as will the total number of committeemen. Also, handler representation will be unaffected by the reapportionment.

**Findings.** After consideration of all relevant matters, including the proposals set forth in the aforesaid notice, it is hereby found and determined that a new § 946.103 should be added and § 946.104 should be revised and that such actions will tend to effectuate the declared policy of the act.

The amendment is as follows:

1. A new § 946.103 is added to read as follows:

§ 946.103 Reestablishment of districts.

(a) Pursuant to § 946.31, on and after July 1, 1975, (1) the following new districts are established:

(i) District No. 1—the counties of Ferry, Stevens, Pend Oreille, Spokane, Whitman, and Lincoln, plus the East Irrigation District of the Columbia Basin Project, plus the area of Grant County not included in either the Quincy or South Irrigation Districts which lies east of township vertical line R27E, plus the area of Adams County not included in either the South or Quincy Irrigation Districts.

(ii) District No. 2—the counties of Kiltitas, Douglas, Chelan, and Okanogan, plus the Quincy Irrigation District of the Columbia Basin Project, plus the area of Grant County not included in the East or South Irrigation Districts which lies west of township line R28E.

(iii) District No. 3—the counties of Benton, Klickitat, and Yakima.

(iv) District No. 4—the counties of Walla Walla, Columbia, Garfield, and Asotin, plus the South Irrigation District of the Columbia Basin Project, plus the area of Franklin County not included in the South District.

(v) District No. 5—all of the remaining counties in the State of Washington, not included in Districts No. 1, 2, 3, and 4 of this paragraph.

(b) The new districts are established in the current fiscal period only for the purpose of making nominations of committee members for the coming fiscal period. The new districts are to be established as operating entities beginning on July 1, 1975.

2. § 946.104 is revised to read as follows:

§ 946.104 Reapportionment of committee membership.

(a) Pursuant to § 946.25(c), membership representation of the State of Washington Potato Committee shall be reapportioned among the districts of the production area so as to provide the following members and their respective alternates:

(1) District No. 1—Three producer members and two handler members;

(ii) District No. 2—Two producer members;

(iii) District No. 3—Two producer members and one handler member;

(iv) District No. 4—Two producer members and one handler member;

(v) District No. 5—One producer member and one handler member. The producer member and his alternate from District No. 5 shall each be a certified seed producer.

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

Dated: March 19, 1975, to become effective July 1, 1975.

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

[FR Doc.75-7506 Filed 3-21-75;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 201—EXTENSIONS OF CREDIT BY FEDERAL RESERVE BANKS

Changes in Rates

Pursuant to section 14(d) of the Federal Reserve Act (12 U.S.C. 357), and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, Part 201 is amended as set forth below:

1. Section 201.51 is revised to read as follows:

§ 201.51 Advances and discounts for member banks under sections 13 and 13a.

The rates for all advances and discounts under sections 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships, or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	6½	Mar. 10, 1975
New York.....	6½	Do.
Philadelphia.....	6½	Do.
Cleveland.....	6½	Do.
Richmond.....	6½	Do.
Atlanta.....	6½	Do.
Chicago.....	6½	Do.
St. Louis.....	6½	Mar. 14, 1975
Minneapolis.....	6½	Mar. 10, 1975
Kansas City.....	6½	Do.
Dallas.....	6½	Mar. 14, 1975
San Francisco.....	6½	Mar. 10, 1975

2. Section 201.52 is revised to read as follows:

§ 201.52 Advances to member banks under section 10(b).

(a) The rates for advances to member banks under section 10(b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	6½	Mar. 10, 1975
New York.....	6½	Do.
Philadelphia.....	6½	Do.
Cleveland.....	6½	Do.
Richmond.....	6½	Do.
Atlanta.....	6½	Do.
Chicago.....	6½	Do.
St. Louis.....	6½	Mar. 14, 1975
Minneapolis.....	6½	Mar. 10, 1975
Kansas City.....	6½	Do.
Dallas.....	6½	Mar. 14, 1975
San Francisco.....	6½	Mar. 10, 1975

(b) The rates for advances to member banks for prolonged periods and in significant amounts under section 10(b) of the Federal Reserve Act and § 201.2 (e) (2) of Regulation A are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	8	Mar. 10, 1975
New York.....	8	Do.
Philadelphia.....	8	Do.
Cleveland.....	8	Do.
Richmond.....	8	Do.
Atlanta.....	8	Do.
Chicago.....	8	Mar. 14, 1975
St. Louis.....	8	Do.
Minneapolis.....	8	Mar. 10, 1975
Kansas City.....	8	Do.
Dallas.....	8	Mar. 14, 1975
San Francisco.....	8	Mar. 10, 1975

3. Section 201.53 is revised to read as follows:

§ 201.53 Advances to persons other than member banks.

The rates for advances under the last paragraph of section 13 of the Federal Reserve Act to individuals, partnerships, or corporations other than member banks secured by direct obligations of, or obligations fully guaranteed as to principal and interest by, the United States or any agency thereof are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	9	Mar. 10, 1975
New York.....	9	Do.
Philadelphia.....	9	Do.
Cleveland.....	9	Do.
Richmond.....	9	Do.
Atlanta.....	9	Do.
Chicago.....	9	Mar. 14, 1975
St. Louis.....	9	Do.
Minneapolis.....	9	Mar. 10, 1975
Kansas City.....	9	Do.
Dallas.....	9	Mar. 14, 1975
San Francisco.....	9	Mar. 10, 1975

(12 U.S.C. 248(1). Interprets or applies 12 U.S.C. 357.)

By order of the Board of Governors, March 18, 1975.

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

[FR Doc.75-7469 Filed 3-21-75;8:45 am]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER A—GENERAL

[No. 75-205]

PART 500—ORGANIZATION AND CHANNELING OF FUNCTIONS

Board Organization

MARCH 5, 1975.

Summary. The following summary of the amendments adopted by the Resolu-

tion is provided for the reader's convenience and is subject to the full explanation in the following preamble and to the specific provisions of the regulations:

I. *Present regulations.* Part 500 of the General Regulations describes the organization of the Board and the channeling of functions.

II. *Final regulations.* Part 500 is updated to reflect current Board organization and channeling of functions.

The Federal Home Loan Bank Board considers it advisable to amend §§ 500.3, 500.19, 500.31 and 500.32 of Part 500 (12 CFR Part 500) of the General Regulations so as to reflect present Board organization and channeling of functions.

Section 500.3, which describes the Federal Savings and Loan System, is amended to more clearly describe the types of facility office applications acted on by the Board.

Section 500.19, which describes the Office of Industry Development, is amended to more clearly describe the types of facility office applications processed by that Office. Section 500.19 is also amended by revoking the authority of this Office to approve designation of reserve accounts as part of the Federal insurance reserve.

Section 500.31, which lists the forms currently in use, is amended (1) by deleting six forms—Nos. 700 (IS), 754, 861, 873, 2-T and 9-T, and (2) by revising the name of Form No. 700.

Section 500.32, which lists the Board's Offices and describes the manner in which submittals should be made to the Board, is amended to correct the address of the Federal Home Loan Bank of Little Rock.

Accordingly, the Federal Home Loan Bank Board hereby revises §§ 500.3, 500.19, 500.31 and 500.32 of Part 500 of the General Regulations to read as set forth below, effective March 25, 1975.

Since the above-described amendments relate to rules of Board organization, procedure or practice, the Board hereby finds that notice and public procedure with respect to said amendments are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and since publication of said amendments for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of said amendments would in the opinion of the Board be unnecessary for the same reason, the Board hereby provides that said amendments shall become effective as hereinbefore set forth.

1. Section 500.3 is revised to read as follows:

§ 500.3 The Federal saving and loan system.

The Board is authorized under such rules and regulations as it may prescribe to provide for the organization, incorporation, examination, operation, and regulation of Federal savings and loan associations. Under this authority, the Board's functions include, but are not limited to, regulation of the corporate structure of such associations, regula-

tion of the distribution of their earnings, regulation of their lending and other investment powers, acting upon their applications for facility offices (including branch offices, limited facilities, mobile facilities and satellite offices), the regulation of mergers, conversions, and dissolutions involving such associations, the appointment of conservators and receivers for such associations, and the enforcement of laws, regulations, or conditions against such associations or the officers or directors thereof by proceedings under section 5 of the Home Owners' Loan Act of 1933, as amended.

2. Section 500.19 is revised to read as follows:

§ 500.19 Director of the Office of Industry Development.

The Director of the Office of Industry Development is responsible for the processing, review, and evaluation of certain applications to the Board and the Federal Savings and Loan Insurance Corporation, except for those instances in which such applications are approved by an agent or officer of the Board pursuant to delegated authority. Applications for which the Director is responsible concern the following matters: permission to organize a Federal savings and loan association; facility offices (including regular branch offices, limited facility branch offices, satellite offices, and mobile facilities) of existing Federal savings and loan associations; insurance of accounts; conversion from Federal to State or from State to Federal charter; membership in the Federal Home Loan Bank System; a merger involving a Federal savings and loan association; voluntary dissolution of a Federal savings and loan association; an increase in accounts of an insurable type through merger, consolidation, or purchase of bulk assets; investment in a service corporation by a Federal savings and loan association; a change in office location; investment in an office building; waiver or modification of a condition for insurance of accounts or issuance of a Federal charter; release of pledged savings accounts or escrowed stock; extension of a lending area; approval of amendments to charter, bylaws, or security forms; permission to issue subordinated debt securities; and other applications for which the Director of this Office may be assigned responsibility. The Director of this Office is also responsible for planning and coordinating new programs to stimulate the development of the savings and loan industry by encouraging financially sound restructuring.

3. The lists of forms in § 500.31(a) (1) and (3) are amended as follows:

§ 500.31 Forms.

(a) The following forms, which are available at the offices of agents of the Board and the Federal Savings and Loan Insurance Corporation at the Federal Home Loan Banks, shall be used for the purposes indicated.

(1) Forms with permanent numbers, excepting Savings and Loan Holding Company forms in the H and HC series:

- Form
- 700----- Application for Permission to Establish a Facility Office (Federal Savings and Loan Association).
- 709----- Application for Permission to Increase Accounts of an Insurable Type (State-chartered institution).
- 743----- Application for Final Approval of Exact Location of Authorized Branch Office (Federal Savings and Loan Association).
- 756----- Checklist of Supporting Documents for Permission to Organize (Federal Savings and Loan Association).
- 850----- Application for Permission to Change Location of an Office (Federal Savings and Loan Association).
- 877a----- Rates and Terms on Conventional 1-Family Nonfarm Mortgage Loans: Loans closed (monthly sample of insured associations and mortgage companies).

(3) Forms with temporary numbers:

- Form
- 1-T----- Application for Authorization to Invest in Office Building (Federal Savings and Loan Association).
- 3-T----- Application for Conversion into a Federal Association (Charter K revised).
- 8-T----- Agreement for Operating Policies (Insured Institution).
- 10-T----- Subscription to Capital (Federal Savings and Loan Association).

4. Paragraph (b) (9) of § 500.32 is revised to read as follows:

§ 500.32 Offices of the Board; information and submittals.

(b) (9) Federal Home Loan Bank of Little Rock, 1400 Tower Building, Little Rock, Arkansas 72201. District 9: Arkansas, Louisiana, Mississippi, New Mexico and Texas.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071).

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,  
Assistant Secretary.  
[FR Doc.75-7570 Filed 3-21-75;8:45 am]



## Title 29—Labor

## CHAPTER XVIII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

## PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

## Hawaii Plan; Approval of State Poster and State Standards

## Correction

In FR Doc. 75-3795 appearing at page 6335 in the issue of Tuesday, February 11, 1975, on page 6336 the first and second complete sentences starting in the fifth line of column one are scrambled and should be rearranged to read: "On January 4, 1974, a notice was published in the FEDERAL REGISTER (39 FR 1010) of the approval of the Hawaii plan and of the adoption of Subpart Y of Part 1952 containing the decision of approval. On November 26, 1974, the State submitted a supplement to the plan involving a State-initiated change (see Subpart E of 29 CFR Part 1953)."

## Title 45—Public Welfare

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

## PART 183—FINANCIAL ASSISTANCE FOR ENVIRONMENTAL EDUCATION PROJECTS

## Technical Amendments

Subpart A of Part 183 is amended by amending §§ 183.1 and 183.2 to reflect technical amendments made to the Environmental Education Act by Pub. L. 93-278 which add a reference, in the statements of definition and purpose, to economic considerations. Due to the fact that these amendments are technical, notice of proposed rule making is waived as unnecessary under 5 U.S.C. 553(b).

1. Section 183.1 is amended by revising the first sentence of paragraph (a) and adding a new sentence after the first sentence of paragraph (b) to read as follows:

## § 183.1 Scope and purpose.

(a) The Environmental Education Act, as amended (20 U.S.C. 1531-1536) authorizes a program of grants and contracts to support research, demonstration and pilot projects designed to educate the public on the problems of environmental quality and ecological balance while giving due consideration to economic factors related thereto. Such projects shall support the development of educational processes dealing with man's relationship with his natural and man-made surroundings, and include the relation of population, pollution, resource allocation and depletion, conservation, transportation, technology, economic impact, and urban and rural planning to the total human environment. . . .

(b) . . . Thus the environmental education process is multifaceted, multidisciplinary, and issue- or problem-oriented. Otherwise worthwhile but specialized and narrowly defined educational approaches, such as traditional learning approaches to such areas as conserva-

tion and resource use, environmental science, nature study, outdoor education, or sex education, which normally tend to exclude consideration of mutually reinforcing social, physical, cultural, economic, and policy implications of these concerns do not adequately meet the scope and purposes of the act. . . .

(20 U.S.C. 1532(a) (2))

2. The revised portions of § 183.2 read as follows:

## § 183.2 Definitions.

As used in this part:

"Act" means the Environmental Education Act, as amended.

(20 U.S.C. 1531-1536)

(20 U.S.C. 1531)

**Effective Date.** Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)), these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER (March 24, 1975). That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission (May 8, 1975), subject to the provisions concerning congressional action and adjournment.

(Catalog of Federal Domestic Assistance No. 13.522, Environmental Education)

Dated: February 24, 1975.

T. H. BELL,

U.S. Commissioner of Education.

Approved: March 19, 1975.

CASPAR W. WEINBERGER,

Secretary of Health,  
Education, and Welfare.

[FR Doc. 75-7585 Filed 3-21-75; 8:46 am]

## Title 47—Telecommunication

## CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-282]

## PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

## Meteorological Satellite Service

In the matter of amendment of part 2 of the Commission's rules and regulations to add Government and non-Government Meteorological-Satellite operations on a primary basis in the band 1700-1710 MHz.

1. The Commission, acting in coordination with the Office of Telecommunications Policy (OTP) has under consideration a request by the Department of Commerce to amend § 2.106, Table of Frequency Allocations, by adding Government and non-Government Meteorological-Satellite Service on a primary basis in the band 1700-1710 MHz. At present the 1700-1710 MHz band is allocated exclusively to the Space Research Service.

2. The Department of Commerce is implementing a new satellite system, the Television Infrared Observation Satel-

lite (TIROS-N), which is designed to improve Commerce's weather surveillance capability. Because of the past success of similar weather satellite systems, for example the TIROS satellites, Commerce has found satellite observation techniques to be an invaluable tool in the field of weather prediction. Some of the advantages of using weather satellites include better information on the development and movement of weather systems, greater areas of coverage, especially over oceans and sparsely populated land areas where conventional weather stations are unable to be located, increased accuracy in the prediction of weather, particularly in the avoidance of overclassifying storm intensity and issuing unnecessary hurricane watches or alerts which can be costly and inconvenient.

3. The primary goal of the TIROS-N will be to provide an economical and stable platform for the operation of the advanced instruments used in making global daytime and nighttime observations of the earth's cloud cover. The system will also make measurements of earth surface temperatures, atmospheric temperature and water vapor content and proton and electron flux near the earth. It would also be used to receive, process and retransmit data from free floating balloons, buoys and remote automatic observation stations distributed around the globe.

4. The success of this project is contingent upon the ability of the satellite to store and transmit large quantities of weather data. To accomplish this high data rate, an RF bandwidth of 15 MHz is required. Under the present allocation plan, the band 1670-1700 MHz is set aside for the Meteorological-Satellite Service and the Meteorological Aids Service. However, the portion of the spectrum from 1670-1695 MHz is now being used for the Geostationary Operational Environmental Satellite (GOES) program. Since these two operations cannot operate co-channel, the Department of Commerce has asked that the band 1700-1710 MHz be made available for the Meteorological-Satellite Service. This additional ten megahertz with the five megahertz of spectrum available in the adjacent band would meet the required 15 MHz.

5. The band 1700-1710 MHz would be shared with Space Research, the Service to which this portion is currently allocated, on a primary basis. Studies made by the Department of Commerce indicate that there would be no potential interference problems between the two services.

6. There are not now any regularly licensed non-Government stations in this band, nor has any non-Government entity expressed interest in operating such a station. Considering the nature of the services involved, which are now operated exclusively by Federal Government agencies, no comments from interested parties can be expected on this matter, and the inviting of such comments is consequently unnecessary and would needlessly delay the adoption of



these rules, contrary to the public interest. For the same reason, it would not serve the public interest to defer the effective date of this amendment beyond the date of publication in the FEDERAL REGISTER. Accordingly, the notice and effective date provision of 5 U.S.C. 553 are inapplicable.

7. Accordingly, it is ordered, That Part 2 of the Commission's rules and regulations is amended as shown below, effective March 25, 1975. The authority for this action is contained in sections 4(i), 303(c) and 303(r).

Adopted March 11, 1975.

Released: March 18, 1975.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1062; 47 U.S.C. 154, 303)

FEDERAL COMMUNICATIONS COMMISSION,  
VINCENT J. MULLINS,  
Secretary.

In Part 2 of Chapter I of Title 47 of the Code of Federal Regulations, § 2.106 is amended as follows:

The Table of Frequency Allocations is amended by adding a new service to column 8 in the band 1700-1710 MHz as shown below:

§ 2.106 Table of Frequency Allocations.  
FEDERAL COMMUNICATIONS COMMISSION

Band (MHz)	Service	Class of Station
7	8	9
1700-1710	SPACE RESEARCH METEOROLOGICAL-SATELLITE.	SPACE.

[FR Doc.75-7412 Filed 3-21-75;8:45 am]

[FCC 75-283]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 97—AMATEUR RADIO SERVICE

Call Sign Assignments

In the matter of amendment of Parts 2 and 97 of the Commission's rules concerning the assignment of call signs to stations in the Amateur Radio Service.

1. At the present time call signs formed from the blocks K1AA through K0ZZ, W1AA through W0ZZ, K1AAA through K0ZZZ, W1AAA through W0ZZZ, KA1AA through KZ0ZZ, WA1AA through WZ0ZZ, KA1AAA through KZ0ZZZ, and WA1AAA through WZ0ZZZ are being assigned to stations in the Amateur Radio Service in accordance with a geographical plan. In order to maintain the Commission's flexibility in assignment of call signs to these stations in this manner, it is desirable to make additional call sign blocks available.

2. The United States Department of Defense has no objection to making available to the Commission amateur format call signs which commence with the letters AA through AL and the letter N in order to satisfy Commission needs as well as to bring the use of amateur format call signs into conformity with

the international Radio Regulations. These call sign blocks can therefore now be made available for assignment to stations in the Amateur Radio Service.

3. The call sign blocks K1A through K0Z, W1A through W0Z, KA1A through KZ0Z, and WA1A through WZ0Z are in a format provided for in the international Radio Regulations for use by amateur radio stations. It is therefore appropriate that these call sign blocks also be made available for assignment.

4. Since the Commission is modifying its rules only to the extent of making available additional call sign blocks for use in the Amateur Radio Service, the notice and public procedure within the meaning of the Administrative Procedure Act 5 U.S.C. 553(b)(3)(B) are found to be unnecessary. The amendments set forth in the Appendix are therefore effective April 25, 1975. §§ 2.302 and 97.51 of the Commission's rules are amended as set forth below.

Adopted: March 11, 1975.

Released: March 18, 1975.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1062; 47 U.S.C. 154, 303)

FEDERAL COMMUNICATIONS COMMISSION,  
VINCENT J. MULLINS,  
Secretary.

Class of station	Composition of call sign	Call sign block
Amateur (letter "X" may not follow digit).....	1 letter, 1 digit, 1 letter <sup>4</sup> .....	K1A through K0Z. N1A through N0Z. W1A through W0Z.
Do.....	1 letter, 1 digit, 2 letters <sup>4</sup> .....	K1AA through K0ZZ. N1AA through N0ZZ. W1AA through W0ZZ.
Do.....	1 letter, 1 digit, 3 letters <sup>4</sup> .....	K1AAA through K0ZZZ. N1AAA through N0ZZZ. W1AAA through W0ZZZ.
Do.....	2 letters, 1 digit, 1 letter <sup>4</sup> .....	AA1A through AL0Z. KA1A through KZ0Z. NA1A through NZ0Z. WA1A through WZ0Z.
Do.....	2 letters, 1 digit, 2 letters <sup>4</sup> .....	AA1AA through AL0ZZ. KA1AA through KZ0ZZ. NA1AA through NZ0ZZ. WA1AA through WZ0ZZ.
Do.....	2 letters, 1 digit, 3 letters <sup>4</sup> .....	AA1AAA through AL0ZZZ. KA1AAA through KZ0ZZZ. NA1AAA through NZ0ZZZ. WA1AAA through WZ0ZZZ.

In § 97.51, paragraph (b) is amended to read as follows:

§ 97.51 Assignment of call signs.

(b) An amateur call sign will consist of a sequence of one or two letters, a numeral designating the call sign area, and not more than three letters. The call sign areas are as follows:

[FR Doc.75-7408 Filed 3-21-75;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-6; Notice 2]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Windshield Defrosting and Defogging Systems

The purpose of this notice is to amend Motor Vehicle Safety Standard No. 103, Windshield Defrosting and Defogging

The table in § 2.302 of the Commission's Rules is revised to read as follows:

§ 2.302 Call signs.

The table which follows indicates the composition and blocks of international call signs available for assignment when such call signs are required to be transmitted for station identification by the rules pertaining to particular classes of stations. When stations operating in two or more classes are authorized to the same licensee for the same location, the Commission will assign a separate call sign to each station in a different class. (In addition to the U.S. call sign allocations listed below, call sign blocks AAA through AEZ and ALA through ALZ have been assigned to the Department of the Army; call sign block AFA through AKZ has been assigned to the Department of the Air Force; and call sign block NAA through NZZ has been assigned jointly to the Department of the Navy and the U.S. Coast Guard; however, amateur format call signs are excluded from the block assignments made to these departments.)

Systems, to revise the wind test condition.

On March 20, 1973, the National Highway Traffic Safety Administration published a notice (38 FR 7339) proposing a change in the standard's wind velocity test condition which would clarify the NHTSA's intent that the performance requirements be met at all levels within the specified wind speed range. The present provision specifying that "the wind velocity may not exceed 5 mph" may be interpreted by manufacturers as requiring compliance at only one point within the range. Such an interpretation could result in enforcement problems if the NHTSA discovered a failure to comply when testing a vehicle at one point within the range while the manufacturer had attained compliance during testing at another point within the specified wind speed range. Perpetuation of this type of enforcement situation might retard the development of complying vehicle systems and undermine the level of performance the NHTSA intends to accomplish. Therefore, the NHTSA proposed

in its March 20, 1973, notice that the standard specify that the wind velocity test condition be at any level from 0 to 2 mph. Reading this requirement together with the interpretive provisions of § 571.4, the vehicle would be required to be capable of complying with the standard when the wind velocity is at any speed within that range. This would prevent any discrepancy between the manufacturers' and the NHTSA's conception of what the standard actually requires.

Several comments submitted in response to the proposal to revise the wind speed test condition asserted that wind speeds cannot be accurately measured below 2 mph, and therefore the requirement should remain unchanged. This objection lacks merit, since the standard only requires that a vehicle be capable of complying with the standard at wind speeds from 0 to 2 mph. A manufacturer may generally conduct his testing at higher wind speeds to determine compliance, since the greater the wind speed, the more difficult it is to defrost the windshield within the specified time span.

The March 20, 1973, notice also proposed that the test chamber temperature sensor be located in a position not substantially affected by the heat from the engine. Comments from Ford and General Motors, submitted in response to this aspect of the proposal, objected to the proposed temperature location as unobjective and ambiguous and suggested establishment of a more specific location. The NHTSA is in tentative agreement with commenters' suggestion and is proposing in a separate notice issued today an exact location for the temperature sensor.

In consideration of the foregoing, in § 4.3 of 49 CFR § 571.103, Motor Vehicle Safety Standard No. 103, paragraph (g) is amended, to read as follows:

§ 571.103 Windshield Defrosting and Defogging Systems.

§ 4.3 . . . .

(g) The wind velocity is at any level from 0 to 2 mph.

Effective date: September 1, 1975.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718, 18 U.S.C. 1392, 1407; delegation of authority at 49 CFR 1.51.)

Issued on March 17, 1975.

JAMES B. GREGORY,  
Administrator.

[FR Doc.75-7536 Filed 3-21-75; 8:45 am]

CHAPTER X—INTERSTATE COMMERCE  
COMMISSION

SUBCHAPTER A—GENERAL RULES AND  
REGULATIONS

[Rev. S.O. 1207]

PART 1033—CAR SERVICE  
Lehigh Valley Railroad Co.

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D.C., on the 17th day of March, 1975.

It appearing, that the Lehigh and New England Railway Company (LNE) has notified the Commission that, on or before January 24, 1975, it will be unable to transport the traffic offered it because its cash position makes continued operation impossible; and that, accordingly, the LNE has placed its embargo No. 1-75 against all traffic, effective January 7, 1975;

It further appearing, that the imminent cessation of all transportation services by the LNE constitutes an emergency situation such as that contemplated by section 1(16) (b) of the Interstate Commerce Act (49 U.S.C. 1(16)), as amended, by section 601(e) of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236); and that section authorizes the Commission under certain prescribed conditions, to direct a carrier or carriers by railroad to perform essential transportation services which another carrier is no longer able to perform;

It further appearing, that the legislative history to section 1(16) (b) indicates that its purpose is to assure the continuance of essential rail service for a period of sixty days, or in extraordinary circumstances for an extended period not to exceed 240 days, in the event that a railroad is required to cease operation under conditions described in the Act; and that such authority was intended as an interim emergency measure and not as a permanent solution;

It further appearing, that in determining whether the LNE should be operated pursuant to the authority of section 1(16) (b) and in its planning therefor, the Commission, consistent with Congressional intent and the provisions of the Emergency Rail Services Act of 1970 (45 U.S.C. 661), has coordinated its activities with the Department of Transportation and has been in consultation with representatives of the United States Railway Association, among others;

It further appearing, that the Commission has determined that based upon the statute and the directives contained in the legislative history of section 1(16) (b) of the Act, the operation of the lines of the LNE is necessary and such operation is in the public interest; that the Commission considered many factors, including but not limited to: the transportation requirements of the patrons of the LNE, the economic impact of a discontinuance of service, the amount of originating and terminating traffic on individual lines, transportation requirements of connecting carriers, condition of track, alternative carriers and transportation modes, and net operating revenues attributable to individual lines; and that, the Commission should direct a carrier to operate over the lines of the LNE;

It further appearing, that the Lehigh Valley Railroad Company (Robert C. Haldeman, Trustee) (LV) should be directed to provide the services herein determined to be essential in the public interest, which were formerly performed

by the LNE, because, among other things, the LV's proximity to the lines of the LNE, the volume of the traffic LNE interchanges with the LV, its familiarity with the operation of the LNE and its willingness and ability to perform the services required for shippers;

It further appearing, that the performance of the operations directed herein will not substantially impair the LV's ability adequately to serve its own patrons or to meet its outstanding common carrier obligations; that the performance of the directed operation should not violate the provisions of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421);

It further appearing, that in light of the emergency situation which would result from a cessation of all transportation service by the LNE, public notice and hearings are impractical and not required by the procedures set forth in section 1(15) of the Act; that the public interest requires the continuation of operation over certain lines of the LNE by the LV for a period of operation of 60 days as provided by section 1(16) (b) of the Act; and that good cause exists for making this order effective upon the date served;

It further appearing, that the LV is presently a railroad in reorganization under section 77 of the Bankruptcy Act (11 U.S.C. 205) subject to the jurisdiction of the United States District Court for the Eastern District of Pennsylvania; and that, accordingly, approval of said court may be necessary for the implementation of this order; and

It further appearing, and the Division so finds, that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969;

It further appearing, and the Division so finds, that cessation of service by the LNE would have serious economic consequences not only to the patrons of the LNE but also to the communities located within the area; and for good cause appearing therefore:

§ 1033.1207 Service Order No. 1208.

(a) *Lehigh Valley Railroad Company (Robert C. Haldeman, Trustee) Directed to operate certain portions of Lehigh and New England Railway Company.* It is ordered, That the Lehigh Valley Railroad Company, debtor, (Robert C. Haldeman, Trustee), be, and it is hereby directed to enter upon the railroad properties presently operated by the Lehigh and New England Railway Company, except the Tamaqua branch, extending between Tamaqua, Pennsylvania, and Hauto, Pennsylvania, and to operate such railroad and facilities subject to any necessary approval of the reorganization court of the United States District Court for the Eastern District of Pennsylvania, for the purpose of handling, routing, and moving the traffic of the Lehigh and New England Railway Company in accordance with the lawful instructions of shippers and consignees



and in compliance with the rules and regulations of the Commission, and subject to the rates and charges prescribed in tariffs lawfully published and filed in accordance with law and applicable to freight traffic transported over the lines of the Lehigh and New England Railway Company; that such entry and operations shall commence on or before 12:01 a.m., January 24, 1975, and shall continue for a period of 150 days, unless such period is reduced by order of the Commission or unless further extended by order of the Commission, for cause shown, for an additional designated period; and that a certified copy of the order of the court authorizing the Lehigh Valley Railroad Company, debtor, to perform the directed service pursuant to the order of the Commission shall be filed with this Commission, with appropriate reference to this proceeding;

(b) *It is further ordered*, That the Lehigh and New England Railway Company shall, on the date of service of this order inform all persons who were given notice of its embargo No. 1-75, that said embargo shall no longer be applicable to service over its lines;

(c) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, shall (1) collect all revenues attributable to the handling, routing, and movement of freight traffic including all agents' and conductors' accounts and all payments from other carriers collected after the commencement of directed operations; (2) distribute such revenues in accordance with divisional agreements presently applicable, collecting and paying to the Lehigh and New England Railway Company the divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed by the Lehigh Valley Railroad Company, debtor, in the place and stead of the Lehigh and New England Railway Company and from events occurring on or after January 24, 1975;

(d) *It is further ordered*, That all carriers are hereby directed to pay to the Lehigh Valley Railroad Company, debtor, such sums as otherwise would be payable to the Lehigh and New England Railway Company including interline freight revenues, per diem, and all other interline accounts of whatsoever kind and nature coming due under normal accounting rules and procedures for the settlement of interline transactions and accounts between carriers during the period this order is in effect and thereafter coming due for services performed and events occurring during the period of directed service;

(e) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, shall pay to all carriers amounts re-

ceived by it but due to them for services performed by them, for per diem, and for events occurring either prior to the commencement of operations directed herein or during the period this order is in effect, all in accordance with established procedures for the settlement of interline transactions and accounts between carriers;

(f) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, be, and it is hereby, authorized to act on behalf of the Lehigh and New England Railway Company in all matters pertaining to the establishment of rates, routes and divisions applicable to that portion of the LNE operated by the LV as defined in paragraph (a) herein, including the publication or amendment of tariffs, division sheets, etc.

(g) *It is further ordered*, That in executing the directions of this Commission as provided for in this order, all carriers involved in the movement of traffic to the lines of the Lehigh and New England Railway Company shall proceed even though in some instances, no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; that in the event reroutings are necessary pursuant to the directives of this and subsequent orders, the divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers, or upon failure of the carriers to so agree said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act;

(h) *It is further ordered*, That, in carrying out the operations directed herein, the Lehigh Valley Railroad Company, debtor, shall hire employees of the Lehigh and New England Railway Company to the extent such employees had previously performed the directed service and shall assume all existing employment obligations and practices of the Lehigh and New England Railway Company relating thereto, including, but not limited to, agreements governing rates of pay, rules, working conditions, and all current employee protective conditions, for the duration of the directed service;

(i) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, and the Lehigh and New England Railway Company shall, if possible, negotiate an agreement (hereinafter called the agreement) on all aspects of the directed operation subject to their determination, including, but not limited to use of and rental for equipment, use of, and compensation for, existing inventories of fuel, materials, and supplies, and rental for the use of rights-of-way and other rail facilities; that the Commission shall be represented at all such discussions; that the agreement shall be subject to approval by the Commission upon such procedure as the Commission shall later specify; and that in the event the Lehigh Valley Railroad Company, debtor, and the Lehigh and New England Rail-

way Company fail to agree upon the terms for such use and compensation, the directed service shall continue pending a Commission determination to establish such terms as it may find to be just and reasonable;

(j) *It is further ordered*, That in the event the parties achieve agreement, any funds to be paid the Lehigh and New England Railway Company thereunder shall be paid into an escrow account until the agreement is given approval by the Commission; and that in the event the parties are unable to reach agreement, any monies the Lehigh Valley Railroad Company, debtor, holds for the account of the Lehigh and New England Railway Company to compensate it for the use of its equipment and facilities and properties, in lieu of a final agreement, shall be paid into an escrow account until a determination has been made by the Commission as to what terms are just and reasonable;

(k) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, shall record the revenues earned and the costs incurred in and for the performance of the operations directed herein over the lines of the Lehigh and New England Railway Company, in a manner to be prescribed by the Commission, that the information so recorded, and supporting data where specifically required, shall be submitted by the Lehigh Valley Railroad Company, debtor, to the Commission for audit and evaluation immediately upon completion of the directed operation, or at such intervals, during the period of the directed operation, as the Commission may request; and that, if, for the period during which this order shall be effective, the cost to the Lehigh Valley Railroad Company, debtor, of handling, routing, and moving the traffic over the lines of the Lehigh and New England Railway Company shall exceed the direct revenues therefor, payment shall be made to the Lehigh Valley Railroad Company, debtor, in the manner provided by section 1(16)(b) of the Act;

(l) *It is further ordered*, That the Commission shall retain jurisdiction to modify, supplement or reconsider this order at any time and for such purposes as it may consider necessary consistent with the legislative intent and the express provision of section 1(16)(b) of the Interstate Commerce Act, as amended;

(m) *It is further ordered*, That this order shall be served upon the United States Department of Transportation, the United States Railway Association, the Rail Planning Services Office of the Interstate Commerce Commission, the governor of the State of Pennsylvania, Pennsylvania Public Utilities Commission, 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 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.

(n) *It is further ordered*, That this order shall be effective upon the date of service; that the operations which the Lehigh Valley Railroad Company, debtor, is herein directed to perform shall commence on or before 12:01 a.m., January 24, 1975; and that such operations shall cease 150 days from the date the directed service shall be instituted by the Lehigh Valley Railroad Company, debtor, at 11:59 p.m., unless otherwise extended, modified, changed, or suspended by subsequent order of the Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 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), and 17(2).)

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-7601 Filed 3-21-75;8:45 am]

[Rev. S.O. 1208]

#### PART 1033—CAR SERVICE

##### Reading Co.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 17th day of March, 1975.

It appearing, that the Lehigh and New England Railway Company (LNE) has notified the Commission that, on or before January 24, 1975, it will be unable to transport the traffic offered it because its cash position makes continued operation impossible; and that, accordingly, the LNE has placed its embargo No. 1-75 against all traffic, effective January 7, 1975;

It further appearing, that the imminent cessation of all transportation services by the LNE constitutes an emergency situation such as that contemplated by section 1(16) (b) of the Interstate Commerce Act (49 U.S.C. 1(16)), as amended, by section 601(e) of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236); and that section authorizes the Commission under certain prescribed conditions, to direct a carrier or carriers by railroad to perform essential transportation services which another carrier is no longer able to perform;

It further appearing, that the legislative history to section 1(16) (b) indicates that its purpose is to assure the continuance of essential rail service for a period of sixty days, or in extraordinary circumstances for an extended period not to exceed 240 days, in the event that a railroad is required to cease operation under conditions described in the Act; and that such authority was intended as an interim emergency measure and not as a permanent solution;

It further appearing, that in determining whether the LNE should be operated pursuant to the authority of section 1(16) (b) and in its planning therefore, the Commission, consistent with Congressional intent and the provisions

of the Emergency Rail Services Act of 1970 (45 U.S.C. 661), has coordinated its activities with the Department of Transportation and has been in consultation with representatives of the United States Railway Association, among others;

It further appearing, that the Commission has determined that based upon the statute and the directives contained in the legislative history of section 1(16) (b) of the Act, the operation of the lines of the LNE is necessary and such operation is in the public interest; that the Commission considered many factors, including but not limited to: the transportation requirements of the patrons of the LNE, the economic impact of a discontinuance of service, the amount of originating and terminating traffic on individual lines, transportation requirements of connecting carriers, condition of track, alternative carriers and transportation modes, and net operating revenues attributable to individual lines; and that, the Commission should direct a carrier to operate over the lines of the LNE;

It further appearing, that the Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees (Rdg) should be directed to provide the services herein determined to be essential in the public interest, which were formerly performed by the LNE, because, among other things, the Rdg's proximity to the lines of the LNE, the volume of the traffic LNE interchanges with the Rdg, its familiarity with the operation of the LNE and its willingness and ability to perform the services required for shippers;

It further appearing, that the performance of the operations directed herein will not substantially impair the Rdg's ability adequately to serve its own patrons or to meet its outstanding common carrier obligations; that the performance of the directed operation should not violate the provisions of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421);

It further appearing, that in light of the emergency situation which would result from a cessation of all transportation service by the LNE, public notice and hearings are impractical and not required by the procedures set forth in section 1(15) of the Act; that the public interest requires the continuation of operation over certain lines of the LNE by the Rdg for a period of operation of 60 days as provided by section 1(16) (b) of the Act; and that good cause exists for making this order effective upon the date served;

It further appearing, that the Rdg is presently a railroad in reorganization under section 77 of the Bankruptcy Act (11 U.S.C. 205) subject to the jurisdiction of the United States District Court for the Eastern District of Pennsylvania; and that, accordingly, approval of said court may be necessary for the implementation of this order; and

It further appearing, and the Division so finds, that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969;

It further appearing, and the Division so finds, that cessation of service by the LNE would have serious economic consequences not only to the patrons of the LNE but also to the communities located within the area; and for good cause appearing therefore:

#### § 1033.1208 Service Order No. 1208.

(a) *Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, trustees, directed to operate certain portions of Lehigh and New England Railway Company.* It is ordered, That the Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees (Rdg), be, and it is hereby directed to enter upon that portion of the Tamaqua branch of the Lehigh and New England Railway (LNE) extending between milepost 2.20 west of Hauto, Pennsylvania, and a connection with the Reading Company at milepost 6.55 in the vicinity of Tamaqua, Pennsylvania, and to operate such railroad and facilities subject to any necessary approval of the reorganization court of the United States District Court for the Eastern District of Pennsylvania, for the purpose of handling, routing, and moving the traffic of the Lehigh and New England Railway Company in accordance with the lawful instructions of shippers and consignees and in compliance with the rules and regulations of the Commission, and subject to the rates and charges prescribed in tariffs lawfully published and filed in accordance with law and applicable to freight traffic transported over the lines of the Lehigh and New England Railway Company; that such entry and operations shall commence on or before 12:01 a.m., January 24, 1975, and shall continue for a period of 150 days, unless such period is reduced by order of the Commission or unless further extended by order of the Commission, for cause shown, for an additional designated period; and that a certified copy of the order of the court authorizing the Reading Company to perform the directed service pursuant to the order of the Commission shall be filed with this Commission, with appropriate reference to this proceeding;

(b) *It is further ordered*, That the Lehigh and New England Railway Company shall, on the date of service of this order inform all persons who were given notice of its embargo No. 1-75, that said embargo shall no longer be applicable to service over its lines;

(c) *It is further ordered*, That the Reading Company shall (1) collect all revenues attributable to the handling, routing, and movement of freight traffic including all agents' and conductors' accounts and all payments from other carriers collected after the commencement of directed operations; (2) distribute such revenues in accordance with divisional agreements presently applicable, collecting and paying to the Lehigh and New England Railway Company the divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed and events occurring prior to



January 24, 1975, and collecting and retaining for the Reading Company on a segregated basis all such divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed by the Reading Company in the place and stead of the Lehigh and New England Railway Company and from events occurring on or after January 24, 1975;

(d) *It is further ordered*, That all carriers are hereby directed to pay to the Reading Company, such sums as otherwise would be payable to the Lehigh and New England Railway Company including interline freight revenues, per diem, and all other interline accounts of whatsoever kind and nature coming due under normal accounting rules and procedures for the settlement of interline transactions and accounts between carriers during the period this order is in effect and thereafter coming due for services performed and events occurring during the period of directed service;

(e) *It is further ordered*, That the Reading Company shall pay to all carriers amounts received by it but due to them for services performed by them, for per diem, and for events occurring either prior to the commencement of operations directed herein or during the period this order is in effect, all in accordance with established procedures for the settlement of interline transactions and accounts between carriers;

(f) *It is further ordered*, That the Reading Company be, and it is hereby, authorized to act on behalf of the Lehigh and New England Railway Company in all matters pertaining to the establishment of rates, routes and divisions applicable to that portion of the LNE operated by the Rdg as defined in paragraph (a) herein, including the publication or amendment of tariffs, division sheets, etc.;

(g) *It is further ordered*, That in executing the directions of this Commission as provided for in this order, all carriers involved in the movement of traffic to the lines of the Lehigh and New England Railway Company shall proceed even though in some instances, no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; that in the event reroutings are necessary pursuant to the directives of this and subsequent orders, the divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers, or upon failure of the carriers to so agree said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act;

(h) *It is further ordered*, That, in carrying out the operations directed herein, the Reading Company shall hire employees of the Lehigh and New England Railway Company to the extent such employees had previously performed the directed service and shall assume all existing employment obligations

and practices of the Lehigh and New England Railway Company relating thereto, including, but not limited to, agreements governing rates of pay, rules, working conditions, and all current employee protective conditions, for the duration of the directed service;

(i) *It is further ordered*, That the Reading Company and the Lehigh and New England Railway Company shall, if possible, negotiate an agreement (hereinafter called the agreement) on all aspects of the directed operation subject to their determination, including, but not limited to use of and rental for equipment, use of, and compensation for, existing inventories of fuel, materials, and supplies, and rental for the use of rights-of-way and other rail facilities; that the Commission shall be represented at all such discussions; that the agreement shall be subject to approval by the Commission upon such procedure as the Commission shall later specify; and that in the event the Reading Company and the Lehigh and New England Railway Company fail to agree upon the terms for such use and compensation, the directed service shall continue pending a Commission determination to establish such terms as it may find to be just and reasonable;

(j) *It is further ordered*, That in the event the parties achieve agreement, any funds to be paid the Lehigh and New England Railway Company thereunder shall be paid into an escrow account until the agreement is given approval by the Commission; and that in the event the parties are unable to reach agreement, any monies the Reading Company holds for the account of the Lehigh and New England Railway Company to compensate it for the use of its equipment and facilities and properties, in lieu of a final agreement, shall be paid into an escrow account until a determination has been made by the Commission as to what terms are just and reasonable;

(k) *It is further ordered*, That the Reading Company shall record the revenues earned and the costs incurred in and for the performance of the operations directed herein over the lines of the Lehigh and New England Railway Company, in a manner to be prescribed by the Commission, that the information so recorded, and supporting data where specifically required, shall be submitted by the Reading Company to the Commission for audit and evaluation immediately upon completion of the directed operation, or at such intervals, during the period of the directed operation, as the Commission may request; and that, if, for the period during which this order shall be effective, the cost to the Reading Company of handling, routing, and moving the traffic over the lines of the Lehigh and New England Railway Company shall exceed the direct revenues therefor, payment shall be made to the Reading in the manner provided by section 1(16) (b) of the Act;

(l) *It is further ordered*, That the Commission shall retain jurisdiction to modify, supplement or reconsider this order at any time and for such purposes

as it may consider necessary consistent with the legislative intent and the express provision of section 1(16) (b) of the Interstate Commerce Act, as amended;

(m) *It is further ordered*, That this order shall be served upon the United States Department of Transportation, the United States Railway Association, the Rail Planning Services Office of the Interstate Commerce Commission, the governor of the State of Pennsylvania, Pennsylvania Public Utilities Commission, 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 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.

(n) *It is further ordered*, That this order shall be effective upon the date of service; that the operations which the Reading Company is herein directed to perform shall commence on or before 12:01 a.m., January 24, 1975; and that such operations shall cease 150 days from the date the directed service shall be instituted by the Reading Company at 11:59 p.m., unless otherwise extended, modified, changed, or suspended by subsequent order of the Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 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), and 17(2).)

By the Commission, Division 3.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-7602 Filed 3-21-75; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-NE-12; Amdt. 39-2139]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky Model S-58 and S-58T Series Helicopters Certificated in all Categories Including Military Types

There have been failures of luminescent emergency hatch markers containing radioactive capsules (Strontium 90, 225 to 750 microcurries each) on Sikorsky model S-58 helicopters that could result in leakage causing radioactive contamination above acceptable levels. Since this condition is likely to develop in other helicopters of the same design, an Airworthiness Directive is being issued to require the removal and disposal of these luminescent emergency markers on Sikorsky model S-58 and S-58T series helicopters certificated in all categories including military types.

Since a situation exists that requires immediate adoption of this regulation,

It is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

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

**SIKORSKY AIRCRAFT.** Applies to S-58B, S-58D, S-58E, S-58F, S-58H, S-58J, S-58BT, S-58DT, S-58ET, S-58FT, S-58HT, S-58JT, helicopters certificated in all categories, including Military Type HSS-1, HSS-1F, HSS-1N, HUS-1, HUS-1A, HUS-1AN, HUS-1G, HUS-1Z, H-34A, H-34C, H-34J, CH-34A, CH-34C, HH-34F, SH-34G, SH-34H, SH-34J, UH-34D, UH-34E, UH-34G, UH-34J, VH-34C, VH-

34D, equipped with P/N S-14-50-1015 luminescent markers, used to help locate emergency hatch handles in an emergency.

Compliance required within the next 30 calendar days after the effective date of this AD, unless already accomplished.

To prevent operation with leaking luminescent markers, accomplish the following:

(a) Visually inspect emergency hatches in accordance with Section 2., Paragraph A. (1) of Sikorsky Service Bulletin No. 58B50-1A, dated January 14, 1975, to determine if P/N S14-50-1015 luminescent markers are installed. If P/N S14-50-1015 luminescent markers are installed, accomplish paragraphs (1) through (4) below utilizing authorized personnel. Contact one of the following Energy Research and Development Administration (formerly U.S. Atomic Energy Commission, AEC now ERDA) Regional Coordinating Offices for radiological assistance and sources of authorized personnel:

§ 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 34 (24 FR 6581), AD 59-16-4, is further amended as follows:

By changing the applicability paragraph of the A.D. to read:

Applies to all model S-58 helicopters including military types HSS-1, HSS-1F, HSS-1N, HUS-1, HUS-1A, HUS-1AN, HUS-1G, HUS-1Z, H-34A, H-34C, H-34J, CH-34A, CH-34C, HH-34F, SH-34G, SH-34H, SH-34J, UH-34D, UH-34E, UH-34G, UH-34J, VH-34C, VH-34D, except for those modified in accordance with Sikorsky Modification Kit, P/N S1607-5695-1.

This amendment becomes effective April 8, 1975.

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

Issued in Burlington, Massachusetts, on March 17, 1975.

QUENTIN S. TAYLOR,  
Director, New England Region.

[FR Doc.75-7579 Filed 3-21-75;8:45 am]

[Docket No. 75-NE-14; Amdt. 2138]

**PART 39—AIRWORTHINESS DIRECTIVE**  
**Sikorsky Models S-58 and S-58T Series Helicopters Certificated in All Categories Including Military Types**

There have been reports of cracks in the tail rotor gear box input and intermediate housings which have resulted in structural failures with loss of tail rotor control on Sikorsky S-58 helicopters. This AD is being issued to require inspections for tail rotor unbalance and corrective actions to prevent excessive stresses in the tail rotor gear box assembly, the tail rotor blades and tail pylon area.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

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

**SIKORSKY AIRCRAFT.** Applies to Models S-58 and S-58T series helicopters certificated in all categories, including Military Type HSS-1, HSS-1F, HSS-1N, HUS-1, HUS-1A, HUS-1AN, HUS-1G, HUS-1Z, H-34A, H-34C, H-34J, CH-34A, CH-34C, HH-34F, SH-34G, SH-34H, SH-34U, UH-34D, UH-34E, UH-34G, UH-34J, VH-34C, VH-34D, equipped with S1610-31100 series rotary rudder assemblies and S1610-34200 series counterweight assembly.

Compliance required as indicated. To prevent excessive stresses and possible structural failures in the tail rotor blades, tail rotor gear box assembly, and tail pylon area, from tail rotor unbalance, accomplish the following:

a. Within the next 10 hours time in service after the effective date of this AD unless already accomplished, lubricate and inspect the

Regional coordinating office	Post Office address	Telephone for assistance
Brookhaven Area Office.....	Upton, Long Island, N.Y. 11973.....	516-345-2200.
Oak Ridge Operations Office.....	P.O. Box E, Oak Ridge, Tenn. 37830.....	615-483-3611, extension 2-4516.
Savannah River Operations Office.....	P.O. Box A, Aiken, S.C. 29801.....	North Augusta, S.C., 803-824-6331, extension 3333.
Albuquerque Operations Office.....	P.O. Box 6400, Albuquerque, N. Mex. 87115.....	505-264-4667.
Chicago Operations Office.....	9600 South Cass Ave., Arconne, Ill. 60439.....	312-739-7711, extension 2111.
Idaho Operations Office.....	P.O. Box 2108, Idaho Falls, Idaho 83401.....	208-526-0111, extension 1515.
San Francisco Operations Office.....	1533 Broadway, Oakland, Calif. 94612.....	415-273-4237.
Richland Operations Office.....	P.O. Box 550, Richland, Wash. 98352.....	509-942-7381.

(1) Conduct radiation survey for contamination and leakage in accordance with Section 2., Paragraph A (2) of the above service bulletin.

(2) Remove markers in accordance with Section 2., Paragraph A (3) of the above service bulletin.

(3) If contamination is found, decontaminate aircraft in accordance with Section 2., Paragraph A(4) of the above service bulletin.

(4) Dispose of markers and contaminated material, if any, in accordance with Section 2., Paragraph A (5) of the above service bulletin.

(b) Replace luminescent marker P/N S14-50-1015 with a new luminescent U.S. Radium Corp. Luminescent Marker LAB 659(S)-1, or Military Standard Marker MC39099-1 or an FAA approved equivalent part. Install the aforementioned markers at Fuselage Stations 176.0 and 210.0, in accordance with Figure 2, of the above service bulletin. Trim upholstery around the part for adequate clearance. Other equivalent markers and installations may be approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, New England Region.

(c) The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a) (1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Sikorsky Aircraft, Stratford, Connecticut 06692. These documents may also be examined at the Office of Regional Counsel, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment becomes effective April 8, 1975.

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

Issued in Burlington, Massachusetts, on March 17, 1975.

QUENTIN S. TAYLOR,  
Director, New England Region.

NOTE: The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 10, 1967.

[FR Doc.75-7578 Filed 3-21-75;8:45 am]

[Docket No. 75-NK-13; Amdt. 39-2140]

**PART 39—AIRWORTHINESS DIRECTIVES**  
**Sikorsky S-58 Helicopters Certificated in All Categories**

Operators of Sikorsky S-58 helicopters have called attention to the fact that the redesign of the main rotor damper trunnion eliminates the need for the periodic inspection required by Airworthiness Directive 59-16-4. Service experience has shown that the fretting problem that was the basis for AD 59-16-4 has been eliminated, and operators have pointed out that the repeated removal of the trunnion bolt for the 50 hour inspection can be detrimental to the condition of the bolt. A revision to the AD is, therefore, being issued to eliminate the requirement for the 50-hour inspection for those aircraft with the modified trunnion installed.

Since this amendment eliminates an inspection and imposes no burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697),

rotary rudder assembly P/N S1610-31100 series and counterweight assembly, P/N S1610-34200 series, for balance in accordance with Section 2, Paragraph A of Sikorsky Service Bulletin No. 58B15-14A, dated December 19, 1974, or later FAA approved revision.

b. Thereafter, lubricate and inspect at intervals not to exceed 50 hours time in service from the last inspection, or earlier if unbalance is suspected, in accordance with Section 2, Paragraph B of Sikorsky Service Bulletin No. 58B15-14A or later FAA approved revision.

c. If after two consecutive 50 hour repetitive inspections as specified in Paragraph b., the rotor balance remains unchanged, and within limits, these inspections can be extended to a 100 hour interval. These 100 hour intervals can be maintained if all subsequent 100 hour inspections show that rotor balance remains unchanged.

d. Rotary rudder assemblies, P/N S1610-31100 series and counterweight assembly P/N S1610-34200 series which are not balanced as specified in Paragraphs a., b., and c must be either rebalanced or removed for corrective action in accordance with Section 2, Paragraphs A and B of Sikorsky Service Bulletin No. 58B15-14A or later FAA approved revision, before further flight.

e. The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Sikorsky Aircraft, Division of United Aircraft Corporation, Stratford, Connecticut 06802. These documents may also be examined at the Office of the Regional Counsel, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment becomes effective April 8, 1975.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec.

6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Burlington, Massachusetts, on March 17, 1975.

QUENTIN S. TAYLOR,  
Director, New England Region.

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

[FR Doc.75-7577 Filed 3-21-75;8:45 am]

[Airspace Docket No. 75-50-5]

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

**Designation of Transition Area**

On February 3, 1975, a notice of proposed rule making was published in the FEDERAL REGISTER (40 F.R. 4937), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Edenton, N.C., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The only comment received was from the Southern Region USAF Representative, who objected because the proposal would overlie two low altitude routes utilized by the USAF. We do not consider the objection valid since aircraft operating on these routes must operate in VFR conditions and have at least a ceiling of 3,000 feet and visibility of five miles. With these weather mini-

mums, both military and civil aircraft in the vicinity of the Plymouth Municipal Airport will be operating on a "see and be seen" basis, in accordance with Federal Aviation Regulations.

Subsequent to publication of the notice, it was determined that the proposed transition area to provide controlled airspace protection for IFR operations at Plymouth Municipal Airport would not about the Edenton transition area. It is necessary to amend the proposal to "Designate the Plymouth, N.C., transition area" in lieu of "Altering the Edenton, N.C., transition area." Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 19, 1975, as hereinafter set forth.

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

**PLYMOUTH, N.C.**

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Plymouth Municipal Airport (Lat. 35°48'30" N., Long. 76°45'36" W.); within 3 miles each side of the 205° bearing from Plymouth RBN (Lat. 35°48'23" N., Long. 76°45'30" W.), extending from the 6.5-mile radius areas to 8.5 miles southwest of the RBN.

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

Issued in East Point, Ga., on March 14, 1975.

PHILLIP M. SWATEK,  
Director, Southern Region.

[FR Doc.75-7580 Filed 3-21-75;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 HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[ 21 CFR Part 329 ]

### HABIT-FORMING DRUGS

#### Withdrawal of Proposed Revocation of Exemptions from Prescription Requirement

The Commissioner of Food and Drugs is withdrawing a proposal to revoke the exemption from prescription requirements for certain narcotic-containing drug compounds. The Commissioner has concluded that the original justification for the proposal, i.e., is a significant abuse of these products, no longer appears to be valid.

The Commissioner issued in the FEDERAL REGISTER of September 12, 1972 (37 FR 18471), a proposal to revoke the exemption of morphine, codeine, dihydrocodeine, and ethylmorphine preparations from prescription requirements of section 503(b)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)(A)). Currently, preparations containing not more than 16.2 milligrams of morphine, 64.3 milligrams of codeine, 32.4 milligrams of dihydrocodeine, or 16.2 milligrams of ethylmorphine per fluid ounce, and containing one or more nonnarcotic active ingredients are exempt from the prescription dispensing requirements of section 503(b)(1)(A) of the act under § 329.20(a)(2), (3), (4), and (5) (21 CFR 329.20(a)(2), (3), (4), and (5)). The proposal of September 12, 1972, referenced § 165.5, rather than § 329.20, in that the section number has been changed pursuant to the recodification document published in the FEDERAL REGISTER of March 29, 1974 (39 FR 11680). Interested persons were invited to submit written comments regarding the proposal within 60 days after publication in the FEDERAL REGISTER.

A total of 38 comments were received: 12 from national, State, or county pharmaceutical associations, 8 from pharmacists, 4 from pharmaceutical firms, 4 from State drug or law enforcement agencies, 1 from a national and 1 from a city retail pharmacy association, 2 from consumers, 1 from a national association of pharmaceutical manufacturers, 1 from a national association representing chain drug stores, 2 from State boards of pharmacy, 1 from a Member of Congress, and 1 from the National Research Council. The significant comments submitted and the Commissioner's conclusions with respect to each are as follows:

1. Several of the comments pointed out that the summaries of the investiga-

tions and surveys that were placed on file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, in support of the proposed action did not show that there was an abuse problem. One comment specifically requested that the proposal be withdrawn until a valid study has been conducted to determine both the extent and source of problems with illicit narcotic cough preparations. It was also suggested that the data may demonstrate the need for more effective enforcement of existing laws and regulations, not the need for the proposed action.

The data on which the proposal was based suggested significant abuse of these preparations at that time. Since the proposal was published, however, new information, generated by the Drug Enforcement Administration, Department of Justice, has become available that indicates far less abuse than the earlier data indicated. The Commissioner concludes, therefore, that the original data overstated the abuse of these products, or that abuse has, in fact, declined. In either case, the justification for the proposal, i.e., a significant abuse of these products, no longer appears to be valid. For this and other reasons stated below, the Commissioner is withdrawing the notice that proposed to place these products on prescription sale only. The new information obtained from the Drug Enforcement Administration, as well as the Food and Drug Administration's summary of this information, is on display in the office of the Hearing Clerk, address noted above, during working hours, Monday through Friday.

2. The majority of comments opposed to the proposal contended that the evidence of abuse of these products did not support such a drastic action. They pointed out that limiting these products to prescription sale would increase their cost to consumers and necessitate a visit to a physician's office, causing an inconvenience to both the consumer and physician. Several of the comments also stated that such an action would be a disservice to the public because the remaining available OTC cough preparations are not sufficiently potent to replace these products, especially the codeine cough preparations.

The Commissioner concludes that, although many of these comments were subjective opinions without any evidence to support them, they are relevant to the final decision concerning the status of these drugs, since they do represent the thoughts of interested parties, such as consumers and pharmacists. Further, the Commissioner recognizes that, although States have sufficient power to act upon

their own initiative to require that these products be limited to sale by prescription, almost two-thirds of the States have chosen not to do so. He concludes that the States where the drugs are still OTC have decided, as suggested by many of the comments and the recent data, that the abuse problem is not a significant one, and that the public risks are outweighed by the public benefits of having these products available over-the-counter. The fact that the Commissioner concludes that Federal action is not necessary at this time does not preclude any State from making a contrary decision based on the specific experience within such State.

3. Numerous comments objected to the proposal, stating that as a result of an active State enforcement program, they were able to keep these products limited to medical uses without requiring the prescription legend. In view of this success, they recommended that States not experiencing any problems with these products be permitted to police themselves, since those States having an abuse problem may elect to place the products on a prescription only basis.

The Commissioner, recognizing that the need for Federal action is less than it appeared to be 2 years ago, agrees that at this time the better approach is to allow each State to determine the need for prescription status for these products.

4. Several comments objected to the proposal, stating that the need for a prescription implied that pharmacists were not complying with the volume restrictions and recordkeeping requirements applicable to this category of drugs. It was contended that the majority of pharmacists were highly conscientious in their exercise of professional judgment in the dispensing of such products.

The proposal was based on data that indicated there was a significant abuse problem with these drugs and did not attempt to place the blame for this abuse on any segment of the health professions. The Commissioner believes that most pharmacists are very diligent in exercising their professional responsibilities. Further, he notes that in many areas where the products are OTC, pharmacists have apparently exercised increased responsibility resulting from a heightened awareness of the abuse potential of these products. Thus, voluntary self-regulation has contributed to reduction of actual abuse, while permitting freer patient access to the drugs than would be available under prescription status.

5. Two comments opposed to the proposed action suggested that the abuse potential of these products could be reduced significantly by adding certain ingredients to them. One comment suggested adding an expectorant such as



ippecac; the other comment suggested adding a narcotic antagonist.

The Commissioner recognizes that implementation of both of these suggestions might deter abuse of these products but would raise questions concerning the safety and effectiveness of such combinations. If a firm wishes to consider manufacturing such a combination, a new drug application should be submitted.

6. Although the majority of the opinions opposed to the proposal did not distinguish between the four exempt ingredients, one comment objected specifically to the revocation of the exemption of codeine from the prescription requirement.

The Commissioner concludes that on the basis of the available abuse data on these products, there is no justification for treating codeine-containing products differently from those products containing one of the other three exempt ingredients. This decision will not preclude the panel that reviews cough, cold, allergy, bronchodilator, and antihistaminic OTC drug products, as part of the general review of all OTC drugs, from making a contrary recommendation with respect to one or more of these ingredients based on the data presented to them.

7. Another significant element in the Commissioner's decision to withdraw the proposal was that the cough-cold panel of the OTC Drug Product Review Project made a preliminary decision to recommend that codeine-containing cough preparations remain exempt from prescription requirements. A copy of this recommendation is also on display with the Hearing Clerk.

8. A number of comments endorsed the proposed action, indicating that such action is the only way to stop abuse of these products.

For reasons stated above, the Commissioner concludes that Federal action requiring the prescription legend for these products is not currently necessary. However, he reiterates that the lack of Federal action does not preclude a State from placing these drugs on a prescription only basis.

Therefore, in view of the above reasons, the Commissioner concludes that the proposal of September 12, 1972 should be withdrawn. He recognizes, however, that drug abuse appears to be a cyclical matter. The absence of significant abuse of these drug products at the current time does not preclude the possibility of more serious problems arising in the future. If voluntary self-regulation by pharmacists proves inadequate, or if States are unable to respond effectively to major abuse problems under existing State law, the Commissioner will not hesitate to act to remove the exemption from the prescription dispensing requirements in the future. If such action appears warranted, another proposal will be published in the FEDERAL REGISTER. In addition, the Commissioner intends to work closely with the Drug Enforcement Administration and the National Institute of Drug Abuse to monitor the legitimate distribution of these products and to observe carefully the levels and patterns of abuse of these products.

Accordingly, the proposal to revise § 165.5(a) (now § 329.20(a)) published in the FEDERAL REGISTER of September 12, 1972 is hereby withdrawn.

Dated: March 14, 1975.

A. M. SCHMIDT,  
Commissioner of Food and Drugs.  
[FR Doc.75-7533 Filed 3-21-75;8:45 am]

Public Health Service

[42 CFR Part 52d]

NATIONAL CANCER INSTITUTE CLINICAL  
CANCER EDUCATION PROGRAM

Notice of Proposed Rulemaking

Notice is hereby given that the Assistant Secretary for Health, with the approval of the Secretary of Health, Education, and Welfare, proposes to adopt the regulations set forth in tentative form below governing the award of grants under the Clinical Cancer Education Program. The purpose of the Program is to encourage planning and development of multidisciplinary educational programs aimed at achieving optimal care of cancer patients and to enable students in the health professions to acquire basic knowledge of neoplastic disease and the preventive measures and diagnostic and therapeutic skills necessary to the provision of such care. The Program is authorized by section 407(b)(7) of the Public Health Service Act, as amended (42 U.S.C. 286a(b)(7)).

Written comments concerning the proposed regulations are invited from interested persons. Inquiries may be addressed, and data, views and arguments relating to the regulations may be presented in writing, in triplicate, to the Office of the Director, National Cancer Institute, Building 31, Room 11A-52, 9000 Rockville Pike, Bethesda, Maryland 20014. All comments received will be available for public inspection at said Office on weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m. All relevant material received on or before April 23, 1975 will be considered.

Notice is also given that it is proposed to make any amendments that are adopted effective upon publication in the FEDERAL REGISTER.

Dated: February 24, 1975.

THEODORE COOPER,  
Acting Assistant Secretary  
for Health.

Approved: March 17, 1975.

CASPAR W. WEINBERGER,  
Secretary.

It is therefore proposed to amend Title 42 of the Code of Federal Regulations by adding the following new Part 52d:

PART 52d—NATIONAL CANCER INSTITUTE, CLINICAL CANCER EDUCATION PROGRAM

- Sec. 52d.1 Applicability.
- 52d.2 Definitions.
- 52d.3 Eligibility.
- 52d.4 Application.

- Sec. 52d.5 Program requirements.
- 52d.6 Grant awards.
- 52d.7 Payment.
- 52d.8 Expenditure of grant funds.
- 52d.9 Nondiscrimination.
- 52d.10 Applicability of 45 CFR Part 74.
- 52d.11 Progress and fiscal records and reports.
- 52d.12 Grantee accountability.
- 52d.13 Publications and copyright.
- 52d.14 Additional conditions.

AUTHORITY: Sec. 215, 58 Stat. 600, as amended (42 U.S.C. 216); sec. 407(b)(7), 85 Stat. 780 (42 U.S.C. 286a(b)(7)).

§ 52d.1 Applicability.

The regulations in this part apply to grants under the Clinical Cancer Education Program authorized by section 407(b)(7) of the Public Health Service Act, as amended (42 U.S.C. 286a(b)(7)), to encourage planning and development of multidisciplinary educational programs aimed at achieving optimal care of cancer patients and to enable students in the health professions to acquire basic knowledge of neoplastic disease and the preventive measures and diagnostic and therapeutic skills necessary to the provision of such care.

§ 52d.2 Definitions.

(a) "Act" means the Public Health Service Act, as amended.

(b) "Director, NCI," means the Director of the National Cancer Institute and any other officer or employee of said Institute to whom the authority involved has been delegated.

(c) "Nonprofit" as applied to any institution means an institution which is a corporation or an association no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

(d) "Board" means the National Cancer Advisory Board established by section 410B of the Act (42 U.S.C. 286f).

(e) "Affiliated teaching hospital" means a hospital which, although not owned by such school, has a written agreement with a school of medicine, osteopathy, dentistry, or public health eligible for assistance under this part, providing for effective control by the school of the teaching in the hospital.

(f) "Specialized cancer institute" means an institution which has as its primary mission the diagnosis, prevention, or treatment of cancer.

§ 52d.3 Eligibility.

To be eligible for a grant under this part an applicant must be:

(a) A public or private, nonprofit school of medicine, osteopathy, dentistry, or public health, affiliated teaching hospital, or specialized cancer institute; and

(b) Located in a State, the District of Columbia, Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

§ 52d.4 Application.

(a) Each institution desiring a grant under this part shall submit an application in such form and manner and on or before such dates as the Director, NCI,

may from time to time require.<sup>1</sup> Such application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of the award, including the regulations of this part.

(b) In accordance with section 1-00-30 of the Department of Health, Education, and Welfare Grants Administration Manual,<sup>2</sup> each private institution which does not already have on file with the National Institutes of Health evidence of nonprofit status, must submit with its application acceptable proof of such status.

(c) In addition to any other pertinent information that the Director, NCI, may require, each application shall set forth in detail:

(1) A program plan defining the objectives of the proposed program and the means by which these objectives would be achieved, including descriptions of:

(i) The general educational level (e.g., pre-doctoral, post-doctoral) of the students to be involved in the program;

(ii) The proposed course of study and its relation to the diagnosis, prevention, control, and treatment of cancer;

(iii) The clinical experiences to be provided to the students;

(iv) Multidisciplinary aspects of the program;

(v) The particular schools or branches within the institution which would have responsibility for individual aspects of the program; and

(vi) The teaching mechanisms to be employed, including specific discussion of those techniques which would be innovative.

(vii) The availability of personnel, facilities, and resources needed to carry out the program;

(viii) The names, qualifications, and proposed duties of the program director and any staff members who would be responsible for the program, including a description of those duties which would actually be carried out by the program director and those which would be shared with or assigned to others;

(4) The names and qualifications of proposed members of a cancer education committee which would be established by the applicant to advise it on the planning, organization, operation and evaluation of the program and the specific duties which would be assigned to said committee;

(5) Insofar as necessary, cooperative arrangements with other schools, hospi-

tals, and institutions which would participate in the program;

(6) The proposed program period, a detailed budget including a list of other anticipated sources of support, and a justification for the amount of grant funds requested;

(7) Proposed methods for monitoring and evaluating the program; and

(8) A description of how the education and training effort will be sustained upon expiration of the award.

#### § 52d.5 Program requirements.

An approvable application must provide assurance that:

(a) The cancer education committee provided for in the approved application shall be formed in accordance with the approved application to carry out such duties as are assigned to it pursuant to said application, shall meet at least four times per year, and shall be chaired by the program director;

(b) The program director designated in the approved application shall continue to be responsible for the conduct of the program (except for those duties specified in the approved application as being shared with or assigned to others) for the duration of the program period unless replaced by another individual found by the Director, NCI, to be qualified to carry out such responsibilities; and

(c) If the program is to be offered at the graduate level, it shall be multidisciplinary in scope involving at least two or more clinical or preclinical sciences relating to cancer.

#### § 52d.6 Grant awards.

(a) Within the limits of funds available, after consultation with the Board, the Director, NCI, may award grants to applicants with proposed programs which in his judgment best promote the purposes of this part, taking into consideration among other pertinent factors:

(1) The relevance of the proposed program to the objectives of this part;

(2) The extent to which the program would involve innovative teaching techniques;

(3) The availability of adequate staff, facilities, and resources (including where necessary cooperative arrangements with other institutions or hospitals) to carry out the program;

(4) The qualifications and experience of the program director;

(5) The authority of the program director to ensure that the program is planned with multidisciplinary input and that multidisciplinary aspects of the program are carried out;

(6) The extent to which the cancer education committee is broadly representative of the disciplines concerned with cancer care and teaching and is allowed to participate in the planning, organization, operation, and evaluation of the program;

(7) If the program is to be offered at the pre-doctoral level, the extent to which its objectives are designed to aid students:

(i) To acquire a basic understanding of fundamental principles of cancer biology, epidemiology, detection, diagnosis, prevention, treatment and control;

(ii) To interest students in learning more about cancer; and

(iii) To develop an appreciation of the need for a comprehensive multidisciplinary approach to the care of cancer patients;

(8) The administrative and managerial capability of the applicant;

(9) The reasonableness of the proposed budget in relation to the proposed program;

(10) The adequacy of the methods for monitoring and evaluating the program on a continuing basis; and

(11) The degree to which the application adequately provides for the requirements set forth in § 52d.5.

(b) All grant awards shall be in writing and shall specify the program period, the total recommended amount of funds for the entire program period, the approved budget for the initial budget period, and the amount awarded for the initial budget period.

(c) Neither the approval of any application nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other award with respect to any approved application or portion thereof.

(d) The amount of any grant award shall be determined by the Director, NCI, on the basis of his estimate of the sum necessary to pay all or part of the allowable costs for the budget period covered by the award.

#### § 52d.7 Payment.

The Director, NCI, shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement, for expenses incurred or to be incurred in accordance with its approved application.

#### § 52d.8 Expenditure of grant funds.

(a) Any funds granted pursuant to this part shall be expended solely for the purposes for which the funds were granted in accordance with the approved application and budget, the regulations of this part, the terms and conditions of the awards, and the applicable cost principles prescribed by subpart Q of 45 CFR Part 74, except that grant funds may not be used for costs incurred in connection with activities which, prior to the grant, were part of the grantee's standard curriculum.

(b) Any unobligated grant funds in the grant account at the close of a budget period may with prior approval by the Director, NCI be carried forward and remain available for obligation during the remainder of the program period, subject to such limitations as the Director, NCI may prescribe. The amount of any subsequent award will take into consideration unobligated grant funds remaining in the grant account. At the end of the program period any unobligated

<sup>1</sup> Applications and instructions are available from the Division of Cancer Research Resources and Centers, Education Branch, Westwood Building, 5333 Westbard Avenue, Bethesda, Maryland 20014.

<sup>2</sup> The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR 5.31 and may be purchased from the Superintendent of Documents, U.S. Printing Office, Washington, D.C. 20402.

grant funds remaining in the grant account must be refunded to the Federal Government.

§ 52d.9 Nondiscrimination.

(a) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d *et seq.*) which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such Title VI, which is applicable to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

(b) Attention is also called to the requirements of Title IX of the Education Amendments of 1972, and in particular to section 901 of such Act which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

(c) Grant funds used for alterations and renovations shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246, 30 FR 12319 (September 24, 1965) as amended, and with the applicable rules, regulations, and procedures prescribed pursuant thereto.

§ 52d.10 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this part to State and local governments as those terms are defined in subpart A of that Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to grants to all other grantee organizations under this part:

Subpt.	45 CFR Pt. 74
A.....	General.
B.....	Cash Depositories.
C.....	Bonding and Insurance.
D.....	Retention and Custodial Requirements for Records.
F.....	Grant-Related Income.
G.....	Matching and Cost Sharing.
K.....	Grant Payment Requirements.
L.....	Budget Revisions Procedures.
M.....	Grant Closeout, Suspension, and Termination.
O.....	Property.
Q.....	Cost Principles.

§ 52d.11 Progress and fiscal records and reports.

Each grant award shall require that the grantee maintain such progress and fiscal records and file with the Director, NCI, such progress and fiscal reports relating to the conduct and results of the approved grant and the use of grant funds as the Director, NCI, may find necessary to carry out the purposes of this part.

§ 52d.12 Grantee accountability.

(a) All payments made by the Director, NCI shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved program the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available to the Director, NCI, satisfactory evidence of expenditures for direct and indirect costs meeting the requirements of this part.

(b) Accounting for royalties. Royalties received by grantees from copyrights on publications or other works developed under the grant, or from patents or inventions conceived or first actually reduced to practice in the course of or under such grant, shall be accounted for as follows:

(1) State and local governments. Where the grantee is a State or local government as those terms are defined in subpart A of 45 CFR Part 74, royalties shall be accounted for as provided in 45 CFR 74.44.

(2) Grantees other than State and local governments. Where the grantee is not a State or local government as those terms are defined in subpart A of 45 CFR Part 74, royalties shall be accounted for as follows:

(A) Patent royalties, whether received during or after the grant period, shall be governed by agreements between the Assistant Secretary for Health, Department of Health, Education, and Welfare, and the grantee, pursuant to the Department's patent regulations (45 CFR Parts 6 and 8).

(B) Copyright royalties, whether received during or after the grant period, shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials, and any royalties in excess of the costs of publishing or producing the materials shall be distributed in accordance with Chapter 1-420 of the Department of Health, Education, and Welfare Grants Administration Manual.

§ 52d.13 Publications and copyright.

(a) State and local governments. Where the grantee is a State or local government as those terms are defined in subpart A of 45 CFR Part 74, the Department of Health, Education, and Welfare copyright requirement set forth in 45 CFR 74.140 shall apply with respect to any book or other copyrightable materials developed or resulting from an activity supported by a grant under this part.

(b) Grantees other than State and local governments. Where the grantee is not a State or local government as those terms are defined in subpart A of 45 CFR Part 74, except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from an activity supported by a grant under this part,

subject to a royalty-free, non-exclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate and dispose of such materials, and to authorize others to do so.

§ 52d.14 Additional conditions.

The Director, NCI, may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved program, the interests of the public health, or the conservation of grant funds.

[FR Doc. 75-7399 Filed 3-21-75; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[24 CFR Part 82]

[Docket No. R-75-318]

REAL ESTATE SETTLEMENT PROCEDURES

Notice of Proposed Rulemaking

CROSS REFERENCE: For a document issued by the Federal Reserve System amending the proposed rule on the above subject which appeared on February 18, 1975 at 40 FR 7072, see FR Doc. 75-7490 in Proposed Rules under Federal Reserve System, *infra*.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-80-24]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Charlotte, N.C., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before April 23, 1975 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the



Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Charlotte transition area described in § 71.181 (40 FR 441) would be amended as follows: " . . . longitude 81°03'30" W.)" would be deleted and " . . . longitude 81°03'30" W.); within a 7-mile radius of Jaars-Townsend Airport, Waxhaw, N.C. (latitude 34°51'50" N., longitude 80°44'50" W.); excluding the portion within Lancaster, S.C., transition area." would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for IFR operations at Jaars-Townsend Airport. A prescribed instrument approach procedure to this airport, utilizing the Fort Mill, S.C. VOR, is proposed in conjunction with the alteration of this transition area.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on March 14, 1975.

PHILIP M. SWATEK,  
Director, Southern Region.

[FR Doc.75-7581 Filed 3-21-75; 8:45 am]

**National Highway Traffic Safety Administration**

[49 CFR Part 571]

[Docket No. 73-6; Notice 3]

**MOTOR VEHICLE SAFETY STANDARDS**

**Windshield Defrosting and Defogging Systems**

The purpose of this notice is to propose an amendment to Motor Vehicle Safety Standard No. 103, *Windshield Defrosting and Defogging Systems*, that would specify a relocation of the test chamber temperature and wind velocity sensors.

On March 20, 1973, the National Highway Traffic Safety Administration published a notice (38 FR 7339) that proposed a relocation of the test chamber temperature sensor to a position where it would not be "substantially" affected by heat from motor vehicle engines during the testing sequence. The proposal was issued in response to a petition from Jaguar which cited compliance problems for vehicles that direct engine heat at the windshield as part of the defrosting process. During testing of these vehicles the temperature sensor is within direct range of the released engine air and often it registers temperatures exceeding the maximum stipulated by the standard, thus creating an unrealistic test condition for vehicles of that design. The petition from Jaguar Cars Division of British Leyland UK Limited requested that an alternative location be provided for the temperature sensor so that the test chamber temperature can be kept within the specified range as measured by the thermocouple. Based on Jaguar's request, the NHTSA proposed that the

sensor be relocated in a position not substantially affected by the hot air discharged by the engine.

Comments submitted by Ford and General Motor objected to the proposed location of the temperature sensor as unobjective and ambiguous and suggested that a more specific location be adopted. General Motors proposed that the thermocouple be given an exact location which would not be susceptible to varying interpretations, but would satisfy the Jaguar request that the engine heat not substantially affect the temperature measurement.

The NHTSA has tentatively concluded that General Motors' suggestion should be adopted. It is proposed that the temperature sensor be positioned at the forwardmost point of the vehicle or 36 inches from top to bottom of the windshield, whichever is farther forward, at a level halfway between top and bottom of the windshield. It has been tentatively determined that in this position the thermocouple will not be directly affected by the heat from the vehicle engine.

In order to maintain unaltered the cold conditioning portion of the test, the temperature sensor would remain at its presently designated position (according to the referenced SAE Recommended Practice J902) on the centerline, 1 foot forward of the windshield base, halfway from top to bottom of the windshield, until the engine is started. Once the engine is started the temperature sensor would be moved, as specified above, to a position where it will not be influenced by the warm engine air directed at the windshield.

The NHTSA has tentatively determined that the air flow from the engine may also interfere with the accuracy of the wind velocity measurement as the air released from some vehicle hood ducts may be considered in the wind speed measurement. Therefore, it is proposed that the standard be amended to specify that the wind velocity sensor be positioned in the same location as the temperature sensor, where neither will be substantially affected by the released air.

In consideration of the foregoing, it is proposed that Standard No. 103 (49 CFR 571.103) be amended by adding in S4.3 a new paragraph (h), to read as follows:

**§ 571.103 Windshield Defrosting and Defogging Systems.**

S4.3 . . .

(h) The test chamber temperature and the wind velocity shall be measured, after the engine has been started, at the forwardmost point of the vehicle or a point 36 inches from the base of the windshield, whichever is farther forward, at a level halfway between the top and bottom of the windshield on the vehicle centerline.

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Adminis-

tration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

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

*Proposed effective date:* September 1, 1975.

*Comment closing date:* May 8, 1975.

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

Issued on March 17, 1975.

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

[FR Doc.75-7537 Filed 3-21-75; 8:45 am]

**CIVIL AERONAUTICS BOARD**

[14 CFR Part 221]

[EDR-262; Docket No. 27590]

**CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS**

**Removal of Authority To File Tariffs Containing a Time Limit for Filing Baggage Liability Claims**

*Correction*

In FR Doc. 75-6440 appearing at page 11602 in the issue for Wednesday, March 12, 1975, in the second column on page 11603 there should be a blank for an effective date inserted in the fourth line of § 221.38(1) as follows:

" . . . to permit on and after -----, the filing of any. . . ."

**ENVIRONMENTAL PROTECTION AGENCY**

[40 CFR Part 52]

[FRL 347-7]

**APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS**

**Commonwealth of Virginia: Approval of Compliance Schedules**

Section 110 of the Clean Air Act, as amended, 42 U.S.C. 1857c-5, and the implementing regulations of 40 CFR Part 51, require each State to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting



forth the dates by which all stationary and mobile sources must be in compliance with any applicable requirement of the plan.

On May 31, 1972, pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator of the Environmental Protection Agency ("EPA") approved portions of the Virginia State Implementation Plan (37 FR 10893).

On August 1, August 6, October 17, and November 20, 1974, pursuant to 40 CFR 51.6, the Commonwealth of Virginia submitted for EPA's approval revisions to the compliance schedule portion of its plan. This publication proposes that certain of these revisions be approved. Others are still undergoing review and cannot be proposed for approval at this time. Each proposed revision establishes a date by which an individual air pollution source must attain compliance with an emission limitation of the State Implementation Plan. This date is indicated in the approval table below under the heading "Final Compliance Date." While the table below contains only the dates of final compliance, the schedules themselves include interim dates which denote increments of progress toward final compliance in accordance with 40 CFR 51.15(c). Both the final and interim dates are federally enforceable by EPA pursuant to the Clean Air Act, as amended.

The "Effective Date" column in the table below refers to the date the compliance schedules become effective for purposes of federal enforcement.

The complete texts of the compliance schedules listed below are available for public inspection at the following locations:

- Environmental Protection Agency  
Region III  
Curtis Building  
Sixth and Walnut Streets  
Philadelphia, Pa. 19106
- Commonwealth of Virginia  
State Air Pollution Control Board  
Room 1106, Ninth Street State Office Building  
Richmond, Virginia 23219
- Freedom of Information Center  
Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

Evaluation Reports for the compliance schedules may be examined at the EPA Region III office indicated above.

Each compliance schedule has been adopted by the Virginia State Air Pollution Control Board and submitted to EPA after notice and public hearing in accordance with the procedural requirements of 40 CFR § 51.4.

Interested parties may participate in the final rule making by submitting comments on whether the proposed revisions to the Virginia State Implementation Plan should be approved or disapproved as required by Section 110 of the Clean Air Act. To be considered, comments must be postmarked on or before April 23, 1975. All public comments received in regard to the proposed revisions will be available for public inspection at the EPA Region III office in Philadelphia, Pennsylvania and at the EPA Freedom

of Information Headquarters in Washington, D.C. The Administrator's decision to approve or disapprove the proposed revisions is based upon the requirements of section 110(a)(2)(A-H) of the Clean Air Act as amended and the EPA regulations published in 40 CFR Part 51. Comments should be directed to the Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, Attention: Peter J. Smith.

(42 USC 18570-5)

Dated: February 11, 1975.

JOSEPH M. MANKO,  
Acting Regional Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40 of the Code of Federal Regulations as follows:

Subpart VV—Virginia

Section 52.2435 is amended by adding a new paragraph (g) reading as follows:  
§ 52.2435 Compliance schedules.

(g) The compliance schedules for the sources listed below are approved as meeting the requirements of § 51.6 and § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	State regulation(s) involved	Date of adoption	Effective date	Final compliance date
Adams Construction Co.	Dickensonville	4.04	Oct. 31, 1974	Immediately	May 15, 1975
Do	St. Paul	4.04	Sept. 8, 1974	do	Apr. 1, 1975
American Cyanamid Co.	Damascus	4.03	June 13, 1974	do	June 30, 1975
Carroll Inc.	Chesapeake	4.04.01, 4.04.02	June 28, 1974	do	Do.
Chesse System	Richmond	4.02, 4.03	Nov. 8, 1974	do	Do.
Chesterfield Public Schools	Chesterfield County	4.07	June 28, 1974	do	Do.
Citadel Cement Corp.	Cloverdale	Sec. IV (Rule 4)	June 19, 1974	do	Do.
City of Norfolk Incinerator	Norfolk-Lambert's Point	4.07	June 28, 1974	do	Do.
Clinch River Quarries	Russell County	4.04	Oct. 31, 1974	do	Apr. 30, 1975
Continental Can Co.	Hopewell	4.01, 4.02, 4.03, 4.06	July 1, 1974	do	June 5, 1975
Continental Grain Co.	Norfolk	4.04.02	June 28, 1974	do	Mar. 5, 1975
Dirle Manufacturing Co.	do	4.02, 4.04	June 27, 1974	do	Apr. 10, 1975
Dow Badische Co.	Williamsburg	4.07.03	June 28, 1974	do	June 30, 1975
Emporia Foundry Co.	Emporia	4.02.01, 4.04.01(b)(10)	June 28, 1974	do	Apr. 1, 1975
Gold Bond Building Products	Kimballton	Sec. IV (Rule 4)	June 19, 1974	do	June 30, 1975
Gold Kist Inc. Plant No. 1	Suffolk	4.02.01, 4.04.01	June 26, 1974	do	Do.
Gold Kist Inc. Plant No. 2	do	4.04.01	do	do	May 31, 1975
Henry County Plywood Corp.	Ridgeway	4.02, 4.03, 4.04	Sept. 9, 1974	do	June 30, 1975
Hoover Color Corp.	Hivasso	4.04	Oct. 31, 1974	do	June 1, 1975
James River Hydrate & Supply Co.	Swords Creek	4.04	Sept. 6, 1974	do	Apr. 1, 1975
Kittinger Old Dominion Biggs Division	Richmond	4.02.01, 4.06.01	June 28, 1974	do	Apr. 15, 1975
Lee Industries	do	4.03	Oct. 29, 1974	do	May 31, 1975
Lorton Reformatory	Lorton	4.702.01, 4.703.01	June 27, 1974	do	June 23, 1975
Lynchburg Foundry	Radford	4.04	Sept. 6, 1974	do	June 30, 1975
Merck & Co.	Elkton	Sec. IV (Rule 2, 3, 5)	June 20, 1974	do	May 31, 1976
Mouldings, Inc.	Marion	4.02.06, 4.04.01(b)(9)	June 19, 1974	do	Feb. 28, 1975
Naval Weapons Station	Yorktown	4.04.01	June 28, 1974	do	June 30, 1975
Norfolk Naval Shipyard	Portsmouth	4.02, 4.04, 4.07	June 26, 1974	do	Do.
Old Dominion Fiber Co.	Doswell	4.01.03(b)	Sept. 10, 1974	do	Do.
Old Dominion Plywood Co.	Bristol	4.03.00	June 18, 1974	do	Do.
Pond Bros. Peanut Co.	Waynesboro	4.02.01, 4.03.01	June 28, 1974	do	Do.
Stanley Furniture Co.	Stanleytown	4.02, 4.03, 4.04	Sept. 9, 1974	do	Apr. 1, 1975
Do	Staunton	4.02, 4.03, 4.04	June 27, 1974	do	June 30, 1975
Strickland Foundry & Machinery Co.	Richmond	4.02, 4.04	Sept. 14, 1974	do	May 15, 1974
Suffolk Lumber Co.	Suffolk	4.02, 4.03	June 28, 1974	do	June 30, 1975
Templeton & Sons	Lynchburg	4.04	Oct. 30, 1974	do	Apr. 1, 1976
Tidewater Crushed Stone & Asphalt Co. (1-95 asphalt plant)	Richmond	4.04	Sept. 10, 1975	do	June 30, 1975
Tidewater Crushed Stone & Asphalt Co. (1-95 crushed stone plant)	do	4.04	do	do	Do.
Tidewater Crushed Stone & Asphalt Co.	Henric County	4.04	Sept. 9, 1974	do	Apr. 1, 1975
Union Camp Corp.	Franklin	4.02, 4.03, 4.04	June 27, 1974	do	June 30, 1975
U.S. Gypsum Co.	Saltville	4.04.01(b)(6), 4.04.02, 4.04.01	June 20, 1974	do	Apr. 30, 1975
U.S. Navy Public Works Center	Norfolk	4.02	June 27, 1974	do	Mar. 30, 1975
Vaughn Furniture Co.	Galax	4.04	Sept. 5, 1974	do	May 30, 1975
Vaughn-Bassett Furniture Co.	do	4.04.01(b)(9)	June 19, 1974	do	June 30, 1975
Virginia Foundry Co.	Roanoke	4.02, 4.04	June 20, 1974	do	Do.
Virginia Lime Co.	Kimballton	Sec. IV (Rules 2, 4)	do	do	Do.
Virginia Woodworking Co.	Bristol	4.03.00, 4.04.01(b)	June 19, 1974	do	Do.
W. B. Frey Co.	Clearbrook	4.04.01	June 21, 1974	do	Do.
Washington Weaving Co.	Fries	4.02	Nov. 7, 1974	do	Apr. 30, 1975
Weaver Fertilizer Co.	Norfolk	4.04.02, 4.04.01(a)(1), 4.04.01(b)(3)	June 28, 1974	do	June 30, 1975
Webb Furniture Co.	Galax	4.04	Oct. 30, 1974	do	Do.
Webrite Corp.	Roanoke	4.04.01(b)(11)	June 27, 1974	do	Do.
Westvaco Corp. (Chemical Plant)	Covington	4.04, 4.07	do	do	June 15, 1975
Wonderknot Corp.	Galax	4.03	Oct. 30, 1974	do	Mar. 15, 1975

[FR Doc.75-7344 Filed 3-21-75; 8:45 am]

## PROPOSED RULES

## [ 40 CFR Part 227 ]

[FRL 348-8]

## OCEAN DUMPING

## Proposed Designation of Site

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

A list of "Approved Interim Ocean Dumping Sites" was published on May 16, 1973 (38 FR 12875-77), and the preamble to the final regulations and criteria, published on October 15, 1973 (38 FR 28610-21), stated that the list of "Approved Interim Ocean Dumping Sites" would continue to be effective until such time as final regulations relating to site selection and use are published. Such final regulations for site selection and use have not been published.

The purpose of this notice is to give the public an opportunity to comment on the proposed designation of a new site in the tropical sea west of Johnston Island for use under certain controlled conditions for high temperature ship-board incineration of Herbicide Orange.

On January 9, 1974, the United States Air Force (the "Applicant") submitted to EPA an application for a special permit under the Ocean Dumping Act to incinerate Herbicide Orange on the *M/V Vulcanus*, along with a final Environmental Impact Statement relating to the proposed incineration. The area in which incineration is proposed is bounded by the following coordinates:

16d 45' to 17d 45' north latitude  
171d 30' to 172d 30' west longitude

This location is approximately 120 miles from Johnston Island and 1,000 miles west of the Hawaiian Islands. The area proposed for the incineration is in the area of the westward-moving equatorial current of the Pacific Ocean, and during the proposed period of incineration the prevailing winds are from the east. The nearest land downwind and downcurrent from the site is 1,000 miles away.

The proposed incineration site is typical of tropical open ocean areas which are unproductive parts of the oceans. Extensive studies on the impact of ocean incineration of similar waste materials using the same vessel in a characteristically unproductive area of the Gulf of Mexico, showed no detectable impact on the marine environment from the incineration. Baseline studies of the marine environment of this proposed site will, therefore, not be conducted prior to the incineration because of the similarity in the wastes, disposal method, and because of the similarity of this disposal site to the Gulf of Mexico location in which ocean incineration was found to have no impact on the marine environment.

A copy of the information supplied to EPA by the Applicant is available for inspection at the following offices:

EPA Region IX, Room 100, 100 California Street, San Francisco, California  
EPA Region IV, Room 306, 1421 Peachtree Street NE., Atlanta, Georgia  
Freedom of Information Center, Room 221 West Tower, 401 M Street SW., Washington, D.C.

This new site is being published as proposed rulemaking. Management authority will remain with the Administrator of EPA.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Environmental Protection Agency, Oil & Special Materials Control Division, (WH-448), 401 M Street SW., Washington, D.C., 20460, Attention: Chief, Marine Protection Branch, on or before April 23, 1975.

Dated: March 19, 1975.

RUSSELL E. TRAIN,  
Administrator.

[FR Doc.75-7592 Filed 3-21-75;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 42 ]

[Docket No. 20394]

## TELEGRAPH AND TELEPHONE CARRIERS

## Record Retention; Extension of Time

In the matter of amendment of § 42.9 of the Commission's rules and regulations to increase the period required for retention of certain records by telephone and telegraph carriers, Docket No. 20334.

1. The Western Union Telegraph Company (Western Union) has filed a motion to extend the deadline for filing comments in the above-captioned proceeding (40 FR 6676) for a period of two weeks. Presently, comments are due March 14, 1975 and reply comments are due April 1, 1975.

2. In support of its request, Western Union states that the participation of the attorney assigned to this proceeding in several other matters before the Commission does not allow for the development of adequate and proper comments within the existing time schedule.

3. Good cause has been shown, and accordingly, it is ordered, Pursuant to § 0.303(c) of the Commission's rules, 47 CFR 0.303(c), that the Motion for Extension of Time filed by Western Union is granted and the time for filing comments in the above-captioned matter is extended until March 28, 1975, and the time for replies until April 15, 1975.

Adopted: March 13, 1975.

Released: March 17, 1975.

[SEAL] WALTER R. HINCHMAN,  
Chief, Common Carrier Bureau.

[FR Doc.75-7544 Filed 3-21-75;8:45 am]

[ 47 CFR Part 73 ]

[Docket No. 20385; RM-2455]

## FM BROADCAST STATIONS, N.C.

## Table of Assignments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Canton-Waynesville, North Carolina), Docket No. 20385, RM-2455.

1. *Petitioner, Proposal, and Comments.* (a) Petition for rule-making filed September 30, 1974, by Jefferson Lowe Watts, proposing the assignment of FM Channel 285A, on a hyphenated basis, to Canton-Waynesville, North Carolina, as the first FM assignment for the two communities.

(b) The channel may be assigned without affecting any existing FM assignment. The transmitting antenna for a station operating on the Channel 285A assignment must be located at least four miles west of Canton.

(c) Since Waynesville is the larger of the two communities, the Commission is proposing the assignment to Waynesville. However, since Canton is within 10 miles of Waynesville, Channel 285A may be used at Canton through application of the 10-mile rule (Section 73.203(b) of the Commission's Rules and Regulations).

2. *Demographic Data*—(a) *Location:* Canton and Waynesville, approximately 9 miles apart, are located in Haywood County, of which Waynesville is the seat. Waynesville is southwest of Canton which is 18 miles west-southwest of Asheville.

(b) *Population—1970 Census:* Canton—5,158; Waynesville—6,488; Haywood County—41,710.

(c) *Present Local Broadcast Service:* Local service to Canton is provided by its two daytime-only AM stations (WPIT and WWIT). Waynesville's local service is furnished by WHCC (unlimited-time Class IV AM).

(d) *Economic Conditions:* Petitioner has adduced evidence to show that the two communities have a sufficient amount of economic activity to justify a first FM assignment. He cites retail sales and employment statistics and industrial data.

3. *Preclusion:* Adoption of petitioner's proposal would cause only co-channel preclusion. Only one community without local aural service and with a population in excess of 1,000 persons is located in the precluded area. The community is Hazelwood (pop. 2,057), which is located approximately 1 mile from Waynesville. Petitioner's engineering statement notes that should the requested assignment be granted, Hazelwood could apply for its use under the ten-mile rule.

4. In light of the above, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations, as follows:

City	Channel No.	
	Present	Proposed
Waynesville, N.C.		25A.

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

6. Interested parties may file comments on or before May 9, 1975, and reply comments on or before May 29, 1975.

Adopted: March 12, 1975.

Released: March 17, 1975.

FEDERAL COMMUNICATIONS  
COMMISSION

[SEAL] WALLACE E. JOHNSON,  
Chief, Broadcast Bureau.

[Docket No. 20386; RM-2455]

FILING REQUIREMENTS

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

2. *Showings required.* Comments are invited on the proposal discussed in the above notice of proposed rule making. In initial comments, proponent will be expected to answer whatever questions are presented in the notice. The proponent of the proposed assignment is expected to file comments even if he only resubmits or incorporates by reference its former pleadings. He should also restate his present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

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

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

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

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

5. *Number of copies.* In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and four-teen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

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

[FR Doc.75-7543 Filed 3-21-75;8:45 am]

FEDERAL MARITIME COMMISSION

[ 46 CFR Part 547 ]

[Docket No. 72-54]

IMPLEMENTATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Discontinuance of Proceeding

The Commission has this day instituted a rulemaking proceeding (Docket 75-6) wherein rules are proposed implementing the National Environmental Policy Act of 1969. Docket 75-6 is designed to supersede this proceeding (Docket 72-54) and reflects Council on Environmental Quality Guidelines issued August 1, 1973, subsequent to institution of this proceeding.

Inasmuch as final rules on this subject are contemplated to be issued in Docket 75-6, no need exists to continue this proceeding (Docket 72-54).

Accordingly, it is ordered that proceedings in this matter are hereby discontinued.

By the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-7559 Filed 3-21-75;8:45 am]

[ 46 CFR Part 547 ]

[Docket No. 75-6]

POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

The purpose of this proposed rulemaking proceeding is to implement the requirements of the National Environmental Policy Act of 1969, 83 Stat. 852, 42 U.S.C. Sec. 4321 *et seq.*, (hereinafter NEPA) and the Council on Environmental Quality (hereinafter CEQ) Guidelines of August 1, 1973, 38 FR 20550, by insuring that the Federal Maritime Commission considers the environmental consequences of all its proposed actions, including legislative proposals, and that the Commission has the requisite guidance and background information for such consideration. In drafting these rules the Commission has followed the requirements of the CEQ Guidelines.

In defining major federal action so as to include all final regulatory actions taken by the Commission pursuant to its statutory authority, including legislative proposals, the Commission recognizes that every action taken by it, except those routine decisions pertaining to matters such as personnel and internal organization, are major federal actions within the

meaning of NEPA. All such major federal actions, except those excluded by Section 547.4, must be scrutinized to determine their environmental impact.

Those Commission actions which are excluded from the coverage of these proposed rules by § 547.4 have no conceivable environmental impact. However, every other Commission action not so excluded shall be subject to a preliminary assessment to determine, on a case-by-case basis, whether that action will affect the quality of the human environment.

When it is determined, after a thorough review of all relevant information, that there is no relation between a proposed Commission action and the quality of the human environment, and environmental appraisal setting forth the basis for this conclusion will be prepared and made available to the public. In addition, a negative declaration will be published in the FEDERAL REGISTER. Alternatively, when it is determined that a proposed Commission action may have a significant environmental impact, the procedures for preparing, drafting, noticing, and circulating environmental impact statements will be followed.

In order for the Commission to perform the functions required by NEPA in a meaningful manner, it is essential that it have access to all relevant information. Much of this information may be peculiarly in the hands of persons subject to the Commission's jurisdiction such as cargo statistics and information concerning particular vessel characteristics and operations. For this reason, Section 547.5 of the proposed rules prescribes procedures by which the Commission may obtain needed information.

Section 547.12 of these proposed rules authorizes the Commission to waive the strict time provisions of the rules, after advising CEQ of the alternative procedures being adopted, where expedited Commission action is necessary to avoid extreme hardship. This provision is intended to apply only to matters of utmost urgency.

Section 547.13 sets forth procedures to be followed in hearings before Administrative Law Judges. This provision is intended to conform to the requirements of the CEQ Guidelines while protecting the rights of litigants in accordance with the Administrative Procedure Act, 5 U.S.C. Sec. 551 *et seq.*, as well as the Commission's Rules of Practice and Procedure, 46 CFR Part 502. Thus, when an impact statement is prepared in conjunction with an action which is the subject of a hearing, the responsible Commission official will submit the final impact statement for the record as his direct testimony. Like any other testimony, the final impact statement may be subjected to full examination and will be considered by the Administrative Law Judge along with all other evidence of record when making findings and conclusions necessary for the initial decision. Exceptions to the initial decision may be filed in accordance with the Commission's Rules of Practice and Procedure.



## PROPOSED RULES

On September 27, 1972, the Commission published in the FEDERAL REGISTER, as Docket No. 72-54, "Procedures for Implementation of the National Environmental Policy Act of 1969" in accordance with the CEQ Guidelines of April 23, 1971. However, on August 1, 1973, CEQ promulgated new Guidelines which superseded all earlier Guidelines thus rendering the Commission's proposed rules in Docket No. 72-54 obsolete.

The Commission is this day discontinuing, by separate order, Docket No. 72-54.

Therefore, pursuant to the National Environmental Policy Act of 1969 (83 Stat. 852, 46 U.S.C. 4321) implemented by Executive Order 11514 (35 FR 4247) and Council on Environmental Quality Guidelines of August 1, 1973, (38 FR 20550); and section 43 of the Shipping Act, 1916 (46 U.S.C. 841(a)), notice is hereby given that the Federal Maritime Commission is proposing to amend Title 46 CFR by adding a new Part 547 reading as set forth below.

It is ordered, That notice of this order and the attached proposed rules be published in the FEDERAL REGISTER; and

It is further ordered, That all interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before May 8, 1975, an original and 15 copies of their views and arguments pertaining to the proposed rules. All suggestions for changes in the text of said proposed rules should be accompanied by the language thought necessary to accomplish the desired change and statements and arguments in support thereof. Hearing Counsel shall reply to said comments on or before June 9, 1975, by serving an original and 15 copies on the Commission and one copy to each party who filed written comments. Answers to Hearing Counsel shall be submitted to the Commission on or before June 24, 1975; and

It is further ordered, That should any such person or Hearing Counsel feel that an evidentiary hearing or oral argument be required, that person shall accompany any such request with a statement setting forth in detail the facts to be proven, their relevance to the issue in this proceeding, and why such proof cannot be submitted through affidavit. An original and 15 copies of such requests shall be filed with the Secretary, Federal Maritime Commission, on or before April 23, 1975; and

It is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding be published in the FEDERAL REGISTER, and in addition be mailed directly to all persons filing comments in accordance with the procedures enumerated above and all other persons who notify the Secretary, Federal Maritime Commission, of their desire to receive such notice.

By the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

It is proposed to amend 46 CFR Chapter 4 by adding a new Part 547 as follows:

## PART 547—POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

Sec.	
547.1	Purpose and authority.
547.2	Scope and responsibility.
547.3	Definitions.
547.4	Specific exemptions.
547.5	Information required by the Commission.
547.6	Assessment with respect to environmental impact.
547.7	Notice of intent to make an environmental assessment.
547.8	Notice of environmental negative declaration.
547.9	Preparation of draft environmental impact statements.
547.10	Distribution of draft environmental impact statement; notice and comments.
547.11	Preparation of final environmental impact statements.
547.12	Time constraints on final administrative action; waiver in exigent circumstances.
547.13	Hearing procedures.

AUTHORITY: National Environmental Policy Act of 1969, 83 Stat. 852, 42 U.S.C. 4321 et seq.; CEQ Guidelines, 38 FR 20650.

## § 547.1 Purpose and authority.

The National Environmental Policy Act of 1969, 83 Stat. 852, 42 U.S.C. 4321 et seq. (hereinafter NEPA), implemented by Executive Order 11514, 35 F.R. 4247, and the Council on Environmental Quality (hereinafter CEQ) Guidelines of August 1, 1973, 38 FR 20550, mandates that protection and enhancement of the environment shall be a national goal. As an affirmative step toward reaching this goal the statute requires all federal agencies to make environmental considerations a factor in their decisionmaking processes. To insure that the agency has the necessary basis upon which to make such determinations, NEPA requires that detailed analysis of the environmental consequences of all legislative proposals and proposed major federal actions which significantly affect the quality of the human environment be made and submitted for public comment prior to agency decision. This analysis, known as an environmental impact statement, shall accompany the proposal for action through all stages of the decisionmaking and review process. It is the purpose of this rule to establish orderly procedures by which the Federal Maritime Commission (hereinafter the Commission) will comply with the requirements of NEPA as to the preparation and utilization of environmental impact statements.

## § 547.2 Scope and responsibility.

(a) This regulation applies to all regulatory actions of the Commission taken pursuant to its statutory authority, including legislative proposals.

(b) The responsible Commission official designated by the Commission as defined in § 547.3 is accountable for establishing procedures consistent with the requirements of this rule and for assuring that decisions on all actions taken within the scope of this rule comply with NEPA.

## § 547.3 Definitions.

(a) "Act" means the Shipping Act, 1916, as amended, 46 U.S.C. Section 801 et seq.

(b) "Common Carriers by Water or Other Persons Subject to the Act" refers to any common carrier by water as defined by the Shipping Act, 1916, as amended, 46 U.S.C. section 801, or any person not a common carrier by water carrying on the business of forwarding or furnishing wharfage, dock, warehouse, or other terminal facilities in connection with a common carrier by water.

(c) "Environmental Assessment" is an initial determination by the responsible Commission official as to whether a given major federal action significantly affects the quality of the human environment.

(d) "Threshold Assessment Survey" (hereinafter TAS) is a detailed statement, made after review of all relevant information, which sets forth the basis for an environmental negative declaration.

(e) "Environmental Impact" is any alteration of environmental conditions or creation of a new set of environmental conditions, adverse or beneficial, caused or induced by the action or set of actions under consideration.

(f) "Environmental Impact Statement" is a complete and fully comprehensive environmental analysis including formal review by other Federal, State and local agencies as prescribed by section 102(2)(C) of NEPA. The environmental impact statement is comprised of two stages, draft environmental impact statement (DEIS) and final environmental impact statement (FEIS).

(g) "Environmental Negative Declaration" is a statement to be published in the FEDERAL REGISTER by the responsible Commission official, after consideration of all relevant information, stating that preparation of an environmental impact statement is not required. In addition, this declaration shall include a statement of the proposed action and its lack of environmental impact.

(h) "NEPA" means the National Environmental Policy Act of 1969, 83 Stat., 852, 42 U.S.C. 4321 et seq.

(i) "Responsible Commission Official" for purposes of NEPA decisionmaking means that official designated by the Commission to ensure compliance with NEPA.

(j) "Major Federal Action Significantly Affecting the Quality of the Human Environment" includes all final regulatory actions of the Federal Maritime Commission taken pursuant to its statutory authority and is a statutory standard requiring the consideration of:

(1) the qualitative extent to which the action will cause adverse or beneficial environmental effects in excess of those created by existing uses; and

(2) the absolute quantitative adverse or beneficial environmental effects of the action itself, including the cumulative harm or benefit that results from its contribution to existing conditions or uses.

(k) "CEQ Guidelines" means the guidelines published by the Council on



Environmental Quality establishing procedures for implementation of NEPA (38 FR 20550, August 1, 1973).

**§ 547.4 Specific exemptions.**

Unless otherwise determined by the Commission, either upon application of an interested person or upon its own initiative, no environmental impact statement, negative declaration, or TAS need be prepared in connection with the following types of Commission actions and all activities related thereto. Nothing in this Section shall prevent the Commission from granting future specific exemptions of other final actions not incorporated herein.

(a) Issuance, modification, denial and revocation of freight forwarder licenses, carried on pursuant to section 44 of the Shipping Act, 1916, as amended, 46 U.S.C. section 801, 841 (b).

(b) Certification of passenger vessels pursuant to 46 CFR Part 540, 46 U.S.C. section 801, 817 (d) (e).

(c) Certification of financial responsibility for water pollution cleanup, pursuant to 46 CFR Part 542.

(d) Promulgation of procedural rules including amendments to the Commission's rules of practice and procedure, 46 CFR Part 502.

(e) Receipt of rate filings in foreign commerce and routine rejection for failure to comply with filing procedures, pursuant to section 18(b) of the Act.

(f) Receipt of self-policing reports, shipper requests and complaints, and inquiries of the public.

(g) Waiver of filing requirements under General Order 11.

(h) Consideration of amendments to Agreements filed pursuant to section 15 of the Act, which neither increase nor diminish the authority granted in the original approval of the section 15 Agreement.

(i) Consideration of Agreements between common carriers or other persons subject to the Act, to discuss, propose or plan future action, the implementation of which requires filing of an agreement under section 15 of the Act.

(j) Final action on amendments to agreements filed pursuant to section 15 of the Act which relate solely to voting rights and other internal procedures adopted by agreement signatories.

(k) Administrative procurements (general supplies).

(l) Contracts for personal services.

(m) Personnel actions.

**§ 547.5 Information required by the Commission.**

Any Complainant, Protestant, or Petitioner shall accompany its complaint, protest, or petition with a statement setting forth in detail its assessment of the impact of the requested Commission action on the quality of the human environment except if the complaint, protest, or petition concerns matter exempted under § 547.4. Every common carrier by water, or other person subject to the Act, or any officer, receiver, trustee, lessee, agent, or employee thereof, as well as all parties to proceedings before the Com-

mission shall submit on request of the responsible Commission official, within 15 days of such request, all relevant and material information which the responsible Commission official shall deem necessary for discharge of the Commission's duties in accordance with NEPA. Such requests may be informal or made pursuant to a duly executed section 21 Order, 46 U.S.C. section 801, 820. Any extensions of time are within the sole discretion of the responsible Commission official.

**§ 547.6 Assessment with respect to environmental impact.**

Every Commission action not specifically exempted under § 547.4 shall be subjected to an environmental assessment by the responsible Commission official.

(a) *Environmental negative declarations.* Where it is determined that there will be no significant impact on the environment a detailed TAS shall be prepared. In addition, a negative declaration shall be published in the FEDERAL REGISTER. The declaration shall set forth a description of the proposed action and of its lack of environmental impact. A TAS shall be prepared and shall be made available to the public in accordance with the procedures set forth in § 547.8 of this rule.

(b) *Environmental impact statements.* Where it is determined that there will be a significant impact on the quality of the human environment an environmental impact statement shall be prepared.

**§ 547.7 Notice of intent to make an environmental assessment.**

When it is determined that an environmental assessment will be made in connection with a Commission action, the responsible Commission official will cause to be published in the FEDERAL REGISTER a notice of intent that an environmental assessment will be made. This notice will briefly describe the nature of the proposed Commission action and shall invite written comments with respect thereto. Such comments should be directed to the Secretary, Federal Maritime Commission, 1100 L Street NW., Washington, D.C. 20573.

**§ 547.8 Notice of environmental negative declaration.**

The responsible Commission official shall cause negative declarations to be published in the FEDERAL REGISTER. This notice shall state that a TAS setting forth the basis for the determination is available for public inspection and shall list the location or locations where the TAS may be examined. Any person disagreeing with the negative declaration shall have ten (10) days within which to note exceptions to the Commission by filing exceptions to the negative declaration with the Secretary, Federal Maritime Commission, 1100 L Street NW., Washington, D.C. 20573. No Commission action shall be taken within ten (10) days following the publication of the negative declaration in the FEDERAL REGISTER.

**§ 547.9 Preparation of draft environmental impact statements.**

(a) *General.* Upon a determination that a proposed action may have a significant effect upon the environment, the responsible Commission official will undertake to prepare an environmental impact statement. The impact statement is normally comprised of two stages: draft and final. The draft statement must satisfy to the fullest extent possible, at the time the draft is prepared, the requirements established for final statements by section 102(2)(C) of NEPA. The final environmental impact statement shall be prepared early enough to be part of the Commission's decision-making process on the proposed action to which it relates and in the case of hearings shall be prepared early enough to conform to the requirements of § 547.13.

(b) *Draft Environmental Impact Statements.* In preparing draft environmental impact statements the responsible Commission official shall take into account the guidelines set forth by the Council on Environmental Quality. Draft statements shall set forth in detail: (1) The environmental impact of the proposed or contemplated action; (2) any adverse environmental effects which cannot be avoided should the proposed or contemplated action be implemented; (3) alternatives to the proposed or contemplated action; (4) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and (5) any irreversible and irretrievable commitments of resources which would be involved in the proposed or contemplated action should it be implemented.

**§ 547.10 Distribution of draft environmental impact statement; notice and comments.**

(a) As soon as they have been prepared, draft environmental impact statements shall be distributed as follows:

(1) Ten (10) copies shall be filed with the Secretary of the Commission.

(2) Ten (10) copies shall be provided to the Council on Environmental Quality.

(3) One copy of the draft statement shall be provided to:

(i) Federal agencies having special expertise or jurisdiction by law with respect to any environmental impacts involved and which are authorized to develop and enforce relevant environmental standards;

(ii) The Environmental Protection Agency;

(iii) Appropriate State and local agencies authorized to develop and enforce relevant environmental standards. A reasonable effort will be made to distribute draft environmental statements to all States that may be affected; and to appropriate national and local environmental organizations.

(iv) Each party to a Commission proceeding for which a DEIS is prepared.

(4) One (1) copy of the draft statement will be provided to interested persons without charge to the extent practicable, or at a fee which is not more

than the actual cost of reproducing copies required to be sent to CEQ and other Federal agencies.

(b) A list of all persons receiving the draft environmental impact statement will be kept in the Office of the Secretary, Federal Maritime Commission, 1100 L Street NW., Washington, D.C. 20573. This list will be available for inspection upon request.

(c) Notice of availability of the DEIS will be published in the FEDERAL REGISTER by the responsible Commission official. The notice will request that within forty-five (45) days from the date of publication of the notice, or within such longer time as the responsible Commission official may specify, written comments from interested persons on the proposed action and on the DEIS be submitted to the Secretary, Federal Maritime Commission, 1100 L Street NW., Washington, D.C. 20573. The notice shall also contain a statement to the effect that the comments of Federal, State, and local agencies and interested persons will be available when received. If no comments are provided within the time specified, it will be presumed, unless the agency or person requests an extension of time, that the agency or person has no comment to make. The responsible Commission official will endeavor to comply with requests for extensions of time up to fifteen (15) days if good cause is shown.

#### § 547.11 Preparation of final environmental impact statements.

After receipt of comments on the draft statement, the responsible Commission official will prepare a final environmental impact statement. To the extent that opposing professional views or responsible opinion on the environmental effects of the proposed or contemplated action have not been discussed in the draft statement, and are raised through the commenting process, the environmental effect of the action will be reviewed in the light of those comments. Meaningful reference will be made in the final statement to responsible opposing views not considered in the draft statement, indicating the basis for conclusions reached as to issues raised by such comments. All substantive comments received on the draft statement (or summaries thereof where the response has been exceptionally voluminous) will be attached to the final statement as a part thereof whether or not such comments are thought to merit individual discussion in the text of the statement. The final impact statement and any substantive comments received on the draft statement will be considered in the Commission's review and decisionmaking processes. The final statement will be filed and distributed in the same manner as required in § 547.10(a) for draft environmental impact statements.

#### § 547.12 Time constraints on final administrative action; waiver in exigent circumstances.

(a) No administrative action will be taken regarding any proceeding for which an environmental impact state-

ment is required sooner than 90 days after a DEIS has been filed with CEQ and noticed in the FEDERAL REGISTER, or sooner than 30 days after the FEIS has been made available to CEQ and the public and noticed in the FEDERAL REGISTER. The 30-day period required for public review of final environmental impact statements before administrative action can be taken commences on the date that notice of the FEIS is published in the FEDERAL REGISTER.

(b) In extraordinary circumstances, where expedited Commission action is necessary to avoid extreme hardship, the Commission shall advise CEQ concerning alternative procedures adopted as necessary to meet the needs of the extraordinary circumstance and shall publish a notice stating justification for this action in the FEDERAL REGISTER.

#### § 547.13 Hearing procedures.

(a) Subject to any procedural requirements imposed by the Administrative Law Judge consistent with this part, when a Commission action requiring preparation of an environmental impact statement is the subject of a hearing under the Administrative Procedure Act, 5 U.S.C. 501 *et seq.*, and the Commission's rules of practice and procedure, 46 CFR Part 502, the responsible Commission official shall, prior to commencement of hearing, submit the final environmental impact statement for the record. This statement shall be considered the direct testimony of the responsible Commission official.

(b) Any party to the proceeding may cross-examine as to matters contained in the FEIS and offer probative evidence in support or in opposition thereto. Such cross-examination may include examination of the responsible Commission official with respect to the preparation of the statement, and others with respect to comments submitted by them.

(c) Where environmental matters are at issue in a proceeding, the initial decision of the Administrative Law Judge shall make all necessary findings and conclusions on such matters. The initial or recommended decision may include findings and conclusions which affirm or modify the content of a final environmental impact statement, if such findings and conclusions relate to environmental issues raised during the proceeding. To the extent that findings and conclusions different from those in the final environmental impact statement are reached, the statement shall be deemed modified to that extent, and the initial or recommended decision shall be distributed as provided for in § 547.10(a).

(d) If the Commission upon review, either on its own motion or after receiving exceptions filed pursuant to the Commission's Rules of Practice and Procedure, 46 CFR Part 502, reaches conclusions different from those contained in an initial or recommended decision with respect to environmental issues, the FEIS will be deemed modified to that extent. Unless otherwise directed by the Commission, the Commission Order will be deemed final when served.

[FR Doc.75-7660 Filed 3-21-75;8:45 am]

## FEDERAL RESERVE SYSTEM

[ 24 CFR Part 82 ]

### REAL ESTATE SETTLEMENT PROCEDURES

#### Notice of Proposed Rulemaking

The Real Estate Settlement Procedures Act of 1974 (Pub. L. 93-533) requires the disclosure of settlement and credit costs on standardized forms to be given to home buyers in advance of and at the time of settlement in a transaction which involves a federally related mortgage loan. Section 4 of this statute (12 U.S.C. 2603) specifically requires that such forms include all information and data required to be disclosed by the Federal Truth in Lending Act. The Secretary of Housing and Urban Development on February 18, 1975, published for comment the settlement cost portions of these forms and referenced the fact that the Board would subsequently be publishing the Truth in Lending portion of the Uniform Disclosure/Settlement Statement. Pursuant to the authority under Pub. L. 93-533, the concurrence of the Secretary of Housing and Urban Development, and the Board's authority under the Truth in Lending Act (15 U.S.C. 1604), the following form is published for comment. This form is proposed to be added as the last page of the combined form dealing with both settlement and credit costs in federally related mortgage loans (24 CFR 82.4(d)), which was proposed by HUD on February 18, 1975 (40 FR 7072).

It is anticipated that following the analysis of responsive comments, the Board will recommend to the Secretary of Housing and Urban Development the format of the Truth in Lending form to be included in the combined form. It is also anticipated that the Secretary of Housing and Urban Development will subsequently incorporate these Truth in Lending disclosures into a finally adopted combined Uniform Disclosure/Settlement Statement.

#### FEDERAL TRUTH-IN-LENDING STATEMENT

(AS PART OF UNIFORM DISCLOSURE/SETTLEMENT FORM)

(\*Indicates a rate or amount that is estimated and may change at time of closing)

1. a. The principal amount of the loan is \$-----.
- b. Plus other amounts financed:
  1. Property insurance premiums. \$-----
  2. ----- \$-----
  3. ----- \$-----
- c. Total amount borrowed \$-----.
- d. Less any Prepaid Finance Charges:
  1. Origination fee or points paid by borrower. \$-----
  2. Loan discount or points paid by seller if passed on to buyer. \$-----

FEDERAL TRUTH-IN-LENDING STATEMENT—Continued

3. Interest from \_\_\_\_\_ to \_\_\_\_\_ \$-----
4. Mortgage guaranty insurance. \$-----
5. \_\_\_\_\_ \$-----
6. \_\_\_\_\_ \$-----
- e. Amount Financed \$-----
2. a. The FINANCE CHARGE consists of:
  1. Interest (simple annual rate of \_\_\_\_\_%). \$-----
  2. Total prepaid finance charges (1d). \$-----
  3. \_\_\_\_\_ \$-----
  4. \_\_\_\_\_ \$-----
- b. Total FINANCE CHARGE \$-----
3. a. The ANNUAL PERCENTAGE RATE on the amount financed is \_\_\_\_\_%.
- b. If the contract includes a provision for variation in the interest rate, describe \_\_\_\_\_
4. The borrower will pay principal and interest in (number) equal (monthly, quarterly) instalments of \$----- each and a final payment of \$----- The total of payments is \$----- The first payment will be due on \_\_\_\_\_ and the final payment on \_\_\_\_\_ and \_\_\_\_\_
5. The finance charge begins to accrue on \_\_\_\_\_ (date)
6. In the event of late payment or delinquency, the creditor may assess charges of \_\_\_\_\_
7. a. Conditions and penalties for prepaying this loan: \_\_\_\_\_
- b. Identification of method of rebate of unearned finance charges: \_\_\_\_\_
8. Property damage insurance with extended coverage in the amount of \$----- is required in connection with the loan. This insurance may be purchased from any company, subject to rejection by the lender for reasonable cause, but may be purchased through the lender at an estimated cost of \$----- for a term of \_\_\_\_\_ years.
9. The security for this loan shall be \_\_\_\_\_
10. In the event that this transaction is subject to the right of rescission as provided by the Truth in Lending Act, a separate notification of the right of rescission must be given to the borrower(s).
11. Acknowledgment of Receipt of this  advance or  settlement disclosure: The undersigned borrower(s) acknowledge receipt of the above disclosure.

Date	Buyer/Borrower	Date	Buyer/Borrower
Date	Seller	Date	Lender

INSTRUCTIONS FOR FEDERAL TRUTH IN LENDING STATEMENT<sup>1</sup>

The above form is the Federal Truth in Lending disclosure portion of the Uniform Disclosure/Settlement and Truth in Lending Statement to be provided by the Department of Housing and Urban Development in connection with the Real Estate Settlement Procedures Act (Pub. L. 93-533).

This form is not intended to be totally comprehensive of all charges and terms that may be incident to a given Federally related mortgage loan. Blank lines have been inserted in several instances where it is anticipated that additional charges or terms may be included by the creditor. In the event that additional charges or information may not be fully accommodated in these blank lines, a creditor may include such information or charges on the reverse side of this form, provided that the form is clearly marked at the bottom: "See reverse side for important information." In the event that items listed on the proposed form are not applicable to a given transaction,

<sup>1</sup> Note: All sectional references in the instructions are to Regulation Z issued by the Board of Governors of the Federal Reserve System.

these lines may be marked with the abbreviation "N/A" for not applicable.

As indicated, the creditors may make bona fide estimates in connection with charges on which exact dollar amounts or rates are unknown at the time of the disclosure (§ 226.8(f)). Such estimates must be replaced with exact information, if known, at settlement.

Item 1. Item 1(a) is provided to show the principal amount of the loan.

Item 1(b). Property insurance premiums under 1(b) are included in the amount financed if they are financed as part of the credit transaction and the other conditions of § 226.4(a)(6) have been met (See Item 8). The blank lines 2 and 3 are intended to include similar items, which are financed, such as those under the terms of § 226.4(b) or (e).

Item 1(c). This item is the sum of 1(a) and 1(b).

Item 1(d). This item is intended for disclosure of all prepaid finance charges (§ 226.4(a), § 226.8(d)(2) and § 226.8(e)(1)).

Line 3 is provided to show the prepayment fee or points paid directly by the borrower, such as the one point permitted in VA transactions.

Line 2 is provided to show those loan discounts or points paid by the seller when

passed on to the borrower either directly or indirectly through the selling price (§ 226.406).

Line 3 is provided to show the prepayment of any accruing interest charge on the contract until the first monthly payment is due. The blank spaces are provided to show the dates for which such interest accrues.

Line 4 is provided to show the payment of mortgage guaranty insurance premiums, such as FHA and MGIC, accruing prior to the first monthly payment.

The blank lines 5 and 6 are provided to show any additional prepaid finance charges.

Item 1(e). This item is provided to show the difference between item 1(c) and 1(d) (§ 226.8(d)(7)/226.8(d)(1)).

Item 2. This item is provided to show the components of the finance charge, such as the amount of contract interest, all prepaid finance charges, continuing premiums for mortgage guaranty insurance, and discounts to cash customers as well as to show the total amount of the finance charge (§ 226.4(a)). Line 1 permits, at the creditor's option, the disclosure of the contract rate of interest where such interest is computed by the application of a simple annual rate. None of these disclosures are required of the creditor in a first purchase money mortgage transaction (§ 226.8(d)(3)).

Item 3. Item 3(a) is provided to show the annual percentage rate as determined in accordance with § 226.5(b). Item 3(b) is provided to show variable interest provisions (§ 226.8(b)(6)).<sup>2</sup>

Item 4. This item provides for the disclosure of the repayment terms. The total of payments is an optional disclosure in purchase money first mortgage transactions (§ 226.8(b)(3)). The blank line following the end of item 4 is provided to show any required information or disclosure with respect to balloon payments or other payment irregularities.

Item 5. This item is provided to show the date on which the finance charge begins to accrue if that date differs from the date shown at the top of the form (§ 226.8(b)(1)).

Item 6. This item is provided for the disclosure of any late payment, delinquency or reinstatement charges (§ 226.4(c) and § 226.8(b)(4)).

Item 7. Item 7(a) is provided for disclosure of conditions or penalties charged in the event of prepayment of a loan on which interest is computed on the unpaid principal balance (§ 226.8(b)(6)). Item 7(b) is provided to identify the method of rebate of unearned finance charges in the event of prepayment in full of installment obligations which include precomputed finance charges (§ 226.8(b)(7)).

Item 8. This item is provided to show property damage insurance required as an incident to the credit transaction (§ 226.4(a)(6)). Premiums for such insurance when purchased from the creditor may be excluded from the finance charge when this disclosure is made, including the disclosure of the customer's option.

Item 9. This item is provided to show the creditor's security interests (§ 226.2(z) and § 226.8(b)(5)).

Item 10. This item is included to reference disclosure of the right of rescission in transactions to which this right relates (§ 226.9).

<sup>2</sup> Item 3(b) is included to accommodate the proposed amendment § 226.8(b)(8).



## PROPOSED RULES

The right of rescission does not apply to the creation, retention or assumption of a first lien or equivalent security interest to finance the acquisition of a dwelling in which the customer resides or expects to reside (§ 226.9 (g) (1)).

*Item 11.* This item provides for an optional acknowledgment of the disclosure statement and differentiates between the form given in advance of settlement and the form given on the day of settlement.

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)). To aid in the consideration of these matters by the Board, interested persons

are invited to submit relevant data, views, or arguments in writing to the Office of the Secretary, the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 16, 1975. Such material will be made available upon request, except as provided in 12 CFR § 261.6(a) of the Board's rules Regarding Availability of Information.

By order of the Board of Governors,  
March 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
*Assistant Secretary of the Board.*

[FR Doc. 75-7490 Filed 3-21-75; 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

[Public Notice 444]

### TRAVEL INTO OR THROUGH CUBA Restriction on the Use of U.S. Passports

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), use of U.S. passports for travel into or through Cuba remains restricted. To permit unrestricted travel would be incompatible with the resolutions adopted at the Ninth Meeting of Consultation of Ministers of Foreign Affairs of the Organization of American States, of which the United States is a member. At this meeting, held in Washington from July 21 to 26, 1964, it was resolved that the governments of the American States not maintain diplomatic, consular, trade or shipping relations with Cuba under its present government. This resolution was reaffirmed in the Twelfth Meeting of Ministers of Foreign Affairs of the OAS held in September 1967, which adopted resolutions calling upon Member States to apply strictly the recommendations pertaining to the movement of funds and arms from Cuba to other American nations.

U.S. passports shall not be valid for travel into or through Cuba unless specifically validated for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of six months from the effective date, unless extended or sooner revoked by public notice.

*Effective date.* This Notice becomes effective on March 19, 1975.

Dated: March 18, 1975.

[SEAL] ROBERT S. INGERSOLL,  
*Acting Secretary of State.*

[FR Doc.75-7573 Filed 3-21-75;8:45 am]

[Public Notice 445]

### TRAVEL INTO OR THROUGH NORTH KOREA

#### Restriction on the Use of U.S. Passports

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), use of U.S. passports for travel into or through North Korea remains restricted. In view of the continued hostility of the North Korean regime toward the United States, the unsettled situation along the Military Demarcation Line, and the special position of the Government of the Republic of Korea as the only movement on the Korean Peninsula recognized by the U.S., the Department of State believes that

wholly unrestricted travel by American citizens to North Korea would seriously impair the conduct of U.S. foreign affairs.

U.S. passports shall not be valid for travel into or through North Korea unless specifically validated for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of six months from the effective date, unless extended or sooner revoked by public notice.

*Effective date.* This notice becomes effective on March 19, 1975.

Dated: March 18, 1975.

[SEAL] ROBERT S. INGERSOLL,  
*Acting Secretary of State.*

[FR Doc.75-7574 Filed 3-21-75;8:45 am]

[Public Notice 446]

### TRAVEL INTO OR THROUGH NORTH VIETNAM

#### Restriction on the Use of U.S. Passports

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), the use of U.S. passports for travel into or through North Vietnam remains restricted. In the aftermath of the signing on January 27, 1973, of the Agreement on Ending the War and Restoring Peace in Vietnam, tensions continue to be high and conditions unsettled in the Indo-China area. The Peace Agreement envisages that the implementation of the Agreement will create conditions for establishing a new, equal and mutually beneficial relationship between the United States and North Vietnam. However, the development of such a new relationship is still in its earliest stages. In these circumstances the Department of State believes that unrestricted travel by American citizens to North Vietnam would seriously impair the conduct of U.S. foreign affairs.

U.S. passports shall not be valid for travel into or through North Vietnam unless specifically validated for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of six months from the effective date, unless extended or sooner revoked by public notice.

*Effective date.* This notice becomes effective on March 19, 1975.

Dated: March 18, 1975.

[SEAL] ROBERT S. INGERSOLL,  
*Acting Secretary of State.*

[FR Doc.75-7575 Filed 3-21-75;8:45 am]

## DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dpt. Circular, Public Debt Series  
No. 9-75, Supplement]

### 6½ PERCENT TREASURY NOTES OF SERIES G-1977

#### Notice of Redesignation

The Secretary of the Treasury announced on March 18, 1975, that the interest rate on the notes described in Department Circular—Public Debt Series—No. 9-75, dated March 13, 1975, will be 6½ percent per annum. Accordingly, the notes are hereby redesignated 6½ percent Treasury Notes of Series G-1977. Interest on the notes will be payable at the rate of 6½ percent per annum.

DAVID MOSSO,

*Deputy Fiscal Assistant Secretary.*

[FR Doc.75-7555 Filed 3-21-75;8:45 am]

## DEPARTMENT OF DEFENSE

Department of the Air Force

### USAF SCIENTIFIC ADVISORY BOARD

#### Meetings

MARCH 19, 1975.

The USAF Scientific Advisory Board Study Group on Management and Support of Air Force Command, Control, and Communications will hold meetings on April 7, 8, 9 and 10. The times and locations are as follows:

April 7, 1975, 10 a.m.-5 p.m.

April 8, 1975, 8:30 a.m.-5 p.m., Electronic Systems Division, Building 1606, Room 124, Hanscom Air Force Base, Massachusetts.

April 9, 1975, 9 a.m.-3 p.m., Rome Air Development Center, Building 108, Room C102, Griffis Air Force Base, New York.

April 10, 1975, 8:30 a.m.-12 p.m., Aeronautical Systems Division, Area "B", Building 15, Room 209, Wright-Patterson Air Force Base, Ohio.

April 10, 1975, 4 p.m.-5:30 p.m., Headquarters, Air Force Systems Command, Room A312, Andrews Air Force Base, Maryland.

On April 7 and 8, the Study Group will conduct a classified review of the technology requirements of the Electronic Systems Division and its interfaces with Air Force laboratories, the MITRE Corporation, and Lincoln Laboratory. It will conduct a classified review of the technology capabilities of Air Force Cambridge Research Laboratories and their interfaces with the acquisition divisions of the Air Force Systems Command. It will review command, control, and communications alternatives recommended by selected industry personnel. This meeting will include proprietary information.

## NOTICES

On April 9, the Study Group will conduct a classified review of the technology capabilities of Rome Air Development Center and its interface with the acquisition divisions of the Air Force Systems Command.

On April 10 (8:30 a.m.-12 p.m.), the Study Group will conduct a classified review of the technology requirements of the Aeronautical Systems Division and its interfaces with the Air Force laboratories. It will conduct a classified review of the technology capabilities of the Air Force Avionics Laboratory and its interfaces with the acquisition divisions of the Air Force Systems Command.

On April 7, 8, 9, and 10 (8:30 a.m.-12 p.m.), the Study Group will receive classified and proprietary information on matters listed in 5 U.S.C. 552(b) (1), (4), and (5); therefore, these meetings are closed to the public. At each of these closed meetings, written statements may be filed with the Study Group Secretariat by interested individuals from 10 a.m. to 12 p.m. each day.

The meeting being held on April 10 from 4 p.m. to 5:30 p.m. will be open to the public. The Honorable Donald J. Mitchell, United States House of Representatives, has been invited to present his opinions to the Study Group. Persons wishing to attend this open session should make reservations with Miss Hall, 301-981-4215, by April 8, 1975. Written statements may be filed with the Study Group Secretariat by interested individuals.

For further information, contact the USAF Scientific Advisory Board Secretariat on 202-697-4811.

**JAMES E. DAGWELL,**  
*Chief, Documentation Management Branch, Directorate of Administration.*

[FR Doc.75-7552 Filed 3-21-75; 8:45 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 8706]

NEW MEXICO

Termination of Proposed Withdrawal and Reservation of Lands

MARCH 14, 1975.

Notice of an Agricultural Research Services, U.S. Department of Agriculture, application, Serial No. 8706, for withdrawal of lands from location and entry under the mineral leasing and the general mining laws (30 U.S.C., ch. 2), was published as FR Doc. 69-5863 on page 7871 of the FEDERAL REGISTER issue of Saturday, May 17, 1969. The application has been rejected in its entirety and no appeal has been made by the applicant agency. Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands at 10 a.m. on April 4, 1975, will be relieved of the segregative effect of the above mentioned application.

**FRED E. PADILLA,**  
*Chief, Branch of Lands and Minerals Operations.*

[FR Doc.75-7506 Filed 3-21-75; 8:45 am]

[OR 10898]

## OREGON

## Notice of Proposed Withdrawal and Reservation of Lands

MARCH 14, 1975.

The Department of Agriculture, on behalf of the Forest Service, has filed application, OR 10898, for withdrawal of the lands described below from all forms of appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the lands for a research natural area.

All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing no later than April 19, 1975, to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 2965 (729 N.E. Oregon Street), Portland, Oregon 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination by the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

## ROGUE RIVER NATIONAL FOREST

## WILLAMETTE MERIDIAN

## Abbott Creek Research Natural Area

T. 30 S., R. 2 E.,

Sec. 23, that part of the E $\frac{1}{2}$  south of the divide between the Rogue River and Umpqua National Forests;

Sec. 24, that part of said section south of the divide between the Rogue River and Umpqua National Forests;

Sec. 25, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;

Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 35, E $\frac{1}{2}$  of lot 3, lot 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 30 S., R. 3 E.,

Sec. 19, that part of lot 2 south of the divide between the Rogue River and Umpqua National Forests, lot 3, W $\frac{1}{2}$  of lot 4, lots 5 through 8, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Sec. 30, lots 1 through 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 31, lots 1 through 10, W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregates approximately 2,760.94 acres of which 820.73 are in Douglas County and 1,940.21 in Jackson County, Oregon.

**HAROLD A. BERENDS,**  
*Chief, Branch of Lands and Minerals Operations.*

[FR Doc.75-7567 Filed 3-21-75; 8:45 am]

[OR 11331 (Wash.)]

## WASHINGTON

## Proposed Protective Withdrawal and Reservation of Land

MARCH 14, 1975.

The Bureau of Land Management, Department of the Interior, has filed an application, serial no. OR 11331 (Wash.), for the withdrawal of public land described below, from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws.

The applicant desires to have the area withdrawn as the Palmer Lake Recreation Area for the purpose of establishing a public recreation area.

All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing no later than April 19, 1975, to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 2965 (729 N.E. Oregon Street), Portland, Oregon 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources.

After receipt of comments from interested parties, he will prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested by the Bureau of Land Management.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The land involved in the application is:

## WILLAMETTE MERIDIAN

T. 39 N., R. 26 E.,  
Sec. 18, lot 7.

The area described contains 24.65 acres in Okanogan County, Washington.

HAROLD A. BERENDS,  
Chief, Branch of Lands  
and Minerals Operations.

[FR Doc.75-7569 Filed 3-21-75; 8:45 am]

[OR 11479 (Wash.)]

WASHINGTON

Notice of Proposed Protective Withdrawal  
and Reservation of Land

MARCH 14, 1975.

The Bureau of Land Management, Department of the Interior, has filed an application, serial No. OR 11479 (Wash.), for the withdrawal of public land described below, from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws.

The applicant desires to have the area withdrawn as the Hot Lake Research Natural Area for the purpose of establishing a natural area for educational, scientific, and research purposes.

All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing no later than April 19, 1975, to the undersigned officer of the Bureau of Land Management, P.O. Box 2965 (729 N.E. Oregon Street), Portland, Oregon 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources.

After receipt of comments from interested parties, he will prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested by the Bureau of Land Management.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The land involved in the application is:

WILLAMETTE MERIDIAN

HOT LAKE RESEARCH NATURAL AREA

T. 40 N., R. 27 E.,  
Sec. 7, SE ¼ SE ¼;  
Sec. 18, NE ¼ NE ¼.

The area described contains 80 acres in Okanogan County.

HAROLD A. BERENDS,  
Chief, Branch of Lands  
and Minerals Operations.

[FR Doc.75-7568 Filed 3-21-75; 8:45 am]

Fish and Wildlife Service  
COYOTE DAMAGE CONTROL: SHEEP  
AND GOATS

Report on Emergency Use of M-44  
Devices During December

Notice is hereby given on the emergency use of M-44 devices by the Department of Interior's operational predator damage control program, for the month of December. This is in compliance with the experimental use permit

M-44 Emergency use, December 1974

State	Number of counties	Number of Ranches	Number of sheep and goats protected	Number M-44's used
Arizona.....	3	12	1,115	181
California.....	1	3	1,150	30
Montana.....	18	27	18,080	668
New Mexico.....	8	17	9,726	528
Oklahoma.....	5	6	1,752	82
Oregon.....	5	24	3,000	214
Texas.....	31	148	101,056	1,383
Utah.....	1	2	70	20
Wyoming.....	6	30	28,727	180
Totals.....	78	289	164,676	3,286

<sup>1</sup> On Indian reservation in San Juan County.

One or more coyotes were taken with this device on 117 of the 269 emergency areas, but losses were not necessarily halted in each case. During this month, 271 coyotes were taken by this device. Other species taken with the device during this period include 77 foxes, 5 feral dogs, 9 raccoons, 14 skunks, 2 opossums, 1 bobcat, and 1 raven.

All of the above use of M-44 devices as a supplemental tool to attempt to resolve coyote depredation on sheep and goats was conducted by trained Service personnel in accordance with the "Procedure For Advance Identification and Approval of Areas For the Possible Emergency Use of Sodium Cyanide Delivered by the M-44 Device for the Control of Depredating Canids," as it appears in the FEDERAL REGISTER, Volume 39, No. 120—Thursday, June 20, 1974.

FEBRUARY 27, 1975.

LYNN A. GREENWALT,  
Director,

U.S. Fish and Wildlife Service.

[FR Doc.75-7524 Filed 3-21-75; 8:45 am]

Geological Survey  
KNOXVILLE, CALIF.

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 22.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as the Knoxville Known Geothermal Resources Area, effective February 1, 1974:

(5) CALIFORNIA

KNOXVILLE KNOWN GEOTHERMAL RESOURCES  
AREA, MT. DIABLO MERIDIAN, CALIFORNIA

- T. 12 N., R. 4 W.  
Sec. 30.
- T. 11 N., R. 5 W.  
Secs. 1 through 4;  
Sec. 9, N ½;  
Secs. 10, 11, 15.
- T. 12 N., R. 5 W.  
Sec. 9, E ½;  
Secs. 10, 11, 15, 22;  
Sec. 23, S ½;  
Secs. 24 through 27;  
Sec. 28, SW ¼ SW ¼, E ½ SW ¼, SE ¼;  
Sec. 29, W ¼ SE ¼, SE ¼ SE ¼;  
Secs. 32 and 33 (projected);  
Sec. 34, E ½, W ½ (projected);  
Secs. 35 and 36.

The area described aggregates 14,702 acres, more or less.

Dated: February 20, 1975.

HILLARY A. ODEN,  
Acting Conservation Manager,  
Western Region.

[FR Doc.75-7529 Filed 3-21-75; 8:45 am]

Bureau of Reclamation

PRINEVILLE RESERVOIR, ARTHUR A.  
BOWMAN DAM, CROOKED RIVER PROJ-  
ECT, OREG.

Public Hearing on Unassigned Storage  
Space

A public hearing beginning at 8 p.m., Thursday, April 24, 1975, will be held in the Crook County High School Cafeteria, Prineville, Oregon, to obtain citizen input regarding disposition of approximately 82,500 acre-feet of unassigned storage space in Prineville Reservoir, Crooked River Project, Oregon.

Prineville Reservoir, a feature of the Crooked River Project, was authorized by the act of August 6, 1956 (70 Stat.



## NOTICES

1058), as amended. The reservoir became operational in the winter of 1960-61. Authorized reservoir functions include irrigation, flood control, and a minimum release of 10 cubic feet per second for the benefit of downstream fishlife during periods when no other release is being made. The act authorizes the construction of minimum basic public recreational facilities and authorizes arrangements for operation and maintenance of the facilities to be made with a State or local agency or organization. Project costs are allocated among the authorized functions.

The unassigned reservoir storage space has resulted in a relatively high reservoir water level during most years. The high water level, a favorable climate, the development of the reservoir as an excellent fishery, and large areas of public lands having good access all contributed to the reservoir's popularity as a recreational facility. Committing the unassigned reservoir space for water supply purposes would cause the water level to be lowered substantially during years of low runoff. As a consequence, the existing recreational and fish and wildlife values within the reservoir would be impacted adversely.

At present, approximately 82,500 acre-feet of storage in Prineville Reservoir are unassigned. Numerous agencies, organizations, and individuals have shown an interest in the ultimate use to be made of the unassigned space. Interest in the use of the space includes storing water for irrigation, domestic, and municipal water supplies; retention of water to improve recreation and the fish and wildlife potential; and several other uses. Because those uses can be competitive, a public hearing is being held to obtain the views and comments of interested organizations and individuals regarding the potential uses of the unassigned reservoir storage space. Congressional reauthorization of the project, and a resultant cost reallocation, probably would be necessary for reassignment of the storage space to other than the currently authorized uses.

Oral statements at the hearing will be limited to a period of 10 minutes for each individual. Speakers may not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional oral comments after all persons desiring to comment have been heard. The speaking order at the hearing will be determined by the order in which the letter requests are received by Reclamation. Requests to make oral statements will be accepted during the hearing, and persons making those requests will be permitted to speak for 10 minutes, on a first-come-first-served basis, after each person who submitted a letter request has been permitted to make an initial presentation.

Organizations or individuals desiring to present their statements at the hearing should write to the Regional Director, Pacific Northwest Region, Bureau of

Reclamation, Department of the Interior, Federal Building, Box 043, Boise, Idaho 83724, attention code 140. Written comments from those unable to attend, and from those wishing to supplement their oral presentation, at the hearing, should be received by May 16, 1975.

Dated: March 18, 1975.

G. G. STAMM,

Commissioner of Reclamation.

[FR Doc. 75-7499 Filed 3-21-75; 8:45 am]

## DEPARTMENT OF AGRICULTURE

## Forest Service

APALACHICOLA NATIONAL FOREST, FLA.  
TIMBER MANAGEMENT PLANAvailability of Draft Environmental  
Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for a Timber Management Plan for the Apalachicola National Forest in Florida, USDA-FS-RS-DES-ADM-75-13.

The environmental statement concerns the implementation of a revised 10-year Timber Management Plan of even-aged forest management for that part of the forest which is suitable for sustained yield timber production and not reserved for some other use.

The draft environmental statement was transmitted to CEQ on March 14, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, So. Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW, Washington, D.C. 20250.

USDA, Forest Service, 1720 Peachtree Rd., NW, Room 804, Atlanta, Georgia 30309.

USDA, Forest Service, Forest Supervisor, NFs in Florida, P.O. Box 1050, Tallahassee, Florida 32302.

A limited number of single copies are available upon request to B. Frank Finison, Forest Supervisor, National Forest in Florida, Box 1050, Tallahassee, Florida 32302.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically. Comments concerning the proposed action and requests for additional information should be addressed to B. Frank Finison, Forest Supervisor, NFs in Florida, Box 1050, Tallahassee, Florida 32302. Comments must be received by May 12, 1975, in order to be considered

in the preparation of the final environmental statement.

Dated: March 17, 1975.

THOMAS W. SEARS,  
Acting Regional  
Environmental Coordinator.

[FR Doc. 75-7528 Filed 3-21-75; 8:45 am]

OSCEOLA NATIONAL FOREST, FLA.  
TIMBER MANAGEMENT PLANAvailability of Draft Environmental  
Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for a Timber Management Plan, Osceola National Forest in Florida, USDA-FS-R8-DES-ADM-75-12. The environmental statement concerns implementation of a revised 10-year timber management plan for even-aged forest management for that part of the forest which is suitable for sustained yield timber production and not reserved for some other use. The draft environmental statement was transmitted to CEQ on March 14, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, So. Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW, Washington, D.C. 20250.

USDA, Forest Service, 1720 Peachtree Rd., Room 804, Atlanta, Georgia 30309.

USDA, Forest Service, Forest Supervisor, NFs in Florida, Box 1050, Tallahassee, Florida 32302.

A limited number of single copies are available upon request to B. Frank Finison, Forest Supervisor, NFs in Florida, Box 1050, Tallahassee, Florida 32302.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically. Comments concerning the proposed action and requests for additional information should be addressed to B. Frank Finison, Forest Supervisor, NFs in Florida, Box 1050, Tallahassee, Florida 32302. Comments must be received by May 12, 1975, in order to be considered in the preparation of the final environmental statement.

THOMAS W. SEARS,  
Acting Regional  
Environmental Coordinator.

MARCH 17, 1975.

[FR Doc. 75-7527 Filed 3-21-75; 8:45 am]

**CHELAN PLANNING UNIT****Availability of Draft Environmental Statement**

Pursuant to section 102(2) (c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Chelan Planning Unit, Mt. Baker-Snoqualmie National Forest and Wenatchee National Forest, Washington. The Forest Service report number is USDA-FS-DES (Adm)-R6-75-10.

The environmental statement concerns the proposal for allocation of National Forest Lands in the Chelan Planning Unit in central Washington. It is proposed to allocate 18,188 acres to additional New Study Areas, allocate 180,742 acres to Scenic Area Classification, allocate 6,537 acres to Management Units and the remaining 479,699 acres of National Forest Land to Development and Management for the sustained production of commodities and amenities. The proposed allocations are in addition to existing allocations to the Glacier Peak Wilderness and to New Study Areas.

The draft environmental statement was transmitted to CEQ on March 17, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3231, 12th St. and Independence Ave. SW., Washington, D.C. 20250.

USDA, Forest Service, Pacific Northwest Region, 319 SW. Pine Street, Portland, Oregon 97204.

Mt. Baker-Snoqualmie National Forest, 1601 Second Ave. Bldg., Seattle, Washington 98164.

Wenatchee National Forest, 301 Yakima Street, Wenatchee, Washington 98801.

A limited number of single copies are available upon request to Forest Supervisor, Wenatchee National Forest, 301 Yakima Street, Wenatchee, Washington 98801.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and request for additional information should be addressed to Forest Supervisor, Wenatchee National Forest, P.O. Box 811, Wenatchee, Washington, 98801. Comments must be received by May 19, 1975 in order to be considered in the

preparation of the final environmental statement.

CURTIS L. SWANSON,  
Regional Environmental  
Coordinator, Region 6.

MARCH 17, 1975.

[FR Doc.75-7561 Filed 3-21-75;8:45 am]

**Soil Conservation Service  
ALASKA**

**Notice of Equipment Grant Eligibility Determination**

Notice is hereby given, in accordance with 7 CFR 662.2(c), of a determination that the *Salcha-Big Delta* Soil Conservation Subdistrict, Box 861, Delta Junction, Alaska 99737, is eligible for a grant of the following items of equipment to carry out soil and water conservation work: D-8 Caterpillar Tractor.

The grant is subject to the availability of the equipment from federal excess property sources and may be made after April 23, 1975.

WEYMETH E. LONG,  
State Conservationist.

[FR Doc.75-7562 Filed 3-21-75;8:45 am]

**CALIFORNIA**

**Equipment Grant Eligibility Determination**

Notice is hereby given, in accordance with 7 CFR 662.2(c), of a determination that the Surprise Valley Resource Conservation District and the Vya Conservation District, P.O. Box 777, Cedarville, California 96104, is eligible for a grant of the following items of equipment (or materials) to carry out soil and water conservation work.

*Item, Quantity, Size, or Model*

Drill, Rangeland, 10'-12' wide.  
Anchor Chain, 200-400', 70-90 # link.  
Motorgrader (1), 12 or 14.  
Brillion Seeder (1).  
Self-loading scraper (1).  
Firetruck (1), at least 300 w/pump.  
Air Hammer (1).  
Back Hoe (1).  
Sheepsfoot roller (1).  
Centrifugal Pump (1).  
Dragline (1).  
Trencher (1).  
Brushbeater or mower (1).  
Rangeland Disk (1).  
Truck, dump (1), 5 ton.  
Truck, dump (1), 10 Ton.  
Trailer, tilt bed (1), 5 Ton min.  
Ditcher-V (1).  
Compressor, Air (1).  
Truck-Tractor (1), 15 T or larger (300-350 HP).  
Trailer, Lowbed (1), 25 T or larger.  
Tractor, (1 of each size) (and 2 D-8's) D-A, D-6, D-7, D-8, D-9, DW-20.  
Generator-port. elec., 3000-4000 Watt.  
Ripper (1), 6' depth.  
Bucket, clamshell (1), ¾ yard.  
Implement Carrier, High (1).

The grant is subject to the availability of the equipment from federal excess

property sources, and may be made after April 23, 1975.

C. A. STONE,  
State Conservationist.

[FR Doc.75-7563 Filed 3-21-75;8:45 am]

**OKLAHOMA**

**Equipment Grant Eligibility Determination**

Notice is hereby given, in accordance with 7 CFR 662.2(c), of a determination that the Ottawa County Soil Conservation District, Room 300, Post Office Building, Miami, Oklahoma, is eligible for a grant of the following items of equipment (or materials) to carry out soil and water conservation work: 1½ to 2 Ton Truck.

The grant is subject to the availability of the equipment from federal excess property sources, and may be made after April 23, 1975.

HAMPTON BURNS,  
State Conservationist.

[FR Doc.75-7564 Filed 3-21-75;8:45 am]

**DEPARTMENT OF COMMERCE**

**Domestic and International Business Administration**

[File No. 28(74)-1]

**INFORMATION MAGNETICS INC.**

**Order Extending Denial of Export Privileges; Continuation**

In the matter of Information Magnetics, Inc. (Infomag), Goleta, California, and Gresham-Infomag, Ltd., Weybridge, Surrey, England.

By Order dated December 2, 1974 (39 FR 42935) the export privileges of the above-titled firms were temporarily denied for a period of 60 days. On January 30, 1975 (40 FR 6383), that period was extended to March 17, 1975. Pending final disposition of the proceedings, the period of temporary denial, as set forth in Paragraph IV of the Order dated December 2, 1974, is continued for an additional 60 days to May 16, 1975. All other terms and conditions of the Order, the interpretations thereof, and the exceptions thereto, remain in full force and effect.

Dated: March 17, 1975.

RAUER H. MEYER,  
Director,

Office of Export Administration.

[FR Doc.75-7565 Filed 3-21-75;8:45 am]

**NATIONAL INDUSTRIAL ENERGY CONSERVATION COUNCIL**

**Public Meeting**

A meeting of the Sub-Council on Public Awareness of the National Industrial Energy Conservation Council will be held on Wednesday, April 23, 1975, from 10 a.m. to 12 noon in Room 4833, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

The Sub-Council will meet to consider the development and presentation of a program designed to assist in increasing the level of public awareness with respect to energy problems. Preliminary staff work will be reviewed and modified for presentation to the full Council at its next meeting.

The public will be permitted to attend and a limited number of seats will be available for that purpose. To the extent that time permits, members of the public may present oral statements to the Sub-Council before or after the meeting. Invited to file written statements with the Sub-Council before or after the meeting.

Persons who wish to attend the meeting should contact Robert M. Jackson at the Office of Energy Programs, U.S. Department of Commerce, Room 2012, 14th and Constitution Avenue, NW., Washington, D.C. 20230—(202) 967-3535.

HERBERT K. SCHMITZ,  
Executive Director, National  
Industrial Energy Conservation  
Council.

[FR Doc.75-7590 Filed 3-21-75; 8:45 am]

National Bureau of Standards  
**BINDERS BOARD**

**Intent To Withdraw Commercial Standard**

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the intent to withdraw Commercial Standard CS 50-34, "Binders Board for Bookbinding and Other Purposes." It has been tentatively determined that this standard is technically inadequate, no longer used by the industry and that revision would serve no useful purpose.

Any comments or objections concerning the intended withdrawal of this standard should be made in writing to the Standards Development Services Section, National Bureau of Standards, Washington, D.C. 20234, within 30 days after publication of this notice. The effective date of withdrawal, if appropriate, will be not less than 60 days after the final notice of withdrawal. Withdrawal action terminates the authority to refer to a published standard as a voluntary standard developed under the Department of Commerce procedures from the effective date of withdrawal.

Dated: March 19, 1975.

RICHARD W. ROBERTS,  
Director.

[FR Doc.75-7542 Filed 3-21-75; 8:45 am]

**DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE**

Alcohol, Drug Abuse, and Mental Health  
Administration

**ADVISORY COMMITTEES**

Meetings; Corrections

In FR Doc. 75-6858 appearing at page 12139 in the issue of Monday, March 17,

1975, the dates for the meeting of the Social Problems Research Review Committee should be changed from April 7-8 to April 6-8, and the portion of the meeting which will be open to the public changed from 9-9:30 a.m., April 7, to 9-9:30 a.m., April 6.

In FR Doc. 75-6858 appearing at pages 12140 and 12141 in the issue of Monday, March 17, 1975, the following information should be added for the meeting of the National Advisory Mental Health Council: Substantive information may be obtained from Katherine Beardsley, Ph. D., Executive Assistant to the Director, Division of Manpower and Training Programs, NIMH, Room 8-95, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, telephone no. 301-443-2199.

Date: March 19, 1975.

CAROLYN T. EVANS,  
Committee Management Of-  
ficer, Alcohol, Drug Abuse,  
and Mental Health Admin-  
istration.

[FR Doc.75-7663 Filed 3-24-75; 8:45 am]

Food and Drug Administration

[DESI 3044; Docket No. FDC-D-670]

**DESOXYCHOLIC ACID**

**Withdrawal of Request for Hearing**

A notice (DESI 3044) was published in the FEDERAL REGISTER of December 27, 1973 (38 FR 35342) in which the Commissioner of Food and Drugs proposed to issue an order withdrawing approval of several new drug applications for oral drug products intended to stimulate bile flow in gall bladder and other gastrointestinal disorders. In that no new data had been submitted in their support, it had been concluded that the drugs lack substantial evidence of effectiveness. None of the holders of the approved new drug applications requested a hearing on the proposed withdrawal of approval and so approval of the applications was withdrawn on May 31, 1974 (39 FR 19249). Pursuant to the notice of December 27, 1973, O'Neal, Jones & Feldman, Inc., Durst-Philadelphia Division, 1683 Winchester Road, Cornwallis Heights, PA 19020 had requested a hearing concerning Droxolan Tablets (desoxycholic acid). Droxolan had formerly been provided for in a new drug application (NDA 3-044) which was reviewed pursuant to the Drug Efficacy Study, but approval of the new drug application had subsequently been withdrawn for failure of the NDA holder to file required reports to the Food and Drug Administration. Although it was no longer the subject of an approved NDA, the product was named in the notice of opportunity for hearing of December 27, 1973 in order to state the conclusion that desoxycholic acid lacks substantial evidence of effectiveness and to so-inform all interested persons who market an identical, related, or similar product (21 CFR 310.6). The final order of May 31, 1974 which withdrew approval of all existing

approved new drug applications for such products stated that Droxolan Tablets could continue to be marketed until the Food and Drug Administration ruled on the pending request for hearing for that product. On August 22, 1974, O'Neal, Jones & Feldman, Inc. stated that sale of Droxolan Tablets would be discontinued, and on September 27, 1974 the firm withdrew the request for hearing.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application reviewed for desoxycholic acid and are subject to this notice (21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

The Director of the Bureau of Drugs, pursuant to the provisions of the Federal Food, Drug and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and under authority delegated to him (21 CFR 2.121), finds that on the basis of new information before him with respect to the drug, evaluated together with the evidence available to him when the application was approved, there is a lack of substantial evidence that desoxycholic acid will have the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Accordingly, this notice is published to inform any person interested in identical, related or similar products of the final effectiveness classification of desoxycholic acid.

Shipment in interstate commerce of the above drug product or of any identical, related, or similar product, not the subject of an approved new drug application, is unlawful.

Dated: March 1, 1975.

J. RICHARD CROUT,  
Director,  
Bureau of Drugs.

[FR Doc.75-7532 Filed 3-21-75; 8:45 am]

**SAFETY OF CERTAIN FOOD  
INGREDIENTS**

**Opportunity for Public Hearing**

The Commissioner of Food and Drugs gives notice that a public hearing will be held concerning the following categories of food ingredients: sulfates, ox bile extract, sodium thiosulfate, and gelatin.

In the FEDERAL REGISTER of July 26, 1973 (38 FR 20053), the Commissioner issued a notice advising the public that an opportunity would be provided for oral presentation of data, information, and views at public hearings to be conducted by the Select Committee on GRAS Substances of the Life Sciences Research Office, Federation of American Societies for Experimental Biology (hereinafter referred to as the Select Committee), with respect to the safety of ingredients used in food on a determination that they are generally recognized



as safe (GRAS) or subject to a prior sanction.

Previous opportunities for public hearings have been announced in the FEDERAL REGISTER of September 23, 1974 (39 FR 34218) and December 19, 1974 (39 FR 43865). The Commissioner now gives notice that the Select Committee is prepared to conduct a public hearing on the above-mentioned additional categories of food ingredients.

This public hearing will provide an opportunity, before the Select Committee reaches its final conclusions, for any interested person to present scientific data, information, and views relevant to the safety of these substances in addition to those previously submitted in writing pursuant to the notices previously published in the FEDERAL REGISTER of July 26, 1973 (38 FR 20051 and 20053), and April 17, 1974 (39 FR 13796 and 13798).

The Select Committee has reviewed all of the available data and information on the categories above of food ingredients and has reached one of the four following tentative conclusions on the status of each:

1. There is no evidence in the available information that demonstrates or sug-

gests reasonable grounds to suspect a hazard to the public when it is used at levels that are now current or that might reasonably be expected in the future.

2. There is no evidence in the available information that demonstrates or suggests reasonable grounds to suspect a hazard to the public when it is used at levels that are now current and in the manner now practiced. However, it is not possible to determine, without additional data, whether a significant increase in consumption would constitute a dietary hazard.

3. While no evidence in the available information demonstrates a hazard to the public when it is used at levels that are now current and in the manner now practiced, uncertainties exist requiring that additional studies be conducted.

4. The evidence is insufficient to determine that the adverse effects reported are not deleterious to the public health when it is used at levels that are now current and in the manner now practiced.

The following table lists each ingredient, the Select Committee's tentative conclusion (keyed to the four types of conclusions listed above), and the available information on which the Select Committee reached its conclusion:

Substance	Select committee tentative conclusion	Scientific literature review		Animal study report		Other information <sup>1</sup>
		Order No.	Cost	Order No.	Cost	
<b>Sulfates</b>		PB-221-264	\$4.85			See footnote 1.
Sulfuric acid	1					
Ammonium sulfate	1					
Calcium sulfate	1			PB-224-873	\$3.25	
Potassium sulfate	1					
Sodium sulfate	1					
<b>Ox bile extract</b>		PB-223-844/AS	4.25			Do.
Cholic acid	1					
Desoxycholic acid	1					
Glycocholic acid	1					
Taurocholic acid	1					
<b>Sodium thiosulfate</b>		PB-223-856/AS	3.50	PB-221-778	3.75	Do.
<b>Gelatin</b>		PB-223-857/AS	4.25			Do.

<sup>1</sup> Human intake data taken from "A Comprehensive Survey of Industry on the Use of Food Chemicals Generally Recognized as Safe (GRAS)" available from the National Technical Information Service, PB Nos. 221-223 through 221-240.

Reports given in the table may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Rd., Springfield, VA 22151. The above titles may also be purchased in microfiche form. Microfiche document prices are \$2.25 each.

In addition to the information contained in the Scientific Literature Review, the Select Committee supplemented, where appropriate, the scientific information developed in the reviews with additional materials, as discussed in the previous hearing opportunity notice published in the FEDERAL REGISTER of September 23, 1974 (39 FR 34218).

The Select Committee's tentative reports on sulfates, ox bile extracts, sodium thiosulfate and gelatin, along with any referenced information not in the Scientific Literature Reviews, are available for review in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, and also at the Press Relations Staff, Food and Drug Administration, Rm. 3807, 200 C St., SW., Washington, DC 20204.

In order to schedule the public hearing, it is necessary that the Select Committee be informed of the number of persons who wish to take advantage of this opportunity for hearing, and the length of time requested for presentation of their views. Accordingly, any interested person who wishes to appear at the public hearing to make an oral presentation shall so inform the Select Committee in writing, addressed to: The Select Committee on GRAS Substances, Life Sciences Research Office, Federation of American Societies for Experimental Biology, 9650 Rockville Pike, Bethesda, MD 20014. A copy of each such request shall be sent to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, and all such requests shall be placed on public display in that office. Any such request shall be postmarked on or before April 23, 1975, shall state the substance(s) on which an opportunity to present oral views is requested, and shall state a length of time requested for the presentation. As soon as possible thereafter, a notice will be published in

the FEDERAL REGISTER announcing the date, time, place, and scheduled presentations for any public hearings that may be requested.

The purpose of the public hearing is to receive data, information, and views not previously available to the Select Committee with respect to the substances listed above. Information already contained in the Scientific Literature Reviews and in the tentative Select Committee report shall not be duplicated, although views on the interpretation of this material may be presented.

Depending upon the number of requests for opportunity to make oral presentations, the Select Committee may reduce the time requested for any presentation. Individuals and organizations with common interests are urged to consolidate their presentations in view of the limitations of time. Any interested person may, in lieu of an oral presentation, submit written views, which shall be considered by the Select Committee. Three copies of such written views shall be addressed to the Select Committee at the above address, and shall be postmarked not later than 10 days prior to the scheduled date of the hearing. A copy of any written views shall be sent to the Hearing Clerk, Food and Drug Administration, and shall be placed on public display in that office.

A public hearing will be presided over by a member of the Select Committee. A hearing will be transcribed by a reporting service, and a transcript of each hearing may be purchased directly from the reporting service and will also be placed on public display in the office of the Hearing Clerk, Food and Drug Administration.

Dated: March 18, 1975.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.75-7531 Filed 3-21-75; 8:45 am]

#### Health Resources Administration NATIONAL ADVISORY BODIES Meetings

Pursuant to the Federal Advisory Committee Act (5 U.S.C. Appendix D), the Administrator, Health Resources Administration, announces the meeting dates and other required information for the following National Advisory bodies scheduled to assemble during the month of April 1975:

HEALTH SERVICES RESEARCH STUDY SECTION  
April 9-11, 1975, 9 a.m., Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland.  
Open on April 9, 9 a.m. to 10 a.m.;  
Closed remainder of meeting.

Purpose. The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Center for Health Services Research.

Agenda. During the open portion of the meeting, agenda items include administrative matters and reports. During the closed

session, the committee will be reviewing research grant applications relating to the delivery, organization, and financing of health services. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members which contain personal information on project staff as well as research protocol; design; raw research data; technical information; interim research reports; financial data, such as salaries; and personal information concerning individuals associated with the applications, all considered proprietary or confidential in nature. Therefore, that portion of the meeting will not be open to the public, in accordance with the provisions set forth in section 552(b) (4), (5) and (6), Title 5, U.S. Code and the Determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92-463, section 10(d).

Anyone wishing to attend, obtain a roster of members or other relevant information should contact Mr. Michael Knight, Parklawn Building, Room 15-19, 5600 Fishers Lane, Rockville, Maryland 20852 Telephone (301) 443-2920.

#### LONG-TERM CARE FOR THE ELDERLY RESEARCH REVIEW AND ADVISORY COMMITTEE

April 10-11, 1975, 9 a.m., The Barbison-Plaza, 106 Central Park South, New York, New York.

Open April 10, 9 a.m. to 9:30 a.m. and April 11, 9 a.m. to 4 p.m.;  
Closed remainder of meeting.

**Purpose.** The Committee serves: (1) to provide a coordinated professional technical review of proposals submitted to DHEW concerning long-term care for the elderly, and (2) to identify problems and issues and to develop a tentative ordering of priorities in long-term care for consideration by the Division of Long-Term Care, National Center for Health Services Research, Health Resources Administration.

**Agenda.** On April 10, 1975, during the open portion of the meeting, agenda items include the Administrative Report, Minutes, establishment of future meeting dates and discussion of other related general matters. During the closed session, the committee will be reviewing project proposals concerning care of the elderly, which will include nursing homes. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications which contain personal information on project staff as well as research protocol; design; raw research data; technical information; interim research reports; financial data, such as salaries; and personal information concerning individuals associated with the applications, all considered proprietary or confidential in nature. Therefore, that portion of the meeting will not be open to the public, in accordance with the provisions set forth in section 552(b) (4), (5) and (6), Title 5, U.S. Code and the Determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92-463, section 10(d). On April 11, 1975, the Committee will consult with Federal employees concerned with issues relating to training and continuing education and research and development. There will be a progress report on research and development and training activities, and a National Center status report will also be presented. The Committee will be functioning in its advisory role at the open portion of the meeting.

Anyone wishing to attend, obtain a roster of members or other relevant information, should contact Mr. David McFall, Parklawn Building, Room 15-29, 5600 Fishers Lane, Rockville, Maryland 20852, Telephone (301) 443-295C.

#### NURSING RESEARCH AND EDUCATION ADVISORY COMMITTEE

April 17-18, 1975, 9 a.m., Conference Room 50-05, Building 31, NIH, 9000 Rockville Pike, Bethesda, Maryland.

Open April 17, 9 a.m. to 10 a.m.;  
Closed remainder of meeting.

**Purpose.** The Committee is charged with the initial review of research grant applications in all areas of nursing education and practice, including studies of extended professional roles, model curricula, clinical investigations, historical research, and institutional research development and with surveying the status of research in nursing education and practice.

**Agenda.** During the open portion of the meeting, agenda items include administrative and staff reports. During the closed sessions, the committee will be reviewing nursing research grant applications. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications which contain personal information on project staff as well as research protocol; design; raw research data; technical information; interim research reports; financial data, such as salaries; and personal information concerning individuals associated with the applications, all considered proprietary or confidential in nature. Therefore, that portion of the meeting will not be open to the public, in accordance with the provisions set forth in section 552(b) (4), (5) and (6), Title 5, U.S. Code and the determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92-463, section 10(d).

Anyone wishing to attend, obtain a roster of members, or other relevant information should contact Dr. Doris Bloch, Federal Building, Room 6A-14, 9000 Rockville Pike, Bethesda, Maryland 20014 Telephone (301) 496-6955.

#### HEALTH CARE TECHNOLOGY STUDY SECTION

April 21-22, 1975, 9 a.m., Delaware Room, Holiday Inn, Bethesda, Maryland,  
Open April 21, 9 a.m. to 10:30 a.m.;  
Closed remainder of meeting.

**Purpose.** The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Center for Health Services Research which relate to the use of systems analysis, operations research, management sciences, and computer sciences in the broad fields of community health services, hospital medicine and patient care. It makes recommendations to the Center on the scientific merits of such applications.

**Agenda.** During the open session the Study Section will conduct necessary administrative and informational business. During the closed sessions the Study Section will be reviewing research grant applications in the fields of systems analysis, operations research, management sciences and computer sciences. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications which contain personal information on project staff as well as research protocol; design; raw research data; technical information; interim research reports; financial data, such as salaries; and personal information concerning individuals associated with the applications, all considered proprietary or confidential in nature. Therefore, that portion of the meeting will not be open to the public, in accordance with the provisions set forth in section 552(b) (4), (5) and (6), Title 5, U.S. Code and the Determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92-463, section 10(d).

Anyone wishing to attend, obtain a roster of members or other relevant information, should contact Mr. John R. Hall, Parklawn Building, Room 15-19, 5600 Fishers Lane, Rockville, Maryland 20852. Telephone (301) 443-2920.

#### HEALTH SERVICES DEVELOPMENTAL GRANTS STUDY SECTION

April 23-25, 1975, 1 p.m.  
Open April 23, 1 p.m. to 4 p.m., Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland;  
Open April 23, 7 p.m. to Adjournment, Montgomery Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Maryland;  
Closed April 24-25, 8 a.m., Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland.

**Purpose.** The Study Section is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Center for Health Services Research.

**Agenda.** During the open portion of the meeting, agenda items include administrative report, Minutes, establishment of future meeting dates and discussion of other related general matters, including the Health Services Research Center grant application review procedures. During the closed session the Study Section will be reviewing research grant applications which relate to the development utilization, quality, organization, and financing of services, facilities and resources of hospital care, and other medical facilities. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications which contain personal information on project staff as well as research protocol; design; raw research data; technical information; interim research reports; financial data, such as salaries; and personal information concerning individuals associated with the applications, all considered proprietary or confidential in nature. Therefore that portion of the meeting will not be open to the public, in accordance with the provisions set forth in section 552(b) (4), (5) and (6), Title 5, U.S. Code and the Determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92-463, section 10(d).

Anyone wishing to attend, obtain a roster of members or other relevant information, should contact Mr. David McFall, Parklawn Building, Room 15-29, 5600 Fishers Lane, Rockville, Maryland 20852 Telephone (301) 443-2990.

Agenda items are subject to change as priorities dictate.

Those portions of the meeting so indicated, are open to the public for observation and participation.

Dated: March 17, 1975.

DANIEL F. WHITESIDE,  
Associate Administrator for Operations and Management,  
Health Resources Administration.

[FR Doc.75-7476 Filed 3-21-75;8:45 am]

#### National Institute of Education NATIONAL COUNCIL ON EDUCATIONAL RESEARCH Meeting

Notice is hereby given that the next meeting of the National Council on Educational Research will be held on April 4, 1975 at the National Institute of Education, 1200 19th Street NW., Washington, D.C. in Room 823.

The National Council on Educational Research is established under section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)). Its statutory duties include:

(a) Establishing general policies for, and reviewing the conduct of the Institute;

(b) Advising the Assistant Secretary for Education and the Director of the Institute on development of programs to be carried out by the Institute;

(c) Recommending to the Assistant Secretary and the Director ways to strengthen educational research, to improve the collection and dissemination of research findings, and to insure the implementation of educational renewal and reform based upon the findings of educational research.

This meeting will be open to the public except for the closed session. The tentative agenda includes:

9:30—Convene open session.  
9:30-10:15—Director's report.  
10:15-10:30—NCER calendar and organization.

10:30-11—Fiscal year 1977 planning.  
11-12—Study of alternative R&D support policies.

12-1—Luncheon.  
1-2:30—Evaluation issues: How NIE evaluates proposals. How NIE evaluates products: Initial Report.

2:30-3—Report on communication with education, R&D performers and beneficiaries (end of open session).

3-4—Executive session.

Members of the public are invited to attend the open sessions. Written statements relevant to an agenda item (or to any other item considered of interest to the Institute) may be submitted at any time and should be sent to the Chairman and the Executive Secretary of the Council at the address shown below. Requests to address the Council meeting should be submitted in writing to the Chairman and the Executive Secretary at least five days in advance of the meeting. The Chairman will determine whether a presentation should be scheduled.

In accordance with Council policy (NCER Resolution No. 013074-8) copies of Council resolutions and minutes of Council meetings can be obtained by contacting the Executive Secretary. Resolutions are available shortly after the particular meeting at which adopted. Because minutes require approval by the Council at a subsequent meeting, they are usually available approximately four to six weeks after the date of the meeting to which they refer.

In order to verify the tentative agenda, assure adequate seating arrangements, or to obtain summaries of this meeting and copies of any resolutions adopted by the Council at this meeting, interested persons are requested to contact Ms. Caroline Phillips, Executive Secretary, National Council on Educational Research, whose address and telephone number are listed below:

National Council on Educational Research  
Office of Planning and Management  
National Institute of Education

Washington, D.C. 20208  
202-254-7900

Dated: March 19, 1975.

EMERSON J. ELLIOTT,  
Acting Director,  
National Institute of Education.  
[FR Doc.75-7523 Filed 3-21-75;8:45 am]

#### National Institutes of Health

### ALLERGY AND IMMUNOLOGY RESEARCH COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Allergy and Immunology Research Committee, National Institute of Allergy and Infectious Diseases on April 21-22, 1975, at the National Institutes of Health, Westwood Building, Room 737, Bethesda, Maryland. This meeting will be open to the public from 9 a.m. to 10 a.m. on April 21 for the discussion of general policy matters and administrative reports. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and section 10(d) of P.L. 92-463, the meeting of the committee will be closed to the public on April 21 from 10 a.m. to 5 p.m., and on April 22, from 9 a.m. until adjournment, for the review, discussion, and evaluation of individual initial pending, supplemental and renewal grant applications and National Research Service Awards. The closed portions of the meeting involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Robert L. Schreiber, Chief, Office of Research Reporting and Public Response, NIAID, National Institutes of Health, Building 31, Room 7A32, Bethesda, Maryland 20014, (301) 496-5717, will furnish rosters of committee members, summaries of the meetings, and other information pertaining to the meetings.

(Catalog of Federal Domestic Assistance Program No. 13.855, National Institutes of Health.)

Dated: March 18, 1975.

SUZANNE L. FREMEAUX,  
Committee Management Officer,  
National Institutes of Health.  
[FR Doc.75-7519 Filed 3-21-75;8:45 am]

### ANIMAL RESOURCES ADVISORY COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Animal Resources Advisory Committee, Divi-

sion of Research Resources, May 6-7, 1975, National Institutes of Health, Building 16, Stone House Conference Room. This meeting will be open to the public on May 6 from 9 a.m. to 10:30 a.m., during which time there will be a brief staff presentation on the current status of the Animal Resources Program. The Committee will select future meeting dates. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Public Law 92-463, the meeting will be closed to the public from 10:30 a.m. to 5 p.m. on May 6 and from 9 a.m. to adjournment on May 7 for the review, discussion, and evaluation of initial pending, supplemental, and renewal grant applications. The closed portions of the meeting involve solely the internal expression of views and judgments of Committee members on individual grant applications containing detailed research protocols, designs and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. James Augustine, Information Officer, Division of Research Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, 301/496-5545, will provide summaries of the meeting and rosters of Committee members. Dr. John E. Holman, Executive Secretary, Animal Resources Advisory Committee, Building 31, Room 5B35, Bethesda, Maryland 20014, 301/496-5507, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.306, National Institutes of Health)

Dated: March 18, 1975.

SUZANNE L. FREMEAUX,  
Committee Management Officer,  
National Institutes of Health.

[FR Doc.75-7516 Filed 3-21-75;8:45 am]

### DIVISION OF RESEARCH GRANTS, STUDY SECTIONS

#### Amended Notice of Meetings

Notice is hereby given of a change in the meeting date, place or time of the following National Institutes of Health Study Sections which were published in the FEDERAL REGISTER on March 7, 1975 (40 FR 10704).

The Developmental Behavioral Sciences Study Section was to have met April 21-23, 1975, but will meet April 20-23, 1975 at 4 p.m. at the Holiday Inn, Bethesda, Maryland, the same location for which it was originally scheduled. The meeting will be open to the public for approximately one hour at the beginning of the first session of the first day of the meeting.

The Pathology A Study Section was to have met April 11-13, 1975, but will meet April 10-13, 1975 at 6 p.m. at the Sheraton Inn, Silver Spring, Maryland,



the same location for which it was originally scheduled. The meeting on April 10, 1975 at 6 p.m. to adjournment will be closed to the public. The open portion of this meeting will be held April 11, 1975 at 9 a.m. for approximately one hour.

The Tropical Medicine and Parasitology Study Section was to have convened at 8:30 a.m. on April 23-26, 1975, but has been changed to 1:30 p.m. April 23-26, 1975, Building 31, Bethesda, Maryland, the same location for which it was originally scheduled. The meeting will be open to the public for approximately one hour at the beginning of the first session of the first day of the meeting.

Dated: March 18, 1975.

SUZANNE L. FREMEAUX,  
*Committee Management Officer,*  
*National Institutes of Health.*

[FR Doc.75-7514 Filed 3-21-75;8:45 am]

#### DIVISION OF RESEARCH GRANTS STUDY SECTIONS

##### Amended Notice of Meetings

Notice is hereby given of a change in the meeting date, place or time of the following National Institutes of Health Study Sections which were published in the FEDERAL REGISTER on March 7, 1975 (40 FR 10704).

The Biomedical Communications Study Section was to have met April 24-25, 1975, but will meet April 25, 1975 at 9 a.m. at Building 31, Bethesda, Maryland, the same location for which it was originally scheduled. The meeting will be open to the public for approximately one hour at the beginning of the first session of the meeting.

The Physiological Chemistry Study Section will meet as scheduled April 10-12, 1975 at Building 31, Bethesda, Maryland. However, they will hold an additional session on April 9, 1975 at 9 a.m. until adjournment at the Holiday Inn, Bethesda, Maryland. This session will be closed to the public. The open portion of this meeting will be held on April 10, 1975 at 9 a.m. for approximately one hour.

Dated: March 18, 1975.

SUZANNE L. FREMEAUX,  
*Committee Management Officer,*  
*National Institutes of Health.*

[FR Doc.75-7515 Filed 3-21-75;8:45 am]

#### GENERAL CLINICAL RESEARCH CENTERS COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the General Clinical Research Centers Committee on May 7-9, 1975, from 9 a.m. to 5 p.m., in Building 31, Conference Room 9, Bethesda, Maryland. This meeting will be open to the public from 9 a.m. to 10 a.m. on May 7, 1975, to discuss administrative reports. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting of the committee will be closed to the public on May 7, from 10 a.m. to 5 p.m. and on May 8 and 9, 1975, from 9 a.m. to 5 p.m., for the review, discussion and evaluation of individual initial pending, renewal, and supplemental grant applications. The closed portions of the meetings involve solely the internal expression of views and judgments of Committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. James Augustine, Information Officer, Division of Research Resources, National Institutes of Health, Building 31, Room 5B39, Bethesda, Maryland 20014, (301) 496-5545, will furnish rosters of Committee members, summaries of the meetings, and other information pertaining to the meetings.

(Catalog of Federal Domestic Assistance Program No. 13.333, National Institutes of Health)

Dated: March 18, 1975.

SUZANNE L. FREMEAUX,  
*Committee Management Officer,*  
*National Institutes of Health.*

[FR Doc.75-7520 Filed 3-21-75;8:45 am]

#### MAMMALIAN CELL LINES COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Mammalian Cell Lines Committee, National Institute of General Medical Sciences on April 10-11, 1975, 9 a.m., National Institutes of Health, Building 31A, Conference Room 4A-21. This meeting will be open to the public on April 10 from 9 a.m. to 9:30 a.m. for opening remarks and discussion of procedural matters. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on April 10 from 9:30 a.m. to 5 p.m. and on April 11, from 9 a.m. to 5 p.m., for the review, discussion and evaluation of individual and institutional applications under the National Research Services Awards Program (42 U.S.C. 4821-1). The closed portion of the meeting involves solely the internal expression of views and judgments of such applications which contain detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Building 31, Room 4A46, Bethesda, Maryland 20014, Tele-

phone: 301, 496-5676, will furnish summary minutes of the meeting and a roster of committee members.

Substantive program information may be obtained from Dr. William J. Gartland, Executive Secretary, Westwood Building, Room 922, Bethesda, Maryland 20014, Telephone: 301, 496-7714.

(Catalog of Federal Domestic Assistance Program 13-562, General Medical Sciences—Genetics Program)

Dated: March 18, 1975.

SUZANNE L. FREMEAUX,  
*Committee Management Officer,*  
*National Institutes of Health.*

[FR Doc.75-7513 Filed 3-21-75;8:45 am]

#### MATERNAL AND CHILD HEALTH RESEARCH COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Maternal and Child Health Research Committee, National Institute of Child Health and Human Development on May 1-2, 1975, in the Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

The meeting will be open to the public from 9 a.m. to 10 a.m. on May 1 to discuss general business of the Committee and reports from the Acting Associate Director for Extramural Programs, Program Director for Perinatal Biology and Infant Mortality Branch, Acting Program Director for Growth and Development Branch, and the Acting Executive Secretary of the Committee. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on May 1 from 10:30 a.m. to adjournment on May 2 for the review, discussion and evaluation of individual initial pending and renewal grant applications. The closed portion of the meeting will involve solely the internal expression of views and judgments of the committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room C-603, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1756, will provide a summary of the meeting and a roster of committee members. Dr. Delbert Dayton, Acting Executive Secretary of the Maternal and Child Health Research Committee, NICHD, Room C-716, Landow Building, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-5575, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

Dated: March 18, 1975.

SUZANNE L. FREMEAU,  
Committee Management Officer,  
National Institutes of Health.

[FR Doc.75-7517 Filed 3-21-75; 8:45 am]

### NATIONAL COMMISSION ON ARTHRITIS AND RELATED MUSCULOSKELETAL DISEASES

#### Notice of Establishment

Pursuant to section 3(a) of Pub. L. 93-640, signed into law January 4, 1975, the National Institutes of Health announces the establishment on March 5, 1975, of the following Public Advisory Committee:

**Designation.** National Commission on Arthritis and Related Musculoskeletal Diseases.

**Purpose.** The National Commission on Arthritis and Related Musculoskeletal Diseases shall develop a long-range plan to combat arthritis, with specific recommendations for the utilization and organization of national resources for that purpose, holding hearings and taking testimony as it deems advisable. The plan shall be based on a comprehensive survey investigating the magnitude of arthritis, its epidemiology, and its economic and social consequences and on an evaluation of available scientific information and the national resources capable of dealing with the problem. In addition the Commission shall prepare for each of the Institutes of the National Institutes of Health whose activities are to be affected by the plan estimates of expenditures necessary to carry out each Institute's part of the program.

This Commission shall publish and transmit the Arthritis Plan within two hundred and ten days after the date on which funds are first appropriated for the Commission. The Commission shall cease to exist 30 days following the date of submission of the Arthritis Plan.

Dated: March 17, 1975.

R. W. LAMONT-HAVERS,  
Acting Director,  
National Institutes of Health.

[FR Doc.75-7521 Filed 3-21-75; 8:45 am]

### POPULATION RESEARCH COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Population Research Committee, National Institute of Child Health and Human Development on May 7-9, 1975, in the Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

The meeting will be open to the public from 9 a.m. to 10:30 a.m. on May 7 to discuss the program status, new developments and projections for population research centers, program projects, and National Research Service Awards. At-

tendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on May 7 from 10:30 to adjournment for the review, discussion and evaluation of individual initial pending grant applications. The closed portion of the meeting will involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room C-603, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1756, will provide a summary of the meeting and a roster of committee members. Dr. William A. Sadler, Executive Secretary of the Population Research Committee, NICHD, Room C-733, Landow Building, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-6515, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

Dated: March 18, 1975.

SUZANNE L. FREMEAU,  
Committee Management Officer,  
National Institutes of Health.

[FR Doc.75-7518 Filed 3-21-75; 8:45 am]

#### Office of Education

### COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

#### Proposed Priorities for Special Projects for Fiscal Year 1975

Notice is hereby given that, pursuant to the authority contained in section 106 of Title I of the Higher Education Act, as amended (20 U.S.C. 1005a), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to establish the priorities set forth below for reviewing applications submitted by institutions of higher education (or combinations thereof) for Special Projects under the Community Service and Continuing Education Program. These priorities are supplemental to the provisions set forth in the regulations governing this Program (45 CFR Part 173).

The proposed priorities are:

A. Experimentation with and refinement of the process of educating special-interest groups with regard to such community problems as consumer affairs, regional or national energy policy, and environmental pollution (including effectiveness testing of multimedia instructional programs on selected target groups).

B. Development of institutional models of community service and continuing educa-

tion which would increase access to higher education resources, particularly for women, prison inmates, and elderly or handicapped citizens, to enable them to participate more fully in the life of their communities.

C. Demonstrations of effective programs of continuing education for employers, employees and organized labor in relation to the problem of technological unemployment.

D. Development of experimental models of city hall-university cooperation combining current urban research with the education and training of local government officials.

E. Evaluation of institutional programs of continuing education that employ creative techniques and methods in educating adults for community problem solving.

Interested persons are invited to submit written comments, suggestions, or objections regarding this notice to the Community Service and Continuing Education Program, Bureau of Postsecondary Education, U.S. Office of Education, Regional Office Building 3, Room 4661, 7th and D Streets, S.W., Washington, D.C. 20202. Comments received in response to this notice will be available for public inspection at the above office on Mondays through Fridays between 8:30 a.m. and 4:30 p.m. All relevant material must be received not later than April 23, 1975.

(Catalog of Federal Domestic Assistance Number 13.557: Higher Education—University Community Service—Special Projects)

Dated: February 3, 1975.

T. H. BELL,  
U.S. Commissioner of Education.

Approved: March 19, 1975.

CASPAR W. WEINBERGER,  
Secretary of Health,  
Education, and Welfare.

[FR Doc.75-7588 Filed 3-21-75; 8:45 am]

### PUBLIC SERVICE EDUCATION

#### Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 901 and 941 of Title IX, Parts A and C of the Higher Education Act of 1965, applications are being accepted from institutions of higher education for grants for Public Service Education institutional grants and fellowships. Processing of these applications will be subject to the availability of funds.

Applications must be received by the U.S. Office of Education Application Control Center on or before May 5, 1975.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.555. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S.

Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education).

**B. Hand delivered applications.** An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal Holidays. Applications will not be accepted after 4 p.m. on the closing date.

**C. Program information and forms.** Information and application forms may be obtained from the Division of Training and Facilities, Bureau of Postsecondary Education, Office of Education, Room 4674, 7th and D St., S.W., Washington, D.C. 20202.

**D. Applicable regulations.** The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) and the proposed Funding Criteria for Public Service Education published in this issue of the FEDERAL REGISTER.

(Catalog of Federal Domestic Assistance No. 13.555: Public Service Professional Education—Institutional Grants and Fellowships)

Dated: March 12, 1975.

T. H. BELL,  
U.S. Commissioner of Education.

[FR Doc.75-7587 Filed 3-21-75; 8:45 am]

#### PUBLIC SERVICE EDUCATION INSTITUTIONAL GRANTS AND FELLOWSHIPS

##### Proposed Criteria for Funding of Applications for Fiscal Year 1975

Pursuant to the authority contained in Title IX, Parts A and C, of the Higher Education Act of 1965, as amended, notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to issue the criteria set forth below which will be used to evaluate applications submitted by institutions of higher education under section 901 of Title IX, Part A, and section 941 of Title IX, Part C, of the Act.

Title IX, Part A authorizes a program of institutional grants to establish, strengthen and improve programs designed to prepare graduate and professional students for public service. Title IX, Part C authorizes a fellowship program for the support of graduate and professional students preparing for public service careers. Institutions applying for an allocation of Part C fellowships must be approved for that purpose under

the criteria set forth below in paragraph (a). Such institutions need not receive an institutional grant under Part A in order to receive a fellowship allocation.

The proposed criteria read as follows:

(a) Funding criteria applicable to applications for grants under Part A and for allocations of fellowships under Part C.

The Commissioner will approve applications under Title IX, Parts A and C, of the Higher Education Act of 1965 on the basis of the following criteria:

(1) The extent to which the proposed program has as a principal objective the education of persons for the public service.

(2) The extent to which a significant long term need for public service education is addressed by the proposed program.

(3) The extent to which it is demonstrated that the proposed program will achieve its objectives.

(4) The extent to which relevant, supervised practicum and internship experiences are integrated into the proposed program of training.

(5) The extent to which it is expected that the proposed program will establish arrangements with government agencies or jurisdictions, or other non-profit agencies for such activities as personnel exchange, field work, and program advisement.

(6) The extent to which the background, education, research interests, and experience of the faculty and administrative staff of the proposed program qualify them to plan and implement a successful program of public service education.

(7) The extent to which the named director of the proposed program has clear responsibilities and sufficient time to devote to the program.

(8) The extent to which other institutional resources (such as facilities, equipment, libraries, etc.) are adequate to support the proposed program.

(9) The extent to which there is substantial evidence of a realistic commitment to the education for the public service by those most involved in the proposed program, including the institution's administration.

(10) The extent to which specific evidence is provided which demonstrates past success of graduates from the program in achieving leadership and management positions in public service careers.

(11) The extent to which the proposed program budget is realistic in relation to the successful implementation of the proposed program.

(12) The extent to which procedures are planned to measure the effectiveness and success of the proposed program.

(13) The extent to which it is unlikely that the program will be supported from other Federal funding.

(14) In addition to the above criteria, priority will be given to:

(1) Established, on-going public service programs. However, consideration will be accorded to some new programs if a convincing case can be made for their establishment in meeting a serious local, state, regional, or national need for public service education.

(2) Programs that emphasize the preparation of students for service in local or state government. However, consideration will also be given to a few selected exemplary programs which emphasize the preparation of persons for careers in the Federal government.

(3) Programs of an especially imaginative or innovative nature which give promise of leading to significant improvement of university education for the public service.

(iv) Programs which attempt to place graduates in areas where delivery of public services is ineffective.

(b) Funding criteria applicable only to the Part C Fellowship Program.

Under Part C, the Commissioner will allocate fellowships on the basis of the following criteria:

(1) whether the allocation will provide, as far as practicable, an equitable distribution of such fellowships throughout the United States; and

(2) the extent to which the institution will recommend to the Commissioner for fellowship awards recent college graduates and will encourage these students to pursue careers in public service. In this context, "recent college graduate" shall mean a person who has completed a baccalaureate degree within the past five years. However, exceptions extending this period for an additional two years may be made for those whose career preparation has been delayed by military or other comparable service (e.g. Peace Corps, VISTA).

(20 U.S.C. 1134a)

Interested persons are invited to submit written comments, suggestions, or objections regarding these criteria to the Division of Training and Facilities, Bureau of Postsecondary Education, U.S. Office of Education, 7th and D Streets, S.W., Room 4674-ROB 3, Washington, D.C. 20202. Comments received in response to this notice will be available for public inspection at the above office on Mondays through Fridays between 8:30 a.m. and 4:30 p.m. All relevant material received not later than April 23, 1975.

(Catalog of Federal Domestic Assistance Programs: No. 13.555, Public Service Professional Education—Institutional Grants and Fellowships)

Dated: February 24, 1975.

T. H. BELL,  
U.S. Commissioner of Education.

Approved: March 19, 1975.

CASPAR W. WEINBERGER,  
Secretary of Health,  
Education, and Welfare.

[FR Doc.75-7586 Filed 3-21-75; 8:45 am]

#### SPECIAL COMMUNITY SERVICE AND CONTINUING EDUCATION PROJECTS

##### Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 106 of Title I of the Higher Education Act of 1965, as amended (20 U.S.C. 1005(a)), applications are being accepted from institutions of higher education for awards for Special Community Service and Continuing Education Projects. Processing of these applications will be subject to the availability of funds.

Applications must be received by the U.S. Office of Education Application Control Center on or before May 7, 1975.

**A. Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.557. An application sent by mail will be considered to be received on



time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than May 2, 1975, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

**B. Hand delivered applications.** An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**C. Program information and forms.** Information and application forms may be obtained from the Community Service and Continuing Education Program, U.S. Office of Education, Room 4661, 7th and D Streets, S.W., Washington, D.C. 20202.

**D. Applicable regulations.** The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) and Notice of Proposed Rule Making published in the FEDERAL REGISTER on May 6, 1974 at 39 F.R. 15952 and Priorities for Fiscal Year 1975 published in this issue of the FEDERAL REGISTER. (20 U.S.C. 1005a).

(Catalog of Federal Domestic Assistance Number 13.567; Higher Education—University Community Service Special Projects)

Dated: February 7, 1975.

T. H. BELL,  
U.S. Commissioner of Education.

[FR Doc.75-7584 Filed 3-21-75; 8:45 am]

## DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Waiver Petition HS-75-5]

ROSCOE, SNYDER & PACIFIC RAILWAY

Petition for Exemption From Hours of  
Service Act

The Roscoe, Snyder & Pacific Railway has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64a (e) for an exemption, with respect to certain employees, from the Hours of Service Act, 45 U.S.C. sections 61, 62, 63 and 64.

Interested persons are invited to participate in this proceeding by submitting written data, views, or comments. Communications should be submitted in

triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: FRA Waiver Petition No. HS-75-5, Room 5101, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before April 28, 1975 will be considered before final action is taken on this petition. All comments received will be available for examination by interested persons during business hours in Room 5101, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

Issued in Washington, D.C. on March 19, 1975.

DONALD W. BENNETT,  
Chief Counsel,

Federal Railroad Administration.

[FR Doc.75-7589 Filed 3-21-75; 8:45 am]

## National Highway Traffic Safety Administration

[Docket No. EX75-9; Notice 2]

### MARMON MOTOR CO.

Petition for Temporary Exemption From  
Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to grant Marmon Motor Company of Dallas, Texas, an exemption until May 1, 1975, from Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, 49 CFR 571.121, on grounds of substantial economic hardship.

Notice of the petition was published on February 24, 1975 (40 FR 7963) and an opportunity afforded for comment.

Marmon manufactured 574 trucks in 1974. It requests an exemption from Standard No. 121 until October 1, 1975. While it is in a position to conform with the standard on the effective date of March 1, 1975, an unexpected decline in sales in late 1974 and early 1975 has left Marmon with a substantial inventory of parts that cannot be used on trucks that comply with Standard No. 121. It estimates that 7 months will be needed to use these parts in production, and it will produce conforming vehicles thereafter. Marmon has over \$116,000 invested in parts which are "totally redundant," and over \$75,000 in rear axles which "may be reworked to compliance". The company's net profit in 1974 was \$162,705 and it anticipates a net loss in 1975 of \$112,091 even assuming the exemption is granted.

One comment was submitted in response to the notice, by Oshkosh Truck Corporation which opposed granting an exemption. Oshkosh says that it has experienced the same inventory problems and plans to utilize its material in spare parts sales, export vehicles, domestic vehicles that do not require compliance, and resale of material to others for similar uses. It urges NHTSA to thoroughly review exemption requests based on material obsolescence, as "The granting of these requests would create competitive disadvantages which would result in economic hardships to those truck manufacturers and their dealer organizations who are prepared to meet the mandates of FMVSS 121."

Marmon admittedly can comply with Standard No. 121 as of its effective date, March 1, 1975. Therefore the question is whether denial of its petition, leaving it with an inventory of \$75,000 of axles, and \$116,000 of other noncomplying parts, would cause it substantial economic hardship. These costs must be balanced against the financial condition of the company. Although Marmon is a wholly owned subsidiary of TIC Industries which in turn is a wholly owned subsidiary of The Interstate Corporation, it nevertheless is a separate legal entity which must remain viable if it is not to be liquidated, or reorganized in bankruptcy proceedings. The cumulative total net income realized by Marmon over the past 3 fiscal years is only \$164,605. It projects a net loss for 1975 of \$212,000 if the exemption is denied and a net loss of \$112,000 if it is granted. Thus, a denial by NHTSA would increase its loss in 1975 by \$100,000. The NHTSA estimates that the retail price of a Class 8 truck such as Marmon produces is approximately \$45,000, and that the axles in inventory are sufficient for the production of approximately 20 vehicles. Since Marmon produced 11 vehicles in the period January 1 through 25, 1975, the petition in NHTSA's opinion does not support an exemption of 7 months as requested. But because of Marmon's history of low annual net income, and its projected losses, the NHTSA has concluded that sufficient need has been shown for an exemption until May 1, 1975. This will allow Marmon to use part of its inventory in production and to plan for disposal of the remainder as Oshkosh suggests. Exemptions *per se* have the potential for placing competitors of an exempted party at a disadvantage but the limited number of vehicles that will be produced by Marmon should not create significant problems for its competitors or seriously affect traffic safety.

For the reasons discussed above the Administrator has concluded that an exemption for Marmon would be consistent with the public interest and the objectives of the Traffic Safety Act. Accordingly, Marmon Motor Company is awarded NHTSA Temporary Exemption No. 75-9 from Standard No. 121, 49 CFR 571.121 expiring May 1, 1975.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 [15 U.S.C. 1410]; delegation of authority at 49 CFR 1.61)

Issued on March 19, 1975.

JAMES B. GREGORY,  
Administrator.

[FR Doc.75-7707 Filed 3-20-75; 3:32 pm]

[Docket No. EX75-7; Notice 2]

### RITE-WAY INC. OF INDIANA

Petition for Temporary Exemption From  
Federal Motor Vehicle Safety Standards

The National Highway Traffic Safety Administration has decided to grant Rite-Way Inc. of Indiana an exemption of six months from compliance with Federal Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, 49 CFR 571.121.

Notice of the petition was published on February 13, 1975, (40 FR 6703) and an opportunity afforded for comment.

Rite-Way manufactured 70 motor vehicles (ready-mix trucks) in 1974. It requested an exemption from Standard No. 121 for three years. The company is a wholly owned subsidiary of Moran Tank Company, which acquired it in 1972 when Rite-Way was operating under the Federal Bankruptcy Act. Shortages of parts and the state of the economy forced Rite-Way to file for reorganization under Chapter XI of the Act in November 1974. Efforts to interest suppliers in providing prototype components to a small-volume producer have resulted in delays in programs intended to implement Standard No. 121. The company's financial state caused it to close its truck manufacturing facility in Nachez, Mississippi, leaving it with an inventory of parts worth almost \$85,000 that have been obsoleted by the advent of Standard No. 121. The 3-year exemption period requested by Rite-Way would allow it to exhaust the inventory and phase in the new standard on an orderly basis. The company had a net income of only \$125,000 in the fiscal year ending July 31, 1974. Between then and November 25, 1974, the company had a net loss of \$250,000.

One comment was received, submitted by Oshkosh Truck Corporation. Oshkosh is a competitor with Rite-Way in the ready-mix market, whose production in each of the last two years has been approximately double that of Rite-Way. It comments that "a corporate excess inventory of \$85,000 is quite low for a product that sells for more than \$45,000," and that the excess could be disposed of as spare parts for trucks manufactured before March 1, 1975. Oshkosh further comments that it "is a small volume producer and has not experienced difficulties in interesting suppliers to provide prototype components necessary to meet FMVSS 121." It states that it "is capable of supplying Rite-Way with steering driving axles on completed chassis to satisfy their production requirements."

The NHTSA has found Oshkosh's comments persuasive in reaching a decision to grant Rite-Way an exemption of only six months from Standard No. 121. A company that has filed for reorganization under Chapter XI of the Federal Bankruptcy Act, that has suffered a net loss of \$125,000 over the 16-month period prior to its exemption petition, and that cannot immediately comply because of difficulties with suppliers has demonstrated that compliance would cause it substantial economic hardship over the near-term future. Oshkosh's offer of assistance should allow compliance problems to be resolved within a 6-month period, and Rite-Way should be able to dispose of much of its inventory in the same period.

For the reasons discussed above the NHTSA has decided that a temporary exemption would be in the public interest and consistent with the objectives of the National Traffic and Motor Vehicle Safety Act. Therefore, Rite-Way Inc. of Indiana is hereby granted NHTSA

Temporary Exemption No. 75-7 from Standard No. 121, expiring September 1, 1975.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51)

Issued on March 19, 1975.

JAMES B. GREGORY,  
Administrator.

[FR Doc. 75-7708 Filed 3-20-75; 3:33 pm]

## CIVIL AERONAUTICS BOARD

[Docket No. 27576]

### ISLAND AIRLINES LTD.

#### Prehearing Conference and Hearing

In the matter of Island Airlines, Ltd.; small aircraft permit application, Canada-United States.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 16, 1975, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Frank M. Whiting.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before April 8, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., March 18, 1975.

[SEAL] ROBERT L. PARK,  
Chief Administrative Law Judge.

[FR Doc. 75-7588 Filed 3-21-75; 8:45 am]

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN EL SALVADOR

#### Entry or Withdrawal From Warehouse for Consumption

MARCH 19, 1975.

On April 19, 1972, the United States Government concluded a bilateral cotton textile agreement with the Government of El Salvador concerning exports of cotton textiles and cotton textile products from El Salvador to the United States over a five-year period beginning on April 1, 1972. By an exchange of notes between the two governments, dated April 10 and May 16, 1973, the agreement was amended and extended through March 31, 1979.

Among the provisions of the agreement, as amended and extended, are those establishing an aggregate limit for the 64 categories and within the aggregate limit specific limits on Categories 1/2/3/4, 9, 15, and 31 for the agreement year beginning April 1, 1975.

There is published below a letter of March 19, 1975 from the Chairman of

the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in Categories 1/2/3/4, 9, 15, and 31 produced or manufactured in El Salvador which may be entered or withdrawn from warehouse for consumption in the United States during the twelve-month period beginning April 1, 1975, be limited to the designated levels.

The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, as amended and extended, but are designed to assist only in the implementation of certain of its provisions.

ALAN POLANSKY,  
Acting Chairman, Committee  
for the Implementation of  
Textile Agreements, and  
Acting Deputy Assistant Secretary  
for Resources and  
Trade Assistance, U.S. Department  
of Commerce.

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229.

MARCH 19, 1975.

DEAR MR. COMMISSIONER: PURSUANT to the Bilateral Cotton Textile Agreement of April 19, 1972, as amended and extended, between the Governments of the United States and El Salvador, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to prohibit during the twelve-month period beginning April 1, 1975, and extending through March 31, 1976, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1/2/3/4, 9, 15 and 31, produced or manufactured in El Salvador, in excess of the following levels of restraint:

Category	12-Month levels of restraint
1/2/3/4 -----pounds--	407,445
9 -----square yards--	1,658,750
15 -----do-----	1,102,500
31 -----numbers--	1,584,051

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 1/2/3/4, 9, 15 and 31, produced or manufactured in El Salvador, which have been exported to the United States from El Salvador prior to April 1, 1975, shall, to the extent of any unfiled balances, be charged against the levels of restraint established for such goods for the twelve-month period beginning April 1, 1974 and extending through March 31, 1975. In the event the levels of restraint for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of April 19, 1972, as amended and extended, between the Governments of the United States and El Salvador which provide, in part, that within the aggregate limit, the limits on certain categories may be exceeded by no more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements

A detailed description of the categories in terms of TSUSA numbers was published in the FEDERAL REGISTER on February 3, 1975 (40 FR 5010).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of El Salvador and with respect to imports of cotton textiles and cotton textile products from El Salvador have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,  
**ALAN POLANSKY,**  
*Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.*

[FR Doc.75-7554 Filed 3-21-75;8:45 am]

**CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THAILAND**

**Entry or Withdrawal from Warehouse for Consumption**

MARCH 19, 1975.

On March 16, 1972, the United States Government concluded a comprehensive bilateral cotton textile agreement with the Government of Thailand concerning exports of cotton textiles and cotton textile products from Thailand to the United States over a five-year period beginning on April 1, 1972; and extending through March 31, 1977. Among the provisions of the agreement are those establishing an aggregate limit for the 64 categories and within the aggregate limit specific limits on Categories 9/10, 15/16, 18/19, 22/23, 26/27, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 60, 62, 63, and 64 for the agreement year beginning on April 1, 1975.

Accordingly, there is published below a letter of March 19, 1975 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in the above categories, produced or manufactured in Thailand, which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning April 1, 1975, and extending through March 31, 1976, be limited to the designated levels. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Sincerely,  
**ALAN POLANSKY,**  
*Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.*

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**COMMISSIONER OF CUSTOMS,**  
*Department of the Treasury*  
 Washington, D.C. 20229.

MARCH 19, 1975.

DEAR MR. COMMISSIONER: PURSUANT to the Bilateral Cotton Textile Agreement of March 16, 1972, between the Governments of the United States and Thailand, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective April 1, 1975 and for the twelve-month period extending through March 31, 1976, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile product in Categories 9/10, 15/16, 18/19, 22/23, 26/27, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 60, 62, 63, and 64, produced or manufactured in Thailand, in excess of the following levels of restraint:

Category	12-month levels of restraint
9/10 -----square yards--	2, 170, 547
15/16 -----do-----	868, 219
18/19 -----do-----	2, 170, 547
22/23 -----do-----	1, 302, 329
26/27 (of which not more than 1,157,625 square yards shall be in duck fabric) <sup>1</sup> -----do-----	1, 736, 438
43 -----dozen-----	55, 586
45 -----do-----	23, 153
46 -----do-----	20, 837
47 -----do-----	18, 290
48 -----do-----	10, 419
49 -----do-----	16, 207
50 -----do-----	28, 941
51 -----do-----	28, 941
52 -----do-----	31, 256
53 -----do-----	8, 913
54 -----do-----	16, 207
55 -----do-----	7, 872
60 -----do-----	43, 990
62 -----pounds-----	88, 080
63 -----do-----	88, 080
64 -----do-----	94, 372

<sup>1</sup>The T.S.U.S.A. Nos. for duck fabric are:  
 320...01 through 04, 06, 08  
 321...01 through 04, 06, 08  
 322...01 through 04, 06, 08  
 326...01 through 04, 06, 08  
 327...01 through 04, 06, 08  
 328...01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in Thailand, which have been exported to the United States from Thailand prior to April 1, 1975, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods for the twelve-month period beginning April 1, 1974 and extending through March 31, 1975.

In the event that the levels of restraint for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of March 16, 1972, between the Governments of the United States and Thailand which provide, in part, that within the aggregate limit, the limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on February 3, 1975 (40 FR 5010).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States.

Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,  
**ALAN POLANSKY,**  
*Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.*

[FR Doc.75-7553 Filed 3-21-75;8:45 am]

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL 349-3]

**AREAWIDE WASTE TREATMENT**

**Management Planning Approvals; Area and Agency Designations**

Pursuant to section 208 of the Federal Water Pollution Control Act Amendments of 1972, notice is hereby given of approvals of designation of areawide waste treatment management planning areas and agencies for the period February 1, 1975, through March 7, 1975.

The following area and agency designations have been approved by the Environmental Protection Agency:

Berkshire County (Pittsfield), Massachusetts (Berkshire County Regional Planning Commission, Ken Fern Street, Pittsfield, Mass. 01201).

Lowell, Massachusetts (Northern Middlesex Area Commission, 144 Merrimac Street, Lowell, Mass. 01852).

Barnstable County (Cape Cod), Massachusetts (Cape Cod Planning and Economic Development Commission, First District Courthouse, Barnstable, Mass. 02630).

Martha's Vineyard, Massachusetts (Martha's Vineyard Land and Water Commission, Box 1447, Oak Bluffs, Mass. 02557).

Brockton (Old Colony), Massachusetts (Old Colony Planning Council, 232 Main Street, Brockton, Mass. 02401).

Salt Lake County, Utah (Salt Lake County Council of Governments, 2003 South State, Salt Lake City, Utah 84115).

**JAMES L. ACEE,**  
*Assistant Administrator for Water and Hazardous Materials.*

MARCH 18, 1975.

[FR Doc.75-7474 Filed 3-21-75;8:45 am]

[FRL 349-2]

**TEXAS**

**Status of Oxidant Control Strategy Plan**

The purpose of this notice is to clarify the status of various regulations for attainment of the primary standard for photochemical oxidants in Texas which were published in the FEDERAL REGISTER



on November 6, 1973 (38 FR 30626), and which were subsequently the subject of litigation between the State of Texas, various private parties, and the Environmental Protection Agency.

On August 7, 1974, the U.S. Court of Appeals for the Fifth Circuit issued its opinion in the case of *State of Texas et al. v. EPA*, 499 F.2d 289, 6 ERC 1897. The opinion of the Court required, *inter alia*, that the Environmental Protection Agency defer regulations in the Houston-Galveston Region that account for at least 0.9 percent reductions in hydrocarbon emissions because of questions concerning emission data. The Court pointed out that the 0.9 percent could be supplied, for the time being, by deferral of § 52.2288 (stage II vapor recovery), because the Court required the Agency to reconsider that regulation for other reasons. The Agency agreed that this was the appropriate regulation for deferral pending resolution of the emissions data issue, and has taken no steps to enforce it. The deferral of § 52.2288 for Houston-Galveston will be lifted after EPA has completed its reconsideration of the regulation and its reexamination of the technical data. Note also that on January 6, 1975, a notice was published in the FEDERAL REGISTER at 40 FR 1127 that defers certain increments of progress toward final compliance with the stage II vapor recovery regulations in Texas, 40 CFR 52.2288 and 52.2289.

The Court stated that, unless the Agency decided to defer one of them in place of the stage II vapor recovery regulation, § 52.2284 (degreasing operations), § 52.2285 (stage I vapor recovery during the filling of storage tanks), § 52.2287 (ship and barge controls), § 52.2290 (vehicle inspection and maintenance), and § 52.2291 (retrofit of pre-1968 automobiles) are valid and enforceable for the Houston-Galveston Air Quality Control Region (AQCR). The Administrator considers that each of these regulations is and has been valid and enforceable for the Houston-Galveston AQCR.

Motions for rehearing on § 52.2287 (ship and barge controls) filed by petitioners in *State of Texas v. EPA* were denied by the Fifth Circuit on February 19, 1975. Petitioners have filed motions for leave to file a second petition for rehearing and motions for stay of mandate. These motions have not been acted upon by the Court.

As noted above, the Fifth Circuit in *State of Texas v. EPA* remanded to EPA certain technical issues for further consideration and examination. Shortly after the August 7, 1974, decision, the Environmental Protection Agency and the Texas Air Control Board began a joint study that will satisfy the requirement of the court to reexamine the accuracy of certain technical data relating to emission reductions and the consequent need for various emission reduction regulations. The TACB has now submitted to EPA the preliminary results of its portion of the study in a report entitled "Reactive Carbon Compound Control Strat-

egy Reexamination for the State of Texas, Preliminary Report," February 1975, Texas Air Control Board. The study suggests the need for additional controls in most regions if the oxidant standard is to be met. This report is currently being evaluated by EPA and certain portions will be incorporated into a final EPA Technical Document that will be available when the full study is complete. This evaluation will be the basis for the further EPA action regarding the oxidant control plan in Texas. The Texas report is currently available for inspection at the following locations:

Air Programs Branch  
Environmental Protection Agency, Region VI  
1600 Patterson Street  
Dallas, Texas 75201

Freedom of Information Center  
Office of Public Affairs  
401 M Street SW.  
Washington, D.C. 20460

Texas Air Control Board  
8520 Shoal Creek Boulevard  
Austin, Texas 78758

Public comments on the emission inventory and emission reduction sections of the Texas Report are solicited and all comments received on or before April 23, 1975 will be considered. Comments should be sent to the Environmental Protection Agency, Region VI, at the above address.

ROGER STRELOW,  
Assistant Administrator for  
Air and Waste Management.

MARCH 17, 1975.

[FR Doc.75-7475 Filed 3-21-75; 8:45 am]

[FRL 349-2]

#### WYOMING

##### Discharges of Pollutants to Navigable Waters; Approval of Program

Notice is given hereby that the U.S. Environmental Protection Agency has granted the State of Wyoming's request for approval of its program for controlling discharges of pollutants to navigable waters in accordance with the National Pollutant Discharge Elimination System (NPDES), pursuant to section 402(b) of the Federal Water Pollution Control Act, as amended (Pub. L. 92-500, 86 Stat. 816, 33 U.S.C. 1251; the Act).

Section 402 of the Act establishes a permitting system, known as the National Pollutant Discharge Elimination System, under which the Administrator of the U.S. Environmental Protection Agency (EPA) may issue permits for the discharge of any pollutant, upon condition that the discharge meets the applicable requirements of the Act. Section 402(b) provides that any State desiring to administer its own permit program for discharges into navigable waters within its jurisdiction may submit such program to the Administrator. If the Administrator determines that the State has adequate authority to carry out the requirements of the Act, he shall approve the submitted program and suspend the

issuance of permits as to those navigable waters subject to such program, except with respect to agencies and instrumentalities of the Federal Government. Guidelines specifying procedural and other elements for State NPDES programs appear at 40 CFR Part 124 (as amended by 38 FR 18000, July 5, 1973, and 38 FR 19894, July 24, 1973).

On November 1, 1974, Wyoming submitted a program for carrying out the NPDES. On December 18, 1974, EPA conducted a public hearing on the proposed approval in Casper, Wyoming. After a thorough review of the Wyoming program, the accompanying legal certification and all comments submitted by the public during and following the public hearing, the Administrator determined that the State's authority was adequate to carry out the requirements of the Act, and so informed Governor Ed Herschler in a letter dated January 30, 1975.

As of January 31, 1975, the Wyoming NPDES permit program is being administered by the Wyoming Department of Environmental Quality, State Office Building, Cheyenne, Wyoming 82001 (telephone (307) 777-7391). Mr. Robert E. Sundin is the Director of the Wyoming Department of Environment Quality. The Wyoming program is being administered in accordance with Wyoming statutes and regulations and a Memorandum of Agreement between Wyoming and the EPA Region VIII Office, 1860 Lincoln Street, Denver, Colorado 80203 (telephone (303) 837-3895). All pertinent documents are available for inspection at the Wyoming State agency and EPA Regional Office at the addresses given above and EPA Headquarters in Room 3201, Waterside Mall, 401 M Street SW., Washington, D.C. 20460.

RICHARD H. JOHNSON,  
Acting Assistant Administrator  
for Enforcement.

MARCH 18, 1975.

[FR Doc.75-7512 Filed 3-21-75; 8:45 am]

[FRL 348-7]

#### OCEAN DUMPING

##### Receipt of Application and Tentative Determination

The Environmental Protection Agency, pursuant to the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 33 USC 1401, *et seq.*, and 40 CFR 222.2 and 222.3, hereby gives notice of a receipt of an application for permit to dispose of materials at sea and of the tentative determination of the Environmental Protection Agency with respect to that application.

##### SUMMARY OF APPLICATION

The United States Air Force has applied for a special permit to incinerate at sea the chemical known as Herbicide Orange. The proposed vessel on which such incineration will take place if the permit is granted is the *M/V Vulcanus*,

owned by the Ocean Combustion Services, B. V., P.O. Box 608, Rotterdam, Netherlands.

1. *Description of the waste to be incinerated.* According to the information supplied by the applicant, there are presently 1,400,000 gallons of Herbicide Orange stored on Johnston Island in the Pacific Ocean and approximately 860,000 gallons of the chemical at Gulfport, Mississippi. According to the application the herbicide consists of approximately 50% by volume of the normal butyl ester of 2,4-dichlorophenoxyacetic (2,4-D) acid and 50% by volume normal butyl ester of 2,4,5-trichlorophenoxyacetic (2,4,5-T) acid. A small quantity, known as Orange II, contains the isocetyl ester of 2,4,5-T in place of the normal butyl ester. Certain lots of the herbicide also contain the contaminant 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD).

According to the application, a random sampling of 200 drums containing Herbicide Orange was conducted by the Dow Chemical Company at Johnston Island to determine the TCDD content. The arithmetic mean TCDD concentration of these barrels was found to be 1.91 mg/kg. The Air Force estimates that the total TCDD content in the Herbicide Orange stored on Johnston Island to be about 13.63 kg. The Dow Chemical Company sampling of the Herbicide Orange at Gulfport, Mississippi, revealed an average concentration of TCDD of 1.77 mg/kg. The Air Force estimates that the total TCDD in the Herbicide Orange stock at this latter location is about 7.27 kg.

2. *Anticipated products of incineration.* The applicant, United States Air Force, estimates on the basis of an assumed incineration efficiency of 99.9% that the following mass discharge rates of the principal combustion products will result:

Combustion product	Discharge rate pounds per sec. (PPS)
Carbon dioxide.....	23.1
Hydrogen chloride.....	4.1
Carbon monoxide.....	1.2
Carbon particles.....	0.07
Pyrolyzates of orange or its constituents.....	0.01

3. *Method of disposal.* The applicant anticipates that 11,200 metric tons of waste will be incinerated at sea during calendar year 1975. Since the incineration vessel to be used, the *M/V Vulcanus*, carries approximately 4200 metric tons per trip, three voyages will be required. The incineration during each voyage will take approximately two weeks, and the Air Force anticipates that the transfer of the Herbicide Orange from the 55 gallon drums in which it is stored to the incineration vessel will require an additional period of time. The Air Force as part of its application requests permission to load the remaining stores of Herbicide Orange at Gulfport, Mississippi, and to ship that quantity to the proposed disposal site in the Pacific Ocean.

The proposed dump site is in the Pacific Ocean west of Johnston Island and bounded by the following coordinates:

18d 45' to 17d 45' north latitude  
171d 30' to 172d 30' west longitude

This area is approximately 1000 miles west of Hawaii and 120 miles from Johnston Island. By a separate notice published today the Environmental Protection Agency proposes to designate this site for the ocean incineration for which permission is requested by the Air Force.

The *M/V Vulcanus* is equipped with two incinerators which are located aft of the upper deck. Each of the brick lined combustion chambers has a maximum inside diameter of 4.80m and a total height, including the stack, of 10.45m. Each chamber has three burners with rotating cup fuel injection systems which provide vortex turbulence and distribution of fuel feed throughout the whole chamber. The stay time is calculated to be about 0.6 seconds.

Conventional fuel will be used to bring the combustion chambers to the temperature of 1400d C; the maximum operating temperature is 1650d C. Once the required temperature is obtained, the chambers will be fed solely by the undiluted Herbicide Orange. The Herbicide Orange can be pumped to each of two chambers at a rate of 10-12 tons per hour for a maximum pump rate of 576 tons per day.

4. *Environmental effects anticipated by the applicant.* According to the application, the quantity of acid gas released via the incinerator stacks will not depress the pH in the mixing zone more than 0.5 units. The analyses presented in the Air Force's Final Environmental Impact Statement utilized an assumed combustion efficiency of 99.9%. Under these assumptions, the pH depression in the sea water was not expected to be more than 0.5 units.

Toxicity studies were conducted at the Air Force's Environmental Health Laboratory to determine the effects of 2,4-D and 2,4,5-T on freshwater and marine aquatic organisms. In addition, sea water hydrolysis studies were conducted. These studies, together with an extensive literature review, were used to characterize the expected effects and behavior of Herbicide Orange components in aquatic systems. A discussion of the findings are presented in the Air Force's Final Environmental Impact Statement. In this discussion, the following generalizations are made:

- (1) 2,4-D is metabolized by fish.
- (2) 2,4-D does not undergo biomagnification through the food chain.
- (3) Ester forms of 2,4-D and 2,4,5-T are usually more toxic to aquatic animals than are the parent acid forms, so that hydrolysis is an important factor in reducing the toxicity of the esters.
- (4) 2,4-D and 2,4,5-T and their N-butyl esters (NBE) rapidly disappear from sea water, via mechanisms of hydrolysis, metabolism and chemical interactions.

In acute toxicity studies by the Environmental Health Laboratory, the 48

hr LC<sub>50</sub> values in the shrimp (*Penaeus sp.*) were 5.6 ppm for NBE 2,4-D and 33 ppm for NBE, 2,4,5-T. Oysters (*Crassostrea virginica*) were exposed to concentrations of NBE 2,4-D ranging from 0.5 ppm to 85 ppm. The only acute effect observed by the Air Force was the death of one of the oysters (10%) in the highest concentration at 48 hours. Algal bioassays at this laboratory showed Herbicide Orange to inhibit algal growth at concentrations of 50-100 mg/l.

An application factor of 0.01 (40 CFR 227.71) has been applied to the LC<sub>50</sub> data on the shrimp (sensitive species) to arrive at a permissible concentration within the mixing zone. This calculation results in a "limiting permissible concentration" of 0.056 ppm for NBE 2,4-D and 0.33 ppm for NBE 2,4,5-T. Based on an assumption of 99.9% combustion efficiency, 0.01 pounds per second of the pyrolyzates of Herbicide Orange or its constituents could be discharged from the incinerator stacks. Assuming all of this material enters the mixing zone, the total concentration of Herbicide Orange constituents is calculated by the applicant to be 0.00029 ppm.

The TCDD is present only in low ppm concentration in the raw herbicide, according to the Air Force. Therefore, the applicant states that because of its low concentration in the incinerator feed stack and the essentially complete destruction expected by the high temperature incineration, the concentration of TCDD will be an extremely small portion of the calculated concentration of 0.00029 mg/l of Herbicide Orange in the mixing zone.

5. *Review of the application.* Following a public notice published in the FEDERAL REGISTER and in major newspapers, a public meeting was held on February 19, 1975, in Washington, D.C., to accept comments on the application of the Air Force to incinerate Herbicide Orange at sea. That meeting was attended by approximately 60 people and several statements were presented by people other than EPA employees. The transcript of that meeting, which is available for public inspection, will be made a part of the record in this matter. In addition, written comments were submitted by the National Wildlife Federation, the United States Department of the Interior, and by the Marquardt Company.

The National Wildlife Federation expressed general support of the concept of ocean incineration of Herbicide Orange under properly controlled circumstances. This group suggested that the following conditions be imposed on the applicant:

- (1) Combustion temperatures exceed 2280dF (1246dC);
- (2) Dwell time exceeds 0.14 sec.;
- (3) Fuel-to-air ratio is approximately 0.1;
- (4) Excess air exceeds 30 percent;
- (5) Herbicide Orange is preheated to at least 90dF (and preferably to 175dF); and
- (6) Herbicide Orange is injected into the combustion chamber by a radial slot-



type, rather than a central poppet-type, nozzle.

A representative of the Center for Law and Social Policy stated that they favor incineration at sea of Herbicide Orange and that the combustion products do not retain chemical or biological warfare characteristics.

The Chemical Land Corporation of Newark, New Jersey, has suggested that the constituents of Herbicide Orange are valuable materials needed for the production of useful chemicals and that their company, with some modification of existing processes, may be able to reformulate the Herbicide Orange and market the product. The United States Department of the Interior has informed the Environmental Protection Agency that it is applying for a patent on a process which it contends will remove the TCDD content of the Herbicide Orange by use of a coconut charcoal. The Department of the Interior has stated that its research implies that it is possible to detoxify large quantities of Herbicide Orange and that the chemical may have a substantial market value as a result of this detoxification.

The Marquardt Corporation of Van Nuys, California, has questioned the statements by the United States Air Force in its application and in its Final Environmental Impact Statement to the effect that test incinerations can be used to predict at sea incineration efficiencies. That company has requested a public hearing to consider further the application of the Air Force.

#### TENTATIVE DETERMINATION

The tentative determination of the Environmental Protection Agency is to issue to the applicant, United States Air Force, a research permit pursuant to 40 CFR 220.3(e), allowing the incineration of 4200 metric tons (one ship-load) or less of the chemical known as Herbicide Orange. The decision to finally grant a research permit to the applicant, however, will be contingent upon the demonstration by the Air Force that there are adequate monitoring capabilities for the determination of the quantities of, if any, TCDD escaping with the stack gases, and that there is adequate monitoring capability for determination of 2,4,5-T and 2,4-D.

The applicant shall also present evidence at the public hearing as to its capability to monitor for TCDD, 2, 4, 5-T and 2, 4-D in the immediate marine environment during incineration.

The granting of the research permit is also contingent on the demonstration by the applicant that there are no feasible alternatives to the disposal of the Herbicide Orange by at sea incineration, taking into account possible risks associated with storage, transportation of the Herbicide Orange and the use of the recovered constituents. The applicant will be expected to discuss in some detail the results of its February 27, 1975, request for quotations from industry as to the cost and feasibility of reprocessing Herbicide Orange.

The Marine Protection, Research, and Sanctuaries Act provides in section 102 (a), 33 USC 1412(a), that no permits may be issued for the disposal of "chemical or biological warfare agents." At the public hearing on this application the Air Force is expected to present evidence as to whether detectable concentrations of any waste constituents will be found in the ocean waters as a result of the transport or incineration of Herbicide Orange, and if detectable levels will be found, what the levels will be.

It is the intent of the Environmental Protection Agency to condition the research permit on the following:

(1) The incineration will take place within the disposal site, the coordinates of which are set forth in the summary of application.

(2) The emission rates of TCDD, 2, 4-D, or 2, 4, 5-T will not be in excess of 0.1% of the total amount of TCDD in the Herbicide Orange waste.

(3) The Herbicide Orange will be removed from the storage drums and loaded on the incineration vessel in such a manner that no TCDD escapes to the environment in measurable quantities, and the process of removal of Herbicide Orange shall employ the best available technology.

(4) The drums from which the Herbicide Orange is taken will be triple rinsed with solvent prior to disposal, or otherwise cleaned to an equal degree by jet rinsing, and the rinses will be added to the wastes to be incinerated.

(5) The carrier will maintain a combustion temperature in each incinerator of at least 1400°C.

(6) The feed rate of the Herbicide Orange into the combustion chambers will be as low as possible and not in excess of 12 metric tons per hour for each incinerator.

(7) The applicant and the carrier shall maintain a sealed automatic monitoring device for constant review of the operating temperatures of the incinerators.

(8) The applicant will employ such other monitoring procedures as are requested by the Environmental Protection Agency.

#### OPPORTUNITY FOR COMMENT AND PUBLIC HEARING

The determinations of the Environmental Protection Agency with respect to the application of the United States Air Force are tentative. Persons wishing to comment on or object to the proposed determinations are invited to submit such comments in writing to the Environmental Protection Agency, Oil and Special Materials Control Division (WH 448), 401 M Street, SW., Washington, D.C. 20460, Attention: Chief, Marine Protection Branch, on or before April 23, 1975. All comments or objections received prior to the expiration of the 30 day period will be considered by the agency in the formulation of a final determination regarding this application.

In addition, persons are invited to attend the public hearing on this application to be held April 25, 1975, beginning

at 9:30 a.m. in Honolulu, Hawaii (specific location to be announced in the FEDERAL REGISTER). The hearing will be adjourned and reconvened at 9:30 a.m. on April 28, 1975, at the Environmental Protection Agency offices for Region IX, 100 California Street, San Francisco, California.

A final determination to issue or deny the research permit, or to issue another form of ocean disposal permit, will be made as soon as is practicable after the public hearing and following the public comment period.

The applicant's Final Environmental Impact Statement, application for ocean dumping permit, and transcript of the February 19, 1975, public meeting, are available for inspection at the offices of the Environmental Protection Agency, Region IX, Room 100, 100 California Street, San Francisco, California; the offices of the Environmental Protection Agency, Region IV, Room 306, 1421 Peachtree Street, NE., Atlanta, Georgia; the library of the Environmental Protection Agency Pacific Island Office, Room 601, 1000 Bishop Street, Bishop Trust Building, Honolulu, Hawaii; and the Freedom of Information Center, Room 221 West Tower, Environmental Protection Agency, 401 M Street, SW., Washington, D.C. In addition, persons desiring more detailed information not contained in these documents, such as details concerning possible reformulation and reprocessing alternatives, may request same from the Environmental Protection Agency, Oil and Special Materials Control Division (WH 448), 401 M Street, SW., Washington, D.C. 20460, Attention:

Dated: March 19, 1975.

RUSSELL E. TRAIN,  
Administrator.

[FR Doc.75-7591 Filed 3-21-75;8:45 am]

[FRL 349-4; OPP-32000/212]

#### RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW., Washington, DC 20460.

On or before May 23, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c)



desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington, DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 23, 1975.

Dated: March 14, 1975.

JOHN B. RITCH, Jr.,  
Director,  
Registration Division.

APPLICATIONS RECEIVED (OPP-32000/212)

- EPA File Symbol 35255-R. Baltimore Laundry and Supplies, 8409 Belair Rd., Baltimore MD 21236. CHLOR CONCENTRATED CHLORINE SOLUTION. Active Ingredients: Sodium Hypochlorite 10%. Method of Support: Application proceeds under 2(c) of interim policy. PM34
- EPA File Symbol 662-AG. BASF Wyandotte Corp., 1609 Biddle Ave., Wyandotte MI 48192. WYANDOTTE WATER AID CHLORINE C. Active Ingredients: Sodium dichloro-s-triazinetrione dihydrate 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM34
- EPA File Symbol 6853-O. Bes-Tex Insecticides Co., Inc., PO Box 664, San Angelo TX 76901. BEX-TEX. Active Ingredients: Toxaphene [Technical chlorinated camphene (67%-69% chlorine)] 5.0%; Gamma isomer of benzene hexachloride from Lindane 1.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM15
- EPA File Symbol 32450-U. Cadillac Oil Co., 13650 Helen, Detroit MI 48212. CADCOXIDE 7000. Active Ingredients: Poly[oxyethylene-(dimethylimino)ethylene-(dimethylimino)ethylene dichloride] 15.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34
- EPA File Symbol 1660-IR. Chem. Specialties Co., Inc., 51-55 Nassau Ave., Brooklyn NY 11222. DRO BOMB CONTAINS A NATURAL INSECTICIDE. Active Ingredients: Petroleum Distillates 96.0%; Pyrethrins 0.2%; Piperonyl Butoxide [Equivalent to 0.64% (butylcarbityl) (6-propylpiperonyl) ether and 0.16% of related compounds] 0.8%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 1660-TO. Chem. Specialties Co., Inc. VAM-O FORMULA #3 PARAFFINIZED PELLETS. Active Ingredients: 2-(p-chlorophenyl) phenylacetyl]-1,3-indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy. PM11
- EPA File Symbol 1660-TA. Chem. Specialties Co., Inc. DRO BORATED POWDER KILLS ROACHES, ANTS, WATERBUGS. Active Ingredients: Boric Acid 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM15
- EPA File Symbol 16300-RN. Chem. Treatment Co., Hanover Indus. Air Park, Ashland VA 23005. CT-880 CLEANER-GERMICIDE. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 0.950%; Dioctyl Dimethyl Ammonium Chloride 0.475%; Didecyl Dimethyl Ammonium Chloride 0.475%; Tetrasodium Ethylenediamine Tetraacetate 1.000%; Trisodium Phosphate 2.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 7173-RAG. Chempar Chem. Co., Inc., 260 Madison Ave., New York NY 10016. ROZOL RAT & MOUSE PELLETS PEST CONTROL OPERATORS FORMULA. Active Ingredients: 2-(p-chlorophenyl) phenylacetyl]-1,3-indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy. PM11
- EPA File Symbol 7173-RAE. Chempar Chem. Co., Inc., 260 Madison Ave., New York NY 10016. ROZOL HOUSE MOUSE ACTIVATED KILLER. Active Ingredients: 2-(p-chlorophenyl) phenylacetyl]-1,3-indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy. PM11
- EPA File Symbol 34773-U. Chemtech Resources, Inc., Environmental Products & Services, PO Box 24440, Dallas TX 75224. ATLAS CONCENTRATE. Active Ingredients: Petroleum distillate 98.575%; N-octylbicycloheptene dicarboximide 0.750%; Technical piperonyl butoxide [Consists of (butylcarbityl) (6-propylpiperonyl) ether and other related compounds] 0.450%; Pyrethrins 0.225%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 192-RER. Dexol Indus., 1450 W. 226th St., Torrance CA 90501. DEKOL TOMATO AND VEGETABLE DUST. Active Ingredients: Carbaryl (1-Naphthyl N-Methylcarbamate) 5.0%; Zineb (Zinc Ethylene Bisdithiocarbamate) 4.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM12
- EPA Reg. No. 5736-5. DuBols Chem., Div. of Chemed Corp., 3630 E. Kemper Rd., Sharonville OH 45241. D-TROL DISINFECTANT, SANITIZER AND ALGICIDE. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5.25%; n-alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM31
- EPA File Symbol 167N-TA. Economics Lab., Inc., Osborn Bldg., St. Paul MN 55102. SOILAX LIQUID POOL SANITIZER. Active Ingredients: Sodium hypochlorite 8.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM34
- EPA File Symbol 1471-RNE. Elanco Prod. Co., A Div. of Eli Lilly and Co., PO Box 1750, Indianapolis IN 46206. ELANCO SURFLAN 75W. Active Ingredients: oryzalin (3,5-dinitro-N,N'-dipropylsulfanilamide) 75%. Method of Support: Application proceeds under 2(c) of interim policy. PM25
- EPA Reg. No. 279-183. FMO Corp., Agricultural Chem. Div., 100 Niagara St., Middletown NY 14105. CODE 624 WETTABLE SULFUR. Active Ingredients: Sulfur 90.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM22
- EPA File Symbol 34886-U. Field Indus., Inc., PO Box 23216, Harahan LA 70183. MINT FRESH DISINFECTANT CLEANER. Active Ingredients: Didecyl dimethyl ammonium chloride 2.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 1457-AN. Fine Organics Inc., 206 Main St., Lodi NJ 07644. CETYL PYRIDINIUM CHLORIDE-H<sub>2</sub>O (CPC). Active Ingredients: Cetyl Pyridinium Chloride-H<sub>2</sub>O 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM31
- EPA Reg. No. 10065-3. Fisons Corp., Agricultural Chem. Div., 2 Preston Court, Bedford MA 01730. FIGAM W. Active Ingredients: 2,2-dimethyl-1,3-benzodioxol-4-ol methylcarbamate 78%. Method of Support: Application proceeds under 2(b) of interim policy. PM12
- EPA File Symbol 36414-R. Four Seasons Marketers, Inc., PO Box 2771, Palos Verdes CA 90274. MULTI-PLANT ROOTING POWDER FOR HOUSE PLANTS. Active Ingredients: Indole 3 Butyric Acid 0.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM25
- EPA File Symbol 6381-U. Garman Co., Inc., 1252 Grover Rd., St. Louis MO 63125. VAPCO ALGAECIDE-W. Active Ingredients: Poly[oxyethylene-(dimethylimino)ethylene-(dimethylimino)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34
- EPA File Symbol 2269-RAO. Gold Kist Inc., PO Box 2210, Atlanta GA 30303. 10% PARATHION GRANULATED. Active Ingredients: Parathion: 0,0-diethyl 0-p-nitrophenyl phosphorothioate 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM12
- EPA Reg. No. 5905-192. Helena Chem. Co., Suite 2900 Clark Tower, 5100 Poplar Ave., Memphis TN 38317. HELENA 6 LB. TOXAPHENE. Active Ingredients: Toxaphene (Technical Chlorinated Camphene) (Chlorine Content 67% to 69%) 58.57%; Xylene 30.92%. Method of Support: Application proceeds under 2(c) of interim policy. PM12
- EPA File Symbol 1681-I. Hortus Products Co., PO Box 276, Newfoundland NJ 07435. HORMO-ROOT. Active Ingredients: N-dodecyl-3-butyric acid 4.40%. Method of Support: Application proceeds under 2(c) of interim policy. PM25
- EPA File Symbol 35900-E. Ionics, Inc., Routes 519 & 50, Bridgeville PA 15017. HYGENE. Active Ingredients: Silver 1.06%. Method of Support: Application proceeds under 2(c) of interim policy. PM33
- EPA File Symbol 8873-U. Kleen Brite Chem., Co., Inc., 10 Moore St., PO Box 485, Rochester NJ 14602. XYZ SWIMMING POOL ALGAECIDE AND LOCKER ROOM DISINFECTANT. Active Ingredients: Methyl dodecyl benzyl trimethyl ammonium chloride 8%; methyl dodecyl xyllylene bis (trimethyl ammonium chloride) 2%. Method of Support: Application proceeds under 2(c) of interim policy. PM24
- EPA File Symbol 8220-EG. Lambert Kay, Div. of Carter-Wallace, Inc., PO Box 11523, Santa Ana CA 92711. LAMBERT KAY'S BLOOMIN' FLEA COLLAR. Active Ingredients: Fosprate 0,0-dimethyl-0-(3,5,6-trichloro-2-pyridyl) phosphate 15%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA File Symbol 1706-RUU. Nalco Chem. Co., 2901 Butterfield Rd., Oak Brook IL 60521. NALCO FYRE-PREP 1000 FUNGAL AND BACTERIAL DIESEL FUEL CONDITIONER. Active Ingredients: 1-(2-hydroxyethyl)-2-alkyl (C18)-2-imidazoline 1.19%. Method of Support: Application proceeds under 2(c) of interim policy. PM33

EPA File Symbol 2169-EGU. Patterson Chem. Co., Div. Curry-Cartwright, Inc., 1400 Union Ave., Kansas City MO 64101. PATTERSON'S GREEN-UP INSECT CONTROL CONTAINS DURSIBAN. Active Ingredients: Chlorpyrifos (0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothionate) 1.14%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 9215-A. Pool Water Prod., 11601 Anabel Ave., Garden Grove CA 92643. ALL-CLEAR CHLORINE TABLETS. Active Ingredients: Trichloro-s-triazine-trione 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 655-LGR. Prentiss Drug & Chem. Co., Inc., 363 7th Ave., New York NY 10001. PRENTOX RAX PLUS TRACKING POWDER. Active Ingredients: Warfarin, 3-(*n*-acetylbenzyl)-4-hydroxycoumarin 1.00%; Sulfaminoxaline 4.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 30998-E. W. H. Shurtleff Co., PO Box 1019, Portland ME 04104. SODIUM HYDROCHLORITE. Active Ingredients: Sodium Hypochlorite 11.15%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 11715-UI. Speer Prod., Inc., PO Box 9383, Memphis TN 38109. SPEER INDOOR PLANT SPRAY. Active Ingredients: Pyrethrins 0.02%; Rotenone 0.13%; Other Cube Resins 0.26%; Technical Piperonyl Butoxide [Equivalent to 0.2% (Butylcarbityl) (6-Propylpiperonyl) ether and 0.95% related compounds] 0.98%; Petalium Distillate 0.98%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA Reg. No. 476-254. Stauffer Chem. Co., 1290 S. 47th St., Richmond CA 94804. ALFA BRAND WETTABLE SULFUR. Active Ingredients: Sulfur 97%. Method of Support: Application proceeds under 2(c) of interim policy. PM22

EPA File Symbol 2724-EAI. Thuron Industries, Inc., 12200 Denton Dr., Dallas TX 75234. IMPROVED VAPORETTE INSECT STRIP. Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 18.6%; Related compounds 1.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

EPA File Symbol 193-RL. Wonder Chem. Corp., 249 Canal Rd., Fairless Hills PA 19030. SODIUM HYPOCHLORITE. Active Ingredients: Sodium Hypochlorite 12.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM 34

EPA File Symbol 1270-ROG. Zep Manufacturing Co., PO Box 2015, Atlanta GA 30301. ZEP FORMULA 185-A. Active Ingredients: Isopropanol 11.92%; Potassium O-benzyl p-chlorophenolate 6.43%; Potassium Dodecylbenzene Sulfonate 4.48%; Potassium o-

phenylphenate 4.16%; Potassium p-tertiary Amylphenate 2.71%; Tetrasodium Ethylene Diamine Tetraacetate 1.90%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

[FR Doc.75-7593 Filed 3-21-75; 8:45 am]

## GENERAL SERVICES ADMINISTRATION

### ARCHIVES ADVISORY COUNCIL

#### Notice of Meeting

Notice is hereby given that the Region 7 Archives Advisory Council will meet at the time and place indicated. Anyone who is interested in attending or wants additional information should contact the person shown below.

REGIONAL ARCHIVES ADVISORY COUNCIL—  
REGION 7

Meeting date. April 18, 1975.

Time. 1 p.m.

Place. Hilton Airport Inn, Room 301, I-70 and Peoria Street, Denver, CO 80239.

Agenda. Discuss the regional archival program and make recommendations for its improvement.

For further information contact: Odell B. Lamb, NARS Regional Commissioner, 819 Taylor Street, Fort Worth, TX 76102, 817-334-2759.

Issued in Washington, D.C., on March 14, 1975.

JAMES B. RHODES,  
Archivist of the United States.

[FR Doc.75-7525 Filed 3-21-75; 8:45 am]

## Federal Supply Service INDUSTRY SPECIFICATION DEVELOPMENT

### Notice of Conference

Notice is hereby given that the Federal Supply Service will conduct an Industry Specification Development Conference concerning the following specifications and standards:

KKK-A-811M, Automobiles, Sedans  
KKK-A-850K, Automobiles, Station Wagons  
KKK-T-645G, Trucks, Light Commercial, Gasoline Fueled, Four-Wheel Driven (4x4, 3,000 to 10,000 pounds GVW)

Federal Standard No. 122N, Automobiles, Sedans and Station Wagons

Federal Standard No. 292C, Trucks, Light Commercial, Gasoline Fueled, Four-Wheel Driven (4x4, 3,000 to 10,000 pounds GVW)

The conference will provide a forum for new ideas, suggestions, and techniques for improvement of the specifications and standards and promote mutual understanding of the technical requirements of the Government. The desired end result is to enhance the quality of the vehicles purchased for Government activities.

The conference will be held on April 14 and 15, 1975, in Room 508, Crystal Mall Building 3, 1931 Jefferson Davis Highway, Arlington, Virginia. It will convene at 10 a.m. on April 14, and at 9 a.m. on April 15.

Members of the public and representatives of Government agencies having an interest or concern in the matters to be discussed in the conference are invited to participate. Anyone who desires further information or wishes to attend should contact Mr. Carl M. Medved, General Services Administration (FMA), Washington, D.C. 20406, telephone 703-557-0974.

Issued at Washington, D.C., March 13, 1975.

M. J. TIMBERS,  
Commissioner,  
Federal Supply Service.

[FR Doc.75-7526 Filed 3-21-75; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 20296, 20297; File Nos. BP-19367, BP-19752; FCC 75R-109]

DAVID B. JORDAN AND BOULDIN  
CORP.

### Memorandum Opinion and Order

In re applications of David B. Jordan, Huntingdon, Tennessee, Docket No. 20296, File No. BP-19637; The Bouldin Corporation, Huntingdon, Tennessee, Docket No. 20297, File No. BP-19752; For Construction permits. See also 40 FR 1128.

1. David B. Jordan, one of the two competing applicants in this proceeding, has petitioned for a number of issues against the Bouldin Corporation.<sup>1</sup> Jordan contends, first, that an issue should be added to determine whether Bouldin has complied with the requirements of § 1.526, alleging that Bouldin's application file was not available for inspection at the place indicated in the publication notice. The Board, while being of the view that a technical violation of the rule has occurred, will not add the requested issue inasmuch as Bouldin has given an adequate explanation of the

<sup>1</sup> The petition to enlarge was filed January 21, 1975; Bouldin filed an opposition on February 7, 1975; and the Broadcast Bureau comments were filed on the same day. Jordan filed a reply on February 25, 1975, which contains new allegations which should have been included in the petition to enlarge, and to the extent that this is done the pleading will be dismissed. See Sections 1.45 and 1.204 of the Commission's Rules, and *Industrial Business Corporation, et al.*, 40 FCC 23 60 (1973).

circumstances and considering all of them, it does not appear that the occurrence of this violation would be significant to the outcome of the proceeding. *California Stereo, Inc.*, 38 FCC 2d 1003 (1973); *Southern Broadcasting Co.*, 38 FCC 2d 943, 26 RR 2d 458 (1973).

2. Next, petitioner charges that there have been violations of §§ 1.514 and 1.65 resulting from Bouldin's failure to report the filing of an FM application in the same town. Clearly, there has been no violation of § 1.514, inasmuch as the FM application was not on file at the time the instant application was received. The FM application reported the existence of the AM application, and this fact lends credence to Bouldin's assertion that the failure to amend the instant application within the thirty-day period allowed by § 1.65 was inadvertent and without any intent to conceal the existence of the FM request from the Commission. Under these circumstances, the addition of the issue does not appear to be warranted.

3. Jordan also asks for the specification of a financial qualifications issue as to Bouldin and relies on several arguments in support of this request. From our review of the pleadings, there appears to be some misunderstanding concerning the total costs which Bouldin will incur and the amount of funds available to meet them. Page 1 of section III of Bouldin's application lists total first year costs of \$57,176.00. To this must be added \$19,032.96, the amount needed to pay principal and interest during the first year on a bank loan of \$75,000.00. The total of these two amounts is \$76,208.96. Section III on page 2, as amended November 7, 1974, shows that Bouldin has the following funds available; existing capital, \$4,500.00; bank loan \$75,000; and deferred equipment credit \$13,966.59. Adding these, the total funds available are \$93,466.59. Thus, on the assumption that the \$75,000.00 bank loan will be available, Bouldin has enough money to pay reasonable hearing costs in excess of the \$500 listed in the application. Bouldin also has adequate funds to meet transmitter site and studio rent rental costs even if they exceed the \$150.00 per month budgeted for them.<sup>3</sup>

4. The most serious question raised in the petition to enlarge relative to financial qualifications is whether the bank loan will be available to Bouldin. There are apparently two loan commitments outstanding from the same bank, one for \$75,000.00, purportedly is for the instant application and the other, for \$85,000.00, is purportedly for an FM application which Bouldin has also filed. Examination of the bank commitment letters shows that neither specifically identifies the application for which it is intended. In its opposition to the petition, Bouldin submitted a clarifying affidavit from the bank attempting to ex-

plain the circumstances under which the bank commitment letters were issued. However, from our reading of this statement, it does not appear that the questions which exist concerning these loans have been removed. It is still not clear that two loans will in fact be made, one for the AM and another for the FM application, and if they are not, then it is doubtful whether Bouldin is financially qualified to construct this station along with the FM. These are questions which require resolution, and, therefore, the addition of a financial issue is justified.

5. Jordan has also challenged the authority of the bank to lend the specified sums to Bouldin<sup>4</sup> who is a director of the bank. However, in the petition to enlarge, these assertions were not adequately supported by specific factual allegations and will therefore be rejected.<sup>5</sup> Nevertheless, this deficiency will not prevent this aspect of Bouldin's financial showing from being explored under the financial issue which the Board is adding.

6. The designation of a *Suburban* issue has also been requested by Jordan, and this request will be granted. Examination of Bouldin's ascertainment showing demonstrates clearly that it has not complied with the requirements of questions and answers 9 and 10 of the *Primer*.<sup>6</sup> Although the census data which is included as an exhibit in the application does give some demographic information about Huntingdon and the county in which it is located, there is nothing in the application to indicate how Mr. Bouldin acquired his information concerning economic activities, government activities and public service organizations. The applicant relies to a large extent on area familiarity which is clearly not acceptable under the *Primer*, and we have no way of knowing, beyond what can be gleaned from the census material, how the applicant determined the composition of the community.

7. Even were the Board to accept Bouldin's description of the community and its composition, there is simply nothing upon which to predicate a conclusion that he used this information in selecting the community leaders to be interviewed. Perhaps because of Mr. Bouldin's involvement in education, the survey of community leaders is heavily weighted in this direction, 10 of the 28 community leaders interviewed being participants in this same activity. Moreover, we note that 12, or less than half, of the leaders are residents of Huntingdon. None of those interviewed is shown to be a leader of the black community which constitutes about 15% of the pop-

ulation of Huntingdon.<sup>7</sup> Moreover, upon examining Bouldin's description of the 28 persons who were interviewed as community leaders, it is difficult to see what significant group in the community a number of them represent.

8. Bouldin also has not complied with the programming requirements of the *Primer*, *supra*, as the petitioner contends. In several respects this part of Bouldin's showing fails to meet the requirements of question and answer 29 of the *Primer*, *supra*. For example, of the nine programs listed and described, 7 are not related to any ascertained community need, and for most of the nine the duration of the program is omitted. Furthermore, the two programs which conceivably could be related to community needs fail to specify with which needs they will be concerned. The proposal also states that "this applicant will air other announcements and programs designed to bring various issues to the public attention" and then lists 11 of the ascertained community problems without giving other specifics. This device is also proscribed by answer 29. In sum then, the deficiencies in the *Suburban* showing are so numerous that an issue which will allow exploration of Bouldin's entire ascertainment effort is clearly required, and the Board finds it unnecessary to discuss the other weaknesses which have been alleged by petitioner.

9. The final issue requested by Jordan pertains to the composition of the applicant, Bouldin Corporation. This part of the petition is almost completely lacking in the specific allegations of fact which are required by Section 1.229(c) of the Commission's Rules and will, therefore, be denied.

10. *Accordingly, it is ordered*, That the petition to enlarge issues with respect to the Bouldin Corporation, filed by David B. Jordan on January 21, 1975, is granted to the extent indicated below, and is denied in all other respects; and

11. *It is further ordered*, That the issues in this proceeding are enlarged by the addition of the following issues:  
(a) To determine whether The Bouldin Corporation will have available a bank loan in the amount of \$75,000 in order to construct and operate its proposed station, and in light thereof, whether the applicant is financially qualified.

(b) To determine the efforts made by The Bouldin Corporation to ascertain the community problems of the area to be served and the means by which the applicant proposes to meet those problems.

12. *It is further ordered*, That the burdens of proceeding and proof under the

<sup>3</sup> Mr. Bouldin is the president and sole stockholder of the applicant, Bouldin Corporation. He is principal of the Huntingdon Elementary School.

<sup>4</sup> See footnote 1, *supra*.

<sup>5</sup> *Primer on Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650 (1971).

<sup>7</sup> Petitioner contends that Bouldin's transmitter site is to be determined. This is not correct. Only the studio site has not yet been specified.

<sup>6</sup> In an amendment to its application, Bouldin identifies three of the community leaders interviewed as being black, but they were not included in the survey because of this identification, and the Board has no way of knowing what positions they hold in the black community which would permit them to be classified as leaders.



issues added herein shall be on The Bouldin Corporation.

Adopted: March 13, 1975.

Released: March 18, 1975.

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

[FR Doc.75-7545 Filed 3-21-75;8:45 am]

[Dockets Nos. 20103, 20104; Files Nos. BPH-7907, BPH-8118; FCC-75R-113]

**TOTAL RADIO INC. AND EVANGEL  
MINISTRIES, INC.**

**Memorandum Opinion and Order;  
Correction**

In re applications of Total Radio, Inc., Neenah-Menasha, Wisconsin, Docket No. 20103, File No. BPH-7907; Evangel Ministries, Inc., Neenah-Menasha, Wisconsin, Docket No. 20104, File No. BPH-8118; For Construction Permits.

1. The Memorandum Opinion and Order of the Review Board in this proceeding (FCC 75R-97, released March 12, 1975), is corrected as follows:

Paragraph 17 is changed to read:

*Accordingly, it is ordered,* That the Broadcast Bureau's motion for leave to file supplemental pleading, filed on December 30, 1974, is granted; that the petition for leave to file supplemental pleading filed by Total Radio, Inc., on January 27, 1975, is granted; and that the petition to enlarge, change and delete issues, filed August 5, 1974, by Total Radio, Inc., is granted to the extent herein indicated, and is denied in all other respects; and

Released: March 19, 1975.

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

[FR Doc.75-7546 Filed 3-21-75;8:45 am]

**FEDERAL ENERGY  
ADMINISTRATION**

**ALLOCATION OF FEEDSTOCKS TO  
SYNTHETIC NATURAL GAS FACILITIES**

**Petitions for Assignment or Adjustment of  
Base Period Volumes**

On July 31, 1974, the Federal Energy Administration issued a statement of Policy and Special Rule governing the allocation of petroleum feedstocks to synthetic natural gas (SNG) plants (39 FR 27910). The special rule sets forth the criteria which are to be considered by the FEA in granting or denying the petition of an SNG manufacturer for assignment or adjustment of its base period volume under §211.29 of FEA's Mandatory Petroleum Allocation Regulations. In the introduction to its statement of policy, the FEA indicated that such petitions would generally be considered on a case-by-case basis. The case-by-case approach was adopted in order to develop fully the information necessary to ascertain the effects on com-

peting energy users of an allocation decision respecting a given SNG facility.

The Statement of Policy further provided that "in specific cases, opportunity will be afforded interested parties to challenge or support the implementation of this policy through factual or legal presentation." FEA has determined that personal service of notice on all persons who might be aggrieved by the issuance of a decision and order on an SNG petition is impracticable since such persons are not, at this point, readily identifiable. Therefore, in accordance with the July 31 statement and pursuant to the provisions of 10 CFR 205.23 and 205.33, the FEA hereby provides notice of certain petitions recently filed under §211.29. The specific information on each petition is set forth below.

A complete file containing all information and data filed in conjunction with the petitions listed below, other than confidential business information which FEA has determined to be exempt from the disclosure requirements of 5 U.S.C. 552, will be made available for public inspection and copying at the Federal Energy Administration Public Reading Room, Room 206, Old Post Office Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Written comments regarding the petitions summarized in the Appendix to this notice will be accepted and considered if filed on or before April 3, 1975. Any person submitting written comments with respect to a petition summarized in this notice should comply with the requirements of §205.23 and §205.33 of the FEA procedural regulations, as appropriate. Comments should be submitted to the Office of Specialty Fuels and Products, Federal Energy Administration, Room 6308, 2000 M Street, NW., Washington, D.C. 20036. Comments should be identified on the outside envelope and on documents submitted to FEA with the designation "Allocation of Petroleum Products to Synthetic Natural Gas Plants." Five copies should be submitted.

Issued in Washington, D.C., March 20, 1975.

ERIC J. FREL,  
Acting General Counsel,  
Federal Energy Administration.

Petitioner. Indiana Gas Co.  
Feedstock. Naphtha.  
Annual Capacity (Millions of Cubic Feet/Day): 60.  
Assignment or Adjustment of Base Period Volumes Requested. 940,063 bbls for each base period.  
Supplier. La Gloria Oil & Gas.  
Status. Complete.

[FR Doc.75-7676 Filed 3-20-75;12:16 pm]

**FEDERAL MARITIME COMMISSION**

**AMERICAN EXPORT LINES AND ZIM  
ISRAEL NAVIGATION CO., LTD.**

**Notice of Agreement Filed**

Notice is hereby given that the following agreement has been filed with the

Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573 on or before April 3, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

**Notice of agreement filed by:**

Richard W. Kurrus, Esquire, Kurrus and Jacobi, Attorneys at Law, 2000 K Street, NW., Washington, D.C. 20006.

Agreement No. 10155, between American Export Lines, Inc. and Zim Israel Navigation Co., Ltd., each being a common carrier by water, provides for the establishment of a rate agreement in the trade between U.S. ports and inland points in Iran, whereby the parties will confer, discuss and agree on the various rates, charges, classifications, practices, and related tariff matters to be charged or observed by them respectively, in said trade but with the reservation of the right by each of them to alter for itself any rate, charge, classification, practice or related tariff matter thus agreed upon or theretofore in force upon first giving the other party at least forty-eight (48) hours advance notice thereof.

Dated: March 18, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-7556 Filed 3-21-75;8:45 am]

[Independent Ocean Freight Forwarder License 1587]

**JACOB SHUPAK  
Order of Revocation**

On February 18, 1975, the Federal Maritime Commission received notification that Jacob Shupak, Frankensfield Road, Ottsville, Pennsylvania 18942

wishes to voluntarily surrender its Independent Ocean Freight Forwarder License No. 1587 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. I (revised) Section 7.04(f) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 1587 be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1587 of Jacob Shupak be and is hereby revoked effective February 18, 1975, without prejudice to reapply for a license in the future.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Jacob Shupak.

ROBERT S. HOPE,  
Managing Director.

[FR Doc.75-7557 Filed 3-21-75;8:45 am]

[Independent Ocean Freight Forwarder License 1052]

**PHILIP A. DUNLAP**  
Order of Revocation

Philip A. Dunlop, 3421 Dover Road, Redwood City, California 94061 voluntarily surrendered his Independent Ocean Freight Forwarder License No. 1052 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) Section 7.04(f) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 1052 be and is hereby revoked effective March 10, 1975, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Philip A. Dunlap.

ROBERT S. HOPE,  
Managing Director.

[FR Doc.75-7558 Filed 3-21-75;8:45 am]

[Docket No. CI61-1710, etc.]

**FEDERAL POWER COMMISSION**  
CERTIFICATES OF PUBLIC CONVENIENCE  
AND NECESSITY

Applications, Abandonment of Service, and  
Petitions to Amend<sup>1</sup>

MARCH 14, 1975.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein.

Any person desiring to be heard or to make any protest with reference to said applications should on or before April 4, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Com-

mission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI61-1710..... D 2-14-75	Sun Oil Co., P.O. Box 2880, Dallas, Tex. 75221.	Valley Gas Transmission, Inc., South Elsa Field, Hidalgo County, Tex.	Certain leases released to Tribal Oil Co.	
CI74-73..... C 2-18-75	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112	Natural Gas Pipeline Co. of America, Block 181 Field-Extension, West Cameron Area, offshore Louisiana.	\$1.6654 \$2.6875	15.025 15.025
CI74-184..... C 2 20-75	Pan Eastern Exploration Co., P.O. Box 1642, Houston, Tex. 77001.	Panhandle Eastern Pipe Line Co.; Reydon Field, Roger Mills County, Okla.	\$3.72100	14.65
CI75-165..... C 2-21-75	Chevron Oil Co., Western Division, P.O. Box 599, Denver, Colo. 80201.	Mississippi River Transmission Corp., Mills Ranch (Hunton) Field, Wheeler County, Tex.	\$4.8357	14.65
CI75-491..... A 2-18-75	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	El Paso Natural Gas Co., Eunice Field, Lea County, N. Mex.	\$5.11	14.65
CI75-493..... A 2-18-75	Continental Oil Co., P.O. Box 2197, Houston, Tex. 77001.	Texas Gas Transmission Corp., Eugene Island Block 217 Field, offshore Louisiana.	\$0.0	15.025
CI75-495..... F 2-18-75	Monsanto Co. (successor to Sohio Petroleum Co. (Operator) et al.) 5051 Westheimer, 1300 Post Oak Tower, Houston, Tex. 77027.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Madden Field, Fremont and Natrona Counties, Wyo.	\$0.0719 \$4.9334	14.65 14.65
CI75-504..... A 2-24-75	Helmerich & Payne, Inc., 1579 East 21 St., Tulsa, Okla. 74114.	Michigan Wisconsin Pipe Line Co., West Mayfield Field, Beckham County, Okla.	\$4.34	14.75
CI75-505..... A 2-24-75	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	Panhandle Eastern Pipe Line Co., acreage in Cimarron County, Okla.	\$5.5855	14.65
CI75-506..... A 2-24-75	Mitchell Energy Corp., 8900 One Shell Plaza, Houston, Tex. 77002.	United Gas Pipe Line Co., Houma Field, Terrebonne Parish, La.	\$2.02	14.75
CI75-507..... B 2-24-75	Marine Contractors & Supply, Inc., (G-16836) 2637 West Alabama, Houston, Tex. 77027.	Coastal States Gas Producing Co., acreage in Calhoun County, Tex.	Lease has expired due to lack of production. \$1.7742	15.025
CI75-508..... A 2-26-75	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112.	Southern Natural Gas Co., East Bayou Postillion Field, Iberia and St. Martin Parishes, La.		
CI75-510..... B 2-21-75	Westran Petroleum, Inc., 2510 Fourth National Bank Bldg., Tulsa, Okla. 74119.	Consolidated Gas Supply Corp., Coopers Creek Field, Kanawha County, W. Va.	Uneconomical	
CI75-512..... (CI62-825) 2-21-75	Union Texas Petroleum, a division of Allied Chemical Corp. (successor to Mobil Oil Corp.), P.O. Box 2120, Houston, Tex. 77001.	El Paso Natural Gas Co., Rojo Caballos Field, Pecos County, Tex.	\$4.825	14.75

- <sup>1</sup> Rate for gas effective June 21, 1974.  
<sup>2</sup> Rate for gas effective Jan. 1, 1975.  
<sup>3</sup> Includes 0.57351 cent per Mcf estimated downward Btu adjustment.  
<sup>4</sup> Includes 4.1127 cents per Mcf State Production Tax.  
<sup>5</sup> Subject to upward and downward Btu adjustment; estimated upward adjustment is 3.08 cents per Mcf; price includes tax reimbursement.  
<sup>6</sup> Subject to upward and downward Btu adjustment.  
<sup>7</sup> Rate for gas for contracts dated on or after Oct. 1, 1968, where the sale does not qualify for the national rate. Rate includes 0.9157 cent per Mcf upward Btu adjustment.  
<sup>8</sup> Rate for gas for wells which qualify for the national rate prescribed by FPC Opinion No. 690-H. Rate includes 1.2343 cents per Mcf upward Btu adjustment.  
<sup>9</sup> Includes 3.839 cents per Mcf state production tax; 0.050 cent per Mcf state excise tax and 0.549 cent per Mcf downward Btu adjustment.  
<sup>10</sup> Subject to upward and downward Btu adjustment; price includes 0.9946 cent per Mcf gathering allowance and 3.8679 cents per Mcf tax adjustment.  
<sup>11</sup> Includes 1.02 cents per Mcf upward Btu adjustment.  
<sup>12</sup> Includes 7 cents per Mcf tax reimbursement, 2.2428 cents per Mcf upward Btu adjustment and 0.51 cent per Mcf gathering charge.

Filing code: A—Initial service.  
 B—Abandonment.  
 C—Amendment to add acreage.  
 D—Amendment to delete acreage.  
 E—Succession.  
 F—Partial succession.

[FR Doc.75-7377 Filed 3-21-75;8:45 am]

[Docket No. RM74-12; Order No. 521-B]

**NATURAL GAS SALES****Order Clarifying Order and Denying Rehearing**

MARCH 17, 1975.

In the matter of investigation of rates charged for nonjurisdictional sales of natural gas by natural gas companies subject to the jurisdiction of the Federal Power Commission.

On January 30, 1974, we issued a notice of proposed rulemaking for the purpose of establishing a data collection system designed to investigate rates charged by jurisdictional natural gas companies for sales of natural gas which were not subject to Commission jurisdiction made pursuant to contracts executed on or after January 1, 1974. Following the receipt and consideration of many comments by interested parties, the Commission issued an order on January 9, 1975, promulgating § 260.20 of our regulations to implement the provisions set forth in the notice of proposed rulemaking. Petitions for rehearing were filed by Union Oil Company of California, Texaco Inc., Atlantic Richfield Company, Mitchell Energy Corporation, Continental Oil Company, California Company, a Division of Chevron Oil Company, Mobil Oil Corporation, Exxon Corporation, Superior Oil Company, Mapco, Inc., Cities Service Oil Company, Tenneco Oil Company, TransOcean Oil Inc., Certain Small Producers,<sup>1</sup> and the National Association of Regulatory Utility Commissioners (NARUC). Union, Mobil, Exxon, Superior, Atlantic Richfield, Continental, Tenneco, TransOcean, Certain Small Producers, and NARUC also requested a stay of the implementation of Order No. 521. By order issued February 10, 1975, rehearing was granted for purposes of further consideration. An order issued February 19, 1975, denied the requests for a stay of the effect of Order No. 521 but granted confidentiality to material filed pursuant to Order No. 521 until ten days after the issuance of a final order on rehearing.

Certain of the matters raised by the petitions for rehearing concerning definitional problems and procedural difficulties have merit and will be dealt with herein. All other grounds for rehearing presented by petitioners, such as those relating to the legal authority of the Commission to issue Order No. 521 and the question of confidentiality of the submitted data, are denied.

**CLARIFICATIONS OF ORDER NO. 521**

Order No. 521 created three reporting categories for natural gas companies subject to our jurisdiction dependent upon the total annual jurisdictional sales of each company. Generally, a producer that sold less than 1.0 Bcf was exempt, those selling between 1.0 and 10.0 Bcf would report quarterly, and producers

<sup>1</sup> Clark Fuel Producing Company, Robert Mosbacher, et al. Reserve Oil and Gas Co., P. R. Rutherford, P. R. Rutherford, Jr., Michael Rutherford, and Wrightsman Investment Company.

selling in excess of 10.0 Bcf annually would report monthly on Form 45. Some confusion has arisen, however, with respect to the reporting requirements of those companies that are designated as small producers pursuant to § 157.40 of the regulations under the Natural Gas Act (18 CFR 157.40). Small producers must comply with Order No. 521 according to their respective total annual jurisdictional sales. A small producer that sells less than 1.0 Bcf annually is exempt, while sales of between 1.0 and 10.0 Bcf require reporting to the Commission. Since no small producer can, by the definition set out in § 157.40, sell in excess of 10 Bcf annually, that category is not affected.

Another question of a definitional nature is whether a company that also has affiliates and subsidiaries who also make sales of natural gas should report as a single entity. We find that a single report of total company sales is in the public interest. The tripartite reporting categories discussed previously were created so that producers with the least amount of jurisdictional sales bore the smallest reporting burden. This purpose would be defeated, and the paperwork increased unnecessarily, if affiliated companies reported other than on a consolidated basis.

A question has been presented by Chevron and Cities Service as to when a "new sale" has commenced for the purposes of Order No. 521. We agree with the suggestion of Chevron that a "new sale" should be considered made as of the date of execution of the contract covering said sale. Where no such sales are made during any reporting period, no report should be made to the Commission. Similarly, Order No. 521 requires the reporting of only "new" sales; therefore, each sale should be reported only once.

Atlantic Richfield, Cities Service, and Mobil have requested that sales made under percentage sales arrangements, and pursuant to contracts to which a producer is not a party, be exempt from reporting since these sales will be reported by the plant operator or the principal party anyway. We find merit in this suggestion, but only in the event the plant operator and/or signatory is a jurisdictional company that is required under Order No. 521 to report the sale to the Commission. If the plant operator or signatory is exempt from reporting, either because its annual jurisdictional sales are less than 1.0 Bcf annually, or because it is not a jurisdictional company, the jurisdictional percentage sales producer and/or nonsignatory must report the sale pursuant to the provisions of Order No. 521.

We find that the above delineated clarifications are in the public interest since all concerned parties, including the consuming public, will now have a clearer understanding of what is required by Order No. 521, but without altering the substantive provisions thereof.

**LEGAL AUTHORITY**

All of the parties that petitioned for rehearing claim that the Commission

lacks the authority under the Natural Gas Act to require jurisdictional companies to submit to this Commission information on their nonjurisdictional sales as set forth in Order No. 521. In that order we dealt at length with this issue, and despite the assertions of petitioners we affirm our determination that sections 5, 8, 10, 14, 15, and 16 provide ample authority for the action taken in Order No. 521.

Without repeating the statements made by us in Order No. 521, we wish to respond to two specific points respecting our legal authority. The first is a procedural question relating to compliance with the Federal Reports Act,<sup>2</sup> and the second issue concerns the interpretation of section 14(a)<sup>3</sup> of the Natural Gas Act.

Mitchell, Superior and Mobil assert that the Commission has, in some manner, not complied with the Federal Reports Act. The relevant section of this law<sup>4</sup> provides that when an independent regulatory agency seeks to collect information upon an identical item from ten or more persons, that agency must submit to the Comptroller General of the United States the form intended to be used together with the pertinent regulations. The Comptroller General is obligated to determine that the information can be obtained with a minimum burden and that there is no unnecessary duplication of reporting to Federal agencies.

It is asserted that the Commission failed to comply with this provision or, at a minimum, failed to state its compliance in Order No. 521, despite the notation on Form 45 that it has been approved by the General Accounting Office (Comptroller General). The actions of an administrative agency are presumed valid,<sup>5</sup> but for the purpose of clarification we will detail our actions with respect to the Federal Reports Act.

On November 15, 1974, the Commission submitted to the Comptroller General the following: a clearance form (Standard Form 83) and supporting statement, the notice of proposed rulemaking, the proposed order and form, and a notice to appear in the FEDERAL REGISTER. Upon completion, the dissent of Commissioners Moody and Brooke was also transmitted to the Comptroller General. In its statement of justification the Commission gave the reasons for the promulgation of the new reporting requirement, a description of the form to be used, from whom the data would be collected, and that the reports submitted would be placed in the public files. The statement also noted the efforts of the Commission to obtain outside comment and that these comments were available for inspection in the Commission's public files, that the burden of compliance with the proposed order was slight, and that the information sought was not reported elsewhere on a comprehensive basis.

<sup>2</sup> 44 U.S.C. 3501, et seq. (1969).

<sup>3</sup> 15 U.S.C. 717m (1970).

<sup>4</sup> 44 U.S.C. 3512 (1973), Pub. L. No. 93-163, 1st Sess., 93rd Cong., 409 (1973).

<sup>5</sup> *FPC v. Hope Natural Gas Co.*, 320 U.S. 591, 602, (1944).



A notice of the request for clearance appeared in the *FEDERAL REGISTER* on November 26, 1974, at 39 FR 41313, inviting comments from all interested parties. Only Atlantic Richfield submitted a comment to the Comptroller General. On December 30, 1974, the Comptroller General informed the Commission that the proposed form was approved as of that date. That finding represents a determination that the Commission had complied with the provisions of the Federal Reports Act in its promulgation of Order No. 521.

Petitioners herein, especially Mobil, now seek to overturn Order No. 521 by alleging that the Commission obtained approval from the Comptroller General under false pretenses, alleging, essentially, that the statement of justification submitted by us to the Comptroller General was not truthful. This assertion is nothing less than a collateral attack upon the express finding made by the Comptroller General approving the form<sup>1</sup> and as such will not be entertained through a petition for rehearing, especially since Mobil did not see fit to even respond to the invitation that appeared in the *FEDERAL REGISTER* to submit comments. We stand upon the decision by the Comptroller General that the form accompanying Order No. 521 complies with the requirements of the Federal Reports Act.

The second allegation concerning our legal authority to which we will respond herein relates to the interpretation of section 14(a) of the Natural Gas Act.<sup>2</sup> We relied, in part, upon section 14(a) as authority for the issuance of Order No. 521. Section 14(a) provides that:

[t]he Commission may investigate any facts, conditions, practices, or matter which it may find necessary or proper in order . . . to aid in the enforcement of the provisions of this act or in prescribing rules or regulations thereunder . . .

Certain of the petitioners and the dissenting Commissioners contend that this provision does not support the instant investigation of jurisdictional companies because it does not contain the same grant of authority as that of its companion part in the Federal Power Act, section 311.<sup>3</sup>

Section 311 states that:

[i]n order to secure information necessary or appropriate as a basis for recommending legislation, the Commission is authorized and directed to conduct investigations regarding the generation, transmission, distribution, and sale of electric energy, how-

<sup>1</sup> In a letter written on behalf of the Comptroller General dated January 23, 1975, and received by us on January 28, 1975, confirming the verbal approval of October 30, 1974, it is stated that:

[b]ased on our review, we believe that the information being requested is not available from other Federal sources and that the burden on respondents is not excessive. Therefore, we believe the form is consistent with the provisions of the law and do not object to its use.

<sup>2</sup> 15 U.S.C. 717m (1970).

<sup>3</sup> 16 U.S.C. 825j (1970).

ever produced, throughout the United States and its possessions, whether or not otherwise subject to the jurisdiction of the Commission . . .

Pursuant to this provision, the Commission can collect required information from both jurisdictional and non-jurisdictional electric companies. Petitioners contend that the absence of this authorization from section 14(a) of the Natural Gas Act prohibits the action taken in Order No. 521; also, that the Commission has acknowledged this limitation for over twenty years in its Annual Report to Congress. We disagree. Section 14(a) fully supports our position as expressed in Order No. 521 and the determinations expressed in that order do not constitute a reversal of Commission policy.

In its 1973 Report to Congress the Commission stated that it:

. . . continues to support the adoption of legislation . . . which would enlarge the Commission's authority under the Natural Gas Act to collect, publish and disseminate information with respect to the natural gas industry comparable to that which it already possesses regarding the electric utility industry under the Federal Power Act.<sup>4</sup>

The Commission's proposal requests that its jurisdiction be enlarged in order to permit the collection of information from nonjurisdictional natural gas companies, in the same manner as section 311 of the Federal Power Act gives the Commission authority to obtain information from nonjurisdictional electric facilities. Such an extension of authority would appear to require an amendment to the Natural Gas Act, but that argument has no relevance to Order No. 521 since no such expansion is sought therein.

The purpose of Order No. 521 is to obtain from jurisdictional companies information which petitioners acknowledge will be helpful in fulfilling our ratemaking responsibilities. We did not in Order No. 521 attempt to regulate nonjurisdictional sales or in any other way undertake any action not fully supported by the grants of authority already present in the Natural Gas Act. It is not necessary in order to realize the purposes of Order No. 521 for the Commission to await amendment of the Act since our order applies only to those companies that are admittedly under our jurisdiction for purposes that are clearly within the purview of our regulatory responsibility.

In the *Permian Basin Area Rate Case*<sup>5</sup> the Supreme Court directed us that:

[t]he Commission's responsibilities necessarily oblige it to give continuing attention to values that may be reflected only imperfectly by producer's costs; a regulatory method that excluded as immaterial all but current or projected cost could not properly serve the consumer interests placed under the Commission's protection.<sup>6</sup>

Order No. 521 is an attempt to comply with the requirement to consider factors

<sup>4</sup> Fifty-third Annual Report of the Federal Power Commission, p. 7 (1973).

<sup>5</sup> 390 U.S. 747 (1968).

<sup>6</sup> *Id.* at 815.

other than costs that directly affect our ratemaking obligations under the Natural Gas Act by providing the Commission with vital information which can best be obtained from the natural gas companies subject to our jurisdiction.

The grant of authority inherent in the Natural Gas Act is sufficient to justify our action in Order No. 521. Petitioners' arguments presented in their comments on the notice of rulemaking and in the petitions for rehearing are not compelling. We stand upon Sections 5, 8, 10, 14, 15, and 16 of the Natural Gas Act as the legal basis for the issuance of Order No. 521 and the contentions by the petitioners to the contrary are hereby denied.

#### CONFIDENTIALITY

All petitioners assert that should the Commission's authority be determined to include procuring intrastate rate information from jurisdictional companies, the data collected should be kept confidential. The methods suggested are for the Commission to retain the information in its files for internal use, as was done under Docket No. R-389-A, or, if release to the public is required, organize the data in composite form omitting the names of the relevant companies.

Petitioners claim a proprietary interest in the requested information, on their own behalf and also that of the purchaser. Also, it is argued that release of this information will adversely affect both the inter and intrastate markets, that litigation by royalty owners against producers will be increased, that public disclosure violates both the due process clause of the Constitution and the Freedom of Information Act,<sup>7</sup> and that the requested information is available from other sources.

It is difficult for us to understand the relevance of petitioners' claim of confidentiality when they also assert that the data required by Order No. 521 is presently available to the public from state regulatory agencies<sup>8</sup> or through the media. In the appendices to its petition for rehearing Mobil provides examples of a tax report submitted to the State of Texas and news media reports of intrastate sales, both of which state the names of the seller and purchaser, the location of the sale, the price per Mcf, and, in some cases, the term of the contract, the daily delivery rate, quality adjustments, and information on any price redetermination clauses. Form 45, as promulgated by Order No. 521 and approved by the Comptroller General, seeks no additional data than that just discussed, and is, therefore, not confiscatory. Petitioners cannot be heard to complain that information which is reported to state regulatory agencies for public consumption or voluntarily released to the press is somehow also confidential, proprietary data.

In light of the statements of petitioners that the requested information is

<sup>7</sup> 5 U.S.C. 552 (1969).

<sup>8</sup> Our reasons why obtaining the desired data from the state regulatory agencies was inadequate for our purposes were set forth in Order No. 521, mimeo pp. 7-8, — F.P.C. — (Issued January 9, 1975).

presently available through a multiplicity of sources, the objection of petitioners to Order No. 521 can only be that it would provide a comprehensive reporting system encompassing all intrastate sales by the subject jurisdictional companies, with the resultant information easily available to the general public in our files. Since, as the petitioners argue, this information is already in the public domain, our proposal to make the reports filed pursuant to Order No. 521 available to the public can hardly be objectionable.

#### REGULATORY PURPOSE

Several petitioners have asserted that we did not in Order No. 521 express a valid regulatory purpose to support the investigation of intrastate rates undertaken therein. We disagree. The reasons for the issuance of Order No. 521 are clearly set forth in that order and need not be repeated. However, solely for purposes of clarification, a brief restatement of our basic position may be helpful.

The Federal Power Commission is a public agency created by the Congress because of their express finding that:

... the business of transportation and selling natural gas for ultimate distribution to the public is affected with a public interest, and that Federal regulation in matters relating to the transportation of natural gas and the sale thereof in interstate and foreign commerce is necessary in the public interest.<sup>14</sup>

We are attempting to carry out this mandate through Order No. 521, including the release of the information to the public.

In Order No. 521 we stated that one possible use for the data to be supplied by Form 45 was to assist us in the review of rates proposed for limited term and emergency sales.<sup>15</sup> Petitioner Mobil contends that this statement implies that producers in limited term proceedings have proffered false exhibits or offered witnesses to testify untruthfully in order to meet the burden of proof that the rate proposed is the lowest necessary to attract the supply to the interstate market.<sup>16</sup> The inference drawn by Mobil is not correct.

We have required producers in limited term certificate proceedings to demonstrate, by comparison with intrastate sales, that the proposed price is necessary to obtain the gas supply for the interstate market.<sup>17</sup> In order to meet this burden of proof it is necessary to canvas the available information and choose which transactions best exemplify the intra-

state market in that particular area. Obviously, reasonable minds may differ as to which sales are representative. Further, much of the intrastate information necessary to provide a reliable indicator of local market prices may not be obtainable by a single producer from other producers in the area, or, if such information is obtained, it might only be possible after extensive and expensive investigation and the risk of a charge of anti-competitive conduct.

Order No. 521 will resolve that difficulty. The information submitted on Form 45 will provide a comprehensive data base upon which all parties in limited term proceedings, both proponents and opponents, can draw so that the burden of proof imposed on the producers by Opinion No. 699-B can be tested by all concerned, including the Commission, on the basis of the best possible information. Therefore, contrary to the assertion of Mobil, Order No. 521 is not an expression on our part of lack of faith in the honesty of producer submittals under oath in proceedings before this body, but rather an attempt to assist all concerned with the limited term procedure to adequately test the burden of proof and to assure the parties that the decision of the Commission will rest upon a consideration of the best available information.

Besides assisting us in the review of limited term and emergency sales, the information to be submitted on Form 45 will, as we stated in Order No. 521,<sup>18</sup> assist us in judging the effect our ratemaking efforts have on the dedication of new gas supplies to the interstate market. The information we require in Order No. 521 will tell us, not only the current prices being paid in the intrastate market, but also the amount of reserves dedicated, the length of the term of the contract, and whether there are any renegotiation provisions in the contract. With this data base we will be able to ascertain the effectiveness of our various ratemaking policies, such as the nationwide rate, the optional procedure, limited term certificates, and emergency sales provisions, in procuring needed gas reserves for the interstate market.

It clearly is proper for the Commission to consider non-cost factors, such as intrastate market prices, in the establishment of a just and reasonable rate for producers.<sup>19</sup> Order No. 521 is an effort, within the authority granted us by the Natural Gas Act, to obtain as much information as possible on the nature and extent of the current intrastate market, which is the principal competitor for the sources of gas so vital to the interstate consuming public that depend upon us for the protection of their source of supply at a reasonable price.<sup>20</sup>

<sup>14</sup> Order No. 521, mimeo at 7.

<sup>15</sup> *Tezaco v. F.P.C.*, 417 U.S. 380, 398-400 (1974). See also, *Southern Louisiana Area Rate Cases (Austral Oil Co.) v. F.P.C.*, 428 F.2d 407, 441-42 (5th Cir. 1970), cert. denied, *Municipal Distributors Group v. F.P.C.*, 400 U.S. 950 (1970); *Permian Basin Area Rate Cases*, 390 U.S. 747, 815 (1960).

<sup>16</sup> *F.P.C. v. Hope Natural Gas Co.*, 320 U.S. 591, 611 (1944).

Accordingly, claims by petitioners that there is no valid regulatory purpose to the collection of the data required to be submitted pursuant to Order No. 521 are without merit and are denied.

*The Commission finds:* Petitioners' applications for rehearing present no new fact or principles of law which were not fully considered in Order No. 521 or, which having now been considered, warrant the rescission or any modification of Order No. 521.

*The Commission orders:* The petitions for rehearing filed by all parties in this proceeding are denied.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

[FR Doc.75-7509 Filed 3-21-75;8:45 am]

[Docket No. E-8524]

### BLACKSTONE VALLEY ELECTRIC CO. Order Approving Settlement Agreement MARCH 17, 1975.

On October 3, 1974, the Presiding Administrative Law Judge certified to the Commission a settlement agreement and the related record in this proceeding. Notice of the certification was issued on October 17, 1974, with comments on the certification due on or before November 1, 1974. Staff filed timely comments which favor the settlement agreement.

This proceeding involves a filing made by Blackstone Valley Electric Company (Blackstone). On November 26, 1973, Blackstone tendered for filing two initial agreements relating to the sharing of costs of certain transmission facilities in northern Rhode Island with its affiliate Montaup Electric Company (Montaup) and with Narragansett Electric Company (Narragansett). The Rhode Island Consumers' Council (timely) and Narragansett (out of time) sought and were granted the right to intervene. By our order of March 25, 1974, we initiated an investigation pursuant to Section 206 of the Federal Power Act to determine if the rates, charges, classifications, and service were in the public interest. In our order, we specifically expressed concern over the proposed return allowances for common equity and the proposed depreciation rate. Blackstone's filing contained a provision for a formula derived, sliding rate of return allowance for common equity. The allowance would vary from 8% when common equity represented 100% of Blackstone's capitalization to 13% when common equity represented 35% of capitalization. The proposed depreciation rate was 3.33% per annum.

Two settlement conferences in which all the parties participated were held and on October 2, 1974, the settlement agreement was presented to the Presiding Administrative Law Judge.

A summary of the settlement capitalization and return allowance is shown in Appendix A.

A summary of the settlement provisions at Docket No. E-8524 is as follows:

<sup>14</sup> 15 U.S.C. 717(a) (1970).

<sup>15</sup> Order No. 521, Docket No. RM74-12, mimeo at 3-4, — FPC — (issued January 9, 1975).

<sup>16</sup> Opinion No. 699-B, Docket No. E-389-B, mimeo at 6, — FPC — (issued September 9, 1974).

<sup>17</sup> Opinion No. 699-B at mimeo 4 provides that for an emergency sale the pipeline will be permitted to pay what "a reasonably prudent pipeline purchaser would pay for gas under the same or similar circumstances." This standard for review appears to be similar to that for a limited term certificate.



Article I provides that: (1) There will be a specified rate of return of 9.93% rather than a formula-derived, sliding rate of return;

(2) Blackstone will have the right to make a unilateral filing to change the rate of return including the right to incorporate the New England Power Pool equity return component formula after the Commission has acted on the formula in Docket No. E-7690;

(3) There will be a deletion of the reference in the Blackstone-Narragansett Agreement to the U-147 line, reflecting the intention of the parties that Blackstone buy the line from Narragansett.

Article II provides for a depreciation rate of 3.33%.

Our review of this settlement agreement, as well as the entire record in this proceeding, indicates that the proposed settlement agreement adequately resolves the issues raised by the filing, is in the public interest, and should therefore be approved and made effective as hereinafter ordered and conditioned.

*The Commission finds:* Approval of the settlement agreement certified to us by the Presiding Administrative Law Judge in this proceeding is reasonable and appropriate in the public interest in carrying out the provisions of the Federal Power Act.

*The Commission orders:* (A) The settlement agreement certified to us by the Presiding Administrative Law Judge is incorporated herein by reference, approved and made effective as provided by the provision of the settlement agreement.

(B) Within 30 days of the date of issuance of this order, the Company shall file revised cost sharing agreements consistent with the provisions of this order and the approved settlement agreement.

(C) This order is without prejudice to any findings or orders which have been made or which will hereafter be made by the Commission, and is without prejudice to any claims or contentions which may be made by the Commission, its staff, or any party or person affected by this order, in any proceeding now pending or hereafter instituted by or against Blackstone or any person or party, except as provided in the settlement agreements.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY B. KIDD,  
Acting Secretary.

APPENDIX A

Class of capital	Ratio	Cost	Weighted return
	Percent	Percent	Percent
Long-term debt.....	51.75	8.50	4.40
Preferred stock.....	10.08	8.40	8.55
Common equity.....	38.17	12.25	4.68
Overall return.....	100		9.93

[FR Doc.75-7604 Filed 3-21-75; 8:45 am]

[Dockets Nos. CI75-389, etc.]

CALIFORNIA CO., ET AL

Order Consolidating Proceedings, Providing for Hearing, Establishing Procedures, and Permitting Interventions

MARCH 17, 1975.

This order concerns applications for limited term certificates of public convenience and necessity by three producers desiring to sell gas from one well<sup>1</sup> to Southern Natural Gas Company (Southern Natural), a non-affiliated buyer.

On December 17, 1974 The California Company, A Division of Chevron Oil Company, (California) filed an application in Docket No. CI75-389 for a two year limited-term certificate with pre-granted abandonment authorizing the continuation of an emergency sale of gas to Southern Natural at the national rate established in Opinion No. 699-H (51.0 cents per Mcf at 14.73 psia, plus applicable taxes, subject to upward and downward Btu adjustment from a base of 1000 and a gathering allowance of 0.5 cent per Mcf).

Identical applications were filed on December 18, 1974 by Kerr-McGee Corporation (K-M) and Phillips Petroleum Company (Phillips) in Docket Nos. CI75-391 and CI75-393.

California, K-M, and Phillips commenced an emergency sale to Southern Natural on December 3, 1974. On January 10, 1975, and January 17, 1975, California and K-M, respectively requested temporary certificates of public convenience and necessity for the proposed sales to keep the subject well in continuous production.<sup>2</sup> California and K-M claim that if the well is shut-in, there are serious doubts whether production will be restored. Phillips has not requested a temporary certificate, but has continued the sale to Southern Natural beyond February 1, 1975, the end of the 60-day exempt period, pursuant to Opinion No. 699-B.

Together the three applicants are selling about 3,000 Mcf per day to Southern Natural.

The Applicants contend that the gas reserves in the dedicated sands which are recoverable through the well bore of the subject well will, in all probability, be depleted prior to the end of the two year sale. The Applicants will be required to produce substantial evidence in support of their contention in order to justify a pre-granted abandonment of the proposed sale.

Inasmuch as the three applications involve common questions of law and fact, we shall order that the proceedings

<sup>1</sup>State Lease 5905 Well No. 1, located in Breton Sound Block 45, Plaquemines Parish, South Louisiana (State Jurisdiction). The Kerr-McGee Corporation and Phillips Petroleum Company each own a 25% interest in the well; The California Company owns the remaining 50% interest in the well.

<sup>2</sup>Temporary Certificates were issued to California and K-M on February 4, 1975.

in Docket Nos. CI75-389, CI75-391, and CI75-393 be consolidated for the purposes of hearing and decision.

Public notice of the three applications was issued as follows:

CI75-389—January 10, 1975.  
CI75-391—January 6, 1975.  
CI75-393—January 6, 1975.

Protests and petitions to intervene were due on or before January 20, 1975 for Docket Nos. CI75-391 and CI75-393, and on or before January 27, 1975 in Docket No. CI75-389. Southern Natural filed petitions to intervene in each of the three proceedings.

*The Commission finds:* (1) Good cause exists to consolidate the proceedings in Docket Nos. CI75-389, CI75-391, and CI75-393 for the purposes of hearing and decision.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

(3) The intervention of Southern Natural in this proceeding may be in the public interest.

*The Commission orders:* (A) The proceedings in Docket Nos. CI75-389, CI75-391, and CI75-393 are hereby consolidated for the purposes of hearing and decision.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on April 15, 1975 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, concerning the issue of whether certificates of public convenience and necessity should be granted as requested by Phillips, California, and K-M in their applications filed December 17 and 18, 1974.

(C) On or before March 31, 1975, Phillips, California, and K-M and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

(E) Southern Natural is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and, *Provided, further,* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be



aggrieved by any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 75-7505 Filed 3-21-75; 8:45 am]

[Docket Nos. E-8600; E-8601]

**GULF STATES UTILITIES CO.**

Order Accepting Initial Rates, Consolidating Proceedings and Setting Hearing

MARCH 14, 1975.

On January 21, 1974, Gulf States Utilities Company (Gulf States) filed two separate interconnection agreements for service to the City of Lafayette (designated in Docket No. E-8600) and Plaquemine, Louisiana (designated in Docket No. E-8601) (Cities) providing for transmission service, for sale and exchange of emergency, replacement, economy and surplus energy, and for the purchase of excess seasonal capacity by Gulf States from Cities.<sup>1</sup> Notice of these filings was published in the FEDERAL REGISTER on February 5, 1974 (39 FR 4610) and on February 6, 1974 (39 FR 4687) respectively. Each of the Cities filed a petition to intervene in their respective matters on February 14, 1974, but no other protests or petitions to intervene thereon were received by the Commission. Gulf States has requested a waiver of the Commission's notice requirements be granted and that the tendered agreements be accepted for filing, effective May 1, 1975.

Included in the aforementioned filings were: (a) a "Release and Covenant Not to Sue" between Gulf States and the City of Lafayette in Docket No. E-8600, and (b) an agreement relating to the resolution of interventions and other legal matters between Gulf States and the City of Plaquemine in Docket No. E-8601.<sup>2</sup> It has become clear that the contracts filed in Docket Nos. E-8600, E-8601 and E-8603 are intended by the respective parties to constitute settlement of all proceedings between the Cities and Cajun, on the one hand, and Gulf States,

on the other. Because these agreements and their associated documents appear to constitute a settlement between Gulf States and the various parties in other proceedings pending before the Commission at this time, the Commission by Order dated July 5, 1974 (*Order*) directed Gulf States and the Cities to file comments explaining the basis upon which the allegations of anticompetitive conduct were settled and which allegations remain before the Commission for decision. Further, the Commission invited comments from Dow Chemical Company (Dow), Cajun, Louisiana Power and Light Company (LP&L) and Central Louisiana Electric Company (Central), each a party to the pending proceedings where allegations of anticompetitive conduct are raised. Comments were received from the Cities, Gulf States, Cajun and Central.

In their comments, Cities stated that the instant agreements resolve all current "proceedings" between themselves and Gulf States and that, upon Commission approval of such agreements, they will move to terminate with prejudice all such proceedings now pending against Gulf States, including those before the Nuclear Regulatory Commission and the United States District Court of the Eastern District of Louisiana. Cities further state that they have not resolved any issues with LP&L or Central but note that settlement negotiations are presently under way with Central.

The Cities say that the negotiations with Gulf States were predicated on the Cities foregoing claims of past injuries in exchange for Gulf States' offer of transmission service at fair rates. *Cities' Comments*, pg. 1. The character of this bargain was more clearly delineated in the response of Gulf States to our Order.

At the very outset, GSU would like to make it clear that the release and covenant not to sue entered into by Gulf States with each of the Cities constitutes in accordance with the terms thereof a full and complete disposition on the merits of all antitrust issues and all claims of the Cities purported to have occurred prior to the date of the respective releases whether or not covered by the Cities in their various allegations in the dockets referred to in the Commission order. Such releases and covenants cover all pending litigation and all pending proceedings before this Commission and constitute, in brief, covenants by the respective Cities not to institute any further proceedings before this Commission or any court or the Atomic Energy Commission based upon any such prior actions or activities. The releases were entered into in consideration for the execution of the power interconnection agreements, and there was no payment or agreement to make payment of any damages in settlement of the asserted antitrust claims.

*Gulf States' Comments*, pg. 1. Gulf States notes that it has experienced uncertainties in the financing of its construction program, particularly the proposed nuclear facility at its River Bend station, due to intervention by the Cities, regardless of the merits of the interventions. Gulf States believes that the resolution of the proceedings will reduce ex-

penses otherwise incurred in court proceedings and in financing.

Analysis of the comments filed by the parties to the instant dockets reveals that the substance of the interconnection agreements themselves constitute the basis upon which the settlement of the anticompetitive issues raised in other proceedings has been achieved. The filed comments from Gulf States and the Cities, however, are deficient in their response to the specifics requested by the Commission in our Order. For example, we requested the parties to comment upon "[t]he antitrust issues originally set forth in all petitions to intervene filed by the intervening parties, and the basis upon which those issues are settled by the filings in this docket." *Order*, pg. 4. Gulf States asserts that the issues resolved by the interconnection agreements cover the alleged anticompetitive activities related to coordinated construction of generation, system reserves, energy interchange, surplus capacity and transmission service. Cities have tendered no analysis of the issues and their resolution whatsoever, discussing instead the resolution of "proceedings." It is the view of the Commission that these responses to the specific requests tendered by the Commission in our Order are not adequate to allow the Commission to make an informed judgment as to the adequacy of the proffered settlement in its conformance with the public interest standards of the Federal Power Act.

For example, Cities have consistently argued that Gulf States, Central and LP&L were engaged in a combination or conspiracy in restraint of trade, attempting to eliminate all competition for the wholesale and bulk power markets in Louisiana. Neither the Cities nor Gulf States has explained how the tendered interconnection agreements have obviated this alleged situation. Nor do the parties explain how such agreement might resolve all issues against only one alleged co-conspirator and yet there remain substantial claims against the other alleged co-conspirators, Central and LP&L. We are, of course, gratified that the Cities could reach an accord with Gulf States as regarding their "basic electrical difficulties faced by the Cities . . . allowing[ing] interconnected operations to go forward on a fair basis unavailable from either of the Cities' existing interconnection arrangements." *Cities' Comments*, pg. 1. The bare statement of such resolution does little, however, to inform this Commission as to those specifics requested in our Order. The serious nature of the allegations made by the Cities in their pleadings in pending proceedings cannot be so easily glossed over and should not be lightly dismissed by the Commission, which has an independent obligation to satisfy itself that the jurisdictional conduct of electric utilities conforms with the antitrust policy of the United States. *Gulf States Utilities Co. v. FPC*, 411 U.S. 747 (1973). The substantive content of the proffered interconnection agreements

<sup>1</sup> On April 26, 1974, Gulf States filed a modification to the agreement with the City of Plaquemine which altered the schedule for purchase of power by Gulf States.

<sup>2</sup> In their comments filed pursuant to the Commission's order, Gulf States stated,

The Commission . . . should also note that on January 9, 1974, GSU entered into a release and covenant not to sue with Cajun Electric Power Cooperative, Inc. (Cajun) providing for settlement on substantially the same basis of all antitrust issues relating to alleged activities prior to the date of such release. . . . The power interconnection agreement between GSU and Cajun which served as the primary basis for settlement of issues between such parties was accepted for filing by order of this Commission issued March 1, 1973, in FPC Docket No. E-8603.

*Gulf States' Comments*, pg. 3. This release, dated January 9, 1974, between Gulf States and Cajun has not been filed with the Commission.

may or may not resolve any of the anti-competitive issues now pending before the Commission in Docket No. E-7676 *et al.* We have provided the parties to the instant agreements an opportunity to explain how these accommodations have been achieved; however, the filed comments are singular in their resolute avoidance of the specific information solicited by the Commission which might have provided a basis upon which to certify the proposed interconnections as settlement of the antitrust issues pending in Docket No. E-7676, *et al.* The inference is quite clear from the filed comments that the parties have made no attempt to justify their private parlance with a regard for the public interest questions raised regarding the original antitrust allegations. We cannot give these agreements, purported to be a settlement of all anticompetitive issues, our imprimatur when we are asked to do so on supporting documents representing nothing more than self-serving hyperbole.

Cajun, in its filed comments, confirms that it has negotiated a release and covenant not to sue with Gulf States and that it concurs with the description of the settlement set forth in the comments filed by Gulf States. Central filed comments stating that again denies all anticompetitive allegations by Cities against Central but that it "has no objection to the proposed settlement of differences between GSU and the Cities of Lafayette and Plaquemine, Louisiana." *Central's Comments*, pg. 2.

The procedural morass that could be disposed of by a settlement between the instant parties is long and complicated. In Docket No. E-7676 this Commission set certain anticompetitive allegations tendered by the Cities and others for hearing. Subsequently, the Cities were granted intervention, all on substantially identical pleadings, in a long series of filings which severed the anticompetitive issue and consolidated hearing on those issues with those in Docket No. E-7676. One such intervention by the Cities is of particular note; in Docket No. E-8003 the Cities petitioned, and were granted, intervention upon their allegation that the power interconnection agreement between Gulf States and Cajun was anticompetitive in its nature and impact. We have, however, the statement from Gulf States, in their filed comments, that

The power interconnection agreement between GSU and Cajun which served as the primary basis for the settlement of issues between such parties was accepted for filing . . . in FPC Docket No. E-8003. With minor differences attributable to the difference in nature between the needs of Cajun and the Cities, such interconnection agreement was substantially similar to those presently before the Commission in [Docket Nos. E-8600 and E-8601].

*Gulf States' Comments*, pg. 3. The intervention of each city in their respective filing in support of the instant Gulf States' filing would appear to contradict their adamant protests, repeatedly filed in other proceedings. Exhibitions of negotiating opportunism, however, cannot mitigate the Commission's concern

that jurisdictional conduct conform with the antitrust policy of the United States. We have found certain allegations of so serious a nature that we have set them for hearing in a complaint proceeding under the Federal Power Act. We shall and must proceed with our inquiry into those allegations.

The Commission has previously accepted for filing as an initial rate the power interconnection agreement between Gulf States and Cajun. We hereby accept for filing the initial rate schedules between Gulf States and the Cities filed in Docket Nos. E-8600 and E-8601. However, we note that our acceptance of these interconnection agreements as effective should not be considered approval by the Commission of the rate schedules. 18 CFR 35.4. We have noted our concern with the impact of the filing procedure adopted by certain of the parties to pending proceeding in Docket Nos. E-7676, *et al.*, and E-7567. Because of the convoluted procedural history regarding the subject matter of these proceedings, sound administration of the Federal Power Act and proper execution of this Commission's regulatory responsibilities requires that Docket No. E-7676, *et al.* be consolidated with Docket No. E-7567 for purposes of hearing and decision. Moreover, because the power interconnection contracts filed in Docket Nos. E-8003, E-8600 and E-8601 appear to settle substantive issues pending in Docket Nos. E-7676, *et al.* and E-7567, it will be appropriate to further consolidate these Dockets with E-7676, *et al.*, and E-7567 for purposes of hearing and decision. In light of the apparent intent of the parties filing in Docket Nos. E-8600 and E-8601, as well as Docket No. E-8003, and moreover because of the serious nature of the anticompetitive allegations set for hearing in Docket No. E-7676, *et al.*, we believe it would be appropriate and in the public interest for an expedited hearing to be ordered on the following issues, among others that may be appropriate: (a) Whether the agreements which constitute Gulf States' offer of settlement<sup>1</sup> are in the public interest.

(b) Whether in light of previous allegations, Gulf States' offer of settlement will violate the antitrust laws or policy of the United States.

(c) Whether any anticompetitive issues remain for decision in Docket No. E-7676, *et al.*, and, if so, the precise issues which remain for decision on the merits.

(d) Whether the rates and terms and conditions of each interconnection agreement filed as part of Gulf States' offer of settlement are just and reasonable under the provision of 205 and 206

<sup>1</sup> Docket Nos. E-8003, E-8600 and E-8601 are to be construed as an offer of settlement. Consolidation of these Dockets with Docket No. E-7676, *et al.*, will allow the parties to the latter Docket the opportunity to enter an appearance on the record in the former Dockets, and to elicit through cross-examination, or otherwise, the impact of such settlement on their respective positions in Docket No. E-7676, *et al.* We are concerned that piecemeal settlement of the proceeding in Docket No. E-7676, *et al.*, may prejudice the rights to parties to that proceeding.

of the Federal Power Act, 16 U.S.C. 824d and 824e.

On issues relating to the constructive offer of settlement, or any part thereof, the parties appearing in support thereof shall have the burden of proof thereon. Failure of those parties alleging anticompetitive consequences to offer a concise and complete rationale for their positions in settlement that appear to contradict their stance in Docket No. E-7676, *et al.*, may be construed as a waiver of any or all of their anticompetitive allegations in Docket No. E-7676, *et al.*, by the Presiding Officer.

*The Commission finds:* (1) The power interconnection agreements filed by Gulf States Utilities Company with Cajun Electric Power Cooperative, Inc. (Docket No. E-8003) and the City of Lafayette, Louisiana (Docket No. E-8600) and the City of Plaquemine, Louisiana (Docket No. E-8601) are in the nature of Offers of Settlement by Gulf States relating to proceedings pending before this Commission in Docket No. E-7676, *et al.*, and Docket No. E-7567.

(2) It is appropriate and in the public interest to order a consolidation of all related proceedings for purposes of hearing and decision for the orderly administration of the Commission's regulatory responsibilities under the Federal Power Act.

(3) In light of the developments covered in Docket Nos. E-8003, E-8600 and E-8601 and the serious allegations pending before the Commission in Docket No. E-7676, *et al.* and E-7567, further delay in the hearing process is contrary to the public interest.

*The Commission orders:* (A) The power interconnection agreements between Gulf States Utilities Company and the Cities of Lafayette and Plaquemine, Louisiana (Docket Nos. E-8600 and E-8601 respectively) are hereby accepted for filing as initial rates, effective on May 1, 1975.

(B) The proceeding pending in Docket No. E-7567 shall be consolidated for purposes of hearing and decision with the proceeding pending in Docket No. E-7676, *et al.*

(C) Because the substantive content of the power interconnection agreements filed by Gulf States in Docket Nos. E-8003, E-8600, and E-8601 are constructive offers of settlement relating to Docket Nos. E-7676, *et al.*, and others for purposes of hearing and decision.

(D) An expedited hearing in the consolidated Dockets shall commence on April 22, 1975, with a conference before an Administrative Law Judge at which time the issues which have been substantively settled on the merits shall be delineated and those issues which remain for decision shall be identified. It shall be the responsibility of the Presiding Administrative Law Judge to promptly proceed with an evidentiary hearing on the issues remaining to be decided.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 75-7510 Filed 3-21-75; 8:45 am]



[Docket No. E-9206]

**MCDOWELL COUNTY CONSUMER COUNCIL, INC.****Order Denying Motion To Dismiss Complaint**

MARCH 17, 1975.

Appalachian Power Company (Appalachian), on February 18, 1975, filed a Motion to Dismiss Complaint and to Defer Filing of Answer Pending Disposition of Motion. On February 21, 1975, the Commission issued a Notice which deferred the date for filing an answer to the Complaint pending action on the Motion to Dismiss.

We believe that the arguments in Appalachian's motion do not constitute grounds for the dismissal of the subject complaint. Accordingly, the motion should be denied. The motion requests that we summarily dismiss a complaint based on a letter which raises serious allegations as to certain practices and actions by Appalachian which may be contrary to the Federal Power Act and the Regulations thereunder.<sup>1</sup> Such summary disposition of this matter, without further review of the complaint and Appalachian's response thereto, is not in the public interest. We have a statutory duty, under section 306 of the Federal Power Act, to investigate the matters herein complained of should the public utility not satisfy the complaint or if there appears to be any reasonable ground for such an investigation. The notice of this complaint was issued to provide Appalachian and any other interested parties the opportunity to respond to the matters set forth in the complaint. Section 1.6 of the Commission's rules of practice and procedure provides that if a violation of an act, rule, regulation, or order administered or issued by the Commission has been alleged and not satisfied, the Commission may proceed by setting the matter for hearing or by taking any other appropriate action. Without response by Appalachian on the merits or truth of the practices alleged or arguments stating why the Commission has no jurisdiction to investigate or remedy these practices, we cannot dismiss the complaint.

We believe that the foregoing discussion adequately explains our denial of Appalachian's Motion to Dismiss. We shall, however, also respond to the specific arguments advanced by Appalachian. Appalachian first states that Mr. Rodecker's letter cannot be regarded as complaint against it. Appalachian states that § 1.6(a) of the Commission's rules of practice and procedure requires that the complaint be filed with the Commission by the complainant. This section of the regulations is permissive, not prescriptive, so we believe that this argument is merely technical. Our treatment of the letter as a complaint, notwithstanding that it was not sent directly to

<sup>1</sup> The letter alleges, *inter alia*, that Appalachian has repriced its captive coal or sold captive coal at low prices to an affiliate, while purchasing coal for its own generation at high prices on the spot market.

us by the complainant, is sufficient to cure any technical fault in this regard.

Next, Appalachian argues that nothing in the complaint or Notice of Filing of Complaint specifies any basis for FPC jurisdiction. The letter is a complaint which, under the Act, Appalachian must answer. At that time, the Commission can decide if the complaint has been satisfied or if grounds for investigating any of the matters complained of exists. The question of Commission jurisdiction over any of these practices complained of cannot be determined without review of the complaint and Appalachian's response thereto. We therefore do not reach the merits of the question of jurisdiction at this time.

Appalachian further argues that the complaint lacks specificity which Appalachian asserts is required by § 1.6 of the rules of practice and procedure. It states that it would therefore be unfair to require Appalachian to answer the "numerous, unsubstantiated assertions and generalities in Mr. Rodecker's letter." (Appalachian Motion at 4). Appalachian states that it would also be unfair to Appalachian to be at its peril in answering these assertions as to which practices are contrary to which provisions of the Federal Power Act and the Commission's regulations. The simple answer to this argument is that if the assertions are unsubstantiated, untrue, or the acts not contrary to the Act or the Regulations, then Appalachian should so demonstrate in its answer. We do not believe that there is any unfairness in requiring Appalachian to answer the complaint, in whatever manner it deems appropriate. Appalachian is at its peril if it has violated the provisions of the Federal Power Act, the Regulations thereunder, or any order or rule issued by the Commission. We fully intend to examine the complaint and Appalachian's answer to determine if the complaint has been satisfied or if grounds for further investigation exist.

Appalachian finally argues that Mr. Rodecker's letter of January 24, 1975, to the Commission in which he states an intention to file a "formal" complaint should be regarded as a withdrawal of the complaint. We do not read this letter as indicating any intention to withdraw the complaint. We also do not believe, and Section 1.6 of the Rules of Practice and Procedure does not contemplate, any "formality" to be observed. We believe that it is sufficient that certain practices have been described. We view with grave concern the possibility that any of these practices may violate the Act and intend to fully explore this possibility, based on the complaint before us, the comments submitted by interested parties, and the Answer submitted by Appalachian. We shall therefore deny Appalachian's Motion to Dismiss and require Appalachian to answer such complaint within twenty days of the issuance of this order. To summarily dismiss this complaint would be tantamount to abandoning our duty under the Federal Power Act to protect the ultimate consumer of electricity.

*The Commission finds:* Nothing contained in Appalachian Power Company's Motion to Dismiss the instant complaint states good cause for dismissal of the complaint.

*The Commission orders:* (A) Appalachian's Motion to Dismiss is hereby denied.

(B) Appalachian Power Company shall file its answer to the complaint on the Commission and all parties to this proceeding within twenty days of the issuance of this order.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

[FR Doc.75-7507 Filed 3-21-75; 8:45 am]

[Docket No. CI75-296]

**MITCHELL ENERGY CORP.****Order Setting Briefing Schedule**

MARCH 17, 1975.

On December 31, 1974 Mitchell Energy Corporation (Mitchell) was issued a temporary certificate authorizing it to continue sales previously made by its predecessor in interest, The Gray Wolfe Company (Gray Wolfe), to Tennessee Gas Pipeline Company (Tennessee). By letter of January 8, 1975 Mitchell informed the Commission that the temporary certificate was unacceptable and requested reconsideration of the Commission's action. On February 7, 1975 the Commission issued an order granting reconsideration and permitting Mitchell to continue the subject sale to Tennessee pending final Commission action.

Notice of the application was issued on December 2, 1974 in "Getty Oil Company and other Applicants listed herein" at Docket Nos. G-4298, et al. Tennessee filed a petition to intervene in opposition.

The Gray Wolfe sale to Tennessee was made pursuant to a September 13, 1949 contract, to which Gray Wolfe dedicated to the performance of the agreement,

all gas in, under, and that may be produced from Sellers' interest in Sellers' leaseholds and units from all horizons in the said Pinehurst Field . . . and from such additional leaseholds and units as Seller shall dedicate as hereinafter provided.

Furthermore, Gray Wolfe covenanted, with a minor exception, not to sell to any party other than Tennessee any gas produced from its interest in the dedicated reserves. The term of this contract extended for twenty years from the date of initial delivery.

On June 21, 1974, Gray Wolfe assigned its interest to Mitchell<sup>1</sup> effective as of June 1, 1974. Under the terms of the assignment Mitchell agreed to

fulfill and discharge all of the future obligations which would have been validly imposed on Assignor by any contract, lease,

<sup>1</sup> Gray Wolfe assigned to Mitchell Energy & Development Corp. which assigned to the applicant herein, Mitchell Energy Corp.



franchise, license, certificate, undertaking or agreement relating to the property or interests hereby transferred and assigned.

In its application filed November 6, 1974 Mitchell averred that it had acquired the Gray Wolfe interest, that the Gray Wolfe-Tennessee contract had expired of its own terms, and that there was no effective contract between Mitchell and Tennessee for the sale of the subject gas. Nevertheless, Mitchell proposed to continue the sale to Tennessee from the designated producing sands in those wells in existence at the time of the expiration of the Gray Wolfe contract. Thus, Mitchell sought approval from the Commission to continue the sale to Tennessee, but only as to the exact service that had been rendered by Gray Wolfe as of the expiration of the contract with Tennessee.

In the opinion of Mitchell, as expressed in the January 8, 1975 letter, the Commission is without authority to require Mitchell, as successor to Gray Wolfe, to accept all the obligations and responsibilities contained in the expired Gray Wolfe-Tennessee contract. Rather, Mitchell alleges that it is obliged only to continue the same service the assignor Gray Wolfe supplied to Tennessee as of the date of the acquisition of the property by Mitchell.

At this stage, the question presented is solely a legal issue and, therefore, no factual hearing is required. Because of the importance of this issue and the need to resolve the problem quickly, initial and reply briefs will be submitted directly to the Commission on the following question:

Is Mitchell, as successor to an expired contract to which all the reserves underlying the subject acreage had been dedicated, required under the Natural Gas Act to continue the sale only from certain designated depths from existing wells, or, alternatively, from all depths of all wells drilled or to be drilled on the subject acreage?

We expect that this question, and any collateral issues necessarily raised by this question, including matters of policy, will be fully and completely explored in the briefs. Respondents to this order include Mitchell, intervenor in opposition Tennessee, and the Staff, plus any and all other persons desiring to make their views known in the nature of *amicus curiae*.

**The Commission finds:** (1) It is in the public interest that this matter be set for the submission directly to the Commission of briefs on the legal issues posed herein, said briefs to be filed by all parties to this proceeding and any other interested persons.

(2) It is in the public interest to grant the intervention of Tennessee.

**The Commission orders:** (A) Initial briefs on the legal issue posed herein, and any related legal questions, should be filed by all parties, and any other persons as *amicus curiae*, on or before April 2, 1975 with replies thereto to be filed on or before April 18, 1975.

(B) The petition to intervene filed by Tennessee in this proceeding is granted.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

[FR Doc.75-7506 Filed 3-21-75; 9:45 am]

[Docket No. CI75-340]

SKYLINE OIL CO., ET AL.

Order Establishing Procedures, Setting Hearing Date, and Granting Intervention

MARCH 17, 1975.

On November 22, 1974, Skyline Oil Company, Joseph Oil Corporation and Joseph S. Gruss (Applicants) filed an application pursuant to section 7(c) of the Natural Gas Act, for a limited term certificate of public convenience and necessity with pre-granted abandonment, authorizing the sale of natural gas in interstate commerce to Columbia Gas Transmission Corporation (Columbia) from the Sweet Lake Land and Oil Company Well Nos. 1 and 2 located in Chalkley Field, Cameron Parish, South Louisiana, as more fully set forth in the application in this proceeding.

Applicants proposed the sale to be made at a rate of \$1.00 per MMBtu at 15.025 psia.

Applicants commenced an emergency sale of the gas on November 18, 1974, at the proposed rate pursuant to § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and have been continuing deliveries since January 17, 1975, the expiration date of the 60-day exempt period, at that rate subject to refund pursuant to Opinion No. 699-B.

Applicant proposes to continue the sale for one calendar year commencing January 16, 1975, within contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70) for such quantities that the seller has available and that buyer desires to purchase with an estimated daily quantity of 2,500 Mcf.

In Opinion No. 669-B (52 FPC —), which reinstated the limited-term certificate provisions of § 2.70(b)(3) of the Commission's General Policy and Interpretations, the Commission stated that applicants for limited-term certificates "will have the burden of demonstrating by substantial evidence that the price for which certification is sought is the lowest price at which that particular supply of gas may be obtained for the interstate market and that the supply of gas is available only for the limited period for which certification is sought." (Mimeo, page 6). By letter of December 10, 1974, applicants were requested to supplement their application in accordance with Opinion No. 669-B, to demonstrate by substantial evidence these required facts.

In response Applicants filed on January 27, 1975, an affidavit advising that they negotiated with three interstate pipelines and Conoco Oil Company (Conoco), an intrastate purchaser, and

Conoco's bona fide offer to purchase the gas at a rate of \$1.00 per MMBtu was the best offer received even considering that such sale would require the construction of approximately 37,000 feet of line to connect the subject wells to Conoco's system. Therefore, applicants intend to sell the gas to Conoco subject to final negotiations concerning the sharing of costs allocable to the necessary right-of-way and the laying of the gathering line. Although applicants have now purchased the pipe needed to attach the wells to Conoco's system, at a cost of \$175,644, they are experiencing difficulties in obtaining rights-of-way due to "exorbitant demands" by the landowners. Due to these difficulties and the Commission's decision to reinstate short term sales, applicants decided that if an adequate price could be obtained, a short term sale would be desirable since it would give them more time to arrange for and construct the pipeline to Conoco's system and enable them to start receiving a return on their invested capital which could then be used to finance further drilling. Accordingly, negotiations with Columbia for a limited-term sale were commenced since Columbia could receive the gas immediately through existing facilities. Applicants state that Columbia realized it would not get the gas unless its price equaled the intrastate price and that they acceded to Columbia's insistence for a minimum term of one year because of the uncertainty of when construction of the line to Conoco's system would be completed.

Applicants submitted an October 23, 1974, contract as the proposed related rate schedule. The contract provides that if the buyer is unable to include any portion of the contract price in its purchased gas costs after having made a good faith effort to justify the price, the portion which was not includable shall be refunded by seller within 30 days after the date the portion is not allowed and if deliveries continue, the contract price will be reduced to the price allowed.

No affiliation of record exists between buyer and seller.

Based on the pleadings before us, we believe that justification for the rate and term of the sale, as well as other public interest issues, should be established by substantial evidence in a formal record. Accordingly, we will set for formal expeditious hearing.

After due notice of the application in the FEDERAL REGISTER on December 19, 1974 (39 FR 43878), Columbia filed an untimely petition to intervene in support of the application, on January 3, 1975. The period for filing protests or interventions expired January 2, 1975. No further petitions to intervene, notices of interventions or protests to the granting of the application have been filed.

**The Commission finds:** (1) The intervention of Columbia in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural

Gas Act that the issues in this proceeding be the subject of a hearing in accordance with the procedures set forth below.

*The Commission orders:* (A) Columbia is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and *Provided, further,* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on April 29, 1975, in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by Skyline Oil Company, et al., in the application filed November 22, 1974.

(C) On or before April 15, 1975, Skyline Oil Company, et al. and any supporting party shall file with the Commission and serve upon all parties, including Commission, Staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL] MARY B. KIDD,  
Acting Secretary.  
[FR Doc.75-7508 Filed 3-21-75; 8:45 am]

[Docket No. RP74-39-22]

**TEXAS EASTERN TRANSMISSION CORP.  
AND INDIANA NATURAL GAS CORP.**

**Petition for Extraordinary Relief**

MARCH 19, 1975.

Public notice is hereby given that on March 7, 1975, Indiana Natural Gas Corporation (Indiana) filed a petition for extraordinary relief pursuant to § 1.7(b) of the Commission's rules of practice and procedure. Specifically Indiana requests that the Commission issue an order directing Texas Eastern Transmission Corporation (TETCO), Indiana's sole supplier of natural gas, to deliver to it 56,398 Dth in excess of Indiana's estimated curtailed Annual Quantity Entitlement (AQE).

Indiana's AQE is 332,809 Dth. Under its currently effective curtailment plan, TETCO estimates that it will be able to deliver no more than 238,428 Dth for the

12 months ending August 31, 1975. Indiana states that it will require 294,826 Dth for the 12 months ending August 31, 1975, or 56,398 Dth more than it may receive from TETCO.

Indiana states that if it does not receive the relief it requests, it will be forced by April 1975 to either curtail all service to its residential and small commercial customers, or to pay a penalty charge of \$3.00 per Mcf, an amount which would be "devastating" to the small company.

Indiana lists its customers as follows:

734 Residential  
149 Small Commercial  
1 Large Commercial  
1 Industrial (Priority-of-Service Category 2)

The single industrial customer has been interrupted since December, 1974. The large commercial customer, a hotel, will have alternate fuel capability by October 1975, which Indiana states, will enable it to live within its curtailed AQE in future years.

A shortened notice period in this proceeding may be in the public interest. Any person desiring to be heard or to make protest with reference to said petition should on or before March 28, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The petition is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-7770 Filed 3-21-75; 11:25 am]

**FEDERAL RESERVE SYSTEM  
BANKAMERICA CORP.**

**Order Approving Entry De Novo in Sale of  
Credit-Related Mortgage Redemption Insurance  
and Mortgage Disability Insurance  
Through Subsidiary**

BankAmerica Corporation, San Francisco, California, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(1) of the Board's Regulation Y for permission to engage de novo in the activity of acting as agent in the sale of credit-related mortgage redemption insurance and mortgage disability insurance through a subsidiary, BA Insurance Agency, Inc. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(8)).

Notice of the proposal, affording opportunity for interested persons to ex-

press comments and views, was duly published in a newspaper of general circulation in San Francisco, California. The only opposition to the proposal was received from Mr. Donald L. Bone ("Protestant"), an insurance agent located in Lafayette, California. The Federal Reserve Bank of San Francisco determined that the comments received from Protestant were of a substantive nature and, accordingly, requested a review of the application by the Board and a determination thereon. Protestant thereafter withdrew his objection to that aspect of the proposal pertaining to Applicant's sale of group mortgage disability insurance and the Federal Reserve Bank of San Francisco has approved, under delegated authority, this limited activity. The proposal has now been reviewed by the Board, and its findings and decision are set forth hereinafter.

Protestant's opposition to Applicant's proposal is based principally on allegations of unfair competition and on undue concentration of resources. In support of his charge of unfair competition, Protestant claims that Applicant's ability to collect the premium on mortgage redemption insurance along with the borrower's monthly mortgage payment permits Applicant to develop a lower premium structure for such insurance than competitors of Applicant due to the greater costs competitors must incur in individually billing each customer on a monthly basis. However, Protestant advised that he would withdraw his objections to the proposal should Applicant afford his agency, along with other competing agencies, the opportunity to include their premiums on mortgage redemption insurance sold by them with the monthly mortgage payment notice to borrowers from Bank of America NT & SA ("Bank"), San Francisco, California. Protestant indicated a willingness to pay a service fee for this combined billing. Applicant declined this request on the ground that it would require Bank to devise computer programs for approximately 432 life insurance companies licensed to do business in California as well as to take into account the identities of approximately 80,000 producers. The costs in computer programming to implement Protestant's request for such premium collection would eliminate, Applicant claims, any customer savings in premiums. In addition, Applicant expressed a concern about being identified with insurance agents, underwriters, or policy terms with which it might have limited knowledge. Finally, Applicant pointed out that it has an existing program whereby it honors preauthorized drafts drawn by insurance companies for the payment of insurance premiums and that such drafts are periodically charged against a customer's deposit account with Bank of America NT & SA. In Applicant's view, such preauthorized draft arrangements could be easily structured to debit a customer's account on the same date as his monthly mortgage payment.

Protestant's opposition to Applicant's proposal is also based on his view that



Applicant possesses a certain degree of market power in that Bank of America NT & SA now services an "immense real estate loan portfolio" and that its entry into the sale of mortgage redemption insurance would have an adverse effect on competitors in this market inasmuch as decreasing term rates on such insurance are actuarially lower when a combined collection method is utilized through a mortgage loan payment program. However, Protestant states that a preauthorized draft program, as now exists with Bank of America NT & SA, would not lower premium rates in the same manner because "a very high percentage of individuals who have Bank of America real estate loans do not necessarily have checking accounts" with this Bank.

Applicant controls Bank of America NT & SA, San Francisco, California, the largest commercial bank in the country with total deposits in excess of \$27.9 billion.<sup>1</sup> Through its nonbanking subsidiaries, Applicant engages in computer services, software and leasing activities, investment advisory services, mortgage banking, and consumer finance. In the instant proposal, Applicant seeks to expand internally through a recently-formed insurance agency subsidiary in the sale of individual policies of mortgage redemption insurance and mortgage disability insurance which is directly related to extensions of real estate credit by Bank of America NT & SA. The Board has previously determined by order that the sale of these coverages is so closely related to banking as to be a proper incident thereto within the meaning of § 225.4(a)(9) of Regulation Y (See Board Order of January 28, 1974, granting approval to Worcester Bancorp, Inc. to engage de novo in the sale of credit life, credit accident and health, and mortgage redemption insurance, 1974 Federal Reserve Bulletin 393). The previous finding of the Board concerning such coverage is reaffirmed herein since this insurance is often purchased to insure repayment of an extension of credit by the holding company system in the event of the death of the borrower.

The public benefits that may reasonably be expected to result from the sale of the specified coverages appear to be positive in terms of greater convenience to the consumer-borrower. The ability of a borrower to complete an entire credit-related insurance transaction at one location is likely to result in a considerable savings in time as well as eliminate the duplication of certain information requirements. In addition, the added convenience of combining the loan installments and insurance premiums in a single payment is likely to result in Applicant's ability to offer a lower premium rate on such coverages for their borrower-insureds. In the Board's view,

these benefits are the type which Congress envisioned when it enacted the 1970 Amendments to the Bank Holding Company Act. Moreover, Applicant's de novo entry into this nonbanking activity would be procompetitive in the Board's view as it brings an added element of competition into local California markets which would not otherwise exist.

The public benefits cited above represent, in Protestant's view, an unfair method of competition insofar as competitors would be unable to utilize the same efficiencies in their billing operations. However, the Board knows of no requirement imposed under section 4(c)(8) of the Act that a bank holding company make available to its nonbanking competitors any efficiencies it is able to achieve in engaging in such activity. In the Board's view, Applicant's existing program honoring preauthorized drafts for the payment of insurance premiums gives its competitors a fair opportunity to compete for this line of business. No claim has been made by Protestant that Applicant would engage in an unlawful tying arrangement in soliciting mortgage redemption insurance among its present mortgage loan borrowers. Nor does the evidence in this record contain any specific instance of a tying arrangement occurring heretofore. It is clear that coerced tying is forbidden under section 106 of the 1970 Amendments to the Bank Holding Company Act (12 U.S.C. 1971) and under certain conditions by provisions of the antitrust laws. Accordingly, the Board concludes that the dangers of tying are not substantial and should not bar Applicant's entry into the sale of mortgage redemption insurance or mortgage disability insurance in local California markets. Moreover, there is no evidence in the record indicating that engaging in these activities would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest.

Based on the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application to sell the coverages specified above is hereby approved. This determination is further subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder or to prevent evasion thereof. The transactions herein approved shall be executed not later than three months after the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of San Francisco pursuant to delegated authority.

By order of the Board of Governors,<sup>2</sup> effective March 14, 1975.

[SEAL] THEODORE E. ALLISON,  
Secretary of the Board.  
[FR Doc.75-7477 Filed 3-21-75; 8:45 am]

#### CHETOPA STATE BANCSHARES, INC.

##### Order Approving Action To Become a Bank Holding Company and To Engage in the Sale of General Lines of Insurance

Pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 as amended (12 U.S.C. 1842(a)(1)) and § 225.3(a) of Regulation Y (12 CFR 225.3(a)), Chetopa State Bancshares, Inc., Coffeyville, Kansas ("Applicant"), has applied for prior approval to become a bank holding company through the acquisition of 96 percent of the voting shares of Chetopa State Bank & Trust Co., Chetopa, Kansas ("Bank"). Concurrently, Applicant has applied pursuant to section 4(c)(8) of the Act and § 225.4(b)(2) of Regulation Y for prior approval to engage in the sale of general lines of insurance in Chetopa, Kansas (population less than 5,000), through the acquisition of the assets of Fox Insurance Agency ("Agency"). The operation by a bank holding company of a general insurance agency in a community with a population not exceeding 5,000 is an activity that the Board has previously determined to be closely related to banking 12 CFR 225.4(a)(9)(iii)(a).

The application has been processed by the Federal Reserve Bank of Kansas City pursuant to authority delegated by the Board of Governors of the Federal Reserve System under provisions of § 265.2(f)(22) and (32) of the Rules Regarding Delegation of Authority.

As required by section 3(b) of the Act, the Reserve Bank gave written notice of receipt of the application to the Kansas State Bank Commissioner. The Commissioner offered no objection to approval of the application. Notice of receipt of the application was published in the FEDERAL REGISTER on January 28, 1975 (40 FR 4189), providing an opportunity for interested persons to submit comments and views with respect to the proposal. Time for filing comments and views has expired and none has been received.

This Reserve Bank has considered the application to become a bank holding company in light of the factors set forth in section 3(c) of the Act. Applicant is a nonoperating corporation organized for the purpose of becoming a bank holding company and operating a general insurance agency. Bank (mid-year 1974 deposits: \$3.6 million) is the only bank in Chetopa, and controls 5.62 percent of the deposits of the eight commercial banks in the relevant banking market which is approximated by Labette County, Kansas. Inasmuch as the proposal to form a bank holding company would merely involve the transfer of Bank stock by individuals to a corpora-

<sup>2</sup> Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, Holland, Wallich, and Coldwell.

<sup>1</sup> Deposit data (domestic only) are as of June 30, 1974.



tion owned by the same individuals, consummation of the proposal would eliminate neither existing nor potential competition, nor does it appear that there would be any adverse effects on other banks in the trade area.

The financial and managerial resources and future prospects of Applicant, which are dependent on those of Bank and Agency, are considered generally satisfactory and consistent with approval. The debt to be assumed and incurred by Applicant as a result of the proposal appears to be serviceable from the income to be derived from Bank and Agency without having an adverse effect on the financial condition of either Applicant or Bank. Accordingly, banking factors are regarded as being consistent with approval. Consummation of the transaction would have no immediate effect on the area's banking convenience and needs; however, such considerations are consistent with approval of the application to acquire Bank. It is the Reserve Bank's judgment that consummation of the transaction would be in the public interest and that the application should be approved to acquire Bank.

Applicant proposes to acquire the assets of Agency and thereby to engage in the sale of general lines of insurance. It will conduct its business from the premises of Bank in Chetopa, Kansas, and provide a convenient source of insurance agency services to Bank's customers. There is no evidence in the record indicating that consummation of the proposal and operation of Agency would result in any undue concentration of resources, unfair competition, conflicts of interest, unsound banking practices, or other adverse effects on the public interest.

The Reserve Bank, therefore, finds that the public interest factors set forth in section 4(c) (8) of the Act are favorable, and the application to engage in the sale of general lines of insurance in Chetopa, Kansas, should be approved.

On the basis of the record, the applications are approved for the reasons summarized above. The transaction involving acquisition of shares of Bank should not be consummated before the thirtieth calendar day following the effective date of this Order; and neither the acquisition of Bank nor Agency shall be made later than three months after the effective date of this Order, unless such period is extended for good cause by the Board of Governors or by the Federal Reserve Bank of Kansas City pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the authority of the Board of Governors to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modifications or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and

the regulations and orders issued thereunder or to prevent evasion thereof.

[SEAL] WILBUR T. BILLINGTON,  
Senior Vice President.

MARCH 13, 1975.

[FR Doc.75-7478 Filed 3-21-75; 8:45 am]

#### F&M BANCORPORATION

##### Order Approving Formation of Bank Holding Company and Engaging in Reinsurance Activities

F&M Bancorporation, Tulsa, Oklahoma, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842 (a) (1)) ("Act") of formation of a bank holding company through acquisition of 100 percent (less directors' qualifying shares) of the voting shares of The F&M Bank and Trust Company, Tulsa, Oklahoma ("Bank"). The factors that are considered in acting upon this application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant has also applied, pursuant to section 4(c) (8) of the Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to acquire 100 percent of the beneficial ownership of the voting shares of Famisco, Inc. ("Famisco") and its wholly-owned subsidiary, Inland Life Insurance Company ("Inland"), both located in Tulsa, Oklahoma. Thereafter, Applicant would engage, through Inland, in the underwriting, as a reinsurer, of credit life and credit accident and health insurance directly related to extensions of credit by Bank. Such activity has been determined by the Board in § 225.4(a) (10) of Regulation Y to be permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Notice of the applications, affording opportunity for interested persons to submit comments and views has been duly published (39 FR 39915 (1974)). The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)), and the considerations specified in section 4(c) (8) of the Act (12 U.S.C. 1843(c) (8)).

Applicant is a nonoperating Oklahoma corporation organized for the purposes of becoming a bank holding company through the acquisition of Bank, and of acquiring the reinsurance business of Famisco and Inland. Bank holds deposits of \$145.1 million, representing approximately 7.5 percent of the total commercial bank deposits in the Tulsa County

<sup>1</sup> Famisco's shares are presently held in a trust, which will terminate in 1978, for the benefit of Bank's shareholders. In addition to holding 100 percent of the shares of Inland, Famisco would continue to hold 11.5 percent of Bank's shares.

banking market, and is the third largest bank operating in that market.<sup>2</sup> Inasmuch as this proposal merely represents a reorganization of the existing ownership of Bank and since Applicant has no present operating subsidiaries, consummation of the proposal would have no adverse effects on existing or potential competition. Therefore, the Board concludes that competitive considerations are consistent with approval of the application.

The financial condition, managerial resources, and future prospects of Applicant, which are dependent upon those of Bank, are regarded as generally satisfactory and consistent with approval of the application. Although Applicant will assume some debt in connection with the proposal, it should be able to retire the debt without impairing Bank's financial condition. Consummation of the transaction would have no immediate effect on the banking convenience and needs of the community to be served; however, considerations relating to convenience and needs are consistent with approval. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application to acquire Bank should be approved.

Famisco is an insurance agency licensed under Oklahoma law and is currently conducting its business upon the premises of Bank in Tulsa. Inland, a Texas corporation, is also licensed under Oklahoma law to conduct an insurance business; however, Inland is limited to underwriting insurance only as a reinsurer for credit-related transactions with banks in Oklahoma. Upon consummation of this proposal, Inland will only reinsure policies issued in connection with extensions of credit by Bank. Such insurance will be directly underwritten by an insurer qualified to underwrite in Oklahoma and, thereafter, will be reinsured by Inland pursuant to a reinsurance agreement. Since Applicant does not currently have any insurance agency or underwriting subsidiaries, this proposal would not have any adverse competitive effects.

Credit life and credit accident and health insurance is generally made available by banks and other lenders and is designed to insure payment of a loan in the event of death or disability of a borrower. In connection with the addition of the underwriting of such insurance to the list of permissible activities for bank holding companies, the Board has stated:

<sup>2</sup> All banking data are as of June 30, 1974, unless otherwise indicated.

<sup>3</sup> Oklahoma law prohibits a corporation, such as Applicant, from owning shares in another corporation which is a licensed insurance agency. This prohibition does not apply to a corporation owning shares in an insurance underwriter or carrier. Therefore, Applicant has conditioned its application upon the rescission of the insurance agency license of Famisco in order to comply with Oklahoma law and the Board's action herein is conditioned upon Famisco's relinquishment of its license as an insurance agency.

To insure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an Applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally, such a showing would be made by projected reduction in rates or increase in policy benefits due to bank holding company performance of this service.<sup>4</sup>

Applicant has stated that it would provide single decreasing or level term credit life insurance, joint decreasing or level term credit life insurance, and credit accident and health insurance (14- and 30-day coverages). The premium rates for these policies would range from 5.0 percent (14-day credit accident and health insurance) to 10.6 percent (joint level term credit life insurance) below the maximum rates presently allowable under Oklahoma law.<sup>5</sup> The Board believes that these reductions in the prices of credit insurance are considerations favorable to the public interest. The Board concludes therefore, that such public benefits provide support for the approval of the application to engage in the reinsurance of credit life and credit accident and health insurance policies.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the considerations affecting the competitive factors under section 3(c) of the Act and the balance of the public interest factors that the Board is required to consider under section 4(c)(8) of the Act both favor approval of Applicant's proposals.

Accordingly, the applications are approved for the reasons summarized above. The acquisition of Bank shall not be made before the thirtieth calendar day following the effective date of this Order; and neither the acquisition of Bank nor the acquisitions of Famsco or Inland shall be made later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Kansas City pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the conditions set forth in § 225.4(c) of Regulation Y as well as to the Board's authority to require reports by, and to make examinations of, bank holding companies and their subsidiaries and to require such modification or termination of the activities of a bank holding company or any of its subsidiaries as the Board may find necessary to assure compliance with the provisions and purposes of the Act and of the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

<sup>4</sup> 12 CFR 225.4(a)(10)(n.3).

<sup>5</sup> The level term credit life insurance policies to be offered by Applicant would only apply to situations where repayment of the insured loan would be made in one installment upon the loan's maturity date.

By order of the Board of Governors,  
effective March 13, 1975.

[SEAL] THEODORE E. ALLISON,  
Secretary of the Board.  
[FR Doc.75-7479 Filed 3-21-75; 8:45 am]

#### FIRST ALABAMA BANCSHARES, INC.

##### Order Approving Acquisition of First Alabama Life Insurance Co.

First Alabama Bancshares, Inc., Montgomery, Alabama, a bank holding company within the meaning of the Bank Holding Company Act has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of First Alabama Life Insurance Company ("Company"), Phoenix, Arizona, a company to be organized *de novo* to engage in the underwriting as reinsurer of credit life insurance and credit accident and health insurance in connection with extensions of credit by Applicant's subsidiaries. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(10)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (40 FR 4688). The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant controls 13 banks with aggregate deposits of approximately \$970 million representing about 12.3 per cent of total deposits in commercial banks in Alabama.<sup>2</sup> Company will be organized under Arizona law as a full reserve life insurance company. Since Company will be qualified to underwrite insurance directly only in Arizona, its activities will be limited to acting as reinsurer of credit life and credit accident and health insurance policies made available in connection with extensions of credit by Applicant's subsidiaries in Alabama. Such insurance would be directly underwritten by an insurer qualified to underwrite in Alabama and would thereafter be assigned or ceded to Company under a reinsurance agreement.

Credit life and credit accident and health insurance is generally made available by banks and other lenders and is designed to insure payment of a loan in the event of death or disability of a borrower. In connection with the addition of the underwriting of such insurance to the list of permissible activities for bank holding companies, the Board has stated:

To insure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which the applicant demonstrates that approval will bene-

<sup>2</sup> Voting for this action: Chairman Burns and Governors Bucher, Holland, Wallich and Coldwell. Voting against this action: Governors Mitchell and Sheehan.

<sup>3</sup> Deposit data are as of June 30, 1974.

fit the consumer or result in other public benefits. Normally, such a showing would be made by projected reductions in rates or an increase in policy benefits due to bank holding company performance of this service.

Applicant has stated that it will provide credit life insurance at rates that are about 15 per cent below those presently being charged by Applicant's holding company system and credit accident and health insurance at rates 5 per cent below its prevailing rates. The Board believes that such a reduction in the price of credit life and credit accident and health insurance is a consideration favorable to the public interest. The Board concludes, therefore, that such public benefits in the absence of any evidence in the record indicating the presence of any adverse statutory factors provide support for approval of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8), that consummation of this proposal can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to insure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to authority hereby delegated.

By order of the Board of Governors,  
effective March 17, 1975.

GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.  
[FR Doc.75-7480 Filed 3-21-75; 8:45 am]

#### FIRST SECURITY CORP.

##### Formation of Bank Holding Company

First Security Corporation, Sutherland, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 89 per cent or more of the voting shares of First Security Bank, Sutherland, Nebraska. 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

<sup>2</sup> Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, Holland, Wallich, and Coldwell.



at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 14, 1975.

Board of Governors of the Federal Reserve System, March 18, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc. 75-7481 Filed 3-21-75; 8:45 am]

#### GAMBLE-SKOGMO, INC.

##### Order Denying Exemption from Prohibitions Against Nonbanking Activities of Bank Holding Companies

Gamble-Skogmo, Inc., Minneapolis, Minnesota ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act (12 U.S.C. 1841), by virtue of its ownership of 95 per cent of the outstanding capital stock of Gambles Continental State Bank, St. Paul, Minnesota ("Bank"), has applied to the Board of Governors, pursuant to section 4(d) of the Act, for an exemption from the prohibitions of section 4 of the Act (relating to nonbanking activities of, and acquisitions by, a bank holding company).

Notice of receipt of the application, affording an opportunity for interested persons to submit comments or views and request a hearing, was published in the FEDERAL REGISTER (39 FR 22470). Time for filing comments, views and requests for a hearing has expired. No comments have been received nor has any party requested a hearing.

Section 4(d) of the Act provides that, to the extent such action would not be substantially at variance with the purposes of the Act and subject to such conditions as the Board considers necessary to protect the public interest, the Board may grant an exemption from the provisions of section 4 of the Act to a bank holding company that controlled one bank prior to July 1, 1968, and has not thereafter acquired the control of any other bank in order (1) to avoid disrupting business relationships that have existed over a long period of years without adversely affecting the banks or communities involved or (2) to avoid forced sales of small locally owned banks to purchasers not similarly representative of community interests, or (3) to allow retention of banks that are so small in relation to the holding company's total interests and so small in relation to the banking market to be served as to minimize the likelihood that the bank's powers to grant or deny credit may be influenced by a desire to further the holding company's other interests.

The Board has considered the application in light of the factors set forth in section 4(d) of the Act and finds that:

Applicant (total assets of \$599.2 million as of January 26, 1974) is the 21st largest retailing company in the United States,<sup>1</sup> and is primarily engaged in the

retailing and wholesaling of a variety of durable and soft goods in 38 States and throughout Canada. Applicant markets its products through 673 company owned stores; 2,850 individually owned and operated franchise dealer stores; and through mail order catalogs. Applicant also engages in various nonbanking activities including offering various forms of group credit life and health insurance, leasing of motor vehicles, and real estate development. Applicant acquired control of Bank in November 1967, and has maintained its control of Bank since that time.

Bank's total assets are \$17.9 million, equal to about 3 per cent of Applicant's consolidated assets. Bank accounts for .5 per cent of Applicant's after tax income and .06 per cent of its revenue.<sup>2</sup> Bank has deposits of \$14.2 million, representing 2 per cent of all commercial bank deposits in the Minneapolis-St. Paul SMSA (the relevant banking market), wherein Bank ranks as the 42nd largest of 123 banking organizations competing in that market.<sup>3</sup> Also competing in the market are such significant banking organizations as Northwest Bancorporation and First Bank System. Accordingly, it does not appear that Bank is a significant competitor in the relevant banking market.

The Bank Holding Company Act Amendments of 1970 were enacted to assure the continuation of the policy of separating banking from other commercial enterprises. On the other hand, section 4(d) of the Act, which was added as part of the 1970 Amendments, is a departure from this policy and is designed to provide a limited number of companies which qualify a complete exemption from the general prohibitions against nonbanking activities contained in the Act, provided such an exemption "would not be substantially at variance with the purposes of this Act."

To assure that the granting of an exemption would not be substantially at variance with the purposes of the Act, the Board believes that a company seeking an exemption should be able to demonstrate that it has not used its bank subsidiary to gain any special advantage for its nonbanking activities nor engaged in any other practices that would be to the detriment of such banking subsidiary or the community served thereby. On the basis of the facts of record, the Board is unable to conclude that the relationship of Applicant to Bank has resulted in benefits to Bank and the community served by it so as to warrant the granting of the exemption under section 4(d) of the Act.

Under the Act the Board has broad discretion to grant the exemption, and Congress has provided that the exemption should only be granted where such action would not be substantially at variance with the purposes of the Act. Accordingly, the Board has exercised this authority only in a limited number of

circumstances and in those instances where the bank was in generally sound financial condition and was properly serving its community, and the holding company had not abused its relationship with the bank. In this case, however, the Board does not regard the manner in which Applicant has conducted itself with respect to Bank as evidencing clearly that the granting of the section 4(d) exemption would be appropriate or in the public interest.

As noted above, section 4(d) sets forth the criteria upon which the Board may grant the exemption from the nonbanking prohibitions of the Act. It appears that Applicant may qualify under the third criterion, namely, that Bank is small in relation to the holding company's total interests and small in relation to the banking market to be served.

However, with respect to either the first or second criterion, it is clear the relationship with Bank has not existed over a long period of years (Bank was acquired by Applicant in November 1967) and Applicant is not so uniquely representative of community interests that sale of Bank would result in an adverse effect upon the community.<sup>4</sup>

Turning our attention specifically to Applicant's operation of Bank, the Board notes that Bank is in generally satisfactory condition. Nevertheless, Bank's overall operation under the direction of Applicant cannot be characterized as being entirely in the public interest. In particular, it is noted that Bank has not been an aggressive lending organization in serving the needs of the public. Its loan to deposit ratio (exclusive of Federal Funds sold),<sup>5</sup> as of year-end 1973, is 23.8 percent (31.2 percent as of June 30, 1974), compared with a ratio of 57.7 percent for all 9th Federal Reserve District member banks with deposits of \$10-\$25 million. Other facts of record also support the view that Bank is not an aggressive lending institution.<sup>6</sup> In addition, it appears that the resources of Bank have, in fact, been used to further the other interests of Applicant. Bank maintains substantial balances at its correspondent banks as compensating balances on lines of credit granted to Applicant by those banks. While Applicant does compensate Bank for maintaining these balances, it still remains that a substantial portion of Bank's resources are being used for the benefit of Applicant rather than the community at large. Other evidence of record also suggests that Applicant has directed the operations and policies of Bank so as to benefit Applicant and its employees rather than the public for which it was

<sup>4</sup> See Board Order approving the application of Milton Hershey School and School Trust, Hershey, Pennsylvania, for an exemption under 4(d) of the Act (1972 Federal Reserve Bulletin 319).

<sup>5</sup> Total of Federal Funds sold as of year-end 1973 was \$5.8 million, compared with a loan volume of \$3.8 million.

<sup>6</sup> The loan to asset ratios for year-end 1973 are as follows: Bank, 37.8 percent; all 9th Federal Reserve District member banks with deposits of \$10-\$25 million, 54.5 percent.

<sup>1</sup> Fortune, "The Fifty Largest Retailing Companies (ranked by sales and assets)", page 120 (July 1974).

<sup>2</sup> All financial data are as of December 31, 1972.

<sup>3</sup> All market data are as of June 30, 1974.



established. Accordingly, the Board concludes that Applicant has not demonstrated that an exemption is warranted under the provisions of section 4(d) of the Act.

On the basis of the foregoing and other considerations reflected in the record, it is the Board's judgment that approval of this application for an exemption from the Act's restrictions relating to nonbanking activities and acquisitions would not be in the public interest, and the application should be, and is hereby, denied.

By order of the Board of Governors,<sup>1</sup> effective March 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-7482 Filed 3-21-75; 8:45 am]

#### WALTER E. HELLER INTERNATIONAL CORP.

##### Order Approving Acquisition of Lakeshore Commercial Finance Corp.

Walter E. Heller International Corporation, Chicago, Illinois, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire through its wholly-owned subsidiary, Walter E. Heller & Company, Chicago, Illinois, all of the voting shares of Lakeshore Commercial Finance Corporation ("Company"), Milwaukee, Wisconsin, a company that, directly or indirectly through subsidiaries,<sup>1</sup> engages in the activities in the activities of commercial finance, full pay-out leasing of personal property and data processing. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1), (6), and (8)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 43336). The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant controls one bank and is the fifth largest banking organization in Illinois with total deposits of \$873 million, representing approximately 1.6 per cent of deposits in commercial banks in the State.<sup>2</sup> Applicant is also the twelfth largest finance company in the nation, based on total assets. Its numerous nonbanking subsidiaries are engaged, *inter alia*, in commercial finance, leasing, and data processing. One of Applicant's subsidi-

aries, Knoll International, Inc., is engaged in the business of manufacturing furniture; however, this company must be divested by May 11, 1976.<sup>3</sup>

Company (total assets of \$9.5 million as of June 30, 1974), was organized in 1958. It is principally engaged in commercial finance. As of December 31, 1973, Company had net receivables outstanding from its commercial finance operations of approximately \$8.6 million. Of this, 85.7 per cent (\$7.4 million) originated from customers in the Milwaukee SMSA. Company's subsidiary, Lakeshore Leasing Corporation,<sup>4</sup> had total net leasing receivables of \$29,165 as of June 30, 1974, all of which were derived from the Milwaukee and Philadelphia SMSA's and from Middlesex County, New Jersey. Lakeshore Leasing Corporation's net receivables have declined every year since 1970. In view of this trend and the small amount of net receivables outstanding together with their wide geographic distribution, it does not appear that Lakeshore Leasing is a significant competitive factor in any market.

Several of the bank and non-bank companies that engage in commercial finance, leasing, and data processing<sup>5</sup> activities in the Milwaukee SMSA have regional or national operations. Three of the nation's five largest finance companies have offices in Milwaukee. Company is estimated to be the eighth largest of 18 commercial finance companies operating in the Milwaukee market and accounts for approximately 4 percent of the total net commercial finance receivables. No significant adverse effects on competition would result from the acquisition of Company by Applicant. Although Applicant derives some of its receivables from the Milwaukee SMSA and as a result some existing competition would be eliminated, the Board does not believe that such reduction in competition would be significant. Furthermore, the commercial finance and leasing markets contain a large number of competitors and those markets are relatively unconcentrated. Although Applicant possesses the financial resources for *de novo* entry into the market served by Company, such entry is not probable in view of the lack of economic incentives. Accordingly, it does not appear that any significant probable future competition would be eliminated.

Consummation of the proposed transaction would increase the financial resources available to Company, thereby better enabling it to continue to serve the

<sup>1</sup> The Board's Order approving formation of the Applicant bank holding company required divestiture of Knoll International, Inc., by May 11, 1975. On January 3, 1975, the Federal Reserve Bank of Chicago extended the divestiture date by one year.

<sup>2</sup> Lakeshore Capital Corporation is a subsidiary of Company and is currently inactive. Applicant may not reactivate Lakeshore Capital Corporation without prior Board approval.

<sup>3</sup> Company's gross income attributable to data processing activities was less than \$1,700 for the fiscal year ending June 30, 1974.

areas in which it operates. There is no evidence in the record indicating that acquisition of Company would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8), that consummation of this proposal can reasonably be expected to result in benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago, pursuant to authority delegated hereby.

By order of the Board of Governors,<sup>6</sup> effective March 14, 1975.

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

[FR Doc.75-7483 Filed 3-21-75; 8:45 am]

#### MAPLE BANC SHARES, INC.

##### Formation of Bank Holding Company

Maple Banc Shares, Inc., Maple Plain, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 85.9 per cent or more of the voting shares of State Bank of Maple Plain, Maple Plain, Minnesota. 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 Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 14, 1975.

Board of Governors of the Federal Reserve System, March 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-7484 Filed 3-21-75; 8:45 am]

#### MARSHALL & ILSLEY CORP.

##### Acquisition of Bank

Marshall & Ilsley Corporation, Milwaukee, Wisconsin, has applied for the

<sup>6</sup> Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, Holland, Wallich, and Coldwell.

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 (less directors' qualifying shares) of the M & I Bank of Mount Pleasant, Mount Pleasant, Wisconsin, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than April 14, 1975.

Board of Governors of the Federal Reserve System, March 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-7485 Filed 3-21-75; 8:45 am]

#### MERCANTILE BANCORPORATION INC.

##### Order Approving Acquisition of Bank

Mercantile Bancorporation Inc., St. Louis, Missouri ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire at least 90 per cent of the voting shares, plus directors' qualifying shares, of the United Bank of Macon, Missouri ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the application and comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization in Missouri, controls 22 banks<sup>1</sup> with aggregate deposits of \$1.60 billion, representing 10.65 per cent of total commercial bank deposits in the State.<sup>2</sup> Acquisition of Bank, with \$8.0 million in deposits, would increase Applicant's share of commercial bank deposits in the State by .05 of a percentage point and would not result in any significant increase in the concentration of banking resources in Missouri.

Bank is the smaller of two banks in Macon and second largest of five banks in its market area (approximated by Macon County) controlling 17.5 per cent of total bank deposits in the market. Applicant's closest subsidiary bank is located 44 road miles southwest of Bank. No significant competition exists between Bank and any of Applicant's subsidiaries. The prospect of Applicant entering Bank's market area *de novo* is unlikely in view of the below average growth rate and the relatively low popu-

<sup>1</sup> Applicant has also received approval to acquire a *de novo* bank which has not yet begun operations.

<sup>2</sup> Banking data are as of June 30, 1974, adjusted to reflect holding company formations and acquisitions approved by the Board through January 20, 1975.

lation per banking office in Macon County. Accordingly, on the basis of the record, it is concluded that consummation of the proposed acquisition would not have significant adverse effects on existing or potential competition in any relevant area.

The financial and managerial resources and prospects of Applicant, its subsidiaries, and Bank are all regarded as satisfactory and consistent with approval of the application. There is no evidence to suggest that the major banking needs of Bank's service area are not presently being met by existing financial institutions; however, through affiliation with Applicant, Bank will offer trust counseling on a referral basis and will pay the highest permissible rates of interest on time and savings deposits. Bank is currently providing a very limited type of trust service, handling only one small account. Considerations relating to convenience and needs of the community are consistent with approval of the application. It has been determined that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Secretary of the Board, acting pursuant to delegated authority from the Board of Governors, effective March 14, 1975.

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

[FR Doc.75-7486 Filed 3-21-75; 8:45 am]

#### STAPLETON INVESTMENT CO.

##### Order Approving Action To Become a Bank Holding Company and to Acquire Burnham Insurance Agency, a General Insurance Agency

Pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 225.3(a) of Regulation Y (12 CFR 225.3(a)), Stapleton Investment Co., Stapleton, Nebraska ("Applicant"), has applied for prior approval to become a bank holding company through the acquisition of 98 percent of the voting shares of Bank of Stapleton, Stapleton, Nebraska ("Bank"). Concurrently, Applicant has applied pursuant to section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of Regulation Y for approval to acquire Burnham Insurance Agency ("Agency") and to thereafter act as a general insurance agent or broker with respect to all types of insurance.

The applications have been processed by the Federal Reserve Bank of Kansas City pursuant to authority delegated by the Board of Governors of the Federal Reserve System under provisions of §§ 265.2(f)(22) and (32) of the Rules Regarding Delegation of Authority.

As required by section 3(b) of the Act, the Reserve Bank gave written notice of receipt of the applications to the Nebraska Director of Banking. The Director offered no objection to approval of the applications. Notice of receipt of the applications was published in the FEDERAL REGISTER on February 5, 1975 (40 FR 5405), providing an opportunity for interested persons to submit comments and views with respect to the proposal. Time for filing comments and views has expired and none have been received.

The Reserve Bank has considered the application to become a bank holding company in light of the factors set forth in section 3(c) of the Act. Inasmuch as the proposal to form a bank holding company by acquisition of shares of Bank merely facilitates a corporate acquisition by new ownership, consummation of the proposal would eliminate neither existing nor potential competition, nor does it appear that there would be any adverse effects on other banks in the trade area. Upon acquisition of Bank (deposits of \$2.9 million), Applicant would control the 338th largest bank in Nebraska, holding .05 percent of total deposits in commercial banks in the State.<sup>1</sup> Bank is the only bank in Logan County, which approximates the relevant banking market. Acquisition of Bank would result in no immediate change in banking services available in the relevant market.

The financial and managerial resources and future prospects of Applicant, which are dependent on those of Bank and Agency, are considered generally satisfactory and consistent with approval. The debt to be incurred by Applicant as a result of the proposal appears to be serviceable from the income to be derived from Bank and Agency without having an adverse effect on the financial condition of either Applicant or Bank. Accordingly, banking factors are regarded as being consistent with approval. Consummation of the transaction would have no immediate effect on the area's banking convenience and needs; however, such considerations are consistent with approval of the application to acquire Bank. It is the Reserve Bank's judgment that consummation of the transaction would be in the public interest and that the application should be approved.

Applicant proposes to acquire the general insurance business of Agency, acquired by Applicant's stockholder concurrent with his acquisition of Bank. Agency will continue to provide a convenient source of full-line insurance services to residents of the Stapleton area. There is no evidence in the record indicating that consummation of the proposal and operation of Agency would result in any undue concentration of resources, unfair competition, conflicts of interest, unsound banking practices, or other adverse effects on the public interest.

The Reserve Bank, therefore, finds that the public interest factors set forth in section 4(c)(8) of the Act are favor-

<sup>1</sup> All Banking data are as of June 28, 1974.



able, and the application to engage in the operation of a general insurance agency in Stapleton, Nebraska, should be approved.

On the basis of the record, the applications are approved for the reasons summarized above. The transaction involving acquisition of shares of Bank shall not be consummated before the thirtieth calendar day following the effective date of this Order and neither Bank nor Agency should be acquired later than three months after the effective date of this Order, unless such period is extended for good cause by the Board of Governors or by the Federal Reserve Bank of Kansas City pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the authority of the Board of Governors to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modifications or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the regulations and orders issued thereunder or to prevent evasion thereof.

[SEAL] WILBUR T. BILLINGTON,  
Senior Vice President.

MARCH 13, 1975.

[FR Doc.75-7487 Filed 3-21-75; 8:45 am]

#### TIPTON INSURANCE AGENCY, INC.

##### Order Approving Formation of Bank Holding Company and Engaging in Insurance Agency Activities

Tipton Insurance Agency, Inc., Tipton, Kansas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 90 percent or more of the voting shares of The Tipton State Bank, Tipton, Kansas ("Bank"). Applicant has also applied, pursuant to section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire the Tipton Insurance Agency, Tipton, Kansas ("Agency"), a company that engages in the activities of a general insurance agency in a community with a population not exceeding 5,000 persons. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(9)(iii)).

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with sections 3 and 4 of the Act (40 FR 3515). The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)), and the considerations specified in section 4(c)(8) of the Act.

Applicant is a non-operating Kansas corporation recently organized for the purposes of becoming a bank holding company through acquisition of Bank and of acquiring the insurance business of Agency.

Bank (deposits of \$2 million) is the only banking institution in Tipton, an agricultural community (population of approximately 350) located in the north central portion of the State. Bank is the fifth largest of six banks in the relevant banking market<sup>1</sup> and controls 6.4 percent of the deposits therein. (Banking data are as of June 30, 1974.) Inasmuch as this proposal represents the transfer of the ownership of Bank from its two principals to a corporation owned by one of them and since Applicant has no existing banking subsidiary, consummation of the proposal would not eliminate any existing or potential competition, increase the concentration of banking resources, nor have any adverse effects on the other banks in the relevant market. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial condition, managerial resources, and future prospects of Applicant, which are dependent upon those of Bank, are regarded as satisfactory, particularly in view of Applicant's plan to inject \$50,000 of additional capital into Bank. Although Applicant will incur debt in connection with the proposal, its projected income from Bank and the insurance agency activities should provide sufficient revenue to service the debt without impairing the financial condition of Bank. These considerations relating to banking factors are consistent with approval of the application. Consummation of the transaction would have no immediate effect on the area's banking convenience and needs, however, some expansion of services may result in the future under the more flexible corporate structure of the holding company. Considerations relating to the convenience and needs of the community to be served, therefore, are regarded as being consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application to acquire Bank should be approved.

Agency, the only general insurance agency in Tipton, currently operates from Bank's premises. Applicant proposes to engage in these activities, pursuant to § 225.4(a)(9)(iii) of Regulation Y, by acquiring the insurance business presently owned and operated by Bank's principals. Applicant proposes to sell credit life and credit accident and health insurance, as well as various other types of general insurance. It does not appear that Applicant's acquisition of Agency would have any adverse effect on competition. Moreover, approval herein would

<sup>1</sup>The relevant banking market is approximated by the southwestern quarter of Mitchell County and the eastern half of Osborne County.

enable Applicant to continue to offer Bank's customers a convenient source of insurance services, which result the Board considers to be in the public interest. There is no evidence in the record indicating that consummation of the proposal would result in an undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices or other adverse effects on the public interest.

Based on the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors that the Board is required to consider regarding the insurance agency acquisition under section 4(c)(8) is favorable and that the application to acquire Agency should be approved.

Accordingly, the applications are approved for the reasons summarized above. The acquisition of Bank shall not be made before the thirtieth calendar day following the effective date of this Order. The acquisition of Bank and Agency shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modification or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,<sup>2</sup>  
effective March 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-7488 Filed 3-21-75; 8:45 am]

#### INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

##### BUCHANAN COUNTY COAL CORP.

##### Applications for Renewal Permits, Electric Face Equipment Standard; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP Docket No. 4374-000, BUCHANAN COUNTY COAL CORPORATION, Mine No. 8, Mine ID No. 44 01748 0, Big Rock, Virginia, ICP Permit No. 4374-003 (Mescher HD12

<sup>2</sup>Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, Holland, Wallich and Coldwell.



Tractor, I.D. No. L4-2), ICP Permit No. 4374-004 (Mescher HD12 Tractor, I.D. No. L4-3), ICP Permit No. 4374-005 (Paul's Roof Bolt Machine, I.D. No. L4-1), ICP Permit No. 4374-006 (Paul's Roof Bolt Machine, I.D. No. L4-2).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before April 8, 1975. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,  
*Chairman,*  
*Interim Compliance Panel.*

MARCH 18, 1975.

[FR Doc. 75-7500 Filed 3-21-75; 8:45 am]

#### INDIAN HEAD MINING CO.

#### Applications for Renewal Permits, Electric Face Equipment Standard; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP DOCKET No. 4291-000, INDIAN HEAD MINING COMPANY, Indian Head Mine No. 3, Mine ID No. 15 02378 0, Hazard, Kentucky, ICP Permit No. 4291-002-R-2 (Porter End Dump Battery Buggy, I.D. No. B-3), ICP Permit No. 4291-005-R-1 (Porter End Dump Battery Buggy, I.D. No. B-5), ICP Permit No. 4291-009-R-1 (Joy 14BU7 Loading Machine, I.D. No. J-3), ICP Permit No. 4291-013-R-2 (Joy 10SC Shuttle Car, I.D. No. S-1).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,  
*Chairman,*  
*Interim Compliance Panel.*

MARCH 17, 1975.

[FR Doc. 75-7501 Filed 3-21-75; 8:45 am]

#### NATIONAL ENDOWMENT FOR THE HUMANITIES EDUCATION PANEL Notice of Meeting

MARCH 19, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Education Panel will meet at Washington, D.C., on April 11, 1975.

The purpose of the meeting is to review Humanities Program applications submitted to the National Endowment for the Humanities for grants to educational institutions.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
*Advisory Committee*  
*Management Officer.*

[F.R. Doc. 75-7541 Filed 3-21-75; 8:45 am]

#### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-389]

#### FLORIDA POWER AND LIGHT CO. (ST. LUCIE PLANT, UNIT 2)

#### Limited Work Authorization

Pursuant to the provisions of 10 CFR 50.10(e) of the Nuclear Regulatory Commission's (Commission) regulations, the Commission has authorized the Florida Power and Light Company to conduct certain site activities in connection with the St. Lucie Plant, Unit 2 prior to a decision regarding the issuance of a construction permit.

The activities that are authorized are within the scope of those authorized by 10 CFR 50.10(e) (1) and 10 CFR 50.10(e) (3) and include installation of temporary construction support facilities, excavation, construction of service facilities and the installation of certain structural foundations for the reactor building, intake structure, and turbine-generator building.

These actions are subject to several conditions for the protection of the environment, including providing necessary mitigating action to avoid unnecessary adverse environmental impacts from

construction activities, establishment of a control program to assure conformance to these conditions and the requirement to notify the Nuclear Regulatory Commission in the event construction activity results in an unanticipated significant adverse impact, including in such notification an analysis of the problem and a plan of action to eliminate or reduce the impact.

Any activities undertaken pursuant to this authorization are entirely at the risk of the Florida Power and Light Company and the grant of the authorization has no bearing on the issuance of a construction permit with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto.

A Partial Initial Decision on matters relating to the National Environmental Policy Act and site suitability was issued by the Atomic Safety and Licensing Board in the above captioned proceeding on March 4, 1975. A copy of: (1) The Partial Initial Decision; (2) the applicant's Preliminary Safety Analysis Report and amendments thereto; (3) the applicant's Environmental Report, and amendments thereto; (4) the staff's Final Environmental Statement dated May 1974; and (5) the Commission's letter of authorization, dated March 17, 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and the Indian River Junior College Library, 3209 Virginia Avenue, Ft. Pierce, Florida.

Dated at Rockville, Maryland, this 17th day of March 1975.

For the Nuclear Regulatory Commission.

WM. H. REGAN, JR.,  
*Chief, Environmental Projects*  
*Branch 4, Division of Reactor*  
*Licensing.*

[FR Doc. 75-7496 Filed 3-21-75; 8:45 am]

#### REGULATORY GUIDES

#### Issuance and Availability

The Nuclear Regulatory Commission has issued two new guides in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 5.47, "Control and Accountability of Plutonium in Waste Material," describes procedures acceptable to the NRC staff for the control and accountability of plutonium-contaminated waste. Specifically, this guide describes procedures for searching plutonium-contaminated waste packages

for concealed plutonium and also for assaying the plutonium content of contaminated waste.

Regulatory Guide 5.48, "Design Considerations—Systems for Measuring the Mass of Liquids," pertains to design considerations for methods of measuring the mass of liquid contained in a vessel. It identifies those considerations which the NRC staff considers to be adequate for minimizing the error associated with that measurement.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guides 5.47 and 5.48 will, however, be particularly useful in evaluating the need for early revisions if received by May 20, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 5 Regulatory Guides currently being developed include the following:

- Mass Calibration Techniques for Nuclear Material Control
- Calibration and Error Estimation Methods for Nondestructive Assay
- Management Review of Materials and Plant Protection Programs and Activities
- Protection of Nuclear Power Plants Against Industrial Sabotage
- Measurement Control Program for Special Nuclear Material Control and Accounting
- Monitoring Transfers of Special Nuclear Material
- Considerations for Determining the Systematic Error of Special Nuclear Material Accounting Measurement
- Interior Intrusion Alarm Systems
- Preparation of Uranyl Nitrate Solution as a Working Standard
- Preparation of Working Calibration and Test Materials for Analytical Laboratory Measurement Assurance Programs—Part I: Plutonium Nitrate Solutions
- Shipping and Receiving Control of Special Nuclear Materials
- Internal Transfer of Special Nuclear Material
- Acceptable Methods for the Short-Term Storage of SNM in Transit
- Materials of Construction: Gates, Grills, and other Security Barrier Appurtenances
- Barrier Design and Placement
- Nondestructive Assay of U-235 Content of Unpoisoned Low-Enrichment Uranium Fuel Rods
- Methods for the Accountability of Uranium Dioxide

Internal Security Audit Procedures  
Standard Format and Content for the Physical Protection Section of a License Application (For Facilities Other Than Nuclear Power Plants)

Nondestructive Assay of Plutonium-Bearing Fuel Rods

Training and Qualifying Personnel for Performing Measurement Associated with the Control and Accounting of Special Nuclear Material

Auditing of Measurement Control Program Reconciliation of Statistically Significant Shipper-Receiver Differences

Prior Measurement Verification

Verification of Prior Measurements by NDA

Nondestructive Assay of High-Enrichment Uranium Scrap by Active Neutron Interrogation

Control and Accounting for Highly Enriched Uranium in Waste

Considerations for Determining the Random Error of Special Nuclear Material Accounting Measurement

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

Dated at Rockville, Maryland, this 13th day of March 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,  
Acting Director,  
Office of Standards Development.

[FR Doc.75-7498 Filed 3-21-75; 8:45 am]

[Dockets Nos. STN 50-518, etc.]

TENNESSEE VALLEY AUTHORITY (HARTSVILLE NUCLEAR PLANTS A & B, UNITS 1 & 2)

Second Special Prehearing Conference

In the matter of Tennessee Valley Authority, Hartsville Nuclear Plant A, Units 1 & 2, Hartsville Nuclear Plant B, Units 1 & 2, Dockets Nos. STN 50-518, STN 50-519, STN 50-520, STN 50-521.

Pursuant to the Special Prehearing Conference Order issued on March 6, 1975, the parties have conferred for the purpose of consolidating, simplifying and stipulating the numerous contentions contained in the petitions filed herein. Considerable progress in this regard has been reported to this Board. However, there remain a number of contentions as to which agreement could not be reached. Accordingly, a second special prehearing will be held on April 1st and 2nd 1975 at the County Court House, Hartsville, Tennessee beginning at 10 a.m.

At the Second Special Prehearing Conference arguments will be heard on the contentions which have not been agreed to. A firm schedule for further proceedings will be drawn. A report on discovery will be called for.

It is so ordered.

Issued at Bethesda, Maryland this 18th day of March, 1975.

For the Atomic Safety and Licensing Board.

JOHN F. WOLF,  
Chairman.

[FR Doc.75-7497 Filed 3-21-75; 8:45 am]

[Docket No. 50-244]

ROCHESTER GAS AND ELECTRIC CORP.

Proposed Issuance of Amendment to Provisional Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Provisional Operating License No. DPR-18 issued to Rochester Gas and Electric Corporation (the licensee) for operation of the Robert E. Ginna Nuclear Power Plant (the facility), a pressurized-water reactor located in Wayne County, New York, and currently authorized for operation at power levels up to 1520 MWt.

In accordance with the licensee's application for a license amendment dated March 11, 1975, the amendment would modify operating limits in the Technical Specifications based upon an evaluation of ECCS performance calculated in accordance with an acceptable evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR 50.46. The amendment would modify various limits established in accordance with the Commission's Interim Acceptance Criteria, and would, with respect to the R. E. Ginna Nuclear Power Plant, terminate the further restrictions imposed by the Commission's December 27, 1974 Order for Modification of License, and would impose instead, limitations established in accordance with the Commission's Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors, 10 CFR 50.46.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Act and the Commission's regulations.

By April 24, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by the proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject provisional operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section by the above date. A copy of the petition and/or request for a hearing should be sent to the Chief Hearing Counsel, Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Arvin E. Upton, Esquire, LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street, NW., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see (1) the application for amendment dated March 11, 1975, and (2) the Commission's Order for Modification to License and the documents referred to in the Order dated December 27, 1974 (published in the FEDERAL REGISTER on January 9, 1975 (40 FR 1775)), which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Lyons Public Library, 67 Canal Street, Lyons, New York and at the Rochester Public Library, 115 South Avenue, Rochester, New York. As they become available, the Commission's related Safety Evaluation and license amendment and any attachments may be inspected at the above locations. A copy of the license amendment and attachments and the Safety Evaluation, when available, may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 18th day of March 1975.

For the Nuclear Regulatory Commission.

**ROBERT A. PURPLE,**  
*Chief, Operating Reactors  
Branch No. 1, Division of Re-  
actor Licensing.*

[FR Doc. 75-7572 Filed 3-21-75; 8:45 am]

## OFFICE OF MANAGEMENT AND BUDGET

### CLEARANCE OF REPORTS

#### List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management

and Budget on March 19, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through 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

##### DEPARTMENT OF COMMERCE

###### Bureau of the Census:

Mail List Evaluation, 74-A24, single-time, persons in agriculture, Lowry, R. L., 395-3772.

Survey of Real Property Transfer Records, GP-2, single-time, local recorders of real property sales, Ellett, C. A., 395-6172.

Survey of Local Assessment Records, GP-1, single-time, local tax assessors, Ellett, C. A., 395-6172.

Maritime Administration, Market Attributes Quantifications by Conjoint Measurement Technique, A-G, single-time, international shippers in 20 large SMSA's, Strasser, A., 395-3880.

National Bureau of Standards, Questionnaire for Nuclear Magnetic Resonance Spectroscopy Standard Reference Materials, NBS-1032, single-time, organizations using nuclear magnetic resonance spectroscopy, Lowry, R. L., 395-3772.

##### DEPARTMENT OF THE INTERIOR

National Park Service, Visitor Center Study, single-time, users of 12 National Park Service visitor centers, 09, 395-3808.

#### EXTENSIONS

##### U.S. CIVIL SERVICE COMMISSION

Supplemental Qualifications Statement—Engineers and Scientists, CSC 1122, on occasion, applicants for Federal jobs, Caywood, D. P., 395-3443.

##### DEPARTMENT OF LABOR

Labor-Management and Service Administration:

Federal Labor Organization Terminal Trusteeship Report, G-16, on occasion, Caywood, D. P., 395-3443.

Federal Labor Organization Schedule on Selection of Delegates and Officers, G-15A, on occasion, Caywood, D. P., 395-3443.

Federal Labor Organization Trusteeship Report, G-15, semiannually, Evinger, S. K., 395-3648.

Federal Labor Organization Simplified Annual Report, G-3, annually, Caywood, D. P., 395-3443.

Federal Labor Organization Annual Report, G-2, annually, Evinger, S. K., 395-3648.

Federal Labor Organization Registration Report, G-1, on occasion, Caywood, D. P., 395-3443.

Information and Signature Sheet for Federal Labor Organizations Under Trusteeship, G-6, on occasion, Caywood, D. P., 395-3443.

##### DEPARTMENT OF THE INTERIOR

###### Bureau of Mines:

Coke and Coal-Chemical Materials (Production), 6-1365-M, monthly, Evinger, S. K., 395-3648.

Consumption of Tungsten Concentrates and Production of Tungsten Products, 6-1142-M, monthly, Evinger, S. K., 395-3648.

Consumption of Molybdenum Concentrates and Production of Molybdenum Products, 6-1101-M, monthly, Evinger, S. K., 395-3648.

Gypsum, 6-1218-0, quarterly, Evinger, S. K., 395-3648.

Lime (Production), 6-1221-M, monthly, Evinger, S. K., 395-3648.

Silicon Alloys (Supply and Disposition), 6-1057-Q, quarterly, Evinger, S. K., 395-3648.

Mine Production of Bauxite, 6-1010-QA, quarterly, Evinger, S. K., 395-3648.

Copper (Refinery Report), Domestic Primary Materials, 6-1046M, monthly, Evinger, S. K., 395-3648.

Copper (Smelter Report), 6-1045M, monthly, Evinger, S. K., 395-3648.

Iron and Manganiferous Ore (Stocks, Production and Disposition), 6-1066-M, monthly, Evinger, S. K., 395-3648.

Consolidated Consumers Report (Select Metals—Ferr Alloys) 6-1109-MA, Monthly, Evinger, S. K., 395-3648.

Natural Sodium Compounds and Refined Sodium Salts (Production and Disposition), 6-1234-MA, monthly, Evinger, S. K., 395-3648.

Synthetic Graphite (Shipments and Production), 6-1296A, annually, Evinger, S. K., 395-3648.

Production of ----- in -----, 6-1292-A, on occasion, Evinger, S. K., 395-3648.

Tungsten Ore and Concentrate (Supply and Disposition), 6-1140-A, annually, Evinger, S. K., 395-3648.

Ferro-Alloys (Supply and Disposition), 6-1056-A, annually, Evinger, S. K., 395-3648.

Crude Iodine—Production, Consumption, and Stocks, 6-1297-A, annually, Evinger, S. K., 395-3648.

Natural Graphite Consumption, 6-1295-A, annually, Evinger, S. K., 395-3648.

Ground Mica (Grinders Report), 6-1258-A, annually, Evinger, S. K., 395-3648.

Strontium, 6-1197-A, annually, Evinger, S. K., 395-3648.

Distribution of Pennsylvania Anthracite, 6-1392-A, annually, Evinger, S. K., 395-3648.

Pennsylvania Anthracite Production-Contractors Report, 6-1387A, annually, Evinger, S. K., 395-3648.

Pennsylvania Anthracite—Mines Without Preparation Plants, 6-1386-A, annually, Evinger, S. K., 395-3648.

Pennsylvania Anthracite (Production), 6-1385-A, annually, Evinger, S. K., 395-3648.

###### Bureau of Sport Fisheries and Wildlife:

Bird Banding File Reference Card, 3-1831, on occasion, hunters and other recovering bird bands, Evinger, S. K., 395-3648.



Request for Banding Data Card Wild Migratory Birds, 3-860A, on occasion, Federal bird-banding permit holders, Evinger, S. K., 395-3648.

Mourning Dove Call-Court Survey, 3-159, annually, Federal and State government personnel, Evinger, S. K., 395-3648.

PHILLIP D. LARSON,  
*Budget and Management Officer.*

[FR Doc.75-7702 Filed 3-21-75; 8:45 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[70-5642]

### ARKANSAS POWER & LIGHT CO.

#### Proposed Transactions Related to Financing of Pollution Control Facilities

MARCH 18, 1975.

Notice is hereby given that Arkansas Power & Light Company ("Arkansas"), Ninth and Louisiana Streets, Little Rock, Arkansas 72203, an electric utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a) and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to said application, which is summarized below, for a complete statement of the proposed transactions.

Arkansas states that in order to comply with prescribed Federal, State, or local standards with respect to air or water quality or disposal of sewage or solid wastes, it has been and will be necessary to construct certain facilities for pollution control purposes. The present filing relates to a proposal by Arkansas to dispose of and to acquire the pollution control facilities at its nuclear generating station located near Russellville, Pope County, Arkansas, known as Arkansas Nuclear One ("ANO").

Arkansas proposes to enter into an installment sale agreement ("Agreement") with Pope County, Arkansas ("County"), which will provide for the acquisition, construction, and installation of the pollution control facilities at ANO by the company on behalf of the County and the issuance by the County of its Pollution Control Revenue Bonds, Series 1975, in principal amount presently estimated not to exceed \$49,100,000, sufficient to cover the Cost of Construction, as defined in the Agreement, of the pollution control facilities. Arkansas will convey to the County such portions of the pollution control facilities as are now owned by the company. The proceeds derived from the sale of the Series 1975 Bonds will be deposited by the County with a trustee ("Trustee") under an indenture to be entered into between the County and the Trustee, pursuant to which the Series 1975 Bonds are to be issued and secured. The proceeds resulting from the issuance of the Series 1975 Bonds will be applied to the payment of the Cost of Construction.

The Agreement also will provide for the sale of the pollution control facilities by the County to Arkansas and the payment by the company of the purchase price, together with interest thereon, in semi-annual installments over a term of years. In the Agreement, the company will assent to the assignment and pledge to the Trustee of the County's interest in, and of the moneys receivable by the County under, the Agreement. Simultaneously with the execution of the Agreement, the County will transfer title to the pollution control facilities to Arkansas, the documents evidencing such transfer of title to be held in escrow by the Trustee and delivered to the Company not later than the earlier of (1) the date of final payment by the Company of amounts due under the Agreement or (2) the date on which no Series 1975 Bonds are outstanding under the indenture.

The Agreement will provide that the purchase price of the pollution control facilities payable by Arkansas will be such amount as shall be sufficient to pay the principal of the Series 1975 Bonds as the same becomes due and payable. The company under the Agreement will also agree to pay interest on the unpaid balance of the purchase price of the pollution control facilities equal to the premium, if any, and interest on the Series 1975 Bonds. The Agreement will provide that Arkansas may at any time prepay the unpaid balance of the purchase price of the pollution control facilities, together with interest thereon, in whole or in part.

It is intended that the Series 1975 Bonds will be issued as either serial bonds ("1975 Serial Bonds") or term bonds ("1975 Term Bonds"), or a combination thereof. The 1975 Term Bonds will mature not later than 30 years from the first day of the month in which they are initially issued and will be subject to a mandatory cash sinking fund. 1975 Serial Bonds, if any, will mature at various times prior to the maturity of the 1975 Term Bonds. The effect of the mandatory cash sinking fund of the 1975 Term Bonds together with the serial maturities of the 1975 Serial Bonds, if any, is calculated to retire no less than 25% of the aggregate principal amount of the Series 1975 Bonds prior to ultimate maturity on May 1, 2005.

It is contemplated that the Series 1975 Bonds will be sold by the County pursuant to arrangements with a group of underwriters represented by The First Boston Corporation. In accordance with the laws of the State of Arkansas, the interest rate to be borne by each issue will be fixed by the County and Arkansas will not be party to the underwriting arrangements for the Series 1975 Bonds. However, the Agreement will provide that the terms of the Series 1975 Bonds and their sale by the County shall be satisfactory to the company. Arkansas understands that interest payable on the Series 1975 Bonds will be exempt from Federal income taxes. The company has been advised that the annual interest

rates on obligations, interest on which is so tax exempt, historically have been and can be expected at the time of issuance of the Series 1975 Bonds to be 1% to 2% lower than the rates of obligations of like tenor and comparable quality, interest on which is fully subject to Federal income tax.

The fees and expenses to be incurred in connection with the proposed transactions are to be filed by amendment. It is stated that the Arkansas Public Service Commission may have jurisdiction over the proposed transactions and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the transactions proposed.

Notice is further given that any interested person may, not later than April 8, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address; and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
*Secretary.*

[FR Doc.75-7576 Filed 3-21-75; 8:45 am]

[File No. 500-1]

BBI, INC.

#### Notice of Suspension of Trading

MARCH 14, 1975.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 15, 1975 through March 24, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-7547 Filed 3-21-75; 8:45 am]

[70-5645]

**MIDDLE SOUTH UTILITIES, INC. AND  
LOUISIANA POWER & LIGHT CO.**

**Proposed Issue and Sale of Common Stock**

MARCH 18, 1975.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 225 Baronne Street, New Orleans, Louisiana 70112, a registered holding company, and Louisiana Power & Light Company ("Louisiana"), 142 Delaronde Street, New Orleans, Louisiana 70174, a public-utility subsidiary company of Middle South, have filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10, and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Louisiana proposes to issue and sell to Middle South (the holder of all of the issued and outstanding shares of Louisiana's common stock no par value per share), and Middle South proposes to acquire, 5,512,000 additional shares of Louisiana's common stock, for an aggregate purchase price of \$35,000,000 in cash. Louisiana further proposes to declare a cash dividend of \$6,797,000 on its presently outstanding common stock, and Middle South proposes, concurrently therewith, to acquire an additional 1,070,500 shares of Louisiana's common stock. Upon completion of the foregoing transactions, Louisiana will have issued and outstanding 34,900,000 shares of common stock, which will be stated in its capital common stock account at an aggregate of \$221,615,000. Louisiana proposes to use the net proceeds from the sale of the additional common stock for its current construction program, estimated at \$149,100,000 for 1975 and for the repayment of outstanding short-term promissory notes.

It is stated that no State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is further

stated that no special or separate expenses are anticipated in connection with the issuance and sale of the common stock.

Notice is further given that any interested person may, not later than April 11, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-7548 Filed 3-21-75; 8:45 am]

[70-5616]

**OHIO EDISON CO. AND PENNSYLVANIA  
POWER CO.**

**Proposed Issue and Sale of Common Stock  
by Holding Company**

MARCH 17, 1975.

Notice is hereby given that Ohio Edison Company ("Ohio Edison"), 47 North Main Street, Akron, Ohio 44308, a registered holding company and an electric public utility company, and its electric utility subsidiary company, Pennsylvania Power Company ("Pennsylvania"), 1 East Washington Street, New Castle, Pennsylvania 16103, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, and 12(f) of the Act and Rule 43 promulgated thereunder regarding the following proposed transactions. Interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Ohio Edison proposes to issue and sell, through negotiation with underwriters, 4,000,000 shares of its authorized but unissued common stock, par value \$9 per share ("stock"). Issue and sale of this stock will be exempt from the competitive bidding requirements of Rule 50 under the Act if the sale is consummated prior to April 30, 1975 (Holding Company Act Release No. 18646). Proceeds of the sale are to be used to repay short-term debt incurred by Ohio Edison. It is estimated that Ohio Edison will have \$80,000,000 in short-term debt outstanding at the time of the sale of the stock.

Pennsylvania proposes to issue and sell to Ohio Edison, its parent, and Ohio Edison proposes to acquire from Pennsylvania, 400,000 shares of Pennsylvania's common stock, \$30 par value, at a price per share equal to that par value. It is proposed that this issue and sale of common stock by Pennsylvania be consummated in June 1975. Pennsylvania proposes to use the proceeds from the sale of its common stock for construction expenditures, to repay bank loans incurred for such construction and to reimburse its treasury for such expenditures.

Pennsylvania also proposes to amend its charter to increase the authorized number of shares of its common stock from 3,000,000 to 4,000,000 shares. It is stated that Pennsylvania now has sufficient authorization to issue the 400,000 new shares to Ohio Edison but that the increase in the authorized number of shares is necessary so that Pennsylvania may make further sales of its common stock to Ohio Edison in 1976 and 1977. It is stated that Pennsylvania must obtain the consent and approval of its sole voting stockholder, Ohio Edison, to make this increase in authorized common stock shares, and that Ohio Edison proposes to give such consent and approval.

Fees and expenses to be incurred by Ohio Edison in connection with its proposed sale of stock will be supplied by amendment. Fees and expenses to be incurred by Pennsylvania in connection with its proposed sale of common stock to Ohio Edison are estimated at \$1,500. It is stated that the Public Utilities Commission of Ohio and Pennsylvania Public Utility Commission have jurisdiction over the proposed sale of stock by Ohio Edison and Pennsylvania, respectively, and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 11, 1975, request in writing that a hearing be held on such matter stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if

the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-7549 Filed 3-21-75; 8:45 am]

[812-3707]

**PITWAY CORP.**

**Correction**

MARCH 13, 1975.

This is to correct an error made in Release No. 8711, issued March 7, 1975, in the Matter of Pittway Corporation, 333 Skokie Boulevard, Northbrook, Illinois 60062. Said release stated that the application file number is 812-3703, when in fact such application file number is 812-3707. Therefore, all concerned are advised that the correct file number for the application, in the Matter of Pittway Corporation (Release No. 8711) is 812-3707.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-7550 Filed 3-21-75; 8:45 am]

[70-5644]

**SOUTHERN CO. AND SOUTHERN SERVICES, INC.**

**Proposal by Service Company To Issue and Sell Secured Notes**

MARCH 14, 1975.

Notice is hereby given that The Southern Company ("Southern"), a registered holding company, and Southern Services, Inc. ("SSI"), Perimeter Center East, Atlanta, Georgia 30346, a wholly-owned nonutility subsidiary, have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, and 12(b) of the

Act and Rules 45 and 50(a)(5) promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete statement of the proposed transactions.

In order to prepay certain outstanding unsecured term notes, SSI proposes to issue and sell notes ("Notes") secured by a first lien on certain computer equipment. The Notes are proposed to be in the aggregate principal amount of \$10,300,000, maturing not later than December 31, 1981, and payable in installment payments. The annual interest rate is not to exceed 13 percent. It is proposed that not later than five years from the date of issue SSI may prepay all or a portion of the Notes at its option at not more than 103 percent of their principal amount plus accrued interest with decreasing premiums thereafter. In the case of partial prepayments, payments of principal will be reduced in inverse order of maturity. The proceeds of any sale, transfer, or other disposition of the computer equipment will be applied (a) to the purchase by SSI of additional computer equipment or (b) to the prepayment of Notes, any such prepayment to be at par plus accrued interest and applied to the principal portion of the debt service payments in inverse order of maturity.

It is also proposed that Southern, as further inducement for the proposed loan to SSI, will unconditionally guarantee the payment of principal and interest on the Notes when due.

The indebtedness which SSI proposes to prepay with the proceeds of the Notes was incurred to finance acquisition of the computer equipment pursuant to the Commission's prior authorization in File No. 70-5061. The principal amount of such indebtedness to be outstanding at April 1, 1975, is \$10,114,288, and the interest rate is 125 percent of the prime rate. (With a prime rate of 8 percent, the interest rate would be 10 percent.) Upon prepayment of such outstanding indebtedness, the lender, Chemical Bank, New York, New York, has agreed to make \$11,000,000 principal amount of short-term credit available to Southern and its operating subsidiaries under arrangements described in File No. 70-5471 and File No. 70-5463. While the interest cost of the Notes will be greater than the interest cost of the indebtedness to be repaid (based on the current prime rate), it is the opinion of Southern's management that this factor is outweighed by the current need of its operating subsidiaries for additional short-term credit and that it is in the interest of Southern's investors and of the investors and consumers of its operating subsidiaries for SSI to issue and sell the Notes as herein proposed and prepay such outstanding indebtedness.

SSI has employed Morgan Stanley & Co. to place the Notes for a commission, payable upon the closing, of not in excess of 1 percent of the principal amount of the Notes. SSI has requested that the issuance and sale of the Notes be exempted from the competitive bidding requirements of Rule 50 pursuant to paragraph (a)(5) thereof for the reasons that the requirements of Rule 50 are impracticable with respect to the proposed transactions and are unnecessary for the protection of investors or consumers to assure the maintenance of competitive conditions.

It is stated that, other than the commission of Morgan Stanley & Co., there are no fees, commissions, or expenses to be incurred in connection with the proposed transactions. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 8, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.75-7551 Filed 3-21-75; 8:45 am]



**SELECTIVE SERVICE SYSTEM  
REGISTRANTS PROCESSING MANUAL**

The Registrants Processing Manual is an internal manual of the Selective Service System. The following portions of that Manual are considered to be of sufficient interest to warrant publication in the FEDERAL REGISTER:

- Temporary Instruction No. Appendix 1-13: Social Security Account Number.
- Temporary Instruction No. 631-6: Address Labels for SSS Forms 127.
- Temporary Instruction No. 631-16: 1975 Random Sequence Lottery and Processing Registrants By RSN.
- Temporary Instruction No. 642-7: Extension of Clemency Program.
- Chapter 603—Local Board Operational Procedures (Rev. February 1, 1975).
- Chapter 604—Organization for Registrant Processing (Rev. February 1, 1975).
- Chapter 608—Information (Rev. March 3, 1975).
- Chapter 619—Accountability of Registrants (Rev. February 1, 1975).
- Chapter 621—Preparation for Classification by the Local Board (Rev. March 1, 1975).
- Chapter 622—Classification Rules and Principles (Rev. February 1, 1975).
- Chapter 623—Classification Procedure (Rev. February 1, 1975).
- Chapter 624—Personal Appearance Before the Local Board (Rev. February 1, 1975).
- Chapter 625—Reopening and Considering Anew a Registrant's Classification (Rev. February 1, 1975).
- Chapter 632—Delivery and Induction (Rev. February 1, 1975).
- Chapter 680—Alternate Service (Rev. February 1, 1975).
- Chapter 661—Classification of Conscientious Objector (Rev. February 1, 1975).
- Chapter 680—Medical Specialists (Rev. February 1, 1975).
- Current Forms Check List and Index (January 1975).
- Sections 631.6 and 631.8 (Rev. February 1, 1975).

BYRON V. PEPITONE,  
*Director.*

MARCH 14, 1975.

[Temporary Instruction No. Appendix 1-13]  
SOCIAL SECURITY ACCOUNT NUMBER

Issued: February 7, 1975.

No registrant will be requested to furnish or disclose his Social Security Account Number in connection with any Selective Service registrant processing. Where any Selective Service form provides for entry of a registrant's Social Security Account Num-

ber, that space shall be left blank. No action will be taken to remove the Social Security Account Number from any existing record.

This Temporary Instruction will remain in effect until rescinded.

[Temporary Instruction No. 621-6]

ADDRESS LABELS FOR SSS FORMS 127

Issued: March 3, 1975.

1. The use of address labels for mailing Current Information Questionnaires (SSS Forms 127) to registrants will be tested following the lottery drawing of March 12, 1975. Address labels for all registrants in Class 1-H with RSN 001-095 will be mailed by the CSC directly to local boards following the lottery drawing. No SSS Forms 127 will be mailed out until the address labels are received. Labels will be altered only if the local board records

show a new address for the registrant. Local board personnel will affix each of these self-sticking labels onto the address block of an SSS Form 127, date stamp the "Date of Mailing" and "Complete and Return Before" date, insert the local board stamp, and mail to the registrant with a return address envelope. The labels will be used on all SSS Forms 127 except for a late registrant for whom a label was not received, in which case the address block will be typed.

2. To evaluate the test results, each area office will prepare the report shown in Attachment 1, and submit it to State Headquarters by May 9, 1975, for consolidation and submission to National Headquarters by June 9, 1975. Only SSS Forms 127 on which address labels were used will be included in the report.

This Temporary Instruction will terminate on June 10, 1975.

DISPOSITION REPORT ON SSS FORMS 127, MAILED WITH ADDRESS LABELS

1. Number of forms mailed to registrants.....
2. Number of address labels on which the local board entered a new address before mailing.....
3. Number of forms returned by Postal Service as undeliverable.....
4. Number of forms returned by registrant.....
5. Number of forms not returned by Postal Service or registrant.....
6. (Total of Numbers 3, 4 and 5. Should equal Number 1).....
7. Number of forms received in which the address in Block 1, Line 1 (current mailing address) is different than the address on the address label.....
8. Number of forms received which did not contain the necessary information (i.e., not usable for classifying the registrant).....
9. Number of forms returned as undeliverable within the following time periods:  
1-3 days ----; 4-6 days ----; 7-9 days ----; 10-12 days ----; over 12 days ----  
Total (same as No. 3).....
10. Number of forms returned by the registrant within the following time periods:  
1-3 days ----; 4-6 days ----; 7-9 days ----; 10-12 days ----; 13-15 days ----;  
16-18 days ----; over 18 days ---- Total (same as No. 4).....
11. Number of forms with new current mailing addresses which were returned within the following time periods:  
1-3 days ----; 4-6 days ----; 7-9 days ----; 10-12 days ----; 13-15 days ----;  
16-18 days ----; over 18 days ---- Total (same as No. 7).....

(Date)

(Authorized Signature)

[Temporary Instruction No. 631-16]

1975 RANDOM SEQUENCE LOTTERY AND PROCESSING REGISTRANTS BY RSN

Issued: March 12, 1975.

1. The results of the lottery held on March 12, 1975, for registrants born in 1956, are shown on the attached Tables No. 631-15 and 631-16. Each RPM holder will insert these tables in his or her copy of the RPM, following Table No. 631-14.

2. Random Sequence Number 005 is established as the Administrative Processing Number (APN) for registrants born in 1956. Registrants born in 1956, with RSN 001

through 095, shall have their classifications reopened, under the provisions of Chapter 625 of the RPM.

3. The Registrant RSN Report by SSN (RIB REPORT NO. 150), will be distributed shortly for use in the posting of RSNs of registrants born in 1956. The year designation in parentheses will no longer be posted with the RSN; only the RSN itself will be posted to the records.

4. The APN for registrants born in 1956 continues to be 005.

5. Temporary Instruction No. 631-14/621-5 is rescinded.

This Temporary Instruction will remain in effect until rescinded.

## 1976 RANDOM SEQUENCE LOTTERY DRAWING CALENDAR

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
1	223	027	210	170	272	337	275	029	175	336	321	212	1
2	108	146	249	288	197	287	059	317	263	052	163	068	2
3	058	220	112	008	228	345	009	079	087	085	269	172	3
4	338	095	166	340	118	176	222	181	199	104	302	226	4
5	293	032	308	005	198	119	279	267	236	351	207	301	5
6	258	260	091	092	188	174	130	292	221	048	182	333	6
7	114	127	274	303	344	028	296	043	322	294	070	297	7
8	049	159	335	180	024	204	017	097	341	334	319	001	8
9	266	082	040	025	363	353	270	196	349	186	261	346	9
10	129	251	078	147	100	026	109	339	347	055	143	141	10
11	164	160	298	031	290	155	214	350	173	355	122	189	11
12	132	366	137	133	254	362	331	320	161	286	234	057	12
13	011	088	103	205	120	007	077	225	325	243	357	177	13
14	124	090	121	047	061	136	206	144	343	323	023	289	14
15	067	255	352	093	191	291	069	360	135	248	094	208	15
16	154	241	364	131	329	096	042	215	117	168	216	330	16
17	116	348	356	264	151	142	365	178	307	020	309	306	17
18	358	063	179	134	045	271	006	313	019	246	111	140	18
19	190	240	213	036	081	002	238	268	041	150	194	256	19
20	107	054	324	359	284	033	244	219	230	201	218	012	20
21	318	257	187	183	273	300	233	152	086	106	125	126	21
22	171	203	003	101	305	013	074	004	128	037	167	185	22
23	224	239	304	280	354	285	278	202	156	229	276	328	23
24	312	044	262	080	162	252	158	193	227	148	056	139	24
25	250	192	314	110	332	038	184	165	209	066	123	071	25
26	016	157	015	053	138	062	046	083	231	099	316	113	26
27	281	039	073	277	282	315	232	030	022	034	283	242	27
28	211	060	259	050	018	295	145	098	102	200	235	299	28
29	076	195	217	105	051	253	169	010	089	084	115	072	29
30	327		361	342	014	035	065	237	064	247	265	149	30
31	153		326		311		245	310		075		021	31
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	

Table No. 631 - 15

(MAR 12, 1975)

## 1976 RANDOM SEQUENCE BY SEQUENCE NUMBER

001--DEC 8	076--JAN 29	151--MAY 17	226--DEC 4	301--DEC 5
002--JUN 19	077--JUL 13	152--AUG 21	227--SEP 24	302--NOV 4
003--MAR 22	078--MAR 10	153--JAN 31	228--MAY 3	303--APR 7
004--AUG 22	079--AUG 3	154--JAN 16	229--OCT 23	304--MAR 23
005--APR 5	080--APR 24	155--JUN 11	230--SEP 20	305--MAY 22
006--JUL 18	081--MAY 19	156--SEP 23	231--SEP 26	306--DEC 17
007--JUN 13	082--FEB 9	157--FEB 26	232--JUL 27	307--SEP 17
008--APR 3	083--AUG 26	158--JUL 24	233--JUL 21	308--MAR 5
009--JUL 3	084--OCT 29	159--FEB 8	234--NOV 12	309--NOV 17
010--AUG 29	085--OCT 3	160--FEB 11	235--NOV 28	310--AUG 31
011--JAN 13	086--SEP 21	161--SEP 12	236--SEP 5	311--MAY 31
012--DEC 20	087--SEP 3	162--MAY 24	237--AUG 30	312--JAN 24
013--JUN 22	088--FEB 13	163--NOV 2	238--JUL 19	313--AUG 18
014--MAY 30	089--SEP 29	164--JAN 11	239--FEB 23	314--MAR 25
015--MAR 26	090--FEB 14	165--AUG 25	240--FEB 19	315--JUN 27
016--JAN 26	091--MAR 6	166--MAR 4	241--FEB 16	316--NOV 26
017--JUL 8	092--APR 6	167--NOV 22	242--DEC 27	317--AUG 2
018--MAY 28	093--APR 15	168--OCT 16	243--OCT 13	318--JAN 21
019--SEP 18	094--NOV 15	169--JUL 29	244--JUL 20	319--NOV 8
020--OCT 17	095--FEB 4	170--APR 1	245--JUL 31	320--AUG 12
021--DEC 31	096--JUN 16	171--JAN 22	246--OCT 18	321--NOV 1
022--SEP 27	097--AUG 8	172--DEC 3	247--OCT 30	322--SEP 7
023--NOV 14	098--AUG 28	173--SEP 11	248--OCT 15	323--OCT 14
024--MAY 8	099--OCT 26	174--JUN 6	249--MAR 2	324--MAR 20
025--APR 9	100--MAY 10	175--SEP 1	250--JAN 25	325--SEP 13
026--JUN 10	101--APR 22	176--JUN 4	251--FEB 10	326--MAR 31
027--FEB 1	102--SEP 28	177--DEC 13	252--JUN 24	327--JAN 30
028--JUN 7	103--MAR 13	178--AUG 17	253--JUN 29	328--DEC 23
029--AUG 1	104--OCT 4	179--MAR 18	254--MAY 12	329--MAY 16
030--AUG 27	105--APR 29	180--APR 8	255--FEB 15	330--DEC 16
031--APR 11	106--OCT 21	181--AUG 4	256--DEC 19	331--JUL 12
032--FEB 5	107--JAN 20	182--NOV 6	257--FEB 21	332--MAY 25
033--JUN 20	108--JAN 2	183--APR 21	258--JAN 6	333--DEC 6
034--OCT 27	109--JUL 10	184--JUL 25	259--MAR 28	334--OCT 8
035--JUN 30	110--APR 25	185--DEC 22	260--FEB 6	335--MAR 8
036--APR 19	111--NOV 18	186--OCT 9	261--NOV 9	336--OCT 1
037--OCT 22	112--MAR 3	187--MAR 21	262--MAR 24	337--JUN 1
038--JUN 25	113--DEC 26	188--MAY 6	263--SEP 2	338--JAN 4
039--FEB 27	114--JAN 7	189--DEC 11	264--APR 17	339--AUG 10
040--MAR 9	115--NOV 29	190--JAN 19	265--NOV 30	340--APR 4
041--SEP 19	116--JAN 17	191--MAY 15	266--JAN 9	341--SEP 8
042--JUL 16	117--SEP 16	192--FEB 25	267--AUG 5	342--APR 30
043--AUG 7	118--MAY 4	193--AUG 24	268--AUG 19	343--SEP 14
044--FEB 24	119--JUN 5	194--NOV 19	269--NOV 3	344--MAY 7
045--MAY 18	120--MAY 13	195--FEB 29	270--JUL 9	345--JUN 3
046--JUL 26	121--MAR 14	196--AUG 9	271--JUN 18	346--DEC 9
047--APR 14	122--NOV 11	197--MAY 2	272--MAY 1	347--SEP 10
048--OCT 6	123--NOV 25	198--MAY 5	273--MAY 21	348--FEB 17
049--JAN 8	124--JAN 14	199--SEP 4	274--MAR 7	349--SEP 9
050--APR 28	125--NOV 21	200--OCT 28	275--JUL 1	350--AUG 11
051--MAY 29	126--DEC 21	201--OCT 20	276--NOV 23	351--OCT 5
052--OCT 2	127--FEB 7	202--AUG 23	277--APR 27	352--MAR 15
053--APR 26	128--SEP 22	203--FEB 22	278--JUL 23	353--JUN 9
054--FEB 20	129--JAN 10	204--JUN 8	279--JUL 5	354--MAY 23
055--OCT 10	130--JUL 6	205--APR 13	280--APR 23	355--OCT 11
056--NOV 24	131--APR 16	206--JUL 14	281--JAN 27	356--MAR 17
057--DEC 12	132--JAN 12	207--NOV 5	282--MAY 27	357--NOV 13
058--JAN 3	133--APR 12	208--DEC 15	283--NOV 27	358--JAN 18
059--JUL 2	134--APR 18	209--SEP 25	284--MAY 20	359--APR 20
060--FEB 28	135--SEP 15	210--MAR 1	285--JUN 23	360--AUG 15
061--MAY 14	136--JUN 14	211--JAN 28	286--OCT 12	361--MAR 30
062--JUN 26	137--MAR 12	212--DEC 1	287--JUN 2	362--JUN 12
063--FEB 18	138--MAY 26	213--MAR 19	288--APR 2	363--MAY 9
064--SEP 30	139--DEC 24	214--JUL 11	289--DEC 14	364--MAR 16
065--JUL 30	140--DEC 18	215--AUG 16	290--MAY 11	365--JUL 17
066--OCT 25	141--DEC 10	216--NOV 16	291--JUN 15	366--FEB 12
067--JAN 15	142--JUN 17	217--MAR 29	292--AUG 6	
068--DEC 2	143--NOV 10	218--NOV 20	293--JAN 5	
069--JUL 15	144--AUG 14	219--AUG 20	294--OCT 7	
070--NOV 7	145--JUL 28	220--FEB 3	295--JUN 28	
071--DEC 25	146--FEB 2	221--SEP 6	296--JUL 7	
072--DEC 29	147--APR 10	222--JUL 4	297--DEC 7	
073--MAR 27	148--OCT 24	223--JAN 1	298--MAR 11	
074--JUL 22	149--DEC 30	224--JAN 23	299--DEC 28	
075--OCT 31	150--OCT 19	225--AUG 13	300--JUN 21	

Table No. 631 - 16

(MAR 12, 1975)



## [Temporary Instruction No. 642-7]

## EXTENSION OF THE CLEMENCY PROGRAM

Issued: February 28, 1975.

President Ford has extended the Clemency Program through March 31, 1975. Therefore, Temporary Instruction No. 613-7/642-5, issued September 21, 1974, SUBJECT: Late Registration, which was to terminate February 1, 1975, will remain in force through March 31, 1975.

This Temporary Instruction shall terminate on April 1, 1975.

[Rev. February 1, 1975]

## CHAPTER 603—LOCAL BOARD OPERATIONAL PROCEDURES

## Sec.

- 603.1 Uniform National Filing System.
- 603.2 Locator File.
- 603.3 Registrant File Folders.
- 603.4 Standby Reservists File Folders.
- 603.5 Classification Record.
- 603.6 Suspend File.
- 603.7 General Files.
- 603.8 Computer Reports.
- 603.9 The Reference Library.
- 603.10 Forms.
- 603.11 Work File.
- 603.12 Processing of Mail.
- 603.13 Disposition of File Folders.
- 603.14 Service to Registrants Following Disposal of Files.
- 603.15 The Area Office.
- 603.16 Safety and Security.
- 603-1<sup>1</sup> Sample Transmittal to INS.
- 603-2<sup>1</sup> Sample Letter for Return of Information or Material to Registrant Whose File has been Destroyed or Transferred to FRC.

## SECTION 603.1—UNIFORM NATIONAL FILING SYSTEM

1. *Purpose.* The purpose of the Uniform National Filing System is to establish uniformity in the filing of registrant records, local board reports, forms and correspondence in Selective Service Area Offices that will apply throughout the System. Application of a uniform method of filing will enable compensated personnel of the Selective Service System to perform their work efficiently in any Area Office.

2. *Organization.* a. The Uniform National Filing System is divided into ten segments, each of which is discussed in a separate section of this Chapter.

b. In an area office where two or more local boards are collocated, the file drawers of each local board may be identified by a distinctive color, either as a drawer label or as a patch affixed to the face of each drawer as a means of identification.

3. *File Space Utilization.* Files should be tightly packed by use of the sliding file stop when not being serviced. This is a matter of routine maintenance to minimize loss in the event of fire.

## SECTION 603.2—LOCATOR FILE

1. The Registration Card (SSS Form 1 or SSS Form 1-Maller) for every registrant of each local board in an Area Office shall be filed alphabetically in a locator card file.

2. To provide for more efficient use of the locator file, alphabetical index dividers should be placed so that each group of approximately 100 Registration Cards is separated by an index divider. The Locator File Charge-Out Card (SSS Form 711) should be used to identify the place of a Registration Card that has been removed from the Area Office.

3. The Registration Cards for all registrants born on or after August 30, 1922, are main-

tained in the locator file. Locator files shall be separated into: (1) Active (registrants ages 18 (or 17) through 34); and, (2) Inactive (registrants ages 35 and up). The two categories should be clearly marked and arranged to permit the greater ease of servicing for the "Active" category.

4. The transition to Active-Inactive Locator File categories shall be initiated immediately, and pursued as time permits during 1975, but shall be completed by December 31, 1975. The Registration Cards for all registrants who will have attained age 35 by December 31, 1975, shall be removed from the active file and filed in the inactive file. In November and December of each year thereafter, the Registration Cards for registrants who will have attained age 35 by the end of that year shall be removed from the "Active" file and filed in the "Inactive" file.

5. The locator file shall consist only of original SSS Forms 1 or Forms 1-Maller. When the original Registration Card is in the Registrant's file folder, it shall be removed and placed in the locator file. The duplicate card presently in the locator file, shall then be destroyed.

## SECTION 603.3—REGISTRANT FILE FOLDERS

1. The following rules apply to the filing of the Registrant File Folders (SSS Forms 101) maintained by each local board: (a) the files shall be grouped and separated by labelled dividers; (b) when SSN order is prescribed, local boards shall file by year group in fourth element order. In consolidated local boards where the fourth element is the same, the second element will control; (c) when RSN order is prescribed, files of registrants with the same RSN shall be filed in SSN order; (d) Except for files in the "All Classes Pending" category, medical specialists and medical specialty students, regardless of class, will be filed in Medical Specialists and Students section (See paragraph 4 of this section).

2. A "Dummy" folder shall be placed in the file for each file folder sent out of the local board office. This will enable the local board to file correspondence and other information or forms while the file is out of the office. Should any information bearing on classification be received while the file is at State Headquarters or National Headquarters being reviewed or at an appeal board or the National Board, it shall not be filed but shall be immediately forwarded to the State Director with a transmittal letter for review in accordance with Chapter 626.

3. This paragraph outlines the order in which the file folders of regular registrants shall be filed. Only in the *All Classes Pending* category will the file folders of Medical Specialists and Medical Specialty Students be interfiled (by type of action) with the file folders of regular registrants. In all other instances, these categories will be maintained separately.

a. *All Classes Pending.* (1) Awaiting requested information (by SSN).

(2) Ready for local board action.

(a) Personal Appearance scheduled (by RSN).

(b) Personal Appearance requested and not scheduled (by RSN).

(c) Regular Board Action (Personal Appearance not requested).

(d) Late registrants awaiting determination in accordance with Chapter 642.

(e) Special Requests.

(f) Transferred in (filed alphabetically).

(3) Transferred out For Classification (duplicate folders) (by SSN).

(4) Dummy Folders of registrant violators referred for prosecutive determination (by SSN).

(5) Dummy Folders of Appeals pending (by SSN).

b. *Classes 1-A and 1-A-O, in the EPSG and 1PSG equal to or below the APN, examined and acceptable (or FTR for AFE).* (1) Ordered or Rescheduled for Induction (by RSN).

(2) Available for Selection or Rescheduling. (a) Induction Postponed (by expiration date).

(b) Volunteers not yet ordered (by date of receipt of SSS Form 254).

(c) EPSG (by RSN).

(d) 1PSG (by RSN).

(3) Pending expiration of personal appearance—appeal period (by expiration date in RSN order).

c. *Class 1-O in the EPSG and 1PSG equal to or below the APN, examined and acceptable (or FTR for AFE).* (1) Dummy folders of registrants ordered for Alternate Service (by RSN).

(2) Available for Order to Alternate Service.

(a) Alternate Service Postponed (by expiration date).

(b) Volunteers for Alternate Service not yet ordered (by date of receipt of SSS Form 151).

(c) EPSG (by RSN).

(d) 1PSG (by RSN).

(3) Pending expiration of personal appearance—appeal period (arranged by expiration date in RSN order).

d. *Classes 1-A and 1-A-O—Next year's 1PSG, examined and acceptable (by RSN).*

e. *Class 1-O—Next year's 1PSG, examined and acceptable (by RSN).*

f. *Ordered for AFE, Not Yet Reported, all classes by order shown on the SSS Form 225, grouped by delivery date.*

g. *Reported for AFE—Pending disposition.* (1) AU. (by RSN).

(2) Consultation required (by date of consultation).

(3) RBJ (by date of reexamination).

(4) Transfers out (by RSN).

h. *Classes 1-A, 1-A-O, and 1-O under the APN—Not scheduled for AFE.* (1) AFE postponed (by expiration date).

(2) EPSG (by RSN).

(3) 1PSG (by RSN).

(4) Next year's 1PSG (by RSN).

i. *Class 2-S (by SSN).*

j. *Class 2-D (by SSN).*

k. *Class 3-A (by SSN).*

l. *Class 4-B (by SSN).*

m. *Class 4-C (by SSN).*

n. *Class 4-D (by SSN).*

o. *Class 4-G (by SSN).*

p. *Class 1-H.* (1) Current Year's 1PSG above APN (by RSN).

(2) Next Year's 1PSG above APN (by RSN).

(3) Reduced Priority Selection Groups (by SSN within Priority Groups).

(4) Awaiting lottery (18-19 yr. olds) (by SSN).

q. *Class 4-F (by SSN).*

r. *Class 4-W (by SSN).*

s. *Class 4-A (by SSN).*

t. *Class 1-D (by SSN).*

u. *Class 1-W (by SSN).*

v. *Class 1-C (by SSN).*

4. File Folders of Medical Specialists and Students.

a. *Class 1-AM and 1-A-OM, by PSG-M, pending induction (equal to or below the Medical Specialty induction cut-off, examined and acceptable) (or FTR for AFE).*

(1) Ordered or rescheduled for induction (by RSN).

(2) Available for selection or rescheduling.

(a) Induction postponed (by expiration date).

(b) Volunteers (by medical specialty for which there is a special call).

(c) 1PSG-M (members of the medical specialty for which there is an outstanding special call) by specialty (by RSN).

<sup>1</sup> Attachment.

(3) Pending expiration of personal appearance/appeal period (by expiration date, in RSN order).

b. Class 1-OM by PSG-M pending alternate service (equal to or below the Medical Specialty induction cut-off, examined and acceptable) (or FTR for AFE).

(1) Ordered for alternate service (by RSN).

(2) Available for order to alternate service.

(a) Alternate service postponed (by expiration date).

(b) Volunteers for alternate service (by medical specialty for which there is an outstanding call) not yet ordered (by date of receipt of request).

(c) 1PSG-M members of the medical specialty for which there is an outstanding special call (by specialty, by RSN).

(3) Pending expiration of personal appearance/appeal period (by expiration date, in RSN order).

c. All classes, all specialties pending AFE (by RSN within PSG-M, commencing with O PSG-M—see 628.6 and 680.5).

(1) Ordered, not yet reported (by delivery date).

(2) Reported, pending disposition (AU, RBJ, Transfers out) (by RSN).

d. Medical Specialists not currently pending action.

(1) Doctors of Medicine.

(a) Available (classes 1-AM, 1-A-OM, 1-OM) (by RSN within PSG-M).

(b) Deferred (by SSN) (within classification, if breakdown by class is required).

(2) Doctors of Osteopathy (same as with Doctors of Medicine).

(3) Dentists (same as with Doctors of Medicine).

(4) Doctors of Optometry (same as with Doctors of Medicine).

(5) Doctors of Podiatric Medicine (same as with Doctors of Medicine).

(6) Veterinarians (same as with Doctors of Medicine).

(7) Registered Nurses (same as with Doctors of Medicine).

(8) Medical Specialty Students.

(a) Class 2-M.

(1) In final year of school (by completion date, in SSN order).

(11) Others (by SSN).

(b) Medical Specialty Students in classes lower than 2-M (by SSN) (within classification, if breakdown by class is required).

5. Duplicate files of registrants transferred in for classification (after processing completed) (alphabetically).

6. All registrations cancelled (by date of cancellation).

7. All File Folders awaiting Disposition; Accountability Terminated.

a. All Classes (in order of Class, by SSN) to be transferred to FRC.

b. All Classes (in order of Class, by SSN) to be transferred to the State Director.

#### SECTION 603.4—STANDBY RESERVIST FILE FOLDERS

Standby Reservist File Folders, when created under provisions of Chapter 690, shall be filed by military component and Standby Reserve Number in the following order:

a. Category I-R.

b. Category II-R.

c. Category III-R.

d. Category IV-R.

#### SECTION 603.5—CLASSIFICATION RECORD

Each local board shall maintain a Classification Record (SSS Form 102), prepared in accordance with its Procedural Directive. The Classification Record will reflect all local and appeal board actions in the registration, classification, examination, and induction (or assignment to alternate service)

of all registrants over whom the local board has or assumes jurisdiction. Separate pages of the Classification Record shall be used to record actions with respect to registrants transferred in for classification, and standby reservists for whom an availability determination is made. The Classification Record shall be maintained in specially-designed binders which are to be kept in a secured storage area when not in use.

#### SECTION 603.6—SUSPENSE FILE

1. A suspense (or "tickler card") file shall be utilized to assist in the orderly processing of registrants. At the discretion of the State Director, such a suspense file may be maintained separately for each local board in an Area Office, consolidated for one or more local board groups within the Area Office, or consolidated into one "master" suspense file for all local boards located in an Area Office.

2. The suspense file will consist of a file box containing a quantity of 4" x 6" cards and at least twelve tabbed dividers. Dividers shall be labelled for each of the months of the year and rotated, in order, so that the current month is always at the front of the file. If usage is heavy, additional tabbed dividers (representing division of each month into days or weeks) and/or file boxes may be used.

3. A suspense card is intended to serve as a reminder of action to be taken. Therefore, a suspense card should be prepared at the same time that action is taken which establishes a future date on which subsequent action will be taken. For example, when a registrant is classified in Class 2-D, and the local board is aware of the planned completion of his program of study the following May, a suspense card should be prepared showing a suspense date of May 1. His name, SSN, RSN, Class and a brief notation such as "mail SSS Form 127; deferment due to expire," will serve as a guide to the action required. A suspense card may be prepared for an individual registrant, or for a group of registrants on each of whom identical action is to be taken. To be most effective, the suspense file should be referred to daily.

4. Common uses of the suspense file would include the following:

a. Expiration dates of deferred classes.

b. "RBJ" cases.

c. Acceptability Undetermined (AU).

d. Postponements.

e. Personal appearances.

f. Termination dates of PSG-M.

g. "Papers Only" reviews.

h. Transfers out.

i. Periodic reports (such as Mail-In Survey).

j. Local Board Meeting notification.

k. Delayed Entry Program.

l. ROTC, Senior Division.

m. Overseas AFEs.

#### SECTION 603.7—GENERAL FILES

1. General files in area offices will be maintained in folders, which will be properly labeled. The contents of each folder will be arranged in chronological order, most recent in front, unless otherwise indicated. The general files for all local boards in an area office may be consolidated, or partially consolidated, when the State Director determines that such consolidation will improve efficiency. However, the general files will always conform to the following subdivisions which shall be separated by dividers:

a. Correspondence, General: Correspondence not included in the categories listed below (alphabetically, by subject).

b. Emergency Administration: Emergency Plans—confidential materials (alphabetically, by subject).

c. Administration. (1) Office Management (chronologically, most recent in front).

(a) Time and Attendance Records (SSS Forms 476), Leave Slips (SF 71) and related records including T & A OCR Reject Listing.

(b) Requisitions (SSS Forms 501).

(c) Expendable Property; Purchase Orders (SSS Forms 502), Receiving Reports (SSS Forms 503), Shipping Lists (SSS Forms 504), and other related lists.

(d) Non-Expendable Property; Purchase Orders (SSS Forms 503), Shipping Lists (SSS Forms 504), Consolidated Property Lists (SSS Forms 516), Property Shipping and Receipt Documents and Government Bills of Lading, and other related lists.

(e) Telephone and Telegraph Records.

(f) Services, including P.O. Box Rental; Purchase Orders (SSS Forms 502).

(g) Copying Fee Receipts (Copies annotated by State Headquarters).

(2) Travel and Transportation (chronologically) (most recent in front).

(a) Official travel; Compensated and Uncompensated Personnel.

(b) Correspondence re: TR and M/L Requests.

(c) Triplicate copies of TR (SF 1169c).

(d) Intra City Transportation; "Ticket Token Log" (where applicable).

(e) GSA Vehicles (where applicable).

d. Induction (except Medical Specialists).

(1) Notice of Call on Local Board (SSS Forms 201) (chronologically, most recent in front).

(2) Delivery List (SSS Forms 261), correspondence attached, (chronologically).

(3) Copies of Report of Information (SSS Forms 119) prepared in accordance with Section 632.2, (alphabetically).

e. Non-Registrants; Correspondence (alphabetically).

f. Personnel (as specified in the Area Office Personnel Handbook, MPPM).

g. Armed Forces Examinations (except medical specialists).

(1) Physical Examination Call on Local Board (SSS Forms 202) (chronologically, most recent in front).

(2) Physical Examination List (SSS Forms 225) (chronologically, most recent in front).

(3) Transfer for Armed Forces Examination (SSS Forms 230), (alphabetically).

(4) Correspondence regarding AFE, (alphabetically).

h. Press Releases; Clippings (chronologically, most recent in front).

1. Registration.

(1) Transmittals of Registration Card (SSS Forms 1 or 1—Mailer), (alphabetically).

(2) Tally Sheet (SSS Forms 4) (chronologically, most recent in front).

(3) Correspondence regarding registration (including mail-in sites) (alphabetically).

(4) Status Card (SSS Form 7), Copy 1, during 10 day period after Mail-in Registration (alphabetically).

j. Reports (other than Computer Print-Outs) (chronologically, most recent in front).

(1) Minutes of Local Board Meeting (SSS Forms 112 and 112-A).

(2) Report of Manpower Inventory (SSS Forms 116).

(3) Report of Availability by Selection Groups—Class 1-A and 1-A-O (SSS Forms 117).

(4) Report of Availability by Selection Groups—Class 1-O.

(5) Inductions and Medical Determinations (SSS Form 205).

(6) Report of files destroyed or transferred (SF Forms 135).

(7) Miscellaneous Reports (separate folder for each type of report).

k. Medical Specialists, General (chronologically).

(1) Report of Medical Specialists (RIB Reports No. 182 and 183).

## (2) Physical Examination List (SSS Forms 225).

- (a) Doctors of Medicine.
  - (b) Doctors of Osteopathy.
  - (c) Dentists.
  - (d) Doctors of Optometry.
  - (e) Doctors of Podiatric Medicine.
  - (f) Veterinarians.
  - (g) Registered Nurses.
- (3) Notice of (Special) Call on Local Board (SSS Forms 201 or form letters), (by special call number).

(4) Delivery List (SSS Forms 261) (by medical specialty), (by call number).

(5) Related Correspondence (alphabetically).

## SECTION 603.8—COMPUTER REPORTS

1. Registrant Information Bank (RIB) Reports are filed in RIB Report binders as set forth in Chapter 670, RPM, and RIB Guide—Administration, RIB Guide. The physical location of RIB Report files (except for the public posting copy of RIB Report No. 160) shall be at the discretion of the Area Office supervisor, mindful of the need for ease of reference as well as the limitations of space and equipment. RIB reports will be filed in designated RIB report binders.

(2) Address Information Director System (AIDS) Reports are filed in clearly labelled folders with the most current on top.

3. Property Accounting and Management System (PAMS) Reports are filed in clearly labelled folders with the most current on top.

## SECTION 603.9—THE REFERENCE LIBRARY

Each area office shall maintain at least one Selective Service reference material library, containing the following: (a) Registrants Processing Manual; (b) Local Board Fiscal Manual; (c) RIB Guide; (d) Area Office Personnel Handbook; (e) Miscellaneous; and (f) one each of Registrants Handbook, Advisors to Registrants Handbook, Local and Appeal Board Members Handbook, and current information pamphlets and brochures.

## SECTION 603.10—FORMS

1. Each Area Office shall maintain a stock of forms, arranged in numerical sequence, and stored in file drawers, on shelves, in storage cabinets, or as bulk storage in full cartons, as appropriate and as facilities and equipment permit. Periodic review of the forms stock shall be made by the office supervisor to insure that prescribed stock levels are maintained, that all forms on hand are in usable condition and that a current forms inventory is maintained. Forms will be stored in the following order:

a. SSS Forms (except SSS Form 533—see paragraph 3 below).

b. SF Forms (except SF 1169—see paragraph 3 below).

c. DD Forms.

d. AC Forms.

e. State Forms.

f. Other.

2. When a new supply of any form is received, the inventory will be updated, and that form will be:

a. Checked carefully against the Current Forms Check Lists and Index to insure that current forms only are maintained; and

b. Rotated to the front or top of the storage area, to insure use of the oldest forms first (if continued use of the older version of the form is authorized).

3. Any area office stock of Transportation Requests (SF 1169) and Meal and Lodging Requests (SSS Form 533) shall be stored in a locked filing cabinet or desk when not in use.

## SECTION 603.11—WORK FILE

Work not completed at the end of the day will be placed in a clearly labeled drawer of a file cabinet. The drawer (or drawers, if more than one is required) shall be divided into four sections: (1) Local Board Meeting Followup; (2) Mail to be processed; (3) Copy 3 of SSS Forms pending verification of RIB reports; and (4) "Other".

## SECTION 603.12—PROCESSING OF MAIL

1. *Date Stamp on Correspondence Received.* All correspondence and completed forms received at the local board or area office will normally be date stamped on the front only. The date stamp will reflect the local board number, and the date. This practice will make it unnecessary to duplicate the reverse side of a sheet merely to reflect the date of receipt in any case where reproduction is required. Care should be taken to avoid obliterating any information on the correspondence or form, but if date stamping on the front would result in obliterating information, the date stamp should be placed on the reverse side. Care should also be taken to insure that use of the date stamp results in a clear, legible impression. Worn stamps should be replaced immediately.

2. *Use of Date Stamp in Multiple Local Board Area Offices.* Where it is more convenient to do so, an area office date stamp with multiple local board numbers shown may be used. In such cases, the particular local board involved should be identified by circling of the applicable number.

3. *Undelivered Mail.* When correspondence or forms mailed to a registrant by a local board are returned by the Post Office as undeliverable, the local board shall date stamp the envelope, staple contents to the envelope, and place it in the registrant's file folder. Further efforts shall be made to contact the registrant at addresses requested from persons listed on the Registration Card (SSS Form 1) as always knowing the registrant's address, and at other addresses that may be found in the file folder or telephone directory. All actions taken by the local board in relation to undelivered mail shall be entered on page 2 of the SSS Form 101.

4. *Timely Filing of Notices or Information.* When a notice or information is filed with or submitted to the local board by mail, the date of mailing as shown by the Postal Service postmark on the envelope shall be used in determining whether the filing or submission is timely. If the envelope does not reflect a dated postmark or if the postmark is one imprinted by a postal meter or is obliterated or unreadable, the date of receipt of the communication by the local board shall be considered the date of mailing.

5. *Discarding of Irrelevant Material Received from Registrants.*

Local boards shall destroy all matter received from a registrant which plainly has no bearing on the identification or Selective Service status of any registrant.

The determination as to what material should be destroyed may be made by the local board, or by its Executive Secretary where the latter is authorized by the board to act.

All material received from the registrant which is clearly frivolous, intended only to harass, or simply duplicative of existing information, should be destroyed.

A brief descriptive notation will be made on page 2 of the Registrant File Folder when material is discarded.

## SECTION 603.13—DISPOSITION OF FILE FOLDERS (AUTHORITY: CHAPTER 715 (L) ADMINISTRATIVE SERVICES MANUAL)

1. *Destruction at the Area Office.* a. Six months after a registration is cancelled, the local board shall destroy the registrant's file folder.

b. The local board shall destroy the file of a registrant whose accountability is terminated at age 26 or later.

c. Destruction of file folders will be accomplished by shredding, tearing, or burning.

d. When a file is certified for destruction, an entry "Destroyed" shall be made in the first available space to the right of the last classification entry pertaining to the registrant on the SSS Form 102.

e. Destruction of Standby Reservist File Folders will be governed by instructions issued, when applicable, by the Director of Selective Service.

2. *Transfer of Custody to Federal Records Centers.* a. The custody of the files of all registrants for whom accountability has been terminated, but whose files are not eligible for destruction under the provisions of the preceding paragraph, nor eligible for transmittal to the State Director under the provisions of paragraph 3 of this section, will be transferred to the appropriate Federal Records Center in January of each year.

b. Registrant's files which were not transferred within their year group, but become eligible for transfer later in the year, will be accumulated and transferred to the FRC the following January. They will be packaged, in SSN order, with one or more year groups in a box. The FRC destruction date will be established by the latest year group represented in the box.

c. An entry shall be made for each file designated for transfer to the custody of the FRC in the first available space to the right of the last classification entry pertaining to the registrant on the SSS Form 102, as follows: "FF FWD to FRC" (File Folder Forwarded to the Federal Records Center).

d. The Selective Service System retains jurisdiction over and access to files transferred to the FRC.

e. File transfer procedures, as prescribed by the Director and/or the State Director, will be followed with regard to packaging, labeling and shipping.

f. SF 135 (Records Transmittal and Receipt) shall be prepared by the local board in accordance with current instructions, as a composite record of file transfer action, and as a reference for possible file retrieval from the FRC, or for possible submission of material to the FRC for inclusion in files. The State Director shall file a copy of the SF 135 from each local board with the SSS Forms 3 and LOCs at the State Headquarters and shall also make and retain a copy of the receipted SF 135, returned by the FRC, before sending the receipted copy to the local board of origin.

g. The FRC will destroy these files after the registrants reach age 26.

h. Any retrieval of files from the FRC must be requested through the State Director. The information upon which any retrieval action is based must be in writing, and, if received from the registrant, will not be returned to him, but will be placed in the file upon its retrieval from the FRC.

i. When a file folder is retrieved by the local board because of restoration of accountability, the following entry will be made on the SSS Form 102 by pen immediately to the right of the entry recording the transfer: "File retrieved from FRC \_\_\_\_\_" (date)



When a file folder is temporarily retrieved by the local board, the above entry shall be made by pencil. The entry will be erased when the file is returned to the FRC. In either event, a copy of the local board's letter of request, as well as the transmittal letter(s) from (and to) the FRC shall be placed in the file folder.

3. *Transfer of Custody to State Headquarters.* a. Upon termination of accountability for an alien registrant (including a former American citizen who has expatriated himself) who was last classified in an available class (1-A, 1-AM, 1-A-O, 1-A-OM, 1-C, or 1-OM), in Class 4-C, or in Class 5-A (if the 5-A was immediately preceded by Class 4-C), his file shall be sent to State Headquarters.

(1) A file will not be retained by the State Director under this provision when the registrant was not vulnerable for induction because an induction call was never placed for registrants in his First Priority Selection Group (1PSG). For example, no file will be retained under this provision for regular registrants born in 1954, because their 1PSG was not vulnerable for induction. These files will be subject to normal disposal procedures.

(2) All other files shall be retained permanently, at the FRC or the State Headquarters at the State Director's discretion.

b. When the accountability of a registrant whose case possesses unique historical, legal, or administrative value, as determined by the State Director, is terminated, the local board will send the file to State Headquarters. The State Director may store such files at the State Headquarters or at the FRC, at his discretion. If stored at the FRC, they are to be kept separate from disposable records. If the State Director later determines that any of these files no longer possess unique historical, legal or administrative value, they will be subject to normal disposal procedures.

c. When custody of a file is transferred to State Headquarters under the provisions of this section, an entry shall be made in the first available space to the right of the last classification entry pertaining to the registrant on the SSS Form 102 as follows: "File Per. Trfd. to St. Hq." (File permanently transferred to State Headquarters).

4. *Special Handling of Documents.* a. If, in the normal handling of a file folder immediately prior to its disposal, an original document is found which would be of value to the registrant, such as an original marriage certificate, it will be returned to him (or to his next of kin in the case of a deceased registrant).

b. Whenever the accountability of an alien registrant is to be terminated, any completed request for Relief from Training and Service in the Armed Forces of the United States (SSS Form 130), or its equivalent certificate, shall be withdrawn from the file folder and forwarded to the Immigration and Naturalization Service, using a transmittal letter similar to Attachment 603-1. The notation "Req. for Relief fr. T&S Fwd. to I&NS" (Request for Relief from Training and Service forwarded to Immigration and Naturalization Service) shall be made in the remarks column of SSS Form 102 whenever such a certificate is forwarded to Immigration and Naturalization Service upon termination of accountability for a registrant, whether the file is to be destroyed or transferred to the FRC. If the file folder is to be transferred to the FRC, the same notation will be made on page 2.

c. Any Certificate of Release from Alternate Service (SSS Form 154) shall be removed from the file folder of every registrant who has ever been in Class 1-W before disposition is made of his file. The form will be sent to State Headquarters for filing and the notation made in the Remarks column of the SSS Form 102: "SSS Form 154 Fwd.

to St. Hq." If the file is to be transferred to the FRC, the removal of the SSS Form 154 will also be noted on page 2 of the file folder.

5. *Re-establishment of File Folders.* a. If a file folder has been destroyed and the registrant later becomes eligible for Restoration of Accountability, as set forth in Chapter 619, a file folder shall be re-established for that registrant. An entry shall be made on the SSS Form 102 immediately to the right of the entry recording transfer (or destruction, as applicable) as follows:

"File re-established....."

SECTION 603.14—SERVICE TO REGISTRANTS FOLLOWING DISPOSAL OF FILES

1. Whenever a registrant (or another person on behalf of a registrant) submits new information intended for inclusion in his file folder after the file folder has been transferred to an FRC, or destroyed, and new information is not sufficient to justify retrieval or reestablishment of the file, the local board shall acknowledge receipt of the information and return it to the sender by use of a letter similar to Attachment 603-2. If the new information is a form such as a DD Form 4, 53, 62, or 214, it shall be destroyed after an entry noting its receipt has been made in the appropriate column of the SSS Form 102. If the correspondence is non-returnable, it shall be destroyed.

2. Whenever a registrant submits an inquiry concerning his individual case after the file folder has been transferred or destroyed, the local board shall respond, basing its response on the information available in the local board.

3. Whenever a registrant (or an authorized representative of the registrant) submits a request for temporary access to his file after the file has been transferred to an FRC, the local board shall advise him of the fact that his file is no longer maintained at the local board. The local board shall point out to the registrant that the SSS Form 102, as well as other records maintained at the local board, may contain the information required. Furthermore, other records such as the DD Forms 44 or 214 are available through other sources. The registrant (or his authorized representative) is not to be actively discouraged from requesting access to the SSS Form 101, but the probability of delay in obtaining retrieval of the file from the FRC should be brought to his attention. If retrieval is absolutely necessary, the local board shall forward the registrant's written request to the State Director for further action.

4. It should be only in unusual cases, where the information is not otherwise available, that the file should be retrieved under this section.

SECTION 603.15—THE AREA OFFICE

1. *Organization.* The area office is the administrative site for one or more local boards. The location of two or more local boards at one site is referred to as collocation. One or more of the boards located at an area office may be the result of a consolidation of two or more local boards. Refer to Chapter 604 for procedures to be followed in consolidating or collocating local boards.

2. *Service to the Public.* The area office is usually the principal point of contact between the public and the System. It is important, therefore, that an efficient and businesslike, courteous image be projected by the compensated employees. The following areas will be continually monitored by supervisors toward the end of presenting the best possible image to the public.

- A. General office appearance.
- B. Telephone and personal courtesy.
- C. Punctuality in keeping office hours.
- D. Promptness in processing mail.
- E. Professionalism in manner.
- F. Personal grooming and neatness of personnel.

3. *Professionalism.* Much of registrant processing involves the routine performance of relatively simple tasks, yet certain cases can—and often do—represent complex matters requiring a high level of professional competency on the part of all personnel, and compensated employees in particular. Study and training, constantly and judiciously applied, provide the means by which the level of professionalism in all areas of registrant processing can be raised. In the process, the respect and esteem of the public for the System and its employees will also be elevated.

4. *Area Office Housekeeping.* The efficiency of an area office will often depend to a large degree upon the skill with which the store-keeping, arranging, traffic-pattern planning, and general tidying-up is performed. Easy availability of needed supplies, planned ease in accommodating registrants and others, neatness and order in general appearance, all contribute to both employee morale and favorable reaction by the public. It is toward the end of making maximal use of the area office space and facilities in serving these goals that the supervisor should address himself.

SECTION 603.16—SAFETY AND SECURITY

1. Each State Director will arrange for periodic safety inspections and security checks of offices under his jurisdiction. Furthermore, to minimize the likelihood of vandalism, all personnel must be alert to the need for a continuing program of office security. Worn or broken locks on doors and windows must be promptly repaired or replaced; file cabinets equipped with locks should be locked when not in use. Flammable materials must be kept in a secured storage place and labels showing emergency numbers should be affixed to telephones.

2. Plans should be developed for each office to prepare personnel for, and enable them to cope with, emergencies such as fire, fire bombing, invasion and occupation by vandals, and the like. A list of offices to be notified immediately upon the occurrence or discovery of vandalism should be kept near the telephone. Such a list should include the State Headquarters, Fire Department, Police Department, Federal Bureau of Investigation, Area Supervisor (if located away from the State Headquarters), adjacent offices, building owner, manager, or leasing office as appropriate, and any other offices and individuals as determined by the State Director. The appropriate report (Report of Sabotage, Robbery, Vandalism, et al.—See Attachment 603-3) shall be submitted by the State Director to the National Safety Director within 48 hours after any incident of sabotage, robbery, vandalism, bomb threat or other incident, except natural fire, occurs at any Selective Service System installation under his jurisdiction.

SAMPLE TRANSMITTAL LETTER TO INS (SEE SECTION 603.13)

(Local Board Stamp)

IMMIGRATION AND NATURALIZATION SERVICE,  
425 I Street NW,  
Washington, D.C. 20536

GENTLEMEN: Enclosed for your information and retention is a request for relief from training and service in the Armed Forces of the United States, signed by the alien registrant listed below:

Name ..... SSN: .....  
Address ..... RSN: .....

Alien Registration Number .....

This document is furnished to you to assist you in determining the applicability of Section 212(a) of the Immigration and Nationality Act in this case.

Sincerely,

Authorized Signature

Enclosure.

SAMPLE LETTER FOR RETURN OF INFORMATION OR MATERIAL TO REGISTRANT WHOSE FILE HAS BEEN DESTROYED OR TRANSFERRED TO FRC (SEE SECTION 603.14)

this reason, the Selective Service System is not maintaining your records in an active status. The material submitted for inclusion in your Selective Service file is therefore acknowledged and returned to you.

If your file is later reactivated, due to an emergency, you will be notified. At that time you will be expected to keep your local board advised of your status and your current mailing address.

(Local Board Stamp)  
 To: \_\_\_\_\_  
 Date of Mailing: \_\_\_\_\_  
 SSN: \_\_\_\_\_  
 RSN: \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 Dear \_\_\_\_\_: After January of the year in which a registrant reaches age 23, his file is sent to a Federal Records Center. For

Sincerely,  
 \_\_\_\_\_  
 Authorized Signature

Enclosure

REPORT OF SABOTAGE, ROBBERY, VANDALISM, ET AL. (SEE SECTION 603.16)  
 SELECTIVE SERVICE SYSTEM

State: \_\_\_\_\_ Report Date: \_\_\_\_\_  
 Unit: \_\_\_\_\_  
 Location: \_\_\_\_\_

PART I—PROPERTY

(a) Property Protection: \_\_\_\_\_ (b) Type of Property: \_\_\_\_\_  
 None \_\_\_\_\_ Federally Owned \_\_\_\_\_  
 Alarm Device \_\_\_\_\_ Leased \_\_\_\_\_  
 Guards \_\_\_\_\_ Other \_\_\_\_\_  
 Patrol \_\_\_\_\_  
 Other \_\_\_\_\_

PART II—THE HAPPENING

(c) Type:<sup>1</sup> Sabotage \_\_\_\_\_ Robbery \_\_\_\_\_ Vandalism \_\_\_\_\_ Bomb Threat \_\_\_\_\_ Arson \_\_\_\_\_  
 Other (Describe) \_\_\_\_\_  
 \_\_\_\_\_  
 (d) Date of Occurrence: \_\_\_\_\_ Time: \_\_\_\_\_ a.m./p.m.  
 (e) Method of Entry to Premises: \_\_\_\_\_  
 (f) Description of Happening: \_\_\_\_\_  
 \_\_\_\_\_  
 (g) Bomb Threat: Telephone \_\_\_\_\_ Mail \_\_\_\_\_ Non-Selective Service \_\_\_\_\_  
 (h) Unit Out of Operation: Yes \_\_\_\_\_ No \_\_\_\_\_ Period of Time Lost \_\_\_\_\_  
 (i) Personal Injury: Yes \_\_\_\_\_ No \_\_\_\_\_ Number \_\_\_\_\_

<sup>1</sup> See definitions on page 2.

PART III—DAMAGE ASSESSMENT

	Selective Service	Other
(k) Property:		
Real Property Losses _____	_____	_____
Equipment Losses _____	_____	_____
Furniture Losses _____	_____	_____
Records Losses _____	_____	_____
Totals _____	_____	_____
(l) Personnel:		
Personnel Costs (Reconstruction Time): _____		
Personnel Costs (Lost Time): _____		
Total \$ _____		
(m) Total Damage Assessment (dollars): _____		

PART IV—

(n) Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Instructions

1. This report shall be submitted to the Safety Director at National Headquarters covering every incident (except natural fires) at each location, within 48 hours of the happening.
2. Demonstrations which do not result in incidents classified above, will not be reported on this form.
3. Definition of Types: (a) Sabotage—intentional destruction of real property, furniture, equipment and/or records. (b) Robbery—the felonious taking of Selective Service property, records or equipment. (c) Vandalism—malicious or ignorant destruction of real property. (d) Bomb Threat—Self-explanatory. (e) Other—all other incidents not covered by (a) through (d).
4. The remarks section will be used to extend the reporting of any unit, when necessary.

[Rev. February 1, 1975]

CHAPTER 604—ORGANIZATION FOR REGISTRANT PROCESSING

Index

Sec.	Title
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604.7	Organization and Meeting of Local Boards and Appeal Boards.
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604.9	Signing Official Papers for Local or Appeal Boards.
604.10	Advisors to Registrants.
604.11	Transmission of Orders and Other Official Papers to Registrants.
604.12	Interpreters at Local or Appeal Boards.
604.13	Organization and Function of National Selective Service Appeal Board.

SECTION 604.1—COMPOSITION OF LOCAL AND APPEAL BOARDS

1. Each local board, and panel thereof, and each state appeal board, and panel thereof, shall consist of three or more members. The qualifications for membership and appointment procedures for local and appeal board members are set forth in Chapter 530, *Uncompensated Personnel, Manpower Policies and Procedures Manual*.

2. The State Director will notify the chairman of each local board and appeal board within his state, in writing, of the prescribed number of members of the local board and panels thereof or appeal board and panels thereof.

a. A computer report entitled *Local Board Membership Roster*, showing name, Social Security Number, address, month and year of birth, month and year of appointment, county of residence, and telephone number for each member, will be furnished regularly to the State Director in sufficient quantity for distribution of one such report each, pertaining to that local board only, to the local board chairman and executive secretary of each local board within his state.

b. A computer report entitled *Appeal Board Membership Roster*, showing similar information with respect to the members of the appeal board within each state, will likewise be furnished regularly to the State Director for distribution of one such report each to the chairman and the clerk of each appeal board or panel thereof within his state.

4. Another computer report, entitled *Uncompensated Personnel Address Directory*, representing a consolidation of both of the above reports, will be furnished on a regular basis to the State Director only. This report will serve as the State Headquarters uncompensated personnel record and directory and will enable it to accurately respond to inquiries as to the number of boards and members of each, in that state. Manual changes to the information may be made to the above referenced directories to maintain currency of information.

SECTION 604.2—LOCAL BOARD AND APPEAL BOARD AREAS

1. Local Board Areas: The State Director of Selective Service for each state shall divide his state into local board areas. There shall be at least one local board for each county or corresponding political subdivision, except where the Director of Selective Service and the Governor of the state ap-

proves the establishment of an intercounty local board.

2. An intercounty local board shall have jurisdiction over no more than five counties and shall have at least one member from each county or corresponding political subdivision within its area of jurisdiction.

3. Appeal Board Areas: Each State Director of Selective Service shall establish one appeal board for each Federal Judicial District within his state. The State Director for the State of New York shall establish for each Federal Judicial District or portion thereof in that state located outside of the City of New York an appeal board area which shall comprise the entire district or portion thereof which is outside the City of New York. The State Director for New York City shall establish for each Federal Judicial District located partly within the City of New York an appeal board area which shall comprise the entire portion of such district located within the City of New York.

#### SECTION 604.3—DESIGNATION OF LOCAL BOARDS

1. The State Director of Selective Service shall identify by number each local board within his state.

2. A computer report entitled *Local Board Directory* showing local boards by area office, area served by each local board, mailing address and telephone number, for every local board in the state, will be updated periodically and one copy furnished to the State Director and to each local board site (area office). Any change of address or telephone number, or consolidation of a local board shall be reported to the Computer Service Center, Selective Service System, 2650 Huntington Avenue, Alexandria, Virginia 22303, utilizing the Change of Address or Status (SSS Form 901) 30 days in advance, if possible, or as soon as the change is known, if less than 30 days. Manual changes to the information contained in the *Local Board Directory* may be made to maintain currency of information.

#### SECTION 604.4—JURISDICTION OF LOCAL BOARDS AND APPEAL BOARDS

1. Local Boards: The jurisdiction of each local board shall extend to all persons registered with, or subject to registration with, that local board. It shall have full authority to do and perform all acts within its jurisdiction authorized by the Selective Service law.

2. When more than one local board is established with the same geographical jurisdiction, registrants residing in that area will be assigned among the local boards in the manner as prescribed by the State Director of Selective Service.

3. Appeal Boards: Each appeal board shall have jurisdiction to determine the classification of any registrant whose case is appealed to it from any local board in its area or any local board not in its area when such appeal is transferred to it or is appealed to it because the principal place of employment or residence of the registrant is located in its area.

4. The State Director of Selective Service shall identify the appeal board(s) within his state as follows: When there is one appeal board in a state the board shall be called "Appeal Board for the State of -----" and, if the appeal board consists of panels, each panel shall be given the designation "Appeal Board for the State of -----, Panel No. -----", in numerical order.

#### SECTION 604.5—COLLOCATION OF LOCAL BOARDS

Collocation is the sharing of the same area administrative site by two or more local boards.

Collocation of local boards into one area administrative site does not alter the indi-

vidual identity or integrity of the local boards affected, or change the processing of the registrants of those local boards in accordance with this manual.

#### SECTION 604.6—CONSOLIDATION OF LOCAL BOARDS

Consolidation is the merging of two or more local boards into one local board, upon approval of the Director of Selective Service.

1. Unlike collocation, the consolidation of local boards alters the identity of the boards affected. This section sets forth the procedures to be followed when two or more local boards are consolidated.

2. Each local board losing its designated number due to consolidation will accomplish the following actions prior to the effective date of consolidation:

a. Accomplish all pending classification actions.

b. Make a complete audit of file folders/cover sheets by classification, and compare with SSS Forms 102 and 116.

c. Complete corrective action on all audit and inspection discrepancies.

d. Screen and dispose of all records and file folders/cover sheets which are authorized for destruction and disposal.

e. On the final Minutes of Local Board Meeting (SSS Form 112), enter a remark that this is the last meeting of the local board and that all records and file folders/cover sheets are being transferred to Local Board -----

f. After the last entry on Classification Record (SSS Form 102) enter "Local Board deactivated and registrants assigned to Local Board ----- effective -----"

g. Stamp on the front of each file folder/cover sheet (SSS Form 101), and each Registration Card (SSS Form 1), the remark "Local Board deactivated and registrants assigned to Local Board ----- effective -----"

The originally assigned SSN of a registrant involved in a consolidation is not altered but is retained, regardless of his assignment to a different local board after consolidation.

3. Upon consolidation, the consolidated board becomes the local board of record, maintaining jurisdiction over all registrants of the boards which were consolidated, and all notices, orders, questionnaires and other Selective Service correspondence sent to a registrant will be issued in the name of that consolidated board except in cases of transfer for classification or examination.

4. The consolidated local board will accomplish the following action by, or as soon as possible after, the effective date of consolidation:

a. Receive from the deactivated local board(s) and file:

(1) The SSS Forms 1, which will be interfiled alphabetically with other Forms 1 filed at the local board.

(2) The suspense file(s), which will be interfiled by suspense date.

(3) All Computer Service Center reports, which will be interfiled by title and subdivided by previous board for which the report was prepared.

(4) The Registrant File Folders (SSS Forms 101), which will be interfiled according to the order set forth in Section 603.3. When filing by SSN, the SSS Forms 101 will be interfiled by year group, according to the fourth element of the SSN. When duplication of the third and fourth element exists, subdivide by the second element, lowest first.

(5) The general files, which will be interfiled by appropriate heading and subdivided by original board jurisdiction.

(6) The form stocks, supplies, and reference materials, which will be consolidated, and the inventories consolidated.

b. Submit to State Headquarters a special Report of Manpower Inventory (SSS Form 116) to reflect the total number of registrants after the consolidation.

c. Make a statement after the last existing entry on the SSS Form 102 of the surviving local board to show the effective date of the consolidation and the local boards consolidated. The surviving local board will then continue to use its SSS Form 102 and will enter all new registrants of the consolidated area after the effective date of the consolidation, using its next consecutive SSN. The SSS Form(s) 102 of the deactivated local boards will continue to be used for those registrants transferred to the consolidated board.

d. Enter remarks on the SSS Form 112 of the first meeting of the consolidated local board to show that Local Board(s) Number ----- has been deactivated and that its registrants have been assigned to the consolidated local board effective ----- When entering classification actions on the SSS Forms 112 or 112-A, use the full SSN for registrants who have been transferred from a deactivated local board. Following consolidation, the listing of registrants on the SSS Form 112-A shall be done in the same order prescribed in paragraph 4a(4) of this section.

5. After the effective date of consolidation, the deactivated local board shall accomplish no further classification actions; shall not issue forms, orders, notices, or correspondence, nor take any other actions pertaining to registrant processing.

#### SECTION 604.7—ORGANIZATION AND MEETING OF LOCAL BOARDS AND APPEAL BOARDS

1. Each local or appeal board shall keep minutes of its meetings. The minutes shall be signed by a member who was present at the meeting.

2. At least every two years, each local board and appeal board and each panel thereof, shall elect a chairman and a secretary from its membership. Further, at any time that members added since the last election become a majority of the board or panel, an election shall be held. The names of the chairman and secretary shall be included in a report of the election on the SSS Form 112 for the meeting at which they were elected.

3. A majority of the prescribed membership of the local or appeal board, or panel thereof, when present at any meeting, shall constitute a quorum for the transaction of business. A majority of the members present at any meeting at which a quorum is present shall decide any question or classification. If, through death, resignation, or other cause, the membership of a local board; appeal board, or panel of either, falls below the prescribed number of members, the board or panel shall continue to function, provided that a quorum of the prescribed membership is present at each official meeting.

4. At each board meeting, a compensated employee should present the operational issues received since the last meeting for review and discussion. The identity of the operational issues reviewed by the board membership shall be entered in the minutes.

5. The executive secretary or other compensated employee should be present throughout the meeting to assist the board in the conduct of the meeting.

6. Every member present, unless disqualified, shall vote on every question or classification. In case of a tie vote on any question or classification, the board or panel shall postpone action on the question or classification until the next meeting of the local or appeal board or panel. If the matter is not decided by a majority vote at the next meeting, the chairman shall request the State



Director to transfer the case to another board or panel.

7. If any member is absent so long as to hamper the work of the local or appeal board or panel, the chairman, a member, or employee of the local board, or clerk or acting clerk of the appeal board shall recommend his removal to the State Director of Selective Service who shall investigate, and, if appropriate, take such action as is necessary to remove such member and secure a new member.

8. Wherever the workload on the local or appeal board members continues to be excessive, the State Director may, upon approval from the Director of Selective Service, either create additional boards or divide the existing board into two or more panels.

9. When panels of boards are established, each panel shall be established with not less than three members and shall have full authority to act on all cases assigned to it. Cases shall be assigned to each panel in a manner determined by the State Director. Separate minutes shall be prepared for each meeting of a panel of a local or appeal board. All other records, reports, and forms dealing with, or pertaining to, registrants shall be identified only by local board number or appeal board designation. Each local board panel shall have an alphabetical designation and be so identified in the minutes of the local board and each appeal board panel shall have a numerical designation and be so identified in the minutes of the appeal board.

10. A local board or panel, and an appeal board or panel, should meet often enough to insure timely current processing of all registrants but generally there should not be more than a three-month interval between meetings of a local board or panel thereof.

#### SECTION 604.8—DISQUALIFICATION OF LOCAL OR APPEAL BOARD AND MEMBERS

1. A local or appeal board, or a panel thereof, shall not act on the case of a registrant who is a member or employee of the same board.

2. No member of a local or appeal board shall act on the case of a registrant who is the member's first cousin or closer relation, either by blood, marriage, or adoption, or who is the member's employer, employee, or fellow employee, or stands in the relation of superior or subordinate of the member in connection with any employment, or is a partner or close business associate of the member. The board shall vote on the registrant's case if a quorum remains eligible to vote.

3. A member of a local or appeal board may disqualify himself in any matter in which he would be restricted, for any reason, in making an impartial decision. The board shall vote on the registrant's case if a quorum remains eligible to vote.

4. Whenever a local or appeal board or a panel thereof, cannot act upon the case of a registrant either because of the absence of a quorum or for any other reason, and there is no other panel of the same board to which the case may be assigned, the board chairman shall request the State Director to designate another board to which the case shall be transferred for classification.

#### SECTION 604.9—SIGNING OFFICIAL PAPERS FOR LOCAL OR APPEAL BOARDS

Official papers issued by a local or appeal board, or a panel thereof, may be signed by any member of the board, or by a compensated employee of the Selective Service System whose official duties require him to perform administrative duties at that board, except when otherwise prescribed in this manual.

#### SECTION 604.10—ADVISORS TO REGISTRANTS

1. Advisors to registrants may be appointed under the appointment procedures set forth in Chapter 520, Manpower Policies and Procedures Manual, to advise and assist registrants in the preparation of questionnaires and other Selective Service forms and to advise registrants on other matters relating to their rights and liabilities under the Selective Service law. The names and addresses of advisors to registrants within the local board area shall be conspicuously posted in the local board office.

2. Advisors to registrants shall be encouraged to serve in the dual capacity of advisor to registrants/registrar, in order to provide maximum one-stop service to their communities.

#### SECTION 604.11—TRANSMISSION OF ORDERS AND OTHER OFFICIAL PAPERS TO REGISTRANTS

1. Personnel of the Selective Service System will transmit orders or other official papers addressed to a registrant by handing them to him personally or by mailing them to him at the address last reported by him in writing to his local board. The mailing or handing of any official paper to a registrant will be recorded on page 2 of the Registrant File Folder (SSS Form 101) or on page 8 of the Classification Questionnaire (SSS Form 100) and the entry initialed by an employee having personal knowledge that the official paper was mailed or handed to the registrant.

2. Unless mail so addressed and mailed is returned by the United States Postal Service, it will be assumed that it was delivered.

#### SECTION 604.12—INTERPRETERS AT LOCAL OR APPEAL BOARDS

1. When necessary, a local or appeal board is authorized to use interpreters.

2. The following oath shall be administered to an interpreter each time he is used by a local or appeal board:

"You swear (or affirm) that you will truly interpret in the matter now in hearing. So help you God".

#### SECTION 604.13—ORGANIZATION AND FUNCTION OF NATIONAL SELECTIVE SERVICE APPEAL BOARD

1. Members of the National Selective Service Appeal Board (sometimes referred to as "Presidential Appeal Board" or "National Board") are appointed by the President. The President shall designate one member as chairman. A majority of the members of the National Board shall constitute a quorum for the transaction of business, and a majority of the members present at any meeting at which a quorum is present shall decide any question.

2. The National Board may sit *en banc* or, upon the request of the Director of Selective Service or as determined by the Chairman of the National Board, in panels, each panel to consist of at least three members. The Chairman of the National Board shall designate the members of each panel and shall designate one member of each panel as chairman. A majority of the members of a panel shall constitute a quorum for the transaction of business, and a majority of the members present at any meeting at which a quorum is present shall decide any question or classification. Each panel of the National Board shall have full authority to act on all cases assigned to it. The National Board, or a panel thereof, shall hold meetings in Washington, D.C., and, upon request of the Director of Selective Service or as determined by the Chairman of the National Board, at any other place.

3. The National Board or panel thereof, is authorized and directed to perform all the

functions and duties vested in the President by that sentence of Section 10(b) (3) of the Military Selective Service Act, which reads as follows: "The President, upon appeal or upon his own motion, shall have power to determine all claims or questions with respect to inclusion for, or exemption or deferment from training and service under this title, and the determination of the President shall be final." The National Board, when an appeal to the President has been taken, under the provisions of Chapter 627, RPM, shall classify each registrant, giving consideration to the various classifications which a local board might consider, and shall give effect to the provisions of the Military Selective Service Act and the established policies of the Director of Selective Service.

4. The Director of Selective Service shall establish the order, by category, in which appeals by registrants will be considered, but he shall not determine the sequence in which appeals within a given category shall be processed.

[Rev. March 3, 1975]

#### CHAPTER 608—INFORMATION

Sec.	Public Information Policy.
608.1	Definitions.
608.2	General Policy on Disclosure of Information.
608.3	Availability and Use of Information in Registrant File Folders.
608.4	Waiver of Confidential Nature of Information in Registrants' Files.
608.5	Subpoena of Records.
608.6	Available Information.
608.7	Places Where Information May Be Obtained.
608.8	Rules Governing the Obtaining of Information.
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608.11	Request for Information Not Authorized To Be Disclosed.
608.12	Review of Denials of Requests for Information.
608.13	Demands of Courts or Other Authorities for Records or Information.
608.14	Information on Veterans' Reemployment Rights Referral Project.
608.15	Information Pamphlet "You and Selective Service."
608.16	Information Pamphlet "What Happens Next?"
608-1 <sup>1</sup>	List of Field Offices of the Office of Veterans' Reemployment Rights.

#### SECTION 608.1—PUBLIC INFORMATION POLICY

1. Part 1608, Selective Service Regulations, establishes policy regarding public information and availability of information contained in Selective Service records. These policies are stated in this Chapter.

2. The Selective Service System has a positive public information policy under which information is brought to the attention of the public. The Selective Service System brings to the public, through news releases, pamphlets, educational material for distribution to high schools, and other documents, information concerning important events, and the functions of the Selective Service System.

#### SECTION 608.2—DEFINITIONS

When used in this Chapter, the following words shall have the meaning ascribed to them as follows:

(a) "Disclose" shall mean an oral or written statement concerning any such record or information.

<sup>1</sup> Attachment.

(b) "Furnish" shall mean providing in substance or verbatim a copy of any such record or information.

(c) "Examine" shall mean a visual inspection and examination of any such record or information at the Selective Service office.

**SECTION 608.3—GENERAL POLICY ON DISCLOSURE OF INFORMATION**

1. It is the general policy of the Selective Service System to make information available to the public unless the disclosure thereof would constitute a clearly unwarranted invasion of personal privacy or is prohibited by law or Executive order or relates to internal memoranda, letters or other documents the disclosure of which would interfere with the functions of the Selective Service System.

2. The records in a registrant's file and the information contained in such records shall be disclosed, furnished, or examined only in accord with the provisions of this Chapter.

3. Technical instructions pertaining to automatic data processing, memoranda, correspondence, opinions, data, staff studies, information received in confidence, and similar documentary material prepared for the purpose of internal communication within the Selective Service System or between the Selective Service System and other organizations or persons generally are not information available to the public.

4. Lists of registrants may be furnished only in accordance with written instructions from the Director of Selective Service.

5. The addresses of registrants contained in Selective Service records are confidential information.

**SECTION 608.4—AVAILABILITY AND USE OF INFORMATION IN REGISTRANT FILE FOLDERS**

1. Information contained in records in a Registrant File Folder (SSS Form 101) and records pertaining to a named registrant may be disclosed or furnished to, or examined by, the following persons:

a. The registrant, or any person having written authority dated and signed by the registrant: *Provided*, That whenever the time of the expiration of such authority is not specified therein, no information shall be disclosed, furnished, or examined under that authority after the expiration of a period of 1 year from its date.

b. The legal representative of a deceased or incompetent registrant.

c. All personnel of the Selective Service System while engaged in carrying out the functions of the Selective Service System.

d. A U.S. Attorney and his duly authorized representatives, including agents of the Federal Bureau of Investigation, whenever the registrant has been reported to the U.S. Attorney as a violator for prosecution for violating the Military Selective Service Act or the rules, regulations, or directions made pursuant thereto.

e. Any other agency, official, or employee, or class or group of officials or employees of the United States upon written request in individual cases, but only when and to the extent specifically authorized in writing by the Director of Selective Service.

2. No information shall be disclosed or furnished to, or examined by, any person under the provisions of this section, until such person has been properly identified as entitled to obtain such information.

3. Persons described in paragraph 1a may be furnished a copy of the registrant's file only in accord with the provisions of paragraph 5 of Section 608.11 or upon payment of fees prescribed in paragraph 2a of Section 608.11 of this Chapter. Persons described in paragraph 1b may be furnished a copy of a registrant's file only upon payment of fees prescribed in paragraph 2a of Section 608.11 of this Chapter.

**SECTION 608.5—WAIVER OF CONFIDENTIAL NATURE OF INFORMATION IN REGISTRANTS' FILES**

The making or filing by or on behalf of a registrant of a claim or action for damages against the Government or any person, based on acts in the performance of which the record of a registrant or any part thereof was compiled, or the institution of any action against the Government or any representative thereof by or on behalf of a registrant involving his classification, selection, or induction, shall constitute a waiver of the confidential nature of all Selective Service records of such registrant, and, in addition, all such records shall be produced in response to the subpoena or summons of the tribunal in which such claim or action is pending.

**SECTION 608.6—SUBPOENA OF RECORDS**

1. In the prosecution of a registrant or any other person for a violation of the Military Selective Service Act, the Selective Service Regulations, or any orders or directions made pursuant to such act or regulations, or for perjury, all records of the registrant shall be produced in response to the subpoena or summons of the court in which such production or proceeding is pending. Any officer or employee of the Selective Service System who produces the records of a registrant in court shall be considered the custodian of such records for the purpose of this section.

2. Except as provided in paragraph 1 of this section, no officer or employee of the Selective Service System shall produce a registrant's file, or any part thereof, or testify regarding any confidential information contained therein, in response to the subpoena or summons of any court without the consent, in writing, of the registrant concerned or of the Director of Selective Service.

3. Whenever, under the provisions of this section, a registrant's file, or any part thereof, is produced as evidence in the proceedings of any court, such file shall remain in the personal custody of an official of the Selective Service System, and permission of the court be asked, after tender of the original file, to substitute a copy of the file with the court.

**SECTION 608.7—AVAILABLE INFORMATION**

1. Upon request, current documents specifically identified as being printed for free distribution to the general public will be furnished without charge. Each individual requesting such documents shall be entitled to only one copy of each document.

2. Copies of Selective Service Regulations (32 CFR Chapter XVI) and the Registrants Processing Manual are offered for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

3. The Registrants Processing Manual may be inspected at the office of any local board, the office of the State Director of Selective Service for any state or at the National Headquarters, Selective Service System.

4. Each local board maintains a Classification Record (SSS Form 102) which contains the name, Selective Service Number, and the current and past classifications for each person registered with that board. Information in this record will be supplied upon request.

5. Any compensated employee of the Selective Service System may disclose to the former employer of a registrant who is serving in or who has been discharged from the Armed Forces whether the registrant has or has not been discharged and, if discharged, the date thereof, upon reasonable proof that the registrant left a position in the employ of the person requesting such information in order to serve in the Armed Forces.

6. The names of local board members and the names and addresses of advisors to regis-

trants will be posted in an area available to the public at each board office to which such personnel are assigned.

7. Personal data concerning board members that relate to their legal qualifications for appointment and/or continuation in office are a matter of official record. Upon request, the executive secretary or clerk of a local board or appeal board will verify that a member of that board was legally qualified for appointment and for continuation in office without disclosing the personal data pertaining to such member without the member's consent.

**SECTION 608.8—PLACES WHERE INFORMATION MAY BE OBTAINED**

1. Requests for information concerning a registrant shall be addressed to the local board where he is registered.

2. Requests for information concerning the national administration of the Military Selective Service Act shall be addressed to the National Headquarters, Selective Service System, 1724 F Street NW., Washington, D.C. 20435.

3. Requests for information concerning the administration of the Military Selective Service Act within a particular State shall be addressed to the State Director of Selective Service involved.

**SECTION 608.9—RULES GOVERNING THE OBTAINING OF INFORMATION**

1. A request for information under this Chapter must be made orally or in writing during business hours at the appropriate Selective Service office. When information to be furnished is not readily available, the employee responsible for obtaining the information shall advise the requester how and where it may be obtained.

2. Although the time period allowed for inspection of identifiable documents and registrants' file folders must be sufficient to allow hand copying, the activity should not interfere with the daily business activities of the Selective Service office. Accordingly, the Selective Service employee handling the request for information or inspection should arrange for inspection of Selective Service files and documents during specified hours of the business week.

3. Any person entitled under the provisions of this Chapter to examine any record or information shall be permitted to copy it by hand, to photograph it or to copy it by using portable copying equipment so long as the use of such equipment does not disrupt the normal operations of the office.

**SECTION 608.10—IDENTIFICATION OF INFORMATION REQUESTED**

1. Any person who requests information under the provisions of this Chapter shall provide a reasonably specific description of the information sought so that it may be located without undue search or inquiry. Information that is not identified by a reasonably specific description is not an identifiable record, and the employee processing the request will notify the requester that the description is insufficient, and, to the extent possible, indicate the additional information required. Every reasonable effort shall be made to assist a requester in the identification and location of the record or records sought. Records will not be withheld merely because it is difficult to find them, provided that a reasonably specific description has been furnished by the requester.

2. When a request is received at an office not having charge of the records, it shall promptly forward the request to the proper office and notify the requester of the action taken.

3. The Freedom of Information Act and the Privacy Act of 1974 require a response to requests for information within a very short



period of time. Therefore, it is imperative that immediate attention be given to all requests for information and that such requests be promptly complied with in accord with instructions in this Chapter.

**SECTION 608.11—FEES FOR SEARCH OF RECORDS AND COPIES OF DOCUMENTS**

Fees for search of records and copies of documents are the following:

1. Search of records is made by compensated employees of the Selective Service System without charge.

2. The charge for copies of documents prepared on Selective Service System equipment is as follows:

a. 25 cents per page for a copy of File Folder (SSS Form 101) and contents except as provided in paragraph 5 of this section.

b. 25 cents per page for other identifiable records or documents.

3. For copies of File Folder (SSS Form 101) or other identifiable records or documents reproduced by a private concern, the requester will assume the expense of copying. The Selective Service System employee's time to monitor the reproduction, computed from the time of his departure until his return to his post, will be charged by the Selective Service System to the requester at the rate of \$1 per quarter-hour after the first quarter-hour.

4. Copies will not be released to any requester until these fees are paid in full by money order (postal or otherwise is acceptable) payable to the Treasury of the United States.

5. Where a registrant has been charged under the Military Selective Service Act and must defend himself in a criminal prosecution or where a registrant submits to induction and thereafter brings habeas corpus proceedings to test the validity of his induction, the Selective Service System will furnish to him, or to any person he may designate, one copy of his Selective Service file free of charge.

**SECTION 608.12—REQUEST FOR INFORMATION NOT AUTHORIZED TO BE DISCLOSED**

Whenever an employee receives a request for information or documents the disclosure of which is not clearly authorized by the provisions of this Chapter, that request will be immediately reported orally to the State Director of Selective Service for instruction as to its disposition. The State Director will assure himself that the instruction given is acceptable to the General Counsel, Selective Service System.

**SECTION 608.13—REVIEW OF DENIALS OF REQUESTS FOR INFORMATION**

1. Complaints concerning possible abuse of discretion granted Selective Service employees under this Chapter or failure to respond to inquiries shall be directed to the State Director in the case of State Headquarters or local board employees and to the Director in the case of National Headquarters employees.

2. A requester whose request for information or documents has not been satisfied may appeal to the Director of Selective Service, 1724 F Street, N.W., Washington, D.C. 20435.

**SECTION 608.14—DEMANDS OF COURTS OR OTHER AUTHORITIES FOR RECORDS OF INFORMATION**

No officer or employee of the Selective Service System will comply with a request, demand or order of a court or other authority to produce information the disclosure of which is prohibited or restricted by the provisions of this Chapter without the prior approval of the Director of Selective Service.

**SECTION 608.15—INFORMATION ON VETERANS' REEMPLOYMENT RIGHTS REFERRAL PROJECT**

1. In accordance with an agreement between the Director of the Office of Veterans' Reemployment Rights, United States Department of Labor, and the Director of Selective Service, the Selective Service System has, since September 1952, assisted veterans in need of information regarding their reemployment rights by means of a special referral card project.

2. Statutory reemployment rights are provided for inductees, enlistees, reservists, National Guardsmen, and persons found not acceptable for any type of military service. The field offices of the Office of Veterans' Reemployment Rights furnish referral forms for the use of local boards. When a person comes to a local board seeking information regarding reemployment rights, the local board clerk should have him complete United States Department of Labor Eligibility Data Form (LMSA-1010) which the clerk should then mail to the appropriate field office. The field office will then take over and furnish the person with the information desired. The identification of the local board shall be shown by affixing the local board stamp on the back of the form.

3. Attachment 608-1 to this Chapter is a directory of the Office of Veterans' Reemployment Rights field offices. A supply of the Eligibility Data (LMSA-1010) forms will be procured by each State Director from the nearest field office and made available for use by local boards within his state.

**SECTION 608.16—INFORMATION PAMPHLET "YOU AND SELECTIVE SERVICE"**

1. The information pamphlet "You and Selective Service" provides registrants with accurate information on the standby draft system and their legal responsibilities under the Selective Service Law. It has been designed to fit into a window envelope.

2. The pamphlet should be included in each local board mailing of the Initial Status Card (SSS Form 7) notifying a registrant of his administrative assignment to Class 1-H.

3. Local boards shall distribute this pamphlet to advisors to registrants, uncompensated registrars, school counselors, and other individuals from whom young men may seek advice about Selective Service.

**SECTION 608.17—INFORMATION PAMPHLET "WHAT HAPPENS NEXT?"**

The information pamphlet, "What Happens Next?" provides registrants with information concerning Class 1-H and procedural rights. It has been designed to fit into a window envelope and should be mailed to a registrant:

1. In each instance when a Status Card (SSS Form 7) is mailed for the purpose of notifying a registrant of a change in his classification after his initial administrative assignment to Class 1-H,

2. Upon receipt of a claim for a conscientious objector classification or a hardship deferment, or

3. With an Individual Appeal Record (SSS Form 120) indicating that an appeal has been taken by the Director of Selective Service or a State Director.

**LIST OF FIELD OFFICES OF THE OFFICE OF VETERANS' REEMPLOYMENT RIGHTS (SEE SECTION 608.15)**

*Field Directory*

Associate Assistant Regional Director (VRR), Labor-Management Services Administration, U.S. Department of Labor, Room 303, 1371 Peachtree Street, Northeast, Atlanta, Georgia 30309. Telephone: (404) 526-5237, 5407, 5238, 5239.

Associate Assistant Regional Director (VRR), Labor-Management Services Administration, U.S. Department of Labor, Room 1033B, 230 South Dearborn Street, Chicago, Illinois 60604. Telephone: (312) 353-1920, 1924.

Associate Assistant Regional Director (VRR), Labor-Management Services Administration, 2200 Federal Office Building, Room 2511, 911 Walnut Street, Kansas City, Missouri 64106. Telephone: (816) 374-5131.

Associate Assistant Regional Director (VRR), Labor-Management Services Administration, U.S. Department of Labor, 1515 Broadway, 35th Floor, New York, New York 10036. Telephone: (212) 971-7035, 7036.

Associate Assistant Regional Director (VRR), Labor-Management Services Administration, U.S. Department of Labor, 14120 Gateway Building, 3535 Market Street, Philadelphia, Pennsylvania 19104. Telephone: (215) 597-1134.

Associate Assistant Regional Director (VRR), Labor-Management Services Administration, U.S. Department of Labor, 9061 Federal Office Building, 450 Golden Gate Avenue, San Francisco, California 94102. Telephone: (415) 556-5915, 6216.

[Rev. February 1, 1975]

**CHAPTER 619—ACCOUNTABILITY FOR REGISTRANTS**

**Sec.**

- 619.1 Accountability.
- 619.2 Assumption of Accountability.
- 619.3 Termination of Accountability.
- 619.4 Restoration of Accountability.

**SECTION 619.1—ACCOUNTABILITY**

1. Accountability is defined as the responsibility of the Selective Service System to maintain a current record of the status and location of each registrant.

2. Assumption of accountability, termination of accountability, and restoration of accountability shall be recorded on the monthly Report of Manpower Inventory (SSS Form 116) in accord with its procedural directive.

3. Termination or restoration of accountability shall be brought to the attention of the local board and recorded in the minutes in accordance with the procedural directive for the Minutes of Local or Appeal Board Meeting (SSS Form 112).

4. Assumption, termination, or restoration of accountability does not affect any liability which a registrant may have under the Military Selective Service Act.

**SECTION 619.2—ASSUMPTION OF ACCOUNTABILITY**

The Selective Service System's accountability for a registrant is assumed when he is listed on the Classification Record (SSS Form 102).

**SECTION 619.3—TERMINATION OF ACCOUNTABILITY**

1. The Director of Selective Service will designate, from time to time, year of birth groups in which registrant accountability will be terminated. Such termination shall not apply to registrants in the following categories, so long as they remain in one of those categories:

a. He has been reported to the United States Attorney as a violator, and final disposition has not been made of his case.

b. He has been convicted of a violation of the Military Selective Service Act and has not completed his sentence (to include any period of probation or parole).

c. He is an alien medical specialist and has not reached age 35.

d. He is a medical specialist (other than an alien medical specialist) and has not attained age 35 (if he has extended liability)



or age 26 (if he does not have extended liability).

e. He is a student undergoing professional training for qualification as a medical specialist, and has not attained age 35 (if he has extended liability) or age 26 (if he does not have extended liability).

1. He is classified in Class 1-W.

2. When a registrant is to be dropped from accountability, under paragraph 1 of this section, a compensated employee shall make the following entry on the Classification Record (SSS Form 102): "Dropped from Acc." (Dropped from Accountability). This entry shall have the effect of certifying the individual's file folder for destruction or transfer in accord with the provisions of Chapter 603, RPM, and Chapter 715, ASM.

3. Accountability will be terminated upon cancellation of a registration. The entry of the canceled registrant will be lined out on the SSS Form 102, and appropriate entries will be made in accordance with the provisions of Chapter 613, RPM.

4. Services to registrants who have been dropped from accountability shall be accomplished in accordance with Chapter 603.

#### SECTION 619.4—RESTORATION OF ACCOUNTABILITY

1. Accountability is restored for any registrant whose file folder is retrieved from the Federal Records Center (FRC) or reestablished when (1) he is again eligible for Selective Service processing (this would usually be a medical specialty student or medical specialist) or (2) his file has erroneously been transferred to the FRC or destroyed. "Acc. Restored" (Accountability Restored) shall be entered on page 2 of the SSS Form 101, and the remarks column of SSS Form 102, and the registrant shall be picked up on the SSS Form 116 for that month.

2. If a file is temporarily retrieved from the FRC for purposes of review or to obtain information, the local board shall not reestablish accountability for the registrant.

#### CHAPTER 621—PREPARATION FOR CLASSIFICATION BY THE LOCAL BOARD

Sec.

- 621.1 Introduction.
- 621.2 Classification prior to the lottery drawing.
- 621.3 Selection for classification.
- 621.4 Preparation for classification.
- 621.5 Claims for, or information relating to, deferments or exemption.
- 621.6 Special form for conscientious objector.
- 621.7 Securing information from welfare and governmental agencies.

#### SECTION 621.1—INTRODUCTION

Preparation for classification by the local board includes all procedures necessary for (1) identification and selection of registrants for classification in the order of their liability for induction into the armed forces or alternate service in lieu of induction, and (2) the collection of information and documentation necessary to provide a basis for the most appropriate classification for each registrant.

#### SECTION 621.2—CLASSIFICATION PRIOR TO THE LOTTERY DRAWING

1. Preparation for classification out of the administratively assigned 1-H classification will not be initiated for any registrant who has not been assigned a random sequence number unless review of information in his file indicates that he may qualify for a class lower than 1-H.

2. When it appears that a registrant may qualify for a classification lower than 1-H, but it is not documented, he will be requested

to submit a Current Information Questionnaire (SSS Form 127) and/or other documentary evidence. Upon receipt of the necessary information, his file will be placed before the local board for classification.

#### SECTION 621.3—SELECTION FOR CLASSIFICATION

1. Immediately following the lottery drawing for the appropriate year group, the Computer Service Center (CSC) will assign a random sequence number (RSN) to each registrant in that year group. The CSC will furnish to each local board a "Registrant RSN Report by SSN" (RIB Report No. 150), which will be used to post the RSN assigned to each of these registrants, to the Classification Record (SSS Form 102), and to the Registrant File Folder (SSS Form 101), if already prepared. The RSN will be posted on the SSS Form 101 in the space provided, and in red ink in the left margin next to each registrant's SSN on the SSS Form 102. In the case of a late registrant for whom an RSN has been assigned, the RSN shall be placed on the SSS Forms 101 and 102 immediately upon registration. Following the posting of RSN's for his year group, any correspondence relating to a registrant will include his RSN shown in the following manner: RSN 073.

2. At the time of the lottery drawing, the Director will designate an Administrative Processing Number (APN). The designation of an APN establishes the RSN processing range for registrants subject to that lottery drawing and is a basis for reopening the classification of each registrant in Class 1-H in that year of birth group whose RSN is equal to or below the APN.

3. At the time the APN is established, the CSC will furnish to each local board a pre-printed file folder label for each registrant within that year of birth group, and a "Registrant RSN Processing Record" (RIB Report No. 152) showing registrants within the RSN processing range. Labels will be affixed to file folders for all registrants within the RSN processing range. Labels for registrants with RSN's above the APN will be retained and stored by year of birth group until that group is dropped from accountability. RIB Report No. 152 will be used in accordance with RIB Report Guide No. 152.

#### SECTION 621.4—PREPARATION FOR CLASSIFICATION

1. In reviewing files of registrants selected for classification, local boards shall start with the lowest RSN within the Priority Selection Group(s) being processed.

2. A Current Information Questionnaire (SSS Form 127) shall be issued to each registrant, (1) liable for classification out of Class 1-H, (2) in a deferred classification whose expiration or review date is approaching, or (3) whenever the local board has reason to believe the registrant is eligible for reclassification, and the necessary documentation has not been received. Normally, SSS Form 127 is not issued to registrants in priority selection groups below the 1PSG, nor to registrants in Classes 1-C, 1-D, 1-W, 4-A, 4-F, 4-FM, 4-G, or 4-W.

a. The registrant will be allowed at least ten days from the date of mailing or other issuance of the SSS Form 127 to return it to the local board. The time may be extended by the local board for valid reason.

b. The date of mailing or issuance, as well as the date of receipt of the completed SSS Form 127 shall be entered on Page 2 of the SSS Form 101, and on the RIB Report No. 152.

c. Upon return of the completed SSS Form 127, the file will be reviewed by local board compensated personnel to determine whether any SSS form or requests for other documentation should be mailed to the registrant.

d. An effort should be made to obtain satisfactory completion of a returned SSS Form 127 when it contains errors or omissions which would preclude the local board from making a proper determination in the registrant's case.

(1) If the returned questionnaire is incomplete but has been signed by the registrant, it shall be placed in the file and a new SSS Form 127 issued to the registrant with the portions yet to be completed clearly marked for the registrant's attention. The registrant shall be requested to complete and sign the new form.

(2) If the SSS Form 127 is returned unsigned, it shall be returned to the registrant with instructions to sign the form and complete any portions that might be incomplete.

(3) The provisions of this Section, for noting the issuance and receipt of SSS Form 127 on SSS Form 101, and RIB Report No. 152, apply also to any follow-up of the form.

e. Additional information may be requested from the registrant as necessary.

3. If the registrant fails to return any form or submit information having a bearing on his classification prior to the time the local board considers his classification, he shall be classified on the basis of the current information contained in his file. Any deferred or exempt class granted, must be based on a showing of current eligibility.

4. The receipt and mailing of correspondence, including forms, pertaining to each registrant shall be recorded on page 2 of the SSS Form 101.

#### SECTION 621.5—CLAIMS FOR, OR INFORMATION RELATING TO, DEFERMENTS OR EXEMPTION

The registrant shall be entitled to present any appropriate information which he believes necessary to assist the local board in determining his proper classification. Such information may include documentation, affidavits or depositions, which shall be as brief as possible. The receipt of such information shall be recorded on page 2 of the SSS Form 101.

#### SECTION 621.6—SPECIAL FORM FOR CONSCIENTIOUS OBJECTOR

A registrant who claims to be a conscientious objector shall be given the opportunity to offer information in substantiation of his claim on a Special Form for Conscientious Objector (SSS Form 150). The local board, upon request, shall furnish to any registrant a copy of the SSS Form 150 and shall not establish any fixed time limit for its completion and return. However, the furnishing of an SSS Form 150 will not be reason for the local board to delay normal processing of the registrant, including consideration of any claims for deferment or exemption which he has made.

#### SECTION 621.7—SECURING INFORMATION FROM WELFARE AND GOVERNMENT AGENCIES

The local board is authorized to request and receive information from welfare and governmental agencies whenever such information will assist in determining the proper classification of a registrant.

[Rev. February 1, 1975]

#### CHAPTER 622—CLASSIFICATION RULES AND PRINCIPLES

Sec.

- 622.1 General principles of classification.
- 622.10 Class 1-A: available for military service.
- 622.11 Class 1-AM: Medical specialist available for military service.
- 622.12 Class 1-A-O: Conscientious objector available for noncombatant military service only.

- Sec.  
622.13 Class 1-A-OM: Conscientious objector medical specialist available for noncombatant military service only.
- 622.14 Class 1-O: Member of the Armed Forces of the United States, the National Oceanic and Atmospheric Administration, or the Public Health Service.
- 622.15 Class 1-D: Member of reserve component or student taking military training.
- 622.16 Class 1-O: Conscientious objector available for alternate service.
- 622.17 Class 1-OM: Conscientious objector medical specialist available for alternate service.
- 622.18 Class 1-W: Conscientious objector performing alternate service in lieu of induction.
- 622.19 Class 1-H: Registrant not currently subject to processing for induction or alternate service.
- 622.22 Class 2-AM: Medical Specialist Registrant Deferred Because of Community Service.
- 622.25 Class 2-S: Registrant Deferred Because of Activity in Degree Study.
- 622.26 Class 2-M: Registrant Deferred Because of Study Preparing for a Specified Medical Specialty.
- 622.27 Class 2-D: Registrant Deferred Because of Study Preparing for the Ministry.
- 622.30 Class 3-A: Registrant Deferred Because of Dependency of Others.
- 622.40 Class 4-A: Registrant Who Has Completed Military Service.
- 622.41 Class 4-B: Official Deferred by Law.
- 622.42 Class 4-C: Alien or Dual National.
- 622.43 Class 4-D: Minister of Religion.
- 622.44 Class 4-F: Registrant Not Qualified for Military Service.
- 622.45 Class 4-FM: Medical Specialist Registrant Not Qualified for Military Service.
- 622.46 Class 4-G: Surviving Son/Sole Surviving Son.
- 622.47 Class 4-W: Conscientious Objector Registrant Who Has Completed Alternate Service in Lieu of Induction.
- 622-1 U.S. Medical Schools Offering Combined Premed and M.D. Programs in Less Than 8 Years.
- 622-2a Enlistment Contract-Armed Forces
- 622-2b of the United States.

SECTION 622.1—GENERAL PRINCIPLES OF CLASSIFICATION

1. It is the local board's responsibility to decide, subject to appeal, the class in which each registrant shall be placed. Each registrant will be considered as available for military service until his eligibility for deferment or exemption from military service is clearly established to the satisfaction of the local board. The local board will receive and consider, at the appropriate time, all information presented to it pertinent to the classification of the registrant.

2. The mailing by the local board of any selective service form, questionnaire, or letter, requesting information on which to base a registrant's classification, to the latest address furnished by a registrant, shall be notice to the registrant that unless information which will justify his deferment or exemption from military service is presented to the local board by the date specified, if any, or within a reasonable time if no date is specified, the registrant will be classified on the basis of current information in his file, and the applicable rules and regulations.

<sup>1</sup> Attachment.

Classification into a deferred or exempt class must be based upon a showing of current eligibility for that class.

3. In classifying a registrant there shall be no discrimination for or against him because of his race, creed, or color, or because of his membership or activity in any labor, political, religious or other organization. Each registrant shall receive equal consideration.

4. Whenever there is a change in the registrant's status which would affect his eligibility for his current classification, his classification shall be reopened and considered anew. There shall be no more than a one year interval between reopenings for registrants in Classes 2-AM, 2-S, 2-M, 2-D, and 3-A.

5. Each registrant shall be classified in one of the classes established in this chapter.

SECTION 622.10—CLASS 1-A: AVAILABLE FOR MILITARY SERVICE

In Class 1-A shall be placed every registrant who has not established to the satisfaction of the local board, subject to appeal, that he is eligible for classification in another class.

SECTION 622.11—CLASS 1-AM: MEDICAL SPECIALIST AVAILABLE FOR MILITARY SERVICE

1. In Class 1-AM shall be placed every registrant who is or becomes a medical specialist.

2. For the purposes of this section a medical specialist is a registrant who has been licensed in the United States (including Puerto Rico) as a: Doctor of Medicine, Doctor of Osteopathy, Dentist, Doctor of Optometry, Doctor of Podiatric Medicine, Doctor of Veterinary Medicine, Registered Nurse, or who has received from a professional school in the United States (including Puerto Rico), a degree of doctor of medicine, doctor of osteopathy, doctor of dental surgery, doctor of dental medicine, doctor of optometry, doctor of podiatric medicine, or doctor of veterinary medicine.

3. Each registrant who is classified in Class 1-AM shall be identified as follows: Class 1-AMM for doctor of medicine; Class 1-AMD for dentist; Class 1-AME for doctor of optometry; Class 1-AMO for doctor of osteopathy; Class 1-AMP for doctor of podiatric medicine; Class 1-AMV for veterinarian; and Class 1-AMN for registered nurse.

SECTION 622.12—CLASS 1-A-O: CONSCIENTIOUS OBJECTOR AVAILABLE FOR NONCOMBATANT MILITARY SERVICE ONLY

In Class 1-A-O shall be placed every registrant who would have been classified in Class 1-A but for the fact that he has been found, by reason of religious, ethical, or moral belief, to be conscientiously opposed to participation in combatant training and service in the armed forces. (See Chapter 661).

SECTION 622.13—CLASS 1-A-OM: CONSCIENTIOUS OBJECTOR MEDICAL SPECIALIST AVAILABLE FOR NONCOMBATANT MILITARY SERVICE ONLY

1. In Class 1-A-OM shall be placed every registrant who would have been classified in Class 1-AM but for the fact that he has been found, by reason of religious, ethical, or moral belief, to be conscientiously opposed to participation in combatant training and service in the armed forces.

2. Each registrant who is classified in Class 1-A-OM shall be identified as follows: Class 1-A-OMM for doctor of medicine; Class 1-A-OMD for dentist; Class 1-A-OME for doctor of optometry; Class 1-A-OMO for doctor of osteopathy; Class 1-A-OMP for doctor of podiatry; Class 1-A-OMV for veterinarian; and Class 1-A-OMN for registered nurse.

SECTION 622.14—CLASS 1-C: MEMBER OF THE ARMED FORCES OF THE UNITED STATES, THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, OR THE PUBLIC HEALTH SERVICE

In Class 1-C shall be placed:

1. Every registrant who is on active military service, except for periods of active duty for training only, in a Regular or Reserve component of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, or the National Oceanic and Atmospheric Administration, as evidenced by a copy of Enlistment Contract—Armed Forces of the United States (DD Form 4), Record of Induction (DD Form 47), or Notification of Entry Into Active Military Service (DD Form 53).

2. Every registrant who is a cadet in the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy, or a midshipman, United States Naval Academy.

3. Every registrant who is on active duty with the Public Health Service. Notification of entry on active duty will be by Statement of Service—Verification of Status of Commissioned Officers of the U.S. Public Health Service (PHS Form 1867). For Public Health Service Reserve Officers to qualify under this paragraph, they must be on active duty assigned to staff the various offices and bureaus of the Public Health Service including the National Institutes of Health, or the Coast Guard, the Bureau of Prisons of the Department of Justice, the Environmental Protection Agency, or the National Oceanic and Atmospheric Administration.

SECTION 622.15—CLASS 1-D: MEMBER OF RESERVE COMPONENT OR STUDENT TAKING MILITARY TRAINING

In Class 1-D shall be placed:

1. Every registrant who has been transferred into a Reserve component of the Army, Navy, Air Force, Marine Corps or Coast Guard, as evidenced by an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214), or other official notification from the armed forces.

2. Every registrant, other than one specifically provided for elsewhere in this section, who has been enlisted or appointed in one of the reserve components of the armed forces as evidenced by the receipt of a Record of Military Status of Registrant (DD Form 44). His enlistment must have been accomplished prior to the date scheduled for him to report for induction, or, if after the issuance of that order, at least 10 days prior to his scheduled or rescheduled reporting date for induction. No registrant shall have the date of his induction postponed for the specific purpose of permitting him to qualify under this paragraph.

3. Every registrant within the APN processing range, who enlists in a Delayed Entry Program (DEP). Whenever the local board learns that such a registrant has enlisted in a DEP, the board shall request verification from the Armed Forces Examination and Entrance Station (AFEEES) where the registrant's enlistment was processed. The AFEEES will provide verification to the local board in the form of a DD Form 4 showing the registrant's date of entry into the DEP in Block 6 (See Attachment 622-2a [omitted]), or a copy of the registrant's active duty order which will show his scheduled date of entry into active duty. At the time a DEP enlistee enters upon active duty, the local board will receive a DD Form 4 verifying that fact.

4. Every registrant who is a fully qualified and accepted aviation cadet applicant of the Army, Navy, or Air Force, and for whom a



DD Form 44 has been received. Such registrant shall be retained in Class 1-D during the period covered by such agreement but in no case in excess of four months.

5. Every registrant attending a civilian college, for whom a DD Form 44 has been received evidencing that he:

(a) Has been selected for enrollment or continuance in the Senior Division (entire college level) of the Army Reserve Officers' Training Corps, the Air Force Reserve Officers' Training Corps, or the Naval Reserve Officers' Training Corps; the Naval and Marine Corps officer candidate program of the Navy; the platoon leader's class of the Marine Corps; the officer procurement programs of the Coast Guard and the Coast Guard Reserve; or who is appointed an Ensign in the United States Naval Reserve while he is undergoing professional training;

(b) Has signed an agreement to accept a commission, if tendered, and to serve subject to order of the Secretary of the military department having jurisdiction over him (or the Secretary of Transportation with respect to the United States Coast Guard), not less than two years on active duty after receipt of a commission; and

(c) Has signed an agreement to remain a member of a regular or reserve component until the sixth anniversary of his receipt of a commission.

A registrant may qualify for a 1-D classification if a DD Form 44 is received by the local board verifying his status as a member of the ROTC program at any time prior to his induction date.

6. Every registrant who is a student enrolled as an ROTC cadet in one of the following military colleges, the curriculum of which has been approved by the Secretary of Defense and for whom a DD Form 44 has been received:

- a. The Citadel, Charleston, South Carolina.
- b. Norwich University, Northfield, Vermont.
- c. Virginia Military Institute, Lexington, Virginia.
- d. North Georgia College, Dahlonega, Georgia.

7. Uniform procedures have been established in processing the ROTC program. The procedures to be followed are:

a. *Four-year program.* Upon enrollment into an ROTC program and after completion of an "ROTC Deferment Agreement" the responsible Professor of Military Science, Professor of Naval Science, or Professor of Aerospace Studies will submit a DD Form 44 to the enrollee's Selective Service local board establishing his eligibility for classification into Class 1-D. Upon receipt of a DD Form 44 the registrant's local board shall place him in Class 1-D, and retain him in this classification until reason for a change in his classification is a matter of record in his selective service file.

b. *Two-year program.* The local board shall postpone the induction of a registrant providing the appropriate military science professor furnishes a letter confirming the registrant's acceptance for training in an ROTC Basic Camp that following summer. If he is under an order to report for induction and an enrollment letter is received, he shall be issued a Postponement of Induction (SSS Form 264) and the reporting date postponed until October 31 of that year. If he is accepted for the summer basic camp and is later reached for induction, his local board will issue an Order to Report for Induction (SSS Form 252) and postpone his date of induction until October 31, providing that a letter confirming the registrant's acceptance is in his selective service file.

If the registrant enters an Advanced ROTC Program that fall, the appropriate military science professor will issue a DD

Form 44 and upon its receipt, the registrant will be considered for Class 1-D. If a DD Form 44 is not received by October 31, or if the registrant drops from the basic camp, or if he fails to enroll in the fall course, his postponement shall be terminated at that time and he shall be placed on the local board's next induction call.

c. *ROTC Scholarship Program.* A registrant who has furnished the local board confirmation that he has been awarded an ROTC scholarship, but who has not yet enrolled in the ROTC Program, will be issued his order to report for induction, when reached, and then postponed until October 31 of that year. If a registrant is under an outstanding order to report for induction, he shall be postponed until October 31 of that year.

If the registrant enrolls in college and enters the ROTC Program on an ROTC Scholarship and a DD Form 44 is received, he will be considered for Class 1-D. If a DD Form 44 is not received by October 31, his postponement shall be terminated and he shall be placed on the local board's next induction call.

**SECTION 622.16—CLASS 1-O: CONSCIENTIOUS OBJECTOR AVAILABLE FOR ALTERNATE SERVICE**

1. In Class 1-O shall be placed every registrant (except a medical specialist) who would have been classified in Class 1-A but for the fact that he has been found, by reason of religious, ethical, or moral belief, to be conscientiously opposed to participation in both combatant and noncombatant training and service in the armed forces. (See Chapter 661.)

2. In Class 1-O shall be placed every registrant (except a medical specialist) who has been separated from the armed forces (including their reserve components) by reason of conscientious objection to participation in both combatant and noncombatant training and service in the armed forces, unless qualified for a lower classification.

**SECTION 622.17—CLASS 1-OM: CONSCIENTIOUS OBJECTOR MEDICAL SPECIALIST AVAILABLE FOR ALTERNATE SERVICE**

1. In Class 1-OM shall be placed every medical specialist registrant who would have been classified in Class 1-AM but for the fact that he has been found by reason of religious, ethical, or moral belief, to be conscientiously opposed to participation in war in any form and to be conscientiously opposed to participation in both combatant and noncombatant training and service in the armed forces.

2. In Class 1-OM shall be placed every medical specialist registrant who has been separated from the armed forces (including their reserve components) by reason of conscientious objection to participation in both combatant and noncombatant training and service in the armed forces, unless qualified for a lower classification.

3. Each registrant who is classified in Class 1-OM shall be identified as follows: Class 1-OMM for doctor of medicine; Class 1-OMD for dentist; Class 1-OME for doctor of optometry; Class 1-OMO for doctor of osteopathy; Class 1-OMP for doctor of podiatric medicine; Class 1-OMV for veterinarian; and Class 1-OMN for registered nurse.

**SECTION 622.18—CLASS 1-W: CONSCIENTIOUS OBJECTOR PERFORMING ALTERNATE SERVICE IN LIEU OF INDUCTION**

In Class 1-W shall be placed any registrant who has entered upon and is performing alternate service contributing to the maintenance of the national health, safety or interest, in accordance with an order issued by the local board upon the instructions of the Director or State Director.

**SECTION 622.19—CLASS 1-H: REGISTRANT NOT CURRENTLY SUBJECT TO PROCESSING FOR INDUCTION OR ALTERNATE SERVICE**

1. Every registrant is administratively assigned to Class 1-H as of the time of registration. Any 1-H classification after this initial administrative assignment must be made by local board or appeal board action. Any new registrant who qualifies for a class lower than 1-H will be classified out of 1-H and into that lower class by the local board as soon as practicable.

2. A 1-H classification by board action can be granted only to registrants subject to a regular call.

3. Registrants subject to a regular call are eligible for Class 1-H unless eligible for a lower class if they are:

a. Members of the first priority selection group (1PSG) whose random sequence number (RSN) is above the administrative processing number (APN) which will be designated by the Director from time to time;

b. Members of the second or lower priority selection groups;

c. Registrants, in the year of their 19th birthday, whose random sequence number is above the APN designated by the Director for the following year's 1PSG;

d. Registrants, in the year of their 19th birthday, who have been assigned RSN's but for whom no APN has yet been set;

e. Registrants who have not yet been assigned a random sequence number.

4. The following registrants are specifically ineligible for classification into Class 1-H by board action:

a. Volunteers;

b. Registrants in the extended priority selection group (EPSG);

c. Registrants in the first priority selection group (1PSG) whose RSN is at or below the APN;

d. Registrants, in the year of their 19th birthday, whose RSN is at or below the APN designated for the following year's 1PSG;

e. Any registrant who qualifies for a class lower than 1-H; or

f. Medical specialists.

5. The APN for each year's first priority selection group will be designated by the Director at the time of the lottery drawing for that age group. All registrants who attained the age of 20 during a previous year and who are consequently eligible for a lower priority selection group, shall be classified into Class 1-H unless specifically ineligible for Class 1-H, in accordance with paragraph 4 of this section.

6. The designation of an APN by the Director for the next year's first priority selection group is a basis for reopening the classification of those registrants in Class 1-H who have RSN's equal to or below the APN and who will attain the age of 20 in the following year. Unless information in their files indicates these registrants are eligible for another class, they will be reclassified into Class 1-A.

**SECTION 622.22—CLASS 2-AM: MEDICAL SPECIALIST REGISTRANT DEFERRED BECAUSE OF COMMUNITY SERVICE**

In Class 2-AM shall be placed every medical specialist (doctor of medicine, doctor of osteopathy, dentist, veterinarian, optometrist, podiatrist, or registered nurse) who has completed his year in the First Priority Selection Group-Medical, and whose occupation has been found to represent an especially critical community service in which the specialist is directly involved in patient care. (See Chapter 660).

**SECTION 622.25—CLASS 2-S: REGISTRANT DEFERRED BECAUSE OF ACTIVITY IN DEGREE STUDY**

1. In Class 2-S shall be placed any registrant who requests such classification, who



was satisfactorily pursuing a full-time course of instruction leading to a baccalaureate degree at a college, university, or similar institution of learning during the 1970-71 regular academic school year and who is satisfactorily pursuing such course; such classification to continue until the registrant completes the requirements for his baccalaureate degree, fails to pursue satisfactorily a full-time course of instruction, or attains the twenty-fourth anniversary of the date of his birth, whichever occurs first.

2. A registrant will be deemed to be satisfactorily pursuing a full-time course of instruction when he is making proportionate progress toward his degree. For example, if the registrant is enrolled in a four-year course of instruction, the registrant should complete approximately one-fourth of the total requirements by the end of the first academic year, approximately one-half by the end of the second academic year, approximately three-fourths by the end of the third academic year, and should graduate by the end of the fourth academic year. If the registrant is in a course of instruction for which the curriculum has been prescribed in the official college catalog as requiring five or more years duration, he must make similar proportionate progress, such as completing one-fifth of the requirements in each year of a five-year course. If, for reasons beyond the registrant's control, such as illness or accident, he fails to maintain normal progress, the local board may, at its discretion, grant the registrant further deferment for so long as he continues to maintain satisfactory progress from the time of reentry in full-time student status. The registrant's academic year, for the purpose of this section, shall terminate on the anniversary of his entrance into the course of study. If the registrant is scheduled to complete his graduation requirements prior to such anniversary, the scheduled graduation date will be shown as the termination date of the 2-S classification. The deferment expiration date shall subsequently be extended to a date not later than such anniversary, only if the local board is satisfied that the additional time is needed in order for the registrant to complete his graduation requirements prior to such anniversary.

3. When a registrant, who was satisfactorily pursuing a full-time course of instruction leading to a baccalaureate degree during the 1970-71 regular academic school year, transfers from a junior college or community college to a baccalaureate degree granting institution, even though approximately 25% or less of his credits for satisfactorily completed courses are not accepted through no fault of his own, he shall be eligible for continued deferment so long as he remains a full-time student and maintains satisfactory progress from the status in which he was accepted for transfer.

4. It shall be the registrant's duty to provide the local board each academic year with verification from a college, university, or similar institution of learning that he is satisfactorily pursuing a full-time course of instruction at that institution of learning.

**SECTION 622.26—CLASS 2-M: REGISTRANT DEFERRED BECAUSE OF STUDY PREPARING FOR A SPECIFIED MEDICAL SPECIALTY**

1. In Class 2-M shall be placed any registrant, except a medical specialist as defined in Section 622.11, who is satisfactorily pursuing a full-time course of study leading to a professional degree as a doctor of medicine, doctor of osteopathy, dentist, optometrist, podiatrist, or veterinarian, or licensure as a registered nurse. A registrant pursuing a combined degree program leading to the award of such degrees as M.D./Ph.D., is eligible for Class 2-M. A registrant pursuing

a course (such as a premedical course) leading to admission to a professional course of study is not eligible for Class 2-M.

2. A registrant who is satisfactorily pursuing a full-time program of less than eight years duration combining both undergraduate and professional courses leading to the M.D. degree shall be considered a full-time medical student. The program must be approved and supervised by the medical school. Combined programs are offered by the medical schools listed on Attachment 622-1. Not all students enrolled at these schools participate in a combined program; therefore, an individual determination must be made in each case.

3. It shall be the registrant's duty to provide the local board each academic year with verification from a college, university, or similar institution of learning that he is satisfactorily pursuing a full-time course of instruction in one of these fields of study at such institution of learning.

4. Any registrant who is ordered to report for induction or alternate service, and who has or receives a firm acceptance into the next beginning class in such professional course of study, shall have his reporting date for induction or alternate service postponed until the beginning of such course of study, citing this section as authority. Upon entry into such course of study, his classification shall be reopened.

5. Each registrant who is classified in Class 2-M shall be identified as follows: Class 2-MM, student in medicine; Class 2-MO, student in osteopathy; Class 2-MD, student in dentistry; Class 2-ME, student in optometry; Class 2-MP, student in podiatry; Class 2-MV, student in veterinary medicine; Class 2-MN, student in nursing. Class 2-M registrants shall be identified in all correspondence in this manner.

**SECTION 622.27—CLASS 2-D: REGISTRANT DEFERRED BECAUSE OF STUDY PREPARING FOR THE MINISTRY**

1. In Class 2-D shall be placed any registrant who requests such deferment, who is preparing for the ministry under the direction of a recognized church or religious organization, and who:

a. Is satisfactorily pursuing a full-time course of instruction in a recognized theological or divinity school, or

b. Is satisfactorily pursuing a full-time post-high school course of instruction required for his entrance into a recognized theological or divinity school in which he has been pre-enrolled, or

c. Having completed theological or divinity school, is a student in a full-time graduate program or is a full-time intern.

2. It shall be the duty of the registrant who is a theological or divinity student to provide the local board each year with evidence that:

a. He is a student preparing for the ministry under the direction of a recognized church or religious organization, and

b. He is satisfactorily pursuing a full-time course of instruction in a recognized theological or divinity school.

3. It shall be the duty of any registrant who is a pretheological student to provide the local board each year with evidence that:

a. He is a student preparing for the ministry under the direction of a recognized church or religious organization, and

b. He is satisfactorily pursuing a full-time college-level course of instruction required for entrance into a recognized theological or divinity school in which he has been pre-enrolled, and is making proportionate progress toward completing the academic program established as a preentry requirement in accordance with paragraph 2 of Section 622.25.

4. It shall be the duty of any registrant who is a student in a full-time program preparing for the ministry to provide the local board each year with evidence that:

a. He is a student preparing for the ministry under the direction of a recognized church or religious organization;

b. His studies relate to and lead toward entry into service as a regular or duly ordained minister of religion as defined in Section 622.43 of this Chapter; and

c. He is making proportionate progress toward completion of the program of preparation for the ministry in accordance with paragraph 2 of Section 622.25.

5. The local board or appeal board may require from the church, religious organization, or school detailed information in order to determine whether or not the theological or divinity school is in fact recognized and whether or not the church or religious organization which is sponsoring the registrant is recognized.

6. A school, to be recognized as a theological or divinity school, should enjoy a good reputation among theological academic institutions of general academic acceptance and its graduates should be acceptable by the church sponsoring the registrant for ministerial duties, either as an ordained or regular minister.

7. A church or religious organization should be able to show that it was established on the basis of a community of faith and belief, doctrines and practices of a religious character, and that it engages primarily in religious activities.

8. If the local board or appeal board considers the information it has received to be insufficient for the purpose of making a determination, it should request assistance or additional information from the State Director of Selective Service. When the church or religious organization of the theological or divinity school is located in another state, the State Director may contact the appropriate State Director for advice and recommendation, or may request advice from the Director of Selective Service. In any case, the advice of the State Director or the Director of Selective Service shall not be binding upon the local board.

**SECTION 622.30—CLASS 3-A: REGISTRANT DEFERRED BECAUSE OF DEPENDENCY OF OTHERS**

1. In Class 3-A shall be placed any registrant:

a. Whose deferment is advisable because a person or persons (other than his wife alone, except in case of extreme hardship) are dependent upon him for support; or

b. Who has been separated from active military service by reason of dependency or hardship, unless qualified for a lower classification.

2. As used in this section,

a. The term "dependent" shall apply only to the wife, child, parent, grandparent, brother, or sister of the registrant;

b. The term "child" shall include only a person under 18 years of age who is a legitimate or an illegitimate child of the registrant from the date of its conception, his stepchild, his foster child, or his legally adopted child;

c. The term "parent" shall include any person who has stood in the place of a parent to the registrant for at least five years preceding the eighteenth anniversary of the registrant's date of birth.

d. The term "support" is described in paragraphs 4 and 5 below.

3. The processing of a dependency claim requires that:

a. A claim for dependency deferment be submitted by the registrant any time in any written form.

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b. If the local board is not satisfied that information submitted is sufficient to make a determination of the claim, the local board shall furnish him a Dependency Questionnaire (SSS Form 118) and request him to furnish such additional information to support his claim for deferment as he may desire. The registrant shall be given 30 days in which to submit the form. The registrant shall be informed of the preclassification personal appearance option as set forth in Chapter 624.

c. If the registrant fails to return the SSS Form 118 within 30 days, the local board shall consider the registrant's claim without the benefit of the information on the form.

d. After the issuance of an order to report for induction or alternate service, a claim of dependency, or a request for, or submission of, an SSS Form 118 does not constitute a basis for postponement or delay of a registrant's processing for induction or alternate service. Such delay will not be permitted, unless information is presented which, if true, would be a basis for reopening a registrant's classification, and the late submission of the information is due to reasons beyond the registrant's control.

e. Classification need not be based solely upon the information contained in the questionnaire. When the local board determines that the information in the file is inadequate, it may request further information from the registrant, his dependents, or other government or private agencies.

#### 4. Claimed Dependency Based on Financial Hardship.

##### a. Information to be considered:

- (1) Financial needs of the claimed dependent.
- (2) Reasonableness of such claims.
- (3) Earnings of the claimed dependent if employed and/or other income.
- (4) Income of other members of the registrant's family and their responsibility for and ability to contribute to the claimed dependent.
- (5) Financial effect of entry into active military service including all pay and allowances, and the Soldiers' and Sailors' Civil Relief Act.

b. For the purpose of determining whether or not the induction of a registrant would result in hardship to his dependent(s), to a degree sufficient to justify deferment, the local board must consider the pay, along with clothing allowances, lodging and food, which the registrant would receive as a member of the armed forces, the free medical care for the member and his dependents, as well as the allowances which are payable by the United States to persons serving in the armed forces who have dependents. However, the fact that such pay and allowances are payable shall not be deemed conclusively to remove the grounds for deferment except in those situations where dependency is based solely upon financial considerations and where the local board may reasonably find that such pay and allowances are an adequate substitute for the financial loss occasioned to claimed dependents, and shall not be deemed to remove the grounds for deferment when the dependency is based upon other than financial considerations and cannot be eliminated by financial assistance to the dependents.

c. The following table sets forth, according to pay grade, the amount of pay and allowance for quarters, paid to an enlisted man with less than two years service (as of October 1, 1974):

Pay grade	Monthly pay	Allowance for quarters one or more dependents	Total pay and allowance
E-1.....	\$344.10	110.70	454.80
E-2.....	383.40	110.70	494.10
E-3.....	398.40	110.70	509.10
E-4.....	414.30	128.10	542.40

These figures are subject to possible annual increases.

Married men receive an additional \$2.41 a day as subsistence allowance.

#### 5. Claimed Dependency Based on Physical or Mental Hardship.

a. Medical documentation of the dependency should be evaluated as to degree of disability, the length of time the medical condition has been in existence and the prognosis as to the continuation of the medical condition. The dependent's ability to care for himself, or be cared for without the aid of the registrant, shall be considered.

b. A doctor's statement must verify any claimed disability of dependents. It must be determined that the registrant alone is responsible for the care of the dependent. The normal anxiety attributable to one whose son or husband enters the armed forces should not be a basis for deferment. The prognosis for the registrant's dependent must also be considered to determine if this is a short or long-term condition.

#### SECTION 622.40—CLASS 4-A: REGISTRANT WHO HAS COMPLETED MILITARY SERVICE

1. In Class 4-A shall be placed an registrant who is within any of the following categories:

a. A registrant separated from the Armed Forces of the United States, with an honorable discharge or a discharge under honorable conditions, after having served for a period of not less than six months active duty other than active duty for training, in the Army, the Air Force, the Navy, the Marine Corps, or the Coast Guard.

b. A registrant who has served on active duty for a period of not less than 24 months as a commissioned officer in the National Oceanic and Atmospheric Administration or in the Public Health Service provided that such period of active duty in the Public Health Service as a commissioned Reserve officer commencing after June 30, 1967, shall have been performed by the registrant while assigned to staff any of the various offices and bureaus of the Public Health Service including the National Institutes of Health, or while assigned to the Coast Guard, or the Bureau of Prisons of the Department of Justice, Environmental Protection Agency, or the National Oceanic and Atmospheric Administration.

c. A registrant who while an alien has served on active duty for a period of not less than 12 months in the armed forces of any of the following nations which are certified by the Department of State to be nations with which the United States is associated in mutual defense activities:

Argentina	Costa Rica
Australia	Denmark
Barbados	Dominican Republic
Belgium	Ecuador
Bolivia	El Salvador
Brazil	France
Canada	Germany, Federal
Chile	Republic of
China, Republic of	(West)
(Nationalist)	Greece
Colombia	Guatemala

Haiti	Panama
Honduras	Paraguay
Iceland	Peru
Iran	Philippines,
Italy	Republic of
Jamaica	Portugal
Japan	Spain
Korea, Republic of	Thailand
(South)	Trinidad & Tobago
Luxembourg	Turkey
Mexico	United Kingdom
Netherlands	Uruguay
New Zealand	Venezuela
Nicaragua	Vietnam, Republic of
Norway	(South)
Pakistan	

When a registrant believes he qualifies for exemption from training and service under the provisions of this paragraph, he must request a certificate verifying his military service from the diplomatic mission in Washington, D.C., or the nearest consular office of the country in whose armed forces he served. The mission or the consular office, after verification of the registrant's service, will provide a certificate written in English evidencing such service direct to the local board of record.

d. A registrant who has completed six years of satisfactory service as a member of one or more of the armed forces, including the reserve components thereof.

2. For the purpose of computation of periods of active duty referred to in subparagraph a or b of paragraph 1 of this section, no credit shall be allowed for:

a. Periods of active duty for training performed as a member of a reserve component pursuant to an order or call to active duty solely for training purposes;

b. Periods of active duty in which the service consisted solely of training under a college training program under the jurisdiction of the Army, Air Force, Navy, Marine Corps, or Coast Guard;

c. Periods of active duty as a cadet at the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy; or as a midshipman at the United States Naval Academy; or in a preparatory school for admission to any such academies;

d. Periods of active duty in any of the armed forces between the time a registrant enlists for the specific purpose of attending a preparatory school, and the time he enters the academy or is transferred to a regular military assignment instead of entering the academy;

e. Periods of active duty performed by medical, dental, or allied specialists in student programs prior to receipt of the appropriate professional degree or in intern training; or

f. Periods of active duty commencing after June 30, 1967, for members of the Reserve of the Public Health Service other than when assigned to staff any of the various offices and bureaus of the Public Health Service (including the National Institutes of Health), the Coast Guard, the Bureau of Prisons of the Department of Justice, Environmental Protection Agency or the National Oceanic and Atmospheric Administration.

#### SECTION 622.41—CLASS 4-B: OFFICIAL DEFERRED BY LAW

In Class 4-B shall be placed any registrant who is the governor of a state, territory or possession, or any other official elected by the voters of the entire state, territory or possession or the District of Columbia; a member of a legislative body of the United States or of a state, territory or possession, or the District of Columbia; a judge of a court of



record of the United States or of a state, territory or possession, or the District of Columbia.

**SECTION 622.42—CLASS 4-C: ALIEN OR DUAL NATIONAL**

1. In Class 4-C shall be placed any registrant who is an alien who furnishes documentation establishing that he is a national of one of the following countries ("treaty alien") and who has made application on Request for Relief From Training and Service in the Armed Forces of the United States (SSS Form 130) to be exempted from liability for training and service in the Armed Forces of the United States:

Argentina	Italy
Austria	Latvia
China, Republic (Nationalist)	Liberia
Costa Rica	Norway
Estonia	Paraguay
Honduras	Spain
Ireland	Switzerland
	Yugoslavia

2. In Class 4-C shall be placed any registrant who is an alien who has departed from the United States and who was not under an outstanding order to report for induction at the time of his departure. If any registrant who is classified in Class 4-C pursuant to this paragraph returns to the United States his classification shall be reopened and considered anew.

3. In Class 4-C shall be placed any alien admitted for permanent or temporary residence who has registered at a time when he was required by the selective service law to register and thereafter has acquired status within one of the groups of persons exempt from registration.

4. In Class 4-C shall be placed any registrant who is an alien admitted for permanent residency, and who by reason of occupational status (such as employment at the World Bank or United Nations) is subject to consideration for nonimmigrant status, but who executes a waiver of all rights, privileges, exemptions, and immunities which would otherwise accrue to him as a result of that occupational status. A registrant placed in Class 4-C under the authority of this paragraph shall be retained in Class 4-C only for so long as such occupational status continues.

5. Treaties between the United States and the countries listed below, relating to military obligations in certain cases of dual nationality, provide that a person possessing two or more nationalities who habitually resides in one of the countries whose nationality he possess, and who is in fact closely connected with that country, shall be exempt from all military obligation in the other countries:

Australia (Extended to Papua, Norfolk Islands, Trust Territory of New Guinea).	Malta
Austria	Mauritania
Belgium	Mauritius
Brazil	Netherlands (Extended to Surinam and Curacao)
Burma	Niger
Columbia	Nigeria
Cuba <sup>1</sup>	South Africa <sup>1</sup>
Cyprus	Swaziland
El Salvador	Sweden
Finland	United Kingdom of Great Britain and Northern Ireland.
India <sup>1</sup>	
Indonesia	
Malawi	

<sup>1</sup> Any case of dual nationality involving Cuba, India, or South Africa shall be referred to National Headquarters for recommendation.

A registrant who is a national of both the United States and any of the above listed countries, and who habitually resides in and is closely connected with that country, as evidenced by information submitted on Special Form for Alien or Dual National (SSS Form 131) and documentation of his claim, shall be classified in Class 4-C.

6. Agreements between the United States and Switzerland, and between the United States and Norway, provide that a person born in Switzerland or Norway of parents who are nationals of the United States, and who, himself, is a national of both the United States and the other country, and who habitually resides in the other country, is exempt from liability for military service in the United States. A registrant who qualifies for exemption under this provision as evidenced by information submitted on SSS Form 131 and documentation of his claim, shall be classified in Class 4-C.

**SECTION 622.43—CLASS 4-D: MINISTER OF RELIGION**

1. In Class 4-D shall be placed any registrant who is a regular or duly ordained minister of religion.

2. The term "duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial ritual or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and ceremonies in public worship, and who as his regular customary vocation preaches and teaches the principles of religion and administers the organization of which he is a member, with the creed or principles of such church, sect, or organization.

3. The term "regular minister of religion" means one who as his regular customary vocation preaches and teaches the principles of religion of a church, religious sect, or organization of which he is a member without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

4. The terms regular or duly ordained minister of religion do not include a person who irregularly or incidentally preaches and teaches the principles of religion of a church, religious sect, or organization and do not include any person who may have been duly ordained a minister in accordance with the ceremonial rite or discipline of a church, religious sect, or organization, but who does not regularly, as a bona fide vocation, teach and preach the principles of religion and administer the ordinances of public worship, as embodied in the creed or principles of his church, sect, or organization.

5. If the local board or appeal board considers the information it has received to be insufficient for the purpose of making a determination, it should request assistance or additional information from the State Director of Selective Service. When the church or religious organization is located in another state, the State Director may contact the appropriate State Director for advice and recommendation, or may request advice from the Director of Selective Service. In any case, the advice of the State Director or Director of Selective Service shall not be binding upon the local board.

**SECTION 622.44—CLASS 4-F: REGISTRANT NOT QUALIFIED FOR MILITARY SERVICE**

1. In Class 4-F shall be placed any registrant, other than a registrant who is a medical, dental, or allied specialist, who is found by an Armed Forces Examining and Entrance Station (AFES) upon examination under

applicable physical, mental, or administrative standards, to be not acceptable for service in the armed forces; except that no such registrant whose further examination or re-examination is determined by AFES to be justified shall be placed in Class 4-F until further examination has been accomplished and such registrant continues to be found not acceptable for military service.

2. In Class 4-F shall be placed any registrant, other than a registrant who is a medical, dental, or allied specialist, who has been found by AFES to be not acceptable as provided in the "papers only" provisions of Chapter 628.

3. In Class 4-F shall be placed any registrant, other than a registrant who is a medical, dental, or allied specialist, for whom the local board has received an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) or similar form evidencing that the registrant has been separated from the armed forces, including the Reserve components, because of physical, mental, or moral disqualification. A registrant separated for administrative reasons will not be placed in Class 4-F.

4. a. In Class 4-F shall be placed any registrant, other than a registrant who is a medical, dental, or allied specialist, for whom evidence is received by the local board documenting his confinement in a jail, prison, mental institution, recognized drug rehabilitation center, or similar institution, with such 4-F classification to continue for as long as the registrant remains confined.

b. For this registrant, the "Y" symbol shall be shown for the third element of his acceptability symbol. Other elements of the acceptability symbol will be shown as zeros (i.e., 0-0-Y) for a registrant who has not been found acceptable as a result of an armed forces examination, and as X's (i.e., X-X-Y) for a registrant who has been previously found acceptable as a result of an armed forces examination. The fact that a registrant is under the active supervision of a parole officer, probation officer, or other court supervision, including the courses of treatment prescribed by a court order of commitment, is not basis for classification in Class 4-F. Such a registrant should be processed for armed forces examination in the normal manner.

c. To insure proper local board action, compensated employees will make appropriate entries in the local board suspense file of the dates when registrants' confinement will end.

5. When a registrant who is in Class 4-F enters a medical specialist category he will be classified into Class 1-AM pending examination as a medical specialist, unless he is eligible for a lower classification.

**SECTION 622.45—CLASS 4-FM: MEDICAL SPECIALIST REGISTRANT NOT QUALIFIED FOR MILITARY SERVICE**

1. In Class 4-FM shall be placed any registrant who is found by an Armed Forces Examining and Entrance Station (AFES), under standards applicable to medical, dental, and allied specialists, to be not acceptable for service in the Armed Forces; except that no such registrant whose further examination or re-examination is determined by AFES to be justified shall be placed in Class 4-FM until further examination has been accomplished and such registrant continues to be found not acceptable for military service.

2. In Class 4-FM shall be placed any registrant who is found by AFES under standards applicable to medical, dental, and allied specialists to be not acceptable as provided in the "papers only" provisions of Chapter 628.

3. In Class 4-FM shall be placed any registrant for whom the local board has received



an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) or similar evidence that, as a medical, dental, or allied specialist, the registrant has been separated from the Armed Forces, including the Reserve components, because of physical, mental, or moral disqualification. A registrant separated for administrative reasons will not be placed in Class 4-FM.

4. a. In Class 4-FM shall be placed any registrant who is a medical, dental or allied specialist, for whom evidence is received by the local board documenting his confinement in a jail, prison, mental institution, recognized drug rehabilitation center, or similar institution, with such 4-FM classification to continue for as long as the registrant remains confined.

b. For this registrant, the "Y" symbol shall be shown for the third element of his acceptability symbol. Other elements of the acceptability symbol will be shown as zeros (i.e., O-O-Y) for a registrant who has not been found acceptable as a result of an armed forces examination under standards applicable to medical specialists. The fact that a registrant is under the active supervision of a parole officer, probation officer, or other court supervision, including the courses of treatment prescribed by a court order of commitment, is not basis for classification in Class 4-FM. Such a registrant should be processed for armed forces examination in the normal manner.

c. To insure proper local board action, compensated employees will make appropriate entries in the local board suspense file of the dates when registrants' confinement will end.

5. In Class 4-FM shall be placed any registrant in the medical, dental, and allied specialist categories who has applied for an appointment as a Reserve officer in one of the armed forces in any of such categories and has been rejected for such appointment on the sole ground of a physical disqualification.

6. In Class 4-FM shall be placed any registrant in the medical, dental, and allied specialist categories who has been found by AFEEs to be not acceptable because of a permanent professional disqualification (See Chapter 680).

**SECTION 622.46—CLASS 4-G: SURVIVING SON/ SOLE SURVIVING SON**

1. In Class 4-G shall be placed any registrant who qualifies as a surviving son or a sole surviving son, as defined below.

a. Surviving son means one or more surviving sons of any family in which the father or a brother or a sister (1) was killed in action or died in line of duty while serving in the Armed Forces of the United States after December 31, 1959, or (2) died after that date due to injuries received or disease incurred in line of duty during such service, or (3) entered a captured or missing in action status after that date, and still remains in that status. No registrant may be exempted under this provision during a period of war or national emergency declared by the Congress. The term "brother" or "sister" means "brother" or "sister" of the whole blood.

b. Sole surviving son means the only remaining son of any family in which the father or one or more sons or daughters were killed in action before January 1, 1960, while serving in the Armed Forces of the United States, or died after that date due to injuries received or disease incurred in line of duty during such service before January 1, 1960. No registrant may be exempted under this provision during a period of war or national emergency declared by the Congress.

2. The death of an individual as a result of his military service will be considered "in line of duty," unless information from the service concerned or from the Veterans Administration indicates otherwise. The status of the registrant's father, brother or sister who was killed or who died or who is captured or missing shall be verified by contacting the armed force concerned or the Veterans Administration.

3. The following examples may be of assistance to local boards in considering claims for exemption under this section:

a. The father of John Smith, an only child, served in the Navy from 1943 until 1945 when he was discharged because of multiple wounds. He died in 1950 from those injuries. John is eligible for exemption as a sole surviving son.

b. Same as above, except John's father died in 1964 from wounds sustained in 1945. John qualifies for exemption as a sole surviving son.

c. Same as above, except the father's death was due to an automobile accident in 1961. John does not qualify for exemption as the death was not from a service connected cause.

d. John's father and mother were divorced in 1948. His mother, who gained custody of John, remarried and bore a son by her second husband. John's father died in 1950 from wartime wounds. John qualifies for exemption even though he has a half-brother, because he was the only son of a man who died from wounds sustained while in the Navy. (John's half-brother would not qual-

ify as he was not a son of John's father.)

e. William Miller's half-brother joined the Army and was killed in 1960 in Vietnam. William would not be eligible for exemption as the deceased was not a brother of the whole blood.

f. James Nelson had four brothers of the whole blood. Tom, the second oldest, joined the Marines and was killed in a training exercise on January 4, 1963. All three remaining brothers qualify for exemption from service as surviving sons.

g. Edward Kolski's mother, a Reserve officer in the WAC, was killed in a plane crash during her annual two week tour of active duty. Edward would not qualify for exemption since there is no provision for exemption based on the death of a mother.

h. Robert Duran's father dies in 1961 from World War II injuries. Robert has two brothers who are still living. None of the sons qualify for exemption because there is no sole surviving son.

**SECTION 622.47—CLASS 4-W: CONSCIENTIOUS OBJECTOR REGISTRANT WHO HAS COMPLETED ALTERNATE SERVICE IN LIEU OF INDUCTION**

In Class 4-W shall be placed any registrant who subsequent to being ordered by the local board to perform alternate service in lieu of induction has been released from such service by the local board after satisfactorily performing the work for a period of 24 consecutive months; or has been released from such service by the Director or State Director after six months or more of appropriate work.

**U.S. MEDICAL SCHOOLS THAT ACCEPT STUDENTS OUT OF HIGH SCHOOL (SEE SECTION 622.26)**

**NAME AND LOCATION OF SCHOOL**

Albany Medical College, Albany, New York.  
Boston University School of Medicine, Boston, Massachusetts.  
Brown University, Providence, Rhode Island.  
Hahnemann Medical College, Philadelphia, Pennsylvania.  
Jefferson Medical College, Philadelphia, Pennsylvania.  
Louisiana State University Medical Center, Shreveport, Louisiana.  
University of Michigan Medical School, Ann Arbor, Michigan.  
University of Missouri School of Medicine, Kansas City, Missouri.  
Medical College of Pennsylvania, Philadelphia, Pennsylvania.  
Medical University of South Carolina, Charleston, South Carolina.  
Washington University School of Medicine, St. Louis, Missouri.

NOTICES

13075

(See Section 622.15)

ENLISTMENT CONTRACT - ARMED FORCES OF THE UNITED STATES					Form Approved Budget Bureau No. 23-30070		
<i>(Also to be used by AFRES in conjunction with induction processing on a month of processing date for manpower information reporting systems.)</i>							
1. SERVICE NO./SSAN	2. HIGHEST SCHOOL GRADE COMPLETED	3. RATE/GRADE	4. BRANCH/CLASS AND COMPONENT	5. LAST NAME - FIRST NAME - MIDDLE NAME			
6. DATE OF ENL/INDUC	7. TERM OF ENLISTMENT/INDUC YEARS MONTHS	8. MARITAL STATUS	9. NO. DEPEND	9. NAME & LOCATION OF ACTIVITY EFFECTING ENLISTMENT/REENLISTMENT/INDUCTION			
10. APTG SCORE	11. ENLISTED/RELISTED/INDUCTED <input type="checkbox"/> 1ST ENL <input type="checkbox"/> REENL <input type="checkbox"/> INDUCTION	12. AUTHORITY FOR ENLISTMENT/REENLISTMENT/INDUC		13. ACCEPTED AT			
14. TERM OF ACQU (Reserve only) MONTHS	14. ACTIVE/INACTIVE STATUS (Reserve only) <input type="checkbox"/> ON AD <input type="checkbox"/> INACTIVE <input type="checkbox"/> DUTY	15. CONTRACT DUTY LIMITATIONS		16. DATE MIL OBL INC			
17. PMOS/AFS CODE/MOD	18. RELIGION	19. COUNTRY (Specify)		20. PLACE OF BIRTH (City, state or country)			
21. DATE OF BIRTH	22. CITIZENSHIP <input type="checkbox"/> US <input type="checkbox"/> NAT US	23. PHYSICAL PROFILE		24. TRANSFER TO (Activity and location)			
25. DATE OF TRANSFER	26. TYPE OF LAST DISCHARGE		27. TRANSFER TO (Activity and location)				
28. DATE LAST DC/RAD	29. SVC FROM WHICH LAST DISCHARGED	30. DATE OF RATE/OR		31. SELECTIVE SERVICE NO.			
32. DATE OF RATE/OR	33. SELECTIVE SERVICE LOCAL ID (Ind No., city & state)		34. HOME OF RECORD				
35. BASD/ADSD	36. TOTAL ACTIVE FEDERAL SERVICE YEARS MONTHS DAYS		37. MENTAL TEST SCORES				
38. SP ID/PEID	39. TOTAL INACTIVE FEDERAL SERVICE YEARS MONTHS DAYS		40. DATA PROCESSING CODE				
41. SEA	42. PAGE						
43. PRIOR SERVICE							
BRANCH/CLASS/ARMED FORCE & COMPONENT	SERVICE NUMBER/SSAN	DATE ENL/IND, APT, AND/OR OAD	DATE OF DISCHARGE OR RELEASE	GRADE/RATE OR RANK	TYPE OF DISCHARGE	REASON FOR DISCHARGE	TIME LOST (No. Days)
<p>44. I know that if I secure my enlistment by means of any false statement, willful misrepresentation or concealment as to my qualifications for enlistment, I am liable to trial by court martial or discharge for fraudulent enlistment and that, if rejected because of any disqualification known and concealed by me, I will not be furnished return transportation to place of acceptance.</p> <p>I am of the legal age to enlist. I have never deserted from and I am not a member of the Armed Forces of the United States, the US Coast Guard or any Reserve component thereof; I have never been discharged from the Armed Forces or any type of civilian employment in the United States or any other country on account of disability or through sentence of either civilian or military court unless so indicated by me in Item 56, "Remarks" of this contract. I am not now drawing retired pay, a pension, disability allowance, or disability compensation from the government of the United States.</p> <p>45. SECTION 5504 OF TITLE 10 OF THE UNITED STATES CODE is quoted: "(a) The Secretary of the Navy may extend enlistments in the Regular Navy and the Regular Marine Corps in time of war or in time of national emergency declared by the President for such period as he considers necessary in the public interest. Each member whose enlistment is extended under this section shall be discharged not later than six months after the end of the war or national emergency, unless he voluntarily extends his enlistment. (b) The substance of this section shall be included in the enlistment contract of each person enlisting in the Regular Navy or Regular Marine Corps."</p> <p>46. SECTION 5505 OF TITLE 10 OF THE UNITED STATES CODE is quoted: "(a) The senior officer present afloat in foreign waters shall send to the United States by Government or other transportation as soon as possible each enlisted member of the naval service who is serving on a naval vessel, whose term of enlistment has expired, and who desires to return to the United States. However, when the senior officer present afloat considers it essential to the public interest, he may retain such a member on active duty until the vessel returns to the United States. (b) Each member retained under this section—(1) shall be discharged not later than 30 days after his arrival in the United States; and (2) except in time of war is entitled to an increase in basic pay of 20 percent. (c) The substance of this section shall be included in the enlistment contract of each person enlisting in the naval service."</p> <p>47. I understand that, upon enlistment in a Reserve Component of the Armed Forces of the United States, or upon transfer or assignment thereto, I may be ordered to active duty without my consent—for the duration of a war or national emergency declared by Congress and for six months thereafter, or for a period of 24 consecutive months during a period of national emergency declared by the President, or under any other conditions and for such period of time as are presently or hereafter authorized by law. I further understand, as a statutorily obligated member of the Ready Reserve that if I am not assigned to, or participating satisfactorily in, a unit of the Ready Reserve; and have not served on active duty for a total of 24 months, I may be ordered to active duty without my consent, by order of the President, until my total service on active duty equals 24 months, the terms of my enlistment notwithstanding.</p>							

DD FORM 4, 1 FEB 70

REPLACES DD FORM 4, 1 APR 66, WHICH IS OBSOLETE.

8" x 10 1/2"

FACE

Attachment 622-2a

(Rev. FEB 1, 1975)

## NOTICES

<p>54. I have had this contract fully explained to me, I understand it, and certify that no promise of any kind has been made to me concerning assignment to duty, geographical area, schooling, special programs, extra amount of Government quarters, or transportation of dependents except as indicated.</p> <p>55. I swear (or affirm) that the foregoing statements have been read to me, that my statements have been correctly recorded and are true in all respects and that I fully understand the conditions under which I am enlisting.</p>	
SIGNATURE OF WITNESS	SIGNATURE OF APPLICANT (First Name - Middle Name - Last Name)
56. REMARKS	
<p>57. OATH OF ENLISTMENT (For service in Regular or Reserve Component of the Armed Forces except National Guard or Air National Guard)</p> <p>I, _____, do hereby acknowledge to have voluntarily enlisted under the conditions prescribed by law, this _____ day of _____, 19____, in the _____ for a period of _____ years unless sooner discharged by proper authority; and I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations, and the Uniform Code of Military Justice. So help me God.</p> <p>SIGNATURE</p>	
<p>58. OATH OF ENLISTMENT (For service in National Guard or Air National Guard)</p> <p>I do hereby acknowledge to have voluntarily enlisted this _____ day of _____, 19____, in the (Army) (Air) National Guard of the State of _____ and as a Reserve of the (Army) (Air Force) with membership in the (Army) National Guard of the United States (Air National Guard of the United States) for a period of _____ (Years - Months - Days) under the conditions prescribed by law, unless sooner discharged by proper authority.</p> <p>I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and of the State of _____ against all enemies, foreign and domestic; that I will bear true faith and allegiance to them; and that I will obey the orders of the President of the United States and the Governor of _____ and the orders of the officers appointed over me, according to law, regulations, and the Uniform Code of Military Justice. So help me God.</p> <p>SIGNATURE</p>	
<p>59. CONFIRMATION OF ENLISTMENT</p> <p>The above oath was subscribed and duly sworn to before me this _____ day of _____, 19____. To the best of my judgment and belief, enlisting fulfills all legal requirements, and in enlisting this applicant, I have strictly observed the regulations governing such enlistment. The above oath, as filled in, was read to the applicant prior to subscribing thereto.</p>	
TYPED NAME, GRADE/RANK, AND ORGANIZATION OF ENLISTING OFFICER	SIGNATURE OF ENLISTING OFFICER

8" x 10 1/2"

REVERSE SIDE

Attachment 622-2b

(NOV 4, 1974)



[Rev. Jan. 21, 1975]

## CHAPTER 623—CLASSIFICATION PROCEDURE

Sec.

- 623.1 Commencement of Classification.  
 623.2 Consideration of Classes.  
 623.3 Action to be Taken When Classification Determined.  
 623.4 Registrants Transferred for Classification.  
 623.5 Procedure Upon Transfer for Classification.  
 623-1<sup>1</sup> Sample Letter Regarding Denial of Classification.

## SECTION 623.1—COMMENCEMENT OF CLASSIFICATION

1. Each registrant shall be administratively assigned to Class 1-H as of the time of his registration and thereafter shall have his classification reopened and considered anew by his local board whenever:

a. His random sequence number (RSN) is equal to or below the administrative processing number (APN) established by the Director of Selective Service for his year-of-birth group, or

b. He files new information with his local board which would qualify him for a classification lower than 1-H.

2. The registrant's classification shall be determined on the basis of the official forms of the Selective Service System and other written information in his file, oral statements by the registrant at his personal appearance before the local board, appeal board, or National Selective Service Appeal Board, and oral statements by the registrant's witnesses at his personal appearance before the local board.

No written summary of the oral information presented at a registrant's personal appearance that was prepared by a member of the local board or compensated employee of the Selective Service System will be considered by the local board or placed in the registrant's file folder unless a copy of it has been furnished to the registrant. No information in any other document in the registrant's file shall be considered in classifying the registrant into a class available for military or alternate service unless the document was supplied by the registrant or a copy of it or a fair resume of its contents has been furnished him by the Selective Service System.

## SECTION 623.2—CONSIDERATION OF CLASSES

Every registrant shall be placed in Class 1-A, except that when grounds are established to place a registrant in any one of the classes listed in the following table, the registrant shall be classified in the lowest class for which he is determined to be eligible, with Class 1-AM considered the highest class and Class 1-C considered the lowest class:

Class	
1-AM	4-D
1-A-O	4-G
1-A-OM	1-H
1-O	4-F
1-OM	2-M
2-AM	4-FM
2-S	4-W
2-D	4-A
3-A	1-D
4-B	1-W
4-C	1-O

## SECTION 623.3—ACTION TO BE TAKEN WHEN CLASSIFICATION DETERMINED

1. Within ten working days after the local board has classified or reclassified a registrant (except a registrant who is classified

<sup>1</sup> Attachment.

in Class 1-C because of his entry into active service in the armed forces, or in Class 1-W because of his entry into alternative service), it shall mail him a Status Card (SSS Form 7). When a registrant is classified in Class 2-AM, 2-S, 2-D, 2-M, or 3-A, the date of expiration of the deferment shall be entered on the Status Card.

2. The effective date of the classification, the class, and the date of expiration if applicable, will be entered on page 1 of the Registrant File Folder (SSS Form 101). The date of classification, the class, the vote, and the date of mailing the Status Card to the registrant, will be entered on page 2 of the Registrant File Folder. The class and date of mailing of the Status Card will also be entered on the Classification Record (SSS Form 102).

3. A notice of all classification actions for each local board, including those of the appeal board and administrative assignments will be posted in a conspicuous place in the local board office for a period of 60 days. The posting requirement for classification actions of the appeal board and administrative assignments will be met by displaying on a table, counter top or in some other location accessible to the public, the brown RIB Report binder containing the "Administrative Assignments" (Table I) and "Appeal Board Actions" (Table III) sections of the latest RIB output report, List of Classifications (LOC). The posted copy should be corrected to reflect any changes resulting from the verification of the LOC. The minutes of Local Board Meeting Continuation Sheet (SSS Form 112-A) will be used for showing all classifications resulting from local board action, and the third copy of this form will be stapled to the top sheet of Table I of the most current LOC in the brown binder. A copy of the SSS Form 112-A should be placed in the LOC brown binder as soon as prepared following the local board meeting.

4. When a person is unable to ascertain the current classification of a specific registrant from these posted notices, an employee of the local board, upon request, shall consult the Classification Record and shall furnish the person making the inquiry the current classification of such registrant.

5. In the event the local board classifies a registrant in a class other than that which he requested, it shall record its reasons on a Report of Information (SSS Form 119) which shall be prepared in an original and one copy and signed by a local board member or compensated employee who was present at the meeting at which the registrant was classified, and the copy filed in the registrant's file. The local board shall inform the registrant of such reasons at the time it mails him a Status Card by enclosing the original of the Report of Information. (Sample letter for this purpose is Attachment 623-1 to this Chapter).

## SECTION 623.4—REGISTRANTS TRANSFERRED FOR CLASSIFICATION

1. Before the registrant's local board of record has classified the registrant, other than his initial assignment into Class 1-H, he may be transferred for classification to another local board within the same state by the State Director if he is so far from his local board as to make complying with notices an extreme hardship.

2. A registrant may be transferred for classification to another local board within the same state by the State Director at any time (1) when the local board cannot act on his case because of disqualification under the provisions of Chapter 604, or (2) when a majority of the members of the local board, or a majority of the members of every panel thereof if the board has separate panels, withdraws from consideration of the regis-

trant's classification because of any conflicting interest, bias, or other reason, (3) when the registrant's classification cannot be determined because of a tie vote at two successive local board meetings or (4) when the State Director deems such transfer to be necessary in order to assure equitable administration of the Selective Service law.

3. For any of the reasons set forth in paragraphs 1 or 2 above, if transfer to a local board in another state is considered necessary by the State Director of the State in which the local board of record is located, transfer may be arranged with the concurrence of the "receiving" State Director.

4. The Director of Selective Service may transfer a registrant for classification to a local board in any state for the reasons set forth in paragraphs 1 or 2 above, or if he deems such transfer to be necessary in order to assure equitable administration of the Selective Service law.

## SECTION 623.5—PROCEDURE UPON TRANSFER FOR CLASSIFICATION

1. The local board from which the registrant is transferred shall prepare, in triplicate, an Order for Transfer for Classification (SSS Form 114), shall send one copy thereof to the registrant, and shall transmit the original to the local board to which the registrant is transferred, together with all papers pertaining to the registrant except the Registration Card and the remaining copy of the Order for Transfer for Classification. The local board from which the registrant is transferred shall, with red ink, note the transfer in the "Remarks" column of the Classification Record.

2. The local board to which the registrant is transferred shall classify the registrant. It shall follow the same procedure as in the case of one of its own registrants if a request for a personal appearance, a request for reopening, or an appeal is filed. It shall give the same notices and maintain the same records as are sent and maintained for its own registrants, except that it shall use a separate page in its Classification Record for transferred registrants and shall make all entries on that page in red ink. The local board to which the registrant is transferred shall prepare a duplicate Registrant File Folder. After the classification, after the personal appearance, when requested, and after the determination on appeal, when taken, the local board to which the registrant is transferred shall return to the local board of record all papers pertaining to the registrant except the duplicate Registrant File Folder and the Order for Transfer for Classification, and file the duplicate Registrant File Folder as instructed in Section 603.1. In the proper column of the Classification Record the local board to which the registrant is transferred shall note the date of the returning of the papers.

3. The classification made by the local board to which a registrant is transferred shall be appealed through that local board only. The local board of record shall accept and enter on the Classification Record and the Minutes of Local Board Meeting (SSS Form 112), without any change, the classification reported by the board which classified the registrant. If the local board of record receives new information that might affect the registrant's classification, the board shall send the information and the registrant's file to the board to which he was transferred, for further consideration; provided, that if the reason for the disqualification of the local board or other reason for the original transfer for classification no longer exists, the local board of record may consider the new information and classify the registrant in the same manner as if he had never been transferred for classification.

**SAMPLE LETTER REGARDING DENIAL OF REQUESTED CLASSIFICATION AND REASONS THEREFOR (SEE SECTION 623.3)**

(Local Board Stamp)

TO:

(Address)

Date of Mailing:  
SSN:  
RSN:

DEAR : This is to advise you that the classification you requested has been denied by the local board. A new Status Card (SSS Form 7) reflecting your classification is enclosed.

The reason(s) for denial of the requested classification is set forth on the enclosed Report of Information (SSS Form 119) which you may wish to retain for your personal records.

-----  
*Authorized Signature*

Enclosure(s).

[Rev. Feb. 1, 1975]

**CHAPTER 624—PERSONAL APPEARANCE BEFORE THE LOCAL BOARD**

Sec.

- 624.1 Opportunity for Personal Appearance.
- 624.2 Pre-classification Personal Appearance.
- 624.3 Request for Personal Appearance.
- 624.4 Appointment for a Personal Appearance.
- 624.5 Procedure for a Personal Appearance Before the Local Board.
- 624.6 Conduct of a Personal Appearance Before the Local Board.
- 624.7 Procedure When a Registrant Fails to Appear.
- 624.8 Procedure of the Local Board Following a Personal Appearance.
- 624.9 Appearance Before the Local Board Stays an Order to Report for Induction or Alternate Service.
- 624-1<sup>1</sup> Sample Letter for Notification of Non-Entitlement to a Personal Appearance.
- 624-2<sup>1</sup> Sample Letter Advising of Right to Pre-Classification Personal Appearance.
- 624-3<sup>1</sup> Sample Letter for Notifying Registrant that His Classification is Not Due for Reopening.
- 624-4<sup>1</sup> Sample Resolution.
- 624-5<sup>1</sup> Sample Letter For Transmitting Reasons For Denial of Claimed Classification Following a Scheduled Personal Appearance.

**SECTION 624.1—OPPORTUNITY FOR PERSONAL APPEARANCE**

1. Every registrant shall have the opportunity, in accord with the provisions of this Chapter, to appear in person before the local board which classified him except, (1) after his administrative classification into Class 1-H, (2) after his classification by the local board, made as a result of a personal appearance, and (3) after his classification by an appeal board. Any registrant who has the right to a personal appearance and who requests it will have his request acknowledged on a Procedural Rights Notice (SSS Form 204), within 10 working days after receipt of his request by the local board.

2. "Courtesy Interviews" or any other appearance by the registrant before the local board not specifically authorized by this Chapter shall not be held.

3. When a registrant requests a personal appearance, and the local board determines that he does not have a right to such appearance, he will be notified by letter. The local

<sup>1</sup> Attachment.

board will inform the registrant of its determination by using sample letter Attachment 624-1. (Note: SSS Form 204 will not be mailed to the registrant unless the local board has determined to grant a personal appearance.)

**SECTION 624.2—PRE-CLASSIFICATION PERSONAL APPEARANCE**

1. A registrant who files a claim for classification in Class 1-A-O, 1-A-OM, 1-O, 1-OM or 3-A shall, before his classification is determined by the local board, be granted an opportunity to appear in person before the local board (pre-classification personal appearance), if he so requests. He shall be informed in writing of his right to the preclassification personal appearance. (See sample letter Attachment 624-2.)

2. A registrant who requests, is granted, and appears for a preclassification personal appearance does not have the right to a personal appearance following that classification by the local board and issuance of a Status Card (SSS Form 7). However, if a registrant claims 1-A-O, 1-A-OM, 1-O, 1-OM, or 3-A, and requests a pre-classification personal appearance, and the registrant is in a class lower than the requested class, and is not in a category of registrants currently vulnerable for induction processing, the local board shall notify the registrant, using the letter format shown in Attachment 624-3, that the information submitted will be considered at such time as his classification is due to be reopened, and he will be accorded his procedural rights at that time.

**SECTION 624.3—REQUEST FOR PERSONAL APPEARANCE**

1. In order for a registrant who is claiming 1-A-O, 1-A-OM, 1-O, 1-OM, or 3-A to qualify for a pre-classification personal appearance, the local board must receive a written request for the pre-classification personal appearance from the registrant prior to the time the local board considers his claim. (See sample letter Attachment 624-2.)

2. A registrant who is eligible for a post-classification personal appearance must file a written request with the local board within fifteen days after the date of mailing shown on his Status Card (SSS Form 7). This fifteen-day period may be extended by the local board when it is satisfied that the registrant's failure to request a personal appearance within the specified time was due to some cause beyond his control.

**SECTION 624.4—APPOINTMENT FOR A PERSONAL APPEARANCE**

1. The local board shall consider and schedule personal appearances in the order of registrants' vulnerability for induction or alternate service as established by their priority selection group and RSN.

2. The local board shall give the registrant no less than fifteen days notice before a personal appearance, unless the registrant requests an earlier appointment which can be scheduled by the local board. To schedule a personal appearance, the local board shall mail the registrant a Procedural Rights Notice (SSS Form 204).

3. Should a registrant fail to appear at a scheduled personal appearance, he shall not be given an opportunity to appear at a later meeting unless he first establishes to the satisfaction of the local board good cause for his failure to appear. The registrant must file a written statement of the reason for his failure to appear at his scheduled meeting within five days after his failure to appear, or he will be deemed to have waived his right to appear at a later meeting of the local board. (The five-day period may be extended *only* by the local board when it is

satisfied that the registrant's failure to file a written statement within such period was due to some cause beyond his control.) The local board may authorize by resolution any compensated employee assigned to the local board to approve the reasons given by the registrant for his failure to appear. (A sample resolution, to be included on the SSS Form 112, is shown as Attachment 624-4.) However, the local board may not delegate the authority to reject the reasons given. The compensated employee will reschedule the personal appearance of a registrant whose reasons are accepted by preparing SSS Form 204, using copies 3 and 4 only, as prescribed in its procedural directive.

**SECTION 624.5—PROCEDURE FOR A PERSONAL APPEARANCE BEFORE THE LOCAL BOARD**

1. A quorum of the local board or appropriate panel of the local board must be present during all personal appearances. A majority of those present at the personal appearance will determine the classification action.

2. At any personal appearance the registrant may:

- a. Present evidence, and up to three witnesses;
- b. Discuss his classification;
- c. Point out the class or classes in which he feels he should be placed;
- d. Direct attention to any information in his file which he believes the local board has overlooked, or to which he feels it has not given sufficient weight.

The registrant may present any further information which he believes will assist the local board in determining his proper classification. The information furnished should be as concise as possible under the circumstances. The registrant may summarize in writing the oral information that he or his witnesses presented for inclusion in his file folder. A summary of the personal appearance shall be prepared by the compensated employee or a member of the local board who was present, and shall be placed in the registrant's file folder.

3. A registrant shall be given sufficient time at his personal appearance as is reasonably necessary for the fair presentation of his claim or claims. Normally fifteen minutes will be deemed adequate for this purpose, but the local board shall extend this time if it appears that further time is reasonably necessary for the fair presentation of the registrant's claim. The registrant's entire presentation, including the testimony of witnesses, shall be made during this time period.

4. A registrant who is granted a personal appearance before his local board shall be considered for all classifications which he has claimed or for which he has submitted information, and shall be deemed to have had his personal appearance for all such classifications.

5. If the registrant does not speak English adequately, he may appear with a person to act as an interpreter. This interpreter will not be considered as one of the registrant's three witnesses unless he also testifies in behalf of the registrant. The following oath shall be administered to an interpreter for each appearance requiring his services:

"You swear (or affirm) that you will truly interpret in the matter now in hearing. So help you God".

6. No registrant may be represented at his personal appearance before the local board by anyone acting as an attorney or legal counsel, but an attorney is not excluded from appearing solely as a witness for a registrant.

7. Recording devices will not be utilized during any personal appearance before the local board, nor will the making of a verbatim transcript be permitted.



**SECTION 624.6—CONDUCT OF A PERSONAL APPEARANCE BEFORE THE LOCAL BOARD**

1. The registrant shall be given the courtesy of being introduced to each local board member present at his personal appearance. Name plates may be used by local board members. The local board members should attempt to place the registrant at ease during his personal appearance.

2. Any questions asked by the local board member should be relevant to the registrant's case.

3. It is important that the registrant realize that his classification will be decided by the local board, and not by the compensated employee who should be present during his appearance. To accomplish this, the compensated employee who is in attendance, should not participate in the hearing, except to answer questions directed at him or her by a local board member. Such employee, or a member of the local board, shall take sufficient notes to enable him or her to prepare a written summary of the oral information presented, to be placed in the registrant's file folder and to be later furnished to the registrant. The Report of Information (SSS Form 119) should be used for this purpose. It shall be prepared in original and one copy, and signed by a local board member or compensated employee of the Selective Service System who was present at the personal appearance.

4. Witnesses who appear before the local board should appear singly (the registrant being present throughout his personal appearance) and they shall be extended the same courtesies given a registrant. Upon completion of a witness' testimony, he should be excused from the meeting room. The local board may, however, allow more than one witness to be present at the same time, and to remain throughout the entire proceedings, if it appears to be beneficial to the general presentation of the registrant's claim.

5. Upon reaching the end of the actual personal appearance, the local board should advise the registrant of the following, prior to excusing him from the room:

a. That the local board will decide his classification, based upon the information within his file and the information that was presented to the local board at his personal appearance;

b. That a Status Card (SSS Form 7) will be mailed to him shortly, reflecting the local board's decision in this matter;

c. That if his claim is denied by the local board, he will be supplied with the reasons for its decision along with his Status Card and a summary of the oral information presented;

d. That he may appeal the local board's decision by filing a written appeal within 15 days of the mailing of the Status Card; and any appeal previously filed is invalid;

e. That he may prepare a summary of the personal appearance for inclusion in his file.

6. The local board should thank him for attending the personal appearance and advise him that his personal appearance is now concluded.

**SECTION 624.7—PROCEDURE WHEN A REGISTRANT FAILS TO APPEAR**

1. Whenever a registrant for whom a personal appearance has been scheduled fails to appear as scheduled, the local board may grant the classification the registrant requested, if the evidence in his file shows him to be clearly qualified for that class. If the local board does not grant the classification requested, the local board shall consider, in accordance with paragraph 3 of section 624.4, any written explanation of such failure that

has been filed with five days, or filed within any period of extension as granted by the local board. If at the next scheduled local board meeting, the local board determines that the registrant's failure to appear for his personal appearance was without good cause, or if he failed to mail or submit an acceptable explanation within five days (or extension as granted by the local board), the registrant will be deemed to have had his personal appearance, and the following action will be taken:

a. If the scheduled personal appearance was a pre-classification personal appearance, the local board will classify the registrant on the basis of the information in his file and mail him a Status Card (SSS Form 7). The registrant will then have the right to a post-classification personal appearance and the right of appeal to the appeal board.

b. If the scheduled personal appearance was a post-classification appearance and the local board has not received new or additional information which in its judgement would warrant reopening the classification, the local board will mail the registrant a Notice of Decision Not to Reopen Classification (SSS Form 204-A). If the registrant has on file a timely appeal, the following statement will be typed on the bottom of the SSS Form 204A: "Your previous request for an appeal to an appeal board will now be processed. You may request a personal appearance before that appeal board within 15 days from the date of mailing of this notice." A Status Card will not be mailed to the registrant.

c. If the scheduled personal appearance was a post-classification appearance and there is additional information in the file which the local board judges sufficient to warrant reopening, it will reopen and consider anew the classification and mail the registrant a Status Card, reestablishing his right to personal appearance and appeal.

2. In the event the local board classifies the registrant in a class other than that which he requested, it shall record its reasons on a Report of Information (SSS Form 119), and file it in the registrant's file folder. The SSS Form 119 shall be signed by a local board member or compensated employee who was present at the meeting at which the registrant was classified. The local board shall use a letter (see Attachment 624-5), at the time it mails the registrant a Status Card, to inform him of its reasons.

3. The mailing of the Status Card will provide another right of personal appearance because the reopening of his classification was not based upon a personal appearance. The reopening by the local board under the provisions of this section cancels any appeal which was filed during any previous period afforded the registrant to request an appeal.

4. A notation that the registrant failed to appear before the local board shall be entered on page 2 of his Registrant File Folder (SSS Form 101).

5. If, under the provisions of paragraph 3 of section 624.4, the local board determines that the registrant had good cause for failing to report for his personal appearance he will not be classified until given the opportunity to appear before the local board at a later meeting. To establish the rescheduled personal appearance, the local board will prepare SSS Form 204, using copies three and four only, in accordance with its procedural directive.

6. If he fails to appear at the second meeting, the local board shall consider his classification request at that meeting.

**SECTION 624.8—PROCEDURE OF THE LOCAL BOARD FOLLOWING A PERSONAL APPEARANCE**

1. After the registrant appears before the local board, it shall classify the registrant,

and mail a Status Card (SSS Form 7) to him. The information shown on the registrant's copy of the Status Card informs him that he is not entitled to a further personal appearance if his classification was the result of a personal appearance before the local board.

2. Only those members of the local board before whom the registrant appeared shall classify him.

3. In the event the local board classifies the registrant in a class other than that which he requested, it shall record the reasons on a Report of Information (SSS Form 119), which shall be signed by a local board member or compensated employee who was present at the meeting at which the registrant was classified, and filed in the registrant's file folder. The local board shall inform the registrant of its reasons at the time it mails the Status Card (and the original SSS Form 119 summarizing the oral information presented at the personal appearance) by use of a letter (see Attachment 624-5).

4. A statement that the registrant has appeared before the local board shall be entered on page 2 of his Registrant File Folder (SSS Form 101). An entry shall also be made on the SSS Form 101, as well as on the SSS Form 102, reflecting the date of mailing of the SSS Form 7 and SSS Form(s) 119 to the registrant.

**SECTION 624.9—APPEARANCE BEFORE THE LOCAL BOARD STAYS AN ORDER TO REPORT FOR INDUCTION OR ALTERNATE SERVICE**

The local board shall not issue a registrant an order to report for induction or alternate service during the period in which he may request a personal appearance before the local board or, if he has requested a personal appearance, during the period the personal appearance is pending. Any such order which has been issued during either of those periods shall be canceled by the local board by the issuance of a Notice of Cancellation (SSS Form 255) and noted on page 2 of the file folder.

**SAMPLE LETTER FOR NOTIFICATION OF NON-ENTITLEMENT TO A PERSONAL APPEARANCE (SEE SECTION 624.1)**

(Local Board Stamp)

TO: (Address) Date of Mailing:  
SSN:  
RSN:

DEAR : This acknowledges your request for a personal appearance before the local board. The local board has reviewed your file and has determined that you are not entitled to a personal appearance at this time.

Authorized Signature

**SAMPLE LETTER ADVISING OF RIGHT TO PRE-CLASSIFICATION PERSONAL APPEARANCE (SEE SECTIONS 624.2 AND 624.3)**

(Local Board Stamp)

TO: (Address) Date of Mailing:  
SSN:  
RSN:

DEAR : A registrant who files a claim for classification in Class 1-A-O, 1-A-OM, 1-O, 1-OM, or 3-A, shall, upon his request, be granted an opportunity to appear in person before his local board prior to his classification being determined; however, the local board must receive his written request for the personal appearance prior to the time the local board considers his claim.

You have indicated a wish to be considered for one of these classifications. Therefore, in response to that request, enclosed is a special form that is provided for use in



NOTICES

furnishing the local board with additional information. No specified time limit is fixed for return of the enclosed form, but in order to have it considered at the time your classification is reopened and considered anew, it should be completed and returned in time for the local board meeting tentatively scheduled for -----

(date)

If you wish to appear for a pre-classification personal appearance, please advise us in writing. You may use the same pre-addressed envelope that is included for returning the enclosed special form. If you make such a request, you will be notified later of the time and date of your personal appearance. If you appear for a pre-classification personal appearance, you will not be given another personal appearance regarding the same claim by the local board after your classification has been reopened, and a Status Card (SSS Form 7) has been mailed to you; however, your subsequent right of appeal to the appeal board is not affected.

At any personal appearance before the local board you may have as many as three witnesses appear in your behalf, but no attorney may appear as your legal counsel. Please respond promptly.

-----  
Authorized Signature

Enclosures.  
Preaddressed Envelope Requiring No Postage.

- ( ) SSS Form 118
- ( ) SSS Form 150

SAMPLE LETTER FOR NOTIFYING REGISTRANT THAT HIS CLASSIFICATION IS NOT DUE FOR REOPENING (SEE SECTION 624.2)

(Local Board Stamp)

TO:

(Address)

Date of Mailing:  
SSN:  
RSN:

DEAR : This will acknowledge receipt of your recent correspondence. In view of the necessity to process registrants in the order of their vulnerability for induction, the local board will not consider your information at this time. This will not deprive you of any procedural rights.

Before your local board considers your case for possible reclassification, it will mail you a Current Information Questionnaire. Your completing that Form, attaching any additional information, and returning it to the local board will insure that you receive full consideration at the proper time.

Please keep the local board advised of your current mailing address.

-----  
Authorized Signature

SAMPLE RESOLUTION (SEE SECTION 624.4)

Pursuant to Chapter 624 of the Registrants Processing Manual, it is hereby resolved, by the local board, that the following named compensated employees are authorized to approve the reasons given by a registrant who has failed to meet his appointment for a personal appearance before the local board as provided in Section 624.4 of the Registrants Processing Manual (RPM). The authority to disapprove reasons given for failure to appear for personal appearance remains with the local board.

-----  
Date of Resolution

-----  
Local Board Chairman or Member

SAMPLE LETTER FOR TRANSMITTING REASON FOR DENIAL OF CLAIMED CLASSIFICATION FOLLOWING A SCHEDULED PERSONAL APPEARANCE (SEE SECTION 624.7 AND 624.8)

(Local Board Stamp)

To:

(Address)

Date of Mailing:  
SSN:  
RSN:

DEAR : Enclosed is your new Status Card (SSS Form 7) reflecting your Selective Service Classification. The new classification shown indicates that the classification requested by you was denied by your local board. The reason for denial is as follows:

- The summary of your personal appearance is enclosed. You do not have the further right to a personal appearance before the local board at this time.
- You were scheduled for a personal appearance at which you did not appear. You now have the right to request—within 15 days of the date of mailing shown on the enclosed Status Card—a personal appearance before the local board.

You have the right of appeal to the state appeal board if you are dissatisfied with your classification. You have 15 days in which to file an appeal, which should be directed to this local board and must be in writing. Any such appeal previously filed is now invalid, and you must refile within 15 days of the date of this mailing.

-----  
Authorized Signature

Enclosures.

CHAPTER 625—REOPENING AND CONSIDERING ANEW A REGISTRANT'S CLASSIFICATION

Index

Sec.	Title
625.1	Classification Not Permanent.
625.2	Reopening of Classification.
625.3	Non-Consideration of Reopening of Classification.
625.4	Decision By the Local Board Not to Reopen and Consider Anew Registrant's Classification.
625.5	Classification Considered Anew When Reopened.
625.6	Notice of Action When Classification Considered Anew.
625.7	Procedural Rights Following Reopening of Classification.
625.8	Cancellation of Order to Report For Induction or Alternate Service by Reopening of Classification.
Attachment 625-1	Sample Letter Notifying Registrant of Non-Consideration of Reopening Classification (Acceptability For Induction).
Attachment 625-2	Sample Letter Notifying Registrant of Non-Reopening of Classification.

SECTION 625.1—CLASSIFICATION NOT PERMANENT

1. No classification is permanent. When the basis for a registrant's current classification no longer exists, or the expiration date of the classification has been reached, the classification shall be reopened and the registrant classified anew.

2. The local board shall keep informed of circumstances which may affect the classification of a registrant, who is within the APN processing range. Registrants may be requested to furnish information, and may

be forwarded for armed forces examination. Employers may be requested to furnish information, police officials or other agencies may be requested to make investigation and other steps may be taken by the local board to keep currently informed concerning the status of registrants.

3. a. Each registrant is required to keep his local board informed of his current mailing address as long as his file is maintained by the local board.

b. Each registrant, until his liability for training and service has terminated, must keep his local board advised of his entrance into a professional course of study leading to a degree in a medical, dental, or allied specialist category. Notification of the receipt of a professional degree must be given the board by the registrant.

c. A registrant must respond to inquiries from the local board within ten (10) days or within a longer period fixed by the local board.

SECTION 625.2—REOPENING OF CLASSIFICATION

1. The local board shall reopen and consider anew the classification of a registrant:

a. When requested in writing by the Director of Selective Service or the State Director;

b. When a registrant in Class I-H is within the APN processing range;

c. When a registrant in any classification becomes eligible for classification into Class I-H;

d. When the local board receives specific evidence (DD Form 62, or documentation of confinement in a jail, prison, mental institution, recognized drug rehabilitation center, or similar institution) justifying the classification of a registrant into Class 4-F.

e. When the local board is of the opinion that a change in classification is justified, based upon facts other than pertaining to his acceptability for induction, that were not considered when the registrant was classified;

f. When the registrant submits a written request for reclassification, and presents information containing facts, other than pertaining to his acceptability for induction, not considered when the registrant was classified, which, if true in the opinion of the board, would justify a change in the registrant's classification. For purposes of reopening, the local board will consider the facts presented by the registrant to be true unless there is evidence in the registrant's file to the contrary, or the registrant's claim is plainly unbelievable.

2. Reopening under 1(e) or 1(f) above, of the classification of a registrant who is under order to report for induction or alternate service is authorized only:

a. when there has been a change in the registrant's status resulting from circumstances over which he had no control, or

b. when the order to report for induction or alternate service has been postponed and the reporting date has not yet been rescheduled.

SECTION 625.3—NON-CONSIDERATION OF REOPENING OF CLASSIFICATION

The local board shall not consider any request for reopening of a registrant's classification based upon his acceptability for induction except when the local board receives official notification from the armed forces including the Reserve components, stating that the registrant is not qualified for military service. The registrant will be advised by letter of the reasons for non-consideration of reopening of his classification. (Sample letter for this purpose is Attachment 625-1).

**SECTION 625.4—DECISION BY THE LOCAL BOARD NOT TO REOPEN AND CONSIDER ANEW REGISTRANT'S CLASSIFICATION**

1. A local board shall not reopen the classification of a registrant who files a written request for reclassification when the local board is of the opinion that the information accompanying the request fails to present any facts not considered when the registrant was classified or, even if new facts are presented, the local board is of the opinion that the new facts, if true, would not justify a change in his classification.

2. In any case where the local board declines to reopen, it shall (1) place in the registrant's file a written statement signed by a local board member of the reasons for the decision not to reopen his classification, and (2) advise the registrant by letter of the decision and the reasons. (Sample letter for this purpose is Attachment 625-2 to this Chapter.)

3. A notation that the local board declined to reopen and consider anew the registrant's classification will be entered on page 2 of his Registrant File Folder (SSS Form 101).

**SECTION 625.5—CLASSIFICATION CONSIDERED ANEW WHEN REOPENED**

When the local board reopens a registrant's classification, the local board shall consider the new information which it has received, together with all other information in the registrant's file, and shall then classify the registrant anew. The classification shall have the effect of a new and original classification.

**SECTION 625.6—NOTICE OF ACTION WHEN CLASSIFICATION CONSIDERED ANEW**

When the local board reopens the registrant's classification, the board shall mail him a Status Card (SSS Form 7) within 10 working days after it has again classified the registrant except when he is classified into Class 1-C or 1-W.

**SECTION 625.7—PROCEDURAL RIGHTS FOLLOWING REOPENING OF CLASSIFICATION**

Each classification resulting from a reopening under the provisions of this Chapter shall be followed by the right of appearance before the local board (if the classification did not result from an appearance other than a "courtesy" personal appearance), and the right of appeal to the appeal board.

**SECTION 625.8—CANCELLATION OF ORDER TO REPORT FOR INDUCTION OR ALTERNATE SERVICE BY REOPENING OF CLASSIFICATION**

1. The reopening of the classification of a registrant by his local board cancels any order to report for induction or for alternate service which may have been issued to him.

2. When a registrant's classification is reopened, except when the registrant is reclassified into Class 1-C or Class 1-W, the local board shall issue a Notice of Cancellation (SSS Form 255) to advise the registrant that his order has been canceled.

**SAMPLE LETTER NOTIFYING REGISTRANT OF NON-CONSIDERATION OF REOPENING CLASSIFICATION (ACCEPTABILITY FOR INDUCTION) (SEE SECTION 625.3)**

(Local Board Stamp)

TO: Date of Mailing:  
SSN:  
RSN:  
(Address)

DEAR : This acknowledges receipt of your request for classification change based upon a claim of unacceptability for induction.

Acceptability for induction can be determined solely by the Armed Forces Examining and Entrance Station (AFES).

For this reason your request will not be considered by the local board. The paragraph marked below applies to you:

- The evidence you have furnished has been sent to the AFES for evaluation. You will be advised of the results.
- You will be expected to report at the time and place specified on your Order to Report for Induction and a final determination of your acceptability for military service will be made by the AFES at that time.

For the Local Board

Authorized Signature

**SAMPLE LETTER NOTIFYING REGISTRANT OF NON-REOPENING OF CLASSIFICATION (SEE SECTION 625.4)**

(Local Board Stamp)

TO: Date of Mailing:  
SSN:  
RSN:  
(Address)

DEAR : This is to advise you that the Local Board has declined to reopen and consider anew your classification. The basis for its determination is as follows:

For the Local Board

Authorized Signature

**CHAPTER 632—DELIVERY AND INDUCTION INDEX**

Sec.	Title
632.1	Order to Report for Induction.
632.2	Induction of Registrants Distant From Their Own Local Boards.
632.3	Postponement of Induction.
632.4	Cancellation of Induction Orders.
632.5	Directed Transfer for Induction.
632.6	Duty of Registrant to Report for and to Submit to Induction.
632.7	Forwarding Registrants for Induction.
632.8	Induction.
632.9	Records Returned to the Local Board.
632.10	Disposition of Registrants Inducted or Found Not Qualified.
632.11	Enlistment of Registrants in the Armed Forces.
632.12	Enlistment of Registrants Ordered for Induction.

Attachment 632-2 Summary of Postponement Provisions.  
Attachment 632-3 Sample Letter Regarding RBJ.

**SECTION 632.1—ORDER TO REPORT FOR INDUCTION**

1. Upon receipt of Notice of Call on Local Board (SSS Form 201), any member or compensated employee of the local board, or any compensated employee of the Selective Service System whose official duties require him to perform administrative duties at the local board shall review the file folder of each non-volunteer registrant selected for induction under the call to insure that:

- a. His Random Sequence Number is no higher than the induction cutoff number established by the Director.
- b. He is assigned to the correct priority selection group to be processed.
- c. His procedural rights have been granted, or he has failed to exercise his procedural rights within the period authorized.
- d. He has been examined and found acceptable, or was ordered and failed to report for or submit to an armed forces examination.
- e. If an alien, he has resided in the United States at least one year. When a registrant has been within the United States for two or more periods (including periods before

his registration) totaling one year, he shall be deemed to have resided in the United States for one year. In computing the length of such periods, any portion of a day shall be counted as one day.

f. He is not classified in a deferred or exempt class or Class 1-O, or Class 1-OM, and

g. He will not have reached the 26th anniversary of his date of birth prior to his scheduled date of induction.

2. The scheduling and delivery of the registrant shall be in accordance with instructions of the State Director.

3. Any member or compensated employee of the local board, or any compensated employee of the Selective Service System whose official duties require him to perform administrative duties at the local board shall prepare for each registrant selected an Order to Report for Induction (SSS Form 252). The date specified to report for induction shall be at least 30 days after the date the order to report for induction is mailed, except that a registrant who has volunteered for induction may be selected and ordered to report for induction on any date after he has volunteered.

4. The date of mailing of the order to report for induction shall be entered on page 2 of the Registrant File Folder (SSS Form 101) and a copy of the order to report for induction will be placed in the file folder.

5. A Statement of Personal History (DD Form 398) with instruction sheet will also be mailed to each registrant selected for induction, along with his order to report for induction.

6. Following the mailing of the SSS Form 252 to all registrants scheduled for induction, the local board shall:

- a. Prepare a Delivery List (SSS Form 261) listing the registrants according to the order to call by RSN, lowest first within each order (see sample Delivery List in Attachment 632-1 [omitted]). The RSN shall be placed immediately following the registrant's name as shown on Attachment 632-1. Registrants who are violators shall be listed in the first group, under the heading "Violators". Registrants who have been in a postponed status shall be listed in the second group, under the heading "Previously Postponed". Registrants who have volunteered for induction shall be listed in the third group, under the heading "Volunteers". Registrants in the EPSG shall be listed in the fourth group, under the heading "EPSG". Registrants in the 1PSG shall be listed in the fifth group, under the heading "1PSG". If there are no registrants being listed in one or more of these categories, the unused headings will be omitted. The entry "1-A-O" will be made in the Remarks Column for each registrant who is in Class 1-A-O.

b. Forward to AFES, within the time established by the State Director and AFES concerned, the following: (Should an original of any of the following be in the registrant's file folder, it will be forwarded.)

- (1) One copy of the Delivery List (SSS Form 261) unless registrants are to report directly to the AFES, in which case, the original and two copies of the Delivery List will be forwarded.
- (2) Original and three copies of each registrant's Record of Induction (DD Form 47).
- (3) The copy of the Report of Medical Examination (Standard Form 86).
- (4) The copy of the Report of Medical History (Standard Form 93 or 89 if in the file).
- (5) Any X-ray films made at the time of the armed forces physical examination.
- (6) Any waiver of disqualification.
- (7) Any order terminating civil custody.
- (8) All medical documentation which the registrant has furnished the local board.
- (9) All other information concerning the qualification of the registrant.

(10) If the registrant has volunteered for induction and has not attained the age of 18 years and six months, the duplicate copy of the Application for Voluntary Induction (SSS Form 254) will be forwarded.

c. When making the entries on DD Form 47, the local board will type "H.S. Grad" in item 10 of such form whenever the registrant is a high school graduate. The source of the entry will be the registrant's statement on his Current Information Questionnaire (SSS Form 127), SSS Form 100, or any such information on any other paper in his file which indicates he has graduated from high school.

d. Forward one copy of the Delivery List to the State Director.

#### SECTION 632.2—INDUCTION OF REGISTRANTS DISTANT FROM THEIR OWN LOCAL BOARDS

1. Any registrant who has been ordered for induction and who is distant from his local board of jurisdiction, may voluntarily submit to processing for induction at any Armed Forces Examining and Entrance station, on or before the third day prior to the day on which he was to report for induction.

2. Upon reporting to any AFEEES, the registrant must identify himself as required by the AFEEES Commander and present to the AFEEES the registrant's copy of the Order to Report for Induction (SSS Form 252), or Notice of Rescheduled Induction Reporting Date (SSS Form 253). The AFEEES to which the registrant presents himself will in all cases retain such order or notice. The retained order or notice will be forwarded by the AFEEES with other records reflecting the result of induction processing in accordance with paragraph 10 of this section of the manual. Reporting prior to 11:00 a.m. at such AFEEES on or before the third day prior to the reporting date specified on SSS Form 252 or on SSS Form 253 (or where such third day falls on a weekend or a holiday, reporting by 11:00 a.m. on the last working day prior to such weekend or holiday) shall be deemed a satisfactory alternative to compliance with the order. A registrant may no longer have his induction transferred to another local board, except as provided in Section 632.5 of this Chapter.

Example No. 1: Jeff Frei receives a notice ordering him to report for induction on a Tuesday. Since he is in a state quite distant from his own local board, he wishes to voluntarily submit to induction at the nearest AFEEES. To meet the three-day requirement, he presents himself to the AFEEES before 11:00 a.m. on the Friday before his induction date since the third day prior to that is on a weekend.

3. A local board may postpone a registrant's induction the minimum amount of time necessary to permit him to submit voluntarily to induction, citing this section as authority, whenever it finds that he has not been given sufficient time to do so. Normally, the period of 30 days required between the date of mailing of the SSS Form 252 and the date scheduled for induction will be sufficient notice to allow a registrant to submit voluntarily to induction.

4. Assistance shall be given to registrants who inquire as to the location of the nearest AFEEES. Upon the registrant's request, transportation to the AFEEES shall be provided by the assisting local board by the least expensive method available, citing this Chapter of the manual as authority. The registrant should be transported with the local board's own registrants if transportation is scheduled prior to the date the registrant must report at the distant AFEEES.

Example No. 2: Registrant Sam Yule comes into your local board with an order to report for induction at a local board in another state. He says he wants to transfer his

induction to your board. You explain to him that he may not transfer his induction but that he may go to the nearest AFEEES and submit to induction rather than returning to his own local board. Since Sam says he prefers to go to the AFEEES on his own, you give him directions to the AFEEES.

Example No. 3: Sam Yule of the above example requests that you provide transportation to the AFEEES. It happens that you have a bus taking your own registrants to the AFEEES two days from now, in time to get Sam to the AFEEES prior to the three-day limit. You tell him that he may ride on the bus with the other registrants. If the bus is going in the afternoon, and meals and lodging are being provided to your registrants, you provide the same things for Sam. Note that you will not add Sam to your delivery list.

5. The registrant who seeks assistance of a local board too late to present himself at the nearest AFEEES prior to 11:00 a.m. on the third day prior to the reporting date specified on his SSS Form 252 or 253 should be advised to contact his own State Director to request a postponement of induction in order to permit him to meet the three-day requirement. If he tells the assisting local board that he has such a postponement, no written proof shall be required of him since the registrant will be required to certify to that fact later at the AFEEES. If he has not received a postponement, the executive secretary or clerk at the assisting local board may assist him in obtaining one.

Example No. 4: Registrant Rich Hard presents his induction order to a local board and requests transportation to the AFEEES. The Executive Secretary of the board notices, however, that his scheduled induction date is the next day, and thus that it is too late for Rich to meet the three-day requirement. He should be instructed to call his own State Director and secure a postponement of induction to allow him to get to the AFEEES. Rich says he already has done this. The Executive Secretary of the board should forward him to the AFEEES without asking for any written proof of the postponement since it was granted over the phone and no notice of postponement was sent to him (although it was noted in his file). Rich will be asked to sign a statement at the AFEEES attesting to the fact that he has been given a postponement.

6. When a registrant seeks to present himself for and submit voluntarily to induction at an AFEEES after the initial date of induction has passed, the AFEEES Commander shall contact the State Director having jurisdiction over the registrant's local board requesting authority to process the registrant. The State Director will normally authorize the induction, completing a Report of Information (SSS Form 119), a copy of which will be sent to the registrant's local board for inclusion in his file folder.

7. The registrant's State Director, upon authorizing a postponement of the registrant's reporting date on the basis of a request from the registrant or the assisting local board, shall make a record of the request, the action taken, and the authority (RPM Section 632.3) on a Report of Information (SSS Form 119), a copy of which will be sent to the registrant's local board for inclusion in his file folder.

8. The assisting local board shall not place such a registrant on a delivery list nor prepare a Record of Induction (DD Form 47) or any other record involved in induction processing. The assisting local board shall make a record in duplicate on SSS Form 119 of an inquiry made by any registrant of another local board regarding reporting for induction at a distant AFEEES, including his name; selective service number, induction

date specified on the SSS Form 252 or 253, and assistance offered. The duplicate copy of the SSS Form 119 shall be filed by the assisting local board in its General Files, section d.3, and the original shall be sent to the assisting local board's State Director for transmittal to the State Director of the registrant's local board.

9. In the event a registrant, whose reporting date is postponed under this section, reports for induction on the new reporting date at the time and place specified in his order or notice, instead of presenting himself for induction at a distant AFEEES, he shall immediately be delivered for induction to the AFEEES serving his own local board.

10. For each registrant who presents himself to a distant AFEEES for induction, the AFEEES will forward all records specified in Section 632.9 through the State Director having jurisdiction over the registrant's local board, reporting the disposition of each case. The AFEEES will identify these cases by entering "RPM 632.2" in the top margin (front side) of the DD Form 47 forwarded to the State Director.

11. If a registrant has failed to appear for his scheduled or rescheduled induction, the local board should delay reporting the registrant as a violator for a period sufficient for a distant AFEEES to transmit information of induction, but in any case, no longer than 30 days after the scheduled or rescheduled reporting date.

#### SECTION 632.3—POSTPONEMENT OF INDUCTION

1. The local board may, after the SSS Form 252 has been issued, postpone the registrant's induction, by issuance of a Notice of Postponement (SSS Form 264), in cases involving death of a member of the registrant's immediate family, serious illness of the registrant, or other emergency beyond the registrant's control. The local board, when granting a registrant such a postponement, will set a date certain when the postponement shall terminate, but the date shall not be later than 60 days from the date the postponement is granted. In case of imperative necessity, the local board may grant one further postponement to a date certain but the date shall not be later than 60 days from the date of granting the second postponement. No minimum notice is required when rescheduling the registrant's induction, in view of the fact that he was given a date certain for the termination of his postponement at the time it was granted.

2. The Director of Selective Service or any State Director of Selective Service (as to registrants registered within his State) may, for good cause, at any time prior to the issuance of any SSS Form 252 postpone the issuance of the order, or at any time after the issuance of an SSS Form 252, postpone the induction of the registrant or registrants until such date as he may deem advisable. The local board will issue a Notice of Postponement (SSS Form 264) to any registrant whose scheduled induction reporting date has been postponed.

3. Whenever the file folder of a registrant who is under an order to report for induction is sent to the Director or State Director for review and the review is not expected to be completed prior to the outstanding reporting date or termination of current postponement, the State Director will postpone the induction for the minimum time necessary to allow the review to be completed. The local board will issue SSS Forms 264 and 253 simultaneously, providing simultaneous terminal and reporting dates.

4. Whenever a registrant who has completed his academic studies is ordered to report for induction, but requires an internship and/or state examination in order to practice a profession, the local board shall



postpone his induction until a date after the normal time required to complete the internship if he is in an internship, and/or take the first regularly scheduled state examination for which he is qualified, citing this paragraph and Section as authority. Postponement for this purpose shall not exceed 12 months.

5. The local board shall, upon the appropriate facts being presented to it, postpone the induction of a registrant who on the date of issuance of his SSS Form 252 was satisfactorily pursuing a full-time course of instruction at a college, university or similar institution, or a trade or technical school (1) until a date immediately following the end of that quarter, semester or term, or the end of his academic year if reached for induction during his last academic year, or (2) until he ceases satisfactorily to pursue such course of instruction, whichever is earlier. If the quarter, semester, or term (or the academic year in the case of the last academic year) will end prior to the originally scheduled reporting date, no postponement shall be granted.

6. Any registrant who is issued an induction order while satisfactorily pursuing a full-time course of instruction at a high school or similar institution of learning shall, upon the appropriate facts being presented to the local board, have his date of induction postponed:

- a. until the time of his graduation,
- b. until he attains the age of 20, or
- c. until he ceases satisfactorily to pursue such course of instruction, whichever first occurs.

7. Any registrant who attains the age of 20 after beginning his last academic year of high school and is issued, or has been issued, an SSS Form 252 shall have his date of induction postponed until the end of that academic year provided he continues to pursue satisfactorily a full-time course of instruction.

8. No postponement is appropriate if the academic year ends prior to the originally scheduled induction date. For a registrant who entered his course of study in the summer or fall, the academic year ends at the conclusion of the spring term. For a registrant who entered his course of study in the winter or spring, the academic year ends on the anniversary of his entrance into the course of study.

9. A registrant shall be deemed to be in his last academic year only if he is scheduled to complete by the end of that academic year, the requirements for:

- a. graduate or professional degree,
- b. a baccalaureate degree,
- c. an associate degree or diploma in a program not leading to a baccalaureate degree,
- d. a high school diploma.

10. The local board should refer to the State Director any request from a registrant for a postponement of his induction date to permit his employer to hire and train a replacement or until a normal break in the employment cycle. State Directors should grant such postponements only in compelling circumstances, and for the minimum time necessary.

11. A registrant may request rescheduling of a date to report for induction which conflicts with a religious holiday that has been observed historically by a recognized church, religious sect or religious organization of which he is a member.

12. A registrant who has enrolled in a two year ROTC Program shall be postponed, citing this paragraph and Section as authority, providing the Professor of Military Science, Professor of Aerospace Studies, or Professor of Naval Science furnishes a letter confirming the registrant's acceptance for training

in an ROTC Basic Camp the following summer. If he is under an order to report for induction and such a letter is received, he shall be issued an SSS Form 264 and his reporting date postponed until October 31 of that year. If he has been accepted for the summer basic camp and is later reached for induction, his local board will issue an SSS Form 252 and postpone his date of induction until October 31 of that year, providing the above letter is in his selective service file.

13. If the registrant enters an Advanced ROTC Program that fall, the Professor of Military Science, Professor of Aerospace Studies or Professor of Naval Science will issue a Record of Military Status of Registrant (DD Form 44) and upon its receipt, the registrant will be considered for Class 1-D. If a DD Form 44 is not received by October 31 of that year, or if the registrant drops from the basic camp, or if he fails to enroll in the fall course, his postponement shall be terminated at that time and he shall be rescheduled for induction when he is again reached.

14. Registrants who have been awarded ROTC Scholarships but who have not yet enrolled in the ROTC Program will be issued their orders to report for induction when reached, and then postponed until October 31 of that year, citing this paragraph and section as authority. If a registrant is under an outstanding order to report for induction, he shall be postponed until October 31 of that year.

15. If the registrant enrolls in college and enters the ROTC Program on an ROTC Scholarship and a DD Form 44 is received, he will be considered for Class 1-D. If a DD Form 44 is not received by October 31, his postponement shall be terminated at that time and he shall be rescheduled for induction when reached.

16. To postpone a registrant's reporting date, the local board shall issue him a Postponement of Induction (SSS Form 264). The date of mailing or issuance of the postponement shall be entered on page 2 of the SSS Form 101. The local board shall also note the date of the issuance of the postponement and the date of its expiration in the "Remarks" column of the Classification Record (SSS Form 102). It shall also make an entry on a card in the suspense file showing the expiration date of the postponement.

17. A postponement by direction of the Director or State Director, as provided in paragraph 2 of this section, or a postponement authorized in paragraph 4, 10, 12, or 14 of this section, or a student postponement, as provided in paragraph 5, 6, or 7 of this section, which is in excess of 60 days, may be terminated when the issuing authority so directs.

18. A Notice of Rescheduled Induction Reporting Date (SSS Form 253) will be prepared by the local board at such time as the new delivery date is established, fixing the time and place the registrant shall report for induction, following termination of his postponement. When rescheduling the induction date after postponing a registrant for any reason referred to in paragraph 17, the local board shall give the registrant not less than 30 days, nor more than 60 days notice of the date of induction. The date of mailing the SSS Form 253 shall be entered on page 2 of the SSS Form 101. The local board shall also note the date of issuance of the SSS Form 253 in the "Remarks" column of the SSS Form 102 and pull the suspense card from the suspense file. Any postponement of induction granted by the local board under the provisions of paragraph 1 of this section, or a postponement granted under any other paragraph of this section for a specified period of less than 61 days, does

not require the 30-to-60 day notice mentioned above.

19. A registrant whose induction has been postponed shall not be inducted into the armed forces during the period of any such postponement. An SSS Form 264 or an SSS Form 253 shall not render invalid the order to report for induction which has been issued to a registrant, but shall operate only to postpone the reporting date, and the registrant shall report on the new date, as specified in the SSS Form 253 without having a new order to report for induction issued to him.

20. All postponements of induction shall be recorded on the Minutes of Local Board Meeting (SSS Form 112).

21. Any postponement granted to a registrant shall be terminated prior to the scheduled termination date if information is received by the postponing authority which reveals that the cause for the postponement has ceased to exist.

#### SECTION 632.4—CANCELLATION OF INDUCTION ORDERS

1. Any order to report for induction may be canceled by the Director of Selective Service at any time prior to the registrant's induction, his failing to report therefor, or his refusing to submit to induction.

2. Any reopening and reclassification of a registrant who is under an order to report for induction shall automatically cancel the outstanding order.

3. Any order to report for induction which has been issued to a registrant either during the period in which he may make a timely request for a personal appearance before the local board, or during the period such personal appearance is pending, shall be canceled by the local board.

4. Any order to report for induction which has been issued to a registrant during either the period afforded the registrant to take an appeal to the appeal board or to the National Appeal Board, or during the period such an appeal is pending, shall be canceled by the local board.

5. Whenever an appeal has been taken by the Director or a State Director, any order to report for induction which has previously been issued to the registrant for whom the appeal has been taken shall be canceled by the local board.

6. Any cancellation of an outstanding induction order, other than one due to a reopening of a registrant's classification for the purpose of classifying him into Class 1-C, will be accomplished by the issuance of a Notice of Cancellation (SSS Form 255).

#### SECTION 632.5—DIRECTED TRANSFER FOR INDUCTION

The Director of Selective Service may direct that a particular registrant or any registrant who comes within a described group of registrants be transferred for induction to the local board or local boards he shall designate.

#### SECTION 632.6—DUTY OF REGISTRANT TO REPORT FOR AND TO SUBMIT TO INDUCTION

1. When the local board orders the registrant for induction, it shall be the duty of the registrant to report for induction at the time and place ordered, as provided on the SSS Form 252 or the SSS Form 253 mailed to him by the local board. If the date when the registrant is ordered to report for induction is postponed, it shall be the continuing duty of the registrant to report for induction at such time and place as may be established by the local board. Regardless of the time when or the circumstances under which a registrant fails to report for induction when it is his duty to do so, it shall be his continuing duty from day to day to report for induction.

2. Upon reporting for induction, it shall be the duty of the registrant (a) to follow the instruction of any authorized representative of the local board as to his transportation to the AFEEES, (b) to follow the instructions of the leader and assistant leaders appointed for the group being forwarded for induction, (c) to appear at the AFEEES, (d) to obey the orders of the representatives of the Armed Forces while at the AFEEES, and (e) to submit to induction, or, if he is found not qualified for induction, to follow the instructions of the representatives of the Armed Forces regarding his return to the local board.

3. Whenever a registrant does not comply with an SSS Form 252 or with an SSS Form 253 by failing to report for or submit to induction, the local board shall attempt to contact the registrant or persons aware of the registrant's whereabouts and status, to determine the reason for the registrant's failure to report.

4. When the local board's contact reveals a possible justification for the registrant's failure to report (for example, enlistment in the regular armed forces, induction at a distant AFEEES, or enlistment in the reserve component) an effort shall be made to verify that reason. A record of the board's efforts shall be placed in his file folder. If verification is not received within thirty days of the scheduled or rescheduled reporting date the registrant shall be reported to the State Director under the provisions of paragraph 1, Chapter 642.

5. If the local board's efforts to determine the cause for the registrant's failure to report reveal no valid basis for such failure, or if contact with the registrant is not achieved, the local board shall, after thirty days from the scheduled or rescheduled reporting date for induction has elapsed, report the registrant to the State Director according to the provisions of paragraph 1, Chapter 642.

6. Whenever a registrant refuses to submit to induction after reporting to the Armed Forces Examining and Entrance Station, the station commander, in accordance with Army Regulation No. 601-270, will have a letter of notification of refusal to submit to induction prepared in quadruplicate and distributed as follows:

- a. The original of the letter will be sent to the appropriate United States Attorney;
- b. One copy will be sent to the State Director of Selective Service of the State in which the registrant refused to be inducted;
- c. One copy will be sent to the local board which delivered the registrant to the induction station; and
- d. One copy will be retained at the Station.

7. Upon receipt of the letter of notification by the local board that a registrant failed to submit to induction, it shall notify its State Director by letter, place a copy of both notifications in the registrant's file folder, and make the notations on page 2 of the SSS Form 101 or page 8 of the SSS Form 100.

#### SECTION 632.7—FORWARDING REGISTRANTS FOR INDUCTION

1. When the registrants who are to be forwarded for induction have assembled, the local board authorized personnel shall proceed as follows:

- a. The roll shall be called, using the previously prepared Delivery List (SSS Form 261) and noting any absences in the "Remarks" column.
- b. A leader and assistant leaders shall be appointed and each given a completed Appointment of Leader or Assistant Leader (SSS Form 340). Leaders and assistant leaders shall have such authority as is necessary to deliver the group to the place of induction.
- c. The leader shall be given the following in a sealed envelope:

(1) The original and one copy of the Delivery List (SSS Form 261).

(2) Any medical statements or other pertinent data received at the local board between the date the individual records were mailed to the AFEEES and the delivery date.

d. The leader shall be instructed to deliver the sealed envelope to the commanding officer of the induction station or to his representative.

2. When it is necessary, travel tickets or transportation requests, and meal and lodging requests for the group, covering their trip to the place of induction, shall be issued.

3. The local board shall inform all registrants in the group who are reporting for induction that it is their duty to obey the instructions of the leader or assistant leaders during the time they are going to the AFEEES; that they will be met there by representatives of the armed forces; that while they are there they will be subject to and must obey the orders of the representatives of the armed forces; that they must present themselves for and submit to induction; and that, if they are found not qualified for induction, the representatives of the armed forces will provide transportation and subsistence for their return trip.

4. The local board shall file one copy of the Delivery List in the local board files.

#### SECTION 632.8—INDUCTION

At the AFEEES, the registrants who have been forwarded for induction and found qualified will be inducted into the Armed Forces.

#### SECTION 632.9—RECORDS RETURNED TO THE LOCAL BOARD

1. The commanding officer of the AFEEES will return to the local board the following documents concerning registrants forwarded for induction:

a. The original Delivery List (SSS Form 261), indicating in column 4 the disposition of each registrant forwarded for induction.

b. For each registrant inducted, a copy of the Record of Induction (DD Form 47), a copy of the Report of Medical Examination (Standard Form 88), and any previous Record of Induction and reports of medical examination submitted.

c. For each registrant found not acceptable for service in the Armed Forces, the original and one copy of the Statement of Acceptability (DD Form 62), the original and one copy of the Record of Induction (DD Form 47), one copy of the Report of Medical Examination (Standard Form 88), one copy of the Report of Medical History (Standard Form 89 or 93), and the copy of the Application for Voluntary Induction (SSS Form 254) if submitted.

d. For each registrant whose acceptability requires further evaluation, the AFEEES will retain the medical records and arrange for any further evaluation required. The induction order will remain in effect until the registrant is inducted or is found unacceptable for military service.

2. Upon receipt of the documents described in paragraphs 1 a, b, c, of this section, the local board shall take the following action except as otherwise provided in section 632.5:

- a. File the original Delivery List.
- b. For each registrant inducted:
  - (1) verify his induction from Section IX of DD Form 47.
  - (2) file the copy of that form and the copy of the Report of Medical Examination in the Registrant File Folder (SSS Form 101).
  - (3) enter the date of induction on SSS Form 102.
  - (4) enter receipt of induction papers from the AFEEES and the date of induction on page 2 of SSS Form 101 or on page 8 of the Regis-

tration Questionnaire.

(5) prepare the file for classification action at the next local board meeting.

c. For each registrant found not acceptable for service in the Armed Forces:

(1) verify that the registrant was found unacceptable, from Section VIII of DD Form 47 and from DD Form 62.

(2) file the original Record of Induction (DD Form 47), the original Report of Medical Examination (SF 88), the copy of the Report of Medical History (SF 89 or 93), and the copy of the Application for Voluntary Induction (SSS Form 254), if submitted, in the registrant's file folder.

(3) mail the registrant's copy of DD Form 62 and SSS Forms 220 and 255.

(4) change or enter X-Y-Z Profile Code on the SSS Form 101.

(5) make the entry "NQ" and the date of determination in Column 6 of the SSS Form 102.

(6) enter receipt of induction papers from AFEEES and "Unacceptable at Induction" on page 2 of the SSS Form 101.

(7) prepare the file for classification action at the next local board meeting, if appropriate.

3. The commanding officer of the AFEEES will forward one copy of each Delivery List to the State Director.

4. When the records of a registrant, who has been transferred for induction in accordance with Section 632.5, are returned from the AFEEES to the local board which forwarded him for induction, the local board shall file the original delivery list and return all individual records pertaining to the registrant to the State Director having jurisdiction over the registrant's local board, for transmittal to the registrant's local board.

#### SECTION 632.10—DISPOSITION OF REGISTRANTS INDUCTED OR FOUND NOT QUALIFIED

1. Upon receiving notice from the AFEEES that a registrant who has been forwarded for induction has been inducted or has received a final determination of unacceptability for service in the armed forces, the local board shall reopen his classification and classify him anew.

2. A registrant who has been found unacceptable by the AFEEES at his induction examination with "Reexamination Believed Justified" (RBJ) indicated on the Statement of Acceptability (DD Form 62) shall not be classified into Class 4-F until he is reexamined and again found unacceptable. When a local board receives a registrant's DD Form 62 with RBJ indicated, following his induction examination, it shall:

a. Retain the registrant in his present classification, and cancel the outstanding induction order.

b. Mail the registrant's copy of the DD Form 62, the Record of Results of Armed Forces Examination (SSS Form 220), and the Notice of Cancellation (SSS Form 225), and a letter explaining his RBJ status. A sample letter for this purpose is Attachment 632-3 to this Chapter.

c. Enter on page 2 of the SSS Form 101 "RBJ letter mailed" and the date.

d. Schedule the registrant for reexamination in accordance with Chapter 628.

If found acceptable upon reexamination, he will again be subject to selection for induction in accordance with Chapter 631.

#### SECTION 632.11—ENLISTMENT OF REGISTRANTS IN THE ARMED FORCES

1. A registrant, who has been found qualified for military service at an AFEEES, and who inquires regarding enlistment in any regular or Reserve component of the armed forces, including the National Guard, should be informed that his medical papers are at the AFEEES.



2. If the local board does not receive official notification from the Armed Forces showing that a registrant has enlisted in the armed forces, prior to selecting him for induction, he shall be issued an induction order when reached.

**SECTION 632.12—ENLISTMENT OF REGISTRANTS ORDERED FOR INDUCTION**

1. Whenever a local board receives official notification that one of its registrants to whom an induction order has been issued, has been enlisted or appointed in the Armed Forces of the United States, including the

Reserve components thereof, and the date of enlistment or appointment is at least 10 days prior to his scheduled reporting date for induction, it shall reopen his classification.

2. In the case of a registrant whose induction reporting date has been postponed under any provision of this Chapter, the enlistment or appointment will be valid if it is accomplished at least 10 days prior to the rescheduled reporting date. If such a registrant's induction reporting date has not yet been rescheduled, his enlistment or appointment will also be valid. No enlistments or appoint-

ments of any kind are permitted after the tenth day prior to the induction reporting date.

*Example:* Joseph Schultz is scheduled to report for induction on July 20. He may enlist or be appointed in any of the armed forces, including the reserve components, through the 10th day of July. After the 10th of July, Joseph could not be enlisted in any program, and must report for induction on July 20 as ordered.

4. Any enlistments which are in conflict with the provisions of this Section shall be reported by the local board to the State Director.

*Summary of postponement provisions*

Rule No. (A)	Reason for postponement (B)	Postponement granted by authority of— (C)	Duration of postponement (D)	Minimum notice for rescheduled induction (E)	Reference paragraph in sec. 632.3 (F)
1	Emergency	Local board	To a date certain 60 days maximum with 60-day extension.	None	Paragraph 1.
2	Good cause	Director or State director	Until time deemed advisable.	If postponement is in excess of 60 days or without limit, the registrant shall be given not less than 30 and not more than 60 days' notice. A postponement for a specified period of less than 61 days requires no minimum notice.	Paragraph 2.
3	Internship or State examination	Director (RPM)	Completion of internship or next State exam (12-month maximum).		Paragraph 4.
4	College student	do	Senior—Maximum until end of academic year. Other—Maximum until end of current semester.		Paragraphs 5, 8, 9.
5	High school student	do	Until graduation, or until age 20, whichever occurs first; or until end of last academic year of high school if he attains age 20 while in that year.		Paragraphs 6, 7, 8, 9.
6	Employment replacement	State director	Minimum time necessary.		Paragraph 10.
7	Religious holiday	Local board	do		Paragraph 11.
8	B.O.T.C.	Director (RPM)	Not later than October 31 of that year.		Paragraphs 12, 13, 14, 15.

NOTE.—Any postponement granted shall be terminated prior to the scheduled termination date when the reason for the postponement has ceased to exist.

**SAMPLE LETTER REGARDING RBJ (SEE SECTION 632.10)**

(Local Board Stamp)

TO: \_\_\_\_\_ Date of Mailing: \_\_\_\_\_  
 (Address) SSN: \_\_\_\_\_  
 RSN: \_\_\_\_\_

DEAR \_\_\_\_\_: You have been found unacceptable for induction into the armed forces during your armed forces examination performed on \_\_\_\_\_ It has been

(date) recommended, however, that you be reexamined in \_\_\_\_\_ months, as your physical condition may have improved sufficiently by that time to qualify you for service.

You are no longer under orders to report for induction; however, you will be retained in your present classification until a final determination is made regarding your acceptability for induction, or until it is determined you will not be reexamined.

If you have a question concerning your status, please contact your local board.

Authorized Signature

Enclosures.

[Rev. February 1, 1975]

**CHAPTER 660—ALTERNATE SERVICE**

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- Sec. 660.9 Assigning Alternate Service.
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- Attachment 660-1 Sample Waiver Request.

**SECTION 660.1—RESPONSIBILITY FOR ADMINISTRATION**

1. Conscientious objectors in Class 1-O or 1-OM are liable for 24 months of alternate service contributing to the national health, safety, or interest, in lieu of induction. The State Director, under the supervision of the Director, will assure compliance with the law, the regulations, and Selective Service policy concerning the program of alternate service.

2. The State Director of the state in which a registrant is registered will have the primary responsibility for the initial placement of the registrant in alternate service. The State Director will coordinate job placement activities in any state outside his own with the State Director of the state in which the job is located. In assigning a registrant outside his own state, the assigning State Director must have the approval of the "receiving" State Director or the Director of Selective Service.

3. A registrant classified in Class 1-O will be issued an Order to Report for Alternate Service (SSS Form 153), by any member of compensated employee of the local board or any compensated employee of the Selective Service System whose official duties require him to perform administrative duties at the local board, at the same time that he would be issued an Order to Report for Induction (SSS Form 252) if he had been classified in Class 1-A or 1-A-O. A registrant classified in Class 1-OM will be issued an Order to Report for Alternate Service at the same time that he would be issued an Order to Report for Induction as a medical specialist under a special call if he had been classified in Class 1-AM or 1-A-OM. At the same time the reg-

istrant will also be issued three copies of Employer's Statement of Availability of a Job as Alternate Service (SSS Form 156) together with the Conscientious Objector Skills Questionnaire (SSS Form 152) with a return envelope preaddressed to the State Director of the state in which he is registered. The SSS Form 153 is the equivalent to an Order to Report for Induction (SSS Form 252). The SSS Form 153 is legal notice to the registrant that he is ordered to alternate service and orders him to report to his State Headquarters not less than 70 days later for a job assignment if he does not find an approvable job before that time. Information on the SSS Form 153 advises the 1-O registrant of his rights and obligations under the alternate service program.

4. An Amendment to Order to Report for Alternate Service (SSS Form 153-A) will be used to assign a registrant to a specific job. Since the 1-O registrant is allowed 60 days to find a job of his own choosing, no specific assignment to an employer will be made until the 60 days has expired. Every SSS Form 153 issued will be amended by issuing an SSS Form 153-A, assigning the registrant to a specific job as follows:

a. When the registrant proposes a job which the State Director approves during the 60-day job search period and signs a waiver (see Attachment 660-1) of the time remaining in the 70 days provided in the SSS Form 153.

b. When the registrant accepts a job suggested by the State Director during the 60-day job search period and signs a waiver of the time remaining in the 70 days provided in the SSS Form 153.

c. When the registrant does not find an approvable job during the 60-day job search period, the State Director will assign the registrant to a specific job by directing the local board to issue an SSS Form 153-A immediately after the expiration of the 60-day job search period.

d. In the unusual situation where a specific job opening may not be available or arrangements for a specific job will not be completed prior to the expiration of the 70-



day period, the registrant may be advised in writing by the State Director that his reporting date is postponed to a date certain and that an SSS Form 153-A will be issued to him at least 10 days prior to that date.

5. The successful operation of the alternate service program is dependent upon placing the registrant promptly in an approved job which is related, so far as possible, to his training, education and skills. The registrant should be strongly encouraged by the State Director and local board personnel to propose his own alternate service employment for the State Director's approval.

#### SECTION 660.2—MANAGEMENT, CONTROL AND SUPERVISION OF ALTERNATE SERVICE PROGRAM

1. The Registrant File Folder (SSS Form 101) of each registrant reached for alternate service shall be forwarded to the State Director immediately after the issuance of the SSS Forms 152, 153, and 156. Immediately upon receiving the SSS Form 101, the State Director will establish necessary records and controls to provide for the timely placement and supervision of the registrant in alternate service. These records and controls will involve the use of the SSS Forms 397, 398, and 399. The State Director will retain custody of the file folder until the registrant is assigned to a specific job and confirmation of his employment is received after which the file folder shall be returned to the local board where the registrant will be classified into Class 1-W. Before returning the SSS Form 101 to the local board, however, the State Director will prepare a Selective Service file (1-W Assignment) for each such registrant, which will contain copies of the SSS Forms 156, 153, 153-A and page 2 of the SSS Form 101 or page 8 of the SSS Form 100, together with copies of correspondence pertaining to the alternate service assignment. A copy of all correspondence and/or forms regarding the assignment or reassignment of the registrant, generated after the return of the file folder to the local board, shall be forwarded to the local board for inclusion in the Registrant File Folder, with the original placed in the 1-W Assignment file maintained by the State Director. The availability to the registrant or his authorized representative of the material contained in the 1-W Assignment file will be identical to the availability of the Registrant File Folder and its contents as set forth in Chapter 608.

2. In case the registrant is assigned outside the state, the 1-W Assignment file will be forwarded to the State Director of the state in which the registrant is employed, or to the Director of Selective Service when the registrant's employment is outside the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, Guam, the Virgin Islands, and the Canal Zone. When a registrant has completed his alternate service obligation, the State Director will return the Selective Service file (1-W Assignment) to the local board of record, which shall review the contents, consolidate with the SSS Form 101, and destroy any duplicate copies. If the registrant's local board is in another state, the file will be returned through the State Director of that state.

3. Entries regarding issuance, submission and receipt of forms and letters shall be made on page 8 of the SSS Form 100 or page 2 of the SSS Form 101 by a compensated employee of either the local board or State Headquarters, depending upon who has custody of the registrant's file folder at the time.

4. Since the State Director has been delegated the authority for the placement of registrants in alternate service and for determining the appropriateness of the work to be performed, it is incumbent upon him to de-

velop a sufficient number of jobs in his state to take care of the prompt assignment of any registrant who does not locate, on his own, an appropriate job. The success of this program depends on having at all times actual job vacancies to which registrants can be assigned.

5. The State Director must develop a program of job solicitation with eligible employers to provide openings for all registrants presently ordered for alternate service and to take care of estimated requirements. The Employers Contact Development Record (SSS Form 394) shall be utilized for this purpose. In order to facilitate the placement of conscientious objectors, each State Director shall maintain for his own use and for the issuance to and use by the local boards in assisting registrants:

a. A current inventory of actual job openings in appropriate work within the state.

b. An up-to-date inventory of approved employers within the state who have agreed to employ conscientious objectors.

6. A plan should be developed for a continuing program of contacts with eligible employers in order to secure additional job vacancies. Employers who have at one time or another employed conscientious objectors provide a prime source of additional job openings. Many new employers may have to be encouraged to participate in the program. Every means of contacting employers should be utilized. If field contacts are necessary, they should be made by personnel of the State Headquarters staff and supervisors of area offices. Reserve and National Guard officers performing training may be used effectively for making employer contacts.

7. With the information available from the registrant's file including the SSS Form 152, it should be possible to utilize a registrant's qualifications in job placement. The State Director should give consideration to a job which will utilize a registrant's talents and skills, but the assignment of the registrant should not be delayed because there may not be a job available which will enable him to fully utilize his talents and skills. Assignments to alternate service in lieu of induction, in order to be considered satisfactory, must require full-time employment. A 35-40 hour work-week is acceptable as "full time" employment.

8. When a registrant submits his own proposed job, a decision must be made within 15 days as to approval or disapproval. Delay can result in the loss of the job opening. Likewise, when a registrant does not locate an approvable job on his own, he should be assigned immediately after his 60-day search period to one of the existing vacancies.

9. Each State Director should establish a program for the supervision and monitoring of the 1-W registrants in work assignments. Periodic on-the-job checks of registrants in alternate service assignments should be made. This can be accomplished in many cases along with the contact with employers to secure new position vacancies. In addition to the State Director and his immediate staff, and supervisors of area offices as well as Reserve and National Guard officers should be utilized in making on-the-job checks.

10. When complaints are received from alternate service employers or from employed registrants, immediate steps should be taken to resolve the problem. Complaints should be handled through personal contact by a member of the State Headquarters staff whenever possible.

#### SECTION 660.3—EXAMINATION OF REGISTRANTS

A 1-O registrant shall be ordered for an armed forces examination in accordance with the provisions of those Sections of Chapter 628 pertaining to regular armed forces examination. A 1-OM registrant shall be ex-

amined under the provisions of Section 628.6. If a registrant fails to report for or submit to an armed forces examination, he shall be considered as available for selection and ordered for alternate service in the same manner as if he had been found acceptable.

#### SECTION 660.4—INFORMATION CONCERNING ALTERNATE SERVICE

1. Any information which will assist registrants in finding their own jobs should be provided to the local boards by the State Director.

2. A registrant may secure information concerning alternate service processing from any local board or State Director. However, the responsibility for placing the registrant remains with the State Director having jurisdiction over the registrant's local board of record.

#### SECTION 660.5—VOLUNTEERING FOR ALTERNATE SERVICE

1. Only registrants classified in Class 1-O or 1-OM may volunteer for alternate service. A registrant classified in Class 1-O may volunteer only during the period of a regular induction call. A registrant classified in Class 1-OM may volunteer only during the period of a special call for his medical profession. If the registrant wishes to volunteer for alternate service he must submit an Application of Volunteer for Alternate Service (SSS Form 151) to his local board. This form may be obtained at any local board. When completed, the registrant may either forward the form to his own local board, or he may request that the form be forwarded to his local board by any other local board. When submitting job offers, he must furnish for each proposed job an Employer's Statement of Availability (SSS Form 156), which may be obtained at any local board, or a letter containing the same information. The registrant's local board must promptly submit every SSS Form 156 or letter proposing employment to the State Director for his consideration. The State Director will approve or disapprove such job offer(s). Entries will be made on page 8 of the Classification Questionnaire (SSS Form 100) or page 2 of the Registrant File Folder (SSS Form 101), showing the date of issuance of the SSS Form 151 and SSS Form(s) 156 and the date of receipt of any such forms or letters it may receive for its registrants.

2. If the State Director approves the proposed job, any member or compensated employee of the local board or any compensated employee of the Selective Service System whose official duties require him to perform administrative duties at the local board shall (1) issue to the registrant an Order to Report for an Armed Forces Examination (SSS Form 223) (unless the registrant has been found acceptable for service, within one year or unless the registrant has waived his right to an Armed Forces Examination) and, if he is found to be acceptable for service, (2) issue to the registrant an SSS Form 153 and SSS Form 153-A. If the registrant is found not acceptable, reexamination believed justified (RBJ), he shall be returned for reexamination after the RBJ period has expired, if he still wishes to volunteer, or if his RSN is reached for AFE by that time. However, if the registrant simply is found not acceptable, he shall be classified into Class 4-F (or Class 4-FM if he is a medical specialist).

3. A copy of the SSS Form 153 and the SSS Form 153-A shall be placed in the registrant's file folder and an entry showing the date of issuance shall be made on page 8 of the SSS Form 100 or page 2 of the SSS Form 101. The file folder shall then be forwarded to the State Director. Upon confirmation that the registrant is working, the 1-W assignment file shall be prepared. The file folder

will be returned to the local board for reclassification of the registrant into Class 1-W.

4. If the volunteer for alternate service fails to locate a job which can be approved by the State Director, no action will be taken on his application. The SSS Form 153 and SSS Form 153-A will not be issued until they would have been issued had the registrant not volunteered.

Example: John Coogan's RSN of 197 has not been reached. John submits an SSS Form 151 to his local board with a statement from a charitable organization that they have accepted him for employment. The State Director determines this to be an appropriate work assignment. Since John was examined and found acceptable within a year, the local board at the request of the State Director issues an SSS Form 153 and SSS Form 153-A ordering him to his place of employment. If John had not submitted an appropriate alternate service job for consideration, no action would have been taken, because John's RSN had not been reached.

**SECTION 660.6—SELECTION OF A NONVOLUNTEER FOR ALTERNATE SERVICE**

1. A nonvolunteer shall be ordered for alternate service in lieu of induction when his RSN is reached under a Uniform National Call.

2. A 1-OM registrant shall be ordered for alternate service at the time he would have been ordered for induction under a special call had he been in Class 1-A<sup>4</sup> or 1-A-OM.

3. When the Random Sequence Number of a 1-O or 1-OM registrant is reached, his local board will issue him an SSS Form 153. The SSS Form 153 shall specify the place and date on which the registrant is to report in accordance with the instructions of the State Director and paragraph 3, section 660.1, of this Chapter. A copy of the SSS Form 153 will be placed in the registrant's file folder and an entry as to the date of issuance of the form shall be placed on page 2 of the SSS Form 101 or page 8 of the SSS Form 100. The file folder shall then be forwarded to the State Director. Any registrant who is issued an SSS Form 153 and a subsequent assignment to alternate service by an SSS Form 153-A who will attain the 26th anniversary of the date of his birth prior to the date scheduled to commence alternate service, shall have his order canceled.

4. One copy of Conscientious Objector's Skills Questionnaire (SSS Form 152) and three copies of SSS Form 156 will be issued to the registrant along with SSS Form 153 and the date of issuance and return will be entered on page 8 of the SSS Form 100 or page 2 of the SSS Form 101. The registrant should return the completed SSS Form 152 to the State Director within 15 days. If a registrant to whom an SSS Form 153 has been issued submits within 60 days after the issuance of his SSS Form 153 a proposed job that is approved by the State Director, the State Director shall direct the local board to issue an SSS Form 153-A.

5. After the issuance of the SSS Form 153, the registrant's local board will immediately forward his file folder to the State Director and insert a charge-out card in its place in the file. Any SSS Forms 156, related correspondence, or an SSS Form 152 later received by the local board will be forwarded to the State Director for inclusion in the registrant's file folder.

**SECTION 660.7—ELIGIBLE EMPLOYMENT OF REGISTRANTS PERFORMING ALTERNATE SERVICE**

1. Appropriate alternate service employment will be limited to the following:

a. Employment by the United States Government, or by a State, territory, possession, or by a political subdivision of the United States, or by the District of Columbia.

b. Employment by a nonprofit organization, association, or corporation which is primarily engaged in charitable activity conducted for the general public or is responsible for a program for the improvement of the public health or welfare, including scientific and educational activities in support of the program, when such activity or program is not principally for the benefit of the members of such organization, associations or corporations, or for increasing its membership; or

c. Employment in an activity of an organization, association, or corporation which is charitable in nature, performed for the benefit of the public health or welfare, including educational and scientific activities in its support, when such activity or program is not for profit.

Example: A profitmaking organization operates a free clinic in a socially or economically depressed area and takes no profit from its operations and is open to all persons. A conscientious objector could work in such a clinic.

2. Employers with Blanket Placement Authority:

a. In order to expedite the placement of registrants in alternate service, the Director recognizes eligible and interested organizations and agencies as employers with blanket placement authority. These are organizations and agencies that qualify under this section, and have job assignments which also qualify under section 660.8. Many of the jobs which they have available have previously been approved by one or more State Directors.

b. This program requires the advance approval by the Director of the activity of the organizations and agencies and the type of jobs to which they indicate 1-O registrants will be assigned.

c. When an organization is approved by the Director as having blanket placement authority, all State Directors will be informed of the approval. The organization will submit SSS Forms 156 only for jobs which have been determined by the Director to be acceptable. Therefore, when any State Director receives an SSS Form 156 from an employer who has blanket placement authority, the job will be approved.

The following is a list of organizations which have been approved by the Director as employers with blanket placement authority.

Director  
Volunteer Services  
American Baptist Home Societies  
Valley Forge, Pennsylvania 19461  
Director Volunteer Services  
Ministry to Men Facing the Draft  
World Ministries Commission  
Church of the Brethren  
1451 Dundee Avenue  
Elgin, Illinois 60120  
Chairman  
Christian Education Department  
Evangelical Covenant Church of America  
5101 North Francisco Avenue  
Chicago, Illinois 60625  
Executive Council Employment: Personnel  
Officer, or  
Executive Council Project Employment: Program  
Officer  
Executive Council of the Episcopal Church  
815 Second Avenue  
New York, New York 10017  
Executive Secretary  
Peace Section  
Mennonite Central Committee  
21 South 12th Street  
Akron, Pennsylvania 17501

Coordinator, Alternate Service Program  
Synagogue Council of America  
420 Riverside Drive  
New York, New York 10025  
Coordinator, Volunteer Corps  
The Church Army in the USA  
815 Second Avenue  
New York, New York 10017

d. When a 1-W registrant is employed by an organization or agency with blanket placement authority, the State Director of the state in which the registrant is employed will serve in the same capacity and have the same responsibilities for the administrative control of the registrant as he would have for any other 1-W registrant employed in his state.

e. An organization or agency with blanket placement authority for initial placement will also have the authority to transfer a registrant to another acceptable job within the organization without prior approval from any State Director.

f. The organizations in this program will be responsible for advising the State Director who has custody of the registrant's 1-W Assignment file, of placements, transfers, terminations, and other pertinent information relative to the registrant's assignment. If a job transfer within the organization is to another state, the State Director who has the registrant's 1-W Assignment file will forward it to the State Director where the new employment is located. The new State Director shall assume custody of the 1-W Assignment file and responsibility for the supervision of the 1-W registrant's employment.

g. When an organization or agency ceases to be a participant in the blanket placement program, all State Directors will be informed by the Director.

**SECTION 660.8—ELIGIBLE JOBS FOR REGISTRANTS PERFORMING ALTERNATE SERVICE**

1. Five elements which will be considered as the basis for determining whether a specific job is appropriate for the assignment of conscientious objectors are listed below. Elements (a) and (b) are mandatory, and will not be waived. Elements (c) and (d), and (e) may be waived by the State Director when such action is deemed to be in the national interest and will speed the placement of the registrant in alternate service.

a. *National Health, Safety or Interest.* The job must contribute to the maintenance of the national health, safety, or interest. Types of activities which provide jobs which would meet this requirement are shown in paragraph 1 of section 660.7.

b. *Noninterference with the Competitive Labor Market.* This means that the registrant cannot be assigned to a job for which there are more qualified applicants not in Class 1-O than job spaces available. This restriction does not prohibit the approval of such programs as the Peace Corps and VISTA.

c. *Compensation.* The compensation will be adequate to provide a standard of living reasonably comparable to the standard of living the same man would have enjoyed had he entered the armed forces of the United States.

d. *Skill and Talent Utilization.* The special skills of the registrant may be utilized whenever possible.

e. *Job Location.* A registrant will work outside his community of residence.

**SECTION 660.9—ASSIGNING ALTERNATE SERVICE**

1. Each registrant in Class 1-O or 1-OM is informed by the instructions on the SSS Form 153 that he should return the SSS Form 152 to the State Director within fifteen days.

2. When the registrant submits an SSS Form 156 to the State Director of the State



in which he is registered, that State Director will determine whether the proposed assignment is acceptable. Any time the State Director disapproves a job proposed on SSS Form 156, or letter submitted by the employer, he will inform the registrant, in writing, of his decision within 15 days of the date of receipt of the SSS Form 156 or letter. A registrant who within 60 days from the date of issuance of his SSS Form 153 submits to the State Director a job(s), but such job(s) is not approved by his State Director, may request, in writing, within 10 days of the date the State Director mailed the letter disapproving the job, that the State Director's decision(s) be reviewed by the Director. The State Director will advise the local board regarding the issuance of the SSS Form 153-A, and instruct the local board as to the postponed reporting date, if necessary. If a postponement of the reporting date is granted, no further action shall be taken until the Director has acted on the registrant's request, and the registrant has been informed by National Headquarters, in writing, of the Director's determination. The registrant's request for review will be considered by the Director one time only following his initial order to alternate service. However, the registrant may request a review of as many as three such adverse decisions on jobs in this one review.

3. When a proposed job is approved, or when a registrant fails to propose an approvable job within 60 days from the date of issuance of his SSS Form 153, the State Director will direct the local board to issue an SSS Form 153-A. The State Director will instruct the local board as to the employer and date of assignment which should be entered on SSS Form 153-A. The date set for the registrant to report for alternate service work assignment shall be at least 10 days from the date of issuance or mailing of his SSS Form 153-A. A copy of the SSS Form 153-A will be placed in the registrant's file folder and an entry as to the date of issuance or mailing of the form shall be made on page 8 of the SSS Form 100 or page 2 of the SSS Form 101. When the completed SSS Form 153-A showing the registrant has entered employment is received, the State Director shall return the file folder to the local board, the registrant's classification shall be reopened at the next local board meeting, and he shall be classified in Class 1-W. After the registrant is classified in Class 1-W the classification shall be entered on page 8 of the SSS Form 100 or page 2 of the SSS Form 101 and on the SSS Form 102.

4. Any reason for granting a postponement of an induction reporting date to a 1-A or 1-A-O registrant is sufficient reason for granting a postponement of the reporting date of a 1-O or 1-OM registrant for alternate service. (Reference: Chapter 632, RPM.)

5. In the event the registrant desires to begin employment prior to the date specified on his SSS Form 153 or sooner than the date designated in an SSS Form 153-A, he may do so by filing a waiver in writing with the State Director. A sample of a waiver request is shown as Attachment 660-1. The signed written waiver will be placed in his file folder.

6. A registrant classified in Class 1-O or 1-OM may take a job anticipating that it might later be approved as alternate service. If such job is approved, the registrant will be given credit from the date he actually began working at that job or from the date he was classified in Class 1-O or 1-OM, whichever is later. No more than 24 months alternate service will be required of any registrant. Time spent looking for an initial job will not be credited toward the 24 months of service.

7. When the registrant is employed in a state other than that in which he is regis-

tered, his 1-W Assignment file will be forwarded by the State Director having jurisdiction over his local board to the State Director where he is employed. If the registrant is transferred to a job in another State, the State Director who has custody of the 1-W Assignment file, upon notification of the transfer, will forward it to the State Director of the state where the new employment is located. Alternate service to be performed outside the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, Guam, the Virgin Islands, and the Canal Zone will be administered by the Director of Selective Service, to whom the 1-W assignment file will be forwarded.

8. A registrant in Class 1-W, employed in an approved job, may make a written request to the State Director of the state in which he is employed to transfer him to a new job. The request must be made while the registrant is employed in an approved job, and the registrant must remain on that job until the transfer is accomplished, or he will lose alternate service credit for the period in which he is not working on an approved job. The registrant must, at the time of the request, offer an alternative job to the State Director of the state in which he is employed for approval as alternate service. If the new job is approved, the State Director having jurisdiction over the registrant's local board shall direct the local board to issue an SSS Form 153-A ordering him to the new job. If the State Director of the state in which the registrant is employed does not have jurisdiction over the registrant's local board he shall request the State Director having jurisdiction to request the registrant's local board to issue the SSS Form 153-A. A copy of the SSS Form 153-A shall be forwarded to the State Director for placement in the registrant's 1-W Assignment file and a copy shall be placed in the registrant's file and the date of issuance entered on page 2 of the SSS Form 101 or page 8 of the SSS Form 100.

9. The State Director may reassign a 1-W registrant at any time that he determines (1) that the job to which the registrant is assigned ceases to be acceptable as alternate service, or (2) that there is a hardship, medical, or other basis for such reassignment as determined by the State Director. If the State Director of the state in which the registrant is employed determines at any time that the registrant's original job ceases to be acceptable alternate service, and the registrant is registered in that state, the State Director shall request the local board to issue another SSS Form 153-A reassigning the registrant to an approved alternate service assignment. In the event the registrant is not registered in that state, the State Director will request the State Director having jurisdiction over the registrant's local board to initiate the necessary action to issue another SSS Form 153-A. A copy of the SSS Form 153-A shall be placed in the registrant's file folder and the date of issuance entered on page 2 of the SSS Form 101 or page 8 of the SSS Form 100.

10. The Director of Selective Service or a State Director will issue travel orders, tickets, or transportation requests and meal and lodging requests to the registrant, or reimburse him under applicable rules and directives for travel required of him under the provisions of this Chapter. This travel for which the registrant may be authorized will be limited to travel from the office of his own local board, or the local board nearest his place of residence as established by the registrant prior to the issuance of the SSS Forms 153 and 153-A, to the location of the place of reporting within the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, Guam, the Virgin

Islands and the Canal Zone. Such travel authorization will also apply to his return travel from his job assignment to the place from which his initial travel commenced, or to any other place designated by him, when the cost of such transportation would not exceed the cost of travel to the place from which his initial travel to his assignment commenced, upon his satisfactory completion of this period of alternate service; and for his travel from one place of employment to another when his employment is transferred under the provisions of this Chapter.

11. When the registrant has completed his period of obligated alternate service, or is sooner released, his 1-W Assignment file will be returned to the registrant's local board of record through the State Director within whose jurisdiction he is registered.

#### SECTION 660.10—PERFORMANCE OF ALTERNATE SERVICE

Any registrant who knowingly fails or neglects to perform satisfactorily his assigned alternate service, or whose service is unsatisfactory because of his failure to comply with reasonable requirements of an employer, shall be deemed to have knowingly failed or neglected to perform a duty required of him under the Military Selective Service Act. The registrant shall be deemed to have failed to perform satisfactorily if he did not meet the standards of performance, conduct or appearance demanded by the employer of his other employees in similar jobs.

#### SECTION 660.11—FAILURE TO ENTER OR COMPLETE ALTERNATE SERVICE

1. Whenever a registrant is refused employment by an employer who had previously agreed to hire him, or a registrant's employment is terminated, or he quits his job, the State Director of the state in which the registrant is employed will review the circumstances involved to determine whether the registrant has failed to perform his work satisfactorily or to conduct himself satisfactorily.

2. Whenever the State Director of the state in which the registrant is employed has reason to believe that a registrant was refused his employment because of, or the registrant refused or constructively refused employment, by his manner, demeanor, appearance, or attitude, or was relieved for cause or left his job unjustifiably, he will determine whether the registrant was at fault. If the State Director finds that the termination was due to the fault of the registrant, he may report the registrant for prosecution in accord with Chapter 642, RPM, or he may request the registrant's local board to order the registrant to an appropriate job by issuing a new SSS Form 153-A. Time not spent on an approved job will not be creditable toward completion of his alternate service obligation.

3. If the State Director of the state in which the registrant is employed finds that the termination was not due to the fault of the registrant and the State Director has jurisdiction over the registrant's local board, he shall direct the local board to issue an SSS Form 153-A ordering the registrant to a new alternate service assignment. If the registrant complies with the SSS Form 153-A, the intervening time between jobs will not constitute a break in the required period of alternate service. In the event the registrant is employed in a state other than that in which he is registered, the State Director shall request the State Director of the state in which the registrant is registered to initiate the necessary action for the registrant's local board to issue an SSS Form 153-A.



## SECTION 660.12—RELEASE FROM ALTERNATE SERVICE

1. The State Director of the state in which a registrant is assigned, or the Director, when the registrant is under his jurisdiction, will release the registrant upon completion of 24 months of satisfactory alternate service.

2. The State Director of the state in which the registrant is assigned, or the Director, may release a registrant prior to the completion of 24 months of satisfactory alternate service upon a determination of hardship, medical disqualification, or other bona fide basis for such early release. A 1-W registrant may be considered for early release, not to exceed 90 days, if evidence is presented that he is returning to school prior to completing 14 months of alternate service and that he has been accepted by such school. Further, a 1-W registrant may be considered for early release, not to exceed 90 days, upon submission of evidence that he has been accepted for employment and such employment will not be available if he remains in alternate service for 24 months. If the registrant is working outside the state in which he is registered, the decision as to early release will be made in consultation with the State Director of the state in which the registrant is registered.

3. When the registrant is employed in alternate service outside the state in which he is registered, the State Director of the state in which the registrant is employed, or the Director in the case of registrants employed outside the continental United States, the State of Alaska, the State of Hawaii, Puerto Rico, Guam, the Virgin Islands, and the Canal Zone, will upon completion of the registrant's term of service or approved early release, forward the registrant's selective service file (1-W Assignment) to the State Director of the state in which the registrant is registered. The file will be accompanied by a letter approving the registrant's release and will cite the reasons for release and the date of such release. When the file and letter approving the release are received by the State Director of the state in which the registrant is registered, he will forward them to the registrant's local board with a letter authorizing the issuance of Certificate of Release from Alternate Service (SSS Form 154) by the local board. The local board will prepare the SSS Form 154. A copy of SSS Form 154 will be placed in the registrant's file folder and an entry as to the date of mailing of the original of the form to the State Director shall be placed on page 2 of the SSS Form 101 or page 8 of the SSS Form 100. The State Director will then prepare the Certificate of Completion (SSS Form 154-A), in original only, and forward the SSS Forms 154 and 154-A to the registrant.

4. When the registrant is employed in alternate service in the state in which he is registered, that State Director will, upon completion of the registrant's term of service or approved early release, forward the registrant's 1-W Assignment file to his local board, together with a letter authorizing his release and citing the reason for release and the date of such release. Upon receipt of this letter of authorization and the file, the local board will prepare the SSS Form 154. A copy of the SSS Form 154 will be placed in the registrant's file folder and an entry as to the date of mailing of the original of the form to the State Director shall be placed on page 8 of the SSS Form 100 or page 2 of the SSS Form 101. The State Director will then prepare the Certificate of Completion (SSS Form 154-A), in original only, and forward the SSS Forms 154 and 154-A to the registrant.

5. If a registrant is released by the Director or State Director prior to the completion

of six months of alternate service, his classification shall be reopened by his local board, and he shall be classified in the lowest class for which he qualifies. If the registrant has completed six months or more of satisfactory alternate service, he shall be processed in accordance with Section 660.13 of this chapter.

## SECTION 660.13—COMPLETION OF ALTERNATE SERVICE

A registrant who completes his 24 months of obligated alternate service in lieu of induction or is sooner released as provided for in section 660.12, paragraph 2, by the Director or State Director after six months or more of appropriate work, shall be classified in Class 4-W unless eligible for a lower class.

## Local Board Stamp

Date: \_\_\_\_\_

I desire to begin my alternate service work in lieu of induction:

## (CHECK ONE)

- Prior to expiration of 70 days from the date specified on the Order to Report for Alternate Service (SSS Form 153) issued to me by my local board.
- Prior to the reporting date designated on Amendment to Order to Report for Alternate Service and Statement of Employer (SSS Form 153-A) issued to me.
- I desire to begin work on \_\_\_\_\_ or as soon thereafter as possible.
- Signed \_\_\_\_\_  
SS No. \_\_\_\_\_  
RSN \_\_\_\_\_

(Reference paragraph 4a of Section 660.1 and paragraph 5 of Section 660.9)

[Rev. February 1, 1975]

## CHAPTER 661—CLASSIFICATION OF CONSCIENTIOUS OBJECTORS

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## SECTION 661.1—INTRODUCTION

Part 1661 of Selective Service Regulations, as amended January 31, 1975, is quoted below for the information and guidance of personnel of the Selective Service System. Part 1661 does not apply to registrants discharged from the armed forces because of conscientious objection. Such registrants shall be classified in Class 1-O or 1-OM in accordance with Chapter 622, unless eligible for a lower classification.

"§ 1661.1 Purpose; Definitions. (a) The provisions of this Part govern the considera-

tion of a claim by a registrant for classification in Class 1-A-O [section 622.12 of the RPM], Class 1-A-OM [section 622.13 of the RPM], Class 1-O [section 622.16 of the RPM], or Class 1-OM [section 622.17 of the RPM].

"(b) The definitions in this paragraph shall apply in the interpretation of the provisions of this Part:

"(1) *Crystallization of a Registrant's Beliefs*.—The registrant's becoming conscious of the fact that he is opposed to participation in war in any form.

"(2) *Noncombatant Service*.—Service in any unit of the armed forces which is unarmed at all times; any other military assignment not requiring the bearing of arms or the use of arms in combat or training in the use of arms.

"(3) *Noncombatant Training*.—Any training which is not concerned with the study, use or handling of arms or other implements of warfare designed to destroy human life.

"(4) *Prima Facie Claim*.—A nonfrivolous claim, which, if true, would be sufficient on its face to warrant granting classification in Class 1-A-O, Class 1-A-OM, Class 1-O, or Class 1-OM.

"§ 1661.2 *The Claim of Conscientious Objection*. A claim to classification in Class 1-A-O, Class 1-A-OM, Class 1-O, or Class 1-OM may be made by the registrant in writing,<sup>1</sup> such document shall be placed in his File Folder.

"§ 1661.3 *Basis for Classification in Class 1-A-O or Class 1-A-OM*. (a) A registrant must be conscientiously opposed to participation in war in any form and conscientiously opposed to combatant training and service in the Armed Forces.

"(b) A registrant's objection must be founded on religious training and belief; it may be based on strictly religious beliefs, or on personal beliefs that are purely ethical or moral in source or content and occupy in the life of a registrant a place parallel to that filled by belief in a Supreme Being for those holding more traditionally religious views.

"(c) A registrant's objection must be sincere.

"§ 1661.4 *Basis for Classification in Class 1-O or Class 1-OM*. (a) A registrant must be conscientiously opposed to participation in war in any form and conscientiously opposed to participation in both combatant and non-combatant training and service in the Armed Forces.

"(b) A registrant's objection must be founded on religious training and belief; it may be based on strictly religious beliefs, or on personal beliefs that are purely ethical or moral in source or content and occupy in the life of a registrant a place parallel to that filled by belief in a Supreme Being for those holding more traditionally religious views.

"(c) A registrant's objection must be sincere.

"§ 1661.5 *Exclusion from Class 1-A-O, Class 1-A-OM, Class 1-O, and Class 1-OM*. (a) Registrants who assert beliefs which are of a religious, moral or ethical nature, but who are not found to be sincere in their assertions.

"(b) Registrants whose stated objection to participation in war does not rest at all upon moral, ethical or religious principle, but instead rests solely upon considerations of policy, pragmatism, expediency or their own self-interest or well-being.

"(c) Registrants whose objection to participation in war is directed against a particular war rather than against war in any form (a selective objection). If a registrant objects to war in any form, but also believes

<sup>1</sup> Any claim of conscientious objection must be in writing and signed by the registrant.

in a theocratic, spiritual war between the forces of good and evil, he may not by reason of that belief alone be considered a selective conscientious objector.

"§ 1661.6 *Analysis of Religious Training and Belief.* (a) A registrant claiming conscientious objection is not required to be a member of a "peace church" or any other church, religious organization, or religious sect to qualify for a 1-A-O, 1-A-OM, 1-O, or 1-OM classification; nor is it necessary that he be affiliated with any particular group opposed to participation in war in any form.

"(b) The registrant who identifies his beliefs with those of a traditional church or religious organization must show that he basically adheres to beliefs of that church or religious organization whether or not he is actually affiliated with the institution whose teachings he claims as the basis of his conscientious objection.

"(c) A registrant whose beliefs are not religious in the traditional sense, but are based primarily on moral or ethical principle should hold such beliefs with the same strength or conviction as the belief in a Supreme Being is held by a person who is religious in the traditional sense. Beliefs may be mixed; they may be a combination of traditional religious beliefs and of non-traditional religious, moral, or ethical beliefs. The registrant's beliefs must play a significant role in his life but should be evaluated only insofar as they pertain to his stated objection to his participation in war.

"(d) Where the registrant is or has been a member of a church, religious organization, or religious sect, and where his claim of a conscientious objection is related to such membership, the board may properly inquire as to the registrant's membership, the religious teachings of the church, religious organization, or religious sect, and the registrant's religious activity, insofar as each relates to his objection to participation in war. The fact that the registrant may disagree with or not subscribe to some of the tenets of his church or religious organization or religious sect does not necessarily discredit his claim.

"(e) (1) The history of the process by which the registrant acquired his beliefs, whether founded on religious, moral or ethical principle is relevant to the determination whether his stated opposition to participation in war in any form is sincere.

"(2) The registrant must demonstrate that his religious, ethical or moral convictions were acquired through training, study, contemplation, or other activity comparable to the processes by which traditional religious convictions are formulated. He must show that these religious, moral, or ethical convictions, once acquired, have directed his life in the way traditional religious convictions of equal strength, depth, and duration have directed the lives of those whose beliefs are clearly founded in traditional religious conviction.

"(f) The registrant need not use formal or traditional language in describing the religious, moral or ethical nature of his beliefs. Board members are not free to reject beliefs because they find them incomprehensible or inconsistent with their own beliefs.

"(g) Conscientious objection to participation in war in any form, if based on moral, ethical, or religious beliefs, may not be deemed nonreligious simply because those beliefs may influence the registrant concerning the Nation's domestic or foreign policies.

"§ 1661.7 *Impartiality.* Local and appeal boards may not give precedence to one religion over another, and all beliefs whether of a religious, ethical or moral nature, are to be given equal consideration.

"§ 1661.8 *Determination as to whether claim is prima facie.* (a) A prima facie claim as defined in § 1661.1(b) (4) of this part must include the following:

"(1) An affirmative statement (which does not on its face appear to be frivolous) that the registrant is conscientiously opposed to participation in war in any form.

"(2) An affirmative statement (which does not on its face appear to be frivolous) explaining the registrant's moral, ethical or religious basis for his claim.

"(b) If the local board determines on the basis of information submitted by the registrant that a prima facie claim has been presented, it shall reopen his classification in accord with § 1625.2(a) of this chapter. If the local board determines on the basis of information submitted by the registrant that a prima facie claim has not been presented, it need not reopen the classification. See § 1625.4 of this chapter. In such case, the board should accompany its refusal to reopen with a written statement setting forth its reason(s) for deciding that the registrant failed to submit a prima facie claim. This statement will be placed in the registrant's File Folder (SSS Form 101), and the registrant will be notified of the board's reasons(s).

"§ 1661.9 *Considerations relevant to granting or denying a prima facie claim for classification as a conscientious objector.* (a) If it is determined that the registrant has submitted a prima facie claim, the information in the registrant's file folder should then be evaluated to determine whether the registrant is sincere in his claim of conscientious objection. Oral statements by the registrant at a personal appearance before the local or appeal board, and the registrant's general demeanor during such an interview, are to be taken into account in assessing his sincerity.

"(b) The registrant's stated convictions should be a matter of conscience which would give him no rest or peace should he participate in war.

"(c) The board should be convinced that the registrant's personal history since the crystallization of his conscientious objection is not inconsistent with his claim and demonstrates that the registrant's objection is not solely a matter of expediency. A late crystallization of beliefs does not necessarily indicate expediency.

"(d) The information presented by the registrant should reflect a pattern of behavior in response to war and weapons which is consistent with his stated beliefs. Instances of violent acts or conviction for crimes of violence, or employment in the development or manufacturing of weapons of war may, if the claim is based upon or supported by a life of non violence, be indicative of inconsistent conduct.

"(e) The development of a registrant's opposition to war in any form may bear on his sincerity. If the registrant claims a recent crystallization of beliefs, his claim should be supported by evidence of a religious or educational experience, a traumatic event, an historical occasion, or some other special situation which explains when and how his objection to participation in war crystallized.

"(f) In the event that a registrant has previously claimed or been granted a deferment to work in the development of manufacturing of weapons of war or to serve as a member of a military reserve unit, it should be determined whether such a deferment was claimed or granted prior to the stated crystallization of the registrant's conscientious objector beliefs. Inconsistent classifications claimed or held prior to the actual crystallization of conscientious objector beliefs are not necessarily indicative of in-

sincerity. But, inconsistent claims or classifications claimed or held subsequent to actual crystallization may indicate that registrant's stated objection is not sincere.

"(g) If a registrant attends a personal appearance before the local or appeal board, his behavior before the local board may be relevant to the matter of the sincerity of his claim.

"(1) Evasive answers to questions by board members or the use of hostile, belligerent or threatening words or actions, for example, may in proper circumstances be deemed inconsistent with a claim in which the registrant bases his objection on a belief in non violence. But such behavior may have less relevance to the sincerity question if the registrant bases his beliefs solely on a conscientious objection to bearing arms.

"(2) Care should be exercised that nervous, frightened or apprehensive behavior at the personal appearance is not misconstrued as a reflection of insincerity.

"(h) Oral response to questions by board members should be consistent with the written statements of the registrant and should generally substantiate the submitted information in the registrant's File Folder (SSS Form 101); any material inconsistencies should be satisfactorily explained by the registrant. It is important to recognize that the registrant need not be eloquent in his answers. But, a clear inconsistency between the registrant's oral remarks at his personal appearance and his written submission to the board may be adequate grounds, if not satisfactorily explained, for concluding that his claim is insincere.

"(i) The registrant may submit letters of reference and other supporting statements of friends, relatives and acquaintances to corroborate the sincerity of his claim, although such supplemental documentation is not essential to approval of his claim. A finding of insincerity based on these letters or supporting statements must be carefully explained in the board's decision, specific mention being made of the particular material relied upon for denial of classification in Class 1-A-O, Class 1-A-OM, Class 1-O, or Class 1-OM.

"§ 1661.10 *Types of Decision.* (a) The following are the types of decisions which may be made by the local and appeal board when a prima facie claim of conscientious objection has been stated.

"(1) Decision to grant a claim for classification in Class 1-A-O, Class 1-A-OM, Class 1-O, or Class 1-OM, as requested, based on a determination that the truth or sincerity of the registrant's prima facie claim is not refuted by any information contained in the registrant's file or obtained during his personal appearance.

"(2) Decision to deny a claim for classification in Class 1-A-O, Class 1-A-OM, Class 1-O, or Class 1-OM, finding on the basis of all information before the board, that the claim fails to meet the tests specified in §§ 1661.3 and 1661.4. If supported by evidence in the file the board may find that the facts presented by the registrant in support of his claim are untrue.

"(3) Decision to grant classification in Class 1-A-O or Class 1-A-OM to a registrant even though he requested reclassification in Class 1-O or Class 1-OM. It should be noted that the registrant who requests classification in Class 1-O or Class 1-OM should be classified in Class 1-A-O or Class 1-A-OM only when the information presented demonstrates clearly that the registrant is opposed only to bearing arms and that he does not object to noncombatant service.

"§ 1661.11 *Statement of Reasons for Denial.* (a) Denial of a conscientious objector claim either by the local or appeal board must be accompanied by a statement specifying the



reason(s) for such denial as prescribed in §§ 1623.4 and 1626.4 of this chapter. The reason(s) must, in turn, be supported by evidence in the registrant's file (which should include a summary of the interview with the registrant, if any, at his personal appearance).

"(b) If the board's denial is based on statements by the registrant or on a determination that the claim is inconsistent or insincere, this should be fully explained in the statement of reasons accompanying the denial."

[Rev. February 1, 1975]

#### CHAPTER 680—MEDICAL SPECIALISTS

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##### SECTION 680.1—PURPOSE

The purpose of this Chapter is to establish procedures for the processing of medical specialists.

##### SECTION 680.2—DEFINITION

The term "medical specialists" refers to doctors of medicine, doctors of osteopathy, dentists, veterinarians, optometrists, podiatrists, and registered nurses.

##### SECTION 680.3—RANDOM SEQUENCE NUMBER

Medical specialists shall be assigned a Random Sequence Number (RSN) in accordance with Chapter 631 of the RPM, with the addition that all medical specialists born before 1944 shall be assigned a birthdate sequence (Random Sequence Number) based upon the results of the drawing held on December 1, 1969, identified as the 1970 Random Selection Sequence.

##### SECTION 680.4—CLASSIFICATION

1. Every registrant who becomes a medical specialist, as defined in Section 680.2, shall be placed in Class 1-AM (Medical Specialist Available for Military Service) unless otherwise eligible for lower classification.

2. In Class 1-A-OM (Conscientious Objector Medical Specialist Available for Noncombatant Military Service Only) shall be placed every registrant who would have been classified in Class 1-AM but for the fact that he has been found by reason of religious, ethical, or moral belief, to be conscientiously opposed to participation in combatant training in the armed forces.

3. In Class 1-OM (Conscientious Objector Medical Specialist Available for Alternate Service) shall be placed every medical specialist registrant who would have been classified in Class 1-AM but for the fact that he has been found by reason of religious, ethical, or moral belief, to be conscientiously op-

<sup>1</sup> Attachment.

posed to participation in both combatant and noncombatant training and service in the armed forces.

4. In Class 1-OM shall be placed every medical specialist registrant who has been separated from the armed forces (including their reserve components) by reason of conscientious objection to participation in both combatant and noncombatant training and service in the armed forces, unless qualified for a lower classification.

5. Medical specialists who are classified in Class 1-AM, 1-A-OM, or 1-OM, shall be identified in correspondence and on Selective Service forms as follows:

Medical Specialty	Class 1-AM	1-A-OM	1-OM
Doctor of medicine	1-AMM	1-A-OMM	1-OMM
Doctor of osteopathy	1-AMO	1-A-OMO	1-OMO
Dentist	1-AMD	1-A-OMD	1-OMD
Doctor of optometry	1-AME	1-A-OME	1-OME
Doctor of podiatric medicine	1-AMP	1-A-OMP	1-OMP
Veterinarian	1-AMV	1-A-OMV	1-OMV
Registered nurse	1-AMN	1-A-OMN	1-OMN

6. A medical specialist who is classified in a class other than 1-AM, 1-A-OM, or 1-OM shall be identified on Selective Service forms by placing the appropriate letter identifying his specialty after the classification. (For example, a dentist in Class 3-A would be shown as 3-AD; a doctor of medicine in Class 4-G would be shown as 4-GM).

##### SECTION 680.5—EXAMINATIONS

1. Local boards shall forward medical specialists for armed forces examinations in accordance with Chapter 628 of the RPM. A registrant who has previously been examined as a regular registrant shall, after being identified by the local board as a medical specialist, be forwarded for examination, regardless of a previous examination. Medical specialists are examined under Medical Specialists Medical Fitness Standards which are not the same standards applicable to registrants subject to regular call.

2. At the time of the armed forces examination at the Armed Forces Examining and Entrance Station (AFEEES), a medical specialist's professional qualifications are determined. If the registrant is found to be professionally disqualified, a Notice of Acceptability (DD Form 62) will indicate whether the disqualification is (1) temporary with "reexamination believed justified" (RBJ), or (2) permanent.

a. When a medical specialist is found permanently not acceptable because he does not meet the professional standards of the armed forces (as indicated in the "Remarks" block of the DD Form 62 or by the appearance of a "Z" in the third element of the qualification symbol in the upper right-hand corner of the Report of Medical Examination (SF 88)), the registrant should be considered for classification into Class 4-FM under Section 622.45.

b. When a medical specialist is found temporarily not acceptable because he does not meet the professional standards of the armed forces, RBJ (as indicated in the "Remarks" block of the DD Form 62, or by the appearance of a "Y" in the third element of the qualification symbol in the upper right-hand corner of the SF 88), the registrant shall not be considered for Class 4-FM, but shall be continued in his current classification as long as he qualifies for that class. If no RBJ period is indicated on the DD Form 62, the registrant shall be processed for reexamination at the end of six months.

c. Whenever it is not clear whether the

AFEEES disqualification is permanent or temporary the registrant should be processed as a temporary disqualification (RBJ).

3. When a medical specialist fails to report for or refuses to submit to an armed forces examination or any part of the examination, he shall be processed in accordance with Chapter 628 of the RPM, and the local board by letter, shall inform Headquarters, Health Services Command, Attention: HSC-PE-P, Fort Sam Houston, Texas 78234, through the appropriate State Director.

##### SECTION 680.6—SPECIAL CALLS BY THE SECRETARY OF DEFENSE

The Secretary of Defense may from time to time place a call or requisition for men in any medical specialist category with the Director of Selective Service. This is referred to as a "Special Call".

##### SECTION 680.7—ISSUANCE OF SPECIAL CALL BY THE DIRECTOR OF SELECTIVE SERVICE

Upon receipt of a call or requisition from the Secretary of Defense for men in a medical specialist category, the Director of Selective Service shall issue a call to the states. The issuance of a call for the delivery of registrants shall specify the priority group and the highest RSN to be ordered for induction for each medical profession.

##### SECTION 680.8—ISSUANCE OF SPECIAL CALL BY THE STATE DIRECTOR OF SELECTIVE SERVICE

The State Director of Selective Service shall issue a call to the local board for the delivery of registrants in accordance with the special call received from the Director of Selective Service.

##### SECTION 680.9—ACTION BY LOCAL BOARD UPON RECEIPT OF A SPECIAL CALL

1. When a local board receives a special call from the State Director, any member or compensated employee of the local board, or any compensated employee of the Selective Service System whose official duties include the performance of administrative duties at a local board shall, as provided by this section, select and issue orders to report for induction to those men required to fill the call. The call shall be filled from among the local board's registrants who have been classified in Class 1-AM or Class 1-A-OM, who are fully available for induction, and who have been found fully acceptable for service in the armed forces and to whom a DD Form 62 has been mailed, except that:

a. A medical specialist who has refused or otherwise failed to comply with an order of his local board to report for and submit to an armed forces examination may, at such time as he is reached for induction, be selected and ordered to report for induction to fill a special call as issued by the Department of Defense, even though he has not been found acceptable for service in the armed forces and a DD Form 62 has not been mailed to him. Whenever a registrant who has not been examined reports for induction, the armed forces examination shall be performed and the registrant shall not be inducted until he has been found acceptable for service in the armed forces.

b. A medical specialist in Class 1-AM or 1-A-OM who has volunteered for induction and who has not had his acceptability determined shall be forwarded for armed forces examination at the earliest practicable date, and if found acceptable, he shall be issued an order to report for induction under the provisions of the outstanding special call.

2. A medical specialist in Class 1-OM will be ordered to alternate service in lieu of induction, in accordance with Chapter 660 of the RPM, at the time he would be ordered



for induction if he were in Class 1-AM or 1-A-OM.

3. *Order of Call.* Fully available medical specialist registrants who have not already been ordered and given postponements shall be selected and ordered to report for induction or alternate service in the following categories and in the order indicated:

(1) Volunteers, in the sequence in which they have volunteered for induction or alternate service;

(2) Nonvolunteers in the First Priority Selection Group-Medical (1PSG-M), in the order of their Aandom Sequence Number (RSN);

(3) Nonvolunteers in the Second Priority Selection Group-Medical (2PSG-M), in the order of their RSN;

(4) Nonvolunteers in the Third Priority Selection Group-Medical (3PSG-M), in the order of their RSN;

(5) Nonvolunteers in each succeeding Priority Selection Group-Medical, in turn after the 3PSG-M in the order of their RSN, until attainment of age 35.

4. A registrant's RSN will be deemed to have been "reached" if it is equal to or lower than the highest random sequence cut-off number established by the Director of Selective Service for induction of medical specialists in the same Priority Selection Group-Medical and medical profession for the announced special call.

5. *Assignment to Priority Selection Groups—Medical.* a. An alien who enters the United States after he has completed his first professional degree in a medical specialty will enter the First Priority Selection Group—Medical (1PSG-M) immediately following his first year of residing in the United States, except that any alien who has resided in the United States in a nonpermanent resident status will enter the 1PSG-M when he has resided a total of one year in the United States, or when he registers for Selective Service, whichever is later. (When an alien has been within the United States for two or more periods and the total of such time exceeds one year, he shall be deemed to have remained in the United States for more than one year. In computing the length of such time, any portion of one day shall be counted as one full day.) All other medical specialists will enter the 1PSG-M immediately following the attainment of the first appropriate professional degree or diploma, except that if a registrant then enters the first available internship or equivalent training in his profession, he will be placed in the 1PSG-M immediately following the completion of one year of internship or equivalent training.

*Example 1:* A dentist who attained his professional degree on June 15, 1974, entered the 1PSG-M on June 16, 1974, as internship is normally not required of a dentist.

*Example 2:* A doctor of medicine or osteopathy who attained his professional degree on June 15, 1974, and who will complete his internship on June 30, 1975, enters the 1PSG-M on July 1, 1975.

*Example 3:* A doctor of medicine who attained his professional degree on June 15, 1974, immediately entered a three-year resident program on July 1, 1974, and who completed his first year of residency on June 30, 1975, entered the 1PSG-M on July 1, 1975. The first year of residency is considered the year of training equivalent to internship since he did not have an internship.

*Example 4:* A Doctor of Medicine who attained his professional degree on January 15, 1974, but did not enter internship until July 1, 1974, because that was the earliest internship program available, and who completed his internship on June 30, 1975, entered the 1PSG-M on July 1, 1975. It would be necessary for the registrant to substantiate the fact that he was unable to enter

an earlier internship program because of the nonavailability of a program.

*Example 5:* A medical specialist who was admitted to the United States as a permanent resident alien after receiving the first appropriate professional degree, and who has resided for one year in the United States as of June 29, 1973, entered the 1PSG-M on June 30, 1973.

*Example 6:* An alien medical specialist who was admitted to the United States for temporary residence on January 1, 1974, who is accepted for permanent residence status on July 1, 1975, and who registers with Selective Service on July 2, 1975, enters the 1PSG-M on July 2, 1975.

b. Upon completion of one year in the 1PSG-M, a registrant will be assigned to the 2PSG-M and will become less vulnerable for induction during a special call. He will be assigned to the next lower Priority Selection Group each year thereafter, in the same manner. Notation will be made on the Registrant File Folder (SSS Form 101) to show when a registrant enters the 1PSG-M and also when he enters the 2PSG-M and subsequent years of further reduced vulnerability (3PSG-M, 4PSG-M, etc.).

c. All medical specialists do not enter the 1PSG-M, and lower Priority Selection Groups—Medical, on the same day. Therefore the termination dates for Priority Selection Groups—Medical, for the various medical specialist registrants shall be noted in the local board suspense file. Local Boards should use extreme care in filing the SSS Form 101 by RSN within each Priority Selection Group—Medical.

6. *Administrative Processing.* a. When an Order to Report for Induction (SSS Form 252) is issued under a special call to a medical specialist, the induction order shall contain the Special Call number under which the registrant is being processed, and the registrant's medical specialty (such as doctor of medicine, doctor of osteopathy, dentist, veterinarian, optometrist, podiatrist, or registered nurse). These entries shall be typed in the upper right-hand corner of the SSS Form 252.

b. The scheduled induction date of a medical specialist will be at least 30 days after the date of mailing of the order to report for induction. No medical specialist will be issued an induction order with a scheduled reporting date later than the last date specified for filing the special call.

c. Copy 3 of the SSS Form 252 shall be forwarded through the State Director to Headquarters, Health Services Command, Attention: HSC-PE-P, Fort Sam Houston, Texas 78234. The State Director shall make two copies of the SSS Form 252, forward one copy to the Director of Selective Service, Attention: Operations Division, and retain one copy.

d. Upon receipt of the induction order of a medical specialist, Headquarters, Health Services Command will allocate the registrant to a military service. The armed force to which the registrant is allocated will contact him regarding a Reserve commission. Upon the registrant's acceptance of a commission, a Record of Military Status of Registrant (DD Form 44) will be sent to the local board.

e. When a registered nurse has been ordered for induction, Headquarters, Health Services Command will, upon receipt of the copy of the induction order, forward the registrant's preinduction papers to the Office of The Surgeon General, Department of the Army, Washington, D.C. The Office of The Surgeon General will then determine the registrant's rank and will allocate him to one of the armed forces which is participating in the call. The appropriate armed force will contact the registrant regarding a Reserve

Commission. Upon acceptance of a commission by the registrant, a DD Form 44 will be forwarded to the local board.

f. Notification of Entry Into Active Military Service (DD Form 53) will be forwarded to the State Director by the appropriate armed force when a medical specialist enters upon active duty.

g. The State Director shall notify Headquarters, Health Services Command, by fastest mail, of the cancellation of any induction order for a medical specialist. A copy of the Notice of Cancellation (SSS Form 255) shall be forwarded to National Headquarters through the State Director by the local board.

h. An explanatory letter relative to his processing (See Attachment 680-1) will be sent to each medical specialist ordered to report for induction under the authority of a special call.

7. *Reserve Obligation.* Medical specialists who accept Reserve commissions under the provisions of a special call before attaining the age of 26 will have a minimum military obligation consisting of two years of active military service, three years Ready Reserve, and one year of Standby Reserve. Those who accept a Reserve appointment after attaining the age of 26 have no further Reserve obligation after completing two years of active duty, unless otherwise obligated, provided they resign their commissions at the completion of their active duty period.

8. *Appointment for Medical Specialists in a Reserve or National Guard Unit.* Whenever a local board receives official notification that a registrant's current application for appointment as a commissioned officer in an organized unit of the Reserve or National Guard in a medical specialist capacity was in process at the time of his selection for a special call, it shall have his induction postponed pending completion of processing. Upon receipt of DD Form 44, announcing the appointment, the registrant's classification shall be reopened and considered anew.

9. *Delivery for Induction.* Any medical specialist who has been ordered for induction under the provisions of a special call and who refuses an appointment as a commissioned officer in one of the military services, as tendered, will be inducted in an enlisted status on his scheduled date. If a medical specialist fails to report for or submit to induction, his file will be processed in accordance with the provisions of Chapter 642 of the RPM.

#### SECTION 680.10—POSTPONEMENT OF INDUCTION

1. The local board may, after the SSS Form 252 has been issued postpone the scheduled date of induction of a medical specialist under the emergency circumstances as set forth in Chapter 632.

2. The Director of Selective Service or the State Director may postpone the scheduled date of induction of a medical specialist who applies or has applied for appointment as a Reserve commissioned officer in one of the armed forces, in a medical, dental, or allied specialist category, until final action is taken on his application.

3. In substantiated cases of proven community need, the Director or the State Director of Selective Service may postpone the scheduled date of induction of a medical specialist for a period of 90 days or less, to assist the community in its efforts to obtain additional medical assistance.

4. When a postponement is granted for 60 days or less, the registrant shall be issued a Postponement of Induction (SSS Form 264), and a Notice of Rescheduled Reporting Date (SSS Form 253). When a postponement is granted for more than 60 days, the registrant shall be issued a Postponement of Induction (SSS Form 264), and shall subsequently be

issued an SSS Form 253 not less than 30 days nor more than 60 days prior to the rescheduled reporting date. The local board shall send copy 3 of the SSS Form 253 and/or 3 copies of SSS Form 264 to State Headquarters. State Headquarters will furnish a copy of these forms to National Headquarters, Attention: OO, and to Headquarters, Health Services Command.

**SECTION 680.11—SPECIAL COMMISSIONING PROGRAMS**

1. *Berry Plan and Osteopathic Residency Deferment.* A physician who has been reached for induction under the provisions of a special call, for whom information has been submitted from the Department of Defense verifying that he is being considered for appointment in the Berry Plan or the Osteopathic Residency Deferment (ORD) Program, shall have his induction postponed. Upon receipt of verification (DD Form 44) that he has been appointed a Reserve commissioned officer participating in the Berry Plan or the ORD Program, the registrant's classification will be reopened and the registrant considered for Class 1-D under the provisions of Chapter 622.

2. *Commissioned Officers Residency Deferment (CORD) Program of the Public Health Service.* a. On the local board's receipt of Verification of Status of Commissioned Officers of the Public Health Service (PHS Form 1867) for a medical specialist to whom an induction order has not been issued, indicating his participation in the CORD program, the issuance of an order to report for induction shall be postponed.

b. On the local board's receipt of PHS Form 1867 indicating that a medical specialist to whom an induction order has been issued has been appointed in the Reserve Corps of the Public Health Service, the board shall postpone the registrant's induction pending his entry upon active duty.

c. Upon receipt of PHS Form 1867 indicating that the registrant has actually entered on active duty, the registrant's classification will be reopened and considered anew.

d. Unlike medical specialists who have been appointed as Reserve officers as members of the Berry Plan or ORD programs, and therefore entitled to classification in Class 1-D, Reserve Commissioned Officers of the Public Health Service participating in the CORD program are not eligible for classification in Class 1-D, but should remain in Class 1-AM or 1-A-OM.

**SECTION 680.12—MEDICAL SPECIALTY ADVISORS TO STATE DIRECTORS**

1. At least one licensed practitioner from each of the medical professions for which the Secretary of Defense places or has placed a Special Call, may be appointed as Medical Specialty Advisor to the State Director.

2. At the request of the State Director the advisor shall furnish advice regarding the deferment of medical specialists in his medical profession who are practicing within that State.

**SECTION 680.13—DEFERMENTS**

1. A medical specialist shall be classified in the lowest classification for which he is qualified except that no medical specialist is eligible for classification into Class 4-F or 1-H by local or appeal board action, nor is a registrant serving an internship or year of equivalent training or in the 1PSG-M eligible for Class 2-AM.

2. Medical specialists who were classified into Class 2-A (occupational deferment) prior to January 7, 1973, on the basis of community essentiality, may be classified in Class 2-AM so long as they qualify under paragraph 3 of this section, and so long as they remain in the same position.

3. A medical specialist other than one re-

ferred to in paragraph 2 above, may be granted an occupational deferment only after he has entered the second or lower PSG-M. Requests for occupational deferment by registrants who are in the 2PSG-M or lower priority selection groups shall be forwarded by the local board along with any supporting documentation received, through the appropriate State Director(s), to the Medical Specialty Advisor of the state in which the registrant is practicing. Upon receipt of the recommendation of the Medical Specialty Advisor, the local board should review the information submitted, giving consideration to the recommendation of the Medical Specialty Advisor with regard to whether the registrant's classification should be reopened and considered anew. The recommendation of the Medical Specialty Advisor is not binding upon the local board.

**SECTION 680.14—VOLUNTEERS**

1. A registrant in the designated medical profession for which a special call has been placed, may volunteer for induction by written request to the local board. The registrant must not be under the jurisdiction of a medical program of the armed forces or otherwise under an armed forces commitment. He must not have attained the age of 35. An alien admitted for temporary residence may not volunteer.

2. Medical specialists interested in appointment in one of the armed forces in the absence of a special call may be directed to the following sources:

General information with regard to the Berry Plan or ORD Program:

The Assistant Secretary of Defense (Health and Environment), Attention: Berry Plan Office (or ORD Program), The Pentagon, Washington, D.C. 20301.

Information requests with regard to individual services should be directed as follows:

Army: Office of The Surgeon General, Department of the Army, Attention: DASG-PTP-D, Washington, D.C. 20314.

Navy: Office of The Surgeon General, Department of the Navy, Attention: Professional Division, Washington, D.C. 20390.

Air Force: Air Force Military Personnel Center/SG-SP, Department of the Air Force, Randolph Air Base, Texas 78148.

Commissioned Officer Corps of the Public Health Service: Commissioned Personnel Division, Employment Operations Division, P.H.S., Parklawn Building (Room 4-35), 5600 Fishers Lane, Rockville, Maryland 20852.

SAMPLE LETTER TO MEDICAL SPECIALIST REGISTRANT SELECTED FOR SPECIAL CALL (SEE SECTION 680.9)

(Local Board Stamp)

TO: (Address) Date of Mailing: SSN: RSN:

DEAR : The Health Services Command, Fort Sam Houston, Texas 78234, is the custodian of your records as a medical specialist registrant who has been selected for military service. Health Services Command will contact you very soon relative to your obtaining a commission.

If you already have applied for a commission in one of the armed forces, you should immediately inform the military office with which you are corresponding that you have received an order to report for induction. Also notify the Health Services Command of your pending application.

Until you are actually commissioned in the armed forces, however, you are not within military jurisdiction, and the armed forces cannot consider any requests from you regarding your selective service status, such as a delay in call to active duty. If you have questions related to your selective service processing, you should contact any local board.

If you accept the commission tendered you, Selective Service should be notified promptly so that you can be advised not to report for induction as directed on the enclosed order.

Please notify this local board immediately if you accept a commission.

-----  
Authorized signature

Enclosure.

[January 1975]

**APPENDIX 1—CURRENT FORMS CHECK LIST AND INDEX**

1. *Introduction.* The following list sets forth all current Selective Service System Operations forms and procedural directives as of December 31, 1974. Only approved Operations forms are listed. No "Test" or temporary forms are included. Also listed are those forms of other agencies used in the processing of registrants. Each listed form and its procedural directive should be filed in Appendix 1 of the Registrant Processing Manual (RPM).

2. *Dates of forms.* a. Dates of forms and procedural directives shown on this check list/index reflect only the month and year of publication.

b. The date shown in the "Date of Form" column is the date of publication of the current edition of the form. When the date shown in the "Date of Form" column is followed by an asterisk (\*), the previous edition of the form may be used until exhausted.

3. *Forms listing.* a. SSS Forms and Procedural Directives.

SSS form No.	Title	Date of form	Date of procedural directive
	RIB OCR Forms—General.....		March 1974 (p. 1), January 1974 (p. 2-7)
1.....	Registration Card.....	November 1973 <sup>1</sup> .....	January 1973 (p. 1-4), June 1973 (attachment 1-1)
1—Mailer.....	Registration Card.....	do.....	November 1973.
4.....	Tally Sheet.....	Undated or August 1948.	January 1968.
7.....	Status Card (OCR).....	September 1974.....	July 1974.
100-S.....	Classification Questionnaire Minutes of Action Continued.....	October 1954.....	January 1968.
101.....	Registrant File Folder.....	January 1973.....	January 1973.
102.....	Classification Record.....	October 1964.....	October 1970.
102-S.....	Classification Record (supplement).....	June 1954.....	January 1968.
103.....	Graduate or Professional College Student Certificate.....	October 1967.....	Do.
103-A.....	do.....	do.....	Do.
109.....	Student Certificate.....	June 1969.....	February 1970.
109-A.....	do.....	do.....	Do.
112.....	Minutes of Local or Appeal Board Meeting.....	January 1974.....	January 1974.

## NOTICES

SSS form No.	Title	Date of form	Date of procedural directive
112-A	Minutes of Local or Appeal Board Meeting Continuation Sheet.	do.	Do.
114	Order for Transfer for Classification.	Undated or February 1948.	January 1968.
116	Report of Manpower Inventory.	July 1973.	July 1973.
117	Availability of Registrants.	July 1972.	July 1972.
118	Dependency Questionnaire.	March 1969.	August 1969.
119	Report of Information.	February 1974 <sup>1</sup> .	September 1974, February 1974 (attachments 1, 2).
120	Individual Appeal Record (OCR).	September 1972 <sup>1</sup> .	August 1972 (p. 1-6, 8, 9), December 1972 (p. 7).
120-A	Action by Appeal Board.	Undated or August 1971.	Undated.
121	Docket Book of Appeal Board.	Undated or October 1948.	January 1968.
123	Cover Sheet Transmittal and Receipt.	Undated or June 1969.	September 1969.
127	Current Information Questionnaire.	January 1973.	January 1973.
130	Request for Relief From Training and Service in the Armed Forces of the United States.	July 1972.	Undated.
131	Special Form for Alien or Dual National.	do.	July 1972.
150	Special Form for Conscientious Objector.	April 1972.	April 1972.
151	Application of Volunteer for Alternative Service.	January 1972.	January 1968.
152	Conscientious Objector Skills Questionnaire.	December 1971.	February 1970, September 1974 (attachments 1.1, 1.2, 1.3).
153	Order to Report for Alternate Service.	November 1972.	November 1972.
153-A	Amendment to Order to Report for Alternate Service.	July 1973.	July 1973, November 1972 (facsimile).
154	Certificate of Release From Alternate Service.	August 1972.	July 1974.
154-A	Certification of Completion of Alternate Service.	July 1974.	Do.
156	Employer's Statement of Availability of Job as Alternate Service.	December 1971.	November 1973.
157	Monthly Report of Availability of 1-O, Registrant.	May 1973.	May 1973.
158	Monthly Activity Report of Class 1-W Registrant.	do.	Do.
172	Special Form for Divinity Student.	September 1972.	Undated.
173	Special Form for Registrant With Court Record.	do.	Do.
174	Special Form for Surviving Son.	do.	September 1972.
175	Special Form for Minister of Religion.	do.	Do.
201	Notice of Induction Call on Local Board.	July 1973.	July 1973.
202	Notice of Examination Call on Local Board.	October 1973.	October 1973.
204	Procedural Rights Notice (OCR).	April 1972.	August 1972.
204-A	Notice of Decision of Local Board Not To Reopen Classification (OCR).	do.	December 1972 (p. 1), August 1972 (p. 2-7).
205	Inductions and Medical Determinations (excluding Medical Specialists).	July 1972.	July 1972.
220	Record of Results of Armed Forces Examination (OCR).	September 1972 <sup>1</sup> .	January 1974.
223	Order To Report for Armed Forces Examination (OCR).	do <sup>1</sup> .	Undated.
225	Physical Examination List.	December 1963.	January 1968.
225-A	Physical Examination List Continuation Sheet.	September 1960.	Do.
230	Transfer for Armed Forces Examination.	May 1972.	May 1972.
252	Order To Report for Induction (OCR).	December 1971.	August 1972.
253	Notice of Rescheduled Induction Reporting Date (OCR).	do.	Do.
254	Application for Voluntary Induction.	October 1964 <sup>1</sup> .	January 1968.
255	Notice of Cancellation (OCR).	April 1972.	August 1972.
261	Delivery List.	August 1960 <sup>1</sup> .	January 1971.
261-A	Delivery List Continuation Sheet.	do.	Do.
264	Postponement of Induction.	October 1960 <sup>1</sup> .	January 1968.
301	Report of Violation.	October 1972.	January 1974, September 1974 (attachments 1.1, 1.2).
305	Notice of Confinement or Release From Confinement.	October 1967.	January 1968.
340	Appointment of Leader or Assistant Leader.	December 1960.	Do.
380	Correspondence Postal Card.	August 1958.	Do.
394	Employer Development Contact Record.	September 1972.	Undated.
397	Alternate Service Control Card.	do.	Do.
398	1-W Control Card.	do.	Do.
399	Alternate Service Employer.	do.	Do.
710	Charge-Out Card.	June 1956 <sup>1</sup> .	January 1968.
711	Locator File Charge-Out Card.	July 1954.	Do.
720	Request for Armed Forces Information.	February 1973.	February 1973.
721	Transcript of Military Record.	May 1960 <sup>1</sup> .	January 1968.
725	Authorization for Release of Information.	March 1965.	Do.

## B. FORMS OF OTHER AGENCIES

DD 44	Record of Military Status of Registrant.	October 1969.	January 1968, March 1974 (facsimile).
DD 47	Record of Induction.	June 1970 <sup>1</sup> .	January 1968, March 1974 (facsimile).
DD 53	Notification of Entry Into Active Military Service.	April 1959.	January 1968.
DD 62	Statement of Acceptability.	March 1959.	Do.
DD 214	Armed Forces of the United States Report of Transfer or Discharge.	November 1972.	January 1968, March 1974 (facsimile).
DD 215	Correction to DD Form 214, Armed Forces of the United States Report of Transfer or Discharge.	do.	January 1968, March 1974 (facsimile).
DD 308	Statement of Personal History.	March 1961 <sup>1</sup> .	January 1968.
DD 1300	Report of Casualty.	February 1973.	January 1968, March 1974 (facsimile).
DD 1343	Notification of Change in Service Member's Official Records.	June 1969.	January 1968.
PHS 1867	Statement of Service—Verification of Status of Commissioned Officers of the U.S. Public Health Service.	August 1963.	January 1968, March 1974 (facsimile).
SF 88	Report of Medical Examination.	April 1968.	February 1970, March 1974 (facsimile 1, 2).
SF 93	Report of Medical History.	January 1971.	August 1972.



4. *Forms and procedural directives discontinued or suspended.* a. Use of SSS Forms 80, Standby Reserve Questionnaire, 81, Standby Reserve Register, 90, Standby Reserve Folder, and 117-A, Availability of Extended Priority Selection Group Classes 1-A and 1-A-O, has been discontinued. The facsimiles of these forms and their associated procedural directives will be withdrawn from Appendix 1 of the RPM and destroyed. Stock balances of the forms will be removed from inventory and destroyed.

b. Submission of SSS Forms 117, 157, and 205 has been suspended until further notice.

c. No discontinued, superseded or use-suspended form is to be destroyed unless that destruction authority appears on the current edition of the form or specific written direction to destroy the form is received from National Headquarters. Authorized stocks of use-suspended forms will be maintained pending resumption of use or receipt of written destruction authority from National Headquarters.

5. *Other agency forms.* a. Facsimiles of the current forms of other agencies listed in this check list index will be supplied by National Headquarters as they become available. Until such time as those current facsimiles are received, the version presently contained in Appendix 1 should be retained.

b. DD Form 889, Standby Reserve Control, has been discontinued by the Department of Defense. The facsimile of that form and its associated procedural directive will be removed from Appendix 1 and destroyed.

#### SECTIONS 631.6 AND 631.8

##### SECTION 631.6

The first sentence of Section 631.6, paragraph 2.b. is amended, effective February 1, 1975, to read as follows: "A registrant who has been identified as one who will become a member of category (2) or (3) below, on the next January 1, may, prior to January 1, be selected and ordered to report for induction in January."

#### SECTION 631.8—EXTENDED LIABILITY OF DEFERRED REGISTRANTS

[Rev. February 1, 1975]

1. *Extension of Liability.* The Military Selective Service Act provides that certain registrants who have been or are deferred incur extended liability beyond age 26 for training and service in the Armed Forces.

2. A registrant may qualify for more than one classification. He may qualify for a class which does not extend liability and at the same time be qualified for a lower class which does extend liability. Such a registrant shall be placed in the lowest class for which he qualifies but shall not have his liability extended. For example, a registrant who qualifies for both Class 4-G (which does not extend liability) and Class 4-F (which does extend liability) would not incur extended liability by being placed in Class 4-F.

[FR Doc.75-7303 Filed 3-21-75; 8:45 am]

### INTERSTATE COMMERCE COMMISSION

[Notice 727]

#### ASSIGNMENT OF HEARINGS

MARCH 19, 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 140246, S & E Enterprises, Inc., application dismissed.

MC 531 Sub 299, Younger Brothers, Inc., now assigned April 21, 1975, at Dallas, Texas is cancelled and application is dismissed.

MC 13250 Sub 125, J. H. Rose Truck Line, Inc., MC 74321 Sub 102, B. F. Walker, Inc., and MC 106497 Sub 90, now being assigned June 3, 1975 (9 days), at Atlanta, Georgia; in a hearing room to be designated later.

MC 139784 Sub 3, Cattle and Grain Transports, Inc., now being assigned June 9, 1975 (1 week) at Kansas City, Mo. in a hearing room to be later designated.

MC 140081, A & A Trucking, Inc., now assigned April 1, 1975, at Lincoln, Nebr., will be held in Room 228, U.S. Federal Bldg. & Courthouse, 129 N. 10th St.

MC 123407 Sub 212, Sawyer Transport, Inc., now being assigned June 25, 1975 (3 days) at St. Louis, Missouri; in a hearing room to be later designated.

MC-F 12234, Century Express Ltd.—Purchase—Lansdale Transportation Co., Inc., now being assigned June 24, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F 12351, Trans Corp.—Control—Shaffer Trucking, Inc., now being assigned June 24, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C 8551, Red Star Express Lines of Auburn, Inc., v. Boss-Linco Lines, Inc., now being assigned July 1, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 72243 Sub 42, The Aetna Freight Lines, Incorporated, now assigned April 1, 1975, at Birmingham, Ala., will be held in the Dept. Of Labor Conference Room, 1931 9th Avenue, South.

MC 73165 Sub 348, Eagle Motor Lines, Inc., now assigned April 2, 1975 at Birmingham, Ala., will be held in the Dept. of Labor Conference Room, 1931 9th Avenue, South.

MC 72243 Sub 39, The Aetna Freight Lines, Inc., now assigned April 7, 1975, at Birmingham, Ala., will be held in Room 345, U.S. Courthouse & Federal Building, 1800 5th Avenue, North.

MC 114273 Sub 228, Cedar Rapids Steel Transportation, Inc., now being assigned April 2, 1975 (3 days) at Columbus, Ohio; in Room 235 Federal Office Building, 85 Marconi Boulevard.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-7597 Filed 3-21-75; 8:45 am]

[Ex Parte No. 309]

### LONG ISLAND RAILROAD CO. Investigation Into Joint Interstate & International Rates

MARCH 14, 1975.

The Interstate Commerce Commission will hold an informal conference to consider possible solutions to the problems raised by the non-participation (flagout) of the Long Island Railroad Company in general increases in joint rates from and to points on its lines.

Five carriers in Eastern territory<sup>1</sup> filed a petition for investigation on December 18, 1974, looking toward the entry of a Commission order requiring the Long Island Railroad Company to join its connecting carriers in increasing joint rates to a level reflecting the full increases authorized in a number of recent general increase proceedings; or, in the alternative, enter an order authorizing the connecting carriers to cancel through routes and joint rates with the Long Island Railroad Company. Petitions to intervene have been filed by rail carriers operating in Western and Southern territories and by one interested shipper, Phelps Dodge Corporation. The petitions may be examined in the Commission's Public Docket Room, 12th Street and Constitution Ave., Room 1221, during regular business hours.

In scheduling this informal conference, the Commission hopes that protracted formal proceedings in this matter can be avoided. Parties interested in this matter including carriers, the shipping and traveling public, and concerned Federal, State and Local officials should notify the Commission of their intention to participate in this informal conference to be held on April 24, 1975, by filing a letter with the Secretary of the Commission to that effect on or before April 16, 1975. The conference will commence at 9:30 a.m. at the office of the Interstate Commerce Commission, Washington, D.C.

Notice of this informal conference shall be given to the general public by depositing a copy of this notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. for public inspection and by delivering a copy of the notice to the Director, Office of the Federal Register for publication therein as notice to interested persons.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-7599 Filed 3-21-75; 8:45 am]

[Notice 252]

### MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 24, 1975.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-75734. By application filed March 4, 1975, BACIL GULEY, doing business as GULEY TRUCKING, 13119 Arrow Route, Fontana, CA 92335, seeks temporary authority to lease the operat-

<sup>1</sup> Thomas F. Patton and Ralph S. Tyler, Jr., Trustees of the Property of the Erie Lackawanna Railway Company; R. C. Haldeman, Trustee of the Property of Lehigh Valley Railroad Company; Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees of the Property of Penn Central Transportation Company, Debtor; Pittsburgh and Lake Erie Railroad Company; and Andrew L. Lewis, Jr. and Joseph L. Castle, Trustees of the Property of Reading Company.

ing rights of ROLPH TRUCKING, INC., 1830 South 27th Avenue, Phoenix, AZ 85009, under section 210a(b). The transfer to BACIL GUILLEY, doing business as GUILLEY TRUCKING, of the operating rights of ROLPH TRUCKING, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-7598 Filed 3-21-75;8:45 am]

### IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

#### Elimination of Gateway Applications

MARCH 17, 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 on or before April 23, 1975. (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 31462 (Sub-No. 21G), filed June 4, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, 3164 Springfield, Lancaster, Tex. 75146. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission. (1) Between points in Alabama, on the one hand, and, on the other, points in Arkansas, Colorado, Connecticut, District of Columbia, Florida, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (2) Between points in Arkansas, on the one hand, and on the other, points in Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts,

Michigan, Minnesota, Mississippi, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

(3) Between points in Colorado, on the one hand, and, on the other, points in Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (4) Between points in Connecticut, on the one hand, and, on the other, points in Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin; (5) Between points in District of Columbia, on the one hand, and, on the other, points in Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and Mississippi; (6) Between points in Florida, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

(7) Between points in Georgia, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, West Virginia, and Wisconsin; (8) Between points in Illinois, on the one hand, and, on the other, points in Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (9) Between points in Indiana, on the

one hand, and, on the other, points in Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, North miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

(10) Between points in Iowa, on the one hand, and, on the other, points in Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (11) Between points in Kansas, on the one hand, and, on the other, points in Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (12) Between points in Kentucky, on the one hand, and, on the other, points in Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (13) Between points in Louisiana, on the one hand, and, on the other, points in Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

(14) Between points in Maine, on the one hand, and, on the other, points in Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, West Virginia, and Wisconsin; (15) Between points in Maryland, on the one hand, and, on the other, points in Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; (16) Between points in Massachusetts, on the one hand, and, on the other, points in Michigan, Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South



Carolina, South Dakota, Tennessee, Texas, and Wisconsin; (17) Between points in Michigan, on the one hand, and, on the other, points in Minnesota, Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

(18) Between points in Minnesota, on the one hand, and, on the other, points in Mississippi, Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (19) Between points in Mississippi, on the one hand, and, on the other, points in Missouri, Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, Vermont, West Virginia, and Wisconsin; (20) Between Gulfport, Miss. and points within 35 miles thereof, and points in North Carolina, South Carolina, and Virginia; (21) Between points in Missouri, on the one hand, and, on the other, points in Montana (within 450 miles of Williston, N. Dak.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

(23) Between points in Nebraska, on the one hand, and, on the other, points in New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, North Dakota, and South Dakota; (24) Between points in New Hampshire, on the one hand, and, on the other, points in North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin; (25) Between points in New Jersey, on the one hand, and, on the other, points in North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin; (26) Between points in New York, on the one hand, and, on the other, points in North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin; (27) Between points in North Carolina, on the one hand, and, on the other, points in North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin; (28) Between points in North Da-

kota, on the one hand, and, on the other, points in Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (29) Between points in Ohio, on the one hand, and, on the other, points in Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; (30) Between points in Oklahoma, on the one hand, and, on the other, points in Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

(31) Between points in Pennsylvania, on the one hand, and, on the other, points in South Dakota, Tennessee, Texas, and Wisconsin; (32) Between points in South Carolina, on the one hand, and, on the other, points in South Dakota, Tennessee, Texas, Vermont, and Wisconsin; (33) Between points in South Dakota, on the one hand, and, on the other, points in Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (34) Between points in Tennessee, on the one hand, and, on the other, points in Texas, Vermont, Virginia, West Virginia, and Wisconsin; (35) Between points in Texas, on the one hand, and, on the other, points in Vermont, Virginia, West Virginia, and Wisconsin; (36) Between points in Vermont, on the one hand, and, on the other, points in Wisconsin; (37) Between points in Virginia, on the one hand, and, on the other, points in Wisconsin.

(38) Between points in West Virginia, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateways of Kansas City, Mo. and points within 30 miles thereof; Hoosick Falls, N.Y.; points in Kansas; Fort Wayne, Ind. and points within 40 miles thereof; Houston, Tex. and points within 50 miles thereof (excluding Galveston, Tex.); Wever, Iowa and points within 10 miles thereof; Burlington, Iowa and points within 50 miles thereof; St. Louis, Mo. and East St. Louis, Ill. and points within 50 miles thereof; Cairo, Ill. and points within 25 miles thereof; Clinton, Ind.; points in Illinois, Kentucky, Ohio and Lower Peninsula of Michigan; Alden, Minn. and points within 35 miles thereof; Omaha, Nebr.; points in North Dakota within 200 miles of Williston, N. Dak.; Okmulgee County, Okla.; Gulfport, Miss. and points within 35 miles thereof; points in Georgia; and points in Minnesota and Iowa, bounded by the Mississippi River and U.S. Highways 16, 71, and 20.

**IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES**

MARCH 17, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination Rules* (49 CFR 1065(a)), and notice thereof to all

interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission *within 10 days* from the date of this publication. 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 13134 (Sub-No. E2), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Reinforcement steel and steel rails*, from points in Washington County, Pa., to points in Kentucky, except Boone, Campbell, and Kenton Counties, (2) *Reinforcing steel, steel rails and railway track, materials and fittings, structural steel*, including fittings and bolts, from points in Washington County, Pa., to points in that part of Tennessee on and east of U.S. Highway 27, and to points in that part of Virginia on and west of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 52 to junction U.S. Highway 21, thence along U.S. Highway 21 to the Virginia-North Carolina State line, and to points in that part of Kentucky on and east of a line beginning at the Ohio-Kentucky State line, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line, except Boone, Campbell, and Kenton Counties and within 10 miles of the Ohio River. The purpose of this filing is to eliminate the gateway of Huntington, W. Va.

No. MC 13134 (Sub-No. E3), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Reinforcing steel, steel rails and railway track, materials and fittings, structural steel, structural steel fittings, bolts, steel posts, and iron steel bars*, from points in Washington County, Pa., to points in North Carolina on and west of U.S. Highway 21, and to points in that part of Virginia on and west of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 52 to junction U.S. Highway 21, thence along U.S. Highway 21 to the Virginia-North Carolina State line, and to points in that part of Tennessee on and west of U.S. Highway 27, and to points in that part of Kentucky on and west of a line beginning



at the Ohio-Kentucky State line, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line, except Boone, Campbell, and Kenton Counties, and within 10 miles of the Ohio River; and (2) *Iron, steel, and iron and steel articles* which, because of size or weight, requires the use of special equipment, between points in Washington County, Pa., on the one hand, and, on the other, points in that part of Kentucky on and east of a line beginning at the Ohio-Kentucky State line, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateways of (1) Huntington, W. Va.; and (2) points in West Virginia.

No. MC 13134 (Sub-No. E4), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron, steel, and iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Washington County, Pa., to points in Arkansas and Oklahoma; (2) *Iron, steel, and iron and steel articles* (except those commodities which are building materials, and those commodities which, because of their size or weight, requires the use of special equipment), from points in Washington County, Pa., to points in Alabama, Florida, Georgia, Texas, and Kansas. The purpose of this filing is to eliminate the gateway of (1) points in Cabell and Wayne Counties, W. Va., (2) Huntington, W. Va.

No. MC 13134 (Sub-No. E5), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corrugated iron or steel pipe*, between points in Washington County, Pa., on the one hand, and, on the other, points in that part of Virginia on and west of a line beginning at the Kentucky-Virginia State line, thence along U.S. Highway 23 to junction Alternate U.S. Highway 58, thence along Alternate U.S. Highway 58 to the Virginia-Tennessee State line and points in that part of Tennessee on and east of U.S. Highway 127; and (2) *Reinforcement steel, structural steel including fittings and bolts, steel mine roof bolts, steel track bolts, steel plates, steel sheets, and steel pipe* (except those commodities which are building materials and those commodities which, because of size or weight, require the use of special equipment), from Cleveland, Ohio, to points in that part of Kentucky located on and south of a line beginning at the West

Virginia-Kentucky State line, thence along Interstate Highway 64 to junction Blue Grass Parkway, thence along Blue Grass Parkway to junction Green River Parkway, thence along Green River Parkway to the Kentucky-Indiana State line (including Boyd and Greenup Counties), and to points in that part of North Carolina located on and west of a line beginning at the Virginia-North Carolina State line, thence along Interstate Highway 95 to junction U.S. Highway 264, thence along U.S. Highway 264 to the Atlantic Ocean, and to points in that part of Virginia located on and south of a line beginning at the West Virginia-Virginia State line, thence along Interstate Highway 64 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Virginia-North Carolina State line, and to points in that part of Kansas located on and west of a line beginning at the Nebraska-Kansas State line, thence along U.S. Highway 281 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 68, thence along U.S. Highway 68 to the Kansas-Missouri State line, and to points in Tennessee, Arkansas, Oklahoma, Alabama, Florida, Georgia, and Texas. The purpose of this filing is to eliminate the gateways of (1) that part of the Ashland, Ky., commercial zone, located in Ohio, and (2) Huntington, W. Va.

No. MC 13134 (Sub-No. E6), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe* (except those which, because of size or weight, require the use of special equipment), from Lorain, Ohio, to points in Alabama, Arkansas, Florida, Georgia, Oklahoma, Texas, and to points in that part of Kansas located on and west of a line beginning at the Nebraska-Kansas State line, thence along U.S. Highway 281 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 54, thence along U.S. Highway 54 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 Huntington, W. Va.

No. MC 13134 (Sub-No. E7), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe*, which, because of size or weight, requires the use of special equipment, from Lorain, Ohio, to points in that part of Kentucky located on and south of a line beginning at the West Virginia-Kentucky State line, thence along Interstate Highway 64 to

junction U.S. Highway 25, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line (including Boyd and Greenup Counties). The purpose of this filing is to eliminate the gateway of points in West Virginia.

No. MC 13134 (Sub-No. E8), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel, and iron and steel articles*, which, because of size or weight, require the use of special equipment, from the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind., to points in that part of Kentucky located on and east of a line beginning at the Ohio-Kentucky State line, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line, restricted to the transportation of shipments originating at the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind.; (2) *Reinforcing steel, steel rails, and railway track, materials and fittings, structural steel*, including fittings and bolts, from the plant site of the Bethlehem Steel Corporation located at Burns Harbor, Porter County, Ind., to points in that part of Virginia on and west of U.S. Highway 220, restricted to the transportation of shipments originating at the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind.; and (3) *Reinforcing steel, steel rails, and railway track, materials and fittings, structural steel*, including fittings and bolts, from the plant site of the Bethlehem Steel Corporation located at Burns Harbor, Porter County, Ind., to points in that part of Virginia on and east of U.S. Highway 220, restricted to the transportation of shipments originating at the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind. The purpose of this filing is to eliminate the gateways of (1) points in that part of Ohio south of U.S. Highway 40; (2) Huntington, W. Va. and (3) Huntington, W. Va.

No. MC 13134 (Sub-No. E9), filed February 3, 1975. Applicant: GRANT TRUCKING CO., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Reinforcing steel, steel rails, and railway track, materials and fittings, structural steel, structural steel fittings, bolts, steel posts, and iron steel bars*, from the plant site of the Bethlehem Steel Corporation located at Burns Harbor, Porter County, Ind., to points in North Carolina, restricted to the transportation of shipments origi-

nating at the plant site of the Bethlehem Steel Corporation located at Burns Harbor, Porter County, Ind.; (2) *Iron and steel and iron and steel articles* (except those commodities which are building materials, and those commodities which, because of size or weight, require the use of special equipment), from the plant site of the Bethlehem Steel Corporation located at Burns Harbor, Porter County, Ind., to points in that part of Florida on and east of U.S. Highway 231 and to points in that part of Georgia on and east of U.S. Highway 23, restricted to the transportation of shipments originating at the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind.; and (3) *Reinforcing steel, steel rails and railway track, materials and fittings*, structural steel, including fittings and bolts, from the plant site of Jones and Laughlin Steel Corporation located in Putnam County, Ill., to points in that part of Virginia on and west of U.S. Highway 220, restricted to the transportation of traffic originating at the above-named plant site and restricted against the transportation of commodities in bulk. The purpose of this filing is to eliminate the gateways of (1) Huntington, W. Va.; (2) Huntington, W. Va.; and (3) Huntington, W. Va.

No. MC 13134 (Sub-No. E10), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Reinforcing steel, steel rails, and railway track, materials and fittings, structural steel, structural steel fittings, bolts, steel posts, and iron steel bars*, from the plant site of Jones and Laughlin Steel Corporation located in Putnam County, Ill., to points in that part of Virginia on and east of U.S. Highway 220 and to points in North Carolina, restricted to the transportation of traffic originating at the above-named plant site and restricted against the transportation of commodities in bulk; and (2) *Iron and steel articles*, which, because of size or weight, require the use of special equipment, from the plant site of Jones and Laughlin Steel Corporation located in Putnam County, Ill., to points in West Virginia and to points in that part of Kentucky located on and east of a line beginning at the Ohio-Kentucky State line, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line, restricted to the transportation of traffic originating at the above-named plant site and restricted against the transportation of commodities in bulk. The purpose of this filing is to eliminate the gateways of (1) Huntington, W. Va., and (2) points in Ohio on and south of U.S. Highway 40.

No. MC 13134 (Sub-No. E11), filed February 3, 1975. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John W. Gee, Columbus Center, 100

E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials, equipment, and supplies* used in the manufacture of processing of iron and steel articles which, because of size or weight, require the use of special equipment, from points in West Virginia and from points in that part of Kentucky located on and east of a line beginning at the Ohio-Kentucky State line, thence along U.S. Highway 25 to junction U.S. Highway 25W, thence along U.S. Highway 25W to the Kentucky-Tennessee State line, to the plant site of Jones and Laughlin Steel Corporation located in Putnam County, Ill., restricted to the transportation of traffic destined to the above-named plant site and restricted against the transportation of commodities in bulk; and (2) *Reinforcement steel and steel rails*, from the plant site of Jones and Laughlin Steel Corporation located in Putnam County, Ill., to points in that part of Kentucky located on and east of a line beginning at the Ohio-Kentucky State line, thence along Interstate Highway 75 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line, restricted to the transportation of traffic originating at the above-named plant site and restricted against the transportation of commodities in bulk. The purpose of this filing is to eliminate the gateways of (1) points in Ohio on and south of U.S. Highway 40; and (2) points in that part of the Huntington, W. Va., commercial zone located in Ohio.

No. MC 21170 (Sub-No. E14), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushl (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (a) from points in that part of Iowa east of a line beginning at the Iowa-Illinois State line and extending along U.S. Highway 61 to the Iowa-Illinois State line to points in Colorado, Kansas, and those points in that part of Nebraska west and south of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 83 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Nebraska-Wyoming State line; (b) from points in that part of Iowa east of a line beginning at the Minnesota-Iowa State line and extending along U.S. Highway 52 to junction Iowa Highway 150, thence along Iowa Highway 150 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction Iowa Highway 16, thence along Iowa Highway 16 to junction Iowa Highway 88, thence along Iowa Highway

88 to junction Iowa Highway 2, thence along Iowa Highway 2 to the Iowa-Illinois State line to points in Colorado, Kansas, and those points in that part of Nebraska on and west and south of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 83 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Nebraska-Wyoming State line.

(c) From points in that part of Iowa east of a line beginning at the Iowa-Minnesota State line extending along U.S. Highway 218 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Iowa Highway 137, thence along Iowa Highway 137 to junction Iowa Highway 5, thence along Iowa Highway 5 to junction Iowa Highway 149, thence along Iowa Highway 149 to the Iowa-Missouri State line to points in that part of Colorado west of a line beginning at the Colorado-Wyoming State line and extending along Colorado Highway 113 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Colorado Highway 71, thence along Colorado Highway 71 to junction U.S. Highway 350, thence along U.S. Highway 350 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Colorado-New Mexico State line, and to points in Kansas; (d) from points in that part of Iowa east of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 65 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Iowa-Missouri State line, to points in that part of Colorado west of a line beginning at the Colorado-Wyoming State line and extending along U.S. Highway 85 to the Colorado-New Mexico State line, and to points in that part of Kansas west of a line beginning at the Kansas-Nebraska State line, and extending along U.S. Highway 77 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Kansas Highway 31, thence along Kansas Highway 31 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line; and (e) from points in that part of Iowa east of a line beginning at the Minnesota-Iowa State line and extending along U.S. Highway 169 to the Iowa-Missouri State line, to points in that part of Colorado on and south of a line beginning at the Kansas-Colorado State line and extending along U.S. Highway 160 to the Colorado-New Mexico State line, and to points in Kansas on and south of a line beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 183 to junction U.S. Highway 160, thence along U.S. Highway 160 to the Colorado-Kansas State line. The purpose of this filing is to eliminate the gateways of Macon, Marshall, Milan, Moberly, and Carrollton, Mo.



No. MC 21170 (Sub-No. E23), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushi (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal food*, from Boston, Woburn, and Lawrence, Mass., to points in (1) that part of Iowa on and west of a line beginning at the Iowa-Wisconsin State line and extending along U.S. Highway 151 to junction Iowa Highway 1, thence along Iowa Highway 1 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 81, thence along Iowa Highway 81 to the Missouri-Iowa State line, (2) points in that part of Missouri on and west of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 63 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Missouri Highway 139, thence along Missouri Highway 139 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Missouri Highway 131, thence along Missouri Highway 131 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Missouri-Kansas State line, (3) to points in that part of Kansas on and east of U.S. Highway 81 (excluding that part of Kansas east and south of a line beginning at Missouri-Kansas State line and extending along U.S. Highway 160 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 Minnesota.

No. MC 21170 (Sub-No. E27), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushi (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dressed poultry and eggs*, (a) from points in that part of Kansas on the east of U.S. Highway 81, and those points in that part of Missouri on and north, and west of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 65 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Missouri Highway 139, thence along Missouri Highway 139 to junction of unnumbered highway, thence east on unnumbered highway to junction of Missouri Highway 11, thence along Missouri Highway 11 to junction of U.S. Highway 24, thence along U.S. Highway 24 to junction Missouri Highway 41, thence along Missouri Highway 41 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Missouri Highway 127, thence along Missouri Highway 127 to the junction of U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Missouri State line, to Milwaukee, Wis.

(b) From points in that part of Kansas on and east of U.S. Highway 81, and those points in that part of Missouri on and north and west of a line beginning at the Iowa-Missouri State line at

Pleasanton, Iowa, and extending south on unnumbered highway to the junction of unnumbered highway, thence along unnumbered highway through Cainsville to junction unnumbered highway, thence along unnumbered highway to junction U.S. Highway 136, thence along U.S. Highway 136 to junction unnumbered highway, thence along unnumbered highway through Modena to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Missouri Highway 127, thence along Missouri Highway 127 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Missouri State line, to Madison, Wis.; and (c) from points in that part of Kansas on and east of U.S. Highway 81, and those points in that part of Missouri on and north and west of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 65 to junction Missouri Highway 127, thence along Missouri Highway 127 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Missouri State line to Racine, Wis. The purpose of this filing is to eliminate the gateway of Creston, Iowa.

No. MC 21170 (Sub-No. E45), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushi (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (a) from points in that part of Iowa south and west of a line beginning at the Iowa-Nebraska State line and extending east on Iowa Highway 2 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Iowa-Missouri State line to points in that part of Wisconsin east of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 51 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Wisconsin Highway 57, thence along Wisconsin Highway 57 to Green Bay; and (b) from Council Bluffs, Iowa, to points in that part of Wisconsin east of a line beginning at the Wisconsin-Michigan State line and extending along Wisconsin Highway 139 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction Wisconsin Highway 32, thence along Wisconsin Highway 32 to junction Wisconsin Highway 64, thence along Wisconsin Highway 64 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateways of Macon, Marshall, Carrollton, St. Joseph, Moberly, and Milan, Wis.

No. MC 21170 (Sub-No. E57), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushi (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (a) from Darien, Wis., to points in that part of Kansas south and west of a line beginning at the Kansas-Colorado State line and extending along U.S. Highway 36 to junc-

tion Kansas Highway 25, thence along Kansas Highway 25 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 383, thence along U.S. Highway 383 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Kansas Highway 18, thence along Kansas Highway 18 to junction Kansas Highway 14, thence along Kansas Highway 14 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Kansas Highway 4, thence along Kansas Highway 4 to junction Kansas Highway 86, thence along Kansas Highway 86 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction Kansas Highway 15, thence along Kansas Highway 15 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Kansas Highway 196, thence along Kansas Highway 196 to the junction of unnumbered highway at Whitewater, thence south on unnumbered highway to junction Kansas Highway 254, thence along Kansas Highway 254 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction Kansas Highway 99, thence along Kansas Highway 99 to junction U.S. Highway 166, thence along U.S. Highway 166 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Kansas-Oklahoma State line; and (b) from Darien, Wis., to points in that part of Colorado south of a line beginning at the Kansas-Colorado State line, and extending along U.S. Highway 36 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Colorado Highway 318, thence along Colorado Highway 318 to the Colorado-Wyoming State line. The purpose of this filing is to eliminate the gateways of Minnesota and Macon, Marshall, Milan, Moberly, and Carrollton, Mo.

No. MC 26739 (Sub-No. E4), filed June 3, 1974. Applicant: CROUCH BROTHERS, INC., P.O. Box 1059, St. Joseph, Mo. 64502. Applicant's representative: Sheldon Silverman, Suite 550 Federal Bar Bldg. West, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, between points in Illinois within 50 miles of 706-708 West Harrison Street, Chicago, Ill., on the one hand, and, on the other, points in Kansas and Missouri (except St. Louis and points within 50 miles of St. Louis, Mo., and points in Scotland, Clark, Knox, Lewis, Shelby, Marion, Monroe, Ralls, Audrain, Pike, Montgomery, Lincoln, Franklin, and Warren Counties, Mo. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 29886 (Sub-No. E35), filed May 10, 1974. Applicant: DALLAS &



MAVIS FORWARDING CO., INC., 4000 W. Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Commodities* which, because of size or weight, require the use of special equipment or special handling and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, (1) between points in Missouri, on the one hand, and, on the other, those points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along Ohio Highway 18 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-West Virginia State line (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)\*, (2) between points in Missouri, on the one hand, and, on the other, points in New Jersey (New York and those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)\*.

(3) Between points in Illinois, on the one hand, and, on the other, points in the Lower Peninsula of Michigan and those points in the Upper Peninsula on and east of Interstate Highway 75 (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)\*, (4) between points in Illinois, except those points in Illinois south and east of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction Interstate Highway 72, thence along Interstate Highway 72 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 4, thence along Illinois Highway 4 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Kentucky State line, on the one hand, and, on the other, points in Pennsylvania (those points in Michigan on, south, and west of a line beginning at

Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127 to the Michigan-Ohio State line)\*, and (5) between points in Illinois, on the one hand, and, on the other, points in Pennsylvania, except those in Beaver, Allegheny, Westmoreland, Somerset, Washington, Fayette, and Greene Counties, Pa. (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)\*.

(B) *Commodities*, which, because of size or weight, require the use of special equipment, or special handling and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, except automobiles, trucks, buses, trailers, cabs, chassis, and cement, in bulk, between points in Missouri, on the one hand, and, on the other, points in New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, and Rhode Island (Indiana, those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, and points in New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 29886 (Sub-No. E38), filed May 10, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (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 or special handling and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (1) between points in Pennsylvania, on the one hand, and, on the other, points in Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont (Massachusetts)\*; (2) between points in Indiana and Illinois and those in Ohio on and north of a line beginning at the Ohio-Indiana State line

and extending along U.S. Highway 30 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-West Virginia State line, on the one hand, and, on the other, St. Louis, Mo. (points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission, which are in Illinois)\*; and (3) between St. Louis, Mo., on the one hand, and, on the other, points in New York, Maine, Massachusetts, Connecticut, Vermont, New Hampshire, Rhode Island, and New Jersey (East St. Louis, Ill., and those points in New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 29886 (Sub-No. E39), filed May 10, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (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 or special handling, and *self-propelled articles* each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, (1) between points in Michigan, on the one hand, and, on the other, points in New Jersey, Connecticut, points in Pennsylvania, except those in Erie, Crawford, Mercer, Lawrence, Beaver, Washington, Greene, Fayette, Allegheny, Butler, Vango, Warren, Forest, Clarion, Armstrong, Westmoreland, Somerset, Cambria, Indiana, Jefferson, Elk, McKean, Cameron, Clearfield Counties, Pa., and points in New York, except Niagara Falls, Chataaugus, and Chautauqua Counties, N.Y., restricted against the transportation, in interstate and foreign commerce of any traffic the origin of which is within 35 miles of Detroit, Mich., including Detroit (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line; (2) between those points in Michigan north and west of a line beginning at the Michigan-Ohio State line and extending along U.S. Highway 127 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Interstate Highway 75 to Saginaw Bay, on the one hand, and, on the other, points in New York and Pennsylvania (those points in Michigan on and south of a line beginning at Lake Michigan and extending along the northern

boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)\*;

(3) between points in Michigan, on the one hand, and, on the other, points in Maine, Massachusetts, Vermont, New Hampshire, and Rhode Island, restricted against the transportation, in interstate or foreign commerce, of any traffic the origin of which is within 35 miles of Detroit, Mich., including Detroit (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)\*;

(4) between points in Indiana and Illinois and those points in Ohio north of U.S. Highway 30, on the one hand, and, on the other, points in New York, Maine, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, and New Jersey (those points in New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 29886 (Sub-No. E69), filed May 16, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steam shovels, cranes, crawler-type shovels and cranes, straddle trucks, fork trucks and self-propelled building, construction, and moving machinery*, (1) from points in Wisconsin to points in Alabama, West Virginia, Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia; (2) from points in Iowa to points in Maryland, Delaware, the District of Columbia, those in West Virginia on and west of Interstate Highway 77, and those in Virginia on and east of U.S. Highway 21; (3) from those points in Iowa north of Interstate Highway 80 to points in North Carolina, South Carolina, Georgia, and those in Florida on and east of Florida Highway 71; and (4) from those points in Iowa on and north of Interstate Highway 80 to those points in Kentucky in and east of Hardin, Hart, Baren, and Monroe Counties, Ky., and those in Tennessee in and east of Clay, Jackson, Putnam, White, Van Buren, Bledsoe, Rhea, Meigs, and Bradley Counties, Tenn. The purpose of this filing is

to eliminate the gateway of Benton Harbor, Mich.

No. MC 29886 (Sub-No. E70), filed May 16, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steam shovels, cranes, crawler-type shovels and cranes, straddle trucks, fork trucks, and self-propelled building construction, and moving machinery* (1) from points in the Lower Peninsula of Michigan to points in Washington, Oregon, Idaho, Wyoming, Colorado, Nebraska and Kansas; (2) from those points in the Lower Peninsula of Michigan on and south of U.S. Highway 10 to points in Montana, South Dakota, and those in North Dakota on and south of U.S. Highway 2; and (3) from points in the Upper Peninsula of Michigan and those in the Lower Peninsula of Michigan north and west of a line beginning at Lake Michigan and extending along Interstate Highway 94 to junction Michigan Highway 66, thence along Michigan Highway 66 to junction Michigan Highway 20, thence along Michigan Highway 20 to junction Michigan Highway 27, thence along Michigan Highway 27 to junction Interstate Highway 75, thence along Interstate Highway 75 to Lake Huron. The purpose of this filing is to eliminate the gateway of Benton Harbor, Mich.

No. MC 29886 (Sub-No. E71), filed May 16, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steam shovels, cranes, crawler-type shovels and cranes, straddle trucks, fork trucks, and self-propelled building, construction and moving machinery* (1) from those points in Indiana on and north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 36 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Ohio State line to points in North Dakota, South Dakota, Montana, Wyoming, Arizona, Utah, Idaho, Washington, Oregon, Nevada, California, to those points in New Mexico in and west of Rio Arriba, Santa Fe, Torrance, Lincoln, Chaves, and Lea Counties, N. Mex., those in Texas in, south and west of Winkler, Ector, Crane, Crockett, and Val Verde Counties, Tex., those in Nebraska on and north of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 30 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Colorado State line, and those in Colorado on and north of a line beginning at the Kansas-Colorado State line and extending along U.S. Highway 34 to junction Colorado Highway 59, thence along U.S. Highway 59 to junction U.S.

Highway 24, thence along U.S. Highway 24 to junction Colorado Highway 71, thence along Colorado Highway 71 to junction U.S. Highway 350, thence along U.S. Highway 350 to junction Interstate Highway 25, thence along Interstate Highway 25 to the New Mexico-Colorado State line;

(2) From points in Indiana to points in Washington, Oregon, Idaho, Montana, North Dakota, Nevada, those in Minnesota on and west of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 2 to junction Minnesota Highway 73, thence along Minnesota Highway 73 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Minnesota Highway 27, thence along Minnesota Highway 27 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to the Minnesota-South Dakota State line, those in South Dakota (except Lincoln, Clay and Union Counties), those in Utah (except Grand, Emery, Wayne, San Juan, Garfield, and Kane Counties), those in California (except San Bernardino, Riverside, San Diego and Imperial Counties), and those in Wyoming (except Goshen, Platte, Albany, and Laramie Counties); and (3) from points in Lake, Porter, La Porte, and St. Joseph Counties, Ind., to points in Virginia, West Virginia, Maryland, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Benton Harbor, Mich.

No. MC 37248 (Sub-No. E1), filed May 15, 1974. Applicant: VIRGINIA-CAROLINA FREIGHT LINES, INC., P.O. Box 4988, Martinsville, Va. 24112. Applicant's representative: T. C. Clark (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in that part of Pennsylvania bounded by a line beginning at Philadelphia, Pa., and extending along U.S. Highway 611 to Easton, Pa., thence along a line extending from Easton through Albany, Pa., to Pine Grove, Pa., thence along a line extending from Pine Grove, through Linglestown, Pa., to Harrisburg, Pa., thence along U.S. Highway 230 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to Lancaster, Pa., and thence along U.S. Highway 30 to point of beginning, also points in that part of Pennsylvania south of U.S. Highway 1, between Philadelphia, Pa., and Morrisville, Pa., including points on the indicated portions of the highways specified, on the one hand, and, on the other, Anderson, Charleston, and Greenville, S.C. (Baltimore, Md., points in Virginia within 55 miles of Gaithers-



burg, Md., and points in North Carolina within 50 miles of Winston-Salem, N.C.)<sup>\*</sup>; (2) *General Commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in that part of Maryland and the District of Columbia within 55 miles of Gaithersburg, Md., on the one hand, and, on the other, Anderson, Charleston, and Greenville, S.C. (points in Virginia within 55 miles of Gaithersburg, Md., and points in North Carolina within 50 miles of Winston-Salem, N.C.)<sup>\*</sup>;

(3) *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in Virginia, on the one hand, and, on the other, Anderson, Charleston, and Greenville, S.C. (points in North Carolina within 50 miles of Winston-Salem, N.C.)<sup>\*</sup>; (4) *Yarn, bobbins, spools, warp, warp pins, warp beams, warp rolls, and cones, containers, and textile machinery and parts therefore*, between points in that part of Pennsylvania bounded by a line beginning at Philadelphia, Pa., and extending along U.S. Highway 611 to Easton, Pa., thence along a line extending from Easton through Albany, Pa., to Pine Grove, Pa., thence along a line extending from Pine Grove through Linglestown, Pa., to Harrisburg, Pa., thence along U.S. Highway 230 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to Lancaster, Pa., and thence along U.S. Highway 30 to point of beginning, also points in that part of Pennsylvania south of U.S. Highway 1, between Philadelphia, Pa., and Morrisville, Pa., including points on the indicated portions of the highways specified, points in the District of Columbia and Maryland within 55 miles of Gaithersburg, Md., and points in Virginia, on the one hand, and, on the other, points in South Carolina (Baltimore, Md., points in Virginia within 55 miles of Gaithersburg, Md., and points in North Carolina on and west of U.S. Highway 1)<sup>\*</sup>;

(5) *General commodities*, except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in that part of Pennsylvania bounded by a line beginning at Philadelphia, Pa., and extending along U.S. Highway 611 to Easton, thence along a line extending from Easton through Albany, Pa., to Pine Grove, Pa., thence along a line extending from Pine Grove through Linglestown, Pa., to Harrisburg, Pa., thence along U.S. Highway 230 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to Lancaster, Pa., and thence along U.S. Highway 30 to point of beginning, also points in that part of Pennsylvania south of U.S. Highway 1,

between Philadelphia, Pa., and Morrisville, Pa., including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in North Carolina (Baltimore, Md., and points in Virginia within 55 miles of Gaithersburg, Md.)<sup>\*</sup>; (6) *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in that part of Pennsylvania bounded by a line beginning at Philadelphia, Pa., and extending along U.S. Highway 611 to Easton, Pa., thence along a line extending from Easton through Albany, Pa., to Pine Grove, Pa., thence along a line extending from Pine Grove through Linglestown, Pa., to Harrisburg, Pa., thence along U.S. Highway 230 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to Lancaster, Pa., and thence along U.S. Highway 30 to point of beginning, also points in that part of Pennsylvania south of U.S. Highway 1, between Philadelphia, Pa., and Morrisville, Pa., including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in Tennessee within 150 miles of Wythe County, Va. (Baltimore, Md., points in Virginia within 55 miles of Gaithersburg, Md., and Wythe County, Va.)<sup>\*</sup>;

(7) *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between points in Tennessee within 150 miles of Wythe County, Va., on the one hand, and, on the other, points in North Carolina (points in Virginia within 150 miles of Wythe County, Va.)<sup>\*</sup>; and (8) *Building materials, starch, sugar, flour, fertilizer, foodstuffs, iron and steel products, and oils in drums* between points in Georgia, on the one hand, and, on the other, points in Virginia, points in Maryland and the District of Columbia within 55 miles of Gaithersburg, Md., and points in that part of Pennsylvania bounded by a line beginning at Philadelphia, Pa., and extending along U.S. Highway 611 to Easton, Pa., thence along a line extending from Easton through Albany, Pa., to Pine Grove, Pa., thence along a line extending from Pine Grove through Linglestown, Pa., to Harrisburg, Pa., thence along U.S. Highway 230 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to Lancaster, Pa., thence along U.S. Highway 30 to point of beginning, also points in that part of Pennsylvania south of U.S. Highway 1 between Philadelphia, Pa., and Morrisville, Pa., including points on the indicated portions of the highways specified (Anderson, Charleston, or Greenville, S.C., points in North Carolina within 50 miles of Winston-Salem, N.C., points in Virginia within 55 miles

of Gaithersburg, Md., and Baltimore, Md.

No. MC 61592 (Sub-No. E59), filed July 4, 1974. Applicant: JENKINS TRUCK LINE, INC., Rural Route 3, P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: Bob Jenkins (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building board, wallboard, insulation board, and laminated stakeboard, and accessories and supplies* used in the installation thereof (except chemicals and liquid wood products), from ports of entry on the United States-Canada Boundary line in Michigan to points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri on and south of U.S. Highway 36, New Mexico, Oklahoma, Tennessee on and west of U.S. Highway 45E, and Texas. The purpose of this filing is to eliminate the gateway of Wright City, Mo.

No. MC 61592 (Sub-No. E79), filed July 5, 1974. Applicant: JENKINS TRUCK LINE, INC., Rural Route 3, P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: Bob Jenkins (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building board* (plywood or paneling with artificially imposed wood grain on plaster coating), from Pandy, Mo., to points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 6 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Ohio Highway 58, thence along Ohio Highway 58 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Pennsylvania State line, points in Pennsylvania on and north of a line beginning at the Pennsylvania-West Virginia State line and extending along U.S. Highway 422 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 522, thence along U.S. Highway 522 to the Pennsylvania-Maryland State line, points in New York, Vermont, New Hampshire, Massachusetts, Maine, Connecticut, Delaware, Maryland, points in Michigan on and north of a line beginning at Lake Michigan extending along U.S. Highway 10 to junction Michigan Highway 66, thence along Michigan Highway 65 to the Michigan-Illinois State line, points in New Jersey and Rhode Island. The purpose of this filing is to eliminate the gateways of Beardstowns, Ill., and Cass County, Ind.

No. MC 76262 (Sub-No. E1), filed June 4, 1974. Applicant: WEIR-COVE MOVING & STORAGE CO., 4224 Freedomway Cove Station, Weirton, W. Va. 26062. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate and iron and steel products*, in truckload lots, except in bulk, and except commodities requiring special equipment, between points in Wood, Pleasants, Tyler,



Wetzel, Marshall, Ohio, Brooke, and Hancock Counties, W. Va. located on and north of U.S. Highway 50, on the one hand, and, on the other, points in Pennsylvania (except points in that part of Pennsylvania on and south of a line beginning at the Pennsylvania-West Virginia State line and extending along Interstate Highway 70 to junction U.S. Highway 219, and thence along U.S. Highway 219 to the Pennsylvania-Maryland State line). The purpose of this filing is to eliminate the gateway of Weirton, W. Va.

No. MC 76262 (Sub-No. E2), filed June 4, 1974. Applicant: WEIR-COVE MOVING & STORAGE CO., 4224 Freedomway Cove Station, Weirton, W. Va. 26062. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate and iron and steel products*, in truckload lots (except in bulk and commodities requiring special equipment), (1) between points in that part of Marion, Monongalia, Harrison, Doddridge, and Ritchie Counties, W. Va., located on and north of U.S. Highway 50 and on and west of U.S. Highway 19, on the one hand, and, on the other, points in that part of Pennsylvania on and north of a line beginning at the Pennsylvania-Ohio State line and extending along Pennsylvania Highway 68 to junction Pennsylvania Highway 268, thence along Pennsylvania Highway 268 to junction Pennsylvania Highway 38, thence along Pennsylvania Highway 38 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 257, thence along Pennsylvania Highway 257 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 59, thence along Pennsylvania Highway 59 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line;

(2) between points in that part of West Virginia on and west of U.S. Highway 19 between the West Virginia-Pennsylvania State line and Clarksburg, W. Va., and on and north of U.S. Highway 50 between Clarksburg and Parkersburg, W. Va., on the one hand, and, on the other, points in New York north of a line beginning at Millerton, N.Y., and extending along U.S. Highway 44 at Kerhonkson, N.Y., thence along U.S. Highway 209 to Wurtsboro, N.Y., thence along New York Highway 17B to Monticello, N.Y., and thence along New York Highway 17B to the New York-Pennsylvania State line, including Narrowsburg, N.Y., and points and places on the indicated portions of the highways specified; (3) between points in that part of West Virginia on and west of U.S. Highway 19 between the West Virginia-Pennsylvania State line and Clarksburg, W. Va., and on and north of U.S. Highway 50 between Clarksburg and Parkersburg, W. Va., on the one hand, and, on the other, points in Michigan south of

Michigan Highway 55; (4) between points in Hancock, Brooke, Ohio, Marshall, and Wetzel Counties, W. Va., on the one hand, and, on the other, points in Maryland north of U.S. Highway 40; and (5) between points in Wood, Pleasants, Tyler, Wetzel, Marshall, Ohio, Brooke, and Hancock Counties located on and north of U.S. Highway 50, on the one hand, and, on the other, points in that part of Maryland on and north of U.S. Highway 40, and on and east of U.S. Highway 522. The purpose of this filing is to eliminate the gateway of Weirton, W. Va.

No. MC 76262 (Sub-No. E3), filed June 4, 1974. Applicant: WEIR-COVE MOVING & STORAGE CO., 4224 Freedomway Cove Station, Weirton, W. Va. 26062. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate and iron and steel products*, in truckload lots (except in bulk and except commodities requiring special equipment), (1) between points in Pleasants, Wood, Ritchie, Doddridge, Harrison, and Wetzel Counties, W. Va., located on and north of U.S. Highway 50, on the one hand, and, on the other, points in that part of Ohio on and north of a line beginning at Cleveland, Ohio, thence along Ohio Highway 21 to junction Interstate Highway 77, thence along Interstate Highway 77 to Akron, thence along U.S. Highway 224 to junction Ohio Highway 183, thence along Ohio Highway 183 to junction Ohio Highway 43, thence along Ohio Highway 43 to junction U.S. Highway 22, thence along U.S. Highway 22 to Steubenville, Ohio, (2) between points in that part of Harrison, Marion, Monongalia, Marshall, Ohio, Brooke, and Hancock Counties, W. Va., located on and north of U.S. Highway 50, and on and west of U.S. Highway 19, on the one hand, and, on the other, points in that part of Ohio on and north of a line beginning at Cincinnati, Ohio, thence along U.S. Highway 22 to Lancaster, thence along Ohio Highway 37 to junction Ohio Highway 16, thence along Ohio Highway 16 to junction U.S. Highway 22, and thence along U.S. Highway 22 to Steubenville, Ohio.

(3) Between points in that part of Lawrence and Butler Counties, Pa., on and south of U.S. Highway 422, on the one hand, and, on the other, points in that part of Ohio on and south of a line beginning at Steubenville, Ohio, and thence along U.S. Highway 22 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Ohio Highway 229, thence along Ohio Highway 229 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Ohio Highway 47, thence along Ohio Highway 47 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-Indiana State line, (4) between points in that part of Greene and Fayette Counties, Pa., on and west of U.S. Highway 119, on the one hand, and, on the other, points in that part of Ohio on, west, and north of

a line beginning at Steubenville, Ohio, and extending along U.S. Highway 22 to Zanesville, Ohio, thence along Ohio Highway 93 to junction Ohio Highway 13, thence along Ohio Highway 13 to Athens, Ohio, thence along Ohio Highway 346 to junction Ohio Highway 160, thence along Ohio Highway 160 to Gallipolis, Ohio, and (5) between points in Washington County, Pa., on the one hand, and, on the other, points in Ohio (except points south of U.S. Highway 40, from Bridgeport, Ohio, to junction Ohio Highway 26, and points east of Ohio Highway 26 from Morristown, Ohio, to Marietta, Ohio). The purpose of this filing is to eliminate the gateway of Weirton, W. Va.

No. MC 76262 (Sub-No. E4), filed June 4, 1974. Applicant: WEIR-COVE MOVING & STORAGE, INC., 4224 Freedomway Cove Station, Weirton, W. Va. 15219. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate and iron and steel products*, in truckload lots (except in bulk, and commodities requiring special equipment), (1) between points in Beaver County, Pa., on the one hand, and, on the other, points in that part of Ohio on and south of a line beginning at Steubenville, Ohio, and extending along U.S. Highway 22 to junction Ohio Highway 36, thence along Ohio Highway 36 to Mt. Vernon, Ohio, thence along Ohio Highway 13 to junction Ohio Highway 95, thence along Ohio Highway 95 to Marion, Ohio, thence along U.S. Highway 23 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Ohio Highway 109, and thence along Ohio Highway 109 to the Ohio-Michigan State line; (2) between points in Allegheny County, Pa., on the one hand, and, on the other, points in Ohio (except points in Mahoning and Columbiana Counties, Ohio); (3) between points in that part of Armstrong and Indiana Counties, Pa., on and south of U.S. Highway 422 and on and west of U.S. Highway 119, on the one hand, and, on the other, points in Ohio (except points in Ashtabula, Geauga, and Lake Counties, Ohio); (4) between points in that part of Westmoreland County, Pa., on and west of U.S. Highway 119, on the one hand, and, on the other, points in Ohio (except points in Ashtabula County, Ohio); (5) between points in that part of Pennsylvania on and south of U.S. Highway 422, between the Pennsylvania-Ohio State line and Indiana, Pa., and on and west of U.S. Highway 119 between Indiana, Pa., and the Pennsylvania-West Virginia State line, on the one hand, and, on the other, points in Michigan, south of Michigan Highway 55; and (6) between points in that part of Pennsylvania on and south of U.S. Highway 422, and on and west of U.S. Highway 119, on the one hand, and, on the other, points in that part of West Virginia on and south of U.S. Highway 50. The purpose of this filing

is to eliminate the gateway of Weirton, W. Va.

No. MC 76262 (Sub-No. E5), filed June 4, 1974. Applicant: WEIR-COVE MOVING & STORAGE, INC., 4224 Freedomway Cove Station, Weirton, W. Va. 15219. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate* and iron and steel products, in truckload lots (except in bulk and except commodities requiring special equipment); (1) between points in that part of Ohio bounded by a line beginning at the Pennsylvania-Ohio State line and extending along U.S. Highway 62 to Canton, Ohio, thence along U.S. Highway 30 to Massillon, Ohio, thence along U.S. Highway 21 to Marietta, Ohio, and thence along the Ohio-West Virginia and Ohio-Pennsylvania State lines to the point of beginning, on the one hand, and, on the other, points in Maryland on and north of U.S. Highway 40, including points on the highways indicated above; (2) between points in that part of Ohio on, south, and east of a line beginning at Steubenville, Ohio, and extending along U.S. Highway 22 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Interstate Highway 77, and thence along Interstate Highway 77 to Marietta, Ohio, on the one hand, and, on the other, points in that part of New York north of a line beginning at Millerton, N.Y., and extending along U.S. Highway 44 at Kerhonkson, N.Y., thence along U.S. Highway 209 to Wurtsboro, N.Y., thence along New York Highway 17B to Monticello, N.Y., and thence along New York Highway 17B to the New York-Pennsylvania State line, including Narrowsburg, N.Y., and points and places on the indicated portions of the highways specified;

(3) Between points in that part of Ohio on, south, and east of a line beginning at East Liverpool, Ohio, and extending along U.S. Highway 30 to Massillon, Ohio, and thence along U.S. Highway 21 to Marietta, Ohio, on the one hand, and, on the other, points in that part of New York on and east of U.S. Highway 15, and on and north of a line beginning at Millerton, N.Y., and extending along U.S. Highway 44 at Kerhonkson, N.Y., thence along U.S. Highway 209 to Wurtsboro, N.Y., thence along New York Highway 17B to Monticello, N.Y., and thence along New York Highway 17B to the New York-Pennsylvania State line, including Narrowsburg, N.Y., and points and places on the indicated portions of the highways specified; (4) between points in that part of Ohio on, south, and east of a line beginning at Steubenville, Ohio, and extending along U.S. Highway 22 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Interstate Highway 77, and thence along Interstate Highway 77 to Marietta, Ohio, on the one hand, and, on the other, points in Pennsylvania; (5) between points in that part of Ohio on and east of a line beginning at Marietta, Ohio, and extending

along U.S. Highway 21 to Massillon, Ohio, thence along U.S. Highway 30 to Canton, Ohio, and thence along U.S. Highway 62 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, points in that part of Pennsylvania on, south, and east of a line beginning at the Pennsylvania-West Virginia State line and extending along Interstate Highway 70 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Interstate Highway 81, and thence along Interstate Highway 81 to the Pennsylvania-New York State line; and (6) between points in that part of Ohio bounded by a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 62 to junction U.S. Highway 30, thence along U.S. Highway 30 to Massillon, Ohio, thence along U.S. Highway 21 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction U.S. Highway 22, thence along U.S. Highway 22 to Steubenville, Ohio, and thence along the Ohio-West Virginia and Ohio-Pennsylvania State lines to the point of beginning, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateway of Weirton, W. Va.

No. MC 95540 (Sub-No. E856), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mesa, Ariz., to points in West Virginia, Virginia (except Richmond and Norfolk), New Jersey (except Newark, Bridgeton, North Bergen, and points in the New York, N.Y., commercial zone) and points in Nassau and Westchester Counties, North Carolina, Ohio, Oklahoma, Pennsylvania (except points in the Philadelphia, Pa., commercial zone), Maryland (except Baltimore), Indiana, Tennessee, North Carolina, those points in Michigan on and east of a line beginning at the Sault Ste. Marie and extending along Interstate Highway 75 to Mackinaw City, Mich. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 95540 (Sub-No. E857), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mesa, Ariz., to points in Maine, Vermont, and New Hampshire. The purpose of this filing is to eliminate the gateways of Tifton, Ga., and Newburgh, N.Y.

No. MC 95540 (Sub-No. E858), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Gustine, Calif., to points in Penn-

sylvania, West Virginia, Kentucky, Ohio, Indiana, Michigan, Virginia (except Richmond and Norfolk), Maryland (except Baltimore), New Jersey (except Newark, Bridgeton, North Bergen, points in the New York, N.Y., commercial zone), and those in Nassau and Westchester Counties. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 95540 (Sub-No. E859), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Gustine, Calif., to points in Connecticut, Rhode Island, Delaware, Maryland, Massachusetts, New Jersey, and those points in New York on and east of a line beginning at the United States-Canada International Boundary line and extending along Interstate Highway 87 to junction U.S. Highway 209, thence along U.S. Highway 209 to the New York-New Jersey State line. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 95540 (Sub-No. E860), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Gustine, Calif., to points in Maine, Vermont, and New Hampshire. The purpose of this filing is to eliminate the gateways of Tifton, Ga., and Newburgh, N.Y.

No. MC 95540 (Sub-No. E861), filed February 14, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible meats, edible meat products, and edible meat by-products, dairy products, and articles* distributed by meat packing-houses, from Gustine, Calif., to those points in Louisiana on and east of a line beginning at the Louisiana-Mississippi State line and extending along U.S. Highway 61 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Humboldt, Tenn.

No. MC 95540 (Sub-No. E862), filed February 17, 1975. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus products*, not canned and frozen, from Ontario and Corona, Calif., to points in Massachusetts, Connecticut, Rhode Island, Virginia, Maryland, Washington,



D.C., West Virginia, New Jersey, Delaware, and those points in New York on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 220 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 28, thence along New York Highway 28 to junction New York Highway 30, thence along New York Highway 30 to the United States-Canada International Boundary line, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 1 to junction Pennsylvania Highway 10, thence along Pennsylvania Highway 10 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Pennsylvania Turnpike, thence along Pennsylvania Turnpike to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line. The purpose of this filing is to eliminate the gateway of Crestview, Fla.

No. MC 106920 (Sub-No. E59), filed June 3, 1974. Applicant: RIGGS FOOD EXPRESS, INC., P.O. BOX 26, New Bremen, Ohio 45869. Applicant's representatives: E. Stephen Helsley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* classified as dairy products under B in the Appendix to the *Report in Modification of Permits of Motor Contract Carriers of Packing House Products*, 48 M.C.C. 628, from those points in Arkansas on and west of a line beginning at the Louisiana-Arkansas State line and extending along Arkansas Highway 15 to junction U.S. Highway 167, thence along U.S. Highway 167 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Arkansas Highway 18, thence along Arkansas Highway 18 to the Arkansas-Tennessee State line to those points in Virginia on and north of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 250 to junction Interstate Highway 33, thence along Interstate Highway 33 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Virginia Highway 168, thence along Virginia Highway 168 to junction Virginia Highway 238, thence along Virginia Highway 238 to the Chesapeake Bay. The purpose of this filing is to eliminate the gateways of Darke, Mercer, and Auglaize Counties, Ohio.

No. MC 107107 (Sub-No. E2), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 495, 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: (1) *Fresh meats*, from Southboro, and Boston, Mass., to points in Texas (Florida); (2)

*Jams and jellies*, in vehicles equipped with mechanical refrigeration, from Spencer, Mass., to points in Wayne, Chatham, Lowndes, Ware, and Glynn Counties, Ga. (Jacksonville, Fla.)\*; (3) *Cheese*, from Boston and Brockton, Mass., to New Orleans, La. (Florida)\*; (4) *Candy*, from Providence, R.I., to points in Alabama, Louisiana, and those in Mississippi on and south of U.S. Highway 80 (Pensacola and Tallahassee, Fla.)\*; (5) *Pie* and pastry fillings and soda fountain preparations and extracts, from Providence, R.I., to points in Wayne, Lowndes, Ware, and Glynn Counties, Ga. (Jacksonville, Fla.)\*; (6) *Frozen foods*, useful or used in the manufacture of ice cream, *bakery products*, unfrozen, *prepared horse radish* and *horse radish cocktail sauce*, in vehicles equipped with mechanical refrigeration, from Baltimore, Md., to points in Wayne, Ware, Lowndes, and Glynn Counties, Ga. (Jacksonville, Fla.)\*; and (7) *Fresh meat*, from points in Emporia, Norfolk, Smithfield, and Timberville, Va., to points in Texas (Florida)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E4), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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: (1) *Fresh meat*, from points in Texas to points in Maine, New Hampshire, and Vermont (Pensacola, Fla.)\*; (2) *Dairy products*, as described by the Commission, and *frozen foods*, from Houston and San Antonio, Tex., and points in Bosque, Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Henderson, Hill, Hood, Hunt, Jack, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rains, Rockwall, Somervell, Tarrant, Van Zandt, and Wise Counties, Tex., to points in Florida (points in Alabama on and south of U.S. Highway 80)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E5), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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: (1) *Foods and food products and food ingredients*, requiring temperature control in transit, from Philadelphia, Pa., to points in Chatham, Wayne, Lowndes, Ware, and Glynn Counties, Ga. (Jacksonville, Fla.)\*; and (2) *Meats, meat products, and meat by-products*, from Philadelphia, Pa., to those points in Alabama on and south of U.S. Highway 80 and those points in Georgia on and south of U.S. Highway 280 (except Savannah, Ga.) (Florida)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E6), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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*, from Cleveland, Ohio, to points in Louisiana and those points in Mississippi on and south of U.S. Highway 82. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC 107107 (Sub-No. E7), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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: (1) *Foodstuffs* (except frozen foodstuffs, canned citrus fruits, canned citrus juices, coffee and tea), and *related advertising and promotional material* when moving with such commodities, in vehicles equipped with mechanical refrigeration from Miami, Fla., to Salisbury, Md. (Wilmington, Del.)\*; and (2) *candy and confectionery and related advertising material*, when shipped with candy and confectionery, from Atlanta, Ga., and Chattanooga, Tenn., to points in Baldwin and Mobile Counties, Ala., and those points in Mississippi on and south of U.S. Highway 90 and those in Louisiana on and south of U.S. Highway 84 (Pensacola, Fla.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E8), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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: (1) *Food and food ingredients* requiring temperature control, except dairy products as defined by the Commission, from Chicago, Ill., to point in Wayne, Chatham, Lowndes, Ware and Glynn Counties, Ga. (Jacksonville, Fla.)\*; and (2) *frozen foods* from the Chicago, Ill., Commercial Zone to points in and east of Hampton, Calleton, Dorchester and Berkeley Counties, S.C. (Savannah, Ga.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E10), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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: *Meats, meat products and meat by-products*, as defined by the Commission, (1) from those points in Florida on and south of Florida Highway 50 to those points in North Carolina west of U.S. Highway 15, and (2) from those points in Florida west of U.S. Highway 331 to points in Colo-



rado, Kentucky, Michigan, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Sylvester, Ga.

No. MC 107107 (Sub-No. E9), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., 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: *Candy and confectionery, and related advertising and promotional materials*, from New Orleans, La., to points in South Carolina on and east of U.S. Highway 1. The purpose of this filing is to eliminate the gateway of Florida.

No. MC 107403 (Sub-No. E414), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Avenue, 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: *Nitro paraffines and derivatives thereof (except petrochemicals)*, in bulk, in tank vehicles, from Sterlington, La., to points in Ohio (except Hamilton County). The purpose of this filing is to eliminate the gateway of Ashland, Ky.

No. MC 107403 (Sub-No. E427), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Avenue, 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: *Liquid chemicals (except petrochemicals)*, in bulk, in tank vehicles, from the facilities of Kaiser Aluminum and Chemical Corp. at or near Gramercy, La., to points in Ohio (except Hamilton County). The purpose of this filing is to eliminate the gateway of Baton Rouge, La., and Ashland, Ky.

No. MC 107403 (Sub-No. E445), filed May 29, 1974. Applicant: MATLACK, 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: *Liquid chemicals (except petrochemicals)* in bulk, in tank vehicles, from the facilities of American Cyanamid at Avondale, La., to points in Ohio. The purpose of this filing is to eliminate the gateway of Ashland, Ky.

No. MC 107403 (Sub-No. E514), filed May 29, 1974. Applicant: MATLACK, 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: *Dry chemicals (except those sold for use as fertilizers)*, from the facilities of Hooker Chemicals Corp. at or near Taft, La., the facilities of Union Carbide Corp. at or near Taft, La., and Lake Charles, La., to points in Ohio (except Hamilton County). The purpose of this filing is to eliminate the gateway

of the facilities of B. F. Goodrich in Milan Township, Ind.

No. MC 107403 (Sub-No. E556), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Avenue, 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: *Benzene, toluene, xylene and naphtha*, in bulk, in tank vehicles, from Chalmette, La., to points in Minnesota, and Iowa (except points west of US Highway 71). The purpose of this filing is to eliminate the gateway of Baton Rouge, La., and the facilities of Baird Chemicals at or near Mapleton, Ill.

No. MC 107403 (Sub-No. E583) filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Avenue, 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: *Naval stores*, in bulk, in tank vehicles, from (1) DeQuincy, La., to points in Texas (except those points in Texas south and east of a line beginning at the Louisiana-Texas State line extending along U.S. Highway 84 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Gulf of Mexico); and (2) Oakdale, La., and DeQuincy, La., to points in Arkansas, Connecticut, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Oklahoma, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateway of DeRidder, La.

No. MC 107496 (Sub-No. E142) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER July 12, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (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 Tulsa, Okla., to points in Minnesota. The purpose of this filing is to eliminate the gateway of the terminal of Kanab Pipeline Company at or near Milford, Iowa. The purpose of this correction is to reflect the correct commodities.

No. MC 109649 (Sub-No. E1), filed January 10, 1975. Applicant: L. P. TRANSPORTATION, INC., Chester, N.Y. 10918. Applicant's representative: Roy A. Jacobs, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Everett, Mass., to points in New Jersey and Pennsylvania. The purpose of this filing is to eliminate the gateway of Providence, R.I.

No. MC 112801 (Sub-No. E7), filed May 31, 1974. Applicant: TRANSPORT

SERVICE, INC., 2 Salt Creek Lane, Hinsdale, Ill. 60521. Applicant's representative: Gene Smith (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from Chicago, Ill., to points in Kansas (except points on, east, and south of a line beginning at the Kansas-Oklahoma State line, thence along Interstate Highway 35 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 gateways of the plant site of Port Neal Industrial Complex in Woodbury County, Iowa.

No. MC 113678 (Sub-No. E15), filed May 5, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, commodities in bulk, liquid in bulk, in tank vehicles), from the facilities of the Platte Valley Packing Company located at or near Darr, Nebr., (a) to Chicago, Ill. (Des Moines, Iowa)\*, (b) to Detroit, Mich. (Spencer, Iowa)\*, and (c) to those points in Montana on and west of a line beginning at the United States-Canada International Boundary line and extending along Montana Highway 242 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Montana-Wyoming State line (Greeley, Colo.)\*; (2) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the facilities of the Platte Valley Packing Company located at or near Darr, Nebr., (a) to Chicago, Rockford, Aurora, Kankakee, and Plainfield, Ill. (Fort Dodge, Iowa)\*, and (b) to points in Arizona, California and Nevada (Denver, Colo.)\*; and (3) *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of the Platte Valley Packing Company located at or near Darr, Nebr., to points in Oregon, Washington, and Idaho (Denver, Colo.)\*. Restriction: The service authorized in (1), (2), and (3) above, is restricted to the transportation of shipments originating at the facilities of the Platte Valley Packing Company located at or near Darr, Nebr. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E27), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen edible meats, frozen edible meat products and frozen edible meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Ames, Iowa, to points in Arizona, California, Nevada, and New Mexico (Denver, Colo.)\*; (2) *frozen dairy products, frozen bakery products, frozen fruits, frozen vegetables, frozen berries, frozen french fries, frozen pizza and pizza pie ingredients*, from Ames, Iowa, to points in New Mexico (Denver, Colo.)\*; and (3) *frozen dairy products, and frozen vegetable food products*, from Ames, Iowa, to points in Arizona (Alamosa, Colo.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E36), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Mason City, Iowa, (a) to points in Colorado (except Denver and points in its commercial zone, as defined by the Commission) (Lexington, Nebr.)\*, (b) to Denver, Colo., restricted to the transportation of traffic moving to or from the facilities of meat packinghouses (Omaha, Nebr.)\*; (2) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Mason City, Iowa, to points in Arizona, California, Nevada, and those points in New Mexico on and west of Interstate Highway 25 (Lexington, Nebr., and Greeley, Colo.)\*; (3) *Frozen, fresh, and cured meats*, from Mason City, Iowa, to those points in Oregon on and southwest of a line beginning at the Oregon-California State line, and extending along U.S. Highway 395 to junction Oregon Highway 31, thence along Oregon Highway 31 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Pacific Ocean (Lexington, Nebr., Greeley, Colo., and Alturas, Calif.)\*; and (4) *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Mason City, Iowa, to points in Washington, Oregon, and Idaho (points in Hall County, Nebr.)\*. Restriction: The operations authorized in (1), (2), (3), and (4) above are restricted to the transportation of traffic originating at Mason City, Iowa. The purpose of this filing is to eliminate

the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E37), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods* (except commodities in bulk), from the facilities of Ida Mae Salads, Inc., at Brentwood, Md., World's Best Cheese Cake Company, Fairfax County, Va., H.C.A. Food Corporation, the Southern Seafood Company, and Dukeland Packing Co., Inc., at Baltimore, Md., Tilghman Packing Division of Duffy-Mott Co., Inc., at Tilghman, Md., Maryland Seafood Co., and Hanks Seafood Co., Inc., at Easton, Md., and H.C.A. Food Corporation at Lewes, Del., (a) to points in Montana (points in Hall County, Nebr.)\*, (b) to points in Wyoming (Ames, Iowa\*)\*; (2) *meats, meat products, and meat by-products, and dairy products*, as described in Sections A and B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *chilled and frozen bakery products, frozen fruits, frozen vegetables, frozen berries, frozen french fries, frozen pizza and pizza pie ingredients* (except commodities in bulk), from the facilities of Ida Mae Salads, Inc., at Brentwood, Md., World's Best Cheese Cake Company, Fairfax County, Va., H.C.A. Food Corporation, the Southern Seafood Company, and Dukeland Packing Co., Inc., at Baltimore, Md., Tilghman Packing Division of Duffy-Mott Co., Inc., at Tilghman, Md., Maryland Seafood Co., and Hanks Seafood Co., Inc., at Easton, Md., and H.C.A. Food Corporation at Lewes, Del., to those points in New Mexico on and west of U.S. Highway 285 (Denver, Colo.)\*. Restriction: The operations authorized in (1) and (2) above, are subject to the following conditions: (1) Restricted to the transportation of traffic originating at the above-named facilities, (2) restricted against the transportation of bananas, sugar, and oleomargarine from Baltimore, Md., and canned foods from Tilghman, Md. and (3) restricted to the transportation of shipments in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E40), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats*, from the facilities of Armour and Company at or near Worthington and Mankato, Minn., (a) to points in Arizona, California, Nevada, and New Mexico (Denver, Colo.)\*; (b) to El Paso, Tex. (Greeley, Colo.)\*; and (c) to points in Washington, Oregon, and Idaho (points in Hall County, Nebr.)\*; restricted to shipments origi-

nating at the above-named facilities at or near Worthington and Mankato, Minn. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E42), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from facilities of Iowa Beef Processors, Inc., at or near Le Mars, Iowa, to points in Washington, Oregon, and Idaho (points in Hall County, Nebr.)\*; and (2) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) from the facilities of Iowa Beef Processors, Inc., at or near Le Mars, Iowa, to points in Colorado (except Denver) (Lexington, Nebr.)\*, and (b) from the facilities of Iowa Beef Processors, Inc., at or near Le Mars, Iowa, to points in Arizona, California, Nevada, and New Mexico (Lexington, Nebr., and Greeley, Colo.)\*. Restriction: The operations authorized in (1) and (2) above, are restricted to the transportation of shipments originating at the described facilities. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E55), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from the facilities of Chef-Pierre, Ind., located at or near Traverse City, Mich., to points in New Mexico, Washington, Oregon, and points in Idaho in and south of Adams, Valley, and Lemhi Counties, Idaho, restricted to the transportation of shipments originating at the facilities of Chef-Pierre, Inc. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113678 (Sub-No. E57), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fresh, frozen, and cured meats*, from the facilities of Sterling Colorado Beef Packers, at or near Sterling, Colo., and the facilities of American Beef Packers, Inc., at or near Fort Morgan, Colo., to those points in Oregon on and southwest of a line beginning at the Oregon-Washington State line and extending along U.S. Highway 26 to junction Interstate Highway 5, thence along Interstate Highway 5 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 the Oregon-California State line (Alturas, Calif.\*); (2) *meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from the facilities of Sterling Colorado Beef Packers, at or near Sterling, Colo., and the plant sites and warehouses of American Beef Packers, Inc., at or near Fort Morgan, Colo., to Baltimore, Md., and Philadelphia, Pa. (New York, N.Y.\*). Restriction: The operations authorized in (1) and (2) above, are restricted to the transportation of traffic originating at the above-named facilities. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E60), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and skins and commodities in bulk), from Wichita, Kans., to points in Montana (Greeley, Colo.\*); (2) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Wichita, Kans., to those points in Arizona northwest of a line beginning at the Arizona-New Mexico State line and extending along U.S. Highway 160 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Interstate Highway 17, thence along Interstate Highway 17 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Arizona-California State line, and to points in California (Denver, Colo.\*); (3) *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Wichita, Kans., to points in Washington, Oregon, and Idaho (Denver, Colo.\*);

(4) *Pickles*, from Wichita, Kans., to those points in Arizona northwest of a line beginning at the Arizona-New Mexico State line and extending along U.S. Highway 160 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Interstate Highway 17, thence along Interstate Highway 17 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Arizona-California State line (Denver, Colo.\*); (5) *Frozen, fresh, and cured meats*, from Wichita, Kans., to those points in Oregon on and west of U.S. Highway 97;

and to those points in Washington on and west of Interstate Highway 5 (Denver, Colo., and Alturas, Calif.\*). Restriction: The operations authorized in (1), (2), (3), (4), and (5) above, are restricted to the transportation of traffic originating at the plant sites and storage facilities of Dubuque Packing Co., Inc., located at or near Wichita, Kans. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E61), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, and except hides), from Ellensburg, Wash., (a) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Lexington, Nebr.); (b) to those points in Wisconsin on and south of U.S. Highway 10, points in Iowa on and west of U.S. Highway 169 (except Sioux City); and to points in Kansas, Missouri, Oklahoma, and Texas (Greeley, Colo.\*); and (c) to points in Alabama, Louisiana, Mississippi, Iowa, on and west of U.S. Highway 169 (except Sioux City), Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, West Virginia, Iowa east of U.S. Highway 169, and Sioux City, Iowa (Denver, Colo.\*); (2) *Meats, meat products, and meat by-products* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Ellensburg, Wash., to those points in New Mexico on and east of Interstate Highway 25, and to points in Florida (Denver, Colo.\*). Restriction: The service authorized herein is restricted to the transportation of shipments originating at Ellensburg, Wash. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E62), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese*, from the facilities of Plumrose, Incorporated, near Springfield, N.J., to points in New Mexico (Denver, Colo.\*); (2) *cheese and packaged meats*, from the facilities of Plumrose, Incorporated, near Springfield, N.J., to points in Montana (Greeley, Colo.\*); (3) *packaged meats*, from the facilities of Plumrose, Incorporated, near Springfield, N.J., (a) to points in California (Phoenix, Ariz.\*), (b) to points in Oregon and Washington (Teec Nos Pos, Ariz.\*); and (4) *frozen*

*packaged meats*, from the facilities of Plumrose, Incorporated, near Springfield, N.J., to points in Washington, Oregon, Idaho, and Montana (points in Hall County, Nebr.\*). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E63), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and food products 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 liquid bulk commodities, in tank vehicles), from the facilities of Curtis, Inc., at Carlstadt, N.J., and points in the New York, N.Y., commercial zone, as defined by the Commission, and points in Union County, N.J., (a) to points in Mississippi (Louisville, Ky.\*), and (b) to points in Montana (Greeley, Colo.\*); (2) *Meats, meat products, and meat by-products, and dairy products*, as described in Sections A and B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the origin territory described in (1) above, to points in Arizona, California, Nevada, New Mexico, and Montana (Denver and Greeley, Colo.\*); (3) *Dairy products, chilled and frozen bakery products, frozen fruits, frozen vegetables, frozen berries, frozen french fries, frozen pizza and pizza pie ingredients*, from the origin territory described in (1) above to points in New Mexico (Denver, Colo.\*);

(4) *Frozen bakery products and pizza pie ingredients*, from the origin territory described in (1) above, to points in New Mexico (Julesburg, Colo.\*); (5) *Dairy products and vegetable food products*, from the origin territory described in (1) above, to points in Arizona (those points in Colorado east of the Continental Divide)\*; (6) *Pickles*, from the origin territory described in (1) above, to points in Arizona and Utah (Denver, Colo.\*); (7) *Frozen foods*, from the origin territory described in (1) above, to points in Idaho, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Montana, Washington, and Wyoming (Ames, Iowa)\*; (8) *Frozen fresh and cured meats, and canned dairy products*, from the origin territory described in (1) above, to points in Oregon and those points in Washington on and west of a line beginning at the United States-Canada International Boundary line and extending along Washington Highway 9 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 395, thence along U.S. Highway 395 to the Washington-Oregon State line (Denver, Colo., and Alturas,



Calif.)\*. Restriction: The operations in (1), (2), (3), (4), (5), (6), (7), and (8) above, are restricted to the transportation of shipments in vehicles equipped with mechanical refrigeration. (9) *Frozen foods*, from the facilities of Curtis, Inc., at Carlstadt, N.J., and points in Union County N.J., to points in Washington, Oregon, Idaho, and Montana (points in Hall County, Nebr.)\*. Restriction: The operations in (1), (2), (3), (4), (5), (6), (7), (8), and (9) above, are restricted against the transportation of liquids in bulk. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC. 113678 (Sub-No. E67), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and dairy products*, as described in Sections A and B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and frozen foods), from Waterloo, Penn Yan, Fairport, Red Creek, Egypt, Rushville, Lyons, Newark, Arcade, and Syracuse, N.Y., and Wellsboro, Pa., to points in Arizona, California, Nevada, and New Mexico (Denver, Colo.)\*; (2) *dairy products, chilled bakery products, and pizza pie ingredients* (except commodities in bulk and frozen foods), from the origin territory described in (1) above, to points in New Mexico (Denver, Colo.)\*; (3) *dairy products and vegetable food products* (except commodities in bulk and frozen foods), from the origin territory described in (1) above, to points in Arizona (points in Colorado east of the Continental Divide\*); and (4) *pickles* (except frozen), from the origin territory described in (1) above, to points in Arizona and Utah (Denver, Colo.)\*. Restriction: The operations authorized in (1), (2), (3), and (4) above, are restricted to the transportation of traffic originating at the facilities of the Borden Company, its subsidiaries and divisions at the above-named origin points. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E68), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such canned goods* as are distributed by meat packinghouses, from Hemet, Calif., (1) to points in Minnesota, Wisconsin, North Dakota, and South Dakota (Greeley, Colo.)\*; (2) to points in Alabama, Louisiana, Minnesota, Nebraska, North Dakota, South Dakota, Iowa, South Carolina, Mississippi, North Carolina, Tennessee, Virginia, West Virginia, Illinois (except

Chicago), Kansas, Missouri, Wisconsin, Arkansas, Georgia, and Kentucky (Denver, Colo.)\*; and (3) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Denver, Colo., and New York, N.Y.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 114211 (Sub-No. E1049), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from Armstrong, Iowa, to points in Kansas, Missouri, and to points in that part of Nebraska on and south of a line beginning at the Iowa-Nebraska State line extending along U.S. Highway 30 to junction U.S. Highway 81, thence along U.S. Highway 81, to junction Nebraska State Highway 22, thence along Nebraska State Highway 22, to junction Nebraska State Highway 70, thence along Nebraska State Highway 70, to junction Nebraska State Highway 92, thence along Nebraska State Highway 92, to junction Nebraska State Highway 61, thence along State Highway 61, to junction Nebraska State Highway 2, thence along Nebraska State Highway 2, to junction U.S. Highway 385, thence along U.S. Highway 385, to junction U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Nebraska State line and to points in that part of Wisconsin on and south of a line beginning at the Iowa-Wisconsin State line extending along U.S. Highway 151 to junction Wisconsin State Highway 33, thence along Wisconsin State Highway 33, to junction Wisconsin State Highway 28, thence along Wisconsin State Highway 28 to Sheboygan, Wis. The purpose of this filing is to eliminate the gateway of Ft. Dodge, Iowa.

No. MC 114211 (Sub-No. E1182), filed September 5, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except those with vehicle beds, bed frames and fifth wheels), *equipment* designed for use in conjunction with farm tractors, and *parts thereof*, from points in Ohio on and east of a line beginning at Cleveland, Ohio, extending along Ohio Highway 14 to junction Ohio Highway 21, thence along Ohio Highway 21 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Ohio Highway 93, thence along Ohio Highway 93 to the Kentucky-Ohio State line, to points in that part of Montana on and west of a line beginning at the United States-

Canada Boundary line extending along U.S. Highway 91 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Montana Highway 200, thence along Montana Highway 200 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Montana-Idaho State line; points in that part of Idaho on and north of a line beginning at the Idaho-Montana State line extending along U.S. Highway 12 to the Idaho-Washington State line; points in that part of Oregon on and west of a line beginning at the Oregon-Washington State line extending along U.S. Highway 730 to junction Interstate Highway 80N, thence along Interstate Highway 80N to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Oregon Highway 138, thence along Oregon Highway 138 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction U.S. Highway 199, thence along U.S. Highway 199 to the Oregon-California State line, and to points in Washington. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr., Fargo, N. Dak., and points in Iowa.

No. MC 114211 (Sub-No. E1183), filed September 5, 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, pumps, water systems, component parts for water systems, towers and parts for agricultural implements, and pumps*, from points in Wisconsin, to points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 75 to junction Texas Highway 14, thence along Texas Highway 14 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 21, thence along Texas Highway 21 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 9, thence along Texas Highway 9 to Corpus Christi, Tex., restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E1184), filed September 5, 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 for agricultural implements and towers*, from points in Wisconsin, to points in that part of Kansas on and west of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 77 to junction Kansas Highway 177, thence along Kansas Highway 177 to junction Kansas Highway 4, thence along Kansas Highway 4 to junction Kansas Highway 99, thence along Kansas Highway 99 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 77, thence along U.S. Highway 77 to

