FEDERAL REGISTER

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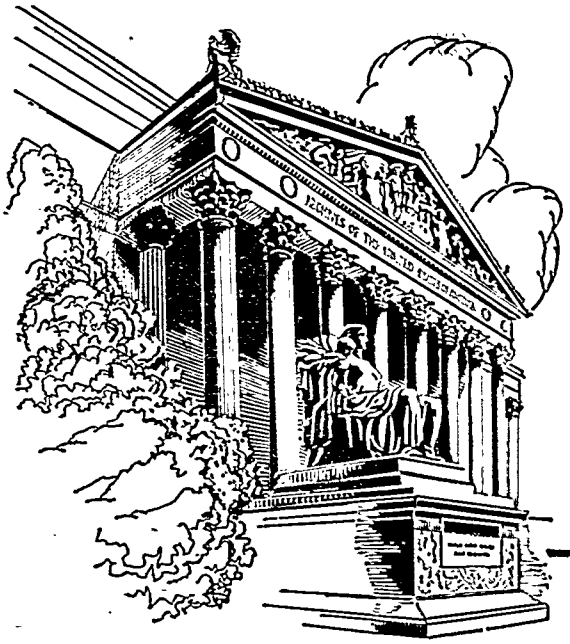

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Title 3—The President

PROCLAMATION 4025

Modifying Proclamation No. 3279, Relating to Imports of Petroleum and Petroleum Products

By the President of the United States of America

A Proclamation

The Director of the Office of Emergency Preparedness, with the advice of the Oil Policy Committee, has found that the national security will not be adversely affected by changes in the oil import control program which would

—increase licensed imports into Districts I–IV, including the Canadian component of those imports, approximately 100,000 barrels per day during 1971,

—free importation and allocation in Districts I–IV and District V from historical limitations, and

—authorize Mexican imports to enter, overland or by water, in such amounts and under such circumstances as the Secretary of the Interior prescribes after annual discussions between the Governments of the United States and Mexico.

The Director, with the advice of the Oil Policy Committee, has recommended that Proclamation No. 3279,[1] as amended, be amended to adjust imports in conformity with these findings. He has, with the advice of the Oil Policy Committee, also recommended that the quantity of crude oil, unfinished oils, and finished products that may be imported into Districts I–IV continue to be determined on the basis of 12.2% of the quantity of crude oil and natural gas liquids which the Secretary of the Interior estimates will be produced in those districts, adjusted to reflect other national security determinations, but that, in the interest of better public understanding of the oil import control program, such authorized imports be stated in terms of specific barrels per day.

I agree with the findings and recommendations of the Director and deem it necessary and consistent with the security objectives of Proclamation No. 3279, as amended, to adjust the imports of petroleum and petroleum products, and to improve the administration of the program, as hereinafter provided.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority

[1] 24 F.R. 1781; 3 CFR, 1959–1963 Comp., p. 11.

vested in me by the Constitution and laws of the United States, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that, effective as of the date of this Proclamation, Proclamation No. 3279, as amended, is further amended as follows:

1. Paragraph (b) of section 1 is amended to read as follows:

"The Secretary of the Interior may, in his discretion, authorize entries, without allocation or license, of small quantities of crude oil, unfinished oils, or finished products."

2. Paragraph (a) of section 1A is amended to read as follows:

"(a)(1) As used in this section the term 'Canadian imports' means imports from Canada of crude oil which has been produced in Canada and unfinished oils which have been derived from crude oil or natural gas produced in Canada and which have been transported into the United States by overland means or over waterways other than ocean waterways. The provisions of clause (4) of paragraph (a) of section 1 of this proclamation shall have no application to Canadian imports into Districts I–IV during the period March 1, 1970 through December 31, 1971.

"(2) During the period March 1, 1970 through December 31, 1970, Canadian imports into Districts I–IV under allocations which were made pursuant to this section shall not exceed an average of 395,000 barrels per day. However, entries for consumption of crude oil or unfinished oils transported by pipeline may be made until midnight January 15, 1971, under any license authorizing Canadian imports into Districts I–IV for that period.

"(3) During the period January 1, 1971 through December 31, 1971, Canadian imports under allocations made pursuant to this subparagraph (3) into Districts I–IV shall not exceed an average of 450,000 barrels per day. However, entries for consumption of crude oil or unfinished oils transported by pipeline may be made until midnight January 15, 1972 under any license authorizing such imports from Canada for that period. The Secretary shall by regulation provide for allocations of such imports. The regulations shall provide that licenses issued under such allocations shall permit the entry, or withdrawal from warehouse, for consumption of Canadian imports only.

"(4) The Secretary may, within the level prescribed by paragraph (a)(1) of section 2 of this proclamation, permit the importation of additional quantities of Canadian imports."

3. Paragraph (e) of section 1A is amended to read as follows:

"On and after October 1, 1970, natural gas liquids derived solely from Canadian natural gas may be imported into the United States from Canada without allocations or licenses if transported by overland means or over waterways other than ocean waterways. As used in this paragraph the term 'natural gas liquids' means natural gas products and other hydrocarbons, such as ethane, propane, and butanes, or mixtures thereof, recovered from natural gas by means other than refining."

4. Section 1A is amended by adding at the end thereof the following new paragraph:

"(h) After December 31, 1970, the provisions of clause (4) of paragraph (a) of section 1 shall have no application to imports of crude oil, unfinished oils, or finished products from Mexico. After the same date, crude oil produced in Mexico and unfinished oils and finished products produced in Mexico wholly from Mexican crude oil may in Districts I–IV and District V be entered, or withdrawn from warehouse, for consumption without allocations or licenses in such amounts and under such conditions as the Secretary may prescribe, after annual discussions between the Governments of the United States and Mexico. Until the Secretary prescribes the amounts that may enter pursuant to this paragraph, such imports shall not exceed an average of 30,000 barrels per day per calendar year."

5. Subparagraph (1) of paragraph (a) of section 2 is amended to read as follows:

"Except as otherwise provided in this proclamation, the maximum level of imports (exclusive of imports from Canada provided for in paragraph (a) of section 1A), subject to allocation, of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) into Districts I–IV for a particular allocation period, shall be an amount equal to the difference between (i) 960,000 barrels per day during that allocation period and (ii) the quantity of crude oil and unfinished oils which may be imported pursuant to paragraph (h) of section 1A of this proclamation during the particular allocation period plus the quantity estimated by the Secretary by which shipments of unfinished oils and finished products (other than residual fuel oil to be used as fuel) from Puerto Rico to Districts I–IV during that allocation period will exceed the quantity (as adjusted by the Secretary as he may determine to be consonant with the objectives of this proclamation) so shipped during a comparable base period in the year 1965. Within this maximum level, imports of unfinished oils and imports of finished products (other than residual fuel oil to be used as fuel) shall not exceed such levels as the Secretary may determine to be consonant with the objectives of this proclamation. In addition to the imports permitted under the first sentence of this paragraph, for the period July 1, 1970 through December 31, 1971, there may be imported into District I, an average of 40,000 barrels per day of No. 2 fuel oil, manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere, for allocation, under regulations of the Secretary, to persons in the business in District I of selling No. 2 fuel oil who do not have crude oil import allocations into Districts I–IV and who operate deep water terminals in District I or have through-put agreements with deep water terminal operators in District I who do not have crude oil import allocations into Districts I–IV, on a fair and equitable basis, to the extent possible, in relation to such persons' inputs of No. 2 fuel oil to such terminals, having regard to any product import allocations into Districts I–IV made to such persons."

6. The second sentence of paragraph (b) of section 2 is amended to read as follows:

"Within this maximum level, imports of finished products shall not exceed such levels as the Secretary may determine to be consonant with the objectives of this proclamation."

7. The first two sentences of subparagraph (1) of paragraph (b) of section 3 are amended to read as follows:

"With respect to the allocation of imports of crude oil and unfinished oils into Districts I–IV and into District V such regulations shall provide, to the extent possible, for a fair and equitable distribution among persons having refinery capacity in these districts in relation to refinery inputs (excluding inputs of crude oil or unfinished oils imported pursuant to paragraph (e), (f), or (h) of section 1A, and, with respect to refinery inputs in District V, excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1). The Secretary may, by regulation, also provide for the making of allocations of imports of crude oil and unfinished oils into Districts I–IV and into District V to persons having petrochemical plants in these districts in relation to the outputs of such plants or in relation to inputs of such plants (excluding inputs of crude oil or unfinished oils imported pursuant to paragraph (e), (f), or (h) of section 1A, and, with respect to inputs in District V, excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1)."

8. The last sentence of subparagraph (1) of paragraph (b) of Section 3 is revoked.

9. The second sentence of subparagraph (2) of paragraph (b) of section 3 is amended to read as follows:

"The regulations shall provide also that if, during a period comprising the same number of months as an allocation period and ending three months before the beginning of the allocation period, any such person ships to Districts I–IV or to District V unfinished oils or finished products (other than residual fuel oil to be used as fuel) or sells unfinished oils or finished products (other than residual fuel oil to be used as fuel) which are shipped to Districts I–IV or to District V in excess of the volume of unfinished oils or finished products (other than residual fuel oil to be used as fuel) which he so shipped or which he sold and were so shipped during the year 1965, as adjusted by the Secretary as he may determine to be consonant with the purposes of this proclamation, the person's allocation for the next allocation period shall be reduced by the amount of the excess."

10. The first sentence of subparagraph (4) of paragraph (b) of section 3 is amended to read as follows:

"With respect to the allocation of imports of finished products, other than residual fuel oil to be used as fuel, into Puerto Rico, such regulations shall, to the extent possible, provide (i) for a fair and equitable distribution of imports of such finished products among persons who were importers of such finished products into Puerto Rico during the base period specified by the Secretary pursuant to section 2 of this proclamation, and (ii) for the granting and adjustment of allocations of imports of such finished products into Districts I–IV, District V, and Puerto Rico, in accordance with procedures established pursuant to section 4 of this proclamation."

11. The first sentence of subparagraph (5) of paragraph (b) of section 3 is amended to read as follows:

"With respect to the allocation of imports of residual fuel oil to be used as fuel into Puerto Rico, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel among persons who were importers of that product into Puerto Rico during the base period specified by the Secretary pursuant to section 2 of this proclamation."

12. The third sentence of subparagraph (5) of paragraph (b) of section 3 is amended to read as follows:

"With respect to the allocation of imports into District I of residual fuel oil to be used as fuel, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel (i) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and who have had inputs of that product to deep-water terminals located in District I, and (ii) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and have throughput agreements (warehouse agreements) with deep-water terminal operators."

13. Proclamation No. 3279 is further amended by inserting after section 3 the following new section:

"Sec. 3A. Pending the issuance of regulations implementing this proclamation, as amended, the Secretary is authorized to make to any person who held an allocation of imports of crude oil and unfinished oils under this proclamation during the period January 1, 1970 through December 31, 1970, an interim allocation of such imports for the period beginning January 1, 1971. The quantity of an interim allocation of imports other than Canadian oil may not exceed the allocation held in 1970 by such person expressed in the average number of barrels per day for the allocation period multiplied by 31, except that such quantity may be increased to provide for a full tanker load. The quantity of an interim allocation of imports of Canadian oil shall not exceed such person's allocation for such imports for the last half of 1970 expressed in the average number of barrels per day for that period multiplied by 31. The Secretary also is authorized to make to any person who held an allocation of imports of No. 2 fuel oil during the period January 1, 1970 through December 31, 1970 an interim allocation of such imports for the period beginning January 1, 1971. The quantity of such an interim allocation shall not exceed fifty percentum of the allocation held in 1970 by such person. Any allocation subsequently made to any person who receives an interim allocation pursuant to this section, shall be reduced by an amount equal to the interim allocation made pursuant to this section."

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of December, in the year of our Lord nineteen hundred seventy, and the Independence of the United States of America the one hundred ninety-fifth.

Richard Nixon

[F.R. Doc. 70-17390; Filed, Dec. 22, 1970; 12:09 p.m.]

Rules and Regulations

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Memo No. 712]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart O—Administrative Division

DELEGATING AUTHORITY FOR SUSPENDING OR TERMINATING COLLECTION ACTION

DECEMBER 15, 1970.

Under and by virtue of the authority vested in me by Part 104, Title 4, and §§ 0.76 (a) and (k) and 0.159 of Title 28 of the Code of Federal Regulations, I hereby delegate to the Director, Office of Budget and Accounts, the authority to suspend or terminate collection action on claims not to exceed $250. Claims in excess of $100 shall be reviewed by the Director, Office of Judicial Examinations, and a recommendation made to the Director, Office of Budget and Accounts as to their appropriateness.

Memo No. 649 is hereby rescinded.

The provisions of this memorandum shall be effective on the date of the publication of this memorandum in the FEDERAL REGISTER.

L. M. PELLERZI,
Assistant Attorney General for Administration.

[F.R. Doc. 70-17248; Filed, Dec. 22, 1970; 8:48 a.m.]

[Order 445-70]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Assigning Responsibility Concerning Applications for Orders Compelling Testimony or Production of Evidence by Witnesses

By virtue of the authority vested in me by sections 509 and 510 of title 28, section 301 of title 5, and section 6003(b) of title 18, United States Code, and section 501 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513), Part 0 of chapter I of title 28, Code of Federal Regulations, is amended as follows:

1. Subparts Z, AA, and BB are redesignated Subparts AA, BB, and CC, respectively.

§ 0.59 [Revoked]

2. Section 0.59 of Subpart K is revoked.

3. A new Subpart Z is added after the appendix to Subpart Y, to read as follows:

Subpart Z—Assigning Responsibility Concerning Applications for Orders Compelling Testimony or Production of Evidence by Witnesses

Sec.
0.175 Judicial and administrative proceedings.
0.176 Congressional proceedings.
0.177 Applications for orders under the Comprehensive Drug Abuse Prevention and Control Act.
0.178 Redelegation of authority.

AUTHORITY: The provisions of this Subpart Z issued under secs. 509 and 510, title 28, sec. 301, title 5, sec. 6003(b), title 18, U.S.C.; sec. 501, Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513).

Subpart Z—Assigning Responsibility Concerning Applications for Orders Compelling Testimony or Production of Evidence by Witnesses

§ 0.175 Judicial and administrative proceedings.

(a) The Assistant Attorney General in charge of the Criminal Division is authorized to exercise the authority vested in the Attorney General by sections 2514 and 6003, of title 18, United States Code, to approve the application of a U.S. attorney to a Federal court for an order compelling testimony or the production of information by a witness in any proceeding before or ancillary to a court or grand jury of the United States, and the authority vested in the Attorney General by section 6004 of title 18, United States Code, to approve the issuance by an agency of the United States of an order compelling testimony or the production of information by a witness in a proceeding before the agency, when the subject matter of the case or proceeding is either within the cognizance of the Criminal Division or is not within the cognizance of the Divisions or Bureau designated in paragraphs (b) and (c) of this section.

(b) The Assistant Attorney Generals in charge of the Antitrust Division, the Civil Division, the Civil Rights Division, the Internal Security Division, the Land and Natural Resources Division, and the Tax Division are authorized to exercise the power and authority vested in the Attorney General by sections 2514 and 6003 of title 18, United States Code, to approve the application of a U.S. Attorney to a Federal court for an order compelling testimony or the production of information in any proceeding before or ancillary to a court or grand jury of the United States when the subject matter of the case or proceeding is within the cognizance of their respective Divisions: *Provided, however,* That approval shall be granted only with the concurrence of the Assistant Attorney General in charge of the Criminal Division.

(c) The Assistant Attorney Generals designated in paragraph (b) of this section, and the Director of the Bureau of Narcotics and Dangerous Drugs are authorized to exercise the authority vested in the Attorney General by section 6004 of title 18, United States Code, to approve the issuance by an agency of the United States of an order compelling testimony or the production of information by a witness in a proceeding before the agency when the subject matter of the proceeding is within the cognizance of their respective Divisions or the Bureau: *Provided, however,* That approval shall be granted only with the concurrence of the Assistant Attorney General in charge of the Criminal Division.

§ 0.176 Congressional proceedings.

(a) A notice of an intention to request an order from a district court compelling testimony or the production of information in a congressional proceeding when submitted to the Attorney General by either House of Congress or a committee or a subcommittee of the Congress pursuant to section 6005 of title 18, United States Code, shall be referred to the Assistant Attorney General of the Division or the Director of the Bureau having cognizance of the subject matter of the proceedings: *Provided, however,* That either the notice or a copy thereof shall in any event be referred to the Assistant Attorney General in charge of the Criminal Division.

(b) The Assistant Attorney General in charge of the Criminal Division and the Assistant Attorney Generals designated in § 0.175(b) are authorized to exercise the power and authority vested in the Attorney General by section 6005 of title 18, United States Code, to apply to a district court of the United States to defer the issuance of an order compelling the testimony of a witness or the production of information in a proceeding before either House of Congress, or any committee or subcommittee of either House, or any joint committee of the two Houses.

§ 0.177 Applications for orders under the Comprehensive Drug Abuse Prevention and Control Act.

Notwithstanding the delegation of functions contained in Subpart R of this part, the Assistant Attorney General in charge of the Criminal Division is authorized to exercise the authority vested in the Attorney General by section 514 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, 84 Stat. 1276, to approve the application of a U.S. Attorney to a Federal court for an order compelling testimony or the production of information in any proceeding before a court or grand jury of the United States. Immunity shall be granted in agency proceedings under that Act

only with the concurrence of the Assistant Attorney General in charge of the Criminal Division.

§ 0.178 Redelegation of authority.

(a) The Assistant Attorney General in charge of the Criminal Division and the Assistant Attorney Generals designated in § 0.175(b) are authorized to redelegate the authority delegated by this subpart to their respective Deputy Assistant Attorney Generals to be exercised solely during the absence of such Assistant Attorney Generals from the City of Washington.

(b) The Director of the Bureau of Narcotics and Dangerous Drugs is authorized to redelegate the authority delegated by this subpart to the Deputy Director, Bureau of Narcotics and Dangerous Drugs, to be exercised solely during the absence of the Director from the City of Washington.

This order shall become effective December 14, 1970.

Dated: December 12, 1970.

JOHN N. MITCHELL,
Attorney General.

[F.R. Doc. 70-17247; Filed, Dec. 22, 1970; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 16—MIGRATORY BIRD PERMITS

Taxidermist Permits

There was published in the FEDERAL REGISTER of Thursday, August 20, 1970 (35 F.R. 13289), a proposal to amend § 16.12(a) of Title 50 of the Code of Federal Regulations.

Interested persons were invited to submit written comments, suggestions, or objections concerning the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240, within 30 days from the date of publication of the proposal.

No objections were received. It was determined that an editorial revision of this section would clarify its provisions.

The said proposal has, in fact, been available for review more than 60 days and since this amendment relieves an existing restriction presently placed on taxidermists, it is determined that further notice and public procedure thereon are impracticable, unnecessary, and contrary to the public interest and this amendment shall become effective December 22, 1970.

Accordingly, § 16.12 is revised to read:

§ 16.12 Taxidermist permits.

(a) *Permit required.* A taxidermist permit is required before any person may perform taxidermy services on migratory birds or their parts, nests, or eggs for any person other than himself. The permit must be conspicuously posted at the location where taxidermy services are performed.

(b) *Application for permit—information to be included.* Original applications for a taxidermist permit shall be made by letter addressed to the Regional Director, Bureau of Sport Fisheries and Wildlife, at the Regional Office having administrative jurisdiction over Bureau functions in the State where such services are proposed (see § 16.10 for geographical jurisdiction and addresses of regional offices). The letter of application shall contain the following information:

(1) The name, age, mailing address, and telephone number of the applicant;

(2) The address of the premises where taxidermist services will be provided, if different than mailing address;

(3) A statement of the applicants qualifications and experience as a taxidermist; and

(4) If a State permit is required by State law, whether or not the applicant possesses one, and if so, the date on which it will expire.

(c) *Permit authorizations.* A permit authorizes a taxidermist to:

(1) Receive, transport, hold in custody or possession, mount or otherwise prepare, migratory birds and return them to another.

(2) Sell properly marked, captive reared migratory waterfowl which he has lawfully acquired and mounted. Such mounted birds may be placed on consignment for sale and may be possessed by such consignee for the purpose of sale.

(d) *Recordkeeping and reporting requirements.* Permittees must keep accurate records of operations, on a calendar year basis, showing the names and addresses of persons from and to whom migratory birds or their parts, nests, or eggs were received or delivered, the number and species of such, and the dates of receipt and delivery. In addition to the other records required by this paragraph, the permittee must maintain in his files, the original of the completed form 3-186, Notice of Waterfowl Sale or Transfer, confirming his acquisition of captive reared, properly marked migratory waterfowl from the holder of a current Federal waterfowl propagating permit. Permittees must retain such records for a period of 1 year following the end of the calendar year covered by the records.

(e) *Expiration date of permit.* The tenure of taxidermist permits or renewals thereof shall be from date of issue through the 31st day of December of the second full calendar year following the year of issue.

(f) *Renewal of permit.* Requests for renewals of existing permits shall be made by letter to the regional office issuing the permit not later than 30 days preceding the expiration date of the permit.

(40 Stat. 755; 16 U.S.C. 703 et seq.)

Effective date. This amendment will become effective December 22, 1970.

SPENCER H. SMITH,
Acting Director, Bureau of Sport Fisheries and Wildlife.

DECEMBER 16, 1970.

[F.R. Doc. 70-17249; Filed, Dec. 22, 1970; 8:48 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 is amended to show that positions at the grade GS-12 through GS-15 levels are excepted under Schedule A when filled by persons designated as Fellows participating in the Brookings Institution's Economic Policy Fellowship Program. Appointments made under this authority may not exceed 2 years in duration and no appointment may extend beyond June 30, 1974. Effective on publication in the FEDERAL REGISTER, paragraph (dd) is added under § 213.3102 as set out below.

§ 213.3102 Entire executive civil service.

* * * * *

(dd) Positions at the grade GS-12 through GS-15 levels when filled by persons designated as Fellows under the Brookings Institution's Economic Policy Fellowship Program. Appointments made under this authority may not exceed 2 years in duration and no appointment may extend beyond June 30, 1974.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17234; Filed, Dec. 22, 1970; 8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

RESTATEMENT OF REGULATIONS

Regulations in Chapter I, Title 39, are being revised and recodified to eliminate unnecessary detail and to provide a more useable Code structure.

The regulations set out below supersede Subchapter A of present Title 39 Code of Federal Regulations (Parts 111–173). Until further notice, the following regulations previously forming part of Subchapter A are removed from the Code of Federal Regulations and are retained in force as uncodified regulations of the Post Office Department.

Part 113—Information on postal service and records relating to operations of the Department.
Part 116—Services performed for other agencies.
Part 118—Cooperation with Red Cross during natural disasters.
Part 119—Seal.
Section 125.9—Sexually oriented advertisements.
Section 126.13—Second-class matter in bundles.
Part 144—Permit imprints.
Part 145—Philately.
Section 151.3(c)—Post office box rental fees.
Part 152—Who may carry letters.
Section 153.2(d)—VIM (Vertical Improved Mail) mailrooms.
Section 153.6—Mail chutes and receiving boxes.
Section 155.6—Apartment house receptacles.
Sections 155.7, 155.17–155.19—Requirements relating to business mail delivery in office buildings.

Since these regulations represent a comprehensive restatement of existing regulations with little change in substance, it is unnecessary and impracticable to publish them as proposed rules and to provide a delayed effective date. Accordingly, they are effective upon publication in the FEDERAL REGISTER.

DAVID A. NELSON,
General Counsel.

SUBCHAPTER C—POST OFFICE SERVICES (DOMESTIC)

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111 What this chapter covers.
112 Domestic mail service.
113 Service in post offices.
114 Complaints.
115 Mail treated in confidence.

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122 Addresses.
123 Nonmailable matter.
124 Matter mailable under special rules.
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126 Mail addressed to military post offices overseas.
127 Mail sent via Department of State to U.S. Foreign Service Personnel abroad.

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GENERAL INFORMATION ON POSTAL SERVICE

PART 111—WHAT THIS CHAPTER COVERS

§ 111.1 What this chapter covers.

Chapter I provides regulations of the U.S. Postal Service to assist users of our domestic services in obtaining maximum benefits from our personnel and facilities. It includes rates for postage and restrictions on its use; descriptions of the classes of mail and conditions governing their use; requirements for wrapping and mailing; an explanation of our collection and delivery services; and details of special mail and nonmail facilities. Regulations not directly affecting mailers, such as those dealing with mail transportation, are published in the FEDERAL REGISTER. The FEDERAL REGISTER contains additional regulations of little interest to the general mailing public, such as rules of procedure. Notwithstanding any statement contained in this chapter, the burden rests with the mailer to assure that he has complied with prescribed laws and regulations.

(5 U.S.C. 301, 39 501, 505)

PART 112—DOMESTIC MAIL SERVICE

§ 112.1 Domestic mail service.

Domestic mail is mail transmitted within, among and between the United States; its territories and possession; Army-Air Force (APO) and Navy (FPO) post offices; also mail for delivery to the United Nations, N.Y. The term territories and possessions includes:

Baker Island.
Canal Zone.[1]
Canton Island.
Caroline Islands.
Enderbury Island.
Guam.
Howland Island.
Jarvis Island.
Johnston Island.
Kingman Reef.
Manua Island.
Mariana Islands.
Marshall Islands.
Midway Islands.
Navassa Island.
Commonwealth of Puerto Rico.
St. Croix Island.
St. John Island.
St. Thomas Island.
Samoa (American).
Sand Island.
Swain's Island.
Swan Islands.
Trust Territory of the Pacific.
Virgin Islands (U.S.).
Wake Island.

PART 113—SERVICE IN POST OFFICES

Sec.
113.1 Establishment of post offices.
113.2 Hours of business.
113.3 General delivery.

AUTHORITY: The provisions of this Part 113 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 113.1 Establishment of post offices.

(a) *Where established.* Post offices, and branches and stations, are established and maintained at locations considered necessary for the convenience of the postal customer.

(b) *Requirements*—(1) *Post Offices.* While there is no fixed minimum population requirement for the establishment of an independent post office, we consider this factor. Post offices are established when we cannot give adequate service through the post office, station or branch now serving the area; through a new station or branch; or by an extension of city, rural or star route delivery. Post offices are not established solely for community identity.

(2) *Stations.* Classified, contract, and rural personnel and nonpersonnel stations are established where needed within the service limits of an independent post office. Units established within the corporate limits of the city, town or village where the main post office is located are designated as stations.

(3) *Branches.* Classified, contract, and rural personnel and nonpersonnel branches are established within the service limits of an independent post office. Units established outside of the corporate limits of the city, town or village where the main post office is located are designated as branches. Classified and contract branches cannot be established at locations more than 20 miles outside the corporate limits of the city, town, or village where the main post office is located and must serve a population of not less than 1,500 persons. The 20-mile limitation and 1,500 population requirement do not apply to airports, military installations, rural personnel, and/or nonpersonnel branches. Where the parent post office is located in an unincorpo-

[1] See §§ 124.8(d), 131.2(c) (5) (ii), and 142.7.
(5 U.S.C. 301, 39 501, 505)

rated city, town or community, all postal units administratively attached to that post office are designated as branches.

§ 113.2 Hours of business.

(a) *Business Days, First-, Second-, and Third-Class Offices.* (1) Provide window service, including registry service, 8½ continuous hours, unless otherwise authorized by the Regional Director, during the business portion of the day. Consolidate money order service with other window service; except that an exclusive money order window may be provided when more than 350 orders a day are issued, provided the transactions are spread over the entire day and are not concentrated during a brief rush period. Limit exclusive money order windows to 8 hours service a day, usually from 9 a.m. to 5 p.m. When these services are consolidated with others, transact money order business during the hours the joint window is open.

(2) Extend window service whenever it is specifically determined to be in accordance with the needs of the community. If additional expense is involved, prior approval must be obtained from the Regional Director. Auxiliary money order windows may be opened during rush hours where this service is consolidated with other window services.

(3) If there is a total or partial suspension of general business on Saturday afternoon, or on some other workday, reduce window, collection, delivery, and other services accordingly. However, an employee shall be on duty when the rural carriers return.

(4) Obtain approval of the Regional Director before inaugurating night service at post offices, stations, or branches when this service involves expense for clerk hire, fuel, or light. Some post office lobbies are open at night to permit customers to deposit mail and obtain mail from lockboxes.

(5) If special instructions on hours of window service are desired, send request to Regional Director.

(6) The agreement for conduct of a contract station or branch provides that the contractor will transact specified postal business during the hours his establishment is open for business or during such hours as the postmaster may designate. However, for the convenience of the public, the contractor may, on his own initiative, sell postal money orders and stamps at other than the hours designated by the postmaster.

(b) *National holidays.* Post offices are kept open on holidays for such time as necessary to meet reasonable requirements of the public. Receive, collect, and dispatch mail in accordance with holiday schedules. Distribute incoming mail to post office boxes at the main office and, generally, to post office boxes at stations and branches. Only special-delivery matter shall be delivered. The following holidays are observed:

(1) New Year's Day.
(2) Washington's Birthday.
(3) Memorial Day.
(4) Independence Day.
(5) Labor Day.
(6) Columbus Day.
(7) Veterans' Day.
(8) Thanksgiving Day.
(9) Christmas.
(10) Other days set aside by the President as holidays.

(c) *Local holidays.* (1) Post offices shall not be closed on local or State holidays. Mail shall be received and dispatched as usual. Make city, village, and rural deliveries in regular manner. Window services may be reduced.

(2) Do not release regular employees from duty on State or local holidays if substitute replacements are necessary or if their absence would result in the use of substitute time or overtime on that or any later date.

(3) Do not grant other time off for service performed on local or State holidays.

(4) Keep record of service curtailment.

(d) *Sundays*—(1) *First- and second-class offices.* First- and second-class offices shall not be opened on Sunday to deliver mail to general public. Sunday duty schedules shall cover only employees needed to collect and prepare mail for dispatch, to deliver special-delivery mail, and to perform incoming mail distribution considered necessary to lock boxes, and to avoid congestion and delays in delivery on Monday.

(2) *Third- and fourth-class offices.* Third- and fourth-class offices need not be opened on Sundays unless mail arrives after Saturday closing hour and before 6 p.m. Sunday. If mail arrives during these hours and public convenience requires its delivery on Sunday, the office may be opened to the public once for not more than 1 hour. Sale of postage stamps, registration of mail, and delivery of registered mail on Sundays is left to postmaster's option. Money orders need not be issued or paid. Deliver special delivery mail which arrives during these hours.

(e) *Lobby.* The post office lobby, including separate box lobbies, may remain open at the postmaster's discretion when no one is on duty if screen work extends to ceiling and if all doors, windows, and wickets connecting lobby with workroom are securely locked and police protection is adequate.

§ 113.3 General delivery.

(a) *Use.* General delivery is primarily for use at offices without carrier delivery service. Mail endorsed, Transient, To Be Called For, General Delivery, or with other words indicating that it is for a transient, will be placed in the general delivery case to be delivered to the addressee on his application and proper identification.

(b) *Where carrier deliveries are provided.* General delivery service is provided at offices with carrier delivery service, for transients and customers who are not permanently located. Persons intending to remain for 30 days or more in a city having carrier service should file their names and street addresses at the post office so that their mail may be delivered by carrier unless lockbox service is desired. Persons living in cities having carrier delivery service may for good and sufficient reasons satisfactory to the postmaster receive their mail at general delivery windows.

PART 114—COMPLAINTS

Sec.
114.1 Postal service.
114.2 Postal law violations.

AUTHORITY: The provisions of this Part 114 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 114.1 Postal service.

Complaints may be made at any post office, regional office, or to national Headquarters in Washington, D.C. When the complaint concerns apparent mishandling of mail, furnish the related envelope or wrapper.

§ 114.2 Postal law violations.

Send information and complaints to:

Postal inspector in charge at:	*If mailer lives in*
Atlanta, GA 30302	Florida, Georgia, North Carolina, South Carolina.
Boston, MA 02107	Connecticut, Maine, Massachusetts, New Hampshire, city of Fishers Island, N.Y., Rhode Island, Vermont.
Chattanooga, TN 37401	Alabama, Mississippi, Tennessee.
Chicago, IL 60607	Illinois, Michigan, Wisconsin.
Cincinnati, OH 45201	Indiana, Kentucky, Ohio.
Denver, CO 80201	Arizona, Colorado, New Mexico, Utah, Wyoming.
Fort Worth, TX 76101	Louisiana, Texas (except city of Texarkana).
Kansas City, MO 64142	Kansas, County of Jackson, Missouri, Nebraska, Oklahoma.
New York, NY 10001	New York, except city of Fishers Island, Puerto Rico, Virgin Islands.
Philadelphia, PA 19101	Delaware, New Jersey, Pennsylvania.
St. Louis, MO 63199	Arkansas, Iowa, Missouri (except Jackson County), city of Texarkana, Tex.
St. Paul, MN 55101	Minnesota, North Dakota, South Dakota.
San Francisco, CA 94101	California, Canton Island, Caroline Islands, Guam, Hawaii, Mariana Islands, Marshall Islands, Nevada, Samoa, and Wake Island.
Seattle, WA 98111	Alaska, Idaho, Montana, Oregon, Washington.
Washington, DC 20013	District of Columbia, Maryland, Virginia, West Virginia.

PART 115—MAIL TREATED IN CONFIDENCE

§ 115.1 Mail treated in confidence.

First-class mail is given absolute secrecy while in our custody. No persons in the Postal Service, except employees of dead-mail offices, may open first-class mail without a legal warrant, even though it may contain criminal or otherwise unmailable matter or may furnish evidence of the commission of a crime.

(5 U.S.C. 301, 39 U.S.C. 501, 505)

HOW TO WRAP AND MAIL

PART 121—PACKAGING

Sec.
121.1 Adequacy of packaging standards.
121.2 Containers for mailing.
121.3 Internal protection.
121.4 Outside wrapping.
121.5 Closures.
121.6 Marking by the mailer.

AUTHORITY: The provisions of this Part 121 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 121.1 Adequacy of packaging standards.

(a) *Inadequate preparation.* Articles not prepared under the general guides and specific regulations in this part may be refused.

(b) *Improperly prepared package reports.* On business mailings, when packaging or closure deficiencies are noted that are not of such serious nature to require removal from the mails, a postal employee will complete Form 3837, Improperly Prepared Package Report. Postmasters will then contact the business mailer to have him take corrective action on future mailings. Record these contacts and the results obtained on form 3837 which will be retained for 1 year.

§ 121.2 Containers for mailing.

(a) *Types of containers.* Containers must be strong enough to retain and protect contents during normal mail handling. Boxes or cartons of the following materials are commonly used: Corrugated or solid fiberboard, kraftboard, chipboard (for small items), fiber mailing tubes with metal ends, metal, and wood. Heavy wrapping paper or burlap or similar cloth may be used for parcels containing unbreakable goods which would not be damaged by the weight, of other mail. The strength of carton required will depend on the weight, size, and nature of the article shipped.

(b) *Size of container.* The outer shipping container should be the proper size to hold the goods shipped plus enough space for cushioning material inside. If the container is too large, the contents are apt to shift while in transit. If it is too small, or if too much is put into it, there will not be enough room for protective internal cushioning.

(c) *Chipboard boxes.* Small rigid telescoping chipboard boxes are usually used for small articles such as watches, jewelry, pens, etc. Those boxes, equipped with metal clasps which hold the two parts together, ordinarily need no further reinforcement.

(d) *Used containers.* A used container as described in § 121.21 in good rigid condition with all flaps intact is acceptable. If a box of the desired size cannot be found, a larger one may be cut down as shown in Illustration 1. Bend the four sides over the articles which have been cushioned in the box. Illustration 1A shows a method of making an acceptable container by using two boxes of the same general dimensions from which the flaps have been removed.

ILLUSTRATION 1

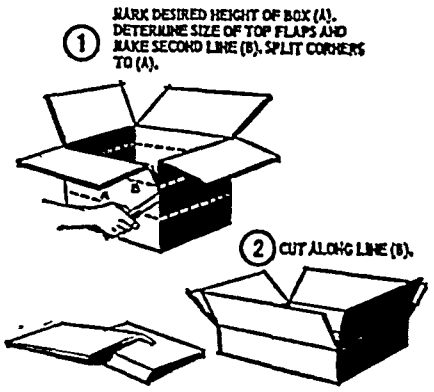
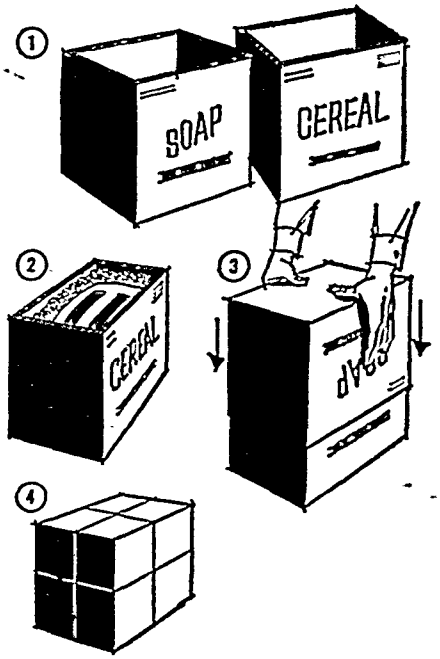


ILLUSTRATION 1A



(e) *Bulk mailings.* Envelopes should not ordinarily be used as containers for large numbers of items mailed at the bulk third-class rates or at the single piece first-, third-, or fourth-class rates. Such items should be placed in suitable containers which can be uniformly stacked and tied in bundles. They should be properly packaged, labeled, and marked in accordance with the provisions of §§ 121.3 through 121.6, and Part 124, just as though they were single pieces.

§ 121.3 Internal protection.

(a) *Purpose of cushioning.* (1) If a single item is shipped, sufficient cushioning material should surround the item to protect it from outside impact.

(2) If two or more items are shipped in the same carton or box, the cushioning should protect the items from damaging one another, in addition to protecting against outside impact. Wrap each item separately so that no damage will result regardless of the position of the package inside a mail sack.

(3) In the absence of a specially engineered package with built-in interior padding, moulds, or suspension, the container should be full.

(b) *Cushioning materials and positioning.* (1) Excelsior, flexible corrugated fiberboard or felt is commonly used to cushion heavy articles. Use cellulose materials, cotton, clothing, shredded paper, or tissue paper for lighter items. Expanded foam plastics may also be used for cushioning or suspension of the items within the parcel. The amount and kind of cushioning depend on size and nature of items.

(2) Do not pack heavy and lightweight items together in the same compartment. Pack heavy items so that they will remain in a fixed position.

(3) Heavy items such as machine parts, motors, castings, and hardware, particularly those in the long or bar category, require excellent exterior packaging and closure and secure position in the container. Take positive measures to prevent punching out of the ends of the containers. When these items move in their containers, they will not be accepted for mailing. Strapping around the container and extra strengthening of the ends of long cartons are recommended.

(c) *Fragile articles.* (1) The pieces must be individually cushioned.

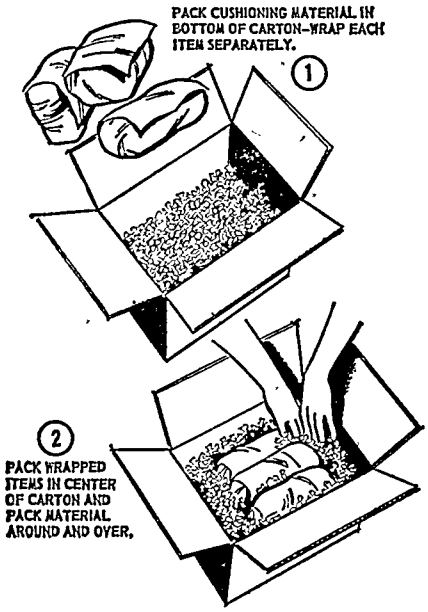
(2) If shredded paper or loose excelsior is used, place at least 3 inches of either on all four sides of the box and on top and bottom. Each piece must be properly spaced and cushioned to avoid strain or damage to other pieces. About one-half inch cushioning between flat pieces is adequate.

(3) Breakage of one item when packed with soft cushioning material may result in general loosening of other articles in the carton with further damage. If corrugated interior packing, such as trays, pads, partitions, compartments, etc., are used, they must be arranged so that individual items do not touch the wall of the shipping carton or each other. Flexible packing pads between each item of the same size may be used in nesting.

(4) The weight of upper compartments should be borne by corrugated packing and not by articles in lower compartments.

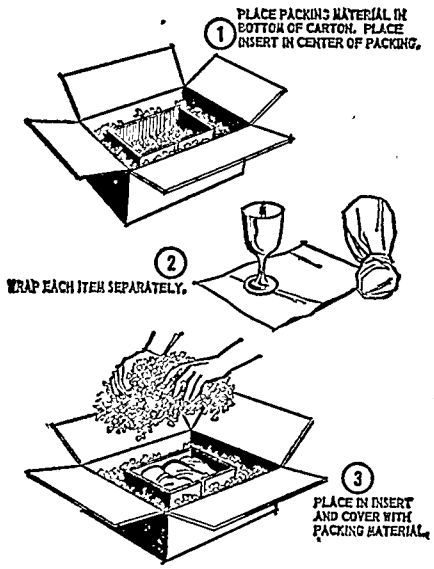
(5) Illustration 2 shows the way to cushion odd shaped items in a parcel.

ILLUSTRATION 2



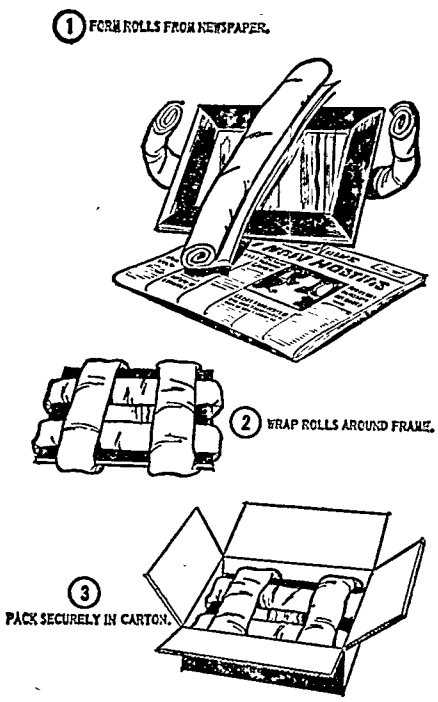
(d) *Glassware, chinaware, ceramics, radios, and other similar articles.* These articles are very fragile and require both a strong container and adequate interior cushioning between the pieces and the container. Proper packing is shown in Illustration 3.

ILLUSTRATION 3



(e) *Framed pictures.* Cushion these items on both sides and pack in a strong shipping carton. Illustration 4 shows one way of packing a framed picture. Fold the newspaper to form rolls which are placed around the picture.

ILLUSTRATION 4

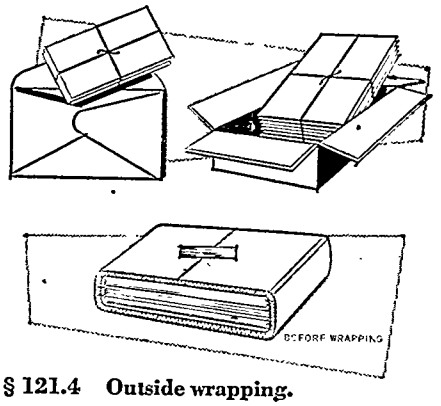


(f) *Pamphlets, forms, papers, etc*—(1) *Special care needed.* These items are very vulnerable to damage and should be securely packaged as shown below.

(2) *Boxes or cartons.* Use boxes or cartons for large quantities of loose paper items. Tie the items securely before placing them in the container.

(3) *Envelopes or wrappers.* Tie securely small quantities of loose paper items and protect by cardboard, corrugated board, or other material which will reinforce the edges and corners. Envelopes must be of durable quality, and paper wrappings should conform to the provisions of section 121.4.

ILLUSTRATION 5



§ 121.4 Outside wrapping.

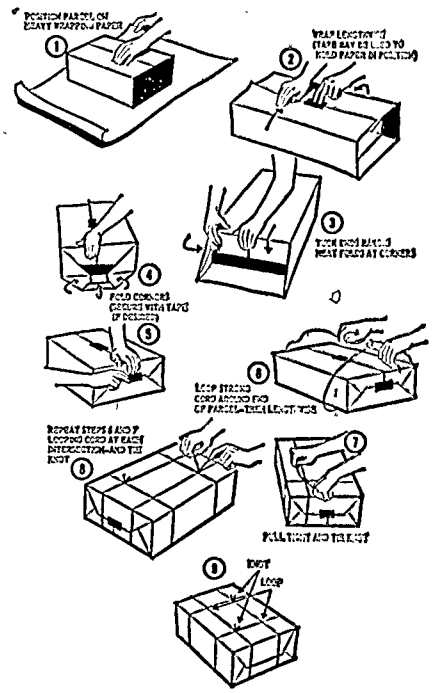
(a) Wrapping paper should be at least equal in quality and strength to the kraft stock used for grocery bags. Two or more thicknesses of flimsy wrapping paper will not compensate for lack of strength. Moreover, the address portion of such inferior packages can be more easily torn off or mutilated.

(b) Dry, nonfragile materials may be wrapped in heavy paper and tied with twine. Thin paper bags are not acceptable.

(c) Articles which are self-contained may be mailed without outside packaging or wrapping. The Postal Service will not be responsible, however, if the surface or finish of the article becomes marred or damaged.

(d) Fiberboard cartons may be wrapped and tied with strong twine or rope as shown in Illustration 6. Although wrapping paper of good quality may be used as an outside cover for boxes, it is preferable that paper wrappers be omitted if the box itself constitutes an adequate shipping container.

ILLUSTRATION 6



§ 121.5 Closures.

(a) *Tape.* Tape used as closures must be a durable type (60 pounds minimum) which will keep the parcels closed and intact during postal handling. Cellulose or masking tapes are not effective as the only closure. Tape manufacturers provide data concerning the type and strength of their tapes most suitable to specific needs. The needs vary considerably for different articles. When mailing experience in individual cases indicates that paper tape does not provide an adequate closure for the articles being mailed, use reinforced tape.

(b) *Application.* See paragraph (c) of this section on how to secure the most effective closure. If tape with water soluble adhesive is used, moisten the adhesive before applying. CAUTION: Keep parcels closed with moistenable adhesive tape free from freezing temperatures for at least 1 hour following application of tape.

(c) *Tape illustrations.* Illustration 7 shows proper and improper methods of applying paper and reinforced tapes.

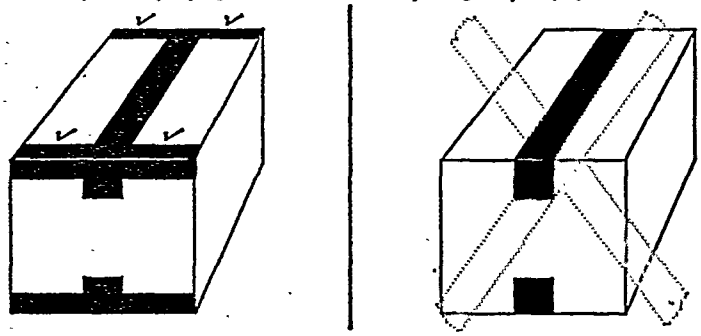
These tapes can be used also to close other types of parcels not illustrated including those of irregular shapes, and soft wrapped. Parcels properly closed with reinforced tape are less likely to fail than are parcels closed with unreinforced paper tape. The per foot cost of reinforced tape is greater but less tape is required and time is saved in the application.

ILLUSTRATION 7

ADEQUATE CLOSURE	INADEQUATE CLOSURE

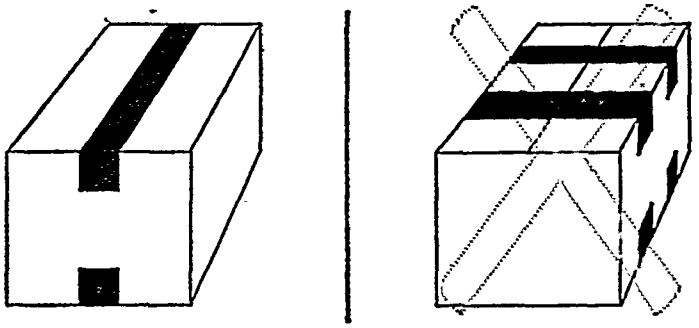
KRAFT PAPER TAPE

This is a one-thickness tape available in many widths and strengths. It must be correctly applied, both as to positioning and adhesion, and must be graded in use according to the size, shape, and weight of the package. It is not adequate for heavy packages. Of particular importance is the absolute necessity for fully taping down the ends of the package flaps. (✓).



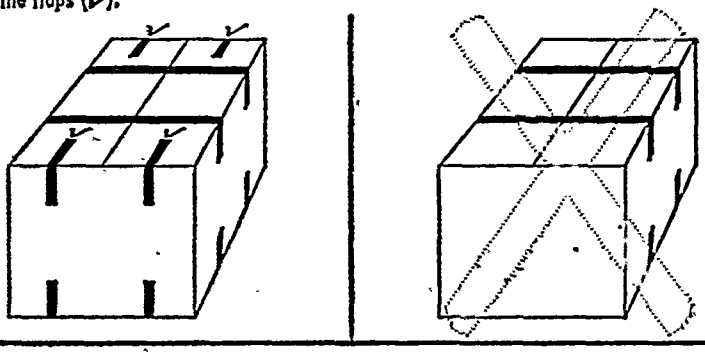
REINFORCED KRAFT PAPER TAPE

This tape is about 3 inches wide and is composed of several laminated layers with filaments running both lengthwise and across. It is extremely break resistant and has excellent adhesive qualities.



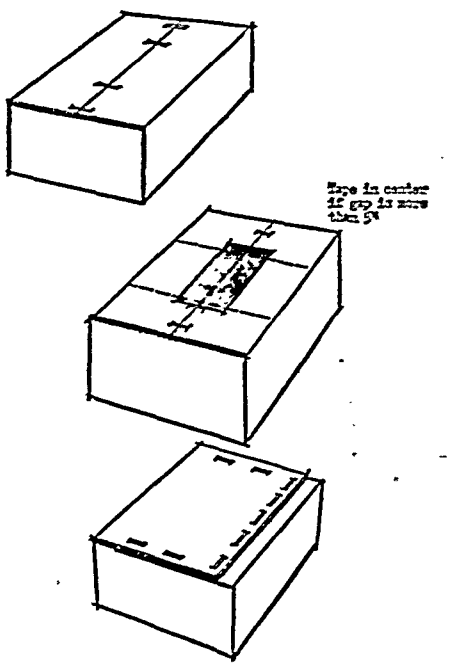
PRESSURE SENSITIVE FILAMENT TAPE

This tape is composed of filaments imbedded in pressure sensitive adhesive. It is extremely strong and only short strips are needed to accomplish effective closure. It is important to tape down the ends of the flaps (✓).



(d) *Staple.* Use enough staples to effect secure closure. Heavy parcels and those of unusual length should be strengthened with metal bands or reinforced tape applied around the middle. The ends of such parcels should also be reinforced. Illustration 8 shows various staple closures.

ILLUSTRATION 8



(e) *Twine.* Packages may be closed or additionally reinforced by securely tying with a strong twine. Do not use ordinary light string. Knot twine at several intersecting points to preclude loosening and loss in case of breakage of one or more segments of the twine. See Illustration 6 in 121.4.

(f) *Glue.* When a glue closure is used, not less than 50 percent of the area of contact (carton flaps) must be glued firmly.

§ 121.6 Marking by the mailer.

(a) *Endorsements on envelopes and wrappers.* Place words used for marking and labeling on envelopes and wrappers below the postage and above the name of the addressee.

(b) *Fragile.* Mark "Fragile" any packages containing articles of a delicate nature such as glass, chinaware, electrical appliances, jewelry, musical instruments, and radios.

(c) *Perishable.* Mark "Perishable" any products which decay quickly, such as fresh meats, fruits, and vegetables.

(d) *Conditional labeling.* (1) Words like "Do Not Bend" or "Do Not Fold or Crush" may be used only when content is fully protected with stiffening material.

(2) Words like "Rush" or "Do Not Delay" may be used only on packages intended for shipment as special delivery or special handling mail.

(e) *Unauthorized labeling.* (1) Labels and markings printed on cartons or on wrappers or on gummed tape on parcels are not permitted in place of any required label.

(2) Cover or obliterate obsolete markings or labels.

(3) Parcels improperly labeled as to nature of contents are not acceptable.

PART 122—ADDRESSES

Sec.
122.1 General information.
122.2 Arrangement of address.
122.3 Request for return and retention of mail.
122.4 Simplified address.
122.5 Mailing list services.
122.6 ZIP Code system.
122.7 Second-class publications.
122.8 Military mail.

AUTHORITY: The provisions of this Part 122 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 122.1 General information.

(a) Write the name and the address clearly and legibly on one side only. See § 124.3(c)(1)(xii) for exception on baby poultry.

(b) Mail for delivery through a city delivery post office must include in the address the name and the street and number, or post office box number, or general delivery, or rural or star route designation (except simplified address mail as prescribed in § 122.4). Mail for customers on a rural route may be addressed to street names and numbers if this type of address has been approved.

(c) All mail should bear the name and address of the sender. For instructions concerning mail which must bear a return address, see:

(1) Second-class mail in envelopes or wrappers—§ 125.2(f).
(2) Fourth-class mail—§ 135.5(a)(1).
(3) Air parcel post—§ 136.6(a).
(4) Mail of any class, when its return is desired—§ 122.3.
(5) Registered mail—§ 161.3(a).
(6) Insured mail—§ 162.1(b).
(7) COD mail—§ 163.1(c).
(8) Matter bearing company permit imprints—§ 145.3(c).

(d) Include the ZIP Code in all addresses and return addresses. See § 122.6.

(e) Attach a slip to articles enclosed in parcels showing the name and address of the sender and addressee.

(f) Matter bearing dual addresses or the names of more than one post office in the return address or in the recipient's address file is not acceptable for mailing.

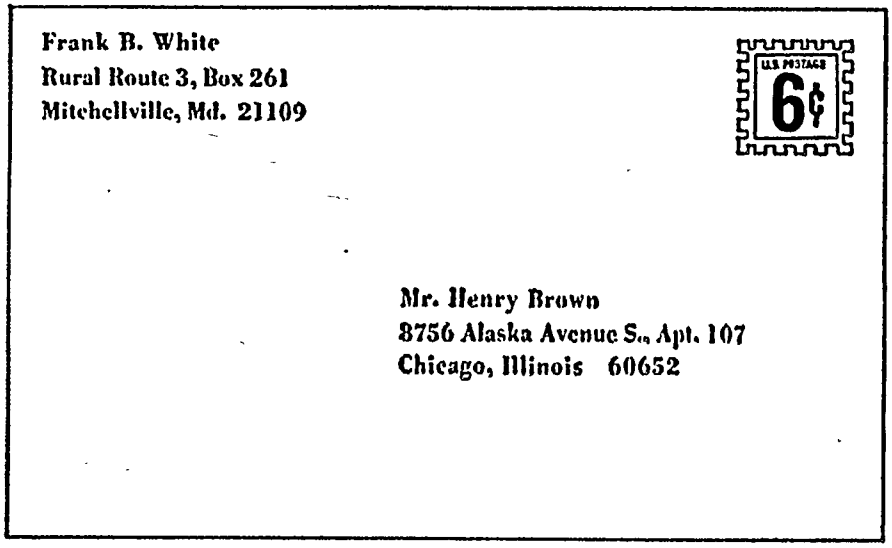
(g) Matter bearing instructions to return to Point of Mailing (postmark) is not acceptable for mailing.

(h) See § 122.7 for special instructions on addressing second-class mail.

(i) See § 122.8 for special instructions on addressing overseas military mail; see Part 127 for addressing mail via State Department to U.S. foreign service personnel abroad; and Publication 42, International Mail, for addressing international mail.

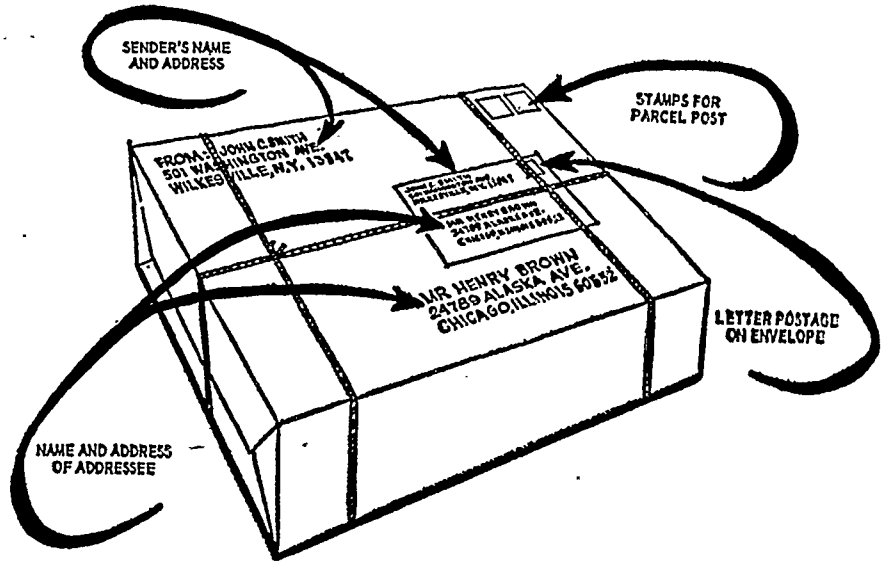
§ 122.2 Arrangement of address.

(a) The proper place for the address is in the lower right portion of the address area; postage (stamps, meter stamps or permit imprints) in the upper right corner; and return address of sender in the upper left corner.



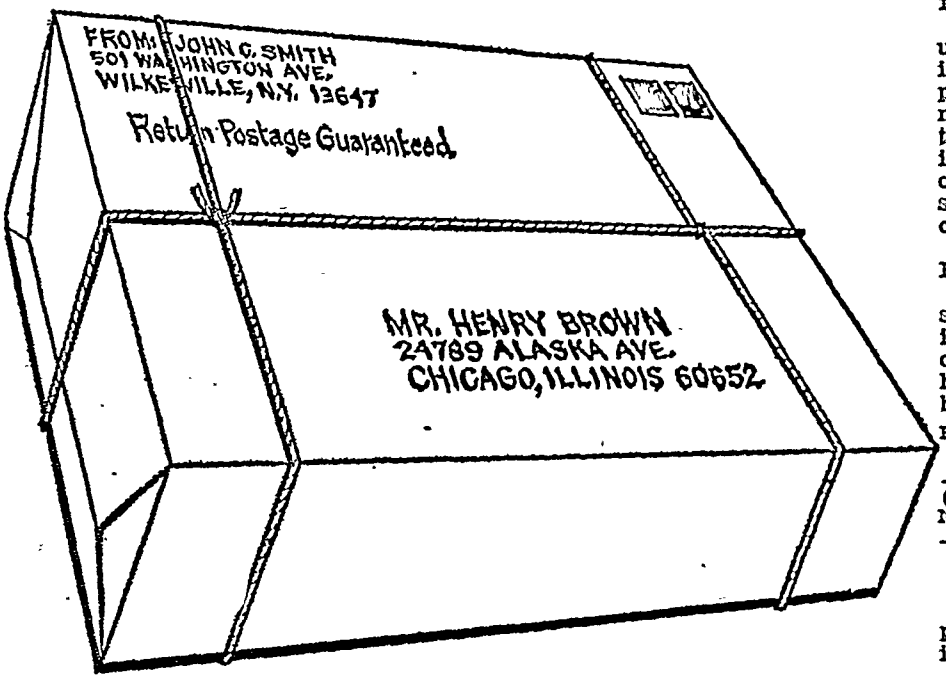
(b) Leave at least 3½ inches of clear space, from top to bottom, at the right end of the address side of envelopes, folders, or labels. This space will be used for address, postage, postmark, and other prescribed endorsements such as airmail or special delivery. On large envelopes or mailing pieces, leave on the right end of the address side a clear rectangular space of not less than 3 by 4¼ inches or an equivalent area, for the address, stamps, postmarks, etc. See § 131.2(b)(4) regarding the arrangement of the address on post cards.

(c) Illustration of how to affix a first-class letter on a parcel:



§ 122.3 Request for return and retention of mail.

(a) On post and postal cards, and on second-, third-, and fourth-class mail place the words "Return Postage Guaranteed" below the return address of the sender. Example:



(b) The sender may in his return address request that mail, other than registered, insured, and certified, be held for not less than 3 days or more than 30 days. See § 159.3(b) for registered, insured, and certified mail retention periods. Requests to lengthen or shorten retention periods to not less than 3 nor more than 30 days will be honored only at the sender's request.

Examples:

Return in 3 days to:
Frank B. White,
2416 Front Street,
St. Louis, MO 63135.

Return in 30 days to:
Frank B. White,
2416 Front Street,
St. Louis, MO 63135.
Return postage guaranteed.

§ 122.4 Simplified address.

(a) *General distribution without individual names and addresses*—(1) *Rural route, star route, and post office boxholders.* Mail, except that which is sent under a franking privilege by a Member or Member-elect of the Senate, may carry the following simplified address when general distribution is desired for:

(i) Each boxholder on a rural or star route.

(ii) Each family on a rural route (at any post office).

(iii) All boxholders at a post office without city or village carrier service.

POSTAL CUSTOMER, LOCAL

A more specific address such as "Rural Route Boxholder" followed by Local or by the name of the post office and State may be used. See § 132.4(f)(1)(vii) for the only applicability of this section to second-class matter.

(2) *City routes and post office boxholders.* (i) The individual name and street address or post office box number may be omitted from the address on official matter mailed by agencies of the Federal Government and any State, county, or municipal government or the Governments of the District of Columbia and the Commonwealth of Puerto Rico when distribution is to be made to each stop or possible delivery on city or village carrier routes, or to each post office boxholder at a post office which has city or village carrier service. The forms of address may be used:

(*a*) Postal Customer, Local.

(*b*) Residential Customer, Local. (Delivery desired at residences only.)

(*c*) Business Customer, Local. (Delivery desired at business address only.)

(ii) Prepare pieces for mailing as prescribed by §§ 122.4(a)(3) and 134.4(c). At least 10 days before date of mailing, the mailer must furnish to the postmaster of the post office where the pieces are to be mailed:

(*a*) Total number of pieces.

(*b*) Manner in which postage will be paid.

(*c*) Names of all letter carrier post offices where deliveries will be made, and number of pieces for each.

(*d*) Proposed date of mailing.

(*e*) A sample of the mailing piece.

(iii) The postmaster will furnish the mailer a schedule for mailing which must be followed by the mailer.

(3) *Preparation requirements.* (i) All pieces for the same post office must be tied, so far as practicable, in packages of 50. A facing slip must be attached showing distribution desired, such as rural route, city route, post office boxholder. If the pieces are tied in quantities other than 50 for each separation, show the number of pieces on the facing slip.

(ii) If selective distribution is desired, a sufficient number of pieces must be presented to cover the route or routes selected. Show the route numbers on the facing slips.

(iii) For other than official mailings under penalty or "Postage and Fees Paid" imprint (see § 137.2), postage at the proper rate must be fully prepaid by a method that does not require cancellation: by permit imprints, second-class imprints, meter stamps, or by means of precanceled stamps, precanceled stamped envelopes, or precanceled postal cards.

(iv) Designations such as Farmer, Food Buyer, Voter, are not permitted.

(b) *"Occupant."* To address mail to a specific street number without addressing the occupant by name, or to a post office box without addressing the boxholder by name, the following style may be used:

Postal Customer (or Occupant, Householder, Resident)

(Street and Number, Including Apartment Number, if any, or Post Office box number)

(Post Office and State, or Local, and ZIP Code)

(c) *Number of customers.* On request, postmasters will furnish, without charge, information as follows:

(1) Number of post office boxholders.

(2) Route numbers and number of boxholders on each rural and star route.

(3) Route numbers and number of families on each rural route.

(4) Number of possible deliveries or possible stops, with or without stores or office buildings, within the total delivery area or on particular carrier routes.

(d) *Mailing under congressional frank*—(1) *Members and Members-elect of the Senate.* All mail sent under the franking privilege by a Member or Member-elect of the Senate must be addressed to the recipient by name and post office address.

(2) *Members and Members-elect of the House of Representatives.* (i) Mail sent under the franking privilege of a Member or Member-elect of the House of Representatives may be addressed under the simplified forms in §§ 122.4(a)(1) and 122.4(b) for delivery to customers within the district the Member or Member-elect was elected to represent; and within such other area of the State as may be encompassed in his district under a reapportionment law. Mail so addressed will be delivered within that district to any or all of the following:

(*a*) Each boxholder on a rural or star route or each family on a rural or star route.

(*b*) Each post office boxholder.

(*c*) Each stop or possible delivery on city carrier routes.

(ii) The information in § 122.4(c) will, on request, be furnished for a congressional district in those instances where a post office serves areas which are located in more than one district.

(iii) Simplified address mailings sent under the frank of a Member or Member-elect of the House of Representatives must be prepared as prescribed in § 122.4(a)(2). Each facing slip should

show the congressional district in which delivery is to be made.

(iv) Representatives elected at large may send franked mail with simplified address to postal customers within the entire State which elected the Member.

(v) Franked mail of a Member or Member-elect addressed to a recipient outside of his congressional district must be addressed by name and post office address.

§ 122.5 Mailing list services.

(a) *Correction of mailing lists*—(1) *Service available.* Mailing lists submitted by departments of State governments, municipalities, religious, fraternal, and recognized charitable organizations and mailing lists used by concerns or persons for the solicitation of business by mail will be corrected as frequently as requested at the expense of the owners of the lists. For lists received from Federal agencies and Members of Congress, see § 122.5(a)(4). Postal employees must not compile mailing listings including occupant lists. Persons other than postal employees may not copy or record by any other means names or addresses from city or rural carrier cases.

(2) *Name and address lists*—(i) *Method of submission.* Submit typewritten or printed lists on cards, one name and address to a card, to the post office that serves the addresses. The cards should be about the size and quality of a postal card. Data processing cards are acceptable. The owner of the list must place his name in the upper life corner of each card. The employee responsible for the correction and return of the mailing list will record the name and address of the owner, number of cards or sheets, and date received for accounting purposes. At third- and fourth-class post offices, mailing lists may be submitted in sheet form. Submit lists by mail only, except large lists presented by local firms for correction.

(ii) *Type of corrections to be made.* Cross off names to which mail cannot be delivered or forwarded. Correct incorrect house, rural, or post office box numbers. Correct initials where apparently the name is known to the owner of the list. Indicate the head of the family, if known, when two or more names are shown for the same address. Furnish new addresses, including ZIP Code numbers for customers who have moved, when permanent forwarding orders are on file. If no change is necessary, mark an X in the upper right corner of the card. New names will not be added to a list. See § 122.5(c) for delivery sequence.

(3) *Occupant lists*—(i) *Method of submission.* Submit lists of street addresses on cards (as described in § 122.5(a)(2)(i)), one address to a card, or in sheet form, provided the sheets are made up separately by carrier routes and each sheet bears the list owner's name and address.

(ii) *Type of corrections to be made.* Correct lists for mail addressed to "occupant" and street address. Cross off numbers representing incorrect or nonexistent street addresses, but do not change or add numbers. Indicate business addresses by inserting B opposite the number. Indicate addresses on a rural route by R. Indicate the number of separate family units opposite addresses of apartment houses or other multiple dwellings. If no change is necessary, mark an X in the upper right corner of the card or sheet. Group corrected cards or sheets by routes when returning to the owner so that he may handle and label mailings by routes.

(4) *Charges.* The minimum charge for each list corrected is $1. For lists of more than 20 names or addresses, the charge is 5 cents per name or street address, including individual apartments. Payment must be made in advance by cash or money order. Do not return lists until charges and postage fees have been collected. Lists used by Members of Congress and Federal agencies are corrected without charge. Where rural routes have been consolidated or changed to another post office, no charge will be made for correction if the list contains only names of persons residing on the route or routes involved.

(5) *Postage on lists.* Typewritten lists are subject to postage at the first-class rate. Those prepared by stencil, mimeograph, printing, or similar process may be mailed at the third- or fourth-class rate depending on the weight. Return lists to customers free of postage.

(b) *Furnishing address changes to election boards and registration commissions.* Residential change-of-address information is available to duly constituted election boards of registration commissions using permanent registration, at a cost of 5 cents for each change-of-address Form 3575 notwithstanding the schedule of fees in § 267.2. An election board or registration commission desiring this information must submit to the postmaster a written request signed by an authorized official. The postmaster will send the request to the Regional Director for approval. On approval, the postmaster will receive necessary instructions from the Regional Director for release, control, and return of change-of-address Form 3575.

(c) *Address cards arranged in sequence of carrier delivery.* Arrange address cards in sequence of carrier route delivery without charge. Each card must include only one address. Withdraw cards with incorrect, nonexistent, or other undeliverable addresses and correct at the charges provided in § 122.5(a)(4). Mailers may submit address plates or stencils instead of cards when satisfactory arrangements can be made to handle them. A card may be inserted for each existing address that is not included in the owner's address cards, plates, or stencils. Postmasters must check to see that mailers whose lists have been arranged in sequence prepare bundles for each route with the individual pieces in address sequence. This service shall not be provided to mailers who do not make the required premailing preparation. It must not be provided as a substitute for the list correction service provided by § 122.5(a).

(d) *Furnishing city and State schemes.* To assist volume mailers in preparing their mailings, postmasters may furnish, on request, a copy of the city scheme or the State scheme used by clerks for sorting mail, and he may arrange address cards, plates, or stencils by carrier routes.

(e) *ZIP coding of mailing lists*—(1) *Single-ZIP-Coded offices.* It is the mailer's responsibility to ZIP Code mailing lists for the single ZIP-Code post offices described in § 122.6(c)(2) and the multi-ZIP-Coded post offices described in § 122.6(c)(3) (see also § 122.6(c)(4).)

(2) *Multi-ZIP-Coded post offices.* Under the following conditions, post offices will sort mailing lists consisting of addresses for the multi-ZIP-Coded post offices described in § 122.6(c)(3) (see also § 122.6(c)(4)) according to five-digit ZIP Code delivery units at a charge of $1.50 per thousand addresses or fraction thereof, payable to the local postmaster upon submission of the list:

(i) Mailers with EDP equipment must first match their mailing lists with Postal Service EDP magnetic tapes or data processing cards, or both, to obtain the maximum number of ZIP Codes for those addresses which were previously zoned and which were unaffected by zone boundary changes when the ZIP Code system was introduced. It will also provide ZIP Codes for one-code offices. The addresses to be separated by the post offices must be submitted on cards about the size and quality of a postal card. Data processing cards are acceptable. The cards must be separated by the post offices of address and submitted by the owner to his local post office.

(ii) Post offices will not write ZIP Codes on individual cards. The cards will be sorted to local ZIP Code areas by city primary distributors and will be securely tied in bundles with a facing slip on each bundle reading "All for ZIP Code Area _____." Return the ZIP Coded bundles to the post office or the owner according to who submitted the cards.

(iii) Mailing lists should be wrapped by the owner for mailing, when practicable, and must bear the name and address of the owner. The local postmaster shall enclose addressed penalty labels (Label 41) for use in returning the coded cards to his office.

(iv) Gummed labels, wrappers, envelopes, or postal or post cards indicative of one time use will not be accepted as mailing lists.

§ 122.6 Zip Code system.

(a) *Description.* ZIP Code is a five-digit coding system which identifies each post office and each delivery unit at large offices and associates each with the sectional center or major office through which mail is routed for delivery. The first three digits identify the sectional center or major city. The last two digits identify the post office or other delivery unit.

(b) *Purpose.* The purpose of ZIP Code is to achieve greater accuracy and speed in the dispatch and delivery of mail.

(c) *Assignment of ZIP Codes*—(1) *All offices.* All post offices are assigned one or more ZIP Codes which should be included in the address on all mail.

(2) *Single-ZIP-Coded offices.* Most post offices are assigned a single ZIP Code

which should be used in the address on all mail addressed for delivery at such post offices.

(3) *Multi-ZIP-Coded offices.* Two or more ZIP Codes are assigned to the larger offices at which two handlings are required in distributing mail to delivery routes and box sections. Separate ZIP Codes are assigned to each delivery unit at such offices so that mail separated to five-digit ZIP Code delivery units can be distributed to delivery routes and box sections in a single handling.

(4) *National ZIP Code Directory.* The National ZIP Code Directory lists ZIP Codes for all post office addresses.

(d) *Placement of ZIP Code digits.* (1) The ZIP Code should appear on the last line of both the address of destination and return address following the city and State. A space not less than two-tenths inch nor more than six-tenths inch is to be left between the last letter of the State and first digit of the code. A comma should not be inserted between the State name and ZIP Code. Example:

Mr. Henry Brown,
24789 Alaska Avenue,
Chicago, IL 60652.

When the State name is abbreviated, the use of a period is optional so long as the space precedes the ZIP Code.

(2) For large volume mailers where space or other factors make the positioning shown in § 122.6(d)(1) impractical, the ZIP Code may be carried as the bottom line of the address, provided it is immediately beneath the city and State and no characters or digits either precede or follow it: Example:

Mr. Harold Jones,
1070 High Street,
Hot Springs National Park, AR
71901.

(e) *Post Office assistance to mailers.* Mailers should request their local postmasters for information about the ZIP Code system and for guidance in bringing their mailing practices into compliance with the ZIP Code requirements. Postmasters will, upon request by mailers, send post office representatives to help mailers make arrangements for ZIP Coding mailing lists and for packaging and sacking bulk mailings by ZIP Code.

§ 122.7 Second-class publications.

(a) All publications should be addressed in a legible hand or plain type not smaller than 10 point.

(b) When several unwrapped copies for subscribers at the same post office are sent under one wrapper, each copy should bear the name and address of the subscriber.

(c) The name of the post office and State should be the most prominent part of the address.

(d) Write or print addresses with black ink or ink of some other strongly contrasting color. Addresses should not be written in pencil.

(e) Use white or other light-colored paper for address strips.

(f) When the address is placed on the wrapper, it should appear on the flat side and never on the fold. Addresses, including address strips, must be placed in a visible position either on the wrapper or directly on the copies.

(g) Individually addressed, unfolded periodicals mailed in bundles without separate wrappers should have the addresses placed upside down in the lower right corner of the front cover page. An alternate position on periodicals is lengthwise along the bound edge, near the top of the publication.

(h) Individually addressed, unwrapped, folded newspapers and periodicals mailed in bundles to a post office should have the addresses in the upper left corner of the publication when grasped with the right hand along the folded edge.

§ 122.8 Military mail.

(a) *Overseas military mail*—(1) *Army and Air Force.* Show grade, full name, including first name and middle name or initial, service number (same as social security account number), organization, APO number and the post office through which the mail is to be routed. Examples:

Pvt. Willard J. Doe, 300-52-6111,
Company F,
167th Infantry Regt.,
APO New York 09801.

A1C Howard J. Doe, 248-60-5033,
50 Fld Maint Sq.,
CMR Box 861,
APO New York 09109.

A/1c Harold F. Doe, 294-06-5432,
2d Bomb Squadron,
APO New York 09125.

(2) *Navy and Marine Corps.* Show full name, including first name and middle name or initial, rank or rating, service number, shore based organizational unit with Navy number, or mobile unit designation, or name of ship, and the fleet post office through which the mail is to be routed. Examples:

John M. Doe QMSN 680 54 70 USN,
USS Lyman K. Swenson (DD 729)
FPO San Francisco 96601.

Maj. John M. Doe 023492 USMCR,
Staff, Fleet Marine Force Pacific,
FPO San Francisco 96602.

James T. Doe, AQF-2, 329 76 83 USN,
U.S. Naval Air Facility,
FPO New York 09521.

Lt. Leroy A. Doe, 063941, USMC,
U.S. Marine Corps Air Facility,
FPO San Francisco 96672.

(3) *Dependents residing with military personnel.* Address mail to dependents residing in overseas areas in care of the sponsor. Example:

Miss Mary J. Doe,
c/o Sgt. Howard A. Doe, 345-67-8900,
Company A, 1st Bn. 16th Inf.,
APO New York 09036.

(4) *Abbreviated addresses.* Those mailers addressing mail by data processing equipment may shorten the address further by abbreviating the name of the gateway post office, as for example:

APO NY 09403.
APO SF 96503.
APO SEA 98749.

(b) *Military mail within United States*—(1) *Army and Air Force.* Show grade, full name, including first name and middle name or initial, service number (same as social security account number), organization, military installation and the ZIP Code. Examples:

Pvt. Willard J. Doe, 300-52-6111,
Co B, 1st Bn, 12th Infantry,
Fort Lewis, WA 98433.

A/1c Harold F. Doe, 249-06-5432,
1 Strat Aerosp Div.,
Vandenberg, AFB, CA 93437.

(2) *Navy and Marine Corps.* Show full name, including first name and middle name or initial, rank or rating, service number, organization, military installation and the ZIP Code. Examples:

Bill E. Smith, SK3, 331 20 54 USN,
U.S. Naval Supply Depot,
Great Lakes, IL 60033.

M/Sgt. Peter V. Perez, 1342165 USMC,
Headquarters Battalion,
Headquarters U.S. Marine Corps,
Henderson Hall,
Arlington, VA 22214.

(3) *Dependents residing with military personnel.* (i) Address mail to to dependents for delivery through the sponsor's military unit in care of the sponsor. Example:

Master Robert Brown,
c/o Sgt. Michael Brown, 031-32-6959,
Company A, 6th Bn., 10th Inf.,
Fort Gordon, GA 30905.

(ii) Mail addressed to dependents for delivery at the sponsor's military quarters need not be addressed in care of the sponsor. Example:

Master Robert Brown,
2519 C Street,
Wright-Patterson AFB, OH 45433.

(c) *Geographical address.* Mail showing a foreign city and country in addition to the military address is subject to the rates of postage and conditions for international mail. (See Publication 42, "International Mail".)

PART 123—NONMAILABLE MATTER

Sec.
123.1 Introduction.
123.2 Harmful matter.
123.3 Intoxicating liquors.
123.4 Lotteries, false representations, libelous matter, and solicitations in the guise of bills or statements of account.
123.5 Copyright violations.
123.6 Certain foreign communications.
123.7 Special materials.
123.8 Opinions on mailability.

AUTHORITY: The provisions of this Part 123 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 123.1 Introduction.

(a) *Description.* Nonmailable matter includes all matter which is by law, regulation, or treaty stipulation, prohibited from being sent in the mail or which cannot be forwarded to its destination because of illegible, incorrect, or insufficient address.

(b) *Applicability.* The harmful or objectionable items identified in this part are some of the matter which may not be sent through the mail, as a matter of absolute prohibition. See Part 124 for mat-

ter mailable only under special rules or conditions. Notwithstanding any statement contained in Part 123, the burden rests with the mailer to assure that he has complied with the law. In addition to the nonmailable items mentioned in this part, certain other articles are prohibited in the mail to military post offices overseas (Part 126).

(c) *Penalties for violation.* Severe penalties, by fine or imprisonment, or both, are provided for persons who knowingly mail or cause to be mailed, any matter which has been declared nonmailable under law.

(d) *Nonconformity with postal regulations.* Regardless of its nature, matter may not be mailed in any form if done in violation of postal regulations for such reasons as failure to pay postage, improper size or weight, improper permits, improper addresses, etc.

(e) *Responsibility of mailer.* When mailers are in doubt as to whether any matter is properly mailable, they should ask the postmaster. Even though the Postal Service has not expressly declared any matter to be nonmailable, the mailer of such matter may be held fully liable for violation of law if he does actually send nonmailable matter through the mail.

§ 123.2 Harmful matter.

(a) *General provision of law.* Any articles, compositions, or materials, which may kill or injure another or injure the mail or other property, are nonmailable. This includes but is not limited to:

(1) All kinds of poison or matter containing poison.

(2) All poisonous animals, except scorpions (see § 124.3(e), all poisonous insects, all poisonous reptiles, and all kinds of snakes.

(3) All disease germs or scabs.

(4) All explosives, flammable material, infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode.

(b) *General examples of harmful matter.* Harmful matter includes, among others, that which is likely to destroy, deface, or otherwise damage the contents of the mailbags or harm the person of anyone engaged in the Postal Service, such as caustic poisons (acids and alkalies), oxidizing materials, or highly flammable solids; or which are likely under conditions incident to transportation to cause fires through friction, through absorption of moisture, through spontaneous chemical changes or as a result of retained heat from manufacturing or processing; explosives or containers previously used for shipping high explosives having a liquid ingredient (such a dynamite), ammunition; fireworks; highly flammable liquids or substances; radioactive materials; matches; or articles emitting a bad odor.

(c) *Acceptability if properly packed.* When authorized by the Postmaster General, various articles specified in this part as being nonmailable may be sent through the mail if they conform to special regulations as to preparation and packaging and if they are not outwardly dangerous, or if their own force dangerous or injurious to life, health, or property. See part 124.

(d) *Radioactive matter.* Regulations on radioactive matter will be published shortly.

§ 123.3 Intoxicating liquors.

(a) Spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind containing more than 3.2 percent of alcohol by weight.

(b) Intoxicating liquors containing not more than 3.2 percent of alcohol by weight when addressed to a Territory or district of the United States, the laws of which prohibit the manufacture or sale therein of alcoholic beverages of that content.

§ 123.4 Lotteries, false representations, libelous matter and solicitations in the guise of bills or statements of account.

(a) *Lotteries.* (1) Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part on lot or chance.

(2) Any lottery ticket or part thereof or substitute.

(3) Any form of payment for a lottery ticket or share.

(4) Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of a lottery or similar enterprise, or any list of prizes awarded in such an enterprise.

(b) *Fishing contest exception.* Section 123.4(a) does not apply to any fishing contest not conducted for profit wherein prizes are awarded for the species, size, weight, or quality of fish caught by contestants in any bona fide fishing or recreational event.

(c) *False representations.* Anything mailed in pursuance of any scheme for obtaining money or property of any kind through the mail, by means of false representations.

(d) *Fictitious matter.* Any matter addressed to a person using any fictitious, false, or assumed name, title, or address in conducting, promoting, or carrying on or assisting therein, through the mail, any business scheme or device in violation of law. The recipient must appear at the post office of receipt and be identified. If the addressee fails to appear and be identified, after notification, or if the fictitious character of such mail is established to the satisfaction of the Postmaster General, it is forwarded to the dead letter office as fictitious matter or otherwise disposed of as the Postmaster General directs.

(e) *Libelous matter.* Any matter otherwise mailable which has on its outside wrapper or envelope, or any postal card or post card carrying on it:

(1) Any libelous, scurrilous, defamatory, or threatening language, whether written or printed, or which by its manner or style of display is obviously intended to reflect injuriously on the character or conduct of another, or

(2) Any language asking for payment of a bill, which by its manner or style of display is defamatory and deflects injuriously on the character of addressee.

(e) *Solicitations in the guise of bills or statements of account.* Any matter otherwise legally acceptable in the mails which could reasonably be considered a bill, invoice, or statement of account due, but is in fact a solicitation for an order, is nonmailable unless such matter conforms to the following requirements:

(1) Each solicitation subject to 39 United States Code 4001(c) shall prominently display the following prescribed notice:

THIS IS A SOLICITATION FOR THE ORDER OF GOODS AND/OR SERVICES AND NOT A BILL, INVOICE, OR STATEMENT OF ACCOUNT DUE. YOU ARE UNDER NO OBLIGATION TO MAKE ANY PAYMENTS ON ACCOUNT OF THIS OFFER UNLESS YOU ACCEPT THIS OFFER.

(2) The prescribed notice shall be printed on the face of the solicitation:

(i) In a size not smaller than the type size for printing any other word on the solicitation nor under any circumstances less than 12-point type.

(ii) In no less conspicuous type than the boldest type used to print other words on the solicitation.

(3) The background on which the prescribed notice is printed shall not diminish the contrast between the background and the printing so that it is less than the contrast between the background and the printing of any other words on the face of the solicitation.

(4) There shall be a clear space no less than one-quarter of an inch surrounding the prescribed notice.

(5) The prescribed notice shall be printed in boldface type capital letters.

(6) In the case of a solicitation for the order of goods not involving services the following may be omitted from the prescribed notice: "And/or services." Similarly, in the case of a solicitation for the order of services not involving goods the following may be omitted from the prescribed notice: "Goods and/or."

(7) No solicitation shall state that it has been approved by the Postal Service or by the Postmaster General or that it conforms to any Federal law or regulations issued thereunder.

§ 123.5 Copyright violations.

Publications which violate copyrights granted by the United States.

§ 123.6 Certain foreign communications.

(a) Matter addressed to foreign countries, posted in violation of law or treaty stipulations.

(b) Matter of any kind giving or offering to give information concerning procurement of a divorce in a foreign country and designed to solicit business in connection with such procurement.

§ 123.7 Special materials.

(a) *Lewd or filthy matter.* Obscene, lewd, lascivious, or filthy publications or writings, or mail containing information concerning where, how, or from whom such may be obtained, and matter which is otherwise mailable but which has on its wrapper or envelope any indecent, lewd, lascivious, or obscene writing or

printing. Any mail containing any filthy, vile, or indecent thing.

(b) *Contraceptive and abortive materials.* (1) Anything intended to prevent conception or produce abortion.

(2) Anything advertised or described to lead another to use it for preventing conception or producing abortion.

(3) Any written or printed matter giving information as to how to obtain any article or to use any means for preventing conception or producing an abortion.

(4) Any other written or printed matter intended to induce, or incite to, the prevention of conception or the production of abortion.

(c) *Inciting to violence.* Any matter of a character tending to incite arson, murder, or assassination.

(d) *Disloyalty and threats to the President.* (1) Any letter, publication, or thing containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States.

(2) Any letter or other matter containing any threat to take the life of, or to inflict bodily harm upon, the President of the United States.

§ 123.8 Opinions on mailability.

(a) When in doubt as to the mailability of any matter described in §§ 123.2, 123.3, 124.2, 124.3 and 124.4, the postmaster will submit a sample or a complete statement of the facts to the Office of Mail Classification, Bureau of Finance and Administration, and await instructions.

(b) Postmasters and other employees at post offices will not give opinions to the public concerning the mailability of matter under §§ 123.4, 123.5, 123.6, 123.7, 124.5, and 124.6. When in doubt as to the mailability of any such matter, the postmaster will withhold it from dispatch or delivery and will send a sample or a complete statement of the facts to the Mailability Division, Office of the General Counsel, for instructions. Newspapers containing doubtful matter should be promptly reported to the Mailability Division, Office of the General Counsel, but they should not be withheld from dispatch without specific instructions.

PART 124—MATTER MAILABLE UNDER SPECIAL RULES

Sec.

124.1 Legal restrictions.
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124.4 Plant quarantines.
124.5 Concealable firearms.
124.6 Switchblade knives.
124.7 Motor vehicle master keys.
124.8 Identification and marking.

AUTHORITY: The provisions of this Part 124 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 124.1 Legal restrictions.

(a) *Harmful matter.* (1) Certain items barred from the mail, as set forth in Part 123, may be mailed if prepared and packaged in accordance with this part. These are items not outwardly or of their own force dangerous or injurious to life, health, or property.

(2) This part covers generally some of the more common situations; however, the burden rests with the mailer to assure that he has complied with the law and that anything shipped by him has been properly prepared and packaged. The ordinary test of adequate preparation and packaging is whether the contents of a parcel are safely preserved under ordinary hazards of mail handling and transportation.

(3) Products, materials, and devices are created or modified with such frequency that the Postal Service is unable to issue general rulings in advance to govern adequate preparation and packaging. Any mailer may, however, request the Postal Service, in advance, for a specific ruling as to mailability of his item. The request should be addressed to the local postmaster, who will forward it to the Office of Mail Classification, Bureau of Finance and Administration, U.S. Postal Service, Washington, DC 20260.

(b) *Applicability of other laws.* (1) Although not unmailable, as defined in part 123, certain other items may be mailed only if they comply with applicable Federal laws and regulations.

(2) Any special conditions or limitations placed on transportation or movement of certain things shall govern admissibility to the U.S. mail, when imposed under law by the U.S. Department of the Treasury; U.S. Department of Agriculture; U.S. Department of Commerce; U.S. Department of Health, Education, and Welfare; U.S. Department of Transportation; or any other Federal department or agency having legal jurisdiction.

(c) *Penalties.* Failure to comply with the regulations of the Postmaster General, as prescribed in this part, as to matter otherwise nonmailable, constitutes a violation of law.

§ 124.2 Conditions for mailing.

(a) *General nature of precautions required.* (1) The restrictions against mailing of harmful matter, from which relief is granted by this part, are intended to prevent damage or harm to postal and transportation personnel, to prevent damage or destruction of other mail and property, to avoid obnoxious odors, and to prevent the spread of disease and infection.

(2) Basic precautions, covered generally in this section, relate to the inner containers holding the harmful matter, internal cushioning and protection, and exterior packaging and marking.

(b) *Liquids (nonflammable) and powders.* (1) Precautions must be taken in the case of liquids, pastes, salves, ink powders, pepper, snuff, or other pulverized materials against damage to mail and property from leakage and against caustic, irritant, toxic, or soiling effect on mailhandling personnel.

(2) Containers must meet any applicable Federal specifications. Closures must effectively seal the contents against leakage. Friction tops must be fastened with solder, clips, or otherwise so that they will not come off under impact.

(3) Glass or other breakable containers of liquid must be packaged to withstand handling en route. The container must be cushioned inside the carton to absorb shock and impact. Where feasible, absorbent material must be used to take up all the liquid in case of breakage.

(c) *Combustible and gaseous.* (1) In addition to precautions specified in § 124.2(b), containers of flammable liquids must have sufficient air space to allow for vapor expansion under variations. This guards against bursting from internal pressure.

(2) Compressed gas containers must be of metal or nonshattering steel types, as required by the Federal agencies. In addition to being cushioned to absorb shock, containers with release mechanisms must be protected against damage or accidental discharge in transit.

(d) *Matches.* Restrictions relating to matches in the mail are as follows:

(1) Strike-anywhere matches may not be mailed.

(2) Safety matches of a strike-only-on-box or book variety may be mailed under the following conditions:

(i) Their minimum ignition temperature must not be less than 338° F.

(ii) They will not ignite when exposed to temperatures up to 194° F. for a period of 2 hours.

(iii) They will not ignite when the heads of any two matches are vigorously rubbed together at least five times.

(iv) They must be packaged in containers adequately insulated with aluminum foil, asbestos, or other fire retardant material. They may also be packaged in securely closed cartons of bleached manila or kraft type board of not less than 0.022 inch thick, testing at least 100 points (Mullen test) when each carton contains not more than 1,500 matches made up not to exceed 50 books of not more than 30 match sticks in each book, or in small boxes of approximately 36 wooden sticks in each box.

(v) Book matches must be arranged symmetrically to completely fill the cartons and positioned so that the heads of the matches cannot strike or rub against friction surfaces on the books.

(e) *Radioactive materials.* In addition to special packaging precautions, as prescribed in this part, a package containing radioactive materials must not emit from its exterior any significant alpha, beta, or neutron radiations. The gamma radiation at any surface of the package must be less than 10 milliroentgens for 24 hours. The package must not contain more than 0.1 millicuries of radium, or polonium, or that amount of strontium-89, strontium-90, or barium-140 which disintegrates at a rate of more than 5 million atoms per second; or that amount of any other radioactive substance which disintegrates at a rate of more than 50 million atoms per second.

(f) *Poisons*—(1) *Poisons for scientific use.* Poisons for scientific use which are not outwardly or of their own force dangerous or injurious to life, health, or property may be shipped between manufacturers, dealers, bona fide research or

experimental scientific laboratories, and employees of the Federal, State, or local governments who have official use for such poisons. Any such employee must be designated by the head of his agency to receive or send such poisons. The preparation and packaging of such poisonous articles must meet the same conditions which apply to other articles covered by Part 124.

(2) *Poisonous drugs and medicines.* Poisonous drugs and medicines may be shipped only from the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, cosmetologists, barbers, and veterinarians (18 U.S.C. 1716).

(3) *Prescription medicines containing narcotics.* The Veterans Administration, including its hospitals and other facilities, are authorized to send prescription medicines containing narcotics by registered mail to certain veterans. Other shipments containing narcotics addressed to individuals are limited to provisions of § 124.2(f)(2).

(4) *Excess or undesired narcotic drugs.* Shipments of excess or unwanted narcotic drugs may sent by registered mail to district supervisors of the U.S. Bureau of Narcotics and Dangerous Drugs. Shipments of narcotics may also be sent by registered mail to the Drugs Disposal Committee, U.S. Bureau of Narcotics and Dangerous Drugs, Washington, DC 20530.

(g) *Sharp edges and firearms.* (1) Sharp pointed or sharp edged instruments such as knives, tools, icepicks, razor blades, etc., must be wrapped to protect their points and edges from cutting through the outer carton in which they are shipped.

(2) Unloaded rifles or shotguns are mailable. The mailer may be required by the post office clerk to establish this to the clerk's satisfaction either by opening the parcel or by giving him a written statement certifying that the gun is unloaded (see § 124.5).

§ 124.3 Perishable matter.

(a) *Time factor.* Mailable harmless live animals (see § 124.3(c)), perishable foods, and game (see § 124.3(g) may not be sent through the mail unless they can reach their destination in good condition in the normal transit time between the mailing and address points. Perishable foods may be shipped at the mailer's risk, provided they are not subject to rapid decay and the generating of obnoxious odors. Airmail, special handling, or special delivery services are recommended.

(b) *Highly perishable food and game.* (1) Crates, boxes, baskets, or other containers used to ship highly perishable goods should be constructed to protect the contents and to prevent their escape.

(2) Berries, fruits, and vegetables are not mailable unless presented in dry condition.

(3) Water ice used as a refrigerant must be packed as though it were a liquid in accordance with § 124.2(b). Dry ice (carbon dioxide solid) is acceptable when wrapped securely in heavy paper. Dry ice must not be packed in glass, metal, or other air-tight containers. Sufficient insulation is necessary if a fiberboard box is used, in order to prevent condensation and wetting of the shipping carton.

(c) *Live animals*—(1) *Live day-old poultry.* Live day-old chicks, ducks, geese, guinea fowl, and turkeys are acceptable in the continental surface mail under the following conditions:

(i) They must be presented for mailing in the original unopened hatchery box from the hatchery of origin.

(ii) The date and hour of hatching must be noted on the box by a representative of the hatchery who has personal knowledge thereof. (In the case of COD shipments made by a hatchery for the accounts of others, the name or initials and address of the hatchery or the post office box number and address of the hatchery must be prominently shown in connection with this requirement.)

(iii) They must not be over 24 hours old.

(iv) The box must be properly ventilated and of proper construction and strength to bear safe transmission in the mail. (These boxes may be stacked 10 high in cars.)

(v) They can be delivered to the addressee within 60 hours of the time of hatching regardless of whether the addressee resides in town or on a rural or star route.

(vi) They must be mailed sufficiently early in the week to avoid receipt at the office of address, in case of missed connections, on a Sunday, on a national holiday, or on the afternoon preceding a Sunday or holiday.

(vii) Shipments shall not be forwarded to the addressee from the office of original address nor returned to mailer if delivery cannot be made to either the addressee or sender within 60 hours of the time of hatching, but will be disposed of in accordance with § 159.2(h). Shipments that are delayed beyond the 60-hour limit by washouts, snow blockades, wrecks, and the like, will be disposed of by postmasters in accordance with instructions in § 159.2(h).

(viii) If a shipment is received at the office of address and it is not promptly accepted by the addressee, it will be held for delivery until the expiration of the 60-hour period from the time of hatching, if there is a possibility that delivery may be made within that period. If, at the expiration of the 60-hour period, the shipment has not been accepted, it will be sold. Such shipments will not be sold to the original addressee unless paid for in full. If the parcel is sent collect-on-delivery, the COD charge plus the money order fee will show the minimum amount which may be accepted from the addressee, which is the amount that would have been collected from the addressee had the parcel been accepted when originally offered for delivery. If the parcel is sent as ordinary or insured mail and the price is not known to the postmaster, the addressee will not be permitted to buy the chicks after refusing to accept them but the shipment will be disposed of in accordance with § 159.2(h).

(ix) Boxes of day-old poultry of approximately the same size which are securely fastened together to prevent their becoming separated in transit may be accepted for mailing as a single parcel provided such parcel does not exceed 100 inches in length and girth combined.

(x) Day-old poultry originally shipped by air express or air cargo and then presented for mailing must be in first-class condition, and prepared in accordance with subdivisions (i) to (vi).

(xi) The shipments must bear special delivery or special handling postage in addition to regular postage.

(xii) Day-old poultry vaccinated with Newcastle Disease (live virus) are nonmailable.

(xiii) Each box should bear, in addition to the address label on top, another address label on the side, or the narrow end, if the box is rectangular in shape, to eliminate unnecessary handling when boxes are stacked.

(2) *Other animals*—(i) *Mailable.* Small, harmless, cold-blooded animals (except snakes) which do not require food or water or attention during handling in the mail and which do not create sanitary problems or obnoxious odors are mailable. For example, the following are mailable: Baby alligators and cayman not exceeding approximately 20 inches in length, baby terrapin and baby turtles not exceeding approximately 2½ inches in length, bloodworms, earthworms, mealworms, chameleons, frogs, toads, goldfish, hellgrammites, newts, salamanders, leeches, lizards, snails and tadpoles. Animals mailed into the Trust Territory of the Pacific Islands are subject to permit issued by the Director of Agriculture of that Territory.

(ii) *Nonmailable.* No warm blooded animals except day-old poultry are acceptable. The following are examples of animals which are not mailable: Hamsters, white mice, rats, guinea pigs, rabbits, kittens, puppies, snakes, chickens, flying squirrels, parakeets, canaries and pigeons.

(d) *Insects.* (1) Queen bees and honey bees are acceptable in the continental surface mail, and queen bees only in airmail, when shipped in accordance with Federal and State regulations to assure that they are free of disease. Packages of honey bees must bear special delivery or special handling postage.

(2) Other live, nonpoisonous and nondisease-conveying insects may be sent through the mail when properly prepared and packaged and when shipped in accordance with regulations of the U.S. Department of Agriculture. When such insects are mailed into the Trust Territory of the Pacific Islands, they are also subject to regulations of the Director of Agriculture of that Territory.

(e) *Live scorpions.* Live scorpions which are to be used for purposes of medical research or for the manufacture of antivenin will be accepted only in the continental surface mail when packaged in a double mailing container, both parts of which are closed or fastened to prevent escape of the scorpions. The inner container must be of material which cannot

be punctured by the scorpions and must be plainly marked "Live Scorpions." Cushioning material must be used when necessary to prevent shifting of the inner container. The outer container must be of sufficient strength to prevent crushing of the package or exposure of the contents during normal handling in the mail, and also must be plainly marked "Live Scorpions."

(f) *Meat and meat products*—(1) *Certificate required.* Interstate shipments of meats and meat products may be sent through the mail only if they conform with regulations of the U.S. Department of Agriculture under Federal statutes. Each shipment must be accompanied with a certificate by the mailer unless the shipment shows on the outside the mark of Federal meat inspection in form of either a circular inspection legend or other domestic meat label. The mailer's certificate may be applied directly to the outside of the parcel, container or wrapper (in the case of volume shippers), or be submitted on Form 3583 filed at time of mailing. See § 124.3(f)(3).

(2) *Mark of Federal meat inspection.* Outside containers used to mail meat or meat products bearing either of the following marks of Federal Meat Inspection may be accepted without requiring a certificate:

(i)—

DOMESTIC MEAT LABEL

ESTABLISHMENT 38

THE MEAT OR MEAT FOOD PRODUCT CONTAINED HEREIN HAS BEEN U.S. INSPECTED AND PASSED BY DEPARTMENT OF AGRICULTURE.

The name and address of the establishment, or the name only, may be printed on the label at the bottom.

(ii)—

(3) *Form of certificate.* (i) Volume shippers of U.S. inspected and passed products may elect to rubber hand stamp or by other means affix the following certificate to the address side of each package of meat and meat products:

I certify that the meat or meat-food products described hereon, which are offered for mailing in interstate or foreign commerce, have been U.S. inspected and passed by Department of Agriculture, are so marked, and at this date are sound, healthful, wholesome, and fit for human food.

Name of shipper

Address of shipper

(ii) Mailers not preparing their shipments as provided in paragraphs (f)(2) or (f)(3)(i) of this section should use Form 3583 "Certificate of Shipper Interstate Mail Shipment of Meat or Meat-Food Products." The form is designed for use by all other shippers of meat or meat-food products subject to the inspection regulations of the U.S. Department of Agriculture. Three types of certificates are included in the form. The shipper must complete both sides of the form and submit it to the postmaster with each shipment.

(4) *Disposition of Form 3583.* Copies of Form 3583 with certificates 1, 2, or 3 completed shall be mailed in a post office penalty envelope to Director, Compliance and Evaluation Staff, Consumer Protection Programs, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, DC 20250.

(g) *Dead wild animals.* The dead bodies, or parts thereof, of any wild animals, wild birds or their eggs, are acceptable for mailing only when they have been lawfully killed or taken and their shipment is not prohibited by law of the United States or of the State, Territory, district or foreign country or subdivision thereof in which killed or taken or offered for shipment. Mailing of fresh game is also subject to requirements of § 124.3.

(h) *Furs, hides, skins, or pelts.* Parcels containing furs, hides, skins, or pelts of wild animals are mailable when properly dried or cured; have no offensive odor; and are plainly marked, labeled, or tagged on the outside with the names and addresses of the shipper and the addressee together with such other endorsement, if any, as may be required by the game laws of the State, Territory, or district in which mailed. Hides and pelts must be wrapped when necessary to prevent damage to other mail.

§ 124.4 Plant quarantines.

(a) *Nursery shipments*—(1) *Nursery stock, etc.* Nursery stock, including all field grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots, may be admitted to the mail only when accompanied with a certificate from a State or Federal inspector to the effect that the nursery or premises from which such stock is shipped has been inspected within a year and found free from injurious insects and plant diseases, and the parcel containing such stock is plainly marked to show the nature of the contents and the name and address of the sender.

(2) *Preparation and packaging.* The wettable packing materials and the roots or butts of the plants must be wrapped or boxed in a waterproof material heavy enough to withstand safe transmission in the mails without leakage or loss of packing material. The term waterproof material means a tar-centered paper or kraft paper waxed on one side or a kraft paper with a waxed or tarred paper liner or plastic wrap. If a box is used, it must have a similar lining to prevent leakage or loss of contents and to insure retaining a moisture content for the roots of the plants without weakening the box. The tops of all bundles must be wrapped with a covering of paper, straw or similar material to protect the plant from injury and drying out. If the plant has thorns or other pointed projections, the wrapper must be puncture-proof to avoid injury to postal employees handling such bundles.

(b) *Plant quarantines applying to the continental United States.* When any State or area is quarantined by order of the Secretary of Agriculture, under authority of the Plant Quarantine Act, or by an authorized State plant pest official cooperating with the Secretary of Agriculture, on account of a plant disease or insect infestation, the mailing of plants, plant products, or other articles covered by such quarantine or regulatory order from such State or area into or through any State or area is subject to the restrictions imposed by such order. A summary of these quarantines follows:

(1) *Black Stem Rust.* Federal Quarantine No. 38: (1) Prohibits movement of barberry, mahonia, and mahoberberis plants and parts thereof capable of propagation other than designated rust-resistant plants, which may be moved by nurseries and dealers listed by the Director of Plant Pest Control Division, U.S. Department of Agriculture, as sources authorized to ship such plants (shippers may be required to present evidence or authorizations to ship before shipments of these plants are accepted for mailing). Parts of mahonia plants without roots intended for decorative purposes are exempted from these requirements; (2) prohibits movement of seeds and fruits of any barberry, mahonia, and mahoberberies from the other States and the District of Columbia into the eradication States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, except under special permit. Seeds and fruits of rust-resistant plants may be moved between the eradication States only when accompanied by permits issued specifically for such movement. There are no restrictions on the movement of seeds and fruits from the eradication States to points outside thereof or between points entirely outside the eradication States.

(2) *Gypsy Moth and Brown-Tailed Moth.* Federal Quarantine No. 45: Prohibits, except when accompanied by a Federal certificate or permit or when exempted by administrative instructions,

the movement to any point outside the regulated areas, or from the generally infested area to points in the suppressive area of: (i) Timber and timber products; (ii) plants having persistent woody stems, and parts thereof, including Christmas trees; (iii) stone and quarry products; and (iv) any other commodities or articles when found on inspection to be infested with gypsy or brown-tail moths. The regulated areas include the entire States of Connecticut, Massachusetts, and Rhode Island, and parts of Maine, New Hampshire, New York, and Vermont. The suppressive area includes parts of the regulated area in New York.

(3) *Japanese beetle.* Federal Quarantine No. 48: Prohibits, except when accompanied by Federal certificates or permits or when exempted from certification by administrative instructions, the movement from the regulated areas of: (i) Soil, humus, compost, and decomposed manure; (ii) nursery stock; and (iii) fresh fruits and vegetables from seasonally designated areas during part of the year, when shipped by truck or in carload lots. The regulated areas include the District of Columbia, the entire States of Connecticut, Delaware, Indiana, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and parts of the States of Georgia, Kentucky, Maine, Ohio, and South Carolina.

(4) *Pink bollworm.* Federal Quarantine No. 52: Prohibits, except when accompanied by a Federal certificate or permit or when exempted from a certification by administrative instructions, the movement from the regulated areas of: (i) Gin trash and cotton waste from gins and mills; (ii) cotton and wild cotton plants and products thereof, including seed cotton, cottonseed, cotton lint, linters, and all other forms of unmanufactured cotton fiber, cottonseed hulls, cake and meal, and all other parts of such plants; (iii) okra plants including seed and edible and dry pods; and (iv) when infested with pink bollworms or contaminated with regulated cotton products, bagging and other containers of cotton, and farm products, farm household goods, and farm equipment. The regulated areas include the entire States of New Mexico, Oklahoma, and Texas, and parts of the States of Arizona, Arkansas, and Louisiana.

(5) *White-pine Blister Rust.* Federal Quarantine No. 63: Prohibits (i) the movement of five-leaved pines into the States of Arizona, Colorado, Nevada, New Mexico, Utah, and that part of California comprising the counties of Contra Costa, Mariposa, Mono, San Francisco, San Joaquin, Stanislaus, and all those south thereof unless originating in such areas except when intended for reforestation purposes; (ii) the movement of European black currant plants (*Ribes nigrum*) into the District of Columbia and all States except Alabama, Arkansas, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas; (iii) the movement of all currant and gooseberry plants into parts of the States of Georgia, Idaho, Maine, Montana, New Hampshire, New Jersey, New York, Tennessee, and West Virginia; and (iv) except when accompanied by a Federal control-area permit, the movement of all currant and gooseberry plants into the States of Connecticut, Delaware, Maryland, Massachusetts, Rhode Island, Vermont, and parts of the States of Michigan, Minnesota, North Carolina, Ohio, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

(6) *Mexican fruit fly.* Federal Quarantine No. 64: Prohibits, except as provided in the regulations and administrative instructions supplemental thereto, the movement from the regulated areas in Texas of citrus and other specified fruits.

(7) *White-fringe beetle.* Federal Quarantine No. 72: Prohibits except when accompanied by a Federal certificate or permit or when specifically exempted from certification requirements by administrative instructions, the movement from the regulated areas in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia of (i) soil independent of or in connection with nursery stock, plants, or other things; (ii) nursery stock and other stipulated plants or plant products; and (iii) other specified articles.

(8) *Khapra beetle.* Federal Quarantine No. 76: Prohibits movement from the regulated area, unless accompanied by Federal certificates or permits, of grains and grain products, dried seeds and seed products, bags, bagging, dried milk, dried blood, fish meal, and meat scraps. The regulated areas are limited to properties in parts of Arizona, California, and New Mexico which are designated as regulated areas in administrative instructions.

(9) *European chafer.* Federal Quarantine No. 77: Prohibits movement from the regulated area unless accompanied by Federal certificates or permits of nursery stock, sand, soil, gravel, humus, compost, and decomposed manure. The regulated areas include parts of Connecticut, New York, and West Virginia.

(10) *Soybean cyst nemalode.* Federal Quarantine No. 79: Prohibits movement, unless accompanied by Federal certificates or permits, of soil, nursery stock and other plants with roots attached, true bulbs, corms, rhizomes, and tubers, root crops, soybeans, small grains, ear corn, hay, straw, fodder and plant litter of any kind; seed cotton, used farm tools and implements, burlap bags, cotton picking sacks, and other farm products. The regulated areas include parts of the States of Arkansas, Illinois, Kentucky, Mississippi, Missouri, North Carolina, Tennessee, and Virginia.

(11) *Witch weed.* Federal Quarantine No. 80: Prohibits movement from the regulated area, unless accompanied by Federal certificates or permits, of soil, nursery stock and other plants with roots attached, bulbs, corms, rhizomes, and tubers, root crops, seed cotton, tobacco, peanuts in shells, ear corn, soybeans, and small grains. The regulated areas include parts of North Carolina and South Carolina.

(12) *Imported fire ant.* Federal Quarantine No. 81: Prohibits movement, unless accompanied by Federal certificates or permits, of soil, plants with soil, grass sod, and forest products. The regulated areas include parts of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

(13) *Peach mosaic.* Standard State quarantines on account of the peach mosaic disease prohibit, except when accompanied by certificates issued by authorized officials of the States of origin, the movement of all peach, plum, prune, nectarine, apricot and almond trees, and propagative parts except fruit pits, into, within or from Arizona and New Mexico and parts of Arkansas, California, Colorado, Oklahoma, Texas, and Utah.

(14) *Phony peach.* Standard State quarantines on account of the Phony peach disease prohibit, except when accompanied by certificates issued by authorized officials of the States of origin, the movement of all almond, apricot, nectarine, peach, and plum nursery stock into, within or from Alabama, Florida, Georgia, Louisiana, and Mississippi and parts of Arkansas, Missouri, North Carolina, Tennessee, and Texas.

(15) *Sweetpotato weevil.* Live sweetpotato weevils in any stage of development may be accepted for mailing only when accompanied by a permit issued by the U.S. Department of Agriculture, State sweetpotato weevil quarantines of Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas prohibit movement from regulated areas of sweetpotatoes (tubers) and sweetpotato and morningglory (Impomoea) plants and parts thereof, including vines, cuttings, draws, and roots, unless they are accompanied by sweetpotato weevil quarantine or inspection certificates issued by authorized inspectors of the States of origin. The regulated areas include parts of the States of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

(16) *Cereal leaf beetle.* Standard State quarantines on account of the cereal leaf beetle prohibit, except when accompanied by certificates issued by authorized officials of the State of origin, the movement of grain, uncleaned grass and forage crop seed, hay, straw, fodder, and plant litter of any kind, and sod. The regulated areas include parts of Indiana, Michigan, and Ohio.

Detailed information regarding these quarantines may be obtained by writing the U.S. Department of Agriculture, Washington, DC 20250.

(c) *Plant quarantines applying to Hawaii and Puerto Rico.* Federal plant quarantines prohibit the shipment by mail or otherwise from Hawaii and Puerto Rico of the following plants and plant products into or through any other State, Territory, or District of the United States: Sugarcane or cuttings or parts thereof, or sugarcane leaves (Quarantine No. 16, revised), except that bagasse

may be shipped under permit when accompanied by certificates issued by Federal plant quarantine inspectors for such shipment, or by special green and yellow mailing tags furnished by the U.S. Department of Agriculture, Plant Quarantine Division, and bearing the address of one of the following stations of that Bureau: Hoboken, N.J., San Francisco, Calif., Laredo, Tex., and Seattle, Wash.; also prohibited are sweetpotatoes, except under permit or certificate from an inspector of the Territory of Puerto Rico (Quarantine No. 30, revised); cotton, seed cotton, cottonseed, cottonseed hulls, cake and meal, cotton waste, and bale covers, except under certificate or permit issued by an inspector of the Plant Quarantine Division in the Territory, District, or Insular Possession of origin (Quarantine No. 47); sand (other than clean ocean sand), soil, or earth around the roots of plants (Quarantine No. 60). Fruits and vegetables in the natural or raw state from Puerto Rico and fruits and vegetables in the natural or raw state, peel of fruits of all citrus and citrus relatives, certain cut flowers, rice straw, and mango seeds from Hawaii are prohibited from moving into or through any other State, Territory, or District of the United States; except that certificates may be issued by Federal plant quarantine inspectors for the shipment from Hawaii of specified fruits and vegetables on special determination in each case (Quarantine No. 13) and, for shipment from Puerto Rico, of grapefruit, oranges, and other citrus fruits, pineapples, bananas, plaintains, avocados, dasheens, sweet corn on cob, and certain other articles, on special determination in each case (Quarantine No. 58). The regulations do not however apply to the shipment from Puerto Rico of coconuts either in, or free from, the husk when shipped through the mail without wrapping or packing as individual parcels. Federal permits are required from Hawaii and Puerto Rico to ship cotton, cottonmill waste, and cottonseed cake, meal, and other cottonseed products other than oil, except that samples of raw or unmanufactured ginned cotton, including cottonmill waste, and samples of cottonseed cake and meal may be shipped by parcel post when the parcels are securely wrapped to prevent leakage and are conspicuously addressed to the Plant Quarantine Division at Hoboken, N.J., San Francisco, Calif., or Seattle, Wash. The name and address of the ultimate addressee must be indicated in the lower left corner. Upon arrival of such parcels at the Plant Quarantine Division they will be examined and fumigated and forwarded to the ultimate addressee under the original postage (Quarantine No. 47).

(d) *Plant materials to, from, and between certain territories and possessions*—(1) *From Canal Zone and Samoa.* Plant material from Tutuila, Manua, and the Canal Zone moving to the continental United States, Hawaii, and Puerto Rico is subject to the plant quarantines that affect the importation of plant material from foreign countries.

(2) *Islands in the Trust Territory of the Pacific.* Plants and plant materials, including fruits and vegetables, and living cultures of bacteria, fungi or viruses are subject to plant quarantines established by the government of the Trust Territory. Plants and plant materials originating in the Trust Territory, when moving within the Territory, may require a plant and animal quarantine permit issued by a local District Agriculturist. Items originating outside the Trust Territory should be accompanied with a dispatch permit issued by the Staff Entomologist or Director of Agriculture of the Trust Territory.

(e) *Terminal inspection for plants and plant products*—(1) *States and Territories, Requiring Inspection.* Packages containing plants and plant products addressed to Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Idaho, Louisiana, Minnesota, Mississippi, Montana, Puerto Rico, Utah, Washington and islands in the Trust Territory of the Pacific must be examined by State inspectors at the places listed in § 124.4(e)(6). The packages must be plainly marked on the outside to show the exact nature of their contents.

(2) *Addressee must pay additional postage.* The addressee must pay postage to send the package to the inspection place and must arrange with the State plant inspector to pay postage to return the package to the office of address after inspection.

(3) *Packages addressed in care of State plant inspector.* Packages may be addressed in care of a State plant inspector at a place other than where the addressee lives. The addressee must arrange for the inspector to pay postage to forward the package to the addressee after inspection.

(4) *Disposition of infected shipments.* When the inspector finds that plants or plant products are infested or infected with injurious insects or diseases and are incapable of satisfactory treatment, or they are found to have been moved in violation of a plant quarantine law or regulation of the U.S. Department of Agriculture or of the State or Territory of destination pertaining to such injurious pests, parcels will be returned to the sender and payment of postage for return collected on delivery. If the sender has marked the parcel to be abandoned, if undelivered, the package will be turned over to State authorities for destruction.

(5) *Information about quarantines.* Alabama, Arizona, Arkansas, California, Florida, Mississippi, Montana, Washington and the Trust Territory of the Pacific Islands have arranged for enforcement of some State quarantines. When regulated plants or plant products are found to have been mailed in violation of quarantines, delivery may be withheld. Summaries of those quarantines may be obtained from the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Washington, DC 20250.

(6) *List of products and places of inspection*—(i) *Alabama—Plants and plant products subject to inspection.* All sweetpotato roots, tubers, plants and vines, and parts thereof, which are not accompanied by a valid certificate tag issued by the Alabama Department of Agriculture and Industries; and other vines, trees, and shrubs, and cuttings and grafts thereof, and strawberry plants, which are not accompanied by a valid nursery inspection certificate of the State of origin.

Terminal inspection place—Birmingham.

(ii) *Arizona—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except vegetable and flower seeds.

Terminal inspection places—

Coolidge.	Kingman.
Cottonwood.	Parker.
Douglas.	Phoenix.
Ehrenberg.	Safford.
Fredonia.	Solomon.
Globe.	Tucson.
Holbrook.	Yuma.

(At the following places inspection may be had upon call only.)

Bisbee.	Lowell.
Bowie.	Mesa.
Casa Grande.	Nogales.
Chandler.	Prescott.
Duncan.	Tempe.
Eloy.	Warren.
Flagstaff.	Williams.
Florence.	Winslow.
Glendale.	

(iii) *Arkansas—Plants and plant products subject to inspection.* Sweetpotatoes, sweetpotato plants, vines, draws, and slips.

NOTE: Under a State quarantine on account of the sweetpotato weevil, the articles named are prohibited entry into Arkansas unless accompanied by an inspection certificate issued by the State of origin showing the plants and plant products to be free of infestation. Parcels accompanied by a certificate will be delivered to the addresses without inspection. Parcels not accompanied with a certificate will be returned to the office of mailing endorsed: *Unmailable—Not accompanied with required certificate.* Postage will be collected for return.

(iv) *California—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products in the raw or unmanufactured state, and vegetable and flower seeds.

Terminal inspection places—

Alameda.	Bieber.
Alturas.	Biggs.
Anaheim.	Bloomington.
Anderson.	Blythe.
Antioch.	Brawley.
Arbuckle.	Broderick.
Arlington.	Bryn Mawr.
Aromas.	Burlingame.
Arvin.	Calexico.
Atascadero.	Calipatria.
Auburn.	Calistoga.
Bakersfield.	Camarillo.
Banning.	Carpinteria.
Bard.	Chico.
Barstow.	Chino.
Beaumont.	Chowchilla.
Belmont.	Chula Vista.
Berkeley.	Clovis.

Coachella.
Colfax.
Colma.
Colton.
Colusa.
Concord.
Corcoran.
Corning.
Corona.
Cucamonga.
Cutler.
Daly City.
Davis.
Delano.
Del Rosa.
Diamond Springs.
Dinuba.
Dorris.
Dos Palos.
Ducor.
Earlimart.
East Highlands.
El Cajon.
El Centro.
El Cerrito.
El Dorado.
Elsinore.
Escalon.
Escondido.
Etiwanda.
Etna.
Eureka.
Exeter.
Fairfax.
Fairfield.
Farmersville.
Fillmore.
Fontana.
Fort Bragg.
Fort Jones.
Fowler.
Fresno.
Fullerton.
Gazelle.
Gilroy.
Goshen.
Gridley.
Gustine.
Half Moon Bay.
Hanford.
Hayward.
Healdsburg.
Hemet.
Highland.
Hollister.
Hollywood.
Holtville.
Hornbrook.
Hueneme.
Hughson.
Imperial.
Indio.
Irvington.
Ivanhoe.
Jackson.
Jamestown.
Kelseyville.
King City.
Kingsburg.
Lafayette.
Lakeport.
La Mesa.
Le Grand.
Lemon Cove.
Lemoore.
Lincoln.
Lindsay.
Livermore.
Livingston.
Lodi.
Lompoc.
Loomis.
Los Angeles.
Los Banos.
Los Molinos.
Madera.
Manteca.
Martinez.
Marysville.
McFarland.
Menlo Park.
Merced.
Millbrae.
Mill Valley.
Mission San Jose.
Modesto.
Montalvo.
Monterey.
Moorpark.
Napa.
National City.
Nevada City.
Newman.
Niles.
Novato.
Oakdale.
Oakland.
Oceanside.
Ojai.
Ontario.
Orange.
Orinda.
Orland.
Orosi.
Oroville.
Oxnard.
Pacifica.
Paradise.
Paso Robles.
Patterson.
Penryn.
Perris.
Pescadero.
Piru.
Pittsburg.
Pixley.
Placerville.
Pleasanton.
Pomona.
Porterville.
Port Hueneme.
Quincy.
Red Bluff.
Redlands.
Redding.
Redwood City.
Reedley.
Rescue.
Rialto.
Richgrove.
Richmond.
Ripon.
Riverside.
Roseville.
Sacramento.
Saint Helena.
Salinas.
San Andreas.
San Anselmo.
San Bernardino.
San Bruno.
San Carlos.
San Diego.
San Fernando.
San Francisco.
Sanger.
San Gregorio.
San Jose.
San Leandro.
San Luis Obispo.
San Mateo.
San Rafael.
Santa Ana.
Santa Barbara.
Santa Cruz.
Santa Maria.
Santa Paula.
Santa Rosa.
Santa Susana.
Saticoy.
Sausalito.
Selma.
Shafter.
Shingle Springs.
Simi.
Somis.
Sonora.
South San Francisco.
Springville.
Stockton.
Strathmore.
Sultana.
Sunol.
Susanville.
Tehachapi.
Terra Bella.
Tipton.
Tracy.
Tulare.
Turlock.
Ukiah.
Upland.
Vacaville.
Vallejo.
Ventura.
Victorville.
Visalia.
Vista.
Walnut Creek.
Wasco.
Waterford.
Watsonville.
Watts.
West Sacramento.
Williams.
Willows.
Winters.
Woodlake.
Woodland.
Yettem.
Yreka.
Yuba City.
Yucaipa.

(v) *Caroline Islands.* See Trust Territory of the Pacific Islands.

(vi) *District of Columbia—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products in the raw or unmanufactured state, except vegetable and flower seeds and succulent plants such as tomato, pepper, and cabbage.

Inspection place—Washington, D.C.

(vii) *Florida—Plants and plant products subject to inspection.* All florists' stock such as plants of dieffenbachia, dracaena, and philodendron; trees, shrubs, and vines of a woody nature such as rose bushes, hibiscus plants, grape and blackberry vines, and the cuttings, grafts, scions, and buds of all such plants; sweetpotato and orchid plants.

NOTE: Inspection is not required of disease- and insect-free vegetable, field crop, strawberry, or flowering annual plants; lawn or pasture grass plants; seeds, corms, tubers, or bulbs; cut flowers, ferns, or foliage; or other plant material not intended for growing or propagation.

Terminal inspection places—

Gainesville.	Tampa.
Pensacola.	Miami.
Jacksonville.	West Palm Beach.

(viii) *Hawaii—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees and shrubs, and other plants and plant products in the raw or unmanufactured state, except vegetable and flower seeds.

Inspection place—Honolulu.

(ix) *Idaho—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products in the raw or unmanufactured state, except vegetable and flower seeds and succulent plants such as tomato, pepper, and cabbage: *Provided,* That this list of plants and plant products shall not apply to plants and plant products shipped either under the certificate of the U.S. Department of Agriculture or of the Idaho State Department of Agriculture.

Terminal inspection places—

Blackfoot.	Parma.
*Boise.	*Payette.
Burley.	*Pocatello.
Caldwell.	Rexburg.
*Emmett.	Rupert.
*Idaho Falls.	Sandpoint.
*Lewiston.	*Twin Falls.
*Nampa.	

NOTE: Asterisks show places to which parcels may be sent in care of a plant inspector for onward transmission to the ultimate addressee. Burley, Pocatello, and Rexburg terminal inspection points operate from September 15 through July 1 of each year. All other points operate on a year-round basis.

(x) *Louisiana—Plants and plant products subject to inspection.* All seed sweetpotatoes and sweetpotato plants, if not accompanied by a certificate issued by an appropriate agricultural official of the State of origin declaring the true quality of the seed or plants contained in the shipment and showing the variety, lot number, and the year the sweetpotatoes were grown. Certification by the State of origin shall be based on specific requirements of inspection standards in the appropriate Louisiana certified seed regulation. Shippers should tie sweetpotato plants in bundles of approximately 100 with official tape issued by the official certification agency of the State of origin.

NOTE: All seed sweetpotatoes and sweetpotato plants from any place in the State of Alabama or Georgia, whether or not accompanied by a certificate, are subject to terminal inspection.

Terminal inspection place—Monroe.

(xi) *Mariana Islands.* See Trust Territory of the Pacific Islands.

(xii) *Marshall Islands.* See Trust Territory of the Pacific Islands.

(xiii) *Minnesota—Plants and plant products subject to inspection.* All wild and cultivated trees, shrubs, and woody vines; perennial roots, such as peonies and iris; small-fruit plants, such as strawberries and raspberries; herbaceous perennials, such as hollyhocks and other hardy flowering plants; cuttings, buds, grafts, and scions for or capable of propagation.

Inspection place—St. Paul.

(xiv) *Mississippi—Plants and plant products subject to inspection.* Sweetpotatoes, sweetpotato plants, vines, and cuttings; morning glory vines and roots, and tomato plants: *Provided,* That this list of plants and plant products shall not apply to any of the above plants, roots, or tubers, the shipment of which originates within the State of Mississippi and are addressed to places within the State, when accompanied with a certificate of inspection issued by the State plant board of Mississippi. The importation of tomato plants from other States is prohibited.

NOTE: Sweetpotato tubers, plants, vines, cuttings, draws, and slips and morning glory plants are regulated and will not be permitted entry from the States of Alabama and Georgia unless the duly authorized plant inspection official of the State of origin has filed with the State Plant Board of Mississippi a Certificate of Inspection certifying

that it has been determined by competent, official survey that the regulated products were inspected during their growing period and were found to be free of the sweetpotato mosaic and that this virus disease is not known to exist in the county or parish in which the products were grown or originated.

Terminal inspection places—

Aberdeen.	Leland.
Booneville.	Meridian.
Brookhaven.	Moss Point.
Grenada.	Poplarville.
Gulfport.	Senatobia.
Jackson.	Starkville.
Kosciusko.	State College.
Laurel.	Stoneville.

(xv) *Montana—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs and other plants and plant products in the raw or unmanufactured state, except vegetable and flower seeds and succulent plants such as tomato, pepper, and cabbage.

Terminal inspection places—

Billings.	Havre.
Butte.	Helena.
Culbertson.	Kalispell.
Glasgow.	Laurel.
Glendive.	Miles City.
Great Falls.	Missoula.

(xvi) *Puerto Rico—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products in the raw or unmanufactured state, including field, vegetable, and flower seeds; also cotton lint.

Inspection place—San Juan.

(xvii) *Trust Territory of the Pacific Islands—Plants and plant products subject to inspection.* All plants, seeds, fruits, vegetables, cuttings, or other plant parts, animals and living cultures of bacteria, fungi, or viruses.

Terminal inspection places—

Caroline Islands:	Mariana Islands:
Koror.	Rota.
Kusaie.	Saipan.
Ponape.	Marshall Islands:
Truk.	Ebeye.
Yap.	Majuro.

(xviii) *Utah—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products in the raw or unmanufactured state, except vegetable and flower seeds.

Terminal inspection places—

Brigham City.	Price.
*Cedar City.	*Provo.
Farmington.	*Richfield.
Logan.	*Salt Lake City.
*Ogden.	

NOTE: Asterisks show places to which parcels may be sent in care of a plant inspector for onward transmission to the ultimate addressee.

(xix) *Washington—Plants and plant products subject to inspection.* All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants, and plant products in the raw or unmanufactured state, except vegetable and flower seeds.

Terminal inspection places—

Bellingham.	Olympia.
Brewster.	Oroville.
Cashmere.	Pateros.
Chehalis.	Port Angeles.
Chelan.	Prosser.
Clarkston.	Puyallup.
Colville.	Seattle.
Dryden.	Spokane.
Ellensburg.	Vancouver.
Ephrata.	Walla Walla.
Everett.	Wenatchee.
Grandview.	White Salmon.
Kennewick.	Yakima.
Mount Vernon.	Zillah.
Okanogan.	

Shippers desiring Washington permits must make application direct to the Supervisor of Horticulture, State Department of Agriculture, Olympia, WA.

§ 124.5 Concealable firearms.

(a) *Nonmailable firearms.* (1) Pistols, revolvers, and other similar firearms capable of being concealed on the person, addressed to persons other than those indicated in § 124.5(b), are nonmailable.

(2) The term "pistols" or "revolvers" means hand guns styled to be fired by the use of a single hand and to fire or otherwise expel a projectile by the action of an explosion, spring, or other mechanical action, or air or gas pressure with sufficient force to be used as a weapon.

(3) The term "firearm" means a device from which a projectile is fired or otherwise expelled by the action of an explosion, spring, or other mechanical action, or air or gas pressure with sufficient force to be used as a weapon.

(4) The phrase "all other firearms capable of being concealed on the person" includes, but is not limited to, short-barreled shotguns, and short-barreled rifles.

(5) The term "short-barreled shotguns" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. A short-barreled shotgun of greater dimensions may also be regarded as nonmailable when they have characteristics allowing them to be concealed on the person.

(6) The term "short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches. A short-barreled rifle of greater dimensions may also be regarded as nonmailable when it has characteristics allowing it to be concealed on the person.

(b) *When mailable.* Unloaded pistols, revolvers, and other firearms capable of being concealed on a person are mailable only to:

(1) Officers of the Army, Navy, Air Force, Coast Guard, Marine Corps, or Organized Reserve Corps.

(2) Officers of the National Guard or militia of a State, Territory, or district.

(3) Officers of the United States or of a State, Territory, or district whose official duty is to serve warrants of arrest or commitment.

(4) Officers and employees of enforcement agencies of the United States.

(5) Watchmen engaged in guarding the property of the United States, a State, Territory, or district.

(6) Purchasing agent or other designated member of agencies employing officers and employees included in (c) and (d).

(7) Employees of the Postal Service.

(8) Manufacturers of firearms or bona fide dealers therein, from one to the other, or by any person in categories (1) through (6) in customary trade shipments.

(c) *Filing affidavits.* An affidavit of the addresses will be filed with the postmaster by the mailer or his agent at the time of mailing setting forth that he is qualified to receive the firearm under the particular category (a) through (f) of § 124.5(b) and that the firearm is intended for his official duty use. The affidavit must bear a certificate stating that the firearms are for the use of the addressee, for his official duty, signed by one of the following, as appropriate:

(1) For officers of Armed Forces, a certificate signed by his commanding officer.

(2) For officers and employees of enforcement agencies, a certificate signed by the head of the agency employing the addressee to perform the official duty in connection with which the firearm is to be used.

(3) For watchmen, a certificate signed by the chief clerk of the department, bureau, or independent branch of the Government of either the United States, the State, Territory, or district by which the watchman is employed.

(4) For the purchasing agent or other designated member of enforcement agencies, a certificate signed by the head of such agency, that the firearms are to be used by officers and employees included in § 124.5(b) (3) and (4).

A qualified manufacturer or bona fide dealer need not file an affidavit but must file with the postmaster a statement (Form 1508, Statement by Shipper of Firearms, signed by the mailer that he is a manufacturer of firearms or that he is a bona fide dealer therein and that the parcels are customary trade shipments or contain other articles for repair or replacement of parts and that to the best of his knowledge or belief the addressees are manufacturers of firearms or bona fide dealers therein. If satisfied with the mailer's statement, the postmaster will accept the parcel for mailing. No affidavit or certificate is necessary when the parcel is addressed to the Federal Bureau of Investigation, Washington, DC 20535, or the Director thereof; or to the scientific laboratory or crime detection bureau of

any enforcement agency covered by § 124.5(e).

(d) *Official shipments.* Without regard to the provisions of paragraph (c) of this section, firearms may be accepted for mailing when offered by authorized agent of the Federal Government for shipment to any qualified addressee as listed in categories (1) through (7) of paragraph (b).

(e) *Federal Bureau of Investigation; Crime Detection Bureaus.* Firearms addressed to the Federal Bureau of Investigation, or its Director, or to the scientific laboratory or crime detection bureau of any agency whose members are officers of a State, Territory, or district authorized to serve warrants of arrest or commitment, may be accepted for mailing without regard to the provisions of paragraph (c) of this section.

(f) *Antique firearms.* Antique firearms sent as curios or museum pieces may be accepted for mailing without regard to the provisions of paragraphs (a) through (c) of this section. The term "antique firearm" means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States; and is not readily available in the ordinary channels of commercial trade.

§ 124.6 Switchblade knives.

(a) *When mailable.* Knives having a blade which opens automatically by hand pressure applied to a button or other device in the handle, or by operation of inertia, gravity, or both, are mailable only when sent to—

(1) The following designated supply or procurement officers and employees ordering, procuring, or purchasing such knives for use in connection with the activities of their respective governments or organizations:

(i) Civilian or Armed Forces supply or procurement officers and employees of the Federal Government;

(ii) Supply or procurement officers of the National Guard, the Air National Guard, or the militia of a State, a Territory, or the District of Columbia:

(iii) Supply or procurement officers or employees of the municipal government of the District of Columbia or of the government of any State or territory, or of any county, city, or other political subdivision of a State or territory.

(2) Manufacturers of such knives, or bona fide dealers therein, in connection with a shipment made pursuant to an order from any person designated in paragraph (a)(1) of this section.

(b) *Marking of parcels.* The parcel must be plainly marked with the word "SWITCHBLADES" in bold block letters and the statement "Mailing complies with PSM 124.6." Mailings to persons referred to in paragraph (a)(1) of this section must include as part of the address the official title or designation of the addressee. Mailings to those referred to in paragraph (a)(2) of this section must include as a part of the address the word "Manufacturer" or "Dealer."

(c) *Identification of addressee.* Before making delivery, the postmaster will satisfy himself that the addressee is in one of the categories of paragraph (a) of this section.

(d) *Explanation of mailing.* When the postmaster is in doubt as to the mailability of a proposed shipment of switchblade knives, he should require the mailer to furnish a written statement explaining how the mailing complies with this section. If the explanation is not satisfactory to the postmaster, he will forward it to the Mailability Division, Office of General Counsel, for a ruling.

§ 124.7 Motor vehicle master keys.

(a) *Definition.* Motor vehicle master key means any key (other than the key furnished by the manufacturer with the motor vehicle, or the key furnished with a replacement lock, or an exact duplicate of such keys) or manipulation type device designed to operate two or more motor vehicle ignition, door, or trunk locks of different combinations, including any pattern, impression, or mold from which a master key or manipulation device can be made.

(b) *Mailability.* The items defined in paragraph (a) of this section, and any advertising for the sale of any of these items, are nonmailable except when sent to:

(1) Lock manufacturers.

(2) Professional locksmiths.

(3) Motor vehicle manufacturers or dealers.

(4) Federal, State, or local government agencies.

(c) *Endorsement required.* All mailings must be plainly marked on the outside with the statement, "KEYS—MAILING COMPLIES WITH PSM 124.7," in bold block letters.

(d) *Questioned mailings.* When the postmaster at either the office of mailing or the office of address has reason to question whether the addressee qualifies under paragraph (b) of this section to receive a mailing, or whether an item is nonmailable for any other reason, he will require the mailer or addressee to furnish a written explanation of the addressee's eligibility, or of the item's mailability. If the explanation is not satisfactory to the postmaster, he will forward it with his statement of the pertinent facts to the Office of Mail Classification, Bureau of Finance and Administration, for a ruling.

§ 124.8 Identification and marking.

(a) *Identification of contents.* The identity or nature of contents of anything mailed under any of the provisions of Part 124, except firearms mailed under § 124.2(g)(2) and 124.5, must be stated plainly on the outside of the parcel, as a condition of mailing.

(b) *Identification of mailer and addressee.* The full name and address of both the mailer and the addressee must be written in ink, rubber stamped, or pasted on the outside of any package whose mailing is covered by Part 124.

(c) *Labels.* Any labels required under Federal law or under any regulations issued by any Federal agencies pursuant to Federal law must be pasted to the outside of the parcel.

(d) *Customs declaration tag for Canal Zone.* Any package of merchandise weighing 16 ounces or more addressed to the Canal Zone must have a customs declaration Form 2966, attached, except when addressed to a Government agency, to units of the Panama Canal Company, or to the Canal Zone Government. It is not sufficient to state on the customs form that a parcel contains merchandise or a gift. The contents must be itemized and the value shown.

PART 125—SECOND-CLASS BULK MAILINGS

Sec.

125.1 Folding.
125.2 Wrapping.
125.3 Mailing.
125.4 Newspaper treatment.
125.5 Statement and copy filed with mailings.
125.6 Weighing and collection of postage.
125.7 Key rate.
125.8 Controlled circulation publications.

AUTHORITY: The provisions of this Part 125 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 125.1 Folding.

(a) Publishers should fold publications to a size not larger than 9 by 12 inches when practicable.

(b) Newspapers and light magazines should be folded to the size of an eighth of a newspaper page, or about 5 by 12 inches.

§ 125.2 Wrapping.

(a) Individually addressed copies not wrapped or tied together as a package by the mailer as required by § 125.3(b)(6)(i), (ii), and (iii) must be enclosed in wrappers or envelopes.

(b) All single copies addressed to Army or Air Force post offices must be enclosed in wrappers or envelopes.

(c) Heavy magazine should be wrapped singly, and publications of small size or of a flimsy nature should be placed in envelopes.

(d) Use white or other light-colored paper for wrapping. Do not use old newspapers.

(e) Second-class mail must be prepared so that it can be easily examined. Mailing of publications in sealed envelopes, wrappers, or other covers at the second-class rates of postage is considered consent by the sender to postal inspection of the contents. To assure that these articles will not be opened for postal inspection, customers should, in addition to paying the first-class rate of postage, plainly mark "First Class" or similar endorsement on the envelope, wrapper, or cover.

(f) Sealed or unsealed envelopes used as wrappers and sealed wrappers or other sealed covers must show in the upper right corner a notice of entry and in the upper left corner the name of the publication and the mailing address to which undeliverable copies or change of address notices are to be sent. See

§§ 132.2(e)(5) and 159.2(b)(4) of this chapter for additional instructions.

§ 125.3 Mailing.

(a) *Place of mailing.* Publications must be brought for mailing to the post office, or such other place as may be designated by the postmastser, except that when the publisher delivers the copies at his own expense and risk to other post offices or elsewhere, the copies need not be presented for mailing if deposits to cover the postage are maintained.

(b) *Preparation by the mailer of copies in packages and sacks*—(1) *Package labels.* Package labels are used to show the destination of a package when the destination cannot be determined by the arrangement of the copies in the package or by the sack label. Paper slips may be used as the package label or the top copy, or wrapper may be marked or stamped with the package label information required. Label information must be legible.

(2) *Maximum weight in a sack.* The total weight of publications placed in one sack must not exceed 70 pounds.

(3) *Sack labels furnished by postmaster.* When sack labels are furnished by the postmaster, the mailer is not required to place his name on the back of each label.

(4) *Unauthorized sack labels.* Sacks with unauthorized labels, tags, or markings are not acceptable for dispatch.

(5) *Addresses.* The address on each piece must include the ZIP Code. Exceptions:

(i) The ZIP Code may be omitted from pieces bearing a simplified address as provided for by § 122.4(a); pieces presorted and bundled by the mailer to city, rural, or star carrier routes; and pieces presorted to five-digit ZIP Code destinations consisting of either a post office having one ZIP Code or the ZIP Code delivery unit in multi-ZIP Coded post offices.

(ii) The lowest or principal ZIP Code assigned to a post office may be used on pieces addressed to any multi-ZIP Coded post office except those listed in § 125.3 (b)(7). Mailers may obtain the lowest or principal ZIP Code for particular post offices from their postmaster.

(6) *Packages and sacks.* When there are six or more individually addressed copies to the destinations described in subdivisions (i) through (n) of this subparagraph, they must be securely wrapped or tied together as a package by the mailer (the mailer may package less than six copies in the same manner). Packages must be sacked by the mailer when there are enough for the same destination to fill approximately one-third of a sack. Some publishers may be equipped to prepare the required separations without using mail sacks. For example, the publisher might prepare banded bundles, place the copies on pallets, or place the copies in various kinds of containers. If arrangements mutually beneficial to the publishers and the Postal Service can be made for handling copies outside of mail sacks, a detailed explanation of the arrangements must be submitted by the postmaster of the post office of original second-class entry to his Regional Director who will inform the Postmaster whether the arrangements have been approved or disapproved.

(i) *Five-digit ZIP Code delivery unit packages and sacks*—A five-digit ZIP Code delivery unit is a post office having one ZIP Code or a station or branch of the multi-ZIP Coded post offices listed in § 125.3(b)(7) of this chapter.

(*a*) *Packages.* The mailer must prepare packages of copies addressed to the same five-digit ZIP Code delivery unit. The copies in the packages must be faced in the same direction. It is recommended that packages be prepared for the five-digit ZIP Code delivery units of the other multi-ZIP Coded post offices which are not listed in § 125.3(b)(7) of this chapter.

(*b*) *Sacks.* Sacks containing five-digit ZIP Code delivery unit packages must be labeled in the following manner:

```
PHILADELPHIA PA 19118
ORD P
NEWS BOSTON MA
```

(ii) *Mixed City packages and sacks*—(*a*) *Packages.* Copies remaining for a multi-ZIP Coded post office after the five-digit ZIP Code delivery units packages required by subdivision (i)(*a*) of this subparagraph have been prepared must be made up as a Mixed City package. The packages must be labeled "Mixed City." The label may be omitted when the packages are placed in a city sack and the top copy in the package is turned or covered so that the individual address on the copy does not show, thereby indicating that the package is to be opened for distribution.

(*b*) *Sacks.* Sacks containing mixed city packages plus any packages for five-digit ZIP Code delivery units not sacked as provided for by subdivision (i)(*b*) of this subparagraph must be labeled in the following manner:

```
PHILADELPHIA PA 191
ORD P
NEWS BOSTON MA
```

(iii) *Sectional center facility (SCF) packages and sacks*—(*a*) *Packages.* Copies remaining for the post offices in a sectional center after the packages required by subdivisions (i)(*a*) and (ii)(*a*) of this subparagraph have been prepared must be combined into an SCF package and labeled "Mixed SCF." The label may be omitted when the packages are placed in a SCF sack and the top copy in the package is turned or covered so that the individual address on the copy does not show, thereby indicating that the package is to be opened for distribution.

(*b*) *Sacks.* Sacks containing SCF packages, plus any packages for five-digit ZIP Code delivery units and mixed city packages not sacked as provided for by subdivisions (i)(*b*) and (ii)(*b*) of this subparagraph must be labeled in the following manner:

```
SCF PHILADELPHIA PA 190
ORD P
POST BOSTON MA
```

(iv) *State packages and sacks*—(*a*) *Packages.* Copies remaining for a State after the packages required by subdivisions, (i)(*a*), (ii)(*a*), and (iii)(*a*) of this subparagraph have been prepared must be combined in a State package and labeled with the name of the State. The label may be omitted when the packages are placed in a State sack and the top copy in the package is turned or covered so that the individual address on the copy does not show, thereby indicating that the package is to be opened for distribution.

(*b*) *Sacks.* Sacks containing States packages plus any packages for five-digit ZIP Codes delivery units, mixed city packages, and SCF packages not sacked as provided for by subdivisions (i)(*b*), (ii)(*b*), and (iii)(*b*) of this subparagraph must be labeled in the following manner:

```
KANSAS CITY MO DIS 640
ORD P MO
STAR SAN FRANCISCO CA
```

(v) *Mixed States packages and sacks*—(*a*) *Packages.* All copies remaining after the packages required by subdivisions (i)(*a*), (ii)(*a*), (iii)(*a*), and (iv)(*a*) of this subparagraph have been prepared, must be combined in a Mixed States package and labeled "Mixed States."

(*b*) *Sacks.* Sacks containing Mixed States packages must be labeled in the following manner:

```
CHICAGO IL DIS 606
ORD P MIXED STATES
RECORD CHICAGO IL
```

(7) *Multicoded cities.* The 314 multicoded cities for which five-digit ZIP Code delivery unit packages and sacks are required by subdivision (i)(*a*) of this subparagraph are as follows:

ALABAMA

Birmingham.
Gadsden.
Huntsville.
Mobile.
Montgomery.

ALASKA

Anchorage.

ARIZONA

Phoenix.
Tucson.

ARKANSAS

Little Rock.
North Little Rock.

CALIFORNIA

Anaheim.
Bakersfield.
Berkeley.
Beverly Hills.
Burbank.
Canoga Park.
Concord.
Daly City.
Downey.
El Monte.
Fremont.
Fresno.
Fullerton.
Gardena.
Garden Grove.
Glendale.
Hayward.
Inglewood.
La Puente.
Long Beach.
Los Angeles.
Modesto.
North Hollywood.
Oakland.
Orange.
Palo Alto.
Pasadena.
Pomona.
Redwood City.
Richmond.
Riverside.
Sacramento.
San Bernardino.
San Diego.
San Fernardo.
San Francisco.
San Jose.
San Leandro.
San Mateo.
Santa Ana.
Santa Barbara.
Santa Clara.
Santa Monica.
Santa Rosa.
Stockton.
Sunnyvale.
Torrance.
Van Nuys.
Whittier.

COLORADO

Colorado Springs.
Denver.
Pueblo.

CONNECTICUT

Bridgeport.
Hartford.
New Haven.
Stamford.
Waterbury.

DELAWARE

Wilmington.

DISTRICT OF COLUMBIA

Washington, D.C.

FLORIDA

Clearwater.
Daytona Beach.
Fort Lauderdale.
Fort Myers.
Hialeah.
Hollywood.
Jacksonville.
Lakeland.
Miami.
Orlando.
Pensacola.
Pompano Beach.
St. Petersburg.
Sarasota
Tallahassee.
Tampa.
West Palm Beach.

GEORGIA

Albany.
Atlanta.
Augusta.
Columbus.
Decatur.
Macon.
Savannah.

HAWAII

Honolulu.

IDAHO

Boise.

ILLINOIS

Arlington Heights.
Aurora.
Chicago.
Decatur.
East St. Louis.
Evanston.
Joliet.
Melrose Park.
Oak Park.
Peoria.
Rockford.
Springfield.

INDIANA

Anderson.
Evansville.
Fort Wayne.
Gary.
Hammond.
Indianapolis.
Lafayette.
Muncie.
South Bend.
Terre Haute.

IOWA

Cedar Rapids.
Davenport.
Des Moines.
Sioux City.
Waterloo.

KANSAS

Kansas City.
Shawnee Mission.
Topeka.
Wichita.

KENTUCKY

Covington.
Lexington.
Louisville.
Newport.

LOUISIANA

Baton Rouge.
Metairie.
New Orleans.
Shreveport.

MAINE

Portland.

MARYLAND

Annapolis.
Baltimore.
Hyattsville.
Rockville.
Silver Spring.

MASSACHUSETTS

Boston.
Brockton.
Fall River.
Lowell.
Lynn.
New Bedford.
Springfield.
Worcester.

MICHIGAN

Ann Arbor.
Battle Creek.
Birmingham.
Dearborn.
Detroit.
Flint.
Grand Rapids.
Jackson.
Kalamazoo.
Lansing.
Livonia.
Muskegon.
Pontiac.
Royal Oak.
Saginaw.
St. Clair Shores.
Warren.

MINNESOTA

Duluth.
Minneapolis.
St. Paul.

MISSISSIPPI

Biloxi.
Jackson.

MISSOURI

Independence.
Kansas City.
St. Joseph.
St. Louis.
Springfield.

MONTANA

Billings.

NEBRASKA

Lincoln.
Omaha.

NEVADA

Las Vegas.
Reno.

NEW HAMPSHIRE

Manchester.

NEW JERSEY

Atlantic City.
Camden.
Clifton.
East Orange.
Elizabeth.
Hackensack.
Jersey City.
Montclair.
Newark.
New Brunswick.
Orange.
Paterson.
Plainfield.
Rahway.
Ridgewood.
Rutherford.
Trenton.

NEW MEXICO

Albuquerque.

NEW YORK

Albany.
Binghamton.
Bronx.
Brooklyn.
Buffalo.
Elmira.
Far Rockaway.
Floral Park.
Flushing.
Hempstead.
Hicksville.
Jamaica.
Long Island City.
Mount Vernon.
New Rochelle.
New York.
Niagara Falls.
Poughkeepsie.
Rockville Centre.
Rochester.
Schenectady.
Staten Island.
Syracuse.
Troy.
Utica.
White Plains.
Yonkers.

NORTH CAROLINA

Asheville.
Charlotte.
Durham.
Fayetteville.
Greensboro.
High Point.
Raleigh.
Winston-Salem.

OHIO

Akron.
Canton.
Cincinnati.
Cleveland.
Columbus.
Dayton.
Hamilton.
Lima.
Mansfield.
Springfield.
Toledo.
Warren.
Youngstown.

OKLAHOMA

Oklahoma City.
Tulsa.

OREGON

Eugene.
Portland.
Salem.

PENNSYLVANIA

Allentown.
Bethlehem.
Erie.
Harrisburg.
Johnstown.
Lancaster.
Media.
Norristown.
Philadelphia.
Pittsburgh.
Pittston.
Reading.
Scranton.
Wilkes-Barre.
York.

PUERTO RICO

San Juan.

RHODE ISLAND

Pawtucket.
Providence.

SOUTH CAROLINA

Charleston.
Columbia.
Greenville
Spartanburg.

SOUTH DAKOTA

Sioux Falls.

TENNESSEE

Chattanooga.
Knoxville.
Memphis.
Nashville.

TEXAS

Abilene.
Amarillo.
Austin.
Beaumont.
Corpus Christi.
Dallas.
El Paso.
Fort Worth.
Houston.
Lubbock.
San Antonio.
Waco.
Wichita Falls.

UTAH

Ogden.
Salt Lake City.

VIRGINIA

Alexandria.
Arlington.
Falls Church.
Hampton.
Lynchburg.
Newport News.
Norfolk.
Portsmouth.
Richmond.
Roanoke.
Virginia Beach.

WASHINGTON

Seattle.
Spokane.
Tacoma.

WEST VIRGINIA

Charleston.
Huntington.

WISCONSIN

Green Bay.
Madison.
Milwaukee.
Racine.

(c) *Copies for military post offices overseas*—(1) *Direct packages.* When more than one copy is addressed to one unit, APO, or Navy or Marine Corps address (see § 122.8), the copies must be securely wrapped in packages or tied in bundles labeled for the military address.

(2) *Mixed packages.* After all direct packages have been made, if there are more than five copies remaining for dispatch through any postal concentration center, they must be wrapped in packages or tied in bundles and labeled for the center.

(3) *Direct sacks.* When there are a sufficient number of packages and bundles for one unit, APO, or Navy or Marine Corps address to fill approximately one-half of a sack, a direct sack must be made. Direct sacks will not be opened at postal concentration centers. The sack should be labeled in the following form:

(Show appropriate postal concentration center)

(Show military address)

PCC NEW YORK NY 110
ORD P APO 00360
THE RECORDER NEW YORK NY

(4) *Mixed sacks.* When the quantity is insufficient for a direct sack and there are enough bundles or packages for dispatch through one postal concentration center to fill approximately one-half of a sack, make up a sack for that center and label in the following form:

(Show appropriate postal concentration center)

(Show FPO when applicable)

PCC SAN FRANCISCO CA 962
ORD P APO MAIL
THE RECORDER NEW YORK NY

(d) *Delivery by transportation facilities*—(1) *Delivery by mobile unit clerks.* Mobile unit clerks, when authorized by the postmaster, may receive packages of second-class publications directly from publishers or news agents and deliver them as directed, provided the packages are presented and called for at the mail car and are not received from or intended for delivery in any post office.

(2) *Delivery by baggageman.* Star route carriers and baggagemen on trains to which no mobile unit clerk is assigned when authorized by an appropriate Regional Director may receive packages of second-class publications, directly from publishers and news agents. The star route carrier and baggageman will deliver the packages of outside matter at the place shown on the address. When in their custody, the packages will be considered as mail.

(3) *Delivery to agents.* Packages marked to be delivered outside the mail will be so delivered only when addressed to news agents or agents of publishers.

(4) *Preparation.* Bundles or packages intended for delivery outside the mail must be adequately wrapped with heavy paper and tied with twine heavy enough to stand up under the regular handling and dispatch of these packages. The wrapper must be conspicuously marked "U.S. Mail for Outside Delivery at Publisher's Risk."

§ 125.4 Newspaper treatment.

(a) *Definition.* Newspapers must be published once each week or more frequently and feature principally news of interest to the general public to be given expeditious distribution, dispatch, transit handling, and delivery, usually referred to as newspaper treatment. If the postmaster at the office of entry is in doubt as to whether any particular publication is a newspaper, he should submit all the facts to the Office of Mail Classification, Bureau of Finance and Administration.

(b) *Preparation for mailing.* Newspapers must be made up in sacks plainly labeled "Newspapers" or "News." Sacks will be made in accordance with § 125.3 (b). Label in the following manner:

CINCINNATI OH 452
NEWS
THE REGISTER COLUMBUS OH
PCC SAN FRANCISCO CA 962
NEWS APO 96360
THE RECORDER NEW YORK NY

(c) *Dispatching.* Newspapers will be dispatched in pouches with first-class mail when the quantity is not sufficient to make up separate sacks, and when first-class mail is not airlifted. Newspapers for dispatch to railway post offices, highway post offices, terminals, sectional centers, or first-class offices will not be mixed in sacks with any class of mail other than first class. Sacks labeled "Newspapers" will be dispatched with other preferential mail in surface transportation.

(d) *Handling at delivery office.* Sacks containing newspapers will be promptly segregated and the contents distributed for the earliest possible delivery.

(e) *Notification to publishers of delays.* Publishers will be notified whenever their mailings of newspapers are not delivered to the post office or train in sufficient time to connect with the intended dispatch.

§ 125.5 Statement and copy filed with mailings.

(a) *Copies filed by publishers*—(1) *Copy to show compliance with basic second-class requirements.* The publisher must file a copy of each issue with the postmaster at the original entry office.

(2) *Copy marked to show advertising.* The publisher must file, either with the postmaster of the original entry office or the postmaster of the additional entry office where the publication is produced or prepared for mailing, a copy of each edition of each issue marked by the publisher in such manner that the advertisements in the copy may be verified when necessary. The postmaster of the entry office where the marked copies are filed will promptly furnish to the postmasters of all the other entry offices, statements of the verified per copy weights and the percentage of advertising shown by each marked copy. When the statements are not promptly received by the postmasters of the other entry offices, they should request the postmaster of the office where the marked copies were filed to furnish them. Continued failure to furnish the statements promptly should be reported to the Director, Office of Mail Classification, Finance and Administration Department.

(b) *Definition of advertisements.* The term "advertisements" includes display, classified, and all other forms of advertisements. The term also includes any editorial or other reading matter for the publication of which money or other valuable consideration is paid, accepted, or promised. When the publisher is not compensated for the publication of editorial or other reading matter, such matter will take the rate of postage for other than advertising. Articles, items, and notices in the form of reading matter inserted in accordance with a custom or understanding that a "reader" is to be given the advertiser or his products in the publication in which the display advertisement appears are advertising. When a newspaper or periodical advertises its own services or issues, or any other business of the publisher, in the form of either display advertisements, or editorial or reading matter, this is advertising and will be charged the advertising mailing rate.

(c) *Statement showing number of copies mailed.* When postage is to be computed on the bulk weight of one issue as provided for by § 125.6(a) of this chapter, the publisher must file with the first mailing of each issue a statement on Form 3542. Statement Showing Number of Copies of Second-Class or Controlled Circulation Publication Mailed, showing the number of copies included in each zone or other separation necessary for computing the postage, and the average weight per copy as determined in the manner prescribed by § 125.6(b) of this chapter. When postage is to be computed at the end of each calendar month on the total bulk weight of all issues mailed during the month as provided for by § 125.6(c) of this chapter, the statement must be filed with the first mailing of the last issue mailed each month and must show the average number of copies of each issue included in each separation, the weight of one sheet, and the combined weight of one copy from each issue as determined in the manner prescribed by § 125.6(d) of this chapter. The publisher must determine the average number of copies by dividing the total number of copies mailed during the month by the total number of issues mailed. The dates of issue and the dates of mailing must be indicated by entering in the spaces provided on Form 3542 only the first and last dates.

(d) *Endorsements on marked copy and Form 3542.* The total advertising and nonadvertising portions must be determined by column inches, square inches, pages, or by any other recognized units of measure. The publisher must show by endorsement on the first page of the copy the total units of the advertising space and the total units of nonadvertising space and the percentage of each. When postage is to be computed on the bulk weight of one issue as provided for by § 125.6(a) of this chapter, the percentage of advertising endorsed on the marked copy must be entered on Form 3542. When postage is to be computed at the end of each calendar month on the total bulk weight of all issues mailed during the month as provided for by § 125.6(c) of this chapter, the percentage of advertising to be entered on Form 3542 must be obtained as follows:

(1) Keep a record of the number of units of advertising space and the number of units of nonadvertising space in each issue.

(2) Add the advertising units in each issue to determine the total advertising units in all of the issues.

(3) Add the nonadvertising units in each issue to determine the total nonadvertising units in all of the issues.

(4) Add the advertising and nonadvertising units to determine the total units in all of the issues.

(5) Divide the total advertising units by the total units.

(e) *Verification of advertising percentage.* The postmaster must verify the advertising percentage reported on Form 3542 by actual measurement of the advertising and nonadvertising portions of one issue at least once a year. If discrepancies are noted, more frequent verification must be made to establish the accuracy of the publisher's figures. A record of the verification will be made on the reverse of the applicable Form 3542 or the papers attached thereto.

(f) *Payment of advertising rates on reading portions.* A publisher may, if he so desires, pay postage at the advertising zone rates on both the advertising and nonadvertising portions instead of mark-

ing a copy of each issue to show the advertising and nonadvertising portions. When the advertising exceeds 75 percent, the copies filed must have endorsed on the first page by the publisher the words "Advertising over 75 percent." When the advertising does not exceed 75 percent, the copies must have endorsed on the first page by the publisher the words "Advertising not over 75 percent." The entire weight must be entered on Form 3541. "Computation of Second-class or Controlled Circulation Postage," in the column provided for the advertising portion. The words "Over 75 percent" or "Not over 75 percent" according to whether the copies do or do not contain over 75 percent advertising must be entered in Form 3541 and Form 3542. The word "Waved" must be written in the space provided for the weight of the reading portion on Form 3541.

(g) *Copies of previous and current issues combined.* When a reasonable number of copies of previous issues are included in a mailing of a current issue, they may be accepted and charged with postage on the basis of the percentages of advertisements and nonadvertisements contained in the current issue, the issue forming the bulk of the mailing presented will be regarded as the current issue.

(h) *Statement of news agent.* When a news agent presents for mailing second-class matter subject to the zone rates of postage, he must submit to the postmaster a statement showing the percent of the space in such matter devoted to advertisements and the percent devoted to other than advertisements. Publishers should furnish this information to news agents purchasing copies of their publications in order that such agents may be able to prepare the statements required.

§ 125.6 Weighing and collection of postage.

(a) *Procedure for determining bulk weight of one issue.* When postage is to be computed on the bulk weight of one issue, the postmaster will obtain such weight by multiplying the total number of copies of the issue mailed by the average weight of one copy. The number of copies of a single issue mailed will be obtained from the statement on Form 3542 required by § 125.5(c) of this section. The average weight of one copy will also be obtained from the statement on Form 3542 and must be determined by the publisher as prescribed in paragraph (b) of this section.

(b) *How to determine average weight per copy of one issue.* The average weight per copy must include the wrapping and binding materials and must be obtained by the publisher as follows:

(1) Count a reasonable number of copies selected in such a manner for test purposes that when wrapped and bundled they will bear a proper ratio to the total number of copies to be mailed individually wrapped and bundled for mailing.

(2) Weigh in bulk the copies which have been counted, after they are wrapped and bundled for mailing.

(3) Divide the bulk weight of the test copies by the number of test copies to obtain the average weight per copy in pounds. Record fractions of pounds as decimals with six digits to the right of the decimal point.

(c) *How to determine bulk weight.* When publications are regularly printed on sheets of uniform weight, postmasters are not required to compute the postage on the bulk weight of each issue. Postage on such publications may be computed at the end of each calendar month on the total bulk weight of all issues mailed during the month. The postmaster will obtain the total bulk weight by multiplying the average number of copies mailed by the combined weight of one copy from each issue. The average number of copies of each issue mailed during the month will be obtained from the statement on Form 3542 and must be determined by the publisher in the manner prescribed by § 125.5(c) of this section. The combined weight of one copy from each issue will also be obtained from the statement on Form 3542 and must be determined by the publisher in the manner prescribed by paragraph (d) of this section.

(d) *How to determine combined weight during a calendar month.* The combined weight of one copy from each issue mailed during a calendar month must include the wrapping and binding materials and must be obtained by the publisher as follows:

(1) Determine by the method prescribed in paragraph (b) of this section the average weight of one copy of any one issue selected by the postmaster for testing and verifying during the month.

(2) Divide the average weight of one copy by the number of sheets in the copy to determine the weight of one sheet in pounds. Record fractions of pounds as decimals with six digits to the right of the decimal point.

(3) Select one copy of each of the issues mailed during the month and count the sheets in all of the selected copies to determine the total number of sheets in the selected copies.

(4) Multiply the total number of sheets in the selected copies by the weight of one sheet.

(e) *Verification by postmasters of weights and number of copies.* The average weight per copy obtained by the publisher in the manner prescribed by paragraph (b) of this section for use either in computing postage on the bulk weight of a single issue, or in determining the weight of one sheet as provided for by paragraph (d) of this section, must be verified by the postmaster by weighing, or by supervising the weighing of, a representative number of copies of the issue. If the average weight per copy is used for determining the weight of one sheet, the postmaster must also verify the computation by which the publisher determines the weight of one sheet. At the end of each calendar month, when postage is computed on the total bulk weight of all issues mailed during the month, the postmaster must verify the combined weight of one copy from each issue by counting the sheets in the copies filed under the provisions of §125.5(a) of this chapter and multiplying the total by the previously verified weight of one sheet furnished by the publisher on Form 3542. If there is reason at any time to doubt the accuracy of the information reported on Form 3542, sufficient weighings must be made to resolve the doubt. The postmaster will keep a record of the verification, preferably on the back of applicable Form 3542.

(f) *Annual verification.* (1) Verification of the data furnished on Form 3542 will be made annually at offices where these are no more than 100 publications entered as second class. At other offices verification will be accomplished by cycling over a period not to exceed 5 years as follows:

Publications entered:	*Cycling period years*
101–200	2
201–300	3
301–400	4
401–	5

Records of the verifications on Form 3548, Postmaster and Publisher Joint Review of Data on Form 3542, must be retained, with the applicable Forms 3542.

(2) Postmasters must select a Form 3542 which is on file for each publication and review it with the publisher. The review must include an inspection of the publisher's records such as the print order or invoice showing the total number of copies printed, individual and bulk orders for subscriptions, stubs of receipts issued, sales records and returns for over-the-counter sales, cash book or similar records. Postmasters must determine that:

(i) Copies reported as subscribers' copies, which must not include complimentary or other nonsubscribers' copies, are in substantial agreement with the publisher's mail circulation records.

(ii) Nonsubscribers' copies, other than those mailed at the transient second-class rate, are declared as samples but do not exceed the amount allowable. See § 132.4(e)(1)(ii).

(iii) Nonsubscribers' copies which exceed the amount allowable as samples are mailed at the transient second-class rate.

(iv) During the previous 12-month period the total copies to paid subscribers and to purchasers of single copies constitute at least 65 percent of the total circulated. See § 132.2(b)(7).

(3) Where the verification discloses discrepancies which in the opinion of the postmaster are substantial and which cannot be resolved, the postmaster will submit a memorandum of the facts with a complete report on the reverse of Form 3501 to the Office of Mail Classification, Finance and Administration Department, for advice and instructions before taking further action.

(g) *Payment of postage at time of mailing or by advance deposits.* Publishers must pay in money before the mailings are dispatched, all postage charged at the second-class rates shown in § 132.1 of this chapter. Exception: The transient rate (§ 132.1(c)) must be paid

by adhesive or meter stamps or by permit imprints. (See §§ 145.3(b) and 145.5 (a) (2) of this chapter.) Postmasters will accept deposits of money to pay for as many mailings as desired and will give the publishers Form 3544, Post Office Receipt for Money, for the deposits.

(h) *Record of mailings.* Postage on the bulk mailings will be computed on Form 3540. Computation of Special Rate Second-Class Postage or Form 3541; Computation of Regular Second-Class or Controlled Circulation Postage, from the weights obtained on Form 3542. The publisher will be furnished a duplicate of Form 3540 or Form 3541 if he requests one. When postage is computed on the bulk weight of one issue, the mailings and postage will be recorded in Form 3543, Record of Second-Class Postage. When postage is computed at the end of each calendar month on the total weight of all issues mailed during the month, the total mailings and postage for the month will be computed on one Form 3540 or one Form 3541, and only the totals will be recorded in Form 3543.

(i) *How to show dates of issue and mailing.* When a number of consecutive issues are covered by one Form 3540 or Form 3541 or Form 3542, or by one entry in Form 3543, the dates of issue and the dates of mailing must be indicated by entering the first and last dates in the appropriate spaces and columns.

§ 125.7 Key rate.

(a) *Authority to use.* Postmasters will use the key rate method of computing pound-rate postage on publications subject to the advertising zone rates when large mailings justify its use.

(b) *Statement showing mailings to each zone.* The publisher must submit once each calendar year, at 12-month intervals, a statement on Form 3542 showing the number of subscribers' copies of an issue mailed to each zone. During these 12-month intervals, the publisher does not need to complete the lines for zones 1 to 8 on Form 3542. He must enter only total zone mailings on "Total to all zones" line.

(c) *New zone statement.* Postmasters will require a new report on Form 3542 showing the mailings to each zone at any time during the 12-month intervals when the volume of mailings to the zones varies or when there is an increase in the total number of copies.

(d) *Computation.* (1) Compute the key rate on Form 3540 or on Form 3541 once each calendar year at 12-month intervals, using the subscribers' copies shown by zones on Form 3542 furnished in accordance with § 125.7(b) of this chapter. If a new report on Form 3542 is filed at any time during the 12-month intervals showing mailings to each zone, a new key rate must be computed and used.

(2) Enter on the corresponding lines in column B of Form 3540 or Form 3541 the number of copies for each zone shown on Form 3542. Apply the applicable pound rates shown in column F to the number of copies for each zone and enter the postage for each zone in column C of Form 3540 or Form 3541. Divide the total postage in item 2, column C, by the total number of copies in item 2, column B, to obtain the key rate, which should be carried to six decimal places. Apply the key rate only to the total weight of the advertising portion. Apply the regular reading portion rate to the total weight of the reading portion. Computation of the key rate must be verified by an employee or supervisor other than the person who originally computed it. See exhibit § 125.7 (d) (2).

(3) Prepare Form 3540 or Form 3541 for subsequent mailings as shown on exhibits in subdivisions (i) and (ii) of this subparagraph until a new report on Form 3542 showing mailings to each zone is filed under § 125.7 (b) and (c). Where a key rate has been developed and is being used to compute postage for subscribers' copies, postage on sample copies shall be determined by using the same key rate unless the transient rate is chargeable (see §§ 132.1(c) and 132.4 (f) (1)).

NOTE: Exhibits A to D illustrating uses of POD Forms 3540, 3541, and 3542 were filed with the office of the Federal Register as part of the original document.

§ 125.8 Controlled circulation publications.

The weight of mailings of controlled circulation publications (see part 133) is obtained in the manner prescribed for obtaining the weight of mailings of second-class publications. Controlled circulation postage is collected and accounted for in the same manner as second-class postage. Each mailing must be prepared and made up for dispatch in the manner prescribed for second-class mail (§§ 125.1 through 125.3).

PART 126—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

Sec.
126.1 Preparation and handling.
161.2 Conditions prescribed by the Defense Department.

AUTHORITY: The provisions of this Part 126 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 126.1 Preparation and handling.

(a) *Postage.* See § 135.2(b) (1) for parcels sent by surface mail and § 136.2 (c) (4) for parcels sent by air.

(b) *Packaging requirements.* In addition to the packaging standards in Part 121 and the specific requirements for items mailable under the special rules in Part 124, parcels addressed to overseas military post offices must be packed in boxes or containers of metal, wood, or good quality fiberboard (at least 275 pounds test stock). Parcels containing mailable (nontoxic and nonflammable) gases, liquids, oils, paint, and substances which easily liquefy, must have sufficient absorbent material around the containers to take up contents in case of breakage.

(c) *Addressing.* See § 122.8 of this chapter.

(d) *Weight and size.* See § 135.3 of this chapter for parcels sent by surface mail and § 136.3 of this chapter for parcels sent by air, if there is no exception to the size and weight limitations listed in § 126.2.

(e) *Airlift mail.* (1) First-class letter mail, including postal and post cards, and sound recorded communications having the character of personal correspondence are given airlift service on a space available basis between overseas military post offices outside the 48 contiguous States, and between those military post offices and the point of embarkation or debarkation of such mail within the 50 States. See § 131.5(b) of this chapter for these same articles mailed by certain servicemen. When postage is paid on sound recordings, they must be marked by the mailer on the address side "Sound Recorded Personal Correspondence" to assure airlift service. Those mailed free under section 131.5(b) must be marked only as required by that section.

(2) Parcels of any class paid at surface postage rates not exceeding 5 pounds in weight and not exceeding 60 inches in length and girth combined, are airlifted to, from, or between overseas military post offices outside the 48 contiguous States. These parcels must be marked with the large letters SAM (space available mail) on the address side, preferably below the postage and above the name of the addressee. Postal employees will place these letters on all such parcels at the time of acceptance.

(3) Any parcel, other than a parcel mailed airmail or as air parcel post, not exceeding 30 pounds in weight or 60 inches in length and girth combined which is mailed at or addressed to any overseas military post office outside the 48 contiguous States will be transported by air on a space available basis, upon payment of a fee of $1 in addition to the regular surface rate of postage. These parcels must be marked with the large letters PAL (parcel air lift) on the address side, preferably below the postage and above the name of the addressee. Postal employees will place these letters on all such parcels at the time of acceptance.

(4) Second-class publications published once each week or more frequently and featuring principally current news of interest to members of the Armed Forces and the general public which are mailed at or addressed to any Armed Forces post office in Vietnam or contiguous waters or other Armed Forces post office in an area where it is determined that surface transportation is inadequate will be given the airlift service prescribed in subparagraph (2) of this paragraph.

(f) *General prohibitions.* (1) The following items are nonmailable to, from, and between overseas military post offices:

(i) Matches of all kinds, lighter fluid, or lighters containing fluid.

(ii) Magnetic material shipped by air having sufficient magnetic field to cause appreciable deviation to a compass sensing device of an aircraft. This does not apply to surface shipments.

(iii) Radioactive matter, except that authorized in § 124.2(e).

(iv) Explosives and ammunition.

(2) In conformance with Defense Department request, jewelry and watches having a value in excess of $10 may be accepted for mailing to overseas military post offices only when sent by registered mail, provided there is no specific prohibition against sending such items to the military post office of destination. (See § 126.2.)

(3) Firearms not specifically prohibited by Footnote F of § 126.2 are subject to the provisions of §§ 124.5 and 124.8 of this chapter. Sender must present an export license from Office of Munitions Control, Department of State, Washington, DC 20520. See Publication 42, "International Mail."

§ 126.2 Conditions prescribed by the Defense Department applicable to mail addressed to certain military post offices overseas.

Military post office number	*See footnotes*
09008	B–C–D
09009	B
09010	A–B–C–E
09011	A–B–C–E
09012	B–C–D
09013	B–C–D
09016	A–B–F–I
09017	A–B–C–E
09019	B–C–I[1]
09020	B
09025	B–C–D
09028	B–C–D
09029	B–C–D
09031	B–C–D
09033	B–C–D
09034	B–C–D
09035	B–C–D
09036	B–C–D
09038	B–F–I
09039	B–C–D
09040	A–B–F–I
09045	B–C–D
09046	B–C–D
09047	B–C–D
09048	A–B*–C
09050	B–C–D
09051	A–B–F–I
09052	B–C–D
09053	B–C–D
09054	B–C–D
09055	B
09056	B–C–D
09057	B–C–D
09058	B–C–D
09059	B–C–D
09060	B–C–D
09061	B–C–D
09066	B–C–D
09067	B–C–D
09069	B–C–D
09070	B–C–D
09071	B–C–D
09072	B–C–D
09074	B–C–D
09075	A–B*–C
09078	B–C–D
09079	B–C–D
09080	B–C–D
09081	B–C–D
09082	B–C–D
09086	B–C–D
09088	B*
09090	B–C–D
09091	B–C–D
09093	B–C–D
09095	B–C–D
09098	B–C–D
09099	B–C–D
09101	B–C–D
09102	B–C–D
09106	B–C–D
09107	B–C–D
09108	B–C–D
09109	B–C–D
09110	B–C–D
09111	B–C–D
09114	B–C–D
09119	A–B–C–E
09120	A–B*–C
09123	B–C–D
09125	A–B*–C
09127	A–B*–C
09128	B–C–D
09130	B–C–D
09131	B–C–D
09132	B–C–D
09133	A–B–F–I
09137	B–C–D
09138	B–C–D
09139	B–C–D
09140	B–C–D
09141	B–C–D
09144	B–C–D
09146	B–C–D
09149	B–C–D
09150	A–B*–C
09154	B–C–D
09155	A–B
09158	B–C–D
09159	A–B
09160	B–C–D
09162	B–C–D
09164	B–C–D
09165	B–C–D
09166	B–C–D
09168	B–C–I[1,2]
09169	B–C–D
09170	C–D
09171	B–C–D
09172	B–C–D
09173	B–C–D
09174	B–C–D
09175	B–C–D
09176	B–C–D
09177	B–C–D
09178	B–C–D
09179	A–B*–C
09180	B–C–D
09184	B–C–D
09185	B–C–D
09189	B–C–D
09193	A–B*–C
09194	A–B*–C
09197	A
09202	B*–C–J
09205	A–B
09210	A–B*–C
09218	A–B*–C
09220	B–C–D
09221	B–C–I[1,2]
09223	A
09224	A–B–F–I
09227	B–C–D
09230	A–B–C–E
09231	A
09238	A–B*–C
09240	B–C–I[1]
09241	A–B*–C
09245	B–C–D
09252	B–C–D
09253	A–B–C–E
09254	A–B–F–I
09277	B–C–D
09281	B–C–D
09289	A–B–F–I
09291	A
09292	A–B
09293	B–C–I[1]
09294	A–B–F–I
09305	B–C–D
09319	B–C–D
09320	B–C–D
09321	B–C–D
09322	B–C–D
09324	A–B–F–I
09326	B–C–D
09329	A–B–F–I
09330	B–C–D
09332	B–C–D
09333	B–C–D
09338	A–B–F–I
09339	L
09351	B–C–D
09360	B–C–D
09378	A–B*–C
09380	A–B–F–I
09403	B–C–D
09405	A–B*–C
09407	B–C–D
09409	B–C–D
09411	B–C–D
09451	B–C–D
09460	B–C–D
09505	O
09510	A–B*–C–J
09511	A–B*–C–J
09512	A–B*–C–J
09513	A–C–D
09514	A–C–D
09515	A–B*–C–J
09516	A–B*–C–I–J
09518	A–B*–C–J
09520	A–C–I
09521	A–C–I[1]
09522	A–C–I[1]
09523	A–C–I[1]
09524	A–C–I
09525	A
09527	A–N
09529	A–C–I[1]
09531	A–B–C–F–M
09544	A–B–C–E
09580	B
09584	B
09585	B
09607	A–B*–C
09611	C–D
09616	B–F–I
09633	B–C–D
09659	A–B*–C
09664	I
09665	A–B–F–I
09666	B–C–D
09667	B*
09672	B–F–I
09676	B–C
09678	B–I
09684	B–C–D
09686	A–B–C–E
09688	A–B–F–I
09689	B–C–I[1]
09690	A
09692	B–C–D
09693	A
09696	B–C–D
09697	B–F–I
09699	B–C–D
09742	C–D
09743	B–C–D
09751	B–C–D
09755	A–B*–C
09757	B–C–D
09777	A–B–C–E
09794	B–C–I[1]
09801	B–C–D
09807	B–C–D
09817	L
09825	B
09826	B
09827	B
09829	B
09832	B
09834	B
09837	B
09843	B–C–D
09872	B–C–D
09879	A–C–H–I–N
09893	A–C–F–H–I–M–N
96201	A–F
96202	A–B
96203	A–F
96204	A–F
96205	A–F
96206	A–B
96207	A–B
96208	A–B
96209	A–B–H
96210	A–B
96211	A–B
96212	A–B
96213	A–B
96215	A–F
96216	A–F
96217	A–F
96218	A–B
96219	A–F
96220	A–B
96221	A–F
96222	A–F
96223	A–F
96224	A–B
96225	A–F
96226	A–F
96227	A–F
96228	A–F
96231	A–B
96236	A
96238	A–F
96240	A–F
96243	A–F
96250	A–F
96251	A–B
96256	A–F
96257	A–F
96258	A–F
96259	A–B
96260	A–F
96262	A–F
96264	A–B
96265	A–F
96266	A–F
96267	A–B
96268	A–F
96269	A–F
96270	A–B
96271	A–B
96274	K
96276	A–B
96277	K
96278	A–F
96279	A–F
96281	A–B
96284	P
96289	A–F
96291	A–F
96294	A–F
96295	A–F
96296	A–F
96297	A–F
96298	K
96299	A–B
96301	A–B
96302	A–B
96306	I
96307	A–F
96308	A–F
96309	A–F
96311	K
96312	A–F
96313	B–H–M
96314	A–F
96316	A–F
96317	A–F
96318	A–F
96320	A–F
96321	A–F
96322	A–F
96323	A–B
96324	A–B
96325	A–F
96326	A–F
96328	A–B
96332	A–F
96333	M
96335	A–B
96336	A–B
96337	A–F
96338	A–B
96343	A–B
96345	A–F
96347	A–F
96348	A–F
96349	A–F–H
96350	A–F
96353	A–F
96354	A–B
96355	A–F
96356	A–I
96357	A–F
96358	A–B
96359	A–F
96361	A–F
96362	A–F
96363	A–F
96368	A–F
96369	A–B–H
96370	A–F
96371	A–F
96372	A–F
96373	A–F
96374	A–F
96375	A–F
96376	A–F
96377	A–F
96379	A–F
96381	A–F
96383	A–F
96384	A–F
96385	A–F
96388	A–F
96390	A–B
96402	A–F
96444	A–B–F
96455	A–B
96460	A–B
96477	A–F
96490	A–F
96491	A–F
96492	A–F
96493	A–F
96494	A–F
96495	A–F
96496	A–F
96499	A–F
96502	A–B
96503	A–B
96504	A–B
96519	A–B
96525	A–B
96528	K
96529	A–B
96530	A–F
96555	M
96570	A–B
96571	A–B
96594	A–B
96599	A–F
96605	O
96620	A–F
96621	A–F
96622	A–F
96623	A–F
96625	A–F
96626	A–F
96627	A–F
96628	A–F
96629	A–F
96638	A–F
96639	A–F
96641	A–F
96647	A–F
96648	A–F
96650	F–K
96651	F–K
96652	F–K
96654	F–K
96656	F–K
96658	F–K
96680	A–B–H–Q
96690	B–H
96694	A–F
96695	A–F
96696	A–F
96697	A–F
96699	A–F
98760	A–B
98761	A–B
98762	A–B
98764	A–B
98765	A–B
98766	A–B
98767	A–B
98768	A–B
98769	A–B
98770	A
98772	A
98773	A
98781	A–B
98782	A–B

FOOTNOTES

A. No mail of any class may contain securities or currency. Precious metals in their raw, unmanufactured state are also prohibited. Official shipments are exempt from these restrictions.

B. Customs Declaration form required, except that prepaid mail from a contractor, addressed to a military organization for official use, NEED NOT bear Customs Declaration but must be endorsed "Contents For Official Use—Exempt from Customs Require-

ment. Official mail from Government agencies DOES NOT require customs declaration or exemption endorsement."

*Articles will be liable for customs duty and/or purchase tax unless they are bona fide gifts, personal use intended for military personnel or their dependents. When the contents of a parcel meet these requirements, the mailer should place a certificate similar to the following on the customs form under the heading—"Description of Contents" "Certified to be a bona fide gift, personal effects or items for personal use of military personnel and dependents thereto."

C. Cigarettes and other tobacco products prohibited.

D. Coffee prohibited.

E. Mail may not contain: 1. Medicines or vaccines not conforming to French laws. 2. Nonauthorized publications, reprints, and publications prohibited on account of their political character or immoral contents.

F. Mail of all classes may not contain firearms of any type. See definition of firearms in 124.5.

G. To be printed at a later date.

H. Meats, including preserved meats, whether hermetically sealed or not, are prohibited.

I. Mail of all classes may not exceed the following dimensions:

(*Length*)	
42"----------	72" length and girth combined.
Over 42" to 44"--------	24" girth.
Over 44" to 46"--------	20" girth.
Over 46" to 48"--------	16" girth.

Maximum length 48".

[1] Provisions of this footnote are not applicable to registered mail.

[2] Provisions of this footnote are not applicable to airmail nor to official Government mail marked MOM.

J. Weight for other than registered mail is restricted to 50 pounds.

K. Mail which includes in the address the words "Dependent Mail Section" may consist only of letter mail, newspapers, magazines and books. No parcel of any class containing any other matter may be mailed to Dependent Mail Section. This footnote is not applicable if the address does not include the words "Dependent Mail Section."

L. All official mail prohibited.

M. Fruits, animals, and living plants are prohibited.

N. No registered mail accepted.

O. Personal mail addressed to vessels using this number is limited to unregistered airmail, unregistered first-class mail, and certified mail. Other classes of mail may not be accepted.

P. APO will be used for the receipt and dispatch of official registered mail only.

Q. Mail may not exceed 66 pounds and size is limited to 42 inches maximum length and 72 inches maximum length and girth combined.

PART 127—MAIL SENT VIA DEPARTMENT OF STATE TO U.S. FOREIGN SERVICE PERSONNEL ABROAD

Sec.
127.1 Who may use.
127.2 Mailing conditions.

AUTHORITY: The provisions of this Part 127 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 127.1 Who may use.

The facilities of the Department of State are available for sending unregistered and uninsured personal mail to authorized U.S. Foreign Service personnel stationed in other countries.

§ 127.2 Mailing conditions.

(a) *Addressing.* The following form of address must be used:

Name,
Foreign city (omit name of country),
Department of State,
Washington, DC 20521.

(b) *Classes.* Articles of all classes of domestic mail are acceptable.

(c) *Weight and size limits.* Domestic limits apply, including those in § 135.3 of this chapter, except that *no package* may weigh more than 40 pounds or exceed 24 inches in length or 62 inches in length and girth combined.

(d) *Postage rates.* Postage must be paid at the applicable domestic rate for the classes of mail and type of service desired. (See paragraph (e)(4) of this section.) The postage rates from the mailing office to Washington, D.C., apply to mail subject to zone rates.

(e) *Limitations.* (1) Airmail service from Washington, D.C., to destination will be provided only for communications in the form of letters, post cards, or tapes with recorded messages; for personal documents of value, such as deeds, wills, insurance policies, or titles; and for emergency supplies of prescription medicines or other urgetly needed health items, such as prescription eyeglasses, hearing aids, orthopedic shoes, or dentures. Sender must mark the cover or wrapper to indicate the nature of the contents. For rapid transmission of other personal packages, senders must use the regular international air service, affixing customs declarations and addressing directly to the recipient in the foreign country. (See Publication 42, *International Mail.*)

(2) The Department of State prohibits tobacco products (except to selected foreign service posts), liquids, perishables, firearms, glass, and other fragile articles, as well as parcels intended for delivery to a third person.

(3) Packages must be securely and substantially packed. International postal forms (customs declarations, stickers, etc.) are not required on packages sent through Department of State facilities.

(4) Registration, insurance, and COD services are not available.

MAIL CLASSIFICATION AND RATES

PART 131—FIRST CLASS

Sec.
131.1 Rates.
131.2 Classification.
131.3 Weight and size limits.
131.4 Payment of postage.
131.5 Mail sent by members of the U.S. Armed forces.
131.6 Ship letters.

AUTHORITY: The provisions of this Part 131 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 131.1 Rates.

Kind of mail	*Rate*
All first-class mail weighing 13 ounces or less except postal and post cards. See § 136.1(b) for rates on first-class mail weighing more than 13 ounces.	6 cents per ounce or fraction of an ounce.
Single postal cards sold by the post office (see § 141.1(c))---	5 cents each.
Double postal cards sold by the post office (see § 131.1(c))---	10 cents (5 cents each portion).
Single post cards (see § 131.2(b)(2))----------	5 cents each.
Double post cards (see § 131.2(b)(2)). (Reply portion of double post card does not have to bear postage when originally mailed.)	10 cents (5 cents each portion).
Business reply mail (see § 131.2(c)):	
Cards ----------	7 cents each.
Other than cards:	
Weight not over 2 ounces----------	6 cents per ounce or fraction of an ounce plus 2 cents per piece.
Weight over 2 ounces----------	6 cents per ounce or fraction of an ounce plus 5 cents per piece. Over 13 ounces, 5 cents per piece, plus rate in § 136.1.
Airmail ----------	See § 136.1.

§ 131.2 Classification.

(a) *Description.* (1) First-class mail consists of mailable:

(i) Postal cards.

(ii) Post cards.

(iii) Matter wholly or partially in writing or typewriting, except authorized additions to second-, third-, and fourth-class mail provided by §§ 132.4(g)(1), and (g)(2), § 134.6 and § 135.5, of this chapter, and written or typewritten matter listed in §§ 135.2(d)(4) and (5) of this chapter.

(iv) Matter closed against postal inspection.

(v) Bills and statements of account.

(2) Examples of first-class matter. (i) Handwritten or typewritten matter, including identical copies prepared by automatic typewriter, and manifold or carbon copies of such matter. Handwritten or typewritten matter does not include matter produced by computers.

(ii) Autograph albums containing writing.

(iii) Notebooks or blank books containing written or typewritten entries or stenographic or shorthand notes.

(iv) Blank printed forms filled out in writing, such as notices, certificates, and checks either canceled or uncanceled.

(v) Printed price lists containing written figures changing individual items.

(vi) Printed cards or letters bearing a written date, where the date is not the date of the card but gives information as to when something will occur or has occurred.

(vii) Printed matter such as receipts, orders and printed letters not sent in

identical terms to several persons that, by having a signature attached, are converted into personal communications. This does not apply to Christmas or similar printed greeting cards. See § 134.2 (a) (2) and (3) of this chapter.

(3) The following provisions are applicable to matter closed against postal inspection:

(i) The Postmaster General may prescribe the manner of wrapping and securing mail not charged with first-class postage so that the contents of the mail may be easily examined. He shall charge the first class rate of postage on all matter that cannot be examined easily (39 U.S.C. 4058(a)).

(ii) To ascertain whether the proper rate of postage has been paid, postmasters may examine second-class mail and remove the wrappers and envelopes from other mail not bearing first-class postage if it can be done without destroying them (39 U.S.C. 4058(b)).

(iii) Matter closed against inspection includes mail of any class so wrapped as not to be easily examined, except second-, third-, or fourth-class matter sealed subject to postal inspection. See §§ 125.2(e), 134.8, and 135.7 of this chapter.

(4) The following is a description of bills and statements of account:

(i) A bill is a request for payment of a definite sum of money claimed to be owing by the addressee either to the sender or to a third party. The mere assertion of an indebtedness in a definite sum combined with a demand for payment is sufficient to make the message a bill.

(ii) Generally, a statement of account is the assertion of the existence of a debt in a definite amount owed by the addressee either to the sender or to a third party but which does not necessarily contain a request or a demand for payment. The amount may be immediately due or may become due after a certain time or upon demand or billing at a later date.

(iii) A bill or statement of account must present the particulars of an indebtedness with sufficient definiteness to inform the debtor of the amount he is required to pay to acquit himself of the debt. However, neither a bill nor a statement of account need state the precise amount if it contains sufficient information to enable the debtor to determine the exact amount of the claim asserted.

(iv) A bill or statement of account is not the less a bill or statement of account merely because the amount claimed is not in fact owing or may not be legally collectible.

(b) *Postal and post cards*—(1) *Postal cards.* A postal card is a card supplied by the Postal Service with a postage stamp printed or impressed on it, for the transmission of messages. A double postal card consists of two attached cards, each of which has printed or impressed thereon a postage stamp of the first-class rate for postal cards denomination, and one of which may be detached by the receiver and returned by mail as a reply.

(2) *Post cards.* Post cards are privately printed mailing cards for the transmission of messages. They may not be larger than the size fixed by the Convention of the Universal Postal Union in effect and of approximately the same form, quality, and weight as postal cards. A double post card consists of two attached cards, each of which is subject when mailed at the first-class postage rate for post cards, and one of which may be detached by the receiver and returned by mail as a reply. The cardboard used for single and double post cards may be of any light color that does not prevent legible addresses and postmarks from being placed thereon. Brilliant colors must not be used. Single post cards and each part of double post cards must conform to the following specifications to qualify for mailing at the first-class postage rate for post cards (see subparagraph (1) of this paragraph).

(i) *Size, shape, and ratio.* Not larger than 4¼ by 6 inches, nor smaller than 3 by 4¼ inches. Rectangular in shape. A ratio of width (height) to length of less than 1 to 1.414 (1 to the square root of 2) is not recommended. (See §§ 131.3 (b) and 134.3(b) of this chapter.)

(ii) *Quality, weight, and thickness.* An unfolded and uncreased piece of cardboard of approximately the quality and weight of a postal card; thickness not less than 0.006 or more than 0.0095 of an inch; and the cardboard to be uniform in thickness and as near 0.0090 as possible.

(3) *Restrictions on the use of double postal and post cards.* The users of both double postal and post cards which conform to the specifications stated in subparagraphs (2) (i) and (2) (ii) of this paragraph must comply with the following rules:

(i) Double cards must be folded before mailing. The first half must be detached when the reply half is mailed for return.

(ii) The reply portion of a double card must be used for reply purposes only. It must not be used to convey a message to the original addressee of the double card, to cover up the message on the original portion, or to send statements of account.

(iii) Double cards must be prepared so that the address on the reply portion is on the inside when the double card is mailed.

(iv) Plain stickers or seals or a single wire stitch may be used to fasten the edges, provided they are so fixed that the inner folds of the cards can be readily examined.

(v) Enclosures are prohibited.

(4) *Additions, attachments, and other alterations to single and double postal and post cards.* The users of both single and double postal and post cards which conform to the specifications stated in subparagraphs (2) (i) and (2) (ii) of this paragraph must comply with the following limitations:

(i) The face of the card may be divided by a vertical line, the left half to be used for the message and the right half for the address only.

(ii) The message on a single card, or on the first portion of a double card, may occupy the space to the left of the vertical line and the entire back of the card.

(iii) Labels may be affixed by adhesive for the purpose of showing the address and the return address. Cards bearing other attachments are nonmailable as postal cards or post cards.

(iv) Numbers used for accounting purposes may be shown on a shaded background below the address. Holes which do not eliminate any letters or numbers may be punched in either the address or message portion of the card. A vertical tearing guide may divide the face of the card. The address portion may be smaller than the remainder of the card. However, mailings of cards having one or more of these four characteristics must meet all of the following conditions:

(*a*) The mailings must consist of not less than 200 cards which are identical as to size and weight.

(*b*) The addresses on the cards must include ZIP Code numbers.

(*c*) Postage must be paid in cash by permit imprints (see Part 145); by meter stamps (see Part 144); or by precanceled stamps (see Part 143).

(*d*) The mailer must separate the cards to the finest extent possible and sack them in the manner prescribed by § 134.4(c) of this chapter.

(v) It is recommended that all cards having a thickness less than 0.0085 of an inch meet all of the conditions in subparagraphs (4) (iv) (*a*), (*b*), (*c*), and (*d*) of this paragraph.

(5) *Cards other than postal and post cards.* Matter which is in the form of a single or double card but which does not conform to the specifications for a single or double post card stated in subparagraphs (2) (i) and 2(ii) of this paragraph is not a single or double post card within the meaning of title 39, United States Code, sections 4251(c) and 4253 (a) (3), and may not be mailed at the first-class postage rate for post cards. Nonconforming mailable matter in the form of single or double cards is not subject to the rules and restrictions provided in subparagraphs (3) and (4) of this paragraph; it is subject when mailed to postage at the first-class letter rate or at the applicable third-class rate according to its classification as first- or third-class matter; and it must not bear the words "Post Card or Double Post Card." Single or double cards conforming to the specifications stated in subparagraphs (2) (i) or (2) (ii) of this paragraph, which are entirely in print, and which do not, bear the words "Post Card or Double Post Card," if otherwise mailable, may at the option of the mailer be mailed at the applicable third-class postage rate instead of the first-class postage rate for post cards. See § 131.3 and § 134.3 of this chapter for a list of physical characteristics which cause cards to be nonmailable.

(6) *Postal and post cards as enclosures.* Stamps on postal and post cards enclosed in outer wrappers may not apply as postage on the mailing piece.

(c) *Business reply mail*—(1) *Purpose.* Specially printed business reply cards, envelopes, cartons, and labels may be

distributed for use by mailers in sending mail to the distributor without prepayment of postage.

(2) *Permit.* (i) A permit to distribute business reply cards, envelopes, cartons, and labels is required. An application on Form 3614, Application to Distribute Business Reply Cards, Envelopes and Labels, must be submitted at the post office where the mail will be returned. There is no charge for the permit. If matter bearing the business reply imprint is distributed from a central office to be returned to branches or dealers in other cities, one permit obtained from the post office where the central office is located may be used to cover all the business reply mail.

(ii) On receipt of the application, the postmaster will complete the permit portion of the form and deliver it to the applicant. The application portion of the form will be filed in the post office by the permit number. Permits issued at each post office will be numbered consecutively starting with No. 1 for the first permit. Each post office will keep an alphabetical card record of each permit on Form 3619, Permit Number Record.

(3) *Postage.* (i) Postage is collected on each piece of business reply mail at the time it is delivered. Postage due stamps for the amount due will be affixed to the mail or to Form 3582-A, *Postage Due Bill.* The stamps will be canceled and delivered to the addressee with the mail when he pays the amount due. Business reply mail will not be mixed with other mail in direct packages or sacks for individuals or concerns.

(ii) The amount to be collected, which may not include fees for any special services, is computed as follows:

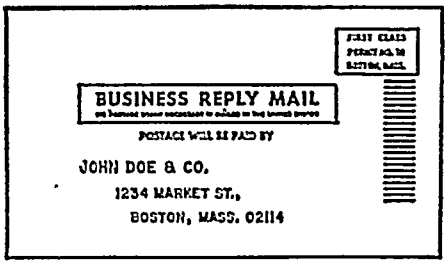
(*a*) *Post Cards.* The rate for post cards or air post cards, whichever is applicable, plus 2 cents each. (See § 131.1 and § 136.1 of this chapter.) Cards that do not conform to the specifications for post cards (see § 131.2(b)(2) are subject to the postage chargeable under subparagraph (3)(i)(b) of this paragraph.

(*b*) *Envelopes and packages.* (*1*) Weight of piece not over 2 ounces: First-class or airmail rate of postage, whichever is applicable, plus 2 cents each. (See §§ 131.1 and 136.1 of this chapter.)

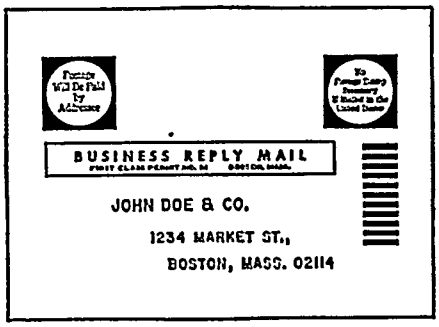
(2) Weight of piece over 2 ounces: First-class or airmail rate, whichever is applicable, plus 5 cents each. (See §§ 131.1 and 136.1 of this chapter.)

(4) *Form of imprint and address.* Any photographic, mechanical, or electronic process, or any combination of such processes, other than handwriting, typewriting or handstamping, may be used to prepare the address side of business reply cards, envelopes, cartons, or labels. The address side must be prepared both as to style and content in one of the following forms without the addition of any matter other than a return address (see § 141.1 (a))(4)(vii) of this chapter for business reply window envelope requirements):

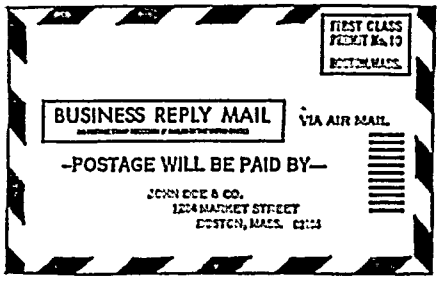
(i) *Alternate style and content for domestic surface mail.*



(ii) *Alternate style and content for domestic surface mail.*



(iii) *Style and content for domestic airmail.* Use alternating red and blue parallelograms for the border.



(5) *Distribution.* Business reply cards, envelopes, cartons, and labels may be distributed:

(i) In any quantity for return by surface or airmail. When prepared by the distributor for return by surface mail, business reply mail may not be accepted for return by air unless postage is fully prepaid at the airmail rate.

(ii) To any post office in the United States and its Territories and possessions, including military post offices overseas; except in the Canal Zone, where they may not be returned without prepayment of postage. They should not be sent to any foreign country.

(iii) In any manner except by depositing in receptacles provided by customers for receipt of mail.

(6) *Responsibility of distributor.* The distributor guarantees payment on delivery of postage on returned business reply mail. Any concern distributing business reply cards, envelopes, cartons, or labels under one permit for return to its branches or dealers guarantees to pay postage on any returns refused by any authorized addressees.

§ 131.3 Weight and size limits.

(a) *Weight.* Each piece may weigh not more than 70 pounds.

(b) *Size.* Each piece may measure not to exceed 100 inches in length and girth combined. See § 135.3(b) of this chapter for instructions on how to measure.

(c) *Shape, ratio, and sealing for envelopes, cards, and self-mailers.* The following standards apply to envelopes, cards, and self-mailers having postage paid thereon at the first-class postage rate:

(1) Pieces less than 3 inches in width (height) or 4¼ inches in length are nonmailable.

(2) Pieces having shapes other than rectangular are nonmailable.

(3) Pieces having a ratio of width (height) to length of 1 to 1.414 (1 to the square root of 2) are recommended.

(4) Pieces not sealed or secured on all four edges so that they may be handled by machines are not recommended.

(5) Cards having a thickness of less than 0.006 of an inch are nonmailable.

§ 131.4 Payment of postage.

Postage may be paid by:

(a) Adhesive stamps.

(b) Stamped cards or envelopes.

(c) Meter stamps.

(d) Permit imprints.

§ 131.5 Mail sent by members of the U.S. armed forces.

(a) *Letters sent postage collect.* Letters sent by soldiers, sailors, airmen, and marines in the U.S. military service located in the United States or other places where U.S. domestic mail service operates, addressed to places in the United States, may be dispatched for collection on delivery, under the following conditions:

(1) The address side of the letter must be marked Soldier's Letter, Airman's Letter, Sailor's Letter, or Marine's Letter, as appropriate.

(2) Under the marking, the letter must bear the signature and official designation, either with facsimile handstamp or in writing, of a commissioned officer to whose command the soldier or airman belongs, or of a surgeon or chaplain at a hospital where he is; and in the Navy and Marine service, of a commissioned officer attached to the vessel on which the member is serving or an officer commanding a hospital or detachment ashore where he is.

(3) Postage, at single rate for each ounce or fraction, is collected on delivery.

(b) *Letters sent free.* (1) Any personal letter mail, including post cards, in the usual and generally accepted form, and sound-recorded communications having the character of personal correspondence may be mailed free of postage under the following conditions:

(i) When mailed by:

(*a*) Any member of the U.S. Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard) at any U.S. military post office in Vietnam and

contiguous waters, as defined by regulations of the Department of Defense.

(b) Any member of the U.S. Armed Forces hospitalized in a facility under the jurisdiction of the Armed Forces of the United States as the result of disease or injury incurred as a result of military service or operations in Vietnam and contiguous waters, and air space thereover.

(ii) When mailed to:

(a) Any place within the United States, including Puerto Rico or any other possession of the United States, where the domestic mail service operates.

(b) Any Army and Air Force or Navy post office.

(iii) When such mail bears:

(a) In the upper right corner of the address side, in the handwriting of the sender, the word "Free," and

(b) In the upper left corner of the address side the name of the sender, his service number, grade, and complete military address.

(2) Letter mail, post cards, and sound-recorded communications sent free under the conditions in subparagraph (1) of this paragraph will be afforded transportation by air or other means which will give the earliest possible delivery to the addressee. This mail may not be registered, insured, or certified. It may be accepted as special delivery mail upon payment of the required fee.

§ 131.6 Ship letters.

(a) *Vessels not regular mail carriers.* Letters for delivery in the United States, carried by vessels not regularly employed in carrying the mail, are charged double rate of postage to cover the fee paid to the vessel. The postage may be collected at the office of delivery or prepaid with U.S. postage stamps.

(b) *Vessels operating over post road.* Letters and packages carried from one port to another in the United States over a water route that is wholly a post road by law, in a private ship or vessel, are charged single rate of postage. If part of the water route is not a post road, double rates of postage are charged.

(c) *Delivery by the master of a vessel.* Wholly unpaid printed matter delivered to the post office by the master of a vessel arriving from a foreign port and not regularly engaged in carrying mail, is charged with double the third-class rate of domestic postage, to be collected on delivery, and dispatched to its destination.

PART 132—SECOND CLASS

Sec.

132.1 Rates.
132.2 Qualifications for second-class privileges.
132.3 Applications for second-class privileges.
132.4 What may be mailed at the second-class rates.
132.5 Second-class mailing privilege for news agents.
132.6 Ownership, management, and circulation statement.
132.7 Marking of paid reading matter.
132.8 Cancellation of second-class privileges.

AUTHORITY: The provisions of this Part 132 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 132.1 Rates.

(a) *Rates charged on copies for delivery within the county where published and entered and for delivery at post office where publishers' headquarters or general business offices are located—(1) When mailed at office of original entry.*

(i) For delivery of publications other than weeklies at office of original entry by its letter carriers.	Publications issued more frequently than weekly: 1 cent per copy.
(ii) For delivery of publications other than weeklies by the letter carriers at a different post office than the office of original entry within the delivery limits of which the headquarters or general business office of the publisher is located (except that the pound rates from the office of mailing apply if they are higher).	Publications issued less frequently than weekly: Copies weighing 2 ounces or less; 1 cent per copy. Copies weighing more than 2 ounces: 2 cents per copy.
(iii) For delivery of weekly publications to addresses residing within the county where published from all offices within or without the county including the office of original entry.	1.5¢ (one and one-half cents) per pound or fraction of a pound. 0.2¢ (two-tenths of a cent) minimum charge per piece.
(iv) For delivery of all publications, of whatever frequency, through post office boxes or general delivery, and for delivery by rural or star route carriers, at an office of original entry which has letter carrier service.	
(v) For delivery of all publications, of whatever frequency, by whatever services are provided at an office of original entry which does not have letter carrier service.	
(vi) For delivery of all publications, of whatever frequency, to addressees residing within the county where published, from all offices within or without the county, other than the office of original entry.	

(2) *When mailed at office of additional entry.* The 1.5¢ (one and one half cents) per pound and 0.2¢ (two tenths of a cent) minimum charge prescribed by subdivisions (iii)–(vi) of subparagraph (1) of this paragraph also apply to copies of publications of whatever frequency mailed at an office of additional entry located within the county (see restriction in paragraph 3(c)(4) of this section) where published and entered, to addressees residing within the county, for delivery at all offices within or without the county including the office of additional entry by whatever delivery services are provided.

(3) *Independent cities.* Each publication having original entry at an incorporated city which is situated entirely within a county or which is situated contiguous to one or more counties in the same State, but which is politically independent of such county or counties, shall be considered to be within and a part of the county with which it is principally contiguous and copies mailed into that county are chargeable with postage at the rates in subparagraph (1) of this paragraph. Where more than one county is involved, the publisher will select the principal county and notify the postmaster.

(b) *Rates charged on copies for delivery outside the county where published and entered, and on copies mailed at an office of additional entry located outside the county where published and entered.—(1) All publications, except those accepted at the special rate (subparagraph (2) of this paragraph), classroom rate (subparagraph (3) of this paragraph), or science of agriculture rate (subparagraph (4) of this paragraph).* (i) *Rates in cents per pound or fraction of a pound:*

	Cents
Nonadvertising portion	3.4
Advertising portion:	
Zones 1 and 2	5.3
Zone 3	6.4
Zone 4	8.8
Zone 5	11.1
Zone 6	13.6
Zone 7	14.5
Zone 8	17.0

(ii) *Minimum charge per piece.*

(a) All publications except those provided for in (2)	1.3
(b) Publications mailing less than 5,000 copies per issue outside the county of publication	.8

(2) *Special rate publications—(i) Rates in cents per pound or fraction of a pound.*

	Beginning—			
	1-1-70	1-1-71	1-1-72	1-1-73
Nonadvertising portion	2.1	2.1	2.1	2.1
Advertising portion:				
Zones 1 and 2	3.45	4.0	4.55	5.1
Zone 3	4.05	4.8	5.55	6.3
Zone 4	5.25	6.4	7.55	8.7
Zone 5	6.45	8.0	9.55	11.1
Zone 6	6.9	8.6	10.3	12.0
Zone 7	6.9	8.6	10.3	12.0
Zone 8	6.9	8.6	10.3	12.0
Minimum charge per piece	.2	.2	.2	.2

(ii) The zone rates in subparagraph (2)(i) of this paragraph are applicable to issues in which the advertising portion exceeds 10 percent. Issues containing 10 percent or less advertising shall be computed at the nonadvertising rate in subparagraph (2)(i) of this paragraph or the minimum charge per piece, whichever is greater.

(iii) The rates in subparagraph (2)(i) and (ii) of this paragraph apply only to publications issued by and in the interest of the following organizations and associations not organized for profit and

none of the net income of which benefits any private stockholder or individual, when specially authorized by the Postal Service: (see § 132.3(c) (1))

(*a*) Religious.
(*b*) Educational.
(*c*) Scientific.
(*d*) Philanthropic.
(*e*) Agricultural.
(*f*) Labor.
(*g*) Veterans.
(*h*) Fraternal.
(*i*) Associations of rural electric cooperatives.
(*j*) The official highway or development agency of a State (limited to one publication that meets all the requirements of § 132.2(b) and that contains no advertising).
(*k*) Program announcements or guides published by an educational radio or television agency of a State or political subdivision thereof or by a nonprofit educational radio or television station.

(3) *Classroom publications.* Religious, educational, or scientific publications designed specifically for use in school classrooms or in religious instruction classes; 60 percent of the postage computed either at the pound rates in subparagraph (1) (i) of this paragraph or at the minimum charges per piece in subparagraph (1) (i) (*a*) of this paragraph, whichever applies.

(4) *Science of agriculture publications.* The rate for zones 1 and 2 is 4.2 cents per pound on the advertising portion of publications devoted to promoting the science of agriculture when the total number of copies furnished during any 12-month period to subscribers residing in rural areas consists of at least 70 percent of the total number of copies distributed by any means for any purpose. The rate on the nonadvertising portion for all zones and the minimum charges per piece are shown in subparagraph (1) (i) and (ii) of this paragraph. The rates for zones 3, 4, 5, 6, 7, and 8 on the advertising portion are shown in subparagraph (1) (i) of this paragraph.

(c) *Transient rate.*

Copies mailed by public. Sample copies in excess of 10 percent allowance. Copies to persons not included in list of subscribers.	5 cents for first 2 ounces; 1 cent each additional ounce or fraction thereof, or the fourth-class rate, whichever is lower.

(d) *Second-class rates to other countries.* See Publication 42, "International Mail."

(e) *Computation of postage charges.* The pound rates for both within (paragraph (a) (1) (i) of this section) and outside (paragraph (b) (1) (i) of this section) the county of publication are computed on the bulk weight of a mailing. The minimum charges per piece for both within (paragraph (a) (1) (ii)) and outside (paragraph (b) (1) (ii) of this section) the county of publication are computed on individually addressed pieces consisting either of single copies or packages containing unaddressed copies. When two or more addressed copies are mailed in a package, the packtotal postage computed at the pound rates for within or outside the county of publication does not equal or exceed the total postage computed at the applicable minimum charge per piece for within or outside the county of publication respectively, postage must be collected at the minimum charge per piece. Packages of unaddressed copies which by reason of their heavy weight are not subject to the minimum charges per piece should not be declared on the same Form 3542, Statement Showing Number of Copies of Second-Class or Controlled Circulation Publication Mailed, with individually addressed single copies which are subject to the minimum charges per piece; such packages should be declared on a separate Form 3542.

(f) *Weight limits.* There is no limit of weight for second-class mail to domestic destinations. See Publication 42, "International Mail," for weight limits to other countries.

(g) *Who pays.* Postage at the transient rate must be paid on all copies mailed by the general public. Only publishers and registered news agents may mail at the other second-class rates.

§ 132.2 Qualifications for second-class privileges.

(a) *What may qualify*—(1) *Mailable publications.* Only newspapers and other periodical publications which meet the mailability criteria established in Part 124 may be mailed at the second-class rates.

(2) *With or without general advertising.* All publications that meet the basic qualifications explained in paragraph (b) of this section may carry general advertising. The publications of the institutions and societies specifically named in paragraph (c) of this section must meet all the basic qualifications except the requirement of a paid subscription list. They are excused from having a paid list only when they do not carry general advertising. Those that carry general advertising must have a paid list.

(b) *Basic qualifications*—(1) *Regular issuance.* Publishers must determine the number of issues they will publish each year and adopt a statement of frequency that will show at what regular intervals the issues will appear. Examples of statements of frequency are:

Daily.	Biweekly.
Weekly.	Semimonthly.
Monthly.	Weekly during school year.
Quarterly.	Four times a year in January, February, October, and November.
Monthly except during July and August.	
Semiweekly.	

A publication may not be published under a frequency that provides for less than four issues each year. Issues must be published regularly as called for by the statement of frequency. Publishers may change the number of issues scheduled and adopt a new statement of frequency by filing an application for second-class reentry. (See § 132.3(d) of this chapter.) When a publication fails to maintain regular issuance in accordance with its stated frequency, the postmaster will inform the publisher of the requirements and request compliance. If irregular issuance continues, or if the publication is discontinued, the postmaster will report all the facts, including the publisher's current mailing address, to the Office of Mail Classification for determination as to whether proceedings should be instituted to revoke the second-class mail privilege. (See § 132.8.)

(2) *Issuance at known office.* Publications must be issued and mailed at a known office of publication. A known office of publication is a public office where the business of the publication is transacted during the usual business hours. The office must be maintained at the place where the publication has been granted original second-class mail privileges. Offices for the transaction of business may be maintained at more than one place, but mailings may be accepted at the second-class pound rates only at the post offices where original or additional mail privileges have been authorized.

(3) *Preparation.* Publications must be formed of printed sheets. They may not be reproduced by stencil, mimeograph, or hectograph processes or reproduced in imitation of typewriting. Reproduction by stencil, mimeograph, or hectograph processes is reproduction in imitation of typewriting and is not permissible. Reproduction by any other printing process is permissible. Any style of type may be used.

(4) *Contents.* Publications must be originated and published for the purpose of disseminating information of a public character, or they must be devoted to literature, the sciences, art, or some special industry.

(5) *List of subscribers.* Publications must have a legitimate list of persons who have subscribed by paying or promising to pay at a rate above nominal (see subparagraph (C) of this paragraph) for copies to be received during a stated time.

(6) *Advertising publications.* Publications designed primarily for advertising purposes may not qualify for second-class privileges. They include:

(i) Those having advertising in excess of 75 percent in more than one-half of their issues during any 12-month period.

(ii) Those owned or controlled by individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of the main business or calling of those who own or control them.

(iii) Those that consist principally of advertising and editorial write-ups of the advertisers.

(iv) Those that consist principally of advertising and that have only a token list of subscribers, the circulation being mainly free.

(v) Those that have only a token list of subscribers and that print advertisements free for advertisers who pay for copies to be sent to a list of persons furnished by the advertisers.

(vi) Those published under a license from individuals or institutions and that feature other businesses of the licensor.

(7) *Free circulation publications.* Publications designed primarily for free circulation may not qualify for second-class privileges. Publications are designed primarily for free circulation

when the total number of copies furnished during any 12-month period to legitimate paid subscribers (see subparagraph (5) of this paragraph) and to the purchasers of single copies constitutes less than 65 percent of the total number of copies distributed by mail at the second-class pound rates or the transient rate, by the publishers' carriers, and by other means for any purpose. See § 132.3(a)(1).

(8) *Nominal rate publications.* Publications designed primarily for circulation at nominal rates may not qualify for second-class privileges. Persons whose subscriptions are obtained at a nominal rate shall not be included as a part of the legitimate list of subscribers required by subparagraph (5) of this paragraph. Copies sent in fulfillment of subscriptions obtained at a nominal rate must be charged with postage at the transient rate (see § 132.1(c)). Nominal rate subscriptions include those which are sold:

(i) At a token subscription price that is so low that it cannot be considered a material consideration.

(ii) At a reduction to the subscriber, under a premium offer or any other arrangements, of more than 50 percent of the amount charged at the basic annual rate for a subscription which entitles the subscriber to receive one copy of each issue published during the subscription period. The value of a premium is considered to be its actual cost to the publisher, the recognized retail value, or the represented value, whichever is highest.

(c) *Publications of institutions and societies.* (1) Publications that do not have subscribers and that are issued as follows may contain only the publishers' own advertising and not under any conditions the advertising of other persons, institutions, or concerns: By a regularly incorporated institution of learning, by a regularly established State institution of learning supported in whole or in part by public taxation, including bulletins issued by State boards of health, State industrial development agencies, State conservation and fish and game agencies or departments, and State boards or departments of public charities and corrections, and by a public or nonprofit private elementary or secondary institution of learning or its administrative or governing body and program announcements or guides published by an educational radio or television agency of a State or political subdivision thereof or by a nonprofit educational radio or television station.

(2) Publications that do not have subscribers and that are issued as follows may contain only the publishers' own advertising: By or under the auspices of a benevolent or fraternal society or order organized under the lodge system and having an actual membership of not less than 1,000 persons, or of a trades-union; or as the publications of strictly professional, literary, historical, or scientific societies; or by churches and church organizations.

These publications may also contain advertising of other persons, institutions, or concerns, under the following conditions:

(i) The publication must not be designed or published primarily for advertising purposes.

(ii) The publication must be originated and published to further the objects and purposes of the society.

(iii) The circulation must be limited to copies mailed to members who pay either as a part of their dues or assessments, or otherwise, not less than 50 percent of the regular subscription price; to other actual subscribers; to exchanges; and 10 percent of such circulation as sample copies.

(iv) When members pay for their subscriptions as a part of their dues or assessments, individual subscriptions or receipts are not required.

(3) Periodical publications issued by State departments of agriculture may not contain advertising and must be published for the purpose of furthering the objects of the departments.

(d) *Foreign newspapers and periodicals.* Foreign newspapers and other periodicals of the same general character as domestic publications entered as second-class mail may be accepted by the Postmaster General, on application of the publishers thereof or their agents, for transmission through the mail at the same rates as if published in the United States. This section does not authorize the transmission through the mail of a publication which violates a copyright granted by the United States. (39 U.S.C. 4353.)

(e) *Identification statements in copies.* Copies of publications must be identified as second-class mail by having the following items printed on one of the first five pages in a position where they may be easily located by postal employees and other interested persons:

(1) Name of publication. The name of the publication must be shown on the front in a position and in a style and size of type that will make it clearly distinguishable from the name of the publisher or other items on the front.

(2) Date of issue.

(3) Statement of frequency.

(4) Issue number. The copies of each issue must be numbered consecutively. The consecutive numbering of published issues may not be broken by assigning numbers to issues unavoidably omitted.

(5) Subscription price, if the publication has one.

(6) Name of known office of publication and ZIP Code, including street and number when there is letter-carrier service, must be printed in a position or in a style and size of type or with a designation that will make it clearly distinguishable from the names of other offices of the publication. When there is no post office at the place where published, the name of the post office where mailed must be shown as the office of publication. Addresses in mastheads and date lines must be printed so they will clearly show where change of address notices, undeliverable copies, orders for subscriptions, and other mail items are to be sent. See § 125.2(f) of this chapter.

(7) Second-class imprint, reading "Second-class postage paid at _____" When a publication is mailed at two or more offices, the imprint must read "Second-class postage paid at _____ _____ and at additional mailing offices."

(8) Notice of pending application, when copies are mailed while an application is pending, reading "Application to mail at second-class postage rates is pending at_____."

§ 132.3 Applications for second-class privileges.

(a) *Applications for publications and news agents that do not have second-class privileges.* An application must be filed by the publisher before a publication may be mailed at the second-class rates. Two copies of the issue described in the application must also be filed. When one-half or more of the total copies distributed are purchased by news agents for resale or are consigned to news agents for sale, two copies each of at least four issues must be filed before an application is either approved or disapproved, to demonstrate compliance with the requirement for regular issuance at least four times each year. If the publication is printed in a foreign language, a brief translation of the contents of the copies must be furnished. A synopsis of each article and advertisement is usually sufficient. News agents must file applications before they may mail second-class publications at the second-class rates. Copies of all application forms may be obtained from local postmasters. The headings on the forms describe what information must be furnished by publishers and news agents. Use the following forms:

(1) File application Form 3501 for second-class mail privileges for a publication that meets the basic qualifications (see § 132.2(b)) at the post office of the place where the known office of publication is located. When one-half or more of the total copies distributed are purchased by news agents for resale or are consigned to news agents for sale, postmasters will not accept an application on Form 3501, unless the publisher has completed the application by furnishing all of the information called for by questions 30 and 31.

(2) File application Form 3502 for second-class mail privileges for a publication of an institution or society (see § 132.2(c) of this chapter) that does not meet the basic qualifications at the post office of the place where the known office of publication is located.

(3) File application Form 3501-A for permission to mail foreign publications in the United States at the post office at which the copies are to be mailed.

(4) File application Form 3501-A for registry of a person or firm as a news agent with the privilege of mailing second-class publications at the post office where mailings are to be made.

(b) *Acceptance after application is filed.* Publishers or news agents may not mail at the second-class rates until the application for second-class privileges is approved by the Director, Office of Mail

Classification, Finance and Administration–Department. See paragraph (f) of this section. Postmasters may not accept mailings at the second-class rates until they receive a written authorization from the Director, Office of Mail Classification. Postage at the applicable third- or fourth-class rates may be paid in money on mailings made while an application is pending. The postmaster will keep a record of such mailings on Form 3503, *Record of Deposits Made While Second-class Application is Pending*, and if second-class privileges are authorized by the Director, Office of Mail Classification, he will be instructed to return to the publishers or news agents the difference between the third- or fourth-class rates and the second-class rates. Form 3503 will not be kept and the difference will not be returned when postage is paid by stamps affixed.

(c) *Applications for publications that have second-class privileges.* After a publication has obtained second-class mail privileges, applications may be filed for the following additional privileges:

(1) Publishers of newspapers or periodicals of those nonprofit organizations and associations listed in § 132.1(b)(2) may file applications by letter to the postmaster for the special rate. They must submit evidence to establish their nonprofit status and to show that they come within one of the categories stated.

(2) Publishers of religious, educational, or scientific publications designed for use in school classrooms or in religious instruction classes may file applications by letter to the postmaster for the special rates for such publications. See § 132.1(b)(3). They must also submit evidence showing that their publications are of this character and for the uses stated.

(3) Publishers of publications designed to promote the science of agriculture may file applications by letter to the postmaster for the special zones 1 and 2 advertising rate of 4.2 cents per pound. See § 132.1(b)(4). They must submit evidence that their publications are of the character and for the use stated and that more than 70 percent of the copies distributed by any means for any purpose during any 12-month period are to subscribers residing in rural areas.

(4) A publisher may apply for permission to mail at additional entry post offices any copies except those which are for delivery at the post office where the publication has been granted original second-class entry and mail privileges. A written application for an additional entry must be filed by the publisher at the post office where the publication has original second-class entry. A form is not provided for this kind of application. See paragraph (e) of this section or fees required. The application must include the following information:

(i) Name of publication.

(ii) Frequency of issue.

(iii) Name of place where the publication is printed.

(iv) Name of the additional entry post office.

(v) Approximate number and weight of copies to be mailed at the additional entry office.

(vi) Specific geographical area to be served from the additional entry office (the geographical area served by the additional entry office must include the entire local delivery area of the additional entry office).

An additional entry will be authorized at a post office located in the same county in which the office of original entry is located only when the publication is entirely or partly produced or prepared for mailing at the additional entry office (see subparagraph (5) of this paragraph for available exceptional dispatch privileges). An additional entry will be authorized only at a post office served by transportation facilities which will enable the mailings to be effectively and economically handled in the postal transportation patterns.

(5) An application to deliver copies of a second-class publication at the publishers' expense and risk from the post office of original entry or an additional entry post office to other post offices or elsewhere may be filed by the publisher at the office of original or additional entry where the postage is paid on the copies which will be transported. A form is not provided for this kind of application. The postmasters at the office of original or additional second-class entry will approve or disapprove applications on the basis of whether such exceptional dispatch will improve service. They will notify other post offices concerned and the Regional Director of approved arrangements and include a list showing how the sacks or outside bundles are to be labeled and the approximate number of copies. Only after notification by the postmaster at the entry office where the postage is paid shall copies be accepted at another office directly from the publisher. At least once each 6 months the accepting postmaster shall verify the number of copies received directly from the publisher. Any significant increase noted at time of verification or at any other time shall be reported to the entry office where the postage is paid.

(d) *Reentry because of change in name, frequency, or location.* When the name or frequency is changed, an application for reentry must be filed on Form 3510 at the post office of original entry, accompanied by two copies of the publication showing the new name or frequency. When the location is changed, an application for reentry must be filed on Form 3510 at the new office, accompanied by two copies of the publication showing the name of the new office as the known office of publication. Copies of second-class publications will be accepted for mailing at the second-class postage rates during the time applications for their reentry are pending. Copies of Form 3510 may be obtained from local postmasters. An application for reentry is not required when only the ownership is changed unless the change disqualifies the publication for an entry which was authorized under § 132.2(c).

(e) *Fees.* The fees to accompany applications for second-class original entry, reentry, or additional entry, or for registration as a news agent, are:

Kind	*Amount*
Original entry—circulation not more than 2,000	$30
Original entry—circulation 2,001 to 5,000	60
Original entry—circulation 5,001 and over	120
News-agent registry	25
Reentry because of change in title, frequency of issue, office of publication, or other reasons	15
Additional entry (Only one free is collectible for an application for additional entry even though the additional entry being applied for modifies one or more additional entries previously approved.)	
Within zones 1 and 2	15
Within zones 3 to 8	50

If an application is not approved, no part of the fee is returned to the applicant.

(f) *Granting or denial of application.* The Director, Office of Mail Classification, Finance and Administration Department, rules on all applications. If he grants the application, he notifies the postmaster at the office where the application for original entry was filed, who in turn notifies the applicant. Before taking action on an application, the Director may call on the publisher for additional information or evidence to support or clarify the application. Failure of the publisher to furnish the information requested may be cause for denial of the application as incomplete or, on its face, not fulfilling the requirements for entry. If the Director denies the application, he must notify the publisher specifying the reasons for the denial. The denial becomes effective in 15 days from receipt of the notice by the publisher unless the publisher appeals therefrom. See § 132.8(c).

§ 132.4 What may be mailed at the second-class rates.

(a) *Complete copies.* Copies of the regular issues containing all of the pages may be mailed at the applicable second-class rates provided by § 132.1(a) and (b) to subscribers, as samples (see § 132.4(f)(1) for limitation), and as provided for by § 132.2(c). The transient rate provided by § 132.1(c) applies to copies mailed to nonsubscribers and as excess samples. Copies which are not complete by reason of having pages or portions of pages removed must be charged with postage at the applicable third- or fourth-class rates.

(b) *Editions or issues.* The following kinds of extra or special editions or issues may be mailed at the second-class rates:

(1) Extra issues or editions issued for the purpose of communicating additional news and information received too late for insertion in the regular edition and not for advertising purposes.

(2) Separate editions of the issues of a second-class publication. Separate publications will not be accepted as editions.

(3) Issues containing annual reports, directories, lists, and similar text as a

part of the contents, but the copies may not be distinguished from the regular issues by bearing designations which indicate they are annuals, directories, catalogs, yearbooks, or other types of separate publications. The regular annual subscription price must include the copies of such issues.

(c) *Back numbers and reprints.* The following kinds of back numbers and reprints may be mailed at the second-class rates:

(1) Unbound copies of back numbers as long as entry is in effect.

(2) Unbound reprint copies of daily publications printed within 1 week after the date of issue.

(3) Unbound reprint copies of other than daily publications printed before the next issue is printed.

Other reprints and bound back numbers are charged with postage at any applicable third- or fourth-class rates.

(d) *Supplements.* Issues may include supplements subject to the following conditions:

(1) The supplement must be germane to the issue, and prepared in order to complete it, having been omitted for want of space, time, or greater convenience.

(2) Publishers must be paid at advertising rates and charges for carrying preprinted advertising supplements germane to the issue which are furnished to them by advertisers or others.

(3) Publications which are distinct from and independent of the regular issue, such as catalogs, circulars, handbills, posters, and other special advertisements, and which are, therefore, not germane to the issue, may not be inserted as supplements.

(4) A supplement must bear the title of the publication preceded by the words "Supplement to."

(5) Supplements must be folded and mailed with the regular issue.

(6) Bound periodicals must observe the provisions of paragraph (h) of this section.

(e) *Parts or sections.* (1) The regular pages of publications may be prepared in parts or sections. Enclosures prohibited as supplements may not be prepared as parts or sections.

(2) Each part or section must show the title of the publication.

(3) The number of parts or sections in which the issue is published must be stated on the first page of the first part or section.

(4) Publishers must pay at a rate that is not nominal for parts or sections produced by others. The parts or sections may not be issued by or for advertisers. Publishers must submit to the Office of Mail Classification, Finance and Administration Department, contracts entered into with producers of parts or sections.

(f) *Copies not paid for by the addressee*—(1) *Sample copies.* (i) Complete copies of regular issues or editions may be mailed as samples at the second-class rates provided by § 132.1 (a) and (b).

(ii) Samples may be mailed at any time during a calendar year to the extent of 10 percent of the total estimated weight of copies to be mailed to subscribers during the calendar year. For publications having additional entries, the postmaster at the original entry office is responsible for determining that sample copies do not exceed the 10 percent limit. At the end of each calendar year the postmaster at the orignal entry post office must request from each additional entry office the weight of subscriber and sample copies mailed during the year.

(iii) The words "Sample Copy" must be shown on the address side of the envelopes or wrappers or the outside cover of unwrapped copies.

(iv) Samples for delivery in the county of publication are subject to the rates shown in § 132.1(a).

(v) The transient rate provided by § 132.1(c) must be paid on samples mailed in excess of the 10 percent limit.

(vi) Copies mailed for advertising purposes under arrangements with advertisers or others and copies mailed by a publisher acting as an agent for an advertiser may not be mailed as samples.

(vii) Sample copies may be mailed to boxholders with each copy addressed in the simplified manner shown in § 122.4 (a) of this chapter. Copies so addressed and marked "Sample Copy" must be mailed to each boxholder on the rural or star route or to each boxholder at post offices not having city letter carrier service. Copies may not be mailed only to nonsubscriber boxholders. All copies mailed in this manner are considered as samples even though some boxholders are subscribers. Such copies are individually addressed copies.

(2) *Copies paid for by advertisers.* Copies paid for by advertisers or others for advertising purposes may be mailed only at the transient rate provided by § 132.1(c). When copies are being furnished free to the addressees, publishers may be required to tell the postmaster the purpose for sending the copies, the amount that the publisher received for the copies, and whether the purchaser is an advertiser.

(3) *Copies paid for as gifts.* A minor portion of the subscription list may consist of persons whose subscriptions were paid for as gifts. Subscriptions paid for by advertisers or other interested persons to promote their own interests and subscriptions given free by the publishers are not gift subscriptions; postage at the transient rate in § 132.1(c) must be paid on these copies.

(4) *Exchange copies.* A minor portion of the subscription list may consist of publishers to whom exchange copies are sent, one copy for another.

(5) *Expired subscriptions.* Copies will be accepted at the pound rates of postage for a period of 6 months after a subscription has expired, if the publisher attempted during the 6 months to obtain payment or a promise to pay for a renewal. Postage at the transient second-class rate will be charged on copies sent after 6 months to persons who have not renewed.

(6) *Advertisers' proof copies.* One complete copy of each issue may be mailed at the pound rates to each advertiser in the issue to prove that the advertisements have been printed or, instead, copies may be mailed to the advertising representatives or agents of the publication. The number of proof copies of each issue sent under this section may not exceed the number of advertisers in the issue.

(7) *Mailed by printer.* Copies sent by a printer to a publisher are chargeable with postage at the third- or fourth-class rate, whichever is applicable, according to the physical characteristics of the publication and the weight of the package or parcel.

(g) *Enclosures additions, and novelty pages*—(1) *Enclosures.* Receipts, and orders for subscriptions may be enclosed either loose or bound in. No other enclosures are permitted. They may be prepared in the following ways:

(i) Printed or written.

(ii) Printed on cards and envelopes including business replies.

(iii) Arranged to include coin receptacles.

(iv) Arranged as combination forms for two or more second-class publications issued by the same publisher.

(2) *Additions.* Additions consist of words that may be added to the copies after they are printed or that may be placed on the envelopes or wrappers in which the copies are mailed. Only the following additions may be made:

(i) Name and address of the person to whom copies are sent.

(ii) Index figures of subscription book, either printed or written.

(iii) Printed title of publication and place of its publication.

(iv) Printed or written name and address without addition of advertisement of the publisher or sender, or both.

(v) Written or printed words or figures, or both, indicating the date on which the subscription will end.

(vi) Correction of any typographical error.

(vii) A mark, except by written or printed words, to designate a word or passage to which it is desired to call attention.

(viii) The words "Sample Copy" when the copies are sent as samples.

(ix) The words "Marked Copy" when the copies contain a marked item or article.

(x) The words "Return Postage Guaranteed" when undeliverable copies are to be returned to the sender. See § 159.2 (b) (4) of this chapter.

(xi) The number of copies enclosed may be shown on the wrapper or face of a package.

(xii) Messages and notices of a civic or public-service nature provided no charge is made by the publisher for placing them on the envelopes, wrappers, or covers in which the publication is mailed.

(3) *Novelty pages.* Novelty pages are printed sheets that may be used for purposes other than reading, or printed sheets with novel characteristics. Novelty pages must be prepared specifically for and intended as integral pages of newspapers or other periodical publications. Blank sheets may not be carried as pages.

Envelopes and all other types of containers do not constitute printed sheets or portions thereof. The total number of novelty pages in the copies may constitute only a minor portion of the total pages. An excessive use of novelty pages may give a publication the characteristics, both as to format and purpose, of books, catalogs, or other third- or fourth-class mail. The following kinds of pages are examples of novelty pages that may be included in second-class publications:

(i) Printed pages bearing words, perforations, or symbols indicating they are for detachment.

(ii) Pages having printed pictures for cutting out.

(iii) Printed pages having blank spaces for writing or marking.

(iv) Pages having printed illustrations permanently pasted to them. Envelopes, wrappers, pockets, all other types of containers, and any contents thereof do not constitute printed illustrations.

(v) Pages with coupons or application or order forms occupying not more than one-half of the page.

(h) *Advertisements.* All advertisements in periodicals must be permanently attached. Pagination is not required in periodicals, but some or all pages of periodicals may be numbered or allowed for, or both, in any manner which indicates that pages containing advertisements are an integral part of the periodical, or of its separate editions, rather than an independent publication. Independent publications may not be inserted in periodicals as advertisements. The physical makeup of advertisements may include such features as the following:

(1) Different advertisement may occupy the same space in different copies of the same issue.

(2) Pages of advertisements may not be smaller than one-eighth of the size of the regular pages when they include coupons or application or order forms occupying one-half or less of the page as permitted by paragraph (g) (3) (v) of this section.

(3) Advertisements larger than the regular pages may be prepared for folding out horizontally, vertically, or both.

(4) Advertisements may be die-cut or deckle-edged.

(5) Multiple page advertisements may be prepared for detachment as permitted by paragraph (g) (3) (i) of this section and may be held together by staples or other means separate from and in addition to the regular binding of the periodical.

(6) Advertisements may be printed on sheets of paper, cellophane, foil, and other similar material.

(7) Advertisements may include statements that they are printed on the product or by means of the product of the advertiser.

§ 132.5 Second-class mailing privilege for news agents.

(a) *Definition.* News agents are persons or concerns engaged in selling two or more second-class publications published by more than one publisher.

(b) *Information required from news agents.* News agents must furnish postmasters evidence that copies of publications offered for mailing are entitled to second-class postage rates, and that they are sent to actual subscribers or to other news agents for the purpose of sale. A second-class imprint in the copies is sufficient evidence that a publication is entitled to be mailed at second-class rates. The addresses on bulk packages must show that the packages are sent to other news agents.

(c) *Remailing without payment of postage.* A news agent may not remove packages of copies from a post office, write an address on each copy, and return them to the office for dispatch or delivery without paying additional postage.

(d) *When subject to transient second-class rates.* Unsold copies returned to publishers or other news agents, or copies sent to other news agents except for purpose of sale, or to persons not having subscriptions with the news agent, are subject to the transient second-class rate.

(e) *Return of portions of unsold publications.* The head or small portions of publications returned to publishers to show that copies have not been sold are subject to postage at third- or fourth-class rates according to weight.

§ 132.6 Ownership, management and circulation statement.

(a) *Requirements, as contained in 39 U.S. Code 4369.* (1) Each owner of a publication having second-class mail privileges under 39 U.S. Code, 4354 shall furnish to the Postmaster General at least once a year, and shall publish in such publication once a year, information in such form and detail and at such time as he may require respecting—

(i) The identity of the editor, managing editor, publishers, and owners;

(ii) The identity of the corporation and stockholders thereof, if the publication is owned by a corporation;

(iii) The identity of known bondholders, mortgagees, and other security holders;

(iv) The extent and nature of the circulation of the publication, including, but not limited to, the number of copies distributed, the methods of distribution, and the extent to which such circulation is paid in whole or in part; and

(v) Such other information as he may deem necessary to determine whether the publication meets the standards for second-class mail privileges.

The Postmaster General shall not require the names of persons owning less than 1 per centum of the total amount of stocks, bonds, mortgages, or other securities.

(2) Each publication having second-class mail privileges under 39 U.S. Code, 4355(b) shall furnish to the Postmaster General information in such form and detail, and at such times as he requires, to determine whether the publication continues to qualify thereunder. In addition, the Postmaster General may require each publication which has second-class mail privileges under 39 U.S. Code, 4355 (a) or 4356 to furnish information, in such form and detail and at such times as he may require, to determine whether the publication continues to qualify thereunder.

(3) The Postmaster General shall make appropriate rules and regulations to carry out the purposes of this section, including provision for suspension or revocation of second-class mail privileges for failure to furnish the required information.

(b) *Procedures.* (1) All publishers of publications having second-class mailing privileges, including the publishers of foreign publications accepted at the second-class postage rates under the provisions of § 132.2(d), must file on or before the 1st day of October, a statement on Form 3526, Statement of Ownership, Management and Circulation, in duplicate, at the post office where the original second-class permit is authorized.

(2) Publishers who file a statement under the provisions of paragraph (a) (1) of this section shall publish the complete statement in the second issue thereafter of the publication to which it relates. Publishers who file a statement under the provisions of paragraph (a) (2) of this section are not required to publish the statement. Publishers of foreign publications accepted at the second-class postage rates under the provisions of § 132.2(d) are not required to publish the statement.

(3) A publication which fails to comply with the requirements of this section within 10 days after notice by certified mail of the failure may not be mailed at the second-class rates of postage until it has come into compliance.

(4) Postmasters shall:

(i) Furnish at least three copies of Form 3526 for each publication not less than 10 days prior to October 1. One copy of the completed Form 3526 should be retained by the publisher for his records.

(ii) Examine each statement filed in duplicate to see that it contains all of the information required by law.

(iii) Return incomplete or incorrect statements to the publishers and obtain from them complete and correct statements.

(iv) Arrange the original copies alphabetically by titles and forward them to the Finance and Administration Department, Office of Mail Classification, Washington, DC 20260. Retain the duplicate copies.

(v) Obtain a copy of the issue of each publication in which the required statement is published. Verify the correctness of the published statement. File the copy. Do not forward it to Headquarters. Promptly report to the Finance and Administration Department, Office of Mail Classification, any instance where a publisher fails to file or to publish a statement.

§ 132.7 Marking of paid reading matter.

(a) Editorial or other reading matter contained in publications entered as second-class mail and for the publication of

which a valuable consideration is paid, accepted, or promised shall be marked plainly "advertisement" by the publisher (39 U.S.C. 4367).

(b) Whoever, being an editor or publisher, prints in a publication entered as second-class mail editorial or other reading matter for which he has been paid or promised a valuable consideration, without plainly marking the same "advertisement," shall be fined not more than $500. (18 U.S.C. 1734)

(c) Each paid editorial or reading article which occupies all or any part of one page must be marked plainly "advertisement." Each paid editorial or reading article which occupies more than one page must be marked plainly "advertisement" on each page or part of a page which it occupies.

§ 132.8 Cancellation of second-class privileges.

(a) The Postmaster General may revoke the entry of a publication as second-class mail whenever he finds, after a hearing, that the publication is no longer entitled to be entered as second-class mail. (39 U.S.C. 4352b)

(b) The Director, Office of Mail Classification, Finance and Administration Department, makes determinations concering the suspension or revocation of a second-class entry subject to appeal and hearing requested by the publisher. He may call on a publisher from time to time to submit information bearing on the publisher's right to retain a second-class entry for his publication. When the director determines that a publication is no longer entitled to its second-class entry, he issues a ruling of suspension or revocation to the publisher at the last known address of the office of publication stating the reasons therefor. The ruling becomes effective in 15 days from receipt by the publisher unless the publisher appeals therefrom.

(c) A copy of the procedures governing administrative appeals and hearings relative to the denial, suspension, or annulment of second-class mail privileges may be obtained from the Director, Office of Mail Classification, Finance and Administration Department.

PART 133—CONTROLLED CIRCULATION PUBLICATIONS

Sec.
133.1 Rates.
133.2 Permits.
133.3 Identification statements.
133.4 Filing marked copy.
133.5 Enclosures.
133.6 Addressing, preparation for mailing, weighing, and collection of postage.

AUTHORITY: The provisions of this Part 133 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 133.1 Rates.

Per pound or fraction of a pound ..... 15.0 cents.
Minimum charge per piece..... 3.8 cents.

§ 133.2 Permits.

(a) *Qualifications.* Publications must:

(1) Contain at least 24 pages.

(2) Contain at least 25 percent nonadvertising.

(3) Be issued at regular intervals of four or more times a year.

(4) Be circulated free or mainly free.

(5) Not be owned and controlled by individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of the main business or calling of those who own or control them.

(b) *Applications.* Apply by letter to the postmaster at the office where mailings are to be made. State the name of the publication, frequency of issue, where published, the name of the publisher, and whether the publication is circulated free or mainly free. Submit two copies of the issue published nearest to the date of application marked to show the nonadvertising content as required in § 133.4 of this chapter. The postmaster will submit the application and one copy of the publication to the Office of Mail Classification, Finance and Administration Department. Notice of authorization or disapproval will be furnished by the Director, Office of Mail Classification.

(c) *Deposits to cover postage.* While an application is pending, deposits in money to cover postage on mailings at the third- or fourth-class rates may be made by the publisher. The excess deposits will be returned if a permit is issued.

§ 133.3 Identification statements.

The following items must be printed on one of the first five pages of each copy, in a position where they may be easily located by postal employees and other interested persons:

(a) Name of the publication on the front.
(b) Date of issue.
(c) Frequency of issue.
(d) Address of publisher including street and number when there is carrier delivery service and the ZIP Code.
(e) Subscription price, if the publication has one.
(f) Controlled circulation imprint, reading: "Controlled circulation postage paid at ----------." When a publisher has filed applications at more than one post office, and has received authorizations at each office, the imprint must read: "Controlled circulation postage paid at ---------- and at ---------- ----------."

(g) Notice of pending application when copies are mailed under deposits of money, reading: "Application to mail at controlled circulation rates is pending at ----------." A notice must be printed or handstamped on the envelopes or wrappers in which copies are mailed, reading: "Controlled circulation postage paid at ----------." When a publisher has filed applications at more than one post office, and has received authorizations at each office, the notice must read: "Controlled circulation postage paid at ---------- and at ----------."

§ 133.4 Filing of marked copy.

A copy of each issue, marked by the publisher to show nonadvertising to the extent of at least 25 percent of the total reading and advertising portions of the publication, must be filed with the postmaster at the time of mailing. The percentage of nonadvertising must be written on the first page of the copy. Advertising includes paid advertising and the publisher's own advertising. The advertising may be in display, classified, or editorial style.

§ 133.5 Enclosures.

Enclosures are not permitted.

§ 133.6 Addressing, preparation for mailing, weighing, and collection of postage.

See § 122.7 of this chapter for applicable addressing requirements; §§ 125.1 through 125.3(c) of this chapter for applicable preparation requirements; and § 125.6 of this chapter for weighing and collecting of postage procedures.

PART 134—THIRD CLASS

Sec.
134.1 Rates.
134.2 Classification.
134.3 Weight and size limitations.
134.4 Preparation—payment of postage.
134.5 Qualification requirements and application procedure for special third-class rates.
134.6 Permissible additions.
134.7 Enclosures.
134.8 Sealing.

AUTHORITY: The provisions of this Part 134 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 134.1 Rates.

(a) *Single piece rate.* All matter not in the first or second class (see § 134.3(a) for weight limit) except mailings made under § 134.1 (b) and (c). 6 cents first 2 ounces or fraction of 2 ounces plus 2 cents for each additional ounce or fraction of an ounce.

(b) *Bulk rates.* (See §§ 134.2(b)(2) and 134.4(b).)

	Special rate for authorized organizations only (see § 134.5)	Regular rate
(1) Books and catalogs having 24 or more bound pages with at least 22 printed, seeds, cuttings, bulbs, roots, scions, and plants (see § 134.3(a) for weight limit).	8 cents per pound or fraction.	10 cents per pound or fraction.
Minimum rate per piece:		
First 250,000 pieces mailed during each calendar year.	1.0 cents.....	3.8 cents.
Pieces in excess of 250,000 mailed during each calendar year (see subparagraph (4) below).	1.0 cents.....	4 cents.
(2) All matter, except the items in subparagraph (1) above not included in the first- or second-class (see § 134.3(a) for weight limit).	11 cents per pound or fraction.	23 cents per pound or fraction.
Minimum rate per piece:		
First 250,000 pieces mailed during each calendar year.	1.0 cents.....	3.8 cents.
Pieces in excess of 250,000 mailed during each calendar year (see subparagraph (4) below).	1.0 cents.....	4 cents.

(3) If the total postage computed at the pound rate does not amount to the minimum rate per piece or more, postage must be computed at the minimum charge per piece. (See § 134.2(b)(2)(i).)

(4) When mailings are made at the minimum per piece rates of 3.8 cents provided by subparagraphs (1) and (2) above, the mailer or his agent must show on each Form 3602, Statement of Mailing Matter with Permit Imprints, or Form

3602—PC, Bulk Rate Mailing Statement—Third-Class Mail, that his total mailings, including all those made at bulk pound rates and at minimum per piece rates, at all post offices, under any name, for each current calendar year, have not exceeded 250,000 pieces. It is the responsibility of the mailer or his agent to make available upon request of postal officials whatever information is necessary to show the payment of correct minimum per piece rates on all mailings made during each calendar year. Postmasters must regularly review the records of mailings being made at the bulk third-class pound and piece rates for the purpose of determining from the identity of the mailer, the number of pieces mailed, the character of the mailing pieces, or any other facts, whether the correct minimum per piece rate is being paid. If any postmaster is in doubt as to whether the 250,000 limitation has been exceeded in a particular case, he shall submit all the facts to the Office of Mail Classification, Finance and Administration Department.

(c) *Keys, identification cards, identification tags, or similar identification devices.* Keys, identification cards, identification tags, or similar identification devices that are without cover and that bear, contain, or have securely attached the name and complete post office address of a person, organization, or concern with instructions to return to such address and a statement guaranteeing the payment of the postage due on delivery: 14 cents for the first 2 ounces and 7 cents for each additional 2 ounces or fraction thereof.

§ 134.2 Classification.

(a) *Definition, as contained in 39 U.S.C. 4451.* (1) Third-class mail consists of mailable matter which is—

(i) Not mailed or required to be mailed as first-class mail;

(ii) Not entered as second-class mail; and

(iii) Less than 16 ounces in weight.

(2) Circulars, including printed letters which according to internal evidence are being sent in identical terms to several persons, are third-class mail. A circular does not lose its character as such when the date and name of the addressee and of the sender are written therein, nor by the correction in writing of mere typographical errors.

(3) Printed matter within the limit of weight is third-class mail. For the purpose of this section, printed matter is paper on which words, letters, characters, figures or images, or any combination thereof, not having the character of actual or personal correspondence, have been reproduced by any process other than handwriting or typewriting.

(b) *Application of rates*—(1) *Single rate.* The single rate is applied to each piece according to its weight.

(2) *Bulk rate.* (i) The bulk rate is applied to mailings of identical pieces separately addressed to different addressees in quantities of not less than 50 pounds or of not less than 200 pieces. All the pieces in a bulk mailing must be identical as to size, weight, and number of enclosures, but the printed textual matter need not be identical. Postage is computed at pound rates on the entire bulk mailed at one time, except that in no case shall less than the minimum charge per piece be paid. The annual bulk mailing fee must be paid at or before the first mailing each calendar year. (See § 134.4 of this chapter for other conditions governing acceptance of bulk mailings.)

(ii) It is recommended that mailers merge and presort all third-class matter presented for mailing during a day or part of a day when the pieces are identical in size, weight, and number of enclosures and when they are addressed from one list or from more than one list. A variance in the text, the use or nonuse of adhesive address labels, or the use of several lists with different key numbers does not preclude the mailer from merging the mailings and presorting them.

(3) *Other third-class rates.* The rate for keys and identification items placed loose in the mail under the conditions in § 134.1(c) is applied to each item according to its weight. When there are several items for the same addressee the office of mailing will place them in an envelope or wrapper addressed to the intended recipient and marked to show the amount of postage due. The amount of postage will be computed on each item and not on the bulk weight of the mailing piece.

§ 134.3 Weight and size limitations.

(a) *Weight.* Each piece may weigh up to but not including 16 ounces.

(b) *Size, shape, and ratio.* There is no maximum limit of size. The following standards apply to envelopes, cards, and self-mailers having postage paid thereon at the third-class rates:

(1) Pieces less than 3 inches in width (height) or 4¼ inches in length are nonmailable.

(2) Pieces having shapes other than rectangular are nonmailable.

(3) Pieces having a ratio of width (height) to length of 1 to 1.414 (1 to the square root of 2) are recommended.

(4) Cards having a thickness of less than 0.006 of an inch are nonmailable.

§ 134.4 Preparation—payment of postage.

(a) *Single-piece mailings.* Mailers of third-class mail at other than bulk rates may use any method of paying postage, and may mail any number of pieces at one time, except when permit imprints are used (see § 145.5). See § 134.8(b) for marking required on sealed pieces.

(b) *Bulk mailings*—(1) *Annual fee.* A fee of $30 must be paid once each calendar year by or for any person who mails at the bulk third-class rates. Any person who engages a business concern or another individual to mail for him must pay the $30 fee. This fee is separate from the $15 fee that must be paid for a permit to mail under the permit imprint system (§ 145.1). An alphabetical record of customers who have paid the $30 fee must be kept at the weighing section or any other place where bulk mailings are accepted and cleared. The record must show whether the mailer has been authorized to mail as one of the organizations or associations named in § 134.5.

(2) *Postage permits required.* Postage must be prepaid by (see Part 146):

(i) Meter stamps. See Part 144.

(ii) Precanceled stamps or precanceled stamped envelopes. See Part 143.

(iii) Permit imprints (cash). See Part 145.

(3) *Markings required.* Identifying words as follows must be printed or rubber stamped by the mailer either in or immediately adjacent to permit imprints, meter stamps, or precanceled stamps:

(i) Bulk Rate or the abbreviation Blk. Rt. by mailers other than nonprofit organizations.

(ii) Nonprofit Organization or the abbreviation Nonprofit Org. by authorized nonprofit organizations. (See § 134.5.)

(4) *Mailing statement and verification.* A designated employee in the weighing section or place in the post office where bulk mailings are accepted verifies the mailer's statement which must be completed and submitted by the mailer with each mailing as follows:

(i) Form 3602, Statement of Mailing Matter with Permit Imprints, for mail with permit imprints (see § 145.5(e)); or

(ii) Form 3602-PC, Bulk Rate Mailing Statement—Third-Class Mail, for mail bearing precanceled stamps or meter stamps.

(c) *Preparation by the mailer of pieces in packages and sacks*—(1) *Package labels.* Package labels are used to show the destination of a package when the destination cannot be determined by the arrangement of the pieces in the package or by the sack label. Paper slips may be used as the package label or the top piece or wrapper may be marked or stamped with the package label information required. Label information must be legible.

(2) *Maximum weight in a sack.* The total weight of pieces placed in one sack must not exceed 70 pounds.

(3) *Sack labels furnished by postmaster.* When sack labels are furnished by the postmaster, the mailer is not required to place his name on the back of each label.

(4) *Unauthorized sack labels.* Sacks with unauthorized labels, tags, or markings are not acceptable for dispatch.

(5) *Addresses.* The address on each piece must include the ZIP Code. Exceptions:

(i) The ZIP Code may be omitted from pieces bearing a simplified address (see § 122.4(a)); pieces presorted and bundled by the mailer to city, rural, or star carrier routes; and pieces presorted to five-digit ZIP Code destinations consisting of either a post office having one ZIP Code or the ZIP Code delivery unit in multi-ZIP Coded post offices.

(ii) The lowest or principal ZIP Code assigned to a post office may be used on pieces addressed to any multi-ZIP Coded post office except those listed in § 125.3 (b)(7). Mailers may obtain the lowest or principal ZIP Code for particular post offices from their postmaster.

(6) *Packages and sacks.* When there are 10 or more individually addressed pieces to the destinations described in

subdivisions (i) through (v) of this subparagraph, they must be securely wrapped or tied together as a package by the mailer (the mailer may package less than 10 pieces in the same manner). Packages must be sacked by the mailer when there are enough for the same destination to fill approximately one-third of a sack:

(i) *Five-digit ZIP Code delivery unit packages and sacks.* A five-digit ZIP Code delivery unit is a post office having one ZIP Code or a station or branch of the multi-ZIP Code post offices listed in § 125.3(b)(7) of this chapter.

(*a*) *Packages.* The mailer must prepare packages of pieces addressed to the same five-digit ZIP Code delivery unit. The pieces in the packages must be faced in the same direction. It is recommended that packages be prepared for the five-digit ZIP Code delivery units of the other multi-ZIP Coded post offices which are not listed in § 125.3(b)(7) of this chapter.

(*b*) *Sacks.* Sacks containing five-digit ZIP Code delivery unit packages must be labeled in the following manner:

```
PHILADELPHIA PA 19118
CIRCS
FR JC COMPANY BOSTON MA
```

(ii) *Mixed city packages and sacks—*(*a*) *Packages.* Pieces remaining for a multi-ZIP Coded post office after the five-digit ZIP Code delivery unit packages required by subdivision (i)(*a*) of this subparagraph have been prepared must be made up as a Mixed City package. The packages must be labeled "Mixed City." The label may be omitted when the packages are placed in a city sack and the top piece in the package is turned or covered so that the individual address on the piece does not show, thereby indicating that the package is to be opened for distribution.

(*b*) *Sacks.* Sacks containing mixed city packages plus any packages for five-digit ZIP Code delivery units not sacked as provided for by subdivision (i)(*b*) of this subparagraph must be labeled in the following manner:

```
PHILADELPHIA PA 191
CIRCS
FR JAY MAILING CO CINCINNATI OH
```

(iii) *Sectional center facility (SCF) packages and sacks—*(*a*) *Packages.* Pieces remaining for the post offices in a sectional center after the packages required by subdivisions (i)(*a*) and (ii)(*b*) of this subparagraph have been prepared must be combined into an SCF package and labeled "Mixed SCF." The label may be omitted when the packages are placed in a SCF sack and the top piece in the package is turned or covered so that the individual address on the piece does not show, thereby indicating that the package is to be opened for distribution.

(*b*) *Sacks.* Sacks containing SCF packages, plus any packages for five-digit ZIP Code delivery units and mixed city packages not sacked as provided for by subdivision (i)(*a*) and (ii)(*b*) of this subparagraph must be labeled in the following manner:

```
SCF PHILADELPHIA PA 190
CIRCS
FR Q MAILERS BALTO MD
```

(iv) *State packages and sacks—*(*a*) *Packages.* Pieces remaining for a State after the packages required by subdivisions (i)(*a*), (ii)(*a*), and (iii)(*a*) of this subparagraph have been prepared must be combined in a State package and labeled with the name of the State. The label may be omitted when the packages are placed in a State sack and the top piece in the package is turned or covered so that the individual address on the pieces does not show, thereby indicating that the package is to be opened for distribution.

(*b*) *Sacks.* Sacks containing State packages plus any packages for five-digit ZIP code delivery units, mixed city packages, and SCF packages not sacked as provided for by subdivisions (i)(*b*), (ii)(*b*), and (iii)(*b*) of this subparagraph must be labeled in the following manner:

```
KANSAS CITY MO DIS 640
MISSOURI CIRCS
FR STAR SAN FRANCISCO CA
```

(v) *Mixed States packages and sacks—*(*a*) *Packages.* All pieces remaining after the packages required by subdivisions (i)(*a*), (ii)(*a*), (iii)(*a*), and (iv)(*a*) of this subparagraph, have been prepared must be combined in a Mixed States package and labeled "Mixed States."

(*b*) *Sacks.* Sacks containing Mixed States packages must be labeled in the following manner:

```
CHICAGO IL DIS 600
MIXED STATES CIRCS
FR RECORD CHICAGO IL
```

(d) *Merchandise samples.* When an article given away for the purpose of advertising an article of merchandise which it represents, in whole or in part, is mailed at bulk third-class rates for general distribution on city delivery routes in a mailing piece which exceeds 5 inches in width (height) or one-fourth inch in thickness or which has nonuniformity in thickness, the mailer must comply with the following preparation requirements:

(1) *Address cards.* (i) The address where the sample is to be delivered may not be placed on the sample, but must be placed on a separate address card which will be delivered with the sample.

(ii) The recipient's address, the mailer's return address, and the wording, "This card was prepared for use in delivering the accompanying postage paid sample," must be placed on the address card. The brand name, color coding, or other identifying symbols must also be placed on the address card to clearly associate it with the accompanying sample.

(iii) Any advertising or other printed addition on the card will require payment of separate third-class postage for the card.

(iv) The address card shall measure approximately (plus or minus ¼") 3¼" by 7⅜" and be of a thickness not less than 0.006 of an inch.

(v) The address cards must be presorted, counted, and packaged by 5-digit ZIP Code delivery area. Each package of address cards shall bear a labeling showing:

(*a*) The post office of delivery

(*b*) The 5-digit ZIP Code delivery area

(*c*) The brand name of the merchandise sample

(*d*) The number of cards in the package

(*e*) Instructions to open and distribute with matching samples.

(2) *Samples.* The samples must be placed in outer cartons, labeled as follows:

(i) The post office of delivery

(ii) The 5-digit ZIP Code delivery area

(iii) The brand name of the merchandise sample

(iv) The number of samples in the outer carton

(v) Instructions to open and distribute with matching cards.

(3) *Postage.* (i) The postage must be prepaid by one of the methods prescribed by § 134.4(b)(2) and must be printed on or affixed to the sample container.

(ii) No postage will be shown on the address card except when advertising or other printed addition is placed thereon and separate postage is required.

(4) *Mailing periods.* Avoid mailing during the following peak mailing periods:

(i) The last week of November and throughout the month of December.

(ii) From the first to the fifth and from the twenty-sixth to the end of each month.

(e) *Special services.* The registry, insurance, special delivery, special handling, certified, and COD services may not be used for third-class matter mailed at bulk rates.

§ 134.5 Qualification requirements and application procedure for special third-class rates.

(a) *Kinds of organizations or associations that may qualify.* Only the following organizations or associations not organized for profit and none of the net income of which benefits any private stockholder or individual may be authorized to mail pieces at the rates provided by § 134.1(b)(1) and (2):

(1) Religious.	(5) Agricultural.
(2) Educational.	(6) Labor.
(3) Scientific.	(7) Veterans'.
(4) Philanthropic.	(8) Fraternal.

(b) *Organizations granted income tax exemption.* When an organization submits proof that it has been granted income tax exemption under title 26, United States Code, section 501(c)(3), as a religious, educational, scientific, or philanthropic (charitable) organization, or under section 501(c)(8), as a fraternal organization, it will be considered as qualifying for the special third-class rate unless the available evidence discloses some disqualification.

(c) *Examples of organizations or associations that may not qualify.* The following and similar organizations do not come within the prescribed categories even though they may be organized on a nonprofit basis: Automobile clubs; business leagues; chambers of commerce; citizens' and civic improvement associations; individuals; municipal, county, or State governmental bodies; mutual insurance associations; political organiza-

tions; service clubs such as Civitan, Kiwanis, Lions, Optimist, and Rotary; social and hobby clubs; associations of rural electric cooperatives; and trade associations.

(d) *Application*—(1) *Filing.* Application on Form 3624, Application to Mail at Special Bulk Third-Class Rates for Qualified Nonprofit Organizations or Associations, must be filed by the organization or association at the post office where mailings will be deposited.

(2) *Approval or Denial.* The application Form 3624 together with any supporting papers will be sent to the postal services center. (Pending a decision, bulk mailings subject to the minimum per piece charge may be handled in accordance with § 134.5(e).) The postmaster at the postal services center will approve or deny the application. The application Form 3624 and any supporting papers will be returned with the decision to the postmaster where the application was filed for notification of the applicant.

(3) *Appeal.* The decision of the postmaster at the postal services center may be appealed by the applicant, in writing to the postmaster where the application was filed. The postmaster will forward the appeal to the postal services center. If, after a review of the file, the postmaster at the postal services center is still of the opinion that the organization does not qualify, he shall furnish a statement of the reasons for his denial action to the Finance and Administration Department, Office of Mail Classification. The complete file, including the original application and all supporting papers, should be submitted. The papers will be returned to the postmaster at the postal services center with notification of decision on the appeal.

(e) *Temporary mailings.* Until final action is taken on the application, postage paid on the mailings may be at the special rates, provided the mailer deposits with the postmaster an amount sufficient to cover the additional postage at the higher rates. (See § 134.1(b) (1) and (2).) This deposit will be returned to the mailer if the application is approved. If the application is denied, the deposit will not be returned. The deposit will be converted into postage-due stamps which will be canceled and given to the mailer if no appeal is made. If appeal is made, action concerning the deposit will be deferred.

(f) *Revocation.* The approval may be revoked if the authorization was given to an organization or association which was not qualified or which becomes unqualified. The postmaster who approved the application will notify the organization of the pending cancellation of the authorization and of the reasons for the cancellation. The organization will be allowed 10 days within which to file a written statement appealing the pending cancellation. If no appeal is filed, the postmaster will cancel the authorization If an appeal is filed, decision on the continuance of the authorization will be made by the Finance and Administration Department, Office of Mail Classification. Notice of the decision will be given the organization through the postmaster.

§ 134.6 Permissible additions.

The additions authorized for fourth-class mail in § 135.5(b) are permissible with matter mailed at third-class rates of postage.

§ 134.7 Enclosures.

(a) *Books and catalogs mailed at bulk rates provided by § 134.1(b) (1).* Only the following specifically named items may be enclosed loose provided they relate exclusively to the book or catalog they accompany:

(1) Single reply envelope or reply post card, or both.

(2) Single order form.

(3) Printed circular. Circulars fastened securely along the entire bound edge by means of paste, stitches, or staples are not loose enclosures.

(4) If no circular is enclosed, a printed price list listing only articles featured in the catalog and showing only the same prices and discounts as the catalog.

(5) An invoice. (See § 135.5(b) (2) of this chapter.)

(6) Samples of merchandise attached to pages.

(b) *All other third-class matter.* The following are permissible enclosures:

(1) An invoice (see § 135.5(b) (2) of this chapter).

(2) Manuscripts accompanying related proof sheets (see § 135.5(b) (1) (vi) (*b*) of this chapter).

§ 134.8 Sealing.

(a) *Examination.* Third-class mail must be prepared by the mailer so that it can be easily examined. Third-class mail which is not sealed or secured so that it may be handled by machines is not recommended. Mailing of sealed articles at the third-class rates of postage is considered consent by the mailer to postal inspection of the contents.

(b) *Marking.* All sealed pieces mailed at the single piece third-class postage rate provided for by § 134.1(a) must be legibly marked, preferably below the postage and above the name of the addressee, with the two words "Third Class." The marking may be included as a part of a permit imprint, and it may be printed adjacent to the meter stamp by a postage meter, but it may not be printed by a meter slogan or ad plate. The marking will not be considered adequate if it is included as a part of a decorative design or advertisement. Only the markings required by § 134.4(b) (3) need be carried on sealed pieces mailed at the bulk third-class postage rates provided for by § 134.1(b).

PART 135—FOURTH CLASS

Sec.

135.1 Rates.
135.2 Classification.
135.3 Weight and size limits.
135.4 Payment of postage.
135.5 Enclosures and additions.
135.6 Enclosures with items mailed at catalog, special fourth-class and library rate.
135.7 Sealing.
135.8 Place of mailing.

AUTHORITY: The provisions of this Part 135 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 135.1 Rates.

(a) *Fourth-class (parcel post) zone rates (effective Nov. 14, 1970).*

Weight 1 pound and not exceeding (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
2	$0.60	$0.65	$0.70	$0.75	$0.80	$0.90	$1.00	$1.05
3	.60	.75	.80	.85	.95	1.10	1.20	1.35
4	.65	.80	.85	.95	1.10	1.30	1.40	1.60
5	.70	.85	.90	1.05	1.20	1.45	1.65	1.90
6	.70	.95	1.00	1.15	1.35	1.60	1.85	2.10
7	.75	1.05	1.10	1.25	1.50	1.75	2.10	2.35
8	.75	1.10	1.15	1.35	1.60	1.90	2.30	2.60
9	.80	1.15	1.20	1.45	1.75	2.05	2.45	2.85
10	.80	1.20	1.30	1.55	1.90	2.20	2.65	3.10
11	.80	1.25	1.35	1.60	2.00	2.30	2.85	3.35
12	.85	1.30	1.45	1.70	2.10	2.45	3.05	3.55
13	.85	1.35	1.55	1.80	2.20	2.60	3.25	3.80
14	.90	1.40	1.60	1.90	2.33	2.75	3.45	4.00
15	.90	1.45	1.65	2.00	2.45	2.85	3.60	4.20
16	.95	1.55	1.75	2.05	2.65	2.95	3.80	4.40
17	1.00	1.60	1.80	2.15	2.65	3.10	3.95	4.60
18	1.00	1.65	1.90	2.20	2.75	3.20	4.15	4.80
19	1.05	1.70	2.00	2.30	2.85	3.35	4.30	5.00
20	1.05	1.75	2.05	2.40	2.95	3.50	4.50	5.20
21	1.10	1.85	2.10	2.45	3.05	3.65	4.65	5.40
22	1.15	1.90	2.15	2.55	3.15	3.75	4.85	5.60
23	1.15	1.95	2.20	2.60	3.25	3.90	5.00	5.80
24	1.20	2.00	2.25	2.65	3.35	4.05	5.15	6.00
25	1.20	2.05	2.30	2.75	3.45	4.15	5.35	6.20
26	1.20	2.10	2.35	2.85	3.55	4.30	5.50	6.40
27	1.25	2.15	2.40	2.90	3.70	4.45	5.65	6.60
28	1.25	2.20	2.45	2.95	3.80	4.60	5.80	6.80
29	1.30	2.25	2.50	3.05	3.90	4.70	6.05	7.00
30	1.30	2.30	2.55	3.10	4.00	4.85	6.10	7.20
31	1.35	2.35	2.65	3.20	4.10	5.00	6.25	7.40
32	1.40	2.40	2.70	3.30	4.20	5.15	6.45	7.60
33	1.40	2.45	2.75	3.35	4.30	5.25	6.60	7.80
34	1.45	2.50	2.80	3.40	4.40	5.40	6.75	8.00
35	1.45	2.55	2.85	3.45	4.50	5.55	6.90	8.20
36	1.45	2.60	2.90	3.55	4.60	5.65	7.10	8.40
37	1.50	2.65	3.00	3.65	4.70	5.75	7.25	8.60
38	1.50	2.70	3.05	3.70	4.80	5.90	7.45	8.80
39	1.55	2.75	3.10	3.80	4.90	6.05	7.60	9.00
40	1.55	2.80	3.15	3.85	5.00	6.15	7.75	9.20
41	1.60	2.85	3.20	3.95	5.15	6.25	7.95	9.40
42	1.60	2.90	3.25	4.00	5.25	6.40	8.10	9.60
43	1.65	2.95	3.30	4.10	5.35	6.55	8.25	9.80
44	1.70	3.00	3.35	4.15	5.45	6.65	8.40	10.00
45	1.70	3.05	3.40	4.20	5.55	6.80	8.55	10.20
46	1.70	3.10	3.50	4.30	5.65	6.90	8.70	10.40
47	1.75	3.10	3.55	4.40	5.75	7.00	8.90	10.60
48	1.75	3.15	3.60	4.45	5.85	7.15	9.05	10.80

Weight 1 pound and not exceeding (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
49	1.80	3.20	3.65	4.50	5.95	7.30	9.20	11.00
50	1.80	3.25	3.70	4.60	6.05	7.40	9.35	11.15
51	1.85	3.30	3.80	4.70	6.15	7.50	9.50	11.35
52	1.90	3.35	3.85	4.75	6.25	7.65	9.65	11.55
53	1.90	3.40	3.90	4.80	6.35	7.80	9.80	11.75
54	1.95	3.40	3.95	4.90	6.45	7.90	9.95	11.90
55	1.95	3.45	4.00	4.95	6.55	8.00	10.10	12.10
56	1.95	3.50	4.10	5.05	6.60	8.10	10.25	12.25
57	2.00	3.55	4.15	5.15	6.70	8.25	10.40	12.45
58	2.00	3.60	4.20	5.20	6.80	8.40	10.55	12.60
59	2.05	3.65	4.25	5.25	6.90	8.50	10.70	12.80
60	2.05	3.65	4.30	5.35	7.00	8.60	10.85	12.95
61	2.10	3.70	4.35	5.45	7.05	8.70	11.00	13.10
62	2.15	3.70	4.40	5.50	7.15	8.85	11.15	13.30
63	2.15	3.75	4.45	5.55	7.25	9.00	11.30	13.45
64	2.20	3.80	4.50	5.60	7.35	9.10	11.45	13.65
65	2.20	3.85	4.60	5.70	7.45	9.20	11.60	13.80
66	2.20	3.90	4.65	5.80	7.50	9.30	11.75	1.395
67	2.25	3.95	4.70	5.85	7.60	9.40	11.85	14.15
68	2.25	3.95	4.75	5.90	7.70	9.55	12.00	14.30
69	2.30	4.00	4.80	5.95	7.75	9.65	12.15	14.50
70	2.30	4.05	4.85	6.05	7.85	9.75	12.25	14.65

Exceptions:

(1) Parcels weighing less than 10 pounds, and measuring over 84 inches but not exceeding 100 inches in length and girth combined, are chargeable with a minimum rate equal to that for a 10 pound parcel for the zone to which addressed. See § 135.3 for size and weight restrictions.

(2) For catalogs weighing up to 10 pounds, see paragraph (b) of this section.

(3) For books and library books, see paragraph (c) and (d) of this section.

(4) For 16-millimeter films, 16-millimeter film catalogs and related materials, see paragraphs (c) and (d) of this section.

(5) Gold mailed within Alaska or from Alaska to other States and U.S. possessions: 2 cents each ounce or fraction, regardless of distance.

(b) *Catalogs and similar printed advertising matter in bound form having 24 or more pages, at least 22 of which are printed, weighing 16 ounces or more but not exceeding 10 pounds—effective Nov. 14, 1970*—(1) *Rates for bulk mailings of separately addressed identical pieces in quantities of not less than 300 mailed at one time.*

Zones	Piece rate	Bulk pound rate
	Cents	*Cents*
Local	21	2.1
1 and 2	25	3.4
3	25	4.0
4	25	5.0
5	25	6.1
6	25	7.5
7	25	9.1
8	26	10.8

NOTE: The total charge for each bulk mailing shall be the sum of the charges derived by applying the applicable pound rate to the total number of pounds and by applying the applicable piece rate to the total number of pieces.

(i) *Postage.* Postage must be paid by permit imprints. Each imprint must show name of the post office, permit number, and the words "U.S. Postage Paid," unless the mailer is authorized to use a company permit imprint as provided in § 145.3(c). The words "Bulk Catalog Rate" shall be printed within the permit imprint. The position of the imprint may be varied to that automatic data processing equipment may be utilized to simultaneously print the address, imprint and any other information.

(ii) *Mailing statement.* The mailer must submit with each mailing a statement on Form 3605 showing:

(*a*) Weight of a single piece.

(*b*) Number of pieces addressed for delivery in each zone.

(*c*) Total number of pieces in the mailing.

(*d*) Number of pounds for delivery in each zone.

(*e*) Total per piece charge for each zone.

(*f*) Total pound rate postage for each zone.

(*g*) Sum of postage at the per piece rate and at the pound rate.

(*h*) Name and address of mailer and permit number.

(iii) *Separation required.* The mailer must separate mailing pieces by parcel post zones so that postage may be verified. Mail for each parcel post zone must be further separated and placed in sacks by cities or States of destination in each instance where there are 10 or more pieces for the same post office or State, or where five or more catalogs weigh 10 or more pounds. Use No. 3 mail sacks except when greater volume requires the use of No. 2 mail sacks. When there is insufficient volume for a direct sack or a State sack, combine the pieces in sacks for mixed States by parcel post zones. Label each sack to include parcel post zone separation and destination.

(iv) *Separations recommended.* In addition to the separations required in subdivision (iii) of this subparagraph, it is recommended that the mailer separate the pieces to the finest extent possible in the manner prescribed by § 134.4(c) of this chapter.

(v) *Maximum weight in a sack.* The total weight of pieces placed in one sack must not exceed 70 pounds.

(2) *Optional handling of bulk mailings of catalogs weighing in excess of 2 pounds when addressed for delivery in local parcel post zone only.* Address labels and unaddressed catalogs weighing in excess of 2 pounds, at the option of the mailer, may be mailed separately for local delivery at the office of mailing subject to all of the following conditions:

(i) The address labels, which may not measure less than 3 by 4¼ inches, must show the full name and ZIP Code address of the sender and addressed and must be sorted by the mailer to the fourth and fifth digit of the ZIP Code.

(ii) Postage must be paid by permit imprints for each label, including labels returned as undeliverable. The imprint may be placed on the catalog or on the label. See § 145.1(a) of this chapter. The imprints must be prepared in the manner prescribed in subparagraph (1) (i) of this paragraph.

(iii) The mailer must submit with each mailing a statement on Form 3605 showing:

(*a*) The weight of a single piece.

(*b*) Total number of pieces in the mailing.

(*c*) Total number of pounds in the mailing.

(*d*) Total per piece charge.

(*e*) Total pound rate postage.

(*f*) Sum of postage at the per piece rate and at the pound rate.

(*g*) Name and address of mailer and permit number.

(iv) The total weight of pieces placed in sacks, cartons, crates or any other types of containers must not exceed 70 pounds.

(v) The address labels must be sent to the postmaster at the mailing (delivery) office by the mailer.

(vi) Address labels bearing incorrect, nonexistent or any other undeliverable addresses will be corrected or endorsed to show why they are undeliverable and returned under cover to the mailer. Each envelope shall be rated with postage due at the rate of 10 cents for each address label contained in the envelope. At the request of the mailer, the postmaster will notify the mailer, at mailer's expense and by means specified by mailer, of the number of address labels being returned. The request for notification must accompany the labels. Correctly addressed labels will be held awaiting arrival of the catalogs.

(vii) Catalogs will be deposited at the acceptance point designated by the postmaster. If the number of catalogs deposited is not enough or too many to match the number of address labels, the postmaster will notify the sender, or his designated representative or agent, of the number of catalogs required to complete the delivery or the number in excess. If the additional catalogs are not delivered to the post office within 15 days, the excess address labels will be returned under cover to the mailer. As soon as deliveries are completed, the postmaster will notify the sender or his representative of the number of any excess catalogs on hand. Excess catalogs may be called for by the mailer without charge. Any excess catalogs not called for within 15 days will be returned to sender postage due at the single piece catalog rate.

(3) *Single piece rates for individual mailings of catalogs (catalogs mailed at these rates must be marked catalogs) not mailed at bulk catalog rates in § 135.1 (b) (1) effective November 14, 1970:*

Weight (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
1.5	28	34	34	36	38	40	42	46
2	29	35	36	38	41	43	47	51
2.5	30	37	38	41	44	47	51	56
3	31	39	40	43	47	51	56	62
3.5	32	40	42	45	50	55	60	67
4	33	42	44	48	53	58	65	73
4.5	34	44	46	51	56	62	69	78
5	35	45	48	53	59	66	74	83
6	37	49	52	58	65	73	83	94
7	39	52	56	63	71	81	92	105
8	41	56	60	68	77	88	101	116
9	43	59	64	73	83	95	110	127
10	45	62	68	78	89	103	119	137

(c) *Special fourth-class rate.*

Kind of mail (Rate restricted to items specifically named)	Rate (Without regard to zone)	
	First pound or fraction of a pound	Each additional pound or fraction
Books; 16-millimeter or narrower width films and catalogs of such films (rate applies for films and catalogs except when mailed to or from commercial theaters); printed music, printed objective test materials, sound recordings, playscripts and manuscripts for books, periodicals and music; printed educational reference charts permanently processed for preservation; looseleaf pages, and binders therefor, consisting of medical information for distribution to doctors, hospitals, medical schools, and medical students. See §1335.2 (a)(4).	12 cents	6 cents.

(d) *Library rate.*

Kind of mail (Rate restricted to items specifically named mailed by or to organizations mentioned in 135.2(a)(5)	Rate (Without regard to zone)	
	First pound or fraction of a pound	Each additional pound or fraction
Books; printed music; bound volumes of academic theses; sound recordings; periodicals; other library materials; museum and herbarium materials; 16-millimeter or narrower width films, filmstrips, transparencies, slides, microfilms; scientific or mathematical kits, instruments, or other devices; also, catalogs, guides or scripts for some of these materials. See §135.2(a)(5).	5 cents	2 cents.

§ 135.2 Classification.

(a) *Description.* (1) Fourth-class mail includes merchandise, printed matter, mailable live animals, and all other matter not included in first-, second-, or third-class.

(2) Zone rates in § 135.1(a) are applicable to all fourth-class mail, except that items described in § 135.1 (b), (c), and (d) may be mailed at the special rates shown in those sections, if desired.

(3) Catalogs and similar printed advertising matter in bound form, having 24 or more pages, at least 22 of which are printed, weighing 16 ounces or more but not exceeding 10 pounds, may be accepted at the zone rates in § 135.1(b) (1) and (2).

(4) Only the following specifically described articles may be mailed at the special fourth-class rate provided by § 135.1 (c).

(i) Books, including books issued to supplement other books, of 24 pages or more, at least 22 of which are printed, consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations and containing no advertising matter other than incidental announcements of books. Advertising includes paid advertising and publishers' own advertising. Advertising may be in display, classified, or editorial style. The identification statement "Special Fourth-Class Rate—Books" must be placed conspicuously on the address side of each package.

(ii) 16-millimeter films or narrower width films which must be positive prints in final form for viewing, and catalogs of such films of 24 pages or more, at least 22 of which are printed, except films and film catalogs sent to or from commercial theaters. The identification statement "Special Fourth-Class Rate—16 mm. or Narrower Films or 16 mm. or Narrower Film Catalog" must be placed conspicuously on the address side of each package.

(iii) Printed music whether in bound form or in sheet form. The identification statement "Special Fourth-Class Rate—Printed Music" must be placed conspicuously on the address side of each package.

(iv) Printed objective test materials and accessories thereto used by or in behalf of educational institutions for testing ability, aptitude, achievement, interests, and other mental and personal qualities with or without answers, test scores, or identifying information recorded thereon in writing or by mark. The identification statement "Special Fourth-Class Rate—Objective Test Materials" must be placed conspicuously on the address side of each package.

(v) Sound recordings, including incidental announcements of recordings and guides or scripts prepared solely for use with such recordings. Player piano rolls are classified as sound recordings. Miscellaneous advertisements, including trademarks, of persons or concerns other than the record manufacturer, are not permissible on title labels, protective sleeves, jackets, cartons, and wrappers, and such advertisements may not be mailed as enclosures. The identification statement "Special Fourth-Class Rate—Sound Recordings" must be placed conspicuously on the address side of each package.

(vi) Playscripts and manuscripts for books, periodicals, and music. The identification statement "Special Fourth-Class Rate—Manuscript" must be placed conspicuously on the address side of each package.

(vii) Printed educational reference charts, permanently processed for preservation. The identification statement "Special Fourth-Class Rate—Educational Reference Charts" must be placed conspicuously on the address side of each package.

(viii) Looseleaf pages, and binders therefor, consisting of medical information for distribution to doctors, hospitals, medical schools, and medical students. The identification statement "Special Fourth-Class Rate—Medical Information" must be placed conspicuously on the address side of each package.

NOTE: When two or more articles described in this section are mailed in the same package, the appropriate descriptive terms shall be combined in the identification statement placed on the address side. Example: "Special Fourth-Class Rate—Books and Sound Recordings."

(5) Only the articles specifically described in this section may be mailed at the fourth-class library rate provided by § 135.1(d). The identification statement "Library Rate" must be placed conspicuously on the address side of each package. Each package must show in the address or return address the name of a school, college, university, public library, or name of a nonprofit religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organization or association. No permit is required.

(i) The following specific items when loaned or exchanged between schools, colleges, or universities, and public libraries, museums, and herbaria, nonprofit religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations; or when cooperatively processed by libraries; or loaned or exchanged between libraries, organizations, or associa-

tions, and their members, readers, or borrowers, may be mailed at the library rate:

(a) Books, consisting wholly of reading matter, scholarly bibliography, or reading matter with incidental blank spaces for notations and containing no advertising other than incidental announcements of books.

(b) Printed music, whether in bound form or in sheet form.

(c) Bound volumes of academic theses in typewritten or duplicated form.

(d) Periodicals, whether bound or unbound.

(e) Sound recordings. (See also subparagraph (5) (ii) (b).)

(f) Other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts.

(g) Museum materials, specimens, collections, teaching aids, printed matter, and interpretative materials intended to inform and to further the educational work and interests of museums and herbaria.

(ii) The following specific items when sent to or from schools, colleges, universities, public libraries, museums, and herbaria and to or from nonprofit religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations, may be mailed at the library rate:

(a) 16-millimeter or narrower width films; filmstrips; transparencies; slides; microfilms; all of which must be positive prints in final form for viewing.

(b) Sound recordings.

(c) Museum materials, specimens, collections, teaching aids, printed matter, and interpretative materials intended to inform and to further the educational work and interests of museums and herbaria.

(d) Scientific or mathematical kits, instruments, or other devices.

(e) Catalogs of the materials in paragraphs (5) (ii) (a), (b), (c), and (d) having 24 or more pages, at least 22 of which are printed, and guides or scripts, prepared solely for use with such materials.

(6) The address and each piece mailed at the rates provided by § 135.1 (c) and (d) must include the complete ZIP Code. When 5,000 or more identical pieces are mailed at these rates during a single day and there are enough pieces for the same destination to fill approximately one-third of a sack, they must be presorted and placed in sacks under the instructions contained in § 134.4(c) of this chapter as follows: Subparagraph (2); and subdivisions (i) (b), (ii) (b), (iii) (b), (iv) (b), and (v) (b) of subparagraph (6). When 1,000 or more but less than 5,000 identical pieces are mailed at these rates during a single day and there are enough pieces for the same destination to fill approximately one-third of a sack, they must be presorted and placed in sacks under the instructions in § 134.4(c) of this chapter as follows: Subparagraph (2); and subdivisions (ii) (b), (iii) (b), (iv) (d), and (v) (b) of subparagraph (6).

(b) *Application of rates.* (1) The rates in § 135.1 (a) and (b) are applied on the basis of weight of the individual piece and the zone between the sectional center facilities of the post offices of mailing and delivery. Articles addressed to military post offices overseas (Army, Air Force, Fleet post offices, and Naval vessels) require postage at the zone rate applicable between mailing office and post office shown in the address.

(2) There is a local zone which is defined by the Postmaster General from time to time and eight numbered zones which are determined as follows:

(i) The United States and its territories and possessions are divided into units of area 30 minutes square, identical with a quarter of the area formed by the intersecting parallels of latitude and meridians of longitude. Each unit of area is designated by a number.

(ii) The zones are based on a straight line distance between the unit of area in which the dispatching sectional center of the mailing post office is located and the unit of area in which the receiving sectional center facility of the post office of address is located, measured from the center of one unit to the nearest point in the other.

(iii) An official zone chart prepared for each sectional center will be used to determine zones from all postal units within the sectional center area. The chart to be used is identified by the inclusive ZIP Codes assigned to postal units in the sectional center. Each chart lists the first three digits (prefix) of the Zip Codes of all sectional center offices and to the right thereof the applicable zone.

(iv) To determine the zone distance from the office of mailing to the office of address, refer to the zone chart for use at the office of mailing and locate on the chart the first three digits (prefix) of the ZIP Code of the post office of address. To the right thereof appears the zone.

(v) An official zone chart may be obtained free by request to the postmaster at the office of mailing. For ZIP Code numbers, consult the National ZIP Code Directory.

(3) The rates in § 135.1 (c) and (d) are computed on the basis of the weight of the piece regardless of the zone to which addressed.

(4) The local rate in § 135.1 (a) and (b) applies to parcels mailed at any post office for local delivery at that office; at any city letter-carrier office or at any point within its delivery limits for delivery by carriers from that office; at any office from which a rural route starts for delivery on the same route; and on a rural route for delivery at the office from which the route starts or on any rural route starting from that office.

(5) The zone 1 rate in § 135.1 (a) and (b) applies to parcels mailed between two post offices in the same sectional center area.

(6) Gold coin, gold bullion, and gold dust, between any two points in Alaska, or between any point in Alaska and any point in the other States or U.S. possessions are charged the rate in § 135.1(a). The gold must be enclosed in sealed packages not exceeding 50 pounds in weight and sent by registered mail.

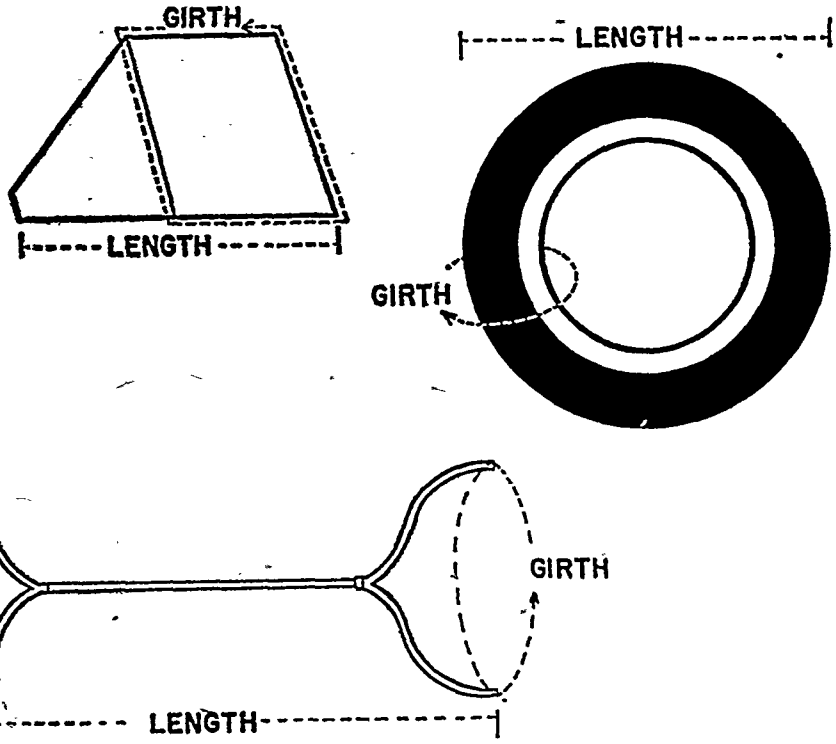
§ 135.3 Weight and size limits.

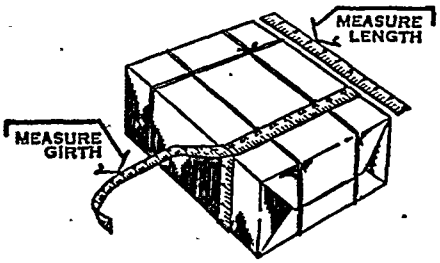
(a) *Conditions for determining limits.*

	16 ounces or more but not exceeding—	Length and girth must not exceed—
(1) *Between first-class post offices:*		
Parcels mailed at a first-class post office in the 48 contiguous States of the United States addressed for delivery at the same office or to another first-class post office in the 48 contiguous States. (See exceptions in §135.3(a)(2).)	40 pounds	78 inches.
NOTE: The size limit will be changed as follows: Effective July 1, 1971		84 inches.
(2) *All other parcels:*		
Parcels mailed at or to:		
(i) Any post office of the second, third, or fourth class	70 pounds	100 inches.
(ii) Any rural or star route at any class of post office	do	Do.
(iii) Any Army, Air Force or Fleet post office. (See Part 126 for certain exceptions.)	do	Do.
(iv) Any post office in Alaska or Hawaii	do	Do.
(v) Any post office in the Commonwealth of Puerto Rico	do	Do.
(vi) Any post office in a territory or possession of the United States, including the Canal Zone and Trust Territory of the Pacific Islands. (See Part 112.)	do	Do.
(vii) Any post office when contents of parcel consists of baby poultry, nursery stock, agricultural commodities, books, Braille writers and other appliances for the blind, and other items listed in §135.1 (c) and (d). (The term agricultural commodities includes any product grown or produced incident to an agricultural activity on a farm or in a garden, orchard, nursery, or forest, but does not include articles manufactured or processed from these commodities.)	do	Do.

(b) *How to compute the size of a parcel.* (1) Measure the longest side.
(2) Measure distance around the parcel at its thickest part.
(3) Add both measurements.

Two or more packages may be mailed as a single parcel if they are about the same size or shape or if they are parts of one article. They must be securely wrapped or fastened together and must not, together, exceed the weight or size limit.





§ 135.4 Payment of postage.

Mailers of fourth-class articles may use any method of paying postage.

§ 135.5 Enclosures and additions.

(a) *Required*—(1) *Return address.* The return address of the sender must be shown on all fourth-class mail. See § 135.2(a)(5) concerning packages mailed at the library rate.

(2) *Special markings.* See §§ 121.6, 135.1(b)(1)(i), 135.2(a)(5), and 138.3 of this chapter for special markings required.

(3) *Customs declarations.* See §§ 124.8 (d) and 126.2 concerning need for customs declaration forms for packages addressed to the Canal Zone and to certain military post offices overseas.

(b) *Permissible.* (1) The following written additions may be placed on the wrapper, on a tag or label attached to the outside of the parcel (see § 123.2(b) for space requirements), or inside the parcel, either attached to an article or loose:

(i) Marks, numbers, name, or letters descriptive of contents.

(ii) "Please do not open until Christmas," "Merry Christmas," "Mom and Dad," "Happy Birthday," "Mother," "With Best Wishes," "John Doe," and similar inscriptions.

(iii) Instructions and directions for the use of an article in the package. Example: Directions for use of prescription medicine.

(iv) Manuscript dedication or inscription not in the nature of personal correspondence.

(v) Marks to call attention to any word or passage in text.

(vi) Corrections of typographical errors in—

(*a*) Circulars or printed matter. Handwritten or typewritten changes or additions in the body of a circular are limited to corrections of actual typographical errors.

(*b*) Proof sheets. Corrections in proof sheets include corrections of typographical and other errors, alterations of text, insertion of new text, marginal instructions to the printer, and rewrites of parts if necessary for correction. Corrections should be on margins or attached to the manuscript. Do not enclose manuscript of another article.

(vii) Handstamped imprints, except when the added matter is in itself personal or converts the original matter to a personal communication.

(viii) Any printed matter mailable as third class.

(2) An invoice whether or not also serving as a bill relating solely to the matter with which it is enclosed, may be enclosed or placed in an envelope (marked Invoice Enclosed) attached to the outside, showing any or all of the following:

(i) Names and addresses of sender and addressee.

(ii) Names and quantities of articles enclosed.

(iii) Description of articles enclosed, including price, tax, style, stock number, size, and quality; and if defective, nature of defect.

(iv) Order or file number, date of order, date and manner of shipment, shipping weight, and postage paid.

(v) Initials or name of packer or checker.

§ 135.6 Enclosures with items mailed at catalog, special fourth-class, and library rate.

(a) *Catalogs and similar printed advertising matter in bound form.* The following may be enclosed loose or attached in items mailed at the postage rates shown in § 135.1(b) (1) and (3).

(1) Order forms, reply envelopes and cards, circulars, and miscellaneous types of printed advertising sheets.

(2) An invoice as provided for by § 135.5(b)(2).

Samples of merchandise may be attached to the bound pages and to the loose enclosures.

(b) *Special fourth-class and library rate*—(1) *Books.* The following may be enclosed with books:

(i) Incidental announcements of books, appearing in book pages or as loose enclosures. This includes an addressed envelope or post card, a single order form, and a printed circular, each of which must relate exclusively to books.

(ii) An invoice. (See § 135.5(b)(2).)

(2) *Sound recordings.* The following may be enclosed with sound recordings mailed at the rates in § 135.1(c).

(i) Incidental announcements of sound recordings appearing on title labels, on protective sleeves, on the carton or wrapper, or in the form of loose enclosures.

(ii) Guides or scripts prepared solely use with such recordings.

(iii) An invoice. (See § 135.5(b)(2).)

(3) *All other items listed in § 135.2(a) (4) and (5).* Enclosures are not permitted except as provided in § 135.5 (b)(2).

§ 135.7 Sealing.

Fourth-class mail must be wrapped or packaged so that it can be easily examined. Mailing of sealed parcels at the fourth-class rates of postage is considered consent by the sender to postal inspection of the contents. To assure that their parcels will not be opened for postal inspection, customers should, in addition to paying the first-class rate of postage, plainly mark their parcels First Class or with similar endorsements.

§ 135.8 Place of mailing.

(a) Fourth-class articles may be mailed at a post office, branch, or station, or handed to a rural or star route carrier.

(b) Parcels exceeding the limits of size and weight for articles mailed at first-class post offices that originate in and are prepared in cities or towns served by first-class post offices may not be diverted to other post offices or to a rural or star route carrier for mailing.

PART 136—AIR AND PRIORITY MAIL

Sec.
136.1 Rates.
136.2 Classification.
136.3 Weight and size limit.
136.4 Payment of postage.
136.5 Additions and enclosures.
136.6 Marking, sealing, and depositing.

AUTHORITY: The provisions of this Part 136 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 136.1 Rates.

(a) *Airmail.*

Weight	Kind of mail	Rate
7 ounces or less	Air postal or post cards	8 cents each.
	Letters and packages	10 cents an ounce.
	Business reply (§131.2(c)):	
	Air cards	10 cents each.
	Airmail other than cards:	
	Weight not over 2 ounces	10 cents an ounce, plus 2 cents per piece.
	Weight over 2 ounces	10 cents an ounce, plus 5 cents per piece. Over 7 ounces air parcel post rates plus 5 cents per piece.

(b) *Priority mail (heavy pieces).*

Weight over 7 ounces and not exceeding—pound(s)	Rate					
	Local zones 1, 2, and 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8
1	$0.80	$0.80	$0.80	$0.80	$0.80	$0.80
1½	.98	1.02	1.07	1.14	1.18	1.24
2	1.16	1.23	1.34	1.47	1.55	1.68
2½	1.40	1.48	1.62	1.79	1.91	2.03
3	1.64	1.73	1.90	2.11	2.27	2.48
3½	1.88	1.98	2.18	2.43	2.63	2.88
4	2.12	2.23	2.46	2.75	2.99	3.28
4½	2.36	2.48	2.74	3.07	3.35	3.68
5	2.60	2.73	3.02	3.39	3.71	4.08
6	3.08	3.23	3.58	4.03	4.43	4.88
7	3.56	3.73	4.14	4.67	5.15	5.68
8	4.04	4.23	4.70	5.31	5.87	6.48
9	4.52	4.73	5.26	5.95	6.59	7.28
10	5.00	5.23	5.82	6.59	7.31	8.08
11	5.48	5.73	6.38	7.23	8.03	8.88
12	5.96	6.23	6.94	7.87	8.75	9.68
13	6.44	6.73	7.50	8.51	9.47	10.48
14	6.92	7.23	8.06	9.15	10.19	11.23
15	7.40	7.73	8.62	9.79	10.91	12.08
16	7.88	8.23	9.18	10.43	11.63	12.88
17	8.36	8.73	9.74	11.07	12.35	13.68
18	8.84	9.23	10.30	11.71	13.07	14.48
19	9.32	9.73	10.86	12.35	13.79	15.23
20	9.80	10.23	11.42	12.99	14.51	16.08
21	10.28	10.73	11.98	13.63	15.23	16.88
22	10.76	11.23	12.54	14.27	15.95	17.68
23	11.24	11.73	13.10	14.91	16.67	18.48
24	11.72	12.23	13.66	15.55	17.39	19.23
25	12.20	12.73	14.22	16.19	18.11	20.03
26	12.68	13.23	14.78	16.83	18.83	20.83
27	13.16	13.73	15.34	17.47	19.55	21.63
28	13.64	14.23	15.90	18.11	20.27	22.48
29	14.12	14.73	16.46	18.75	20.99	23.23
30	14.60	15.23	17.02	19.39	21.71	24.08
31	15.08	15.73	17.58	20.03	22.43	24.83
32	15.56	16.23	18.14	20.67	23.15	25.68
33	16.04	16.73	18.70	21.31	23.87	26.48
34	16.52	17.23	19.26	21.95	24.59	27.23
35	17.00	17.73	19.82	22.59	25.31	28.03
36	17.48	18.23	20.38	23.23	26.03	28.88
37	17.96	18.73	20.94	23.87	26.75	29.68
38	18.44	19.23	21.50	24.51	27.47	30.48
39	18.92	19.73	22.06	25.15	28.19	31.23
40	19.40	20.23	22.62	25.79	28.91	32.08
41	19.88	20.73	23.18	26.43	29.63	32.88
42	20.36	21.23	23.74	27.07	30.35	33.68
43	20.84	21.73	24.30	27.71	31.07	34.48
44	21.32	22.23	24.86	28.35	31.79	35.28
45	21.80	22.73	25.42	28.99	32.51	36.03
46	22.28	23.23	25.98	29.63	33.23	36.88
47	22.76	23.73	26.54	30.27	33.95	37.68
48	23.24	24.23	27.10	30.91	34.67	38.48
49	23.72	24.73	27.66	31.55	35.39	39.23
50	24.20	25.23	28.22	32.19	36.11	40.03
51	24.68	25.73	28.78	32.83	36.83	40.88
52	25.16	26.23	29.34	33.47	37.55	41.68
53	25.64	26.73	29.90	34.11	38.27	42.48
54	26.12	27.23	30.46	34.75	38.99	43.23
55	26.60	27.73	31.02	35.39	39.71	44.03
56	27.08	28.23	31.58	36.03	40.43	44.88
57	27.56	28.73	32.14	36.67	41.15	45.68
58	28.04	29.23	32.70	37.31	41.87	46.48
59	28.52	29.73	33.26	37.95	42.59	47.28
60	29.00	30.23	33.82	38.59	43.31	48.03
61	29.48	30.73	34.38	39.23	44.03	48.88
62	29.96	31.23	34.94	39.87	44.75	49.68
63	30.44	31.73	35.50	40.51	45.47	50.48
64	30.92	32.23	36.06	41.15	46.19	51.23
65	31.40	32.73	36.62	41.79	46.91	52.03
66	31.88	33.23	37.18	42.43	47.63	52.88
67	32.36	33.73	37.74	43.07	48.35	53.68
68	32.84	34.23	38.30	43.71	49.07	54.48
69	33.32	34.73	38.86	44.35	49.79	55.28
70	33.80	35.23	39.42	44.99	50.51	56.03

EXCEPTION: Parcels weighing less than 10 pounds, measuring over 84 inches but not exceeding 100 inches in length and girth combined, are chargeable with a minimum rate equal to that for a 10-pound parcel for the zone to which addressed.

§ 136.2 Classification.

(a) *Description.* Airmail is mail carried by air and by the fastest connecting surface carriers, and given the most expeditious handling in dispatch and delivery. Airmail is not given special delivery to the addressee unless a special delivery fee is paid in addition to the airmail postage.

(b) *Articles acceptable.* Any matter acceptable in the domestic surface mail may be sent by airmail, except:

(1) Anything susceptible to damage, or which may be rendered harmful by changes in temperature or atmospheric pressures and not protected against the effects of such changes.

(2) Permanent magnetic materials with unconfirmed fields.

(3) Matter specifically excluded by appropriate Federal agencies from air shipment.

(c) *Application of rates.* (1) Postage is charged on airmail (except postal and post cards) according to weight at the rates in § 136.1 regardless of the class of mail.

(2) Air post cards must conform to the size and conditions prescribed for post cards. (See § 131.2(b)(2).)

(3) Each portion of a double air post card must be prepaid at the air card rate when originally mailed, except when the reply portion is prepared as a business reply air card. See § 131.2(c) for information regarding business reply mail.

(4) Air parcel post articles addressed to military post offices overseas (Army, Air Force, and Fleet post offices, and Naval vessels) require postage at the airmail zone rate applicable between the mailing post office and the post office shown in the address.

(5) The eighth zone airmail rates apply to articles mailed between:

(i) The United States and
(*a*) Its possessions,
(*b*) The Canal Zone, and
(*c*) The islands of the Trust Territory of the Pacific; and

(ii) The possesisons of the United States and
(*a*) The Canal Zone, and
(*b*) The islands of the Trust Territory of the Pacific; and

(iii) The Commonwealth of Puerto Rico and
(*a*) The possessions of the United States,
(*b*) The Canal Zone, and
(*c*) The islands of the Trust Territory of the Pacific.

(6) The airmail rates according to zone apply to articles mailed between:

(i) The United States and
(*a*) The Commonwealth of Puerto Rico, and
(*b*) The Virgin Islands, and

(ii) Between the Commonwealth of Puerto Rico and the Virgin Islands.

§ 136.3 Weight and size limits.

(a) *Weight.* Airmail may weigh up to 70 pounds. See part 126 for the exception to this limit for articles addressed to certain APO's and FPO's.

(b) *Size.* Airmail is limited to 100 inches in combined length and girth. See

part 126 for the exception to this limit for articles addressed to certain APO's and FPO's, and § 135.3(b) for instructions on how to measure parcels.

§ 136.4 Payment of postage.

Postage on airmail may be paid by adhesive postage stamps, stamped cards or envelopes, meter stamps, or permit imprints.

§ 136.5 Additions and enclosures.

There are no special restrictions with respect to written additions and enclosures in airmail.

§ 136.6 Marking, sealing, and depositing.

(a) Place the word "Airmail" prominently on the address side of flat mail preferably below the stamps and above the address, and on the top, bottom, and sides of parcels. Adhesive Label 19, available without charge at the local post office, may be used. The return address of the sender must be shown on the address side of each air parcel mailed at zone rates of postage.

(b) Airmail may be sealed or left unsealed without affecting the air rate.

(c) Deposit airmail weighing 7 ounces or less at the post office or in a special airmail letter box or drop, if available, to insure fastest dispatch, or in any collection box. Airmail weighing over 7 ounces must be deposited at the post office, branch, or station, or handed to a rural or star route carrier.

(d) Use envelopes printed with special airmail design for airmail only.

PART 137—OFFICIAL MAIL

Sec.
137.1 Members of Congress.
137.2 Executive and judicial officers.
137.3 Mail sent to Government departments.
137.4 State employment security mailings.
137.5 Diplomatic and consular mail.
137.6 Absentee balloting materials.
137.7 President-elect, former Presidents, widows of former Presidents, and surviving spouses of Members of Congress.
137.8 Pan American Union and Pan American Sanitary Bureau.
137.9 General instructions.

AUTHORITY: The provisions of this Part 137 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 137.1 Members of Congress.

(a) *Collection of postage.* Postage on mail sent under the franking privilege by the Vice President, Members and Members-elect of Congress, the Resident Commissioner from Puerto Rico, the Secretary of the Senate, Sergeant at Arms of the Senate, and the Clerk of the House of Representatives is paid annually by a lump sum to the Post Office Department.

(b) *Description.* Official mail of Members of Congress is sent without prepayment of postage bearing written signature or a printed fascimile signature instead of a postage stamp. Mail accepted under frank, and the officials authorized to use franked mail, are shown in paragraph (c) of this section.

(c) *Authorized users.*

Persons authorized to use the frank	Matter that may be franked	Marking required	Period during which the frank may be used
Vice President of the United States, Members of Congress, Resident Commissioners, Secretary of the Senate, Sergeant at Arms of the Senate, and Clerk of the House.	Public documents printed by order of Congress.	The words *Public Document—Free* and the signature and title, either written or printed facsimile, of the person entitled to frank it, must appear on the address side.	Until the 30th day of June following expiration of their respective terms of office.
Members of Congress and Resident Commissioners.	Congressional Record or any part of it, or speeches or reports contained in it.	The words *Congressional Record* or *Part of Congressional Record—Free* and the signature and title, either written or printed facsimile, of the person entitled to frank it, must appear on the address side.	During term of office only.
Members of Congress.....	Seeds and agricultural reports from the Department of Agriculture.	The signature and title, either written or printed facsimile, of the person entitled to frank it, must appear on the address side.	Until the 30th day of June following the expiration of their terms of office.
Vice President of the United States, Members and Members-elect of Congress, Resident Commissioners, Secretary of the Senate, and Sergeant at Arms of the Senate.	Official correspondence not exceeding 4 ounces in weight. Official correspondence when addressed to a Government official by title may exceed 4 ounces in weight, but must not exceed 4 pounds.	The signature and title, either written or printed facsimile, of the person entitled to frank it, must appear on the address side.	Until the 30th day of June following expiration of their respective terms of office. When the position of Secretary of the Senate or Sergeant at Arms of the Senate is vacant, privilege may be exercised in officer's name by authorized persons.
Vice-President-elect.....	All mail, including airmail, sent by him in connection with preparation for the assumption of official duties as Vice President.	The signature and title, either written or printed facsimile, of the Vice-President-elect must appear on the address side. Matter intended for air service must be marked with the words *Air Mail* on the address side.	Until assumption of duties as the Vice President.
Former Vice President.....	All mail, including airmail, sent by him in connection with winding up the affairs of his office.	The signature and title, either written or printed facsimile, of the former Vice President must appear on the address side. Matter intended for air service must be marked with the words *Air Mail* on the address side.	Until 6 months from the date of expiration of his term of office.

(d) *Restrictions.* The following restrictions apply to franked mail:

(1) Official correspondence transmitted under frank of the Vice President, Members and Members-elect of Congress, Secretary of the Senate, Sergeant at Arms of the Senate, and Resident Commissioners must be on official or departmental business.

(2) No franked mail will be admitted to the mail unless admissible as ordinary mail.

(3) A person entitled to use franked mail may not loan his frank or permit its use by any committee, organization, or association; or permit its use by any person for the benefit or use of any committee; organization, or association. This restriction does not apply to any committee composed of Members of Congress.

(4) Franked mail is forwarded like any other mail, but when once delivered to the addressee it may not be remailed. A package of franked pieces may be sent by a person entitled to the franking privilege to one addressee, who, on receiving and opening the package, may on behalf of such person place addresses on the franked articles and mail them.

(5) Franked mail is handled as ordinary mail. Fees for special services must be paid at the time of mailing.

(6) Franked mail must be addressed to the recipient by name, except as provided in § 123.4(d)(2).

(e) *Weight and size limits*—(1) *Weight.* Official correspondence is limited to 4 ounces, except that when addressed to a Government official by title the limit is 4 pounds.

(2) *Size, shape, ratio, and sealing.* The provisions of §§ 122.3, 131.2(a)(3)(iii), 131.3(b), and 134.3(b) apply.

§ 137.2 Executive and judicial officers.

(a) *Collection of postage.* Departments, agencies, and establishments of the U.S. Government must reimburse the Postal Service in amounts equivalent to the amount of postage and fees due on their mail for which the Postal Service does not otherwise receive compensation. Instructions governing the manner of reimbursement for mailings made without postage or fees prepaid are issued by the Finance and Administration Department which negotiates reimbursement agreements with the departments and agencies concerned.

(b) *Description.* The following kinds of mail may be sent as Federal Government mail by those authorized to use this privilege:

(1) Official mail relating exclusively to the business of the Government of the United States mailed by officers of the executive and judicial branches of the Government; official mail of legislative counsel for the House of Representatives and the Senate; official mail of the Superintendent of Documents; and offi-

cial correspondence concerning the Congressional Directory under direction of the Joint Committee on Printing.

(2) All correspondence, bulletins, and reports relating to agricultural extension work and home economics carried on in cooperation with the U.S. Department of Agriculture, when mailed by the college officer or other person connected with the extension department of the college who has been designated by the Secretary of Agriculture. Mailings may be deposited by the designated officer only at the authorized post office. Correspondence must be conducted under the name of the designated officer. Correspondence with autograph signature may be sealed but all other matter must be left unsealed.

(3) Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of researches and experiments, including lists of publications available for distribution, when mailed by agricultural experiment stations designated by the act of March 2, 1887, as amended by the act of August 11, 1955, as follows:

(i) The officer in charge of a station that claims the privilege of sending materials without prepayment of postage through the mail must file an application with the Office of Mail Classification, Finance and Administration Department, through the post office where the station is located, stating the date of establishment of the station, its name or designation, its official organization, the names of its officers, the name of the college, school or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other legislation granting it the benefits of the act of Congress referred to in this section.

(4) Annual reports of Government-aided colleges established under the act of July 2, 1862, when addressed to the Secretary of the Interior, the Secretary of Agriculture, and to any other Government-aided college. The postmaster receiving the annual reports from an officer of the college will use a post office penalty envelope or label to send it through the mail.

(5) Copyright material sent to the Register of Copyrights with claim for registration, as follows:

(i) Postmasters receiving the claim for registration and any articles that are required to accompany the claim will use a post office penalty envelope or label to send the matter to the Register of Copyrights, Washington, D.C. 20540.

(ii) If requested to do so, the postmaster will give a receipt for articles delivered to him to accompany a claim for registration.

(iii) When desired, the person submitting copyright matter to the postmaster may also present the fee for copyright registration enclosed in a sealed envelope addressed to Register of Copyrights, Washington, D.C. 20540, which must have postage prepaid at the letter rate. The postmaster, after canceling the postage stamps, will enclose the envelope containing the fee together with the copyright material in the post office penalty envelope sent to the Register of Copyrights.

(iv) Matter for copyright enclosed in post office penalty envelopes will not be sent by registered mail unless the registry fee is prepaid.

(c) *Methods of preparing official mail*—(1) *Postage and fees paid.* (i) Authorized Departments and Agencies are:

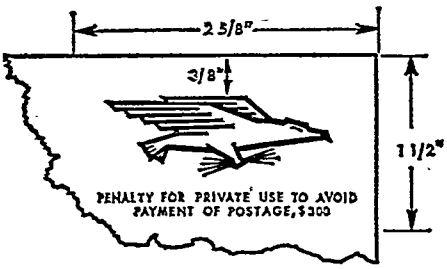
Administrative Conference of the United States.
Advisory Commission on Intergovernmental Relations.
Agency for International Development.
Agriculture, Department of.
Air Force, Department of.
Alaska Railroad.
American Battle Monuments Commission.
Appalachian Regional Commission.
Architect of the Capitol.
Army, Department of.
Atlantic-Pacific Interoceanic Canal Study Commission.
Atomic Energy Commission.
Botanic Garden.
Bureau of the Budget.
Bureau of Prisons (or FBP).
Civil Aeronautics Board.
Civil Service Commission.
Coast Guard.
Commerce, Department of.
Commission on Civil Rights.
Commission of Fine Arts.
Council of Economic Advisers.
Defense, Department of (or DOD).
Defense Supply Agency.
D.C. Court of Appeals.
D.C. Court of General Sessions.
D.C. Juvenile Court.
Employment Security Mail.
Equal Employment Opportunity Commission.
Farm Credit Administration.
Federal Aviation Agency.
Federal Bureau of Investigation.
Federal Coal Mine Safety Board of Review.
Federal Communications Commission.
Federal Deposit Insurance Corporation.
Federal Highway Administration.
Federal Home Loan Bank Board.
Federal Housing Administration.
Federal Maritime Commission.
Federal Mediation and Conciliation Service.
Federal National Mortgage Association.
Federal Power Commission.
Federal Railroad Administration.
Federal Reserve System, Board of Governors of the.
Federal Trade Commission.
Foreign Claims Settlement Commission.
General Services Administration.
Government Printing Office.
Great Lakes Basin Commission.
Health, Education, and Welfare, Department of.
Housing and Urban Development, Department of.
Immigration and Naturalization Service.
Indian Claims Commission.
Inter-Agency Committee on Mexican American Affairs.
Interior, Department of.
Internal Revenue Service.
International Boundary and Water Commission, U.S. Section.
Interstate Commerce Commission.
John F. Kennedy Center.
Justice, Department of.
Labor, Department of.
Library of Congress.
Marine Corps.
National Advisory Council on Economic Opportunity.
National Aeronautics and Space Administration.
National Capital Housing Authority.
National Capital Planning Commission.
National Foundation on the Arts and the Humanities.
National Gallery of Art.
National Institutes of Health.
National Labor Relations Board.
National Mediation Board.
National Science Foundation.
National Security Council.
Navy, Department of.
New England River Basin Commission.
Office of Civil Defense.
Office of Economic Opportunity.
Office of Emergency Preparedness.
Panama Canal Company.
Peace Corps.
Plans for Progress.
President's Committee on Employment of the Physically Handicapped.
President's Council on Physical Fitness.
Public Housing Administration.
Public Land Law Review Commission.
Railroad Retirement Board.
Renegotiation Board.
St. Lawrence Seaway Development Corporation.
Secretary of Defense, Office of.
Securities and Exchange Commission.
Selective Service System.
Small Business Administration.
Smithsonian Institution.
Special Representative for Trade Negotiation.
State, Department of.
State Employment Security Offices (see § 137.4 of this chapter).
Subversive Activities Control Board.
Tax Court of the United States.
Tennessee Valley Authority.
Transportation, Department of.
Treasury, Department of.
U.S. Commissioner—Delaware River Basin Commission.
U.S. Court of Claims.
U.S. Court of Customs and Patent Appeals.
U.S. Court of Military Appeals.
U.S. Courts.
U.S. Customs Court.
U.S. General Accounting Office.
U.S. Information Agency.
U.S. Soldiers' Home.
U.S. Supreme Court.
U.S. Tariff Commission.
Veterans Administration.
Water Resources Council.

(ii) All official mail of authorized departments or agencies, subject to the weight and size limits, if any, for matter of its class, shall be given the postal service indicated on its cover when the mail bears the appropriate indicia, which may not be handwritten or typewritten.

(iii) Indicia:

(*a*) An area 1½ inches by 2⅝ inches is reserved in the upper righthand corner of the mail piece for the indicia or stamp. No other markings may appear in the indicia area except borders extending no further than one quarter inch from the envelope edges.

(*b*) The indicia for letter size official mail of departments or agencies authorized to use the "Postage and Fees Paid" system consists of: An eagle symbol (shown actual size below) located ⅞ inch from the top edge of the mail piece; the words "Postage and Fees Paid," and name of department or agency.

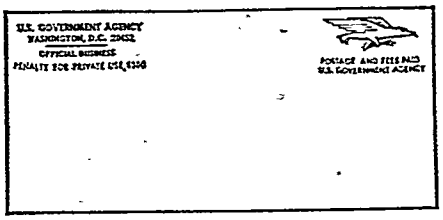


(c) The eagle may be reduced in size to not less than 5/8 inch by 1 5/8 inches and the indicia area to not less than 1¼ inches by 2 inches.

(d) Use of the eagle symbol as part of the indicia is optional on larger than letter-size mail.

(e) The eagle symbol may be omitted on self-mailers completely printed by computer with no provisions for printing designs other than letters and numerals, provided the items are faced, sorted, and tied in bundles by ZIP Code.

(iv) This mail must bear the complete return address, the words "Official Business," and the statement "Penalty for private use, $300" in the upper left corner of the mail piece.



(v) Printed reply envelopes or labels marked "Postage and Fees Paid" (name of department or agency) and preaddressed to a Federal Government office or officer may be furnished to persons or concerns for convenience in submitting information for official purposes, or for delivery of official matter, subject to the following:

(a) Reply envelopes or labels furnished to contractors must bear the printed return address of one of the agencies listed in § 137.2(c)(1)(i) over the words "Official Business." No return name and address of a private person or firm may be shown.

(b) When a special service is required, the reply envelope or label must be preprinted with the type of special service desired. Users of reply labels may not add their own markings for these services.

(vi) Official mail of designated State extension directors must bear in the upper left corner the name of the agricultural college and the name of the post office at which the mail is to be accepted without prepayment of postage, followed by the name and title of the designated officer and the words "Cooperative Agricultural Extension Work—Acts of May 8 and June 30, 1914." The eagle symbol and the words "Postage and Fees Paid U.S. Department of Agriculture" must appear in the upper right corner of the address side.

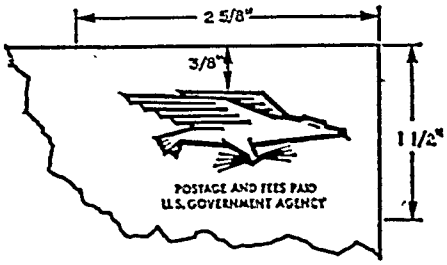
(vii) Official mailings by agricultural experiment stations must bear in the upper left corner of the address side the name of the station, the name of the post office at which the matter is to be accepted, and the name and title of the officer in charge of the station, followed by the word "Publication." The title of the bulletin or report may be used. The eagle symbol and the words "Postage Paid U.S. Department of Agriculture" must appear in the upper right corner of the address side.

(viii) Enter the word "Airmail" approximately one-fourth inch below the indicia if the mail piece is to be sent by air. Other endorsements for special services or class of mail should be placed in the same area.

(2) *Penalty mail.* (i) Penalty mail, subject to the restrictions of paragraph (d) of this section, is sent without prepayment of postage. Envelopes, cards, labels, tags and wrappers used in transmitting official mail under the penalty privilege must bear the appropriate indicia, which may not be handwritten or typewritten.

(ii) Indicia.

(a) The indicia for letter size official mail of departments or agencies which do not use the Postage and Fees Paid system shall consist of: The eagle symbol (shown actual size below) located three-eighths-inch from the top edge of the mail piece; and the statement "Penalty for Private Use to Avoid Payment of Postage, $300."

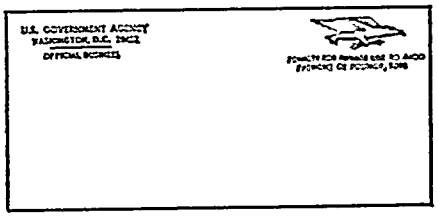


(b) The eagle may be reduced in size to not less than five-eighths inch by 1 5/8 inches and the indicia area to not less than 1¼ inches by 2 inches.

(c) Use of the eagle symbol as part of the indicia is optional on larger than letter-size mail.

(d) The eagle symbol may be omitted on self-mailers completely printed by computer with no provisions for printing designs other than letters and numerals, provided the items are faced, sorted, and tied in bundles by ZIP Code.

(iii) This mail must bear the complete return address and the words "Official Business" in the upper left corner of the mail piece.



(iv) Air mail or other endorsements: Enter the word "Airmail" approximately one-quarter inch below the indicia if the mail piece is to be sent by air. Other endorsements for special services or class of mail should be placed in the same area.

(3) *Penalty.* Penalty mail, subject to the restrictions of paragraph (d) of this section, is sent without prepayment of postage. Envelopes, cards, labels, tags, and wrappers used in transmitting official mail under the penalty privilege must bear in the upper right corner of the address side the printed statement of the penalty of misuse: "Penalty for Private Use to Avoid Payment of Postage, $300." The printed statement of the penalty for misuse may not be handwritten or typewritten. They must also show, over the words "Official Business" in the upper left corner of the address side, the name and address including ZIP Code of the department, bureau, office, or officer.

(4) *Prepaid postage.* Official mail which is not sent as penalty mail or as postage and fees paid mail must have postage prepaid. The regular rates and conditions apply except that postage on official mail weighing over 4 pounds may be paid at the fourth-class rates. See paragraph (e)(1) of this section.

(d) *Use.* (1) The markings authorized on official mail in paragraph (c) of this section may not be placed on other mail to avoid payment of postage or special service fees.

(2) Any department or office authorized to use the official mail privilege may furnish self-addressed envelopes or labels to persons or concerns for their convenience in submitting official information desired by any U.S. Government department or agency. Reply envelopes may not be furnished to bidders or contractors, or to enable private persons or concerns to send without prepayment of postage reports or other information which they are required by law to make.

(3) The right of an officer to use the official mail privilege ceases immediately on his going out of office.

(4) Official matter of those departments and agencies listed in § 137.2(c)(1)(i) that is marked "Postage and Fees Paid" (name of department or agency) shall be given any special service, including airmail, when it is so marked by the sender without requiring prepayment of postage or fees. See Publication 42, regarding international mail.

(5) Airmail and the special services may not be given official mail in penalty envelopes without prepayment of air postage or prepayment of the appropriate fee for the special service requested. EXCEPTION: Penalty envelopes of a President-elect (see § 137.7) and those containing urgent official communications of the Postal Service may be sent airmail without prepayment of the postage. Official mail of the Postal Service may be sent as registered, certified, or special delivery mail without prepayment of the postage or fees.

(e) *Weight and size limits*—(1) *Weight*—(i) *Penalty mail.* No article or package of official matter, or number of articles or packages of official matter, constituting in fact a single shipment exceeding 4 pounds may be admitted to the mail under the penalty privilege except stamped paper and supplies sold or

used by the Postal Service, and books or documents published or circulated by order of Congress when mailed by the Superintendent of Documents. Official matter in packages exceeding 4 pounds, if otherwise mailable, will be accepted on payment of postage at the fourth-class rates within the limits of weight prescribed for such matter. (See § 135.3 (a) of this chapter.) Such parcels may be sealed or unsealed, and may include written matter when mailed at those rates. Official matter of the Postal Service, and books and documents circulated by order of Congress when mailed by the Superintendent of Documents, may weigh up to 70 pounds.

(ii) *Postage and fees paid mail.* Maximum weight as § 135.3(a) except airmail. See § 136.3.

(iii) *Prepaid Government mail.* Maximum weight same as § 135.3(a) except airmail. See § 136.3.

(2) *Size.* (i) Mail, shall, when physically possible, be prepared so as to be within the range of sizes which can be machine processed, and also most efficiently hand processed. This range of sizes, referred to as letter-size mail, is as follows:

Characteristic	Minimum mailable size	Maximum letter size
Height	3 inches	6¼ inches.
Length	5 inches	11½ inches.
Thickness [1] (must be uniform).	0.007 inch	0.25 inch.

[1] Cards exceeding 4¼ inches in height and/or 6 inches in length must be at least 0.009-inch thick and should not be thicker than 0.013 inch.

(ii) In instances where mail pieces must be larger than letter-size, avoid the use of items over 9 inches by 12 inches whenever possible. Items larger than that are especially difficult to handle even by manual methods.

(iii) Mail, other than letter-size mail, may measure not to exceed the limitations stated in § 135.3(a). See § 135.3(b) for instructions on how to measure.

(3) *Shape.* (i) Envelopes, cards, and self-mailers shall be rectangular, regardless of size or class of mail.

(ii) Letter-size mail shall have a maximum ratio of height to length of 1 to 1.4, and a minimum ratio of 1 to 2.5.

(f) *ZIP Coding of mail*—(1) *Addressing.* The address on all official mailings of Federal Exceutive Departments and Agencies under § 137.2 must include the ZIP Code number.

(2) *Presorting and postage charges.* When identical pieces of individually addressed matter are included in a single mailing, and the reimbursement to the U.S. Postal Service required by paragraph (a) of this section is made at the bulk third-class postage rates prescribed by § 134.1(b), they must be prepared in packages and sacks as prescribed by § 134.4(c).

§ 137.3 Mail sent to Government departments.

(a) *Census mail.* All mail, of whatever class, relating to the census and addressed to the Census Office, or to any official thereof, and endorsed "Official Business, Census Office," will be sent without prepayment of postage. Such mail may not exceed 4 pounds. (See § 137.2(a) of this chapter regarding postage reimbursement.) Mail sent by the Census Bureau of the Department of Commerce or one of its officers in envelopes of that Bureau is subject to the conditions in § 137.2(c)(1) of this chapter.

(b) *Immigration and Naturalization Service mail.* All mail of whatever class, relating to naturalization, including duplicate papers required by law or regulation to be sent to the Service by clerks of courts addressed to the Department of Justice or the Immigration and Naturalization Service, or any official of either, and endorsed "Official Business," will be transmitted without prepayment of postage and marked "Naturalization Papers." Mail relating to naturalization may not exceed 4 pounds. (See § 137.2(a) regarding postage reimbursement.)

§ 137.4 State employment security mailings.

All mail of State employment security offices cooperating with the Department of Labor that bears, in the upper left corner of the address side, the words "Official Business" printed immediately below the name and address of the State employment agency and, in the upper right corner, the words "Postage and Fees Paid, Employment Security Mail" will be accepted without prepayment of postage or fees. Postage and fees chargeable are collected periodically under a special arrangement with the Postal Service. Such matter will be given the service indicated on the cover.

§ 137.5 Diplomatic and consular mail.

(a) *Diplomatic mail.* All correspondence (written or printed) of members of the Diplomatic Corps of the countries of the Postal Union of the Americas and Spain stationed in the United States may be reciprocally transmitted in the domestic mail without prepayment of postage. This correspondence may not exceed 4 pounds in weight. The envelopes, cards, tags, wrappers, and labels must show in the upper left corner of the address side the name of the Ambassador or the Minister or the name of the Embassy or Legation, together with the post office address; and in the upper right corner the inscription "Diplomatic Mail" over the word "Free." These inscriptions may be handwritten, hand-stamped, or printed.

(b) *Consular mail.* The official correspondence (written or printed) exchanged between consulates (consuls and vice consuls) of the countries of the Postal Union of the Americas and Spain stationed in the United States, and correspondence directed by those consulates to the Government of the United States or their respective Embassies or Legations or to officials of State or local governments may be transmitted in the domestic mail without prepayment of postage. This correspondence may not exceed 4 pounds in weight. The envelopes, labels, etc., covering correspondence of consulates must show over the words "Official Correspondence," in the upper left corner of the address side, the name and address of the consul or consulate, and the name of the country represented; and, in the upper right corner, the inscription "Consular Mail" over the word "Free". These inscriptions may be handwritten, handstamped, or printed.

§ 137.6 Absentee balloting materials.

(a) *Purpose.* Balloting materials consisting of post card applications, ballots, voting instructions, and envelopes, are sent through the mail without prepayment of postage, including airmail postage, for the purpose of enabling every person in any of the following categories to vote by absentee ballot when he is absent from the place of his voting residence and is otherwise eligible to vote:

(1) Members of the Armed Forces while in the active service and their spouses and dependents.

(2) Members of the merchant marine of the United States and their spouses and dependents.

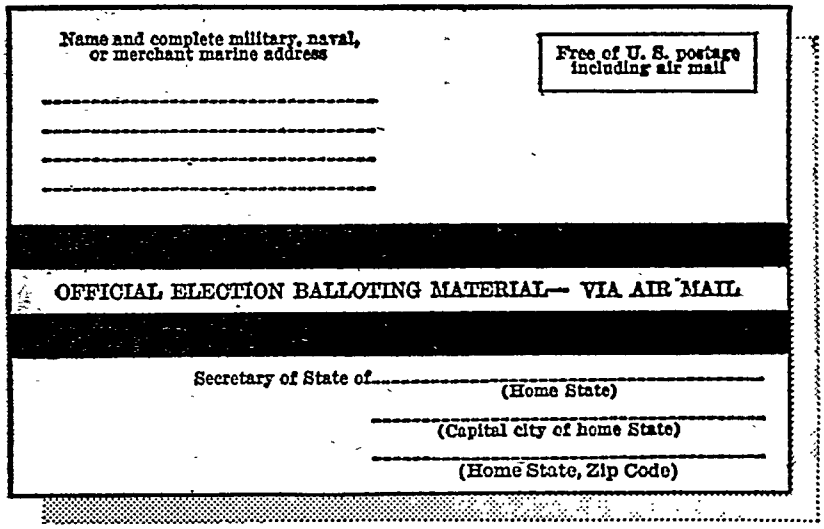
(3) Civilian employees of the United States in all categories serving outside the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil-service laws and the Classification Act of 1949, as amended, and whether or not paid from funds appropriated by the Congress.

(4) Members of religious groups or welfare agencies assisting members of the Armed Forces, who are officially attached to and serving with the Armed Forces, and their spouses and dependents.

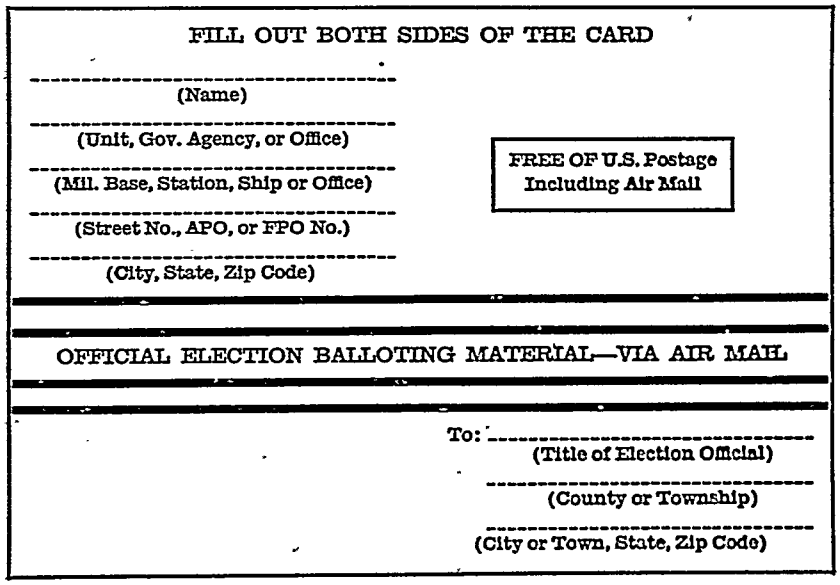
(5) Citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing or accompanying them. To be mailable free of postage, the balloting materials must be deposited at a U.S. post office, an overseas U.S. military post office, or presented to an American embassy.

(b) *Elections affected.* The materials may be sent for any general election of electors for President and Vice President or of Senators and Representatives in Congress and for other general, primary, and special elections.

(c) *Markings required on ballot envelopes and post card applications.* (1) Envelopes used to send balloting material and envelopes supplied for return of the ballot must have printed across the face two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be 1¼ inches from the top of the envelope, and the words "Official Election Balloting Material—Airmail," or similar language as prescribed by State law, between the bars. There must be printed in the upper right corner of each envelope in a rectangular box the words "Free of U.S. Postage, Including Airmail." All printing on the face must be in red with an appropriate inscription or blanks for return address of sender in the upper left corner.



(2) The Federal post card application shall be approximately 9½ x 4⅛ inches in size. On the address side of the card shall be printed in red ink the following:



§ 137.7 President-elect, former Presidents, widows of former Presidents and surviving spouses of Members of Congress.

(a) *President-elect.* All mail, including airmail, of any President-elect sent by him in connection with his preparations for the assumption of official duties as President may be accepted subject to the provisions of § 137.2(c)(3).

(b) *Former presidents and widows of former Presidents.* All mail of former U.S. Presidents, all mail of Jacqueline Bouvier Kennedy, widow of former President John F. Kennedy, and all mail of Mamie Doud Eisenhower, widow of former President Dwight D. Eisenhower, shall be accepted without prepayment of postage if it bears the written signature of the sender, or a facsimile signature, in the upper right corner of the address side. Such matter may be dispatched by air if it bears the word "Airmail" on the address side.

(c) *Surviving spouses of Members of Congress.* Upon the death of a Member of Congress during his term of office the surviving spouse of such Member may send, without prepayment of postage for a period not to exceed 180 days after the death of the Member, correspondence relating to the death of the Member, provided it bears the written signature of the sender, or a facsimile signature in the upper right corner of the address side.

§ 137.8 Pan American Union and Pan American Sanitary Bureau.

The Pan American Union and Pan American Sanitary Bureau are authorized by law to transmit official matter without prepayment. The mail must bear the printed clause citing the penalty for private use instead of postage stamps. It must be prepared like Federal Government penalty mail and is subject to the same restrictions. See § 137.2 (c)(3), (d), and (e).

§ 137.9 General instructions.

(a) *Official mail not to be detained.* Official mail of any kind must not be detained even though there are indications of abuse of official mailing privileges. It must be promptly dispatched and delivered to the addressee. Reports of the indicated abuse must be submitted to the Finance and Administration Department, Office of Mail Classification.

(b) *Separation of official mail by mailer.* Airmail, special delivery, special handling, and first-class mail should be segregated by the mailers from circulars, printed matter, and parcels before mailing. The postmaster will furnish appropriate sack labels with which to identify the various types of mail.

PART 138—FOR THE BLIND AND OTHER HANDICAPPED PERSONS

Sec.
138.1 Conditions.
138.2 Items mailable free.
138.3 Markings.
138.4 Weight and size limits.

AUTHORITY: The provisions of this Part 138 issued under 5 U.S.C. 301; 39 U.S.C. 501, 505.

§ 138.1 Conditions.

The following conditions are applicable to articles mailable free of postage under this section:

(a) Except as provided in § 138.2(a) the matter is for the use of the blind or other persons who cannot use or read conventionally printed material because of a physical impairment who are certified by competent authority as unable to read normal reading material;

(b) No charge, or rental, subscription, or other fee, is required for such matter or a charge, or rental, subscription, or other fee is required for such matter not in excess of the cost thereof;

(c) The matter may be opened for postal inspection;

(d) The matter contains no advertising.

§ 138.2 Items mailable free.

(a) Unsealed letters sent by a blind person or a person having a physical impairment as described in § 138.1(a) in raised characters or sight-saving type or in the form of sound recordings;

(b) Reading matter and musical scores;

(c) Sound reproductions;

(d) Paper, records, tapes, and other material for the production of reading matter, musical scores, or sound reproductions;

(e) Reproducers or parts thereof for sound reproductions; and

(f) Braille writers or typewriters, or parts thereof, used for writing by or specifically designed or adapted for use of a blind person or a person having a physical impairment as described in § 138.1(a).

(g) Educational or other materials or devices, or parts thereof, specifically designed or adapted for use of a blind person or a person having a physical impairment as described in § 138.1(a).

§ 138.3 Markings.

All matter mailed under the provisions of Part 138 shall show the words "Free Matter for the Blind or Handicapped" in

the upper right corner of the address side.

§ 138.4 Weight and size limits.

The weight and size limitations in § 135.3(a) are applicable to mailings made under this part.

PART 139—MIXED CLASSES

Sec.
139.1 Mail of a higher class enclosed with mail of a lower class.
139.2 Combination mailings of two classes.
139.3 Mailing enclosures of different classes.
139.4 Treatment.
139.5 Special services.

AUTHORITY: The provisions of this Part 137 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 139.1 Mail of a higher class enclosed with mail of a lower class.

When mail of a higher class is enclosed with mail of a lower class, the rate of postage on the entire piece or package is that of the higher class except as provided in § 139.3. See § 139.2 for attachment of letters to parcels of second-, third-, and fourth-class mail.

§ 139.2 Combination mailings of two classes.

(a) *Attachment.* Letters or other pieces of first- or third-class mail may be placed in an envelope and securely tied or otherwise attached to the address side of a second-, third-, or fourth-class mailing piece including airmail articles. The envelope must be placed on the address side of the principal mailing piece. Combination envelopes or containers having separate parts for the two classes of mail may be used. See § 134.8 concerning the sealing of third-class mail.

(b) *Addressing.* The name and address of the sender and the name and address of the addressee should be placed on both the principal mailing piece and the attachment. If both names and addresses do not appear on both pieces, the sender's name and address must be placed on one and the name and address of the addressee must be placed on the other. Combination containers having inseparable portions or compartments are mailable with the names and addresses on only one portion.

(c) *Postage.* Postage on the second-, third-, or fourth-class mail must be prepaid at the appropriate rate and must be placed in the upper right corner of the address space. Postage at the appropriate first- or single piece third-class rate must be paid for the attachment and affixed to it.

(d) *Markings required.* First-class attachments may be marked "First Class" or "Letter Enclosed". Third-class attachments must be marked "Third Class".

§ 139.3 Mailing enclosures of different classes.

(a) *Enclosures mailed with second-class and controlled circulation publications*—(1) *First- and third-class enclosures.* Separate and independent pieces of first- or third-class mail may be mailed as enclosures with second-class and controlled circulation publications.

(2) *Payment of postage.* Postage at the appropriate first- or single piece third-class rate must be paid for each separate enclosure. Pieces of related matter enclosed with a publication as a unit may be regarded as a single enclosure for purpose of computing postage. The postage may be placed on the enclosure by using precanceled or meter stamps, or the postage may be placed on the outside envelope, wrapper, or cover. Postage at the second-class pound or per copy rates or postage at the controlled circulation rates must be paid on the publication in the manner prescribed by Part 125. When postage at the transient second-class rate is paid on the publication, follow the procedure in paragraph (b) of this section.

(3) *Marking required.* When postage for the enclosure is placed on the outside envelope, wrapper, or cover of a publication, the mailer must mark each piece as required by § 139.3(b)(5). Markings are not required when postage is placed on the enclosure.

(b) *Enclosures mailed with third- and fourth-class parcels*—(1) *First-class enclosures.* Letters may be enclosed with books, catalogs, and merchandise mailed at third-class rates. (See § 139.2 for mailing letters with other third-class matter.) Letters may be enclosed in fourth-class parcels. Postage at the first-class rate must be paid for each letter.

(2) *Third-class enclosures.* Third-class mail may be enclosed in a fourth-class parcel mailed at the special rates in § 135.1 (b), (c), and (d) or mailed free under Part 138. Postage at the applicable third-class rate must be paid for enclosures except the items listed in § 135.6.

(3) *Placement of enclosure.* The enclosure be placed on top of other items in the parcel when practical.

(4) *Payment of postage.* Postage for the enclosure must be placed on the outside of the parcel. It may be added to the postage for the parcel and the total amount paid together, or the postage for the enclosure may be affixed separately from the postage for the parcel.

(5) *Marking required.* The mailer must place the endorsement "First-Class Mail Enclosed" or "Third-Class Mail Enclosed" on each parcel below the postage and above the address. The endorsement may be handstamped, handwritten, typewritten, printed, or put on by any other method.

(c) *Penalty*—(1) *Failure to pay.* If postage is not paid at the appropriate rate in the manner provided for by paragraphs (a) and (b) of this section for letters or other pieces of first- or third-class mail, the second-class publications or the third- or fourth-class parcels in which they are enclosed will be subject to the higher rate applicable to the enclosure.

(2) *Concealment.* Mailers are subject to a fine of not more than $100 if they knowingly conceal letters or other pieces of first- or third-class mail in second-class publications or in the third- or fourth-class parcels without paying the appropriate rate of postage on the enclosures in the manner provided for by paragraphs (a) and (b) of this section.

§ 139.4 Treatment.

(a) *Forwarding.* Pieces of second-, third-, or fourth-class mail having other classes of mail enclosed under the combination mail arrangements provided for by section 139.2 are subject to the same conditions for forwarding as single pieces of second-, third-, or fourth-class mail (see Part 157). If the enclosure is first-class mail, that fact will not affect the conditions of forwarding.

(b) *Return.* (1) Undeliverable combination mail pieces, including those which cannot be forwarded, one part of which is first-class mail, shall in all cases be returned to the sender subject to the charge for return according to its class. See § 159.2 (b) through (f) of this chapter. The weight of the first-class piece will not be included when computing the charge for return of the second-, third-, or fourth-class portion.

(2) Any undeliverable combination mailing piece which does not include first-class matter shall be disposed of as provided in Part 159.

(3) If for any reason an undeliverable combination mailing piece, one part of which is first-class mail, is not returnable to the sender, it will be treated as provided in § 159.7(b) of this chapter.

§ 139.5 Special services.

Combination mailing pieces may be sent as special delivery or in the case of third- or fourth-class parcels as special handling, and only one fee applicable to the parcel is required. Combination pieces may not be registered. They may be sent insured or COD, the insurance to cover only the value of the parcel.

POSTAGE

PART 141—ENVELOPES, POST CARDS, AEROGRAMMES

Sec.
141.1 Use.
141.2 Printed stamped envelopes (special request).

AUTHORITY: The provisions of this Part 141 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 141.1 Use.

(a) *Envelopes*—(1) *Color.* Use any light color that does not interfere with legible address and postmark. Do not use brilliant colors.

(2) *Quality.* Use paper strong enough to withstand normal handling. Highly glazed paper, or paper with an overall design, is not satisfactory.

(3) *Size, shape, and ratio.* Envelopes of standard sizes and shapes are essential to the economical handling of mail, both by machine and manual methods. The following standards apply to envelopes:

(i) Envelopes less than 3 inches in width (height) or 4¼ inches in length are nonmailable.

(ii) Envelopes more than 9 inches in width (height) or 12 inches in length are not recommended.

(iii) Envelopes having shapes other than rectangular are nonmailable.

(iv) Envelopes having a ratio of width (height) to length of less than 1 to 1.414

(1 to the square root of 2) are not recommended.

(4) *Window envelopes.* Window envelopes, or open panel envelopes, may be used under the following conditions:

(i) The address window must be parallel with the length of the envelope.

(ii) The proper place for the address window is in the lower portion of the address side.

(iii) Nothing but the name, address, and any key number used by the mailer may appear through the address window.

(iv) The return address should appear in the upper left corner. If there is no return address and the delivery address does not show through the window, the piece will be handled as dead mail.

(v) The address disclosed through the window must be on white paper or paper of a very light color.

(vi) When used for registered mail, they must conform with the conditions in § 161.3(c).

(vii) Window envelopes, but not open panel envelopes, may be used for business reply mail provided:

(*a*) All of the address side except the portion which will show through the window is prepared as required by § 131.2 (c) (4).

(*b*) An address prepared by any of the processes and in the style provided for by § 131.2(c) (4) is furnished by the distributor for use as an enclosure to return the envelope.

(*c*) The window covering is of such texture as to allow maximum transparency.

(b) *Plain stamped envelopes*—(1) *Envelopes available at post offices.*

Kind	Size	Denomination (cents)	Item No.	Less than 500 (each)	500	1,000
Regular	6¾	6	601	$0.08	$33.55	$67.10
	10	6	101	.08	34.20	68.40
Window	6¾	6	602	----------	34.00	68.00
	10	6	102	----------	34.85	69.70
Precanceled	6¾	1.6	633	----------	11.55	23.10
	10	1.6	133	----------	12.20	24.40
Airmail	6¾	10	604	.12	53.75	107.50
	10	10	104	.12	54.40	108.80

(2) *Sales at Post Offices.* Only sizes 6¾ and 10 regular and airmail will be sold in less than full box lots. Boxes contain 500 envelopes.

(3) *Discount on sales of plain regular and airmail stamped envelopes.*—(i) *Definition.* Plain regular and airmail envelopes are charged to and carried on post office records at the amounts specified in Handbook F–1. Sales to customers are made at the rates specified in paragraph (b) of this section. This results in sales of 500 and multiples thereof out of the main stock or fixed credits being made at a discount.

(ii) *Recording discount.* A record shall be kept of each bulk sale of 500 lots of plain regular and airmail envelopes. Use Form 3220, Stamped Envelope Sales at Discount. As each sale is made record the date, purchaser's name, and quantity sold. The selling employee will obtain the purchaser's name from the check used for payment or by asking when payment is by cash. Do not refuse sales to those who decline to identify themselves. State purchaser declined identification in the name column. Enter the quantity in the proper size and denomination column.

(iii) *Reporting discount.* Employees selling 500 lots may complete Form 3220 as often as necessary, but at least each accounting period at first-class offices and each postal quarter at other classes of offices in time for the discount to be included in a regular requisition submitted during the same period or quarter. The total amount of the discount claimed must be included in the total amount of the regular requisition for stock. Submit this requisition to the custodian of the main stock. The station superintendent or an employee in a similar capacity must verify the computations on Form 3220, enter his initials and submit the form direct to the director, office of finance, chief accountant or employee maintaining the cashbook as specified in Handbook F–1.

(4) *Precanceled envelopes.* Only nonprofit organizations or associations covered in § 134.5 may purchase 1.4-cent precanceled envelopes. Sales are made in full box lots only.

(5) *Window envelopes.* Window envelopes are sold in full box lots only. All windows are 1⅛ inches wide and 4¾ inches long and are located one-half inch from the bottom of the envelope. In size 6¾, the window is located seven-eighths inch from the left edge, in size 10 it is three-fourths inch from the left edge.

(6) *Dimensions of envelopes.*

Size 6¾---------- 3⅝ by 6½ inches
Size 10---------- 4⅛ by 9½ inches
(Dimensions may vary ⅛".)

(7) *Private printing of return addresses.* Stamped envelopes may be privately printed in any style, provided at least 3½ inches of clear space is left at the right end of the address side of the envelope.

(c) *Postal cards available.*

Denomination (cents)	Description
5----------	Cut single cards: Domestic regular single (available also in sheets of 40).
5----------	Domestic commemorative single.
8----------	Domestic airmail single.
8----------	Foreign regular single.
13----------	Foreign airmail single.
	Double reply-paid cards:
10----------	Domestic regular reply (5 cents each half).
8*----------	Foreign regular reply (4 cents each half—for use to Canada and Mexico).**
16----------	Foreign regular reply (8 cents each half).**

*Revalued to 10 cents by affixing 1-cent adhesive postage stamps to each half at time of sale.

**Will be discontinued July 1, 1971.

All domestic (regular and airmail) postal cards are precanceled. Postal cards in sheets for use in printing must be cut to regulation size, 3¼ x 5½ inches so that the stamp appears in the upper right corner. However, domestic regular and domestic airmail cards may be cut to 3 x 5 inches. Cases of sheet postal cards may be broken for sale. Return addresses are not printed on postal cards by the Postal Service.

(d) *Aerogrammes.* 13 cents each. (See Publication 42, International Mail.)

§ 141.2 **Printed stamped envelopes (special request).**

(a) *Printed stamped envelopes available.*

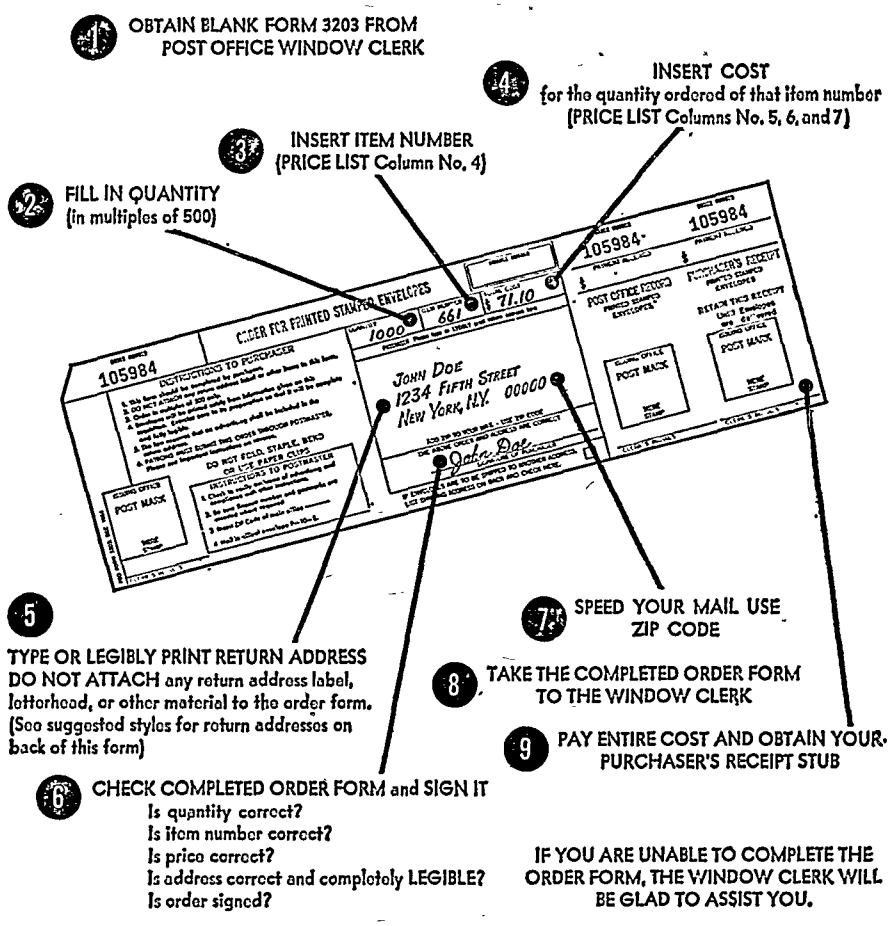
Kind	Size	Denomination (cents)	Item No.	Prices: 500 only [1]	Prices: 1,000 or more: Per 1,000	Prices: 1,000 or more: Each additional 500
Regular	6¾	6	601	$35.80	$71.10	$35.55
	10	6	101	36.45	72.40	36.20
Window	6¾	6	602	36.25	72.00	36.00
	10	6	102	37.10	73.70	36.85
Precanceled	6¾	1.6	633	13.80	27.10	13.55
	10	1.6	133	14.45	28.40	14.20
Airmail	6¾	10	604	56.00	111.50	55.75
	10	10	104	56.65	112.80	56.40

[1] Minimum order—Please note that the price for 500 only is more than ½ of the per-thousand price.

(b) *How to order printed stamped envelopes.* Prepare Form 3203, "Order for Printed Stamped Envelopes," as illustrated below. Submit the order through the post office named in the return address. However, if undeliverable letters are to be returned to the main office of a firm in another city, envelopes may be ordered at the post office where they will be mailed.

(c) *Style of printing return addresses.* (1) The line with the name of sender and the line with the city, State, and ZIP Code are printed in capital letters. The

local address (street address, post office box number, etc.) and any lines of postal instruction are printed in capitals and lower-case letters.



CAUTION: ILLEGIBLE OR INCORRECT ORDERS DELAY RECEIPT OF ENVELOPES

(2) Sample style of printing:

JOHN DOE,
1234 Fifth Avenue,
New York, NY 00000.

(d) *Required printing*—(1) *Local address.* The printed address must include the local address. The adequacy of the address, to insure return of undeliverable mail, will be determined by the postmaster. Only one of the following may be used:

(i) Street address.

(ii) Post office box number.

(iii) Rural route number and box number.

(iv) Name of building and room number, including street address.

(2) *Name of post office.* The printed return address must include the name of the post office or branch post office, State and ZIP Code.

(e) *Optional printing*—(1) *Name.* (i) The name may be that of an individual, firm, corporation, institution, association, or society. It may include the name and title of an officer of the concern (as John Doe, Treasurer, Washington Educational Association) and such titles as M.D., D.D.S., Rev., and LL. D., when they are clearly for identification and not for advertising.

(ii) Where a name as part of the return address indicates or incidentally discloses the nature of a business or vocation, it may be printed if the name is a bona fide business name that is used in a corporate charter, copartnership agreement, or other articles of organization, or is the name under which business with the public is actually transacted.

(iii) The name of a branch or department of a business may be printed only when the other branches or departments are located at the same post office address, to insure return of undeliverable mail.

(2) *Postal instructions.* Only the postal instructions in this section may be included as part of the printed return address. *"The request to return"* endorsement in § 141.2(e)(2)(i) shall appear above the name and address. All other postal endorsements shall appear below the line with the city, State, and ZIP Code. A combination of endorsements may be used.

(i) *Request to return.* A request to return undelivered mail after a specified number of days (not less than three and not more than 30) may be printed. If a return request is included on envelopes for third-class mail the words "Return Postage Guaranteed" must also be used. Sample printing:

After 5 days, return to:

(ii) *Address correction.* A request for address correction service may be printed on mail of any class. The new address of addressee or the reason why the piece is undeliverable will be furnished. See § 159.2(d)(3) for the charge. Sample printing:

Address Correction Requested:

(iii) *Third-class mail.* On single piece rate third-class mail which is sealed (see also § 134.8), the following must appear:

Third Class:

(iv) *Return of undelivered third-class mail.* A request may be made to return undelivered third-class mail. See § 159.2(d)(1) for the charge. Sample printing:

Return Postage Guaranteed:

(v) *Forwarding third-class mail.* A request to forward third class mail to a new address may be made. If addressee refuses to pay forwarding postage, the mail will be returned, and both forwarding and return postage will be collected from the sender. See § 159.2(d)(2) for charges. Sample printing:

Forwarding and Return Postage Guaranteed:

(f) *Prohibited printing.* No matter may be printed other than that permitted by paragraphs (d) and (e) of this section. Advertising is prohibited, as are phone numbers and Esq. Names like druggist, attorney at law, and C.P.A. are not classed as titles but represent business or professional names and may not be used.

(g) *Rejection of envelopes.* Special-request envelopes may be rejected because of defective manufacture, or mistakes in printing, denomination, size, etc. If the mistake was made by the purchaser, the value of the postage only will be returned. If the mistake was made by the post office or its contractor, the entire invoiced value of the envelopes will be returned.

PART 142—STAMPS (ADHESIVE)

Sec.
142.1 Availability and use.
142.2 Purchase of postage.
142.3 Replenishment of stock by window clerks.
142.4 How to requisition.
142.5 Verification of stock received.
142.6 How to remit.
142.7 Validity.
142.8 Unlawful transactions.
142.9 Adhesive attachments and printed markings.

AUTHORITY: The provisions of this Part 142 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 142.1 Availability and use.

(a) *Availability.*

Purpose	Form	Denomination and prices
Ordinary postage	Single or sheet	1, 2, 3, 4, 5, 6, 8, 10, 12, 13, 15, 20, 25, 30, 40, and 50 cents; $1 and $5.
	Books	20 5-cent ($1)[1] 32 6-cent and 8 1-cent ($2).
	Coil of 100	5,[1] 6, and 25 cents: (Dispenser to hold coils of 100 stamps may be purchased for 5 cents additional.)
	Coils of 500 and 3,000	1, 2, 5, and 6 cents.
	Coils of 3,000	25 cents.
Commemorative stamps	Single or sheet	Various denominations as announced.
Airmail postage (for use on airmail only, See § 141.1(b)).	Single or sheet.	8, 10, 15, 20, and 25 cents. $1 airlift.
	Books	40 10-cent ($4).
	Coils of 100, 500, and 3,000	10 cents.
Precanceled postage	Single or sheet, coils of 500 and 3,000.	Available to permit holders only. (See Part 143.)
Postage-due (for post office use only)	Single or sheet	1, 2, 3, 4, 5, 6, 7, 8, 10, 30, and 50 cents; $1 and $5.
Special delivery (See Part 160)	Single or sheet	45 cents. Good only for special delivery fee.

[1] Will be discontinued when stock is exhausted.

(b) *Use.* (1) Use stamps of the highest suitable denomination.

(2) Fix stamps firmly in the upper right corner of the address side of the mail cover.

(3) Any stamp partly concealed by an overlapping stamp may not be counted as postage.

(4) Postal employees (other than rural carriers as prescribed in § 156.4(a)) are not required to fix stamps to mail.

(5) Airmail postage stamps may be used to pay fees for special services on airmail articles.

(6) The $1 airlift stamp may be used to pay the airlift fee on PAL parcels (see § 126.1(d)(3)) or it may be applied as payment, in whole or in part, of the amount of the postage charges or fees for special services on airmail articles.

(c) *Perforating.* Postage and special delivery stamps may be perforated with an identifying mark if the holes do not exceed one thirty-second of an inch in diameter and if the space taken by the mark is not larger than ½-inch square.

(d) *Reuse prohibited.* Reuse of stamps with intent to cause loss to the Government is punishable by fine and imprisonment.

§ 142.2 Purchase of postage.

(a) *Acceptable form of payment.* Foreign or mutilated money is not acceptable. When the post office cannot make change, the exact amount of the purchase must be paid. Postal employees are not required to accept personal checks. To send money by mail, use money order or certified check.

(b) *Purchase receipts.* If the purchaser wants a receipt for money paid for postage, he must prepare the receipt in advance. The postal employee will sign or stamp it when paid.

(c) *Postage due.* Postage due must be paid in cash. Postage-due stamps may not be used for paying postage.

§ 142.7 Validity of stamps.

All postage stamps issued by the United States since 1860 are good for postage from any point in the United States or from any other place where the U.S. domestic mail service operates, except from the Panama Canal Zone where special Canal Zone stamps are used. The following are not good for postage:

(a) Mutilated or defaced stamps.

(b) Stamps cut from stamped envelopes, aerogrammes, or postal cards.

(c) Stamps covered or coated in such manner that the canceling or defacing marks cannot be imprinted directly on the stamps.

(d) Nonpostage stamps (migratory-bird hunting stamps, U.S. saving and thrift stamps, etc.).

(e) Postage due, special delivery, special handling, and certified mail stamps.

(f) United Nations stamps, except on mail deposited at United Nations, N.Y.

(g) Stamps of other countries.

§ 142.8 Unlawful transactions.

(a) Unlawful transactions include use of stamps by postal employees entrusted with the sale or custody of postage stamps in payment of debts or purchase of salable articles and sale of stamps except for cash or for more or less than face value.

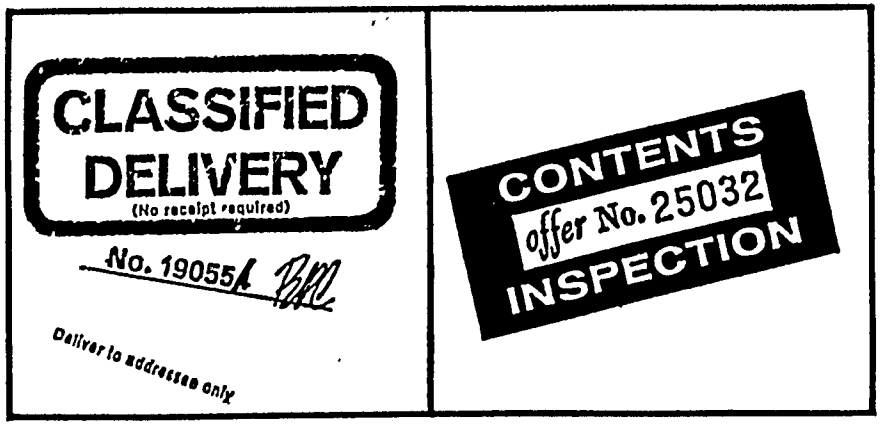
(b) Counterfeit stamps are confiscated and sent to the postal inspector in charge of the division in which the post office is located. A receipt identifying the stamps will be given to persons from whom counterfeits are confiscated.

(c) Postmasters shall not give opinions to the public concerning the reproduction of foreign or domestic postage stamps. Persons who request information concerning this matter shall be directed to address their inquiries to the Officer of the Director, U.S. Secret Service, Treasury Department, Washington, DC 20220.

§ 142.9 Adhesive attachments and printed markings.

(a) *Imitations of postage stamps.* Matter bearing imitations of postage stamps, in adhesive or printed form, or private seals or stickers which are like a postage stamp in form and design, shall not be accepted for mailing.

(b) *Imitations of official markings and designs.* Matter bearing decorative markings and designs, in adhesive or printed form, which imitate the markings and designs used to identify official postal services shall not be accepted for mailing. The following illustrations are examples of prohibited imitations:



(c) *Permissible.* Seals or stickers that do not imitate postage stamps by having such characteristics as words, numerals, or other markings which indicate a value may be attached to other than the address side of mail.

PART 143—PRECANCELED STAMPS

Sec.
143.1 Purpose of precanceling.
143.2 Sale and use of precanceled stamps.
143.3 Mailers precancel postmark.
143.4 Precancel permits.

AUTHORITY: The provisions of this Part 143 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 143.1 Purpose of precanceling.

(a) *Definition.* Precanceling means the cancellation of postage stamps, stamped envelopes, or postal cards in advance of mailing. Adhesive postage stamps may be precanceled only by the post office.

(b) *Benefits.* The use of precanceled postage reduces the time and costs of mail handling. Precanceled mail, sorted and tied in packages by the mailer, requires less processing time in the post office, and is therefore dispatched more quickly.

§ 143.2 Sale and use of precanceled stamps.

(a) *Classes of mail.* Precanceled stamps may be used to pay postage on:

(1) Post cards, but on no other first-class mail, unless specifically authorized by the postmaster on Form 3620.

(2) Second-, third-, and fourth-class mail.

(3) Any number of pieces mailed at one time, regardless of whether they are identical except third-class bulk mailings.

(b) *Place of mailing.* Matter bearing precanceled stamps may be mailed only at the post office that sold the stamps.

(c) *Sale limited.* Precanceled stamps will be sold only to precancel permit holders except as provided in paragraph (f) of this section.

(d) *Prohibited.* Precanceled postage stamps may not be used on matter mailed in boxes, cases, bags, or other containers designed to be reused for mailing purposes.

(e) *Overprinting.* If precanceled postage on a single piece is over 16 cents, the precanceled stamps must be overprinted or handstamped in black ink with the mailer's initials and the numerical abbreviations of the month and year for use; for examples, A.B. Co. 4–62. Precanceled stamps overprinted in this way are acceptable on mail during the month shown, and through the 10th of the following month.

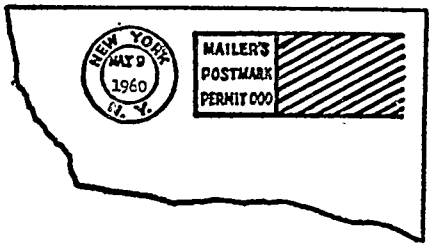
(f) *Philatelic sales* — (1) *Nonpermit holders.* Not more than 10 stamps of each of the precanceled denominations in sheet form which are available at a post office may be purchased in person or by mail by nonpermit holders for collection purposes. Complete rolls of precanceled coil stamps may not be broken for philatelic sales. Each mail order must be accompanied with a stamped, self-addressed enevelope for use in returning the stamps to the purchaser. Precanceled stamps are available only at post offices which prepare or obtain them for sale to permit holders.

(2) *Permit holders.* Precancel permit holders may buy the quantity of precanceled stamps for philatelic purposes provided for by § 143.2(f)(1). Other precanceled stamps may be purchased only for the purpose of paying postage. Unused precanceled stamps may not be sold for philatelic purposes by permit holders.

(g) *Precanceling for collectors.* Postmasters will not comply with requests for imprints of a precanceling device on postage stamps or blank sheets of paper.

§ 143.3 Mailer's precancel postmark.

Mailers may use a precancel postmark on stamped envelopes mailed at the first-class rate of postage. The precanceling imprint must include the name of the post office and State, the permit number preceded by the words "Mailer's Postmark," the date of mailing, and sufficient cancellation lines to fully deface the stamp. There is illustrated below the authorized design of a mailer's precancel postmark:



§ 143.4 Precancel permits.

(a) *Application for permit.* Applications for permits to use precanceled stamps, precanceled stamped envelopes, and mailer's precancel postmarks must be filed on Form 3620 at the post office where mailings will be made. Copies of this application form may be obtained from local postmasters. Applications to use the mailer's precancel postmarks must be accompanied with an imprint of the cancelation to be used.

(b) *Issuance of permit*—(1) *Approval.* The postmaster will approve or disapprove the application. If it is approved, he will issue a Precancel Permit on Form 3620 to the applicant. If the permit covers the use of a mailer's precancel postmark, the permit will include a statement to that effect.

(c) *Revocation.* (1) Permits may be revoked if used in operating any schemes or enterprise of an unlawful character, or for the purpose of purchasing or acquiring stamps for other than mailing purposes, or for any noncompliance with the instructions on the "Permit," Form 3620.

(2) The permit holder will be notified by letter by the postmaster at the post office that issued the permit that it is to be canceled, with the reasons for cancelation. The permit holder will be allowed 10 days within which to file a written statement showing why the permit should not be revoked. When no answer is filed, the postmaster will cancel the permit. If an answer is filed it should be forwarded with a statement of the facts to the Director, Office of Mail Classification, Finance and Administration Department, who will determine whether the permit shall be continued in effect. Notice of decision will be given the permit holder through the postmaster.

PART 144—POSTAGE METERS AND METER STAMPS

Sec.
144.1 Postage meters.
144.2 Meter license.
144.3 Use of meter.
144.4 Meter stamps.
144.5 Metered reply postage.
144.6 Mailings.
144.7 Meter record book.
144.8 Post office meters.

AUTHORITY: The provisions of this Part 144 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 144.1 Postage meters.

(a) *Use of meter stamps.* Postage may be paid by printing meter stamps with a postage meter on any class of mail. Metered mail is entitled to all privileges and subject to all conditions applying to the various classes of mail.

(b) *Description of meters.* Postage meters are made to print single, several, or all denominations of postage. They contain in one sealed unit the printing die or dies and two recording counters. One adds and keeps a total of all postage printed by the meter. The other subtracts and shows the balance of postage remaining in the meter, after the use of which it will lock. From time to time, mailers take the meter to the post office to have this counter set for additional postage, which is added to the balance remaining. Payment must be made for each additional setting.

(c) *Meter manufacturers.* Postage meters may be leased from authorized manufacturers who are held responsible by the Postal Service for the control, operation, maintenance, and replacement, when necessary, of meters manufactured by them. The following manufacturers are presently authorized to lease meters to mailers:

(i) National Cash Register Co., Dayton, OH 45409.

(ii) Pitney-Bowes, Inc., Pacific and Walnut Streets, Stamford, CT 06904.

(iii) Postalia Corp., 32–31 57th Street, Woodside, Flushing, NY 11377.

(iv) The Singer Co., Friden Division, 2350 Washington Avenue, San Leandro, CA 94577 (for following-named meters):

(*a*) Commercial Controls Corp.
(*b*) Friden, Inc.
(*c*) International Postal Supply Co.
(*d*) The Singer Co., Friden Division.

§ 144.2 Meter license.

(a) *Application.* A customer may obtain a License to Use a Postage Meter, by submitting Application for a Postage Meter License, Form 3601–A (or a form supplied by the manufacturer), to the post office where his metered mail will be deposited. No fee is charged. The application must specify the make and model of the meter. On approval, the postmaster will issue a license.

(b) *Responsibilities of licensee.* (1) After a meter has been delivered to a licensee, he must keep it in his custody until turned over to the authorized manufacturer or to the post office. Tampering with or misuse of a meter is punishable by law.

(2) The meters in the custody of the licensee and his records relating to meter transactions must be available for examination and audit by authorized audit and inspection personnel of the postal service.

(c) *Revocation.* (1) A license may be revoked if used in operating any scheme or enterprise of an unlawful character, for nonuse during any consecutive 12 months, or for any failure to comply with the regulations governing the use of postage meters.

(2) The meter license holder will be notified by the postmaster that the license is to be canceled, and the reasons for cancellation. If no written statement of objections is filed by the license holder within 10 days, the postmaster will cancel the license. If a written statement is filed, the Finance and Administration Department, Office of Mail Classification, will decide whether or not the license shall be continued in effect and will notify the license holder through the postmaster.

§ 144.3 Use of meter.

(a) *Sealing meter.* A customer may not have any postage meter in his possession until it has been set and sealed at the post office that issued the license or, if more convenient, at one of its stations or branches where meters are set. "A Meter Record Book," Form 3602–A,

is issued at the time of initial setting. When the Meter Record Book is filled, a new one will be issued without charge.

(b) *Setting meter*—(1) *Records.* A meter licensee must bring the meter and "Meter Record Book" to the post office or station or branch where it was first set, for resettings and payments of postage. Postage must be paid at time of setting. Advance deposits for meter settings may not be accepted. The postmaster will issue a "Meter Setting Receipt, Form 3603," for the amount of postage paid. If a meter is not reset within a 6-month period, it must be presented with "Meter Record Book," showing daily register readings, at the post office, station, or branch where last set, for examination.

(c) *Setting meter for use at another post office.* The postmaster who serves the place where a mailer is located may, when it will be a convenience to the mailer, set a meter under the following conditions for use in paying postage on mail to be presented at another post office:

(1) The postmaster must obtain through his Regional Director, from the Regional Director in whose region the post office of mailing is located, a statement showing that the post office of mailing has adequate facilities for accepting the mail and that it is served by transportation facilities which will enable the mailings to be effectively and economically handled in the postal transportation patterns.

(2) A meter license must be obtained from the post office where the mailing is to be presented. When the license is received, it must be presented to the local post office with the meter for setting. The license will be returned to the licensee.

(3) A separate meter must be used for each post office. The postmark die must show the name of the post office of mailing.

(4) Payment for each meter setting must be made by certified or bank cashier's check payable to the postmaster at the post office where mailings will be made. The check must be presented to the local post office when the meter is set.

(5) The postmaster setting the postage meter will complete Form 3618, Local Setting of Postage Meter Licensed at Another Office, in duplicate. The original of this form with the check and a stamped, self-addressed envelope furnished by the mailer for return of Form 3603 will be sent in a post office penalty envelope to the postmaster where mailings are to be made. A record of each setting shall be entered on Form 3610, Record of Postage Meter Settings, at the office where the mailings are made.

(6) Mail may not be consigned to the post office in bulk by freight, express, or other carrier. It must be presented at a designated receiving point in the post office by the mailer's representative. The postmaster may not act as the mailer's representative and the Postal Service has no responsibility for the articles until they are actually accepted in the mail.

(7) Matter sent to other post offices for mailing must be shipped in private containers. The total weight of pieces placed in containers such as cartons, crates, etc., which are to be handled by postal employees must not exceed 80 pounds. Post offices will not furnish mail sacks for this purpose.

(8) When the use of a meter is discontinued, it must be presented to the post office where it was set, for checking out of service. Any postage adjustment will be made by the postmaster where the mailings have been made.

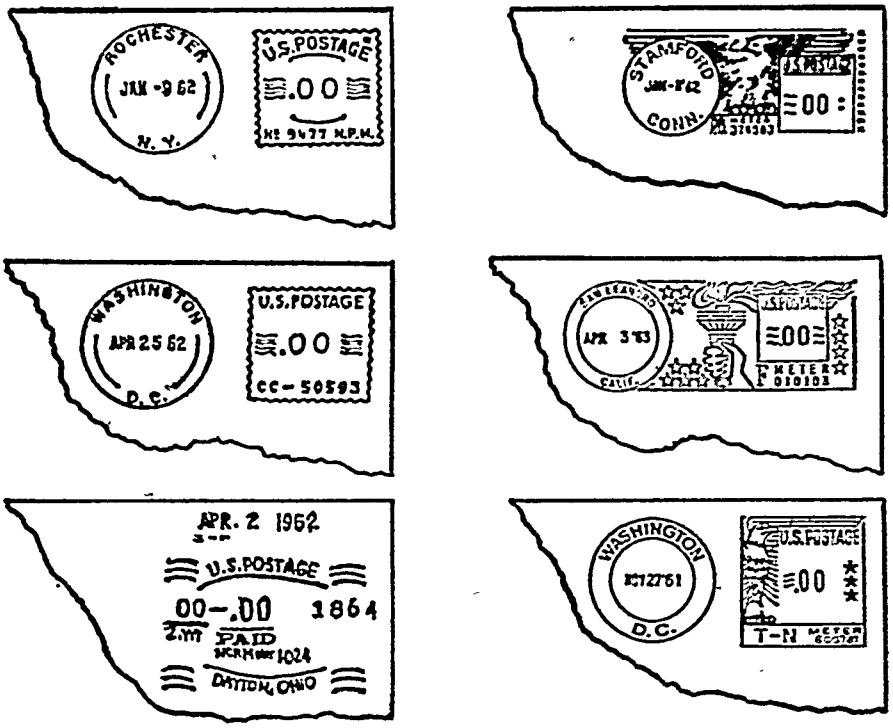
(d) *Faulty mechanism*—(1) *What to do.* If the printing and recording mechanism is faulty in any way, do not use the meter but take it promptly to the post office, branch, or station where it is regularly set, for checking out of service.

(e) *Discontinuance.* (1) When a licensee discontinues the use of a postage meter, it must be taken with the "Meter Record Book" to the post office. If the licensee has not notified the manufacturer of his intention to check out the meter, the postmaster must promptly request the manufacturer to call for the meter. The postmaster should also furnish the meter readings at time of check out to the manufacturer's representative to complete his record, since the descending register will have been cleared to zero or the lowest possible setting at that time. Unused postage in the meter may be transferred to another meter used by the licensee and registered at the same post office, or the postmaster may refund the amount in accordance with provisions on the "License" form. The "Meter Record Book" is returned to the licensee and should be kept on file for at least 1 year from date of final entry. Application for refund should be made on Form 3533, Application and Voucher for Refund of Postage and Fees, or on a special form furnished by the meter manufacturer.

(f) *Refunds for unused meter stamps.* When complete and legible meter stamps can not be used because of misprints, spoiled envelopes or cards, and the like, the licensee may apply to the postmaster for refund of postage up to 90 percent of postage value.

§ 144.4 Meter stamps.

(a) *Designs.* The types, sizes, and styles of meter stamps are fixed when meters are approved by the Postal Service for manufacture. Only approved designs may be used. Some approved designs are illustrated below.



(b) *Legibility.* Meter stamps must be legible and not overlap. Illegible or overlapping meter stamps will not be counted in determining postage paid.

§ 144.5 Metered reply postage.

Meter stamps may be used to prepay reply postage on letters and postcards under the following conditions:

(a) Meter stamps must be printed directly on the envelope or card that bears the return address of the meter license holder in an amount sufficient to prepay in full the first-class or airmail rate.

(b) Any photographic, mechanical, or electronic process, or any combination of such processes, other than handwriting, typewriting, or handstamping, may be used to prepare the address side of reply mail prepaid by meter stamps. The address side must be prepared both as to style and content in the following form without the addition of any matter other than a return address:

(Meter stamp to be placed here)

NO POSTAGE STAMP NECESSARY
POSTAGE HAS BEEN PREPAID BY

John Doe Company
123 Tremont Street
New York, N.Y. 10010

(c) Reply mail prepaid by meter stamps will be delivered only to the address of the meter license holder. If the address is altered, the mail will be held for postage.

§ 144.6 Mailings.

(a) *Preparation.* The mailer must bundle, box, or otherwise package mailings of 5 or more letter-type pieces with the addresses facing in one direction. This prevents the pieces from becoming mixed with other mail which has to be faced, canceled, and postmarked in the post office. Properly prepared metered mail can go directly to the distribution cases in post office and thereby be expedited in dispatch. Metered mail not properly bundled, boxed, or otherwise packaged as required will be reported by telephone or personal visit to the mailer or his authorized agent. A record of this action will be maintained by the postmaster on Form 3749, Irregularities in the Preparation of Mail Matter. If the mailer or his agent disregards such reports and irregularities are repeated, the mail will be retained by the postmaster and the mailer immediately notified by telephone so that the mailing can be picked up for proper preparation before acceptance and dispatch. Each class and denomination should be bundled separately. Special delivery and airmail should always be bundled separately or located on the top of a bundle. See § 145.5(f)(3) regarding payment of fractional postage in cash when the meter stamp does not fully pay the minimum per piece charge.

(b) *Place of mailing.* Metered mail, other than reply mail, must be mailed from the post office shown in the meter stamp. To secure the fastest dispatch, metered mail may, if prepared as required by paragraph (a) of this section, be deposited in any street collection box, building receptacle or other place, under the jurisdiction of the post office of meter settings, where mail is accepted.

(c) *Wrong date.* Metered mail bearing the wrong date of mailing will be run through a canceling machine or otherwise postmarked to show the proper date. Form 3749, Irregularities in the Preparation of Mail Matter, will be used by postmasters to call the irregularity to the attention of the mailer. If the irregularity is repeated, the postmaster will notify the head of the firm or his authorized agent. If a mailer disregards such notices, the postmaster may return the mail with instructions to enclose in new envelopes bearing the correct date in the meter stamp.

§ 144.7 Meter record book.

Each day of operation of the meter, the licensee must enter in the "Meter Record Book, Form 3602–A," the figures appearing in the ascending and descending registers. If at any time the sum of the two figures does not equal the total entered at the last setting, the meter should be taken promptly to the post office, station, or branch where it was set, for examination.

PART 145—PERMIT IMPRINTS

Sec.
145.1 Permit.
145.2 Preparation of permit imprints.
145.3 Content of permit imprints.
145.4 Form of permit imprints.
145.5 Mailings with permit imprints.
145.6 Additional services.
145.7 Improper use of permit imprints.
145.8 Optional procedure for accepting permit imprint mail.

AUTHORITY: The provisions of this Part 145 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 145.1 Permit.

(a) *Application.* A permit to use permit imprints and pay postage in cash at the time of mailing may be obtained by submitting Form 3601, Application to Mail Without Affixing Postage Stamps, with a fee of $15, to the post office where mailings will be made. The postmaster will give the applicant a receipt for the fee on Form 3544. No other fee for use of permit imprints has to be paid so long as the permit is active. However, the applicant must also pay an annual bulk mailing fee if he mails third-class matter at bulk rates. See § 134.4(b)(1).

§ 145.2 Preparation of permit imprints.

Permit imprints may be made by printing press, handstamp, lithography, mimeograph, multigraph, addressograph, or similar device. They may not be typewritten or hand drawn. The imprint must be prepared both as to style and content in one of the forms shown in § 145.4. No other forms of imprints may be used. The imprint must be legible and must be of a color that contrasts sufficiently with the paper to make the imprint readable. The entire imprint must be placed in the upper right corner of the address side of each piece, parallel with the length of the piece.

§ 145.3 Content of permit imprints.

(a) *First-class mail.* Permit imprints must show city and State; date (may be omitted); "First-Class Mail; U.S. Postage Paid;" followed by either the amount of postage paid or the number of ounces for which postage is paid; and permit number. The ZIP Code of the permit holder may be shown immediately following the name of the State or in a separate inscription reading ZIP Code 00000 when it is possible to include the ZIP Code without creating uncertainty as to permit holder's correct address or permit number.

(b) *Second-, third-, and fourth-class mail.* Permit imprints must show same information as first-class, except the date and the words "First-Class Mail" must be omitted. The amount of postage may be omitted on matter mailed at bulk third-class pound rates, but should be included when it is known per-piece rates will apply.

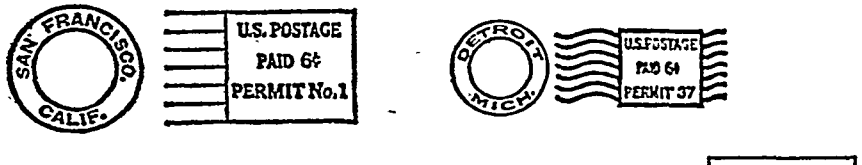
(c) *Company permit imprints for any class of mail.* The city, State, and permit number may be omitted if the permit holder has permits at two or more post offices, provided the exact name of the company or individual holding the permits is shown in the permit imprint. When this style of company permit imprint is used, the mailing piece must bear a complete return address. The permit holder must maintain for a 3-year period and make available for inspection and audit upon request of post office officials, records showing the post office at which any particular mailing was made, date of mailing, total weight of the mailing, weight of a single piece, and the amount of postage paid. A sample piece from the mailing must also be available.

§ 145.4 Form of permit imprints.

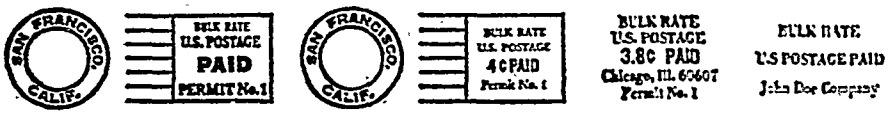
Permit imprints must be prepared in one of the forms illustrated. The addition of extraneous matter is not permitted.

(a) *First-class mail.*

(b) *Second-, Third-, and Fourth-Class Mail (date and first-class mail omitted).*



(c) *Bulk third-class mail.*



(d) *Special rates for authorized organizations only.*

§ 145.5 Mailings with permit imprints.

(a) *Minimum quantities.* Except as stated in § 145.5(b), minimum quantities required to be mailed at one time are as follows:

(1) *First-class mail.* 300 pieces of identical weight.

(2) *Second- and third-class mail.* 300 pieces of identical matter, except 50 pounds or 200 pieces of identical third-class bulk mail.

(3) *Fourth-class mail.* 250 pieces of identical matter.

(4) *International mail.* See Publication 42, "International Mail". 300 pieces of identical matter.

(b) *Exceptions to minimum quantities.* When any mailing consists of less than the required minimum, enter an explanation on the "Mailing Statement, Form 3602". Exceptions may be made for the following reasons only:

(1) *First-class mail.* Occasional exception for a mailer whose total daily mailings are not much more than 300, but who, to cooperate with the post office, present a portion of his mailings early in the day.

(2) *All classes of mail.* When a large mailing extends over two or more consecutive days and the last deposit, made to complete the mailing, is less than the minimum.

(c) *Preparation for mailing.* The mailer must arrange all pieces with the address side facing the same way. It is recommended that the mailer separate the pieces to the finest extent possible in the manner prescribed by §§ 125.3(b) and 134.4(c). Each class of mail must be separately presented with a separate "Mailing Statement, Form 3602". Fourth-class mailings on which postage is paid at different zone rates must be separated according to the postage paid on each piece.

(d) *Place of mailing.* Deposit mail at the post office that issued the permit or at a station or branch designated by the postmaster. Permit imprint mail shall be accepted at the main post office or at classified stations and branches where there is a separation of financial and mail-handling activities.

(e) *Mailing statement.* Prepare and sign a "Mailing Statement, Form 3602," for each mailing. The statement must be prepared by typewriter, ink, or indelible pencil to show the mailer's address, permit number, class of mail, number of pieces in the mailing, and weight of single piece. For third-class bulk mailings, additional information required by the "Mailing Statement" must be shown. If a receipt is desired, present a duplicate copy of Form 3602, which will be initialed by the accepting employee after verification and returned to the mailer.

(f) *Payment of postage—(1) Prepayment in full required.* The mailer must pay for each mailing when it is presented at the post office, or make an advance deposit of enough to cover more than one mailing. Payments for postage or deposits must be made at points designated by the postmaster. These payments will not be accepted by employees handling the mail. Advance deposits may be made by mail. When the deposit becomes less than enough to pay for an entire mailing, an additional amount must be deposited before any mailings are made. Credit for postage is not allowed. Postage may not be paid partly in money and partly by postage stamps, except as provided in § 145.5(f)(3). Whenever the computation of postage results in a fraction of a cent in the total, the next higher even cent must be paid.

(2) *Fractional postage on meter mailings.* The mailer must pay fractional postage in cash as provided in § 145.5(f)(1) when the meter stamps do not fully pay the minimum per piece charge on bulk third-class mailings. The postmaster will issue a permit under which such payments shall be recorded separately from payments made for regular permit imprint mailings. A separate application fee (see § 145.1(a) of this chapter) must be paid for the permit to pay fractional postage payments in cash. A statement on Form 3602 for the cash portion (see § 144.5(e) of this chapter) and a statement on Form 3602-PC for the meter payment portion (see § 134.4(b)(4)(ii)) shall be filed by the mailer.

(g) *Post Office computation of postage—(1) Random samples.* Enough pieces will be selected at random from the entire lot to determine whether the whole mailing consists of identical pieces.

(2) *Weight of single piece.* Determine the exact weight of a single piece and the amount of postage required. When scales do not show exact weight of a single piece, weigh enough pieces to balance beam and divide total weight by number weighed.

Example:
20 pieces weigh exactly 3½ ounces.
3.5÷20=0.175 ounce.

(3) *Total number of pieces.* Ascertain the total number of pieces by one of the following methods:

(i) Find the total weight in pounds, exclusive of tare. (For definition of tare, see § 145.5(g)(5).) Reduce the pounds to ounces and divide the total number of ounces by the weight of a single piece.

Example:
Mailer's statement shows 1,240 pieces in mailing which weigh 13 pounds, 9 ounces.
A single piece weighs 0.175 ounce.
Convert weight to ounces: 13×16+9=217 ounces.
217÷0.175=1,240 pieces.

(ii) Find the total weight, exclusive of tare, and the total weight exactly of 100 pieces in ounces and fractions of an ounce. Divide the total weight by the weight of 100 pieces. This will give the total number of hundreds and fractions of a hundred in the entire lot.

Example:
Mailer's statement shows 124,400 pieces in mailing which weigh 1,360 pounds, 10 ounces. A single piece weighs 0.175 ounce.
Convert weight to ounces: 1,360×16+10=21,770.
Weight of 100 pieces: 0.175×100=17.5.
21,770÷17.5=1,244.
1,244×100=124,400 pieces.

(4) *Agreement with mailing statement.* The result of either of these methods of computation should agree with the number of pieces shown on the statement of mailing. If they do not agree the matter will be taken up with the mailer and, if necessary, further examination and verification will be made.

(5) *Tare.* Tare includes sacks, cartons, or other containers, hand trucks, skids, or similar pieces of equipment upon which the mail may be placed during the weighing operation. The standard weights for new sacks are 3 pounds, 7 ounces for a No. 1 size; 2 pounds, 8 ounces for a No. 2 size; and 1 pound, 12 ounces for a No. 3 size.

§ 145.6 Additional services.

Postage may be paid by means of permit imprints on matter which is entitled

to be registered, or sent as certified, insured, or COD mail.

§ 145.7 Improper use of permit imprints.

(a) *Distributed outside the mail and as enclosures.* Since permit imprints indicate that the matter on which they appear has had postage paid thereon under the permit imprint system, they must not ordinarily appear on matter which has not had postage so paid thereon, as, for example, matter which is circulated by means other than mail or which is circulated as an enclosure with other matter either by mail or by means other than mail. Permit imprints may appear on address labels, wrappers, envelopes, and other containers, and on complete mailing pieces, which have not had postage paid thereon under the permit imprint system, provided it would be impracticable to omit the permit imprint, as, for example, when envelopes are shipped from a printer to a permit imprint permit holder.

(b) *Place of acceptance.* Permit imprint matter will be accepted for mailing only at the post office shown in the permit imprint except when company permit imprints are used as provided for by § 145.3(c) or when arrangements for acceptance at other post offices are made under the provisions of § 145.8.

(c) *Nonpermit mailings.* Permit imprints must be obliterated from matter which is mailed as nonpermit imprint matter prepaid with postage by means of stamps or meter stamps.

§ 145.8 Optional procedure for accepting permit imprint mail.

(a) *Objective.* The purpose of this optional procedure is to provide for the acceptance of permit imprint mail using the minimum amount of space, time, and manpower, and utilizing the latest developments in mechanization, facilities, and transportation while maintaining adequate control of the collection of correct postage charges.

(b) *Procedure.* Weighing of the entire mailing on scales is not required. Postage is computed from the mailers' Mailing Statement, Form 3602 or Mailing Statement—4th Class Bulk Rates, Form 3605, which must always show the total number of pieces. The total computed weight must also be shown when it is known that the minimum per piece postage charge will not apply.

(c) *Verification.* Sample pieces from each mailing shall be weighed by a post office employee, either at the mailers' plant or at the post office, to determine whether the pound or the minimum per piece postage charges apply. Post office employees may be sent on rotating assignments to the mailers' plants to weigh sample pieces and observe preparation of mail by mailers only when the mail is not to be delivered to the post office for dispatch or when considered necessary and authorized in writing by Regional Directors. Mailers must maintain for a 3-year period, and make available for inspection and audit upon request of post office officials, all production and billing records relating to any particular mailing. A sample piece from the mailing must also be available.

(d) *Limited use of optional procedure.* The optional procedure musts be approved by the Regional Director in each case. It will be approved only when the mailers can make one or more of the following arrangements which are mutually beneficial to the mailers and the Postal Service:

(1) Loading at the mailers' plant the major portion of the mailings into single or combination destination trailers with any remaining portion transported at the mailers' expense and risk from the plant to an acceptance place such as a special acceptance facility or sectional center facility designated by the Regional Director.

(2) Transportation of the entire mailing at the mailer's expense and risk from the plant to the acceptance place designated by the Regional Director.

(3) Merger by mailers of different varieties and classes of mailing pieces into direct sacks which could not be prepared if the pieces were mailed separately.

(4) Unusual arrangements for which the Regional Director has obtained approval from the Office of Mail Classification, Finance and Administration Department.

PART 146—PREPAYMENT AND POSTAGE DUE

Sec.
146.1 Postage payment.
146.2 Mailable matter found in private mail boxes without prepayment of postage.
146.3 Collection of postage due.
146.4 When not to collect.

AUTHORITY: The provisions of this Part 146 issued under 5 U.S.C. 301; 39 U.S.C. 501, 505.

§ 146.1 Postage payment.

(a) *Prepayment required.* Postage on all mail must be fully prepaid at the time of mailing, with the following exceptions:

(1) Business reply mail, see § 131.2(c).

(2) Federal Government and free mail, see Part 137.

(3) Certain mail for the blind, see Part 138.

(4) Mail sent by members of the Armed Forces, see § 131.5.

(5) Letters and printed matter carried or delivered by vessels not regularly employed in carrying mail, see § 131.6.

(6) Keys and identification devices returned to owners, see § 134.1(c).

(b) *Insufficient prepayment.* (1) Mail of any class, including that for which special services is indicated (except registered mail—see § 161.3(a)), received at either the office of mailing or office of address without any postage or without sufficient postage will be:

(i) Marked to show the total deficiency of postage and fees.

(ii) Dispatched promptly to the addressee by means of the regular or special service indicated.

(iii) Delivered to addressee on payment of the charges marked on the mail. As an exception, when quantity mailings of 10 or more pieces are received at the office of mailing without any postage or without sufficient postage, the mailer will be notified, without charge, preferably by telephone, in order that the postage charges may be adjusted before the mail is dispatched.

(2) When the addressee refuses to pay the deficient postage, and when the mail is undeliverable for any other reason, it will be handled as follows:

(i) First-class mail, including airmail, bearing a return address will be returned to the sender and delivered on payment by him of the deficient postage.

(ii) Mail other than first-class bearing a return address will be returned to the sender and delivered on payment by him of the total of the deficient postage, the forwarding postage, if any, and the return postage.

(iii) All mail that does not bear a return address will be disposed of in accordance with § 159.4.

(c) *Postage on mail insufficiently prepaid.* Postage stamps stuck to mail are canceled when the mail is first received in the post office. Postage stamps or meter stamps originally affixed to insufficiently prepaid mail will, when it is again presented for mailing, be accepted in payment of postage to the amount of their face value.

§ 146.2 Mailable matter found in private mail boxes without prepayment of postage.

(a) *Penalty.* Whoever knowingly and willfully deposits any mailable matter such as statements of account, circulars, sale bills, or other like matter, on which no postage has been paid, in any letterbox established, approved, or accepted by the Postmaster General for the receipt or delivery of mail matter on any route with intent to avoid payment of lawful postage thereon, shall for each such offense be fined not more than $300.

(b) *Collection of postage.* Matter found in private mail boxes provided for the receipt of mail matter shall be treated as subject to postage. If the person or firm responsible for improperly depositing matter in mail receptacles, is known and is within the delivery area of the post office, the local postmaster shall make demand for the total postage chargeable on all pieces. The postmaster shall also inform the person or firm that the practice is a violation of the law. An equivalent amount of postage due stamps affixed to a sheet of paper and properly canceled as a receipt for money collected shall be given the person or firm. If payment is in form of uncanceled stamps or meter stamps, they will be affixed to a sheet, canceled and returned as a receipt for payment. No other receipt will be issued.

(c) *Report to other office.* If the person or firm using private mail boxes improperly is located at another post office, send a sample piece with a report of the facts to the postmaster at that location with request that he take the action in § 146.2(b).

§ 146.3 Collection of postage due.

(a) *Upon delivery.* Postage due mail is collected in cash only, prior to delivery

to addressee. Exception: Postage on quantity mailings found in private mail boxes is collected as required in § 146.2(b).

(b) *By advance deposit.* If postage-due collections amount to approximately $10 or more every 60 days, payment may be made by advance deposits of money.

§ 146.4 When not to collect.

(a) *Stamps lost off mail.* When it is apparent from the impression of a canceling stamp that a postage stamp has been wholly or partially lost, handle the piece as prepaid one full rate only.

PART 147—EXCHANGES AND REFUNDS

Sec.
147.1 Exchange of stamps.
147.2 Refunds.

AUTHORITY: The provisions of this Part 147 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 147.1 Exchanges of stamps.

(a) *Post office mistakes.* Mistakes in selling damaged, defective, or otherwise unserviceable stamps may be corrected by the post office by exchanging stamps at full value.

(b) *Purchaser's mistakes.* Mistakes made by purchaser in buying adhesive stamps of the wrong denomination or stamped envelopes or postal cards of the wrong kind, size, or denomination may be corrected by exchanging stamps at full value, provided mistake is discovered within 48 hours from time of purchase.

(c) *Unserviceable and spoiled envelopes or cards and unused precanceled stamps.* Unserviceable and spoiled stamped envelopes or postal cards, if uncanceled, and unused precanceled stamps and postal cards, may be exchanged for other postage-stamped paper as follows:

(1) Stamped envelopes (mutilated no more than is necessary to remove contents), for postage value plus value of postage added as a result of rate increase or for additional service.

(2) Unmutilated aerogrammes (air-letter sheets), for postage value less 1 cent for each aerogramme redeemed.

(3) Unmutilated single and double postal cards, for 85 percent of postage value plus full value of postage added as a result of rate increase or for additional service.

(i) Either half of a double postal card may be redeemed if the double card has been printed and cut for use as single cards.

(ii) Unused double postal cards printed for reply purposes should not be separated; however, if they have been separated in error, and the purchaser presents both halves, the cards may be redeemed.

(iii) Reply halves of double postal cards that have been returned to sender outside of the mails are not redeemable by the original purchaser even though the reply half received no postal service.

(4) Sheet postal cards spoiled in the process of cutting to size, for 85 percent of postage value plus full value of postage added as a result of rate increase or for additional service, if all cut sections are submitted.

(5) Stamps affixed to commercial envelopes and post cards, for 90 percent of postage value. Envelopes and post cards must be in a substantially whole condition and in lots of at least 50 of the same denomination and value.

(6) Unused precanceled stamps in full coils or in full sheets redeemed from precanceled permit holders, for 90 percent of postage value.

Stamped envelopes or aerogrammes (air-letter sheets) with a printed return address and postal cards with any printed matter of the purchaser, may be exchanged only by the purchaser. If there is no purchaser's printing, they may be exchanged by any responsible person. When redemption cannot be made at time of presentation, the postmaster will furnish a receipt on Form 3210 for uncanceled unserviceable or spoiled envelopes or postal cards or for unused precanceled stamps left in his custody.

(d) *Nonexchangeable.* The following are nonexchangeable:

(1) Adhesive stamps, unless mistakes were made in purchasing or stamps were defective or stamps wre affixd to commercial envelopes and post cards.

(2) Stamps cut from postal cards, stamped envelopes, or aerogrammes (air-letter sheets).

(3) Parts and pieces of postal cards.

(4) Postal cards, stamped envelopes, and aerogrammes received for reply purposes.

(5) Mutilated and defaced stamps.

§ 147.2 Refunds.

(a) *Conditions that justify refund.* (1) When postage or special service fees have been paid on mail for which no service is rendered, or collected in excess of the lawful rate, a refund may be made.

(2) The Postal Service is considered to be at fault and no service is rendered in cases involving returned articles improperly accepted in both domestic and international services because of excess size or weight.

(3) Mailers who customarily weigh and rate their mail are expected to be familiar with basic requirements and the Postal Service is not considered to be at fault when these mailers are required to withdraw articles from the mail prior to dispatch.

(4) See paragraphs (c) (2) and (f) of this section for special provisions for refunding the postage value of unused meter stamps.

(b) *Application.* Submit an application on Form 3533, in duplicate, to the postmaster together with the envelope or wrapper, or the portion thereof having names and addresses of sender addressee, canceled postage and postal markings, or other evidence of payment of the amount of postage and fees for which refund is desired.

(c) *Amount of refund allowable.* (1) Refund of 100 percent will be made:

(i) When the Postal Service is at fault.

(ii) For the excess when postage or fees have been overpaid the lawful rate.

(iii) When service to the country of destination has been suspended.

(iv) When postage is fire-scarred while in the custody of the Postal Service, including fire in letterbox, and the mail is returned to sender without service.

(v) When special delivery stamps are erroneously used in payment of postage, and the mail is returned to the sender without service.

(vi) When fees are paid for special delivery, special handling, and certified mail, and the article fails to receive the special service for which the fee has been paid.

(vii) When surcharges are erroneously collected on domestic registered mail or collected in excess of the proper amount, or represented by stamps affixed to matter not actually accepted for registration.

(viii) For fees paid for return receipts or for restricted delivery when the failure to furnish return receipt or its equivalent, or erroneous delivery, or nondelivery, is due to fault or negligence of Postal Service.

(ix) For annual bulk mailing fee when no bulk mailings of third-class matter are made during the year for which the annual fee has been paid.

(x) When customs clearance and delivery fees are erroneously collected.

(xi) When fees are paid for registry or insurance service on mail addressed to a country to which such services are not available, unless claim for indemnity is made.

(2) Refund of 90 percent shall be made when complete and legible unused meter stamps are submitted within 1 year from the dates appearing in the stamps. See § 147.2(f) of this chapter.

(3) When mail is returned at the request of the sender or for a reason not the fault of the Postal Service, any difference between the amount paid and the appropriate domestic air or surface rate chargeable from mailing office to interception point and return will be refunded.

(4) On articles prepaid at airmail rates but actually transported by surface means, the difference between the postage computed at the airmail and surface rates is refundable. The fact that surface transportation was used must be confirmed.

(d) *Unallowable refunds.* No refund will be made:

(1) For an application fee to use permit imprints.

(2) For registered, insured, and COD fees after the mail has been accepted by the post office even though it is later withdrawn from the mailing post office.

(e) *Meters and meter stamps*—(1) *Postage adjustments.* The postage value of unused units set in a meter surrendered to the post office to be checked out of service may be refunded or, if desired, an equivalent amount will be transferred to another meter used by the same license holder. If the meter is withdrawn from service because of faulty mechanical operation, a final postage adjustment or refund may be withheld pending report of the meter manufacturer of the cause of faulty operation. If the meter is damaged by fire, a refund or transfer of postage will be made only if the registers are

legible, or can be reconstructed by the meter manufacturer.

(2) *What to submit.* (i) Unused meter stamps that are complete and legible, accompanied by an application in duplicate on Form 3533 within 1 year from dates appearing in the stamps, will be considered for refund. Arrange the stamps so that all of one denomination are together.

(ii) If portion of stamp is printed on one envelope or card and remaining portion on another, fasten the two together to show that the two portions represent one stamp.

(iii) Meter stamps printed on labels or tapes which have not been stuck to wrappers or envelopes must be submitted loose.

(iv) Refunds are allowable for stamps on metered reply envelopes only when it is obvious that an incorrect amount of postage was printed thereon.

(v) Submit separately, with statement of facts, envelopes or address portions of wrappers on mail returned to sender from the mailing office marked "No such post office in State named, "Returned for better address," or "Received without contents" indicating no effort to deliver was made.

(3) *What not to submit.* Do not submit:

(i) Meter reply envelopes or cards paid at the proper rate of postage.

(ii) Meter stamps printed on labels or tape which have been removed from wrappers or envelopes.

(iii) Meter stamps without the name of the post office and State.

(iv) Meter stamps without the date printed on tape. (See § 143.4(f) of this chapter.)

(v) Meter stamps printed on mail which was dispatched from the mailing post office in regular course and returned to sender as undeliverable, including nixies marked "No such post office in State named."

(vi) Meter stamps on mail addressed for local delivery and returned to sender after directory service was given or effort was made to deliver.

PART 148—REVENUE DEFICIENCIES DEVELOPED BY AUDIT

Sec.
148.1 Developed by postal inspector audit.
148.2 Developed by local financial examination or audit.

§ 148.1 Developed by postal inspector audit.

(a) *Amounts of $100 or less.* The postmaster must, upon the request of the inspector, increase the proper revenue account by the amount of the deficiency. If the amount due is not collected at the time of the inspector's request, the postmaster must enter the item in A/C 11919, suspense, and liquidate the item within 30 days by collection from the debtor or with personal funds.

(b) *Amounts over $100.* The report of the deficiency will first be reviewed by the Office of Mail Classification. By report on form 3581, Notice of Revenue Deficiency, that office will notify the proper postal data center of the amount of the revenue deficiency. A Form 813, Statement of Differences, will be issued by the postal data center to the postmaster, accompanied with a copy of Form 3581. When Form 813 is received from the postal data center the postmaster must immediately enter the deficiency in A/C 11935, "Audit Difference Due U.S.," carry the item in A/C 11919, suspense, and take immediate action to collect the amount due from the debtor. If collection is not made within 30 days, the matter must be reported to the director, finance division.

§ 148.2 Developed by local financial examination or audit.

Whenever a revenue deficiency is developed as a result of an examination or audit performed in accordance with §§ 126.6(f) and 144.3(b)(5)(iv) of this chapter, or Handbook F–1, the postmaster must increase the proper revenue account by the amount of the deficiency. If the amount is $100 or less, and not immediately collected, the postmaster must enter the item in A/C 11919, suspense, and liquidate the item within 30 days by collection from the debtor or with personal funds. If the amount is over $100 and collection is not made within 15 days, the matter must be reported to the local inspector in charge. After attention by an inspector, the report of the deficiency will be reviewed by the Office of Mail Classification and handled as provided in § 148.1(b).

COLLECTION AND DELIVERY

PART 151—GENERAL

Sec.
151.1 Private mail receptacles.
151.2 Local ordinances and State laws.

AUTHORITY: The provisions of this Part 152 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 151.1 Private mail receptacles.

(a) *Designation as authorized depository.* Every letterbox or other receptacle intended or used for the receipt or delivery of mail on any city delivery route, rural delivery route, star route, or other mail route is designated an authorized depository for mail within the meaning of 18 U.S.C. sections 1702, 1705, and 1708.

(b) *Use for mail only.* Receptacles described in § 151.1(a) shall be used exclusively for mail except as provided in § 156.5(h). Any mailable matter such as circulars, statements of accounts, sale bills, or other similar pieces deposited in such receptacles must bear postage at the applicable rate and a proper address.

§ 151.2 Local ordinances and State laws.

Postmasters are expected to report to regional offices any contemplated action by local or State authorities to enact or consider enactment of local ordinances or State laws that would adversely affect operating costs or performance of postal service.

PART 152—WHO MAY CARRY LETTERS

The Postal Service has a monopoly over the transportation of letters for others over post routes. For detailed information, refer to Publication 111, Restrictions on Transportation of Letters. A sender or carrier of matter who has any doubt as to whether such matter is or is not a letter may obtain, on request, a specific ruling from the General Counsel of the Postal Service. Address inquiries to the Assistant General Counsel, Opinions Division.

(5 U.S.C. 301, 39 U.S.C. 501, 505)

PART 153—MAIL DEPOSIT AND COLLECTION

Sec.
153.1 Collection times.
153.2 Ordinary deposit of mail.
153.3 Deposit of mail with employees.
153.4 Separation of mail by sender.
153.5 Recall of mail.
153.6 Mail chutes and receiving boxes.

AUTHORITY: The provisions of this Part 153 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 153.1 Collection times.

Mail is collected in residential and business sections served by city carriers at times to connect with mail dispatches. Mail is also collected in business sections at frequent intervals to keep boxes from becoming overloaded and to provide an even flow of mail to the post office.

§ 153.2 Ordinary deposit of mail.

(a) *Post offices lobbies.* Letter drops are provided in lobbies of all post offices for the deposit of mail.

(b) *Collection boxes.* Collection boxes for the deposit of mail are placed at convenient points in areas served by city carriers; at non-city-delivery offices in front of the post office quarters and in nonpersonnel rural stations and branches.

(c) *Rural boxes.* Mail on which postage has been paid may be deposited for collection in mailboxes on rural routes.

(d) *Vim mailrooms.* Mail may be deposited in bundle mail drops where provided. Otherwise, it may be left with the carrier on duty when the VIM call window is open.

§ 153.3 Deposit of mail with employees.

The following types of mail may be handed for dispatch to employees on duty in mobile units or transfer offices and at airport mail facilities:

(a) *First-class mail.* On which postage has been paid.

(b) *Medicines and serums.* Third- or fourth-class mail, presented by representatives of manufacturers or distributors of medicines or serums, when endorsed: "Emergency—This package has been weighed and bears necessary postage. Any additional postage found to be due is guaranteed by sender."

Third- and fourth-class mail, other than that described and mail to be sent registered, insured, or COD, is not mailable with the employees identified above.

§ 153.4 Separation of mail by sender.

Customers having large mailings should separate them into packages marked "Local" and "Out of Town". These labels may be obtained from the post office.

§ 153.5 Recall of mail.

(a) *Who may recall mail.* Mail deposited in a collection box or post office may be recalled on proper identification by the sender, by the parent or guardian of a minor child, or by the guardian of a person of unsound mind. Submit Form 1509, Sender's Application for Recall of Mail, obtainable at any post office, to the postmaster at the office of mailing. Postmasters at offices of address must comply promptly with recall requests from Federal Government executive departments or their regional offices. The requirement that the application for recall be made through the mailing office does not apply to official mail. File all applications for the recall of mail and related papers at the office of mailing.

(b) *Expenses.* The mailer must pay all expenses of recalling mail, including the cost of any necessary telegrams, and the regular rate of return postage (except for first-class mail, which is returned without additional postage).

(c) *Original postage.* If mail recalled before dispatch is again presented for mailing, accept the original stamps for postage at face value. This does not apply to stamps in payment of registry, insurance, or COD fees.

(d) *Carriers.* Carriers or collectors will not return mail deposited in a letterbox from which collection is made by a post office employee or which has come into his custody in the performance of his official duties.

(e) *Registered mail.* The customer will write or stamp "Withdrawn Before Dispatch" on his copy of the registered mail receipt, sign it, and surrender it. The customer's surrendered receipt will be attached to the post office copy. Write or stamp the same words on, and postmark the face of the article.

(f) *Telegram.* If the mail has been dispatched from the mailing office, the postmaster at that office shall telegraph a request to the postmaster at the office of address for return of the mail. The mail shall be carefully described to identify it and prevent the return of any other mail. Dispatch particulars shall be furnished if they will be of assistance in locating the mail.

(g) *Return.* Return recalled mail to the mailing postmaster reenveloped or rewrapped under penalty indicia. The mailing postmaster must deliver it to the sender on payment of the necessary fees and any postage due. Registered mail shall be returned as official registered mail in a penalty envelope without charge for the registry fee. If the mail was delivered before the recall application or the telegram was received, make a report to the mailing postmaster who will inform the sender. Do not advise the addressee that mail has been recalled or that recall was requested.

§ 153.6 Mail chutes and receiving boxes.

(a) *Use.* (1) Mailing chutes and receiving boxes may be placed at the expense of the owner in public buildings, railroad stations, hotels, and business or office buildings of not less than four stories, and apartment houses of not less than 40 residential apartments. Buildings in which receiving boxes are located must be open to the general public, without restrictions, during the hours prescribed for mail collections. If the owner of a building does not desire to install a mail chute and receiving box, a receiving box only may be installed, provided the postmaster has determined it is necessary and has approved its installation.

(2) Mailing chutes and receiving boxes are intended for the reception or deposit of mail matter of the first class and must not be used for the deposit of mail of any other class.

(b) *Installation, specification, and maintenance.* Requests for the installation of mailing chutes and receiving boxes must be approved by the postmaster and he must be furnished the contract and specifications for any proposed chute and box. The specifications for mail chutes and maintenance procedures are covered in Publication 16, Mailing Chute Rules, Regulations, and Specifications.

PART 154—CONDITIONS OF DELIVERY

Sec.

154.1 Delivery to persons.
154.2 Delivery of addressee's mail to another.
154.3 Jointly addressed mail.
154.4 Delivery to officials or employees of organizations.
154.5 Delivery to officials or employees of corporations and unincorporated firms.
154.6 Delivery to persons at hotels, institutions, schools, etc.
154.7 Conflicting orders by two or more parties for delivery of same mail.
154.8 Delivery of packages.
154.9 Delivery to military organizations and naval vessels.

AUTHORITY: The provisions of this Part 154 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 154.1 Delivery to persons.

(a) *Delivery to addressee.* The addressee may control delivery of his mail. In the absence of a contrary order, the mail is delivered as addressed. Mail addressed to several persons may be delivered to any one of them. The addressee may refuse to accept a piece of mail at the time it is offered for delivery. Also, he may request his postmaster in writing to withhold from delivery for a period not to exceed 2 years any foreign letter or printed matter bearing a specified name or address appearing on the outside. Such mail will be marked "Refused" by the post office and treated as undeliverable. After delivery, he may mark a piece of mail "Refused" and return it unopened to the mail, "Except" registered, insured, certified and COD mail may not be returned after delivery has been effected. Refused matter, including mail withheld from delivery in accordance with the addressee's request, will be treated as undeliverable. Where a person claiming to be the addressee of certain mail is unknown to the postmaster, the mail may be withheld pending identification of the claimant.

(b) *Delivery to persons having similar names.* Unless persons with similar names adopt some means to distinguish their mail, postmasters will use their judgment in making delivery.

(c) *Mail delivered to wrong person.* A person receiving mail not intended for him should promptly return it to the post office endorsed "Opened by Mistake" with his signature, if the letter has been opened; otherwise it should be endorsed "Not for * * *, Not at this address," etc.

(d) *Checks issued by the Federal Government.* (1) Federal Government checks will be delivered to the addressee, to persons who customarily receive his mail, or to other persons authorized in writing to receive his mail. Delivery will not be made to an attorney, claim agent, or broker even through the addressee requests such delivery unless the check is specifically addressed in care of the attorney, claim agent, or broker.

(2) If convenient, the addressee will be alerted by ringing the bell or knocking on the door. The carrier is not required to await a response.

(3) Delivery will be withheld and the check returned to the sender if it is known that the addressee:

(i) Is deceased.

(ii) Has moved without filing a change of address even though the new address may be known.

(iii) Has reenlisted in the military or naval service.

(iv) Is under guardianship.

(v) Is a widow who has remarried and the check is not addressed to her in her new name.

(e) *Checks issued by State and local Governments.* State and local government checks will be handled in accordance with instructions printed on the envelopes. Certain of these checks have instructions not to transfer or forward. If undeliverable as addressed, such checks will be returned to the sender immediately.

(f) *Mail marked in care of another.* Mail marked "In Care of" another is delivered to the first of the two persons named who may call for it; or to the address of the person in whose care it is directed in the absence of instructions from the addressee.

(g) *Restricted delivery.* Registered, certified, numbered insured, and COD mail which the sender has restricted in delivery to the addressee only may not be delivered to any other person except as provided in § 161.1(e)(3).

(h) *Mail marked personal.* Mail bearing the word "Personal" is delivered in the same way as other mail for the addressee.

§ 154.2 Delivery of addressee's mail to another.

(a) *Delivery to addressee's agent.* (1) Unless otherwise directed, an addressee's mail may be delivered to his employee or to a competent member of his family. A person or a number of persons may designate another to receive their mail. Designation of another person to receive mail should be in writing, but no special form is furnished or required.

(2) When mail is to be delivered to a commercial mail receiving agency, Form 1583, Application for Delivery of Mail Through Agent, must be signed by both the commercial agent and the addressee. The original of the completed Form 1583 must be filed with the postmaster and a duplicate copy of the completed Form 1583 must be kept on file by the commercial agency. The original copy of Form 1583 will be filed without verifying the addressees shown thereon and without obtaining statements from the references given unless the postmaster is specifically requested to do so by the inspector in charge, or when there is reason to believe the mail will be, or is being, used for unlawful purposes. In consideration of delivery of the mail to the commercial agent, the addressee and the agent are considered to agree that:

(i) No change of address order will be filed with the post office when the agency relationship is terminated;

(ii) The forwarding of mail intended for the addressee is the responsibility of the agent; and,

(iii) When remailed by the commercial agent, the mail is subject to payment of new postage since delivery is deemed to have been made when the mail was delivered to the commercial agent.

(b) *Mail addressed to minors.* A minor's guardian may control delivery of mail addressed to the minor. If there is no guardian, and the minor is unmarried, then the father or, if he is dead, the mother may receive delivery of the minor's mail.

(c) *Mail addressed to incompetents.* Where a person has been legally declared an incompetent, his mail may be delivered in accordance with the order to his guardian or conservator. Where there is no legal representative, the mail is delivered as addressed.

(d) *Mail addressed to deceased persons.* Mail addressed to deceased persons may be delivered to the executor or administrator. When there will be no court action on the deceased's estate, the mail may be delivered as agreed to by all the heirs.

§ 154.3 Jointly addressed mail.

(a) *Delivery of jointly addressed mail.* Where mail is jointly addressed, for example, "Mr. and Mrs. John Doe, John and Jane Doe," neither party can control delivery of such mail over the objection of the other. Jointly addressed mail is delivered as addressed by the sender so long as one of the parties can receive it there, except that U.S. Government checks will be returned if either party is deceased.

(b) *Delivery of mail addressed to husbands and wives.* Neither party may control delivery of mail addressed to the other. In the absence of instructions from the wife, her mail is placed with the husband's and delivered to him with his own.

§ 154.4 Delivery to officials or employees of organizations.

(a) Mail directed to officials or employees of a governmental or private organization at the address of the organization will be delivered to the organization when such mail is claimed both by an officer or employee and by the organization. This also applies to mail addressed in this manner to former officials or employees.

(b) Mail addressed elsewhere to a public or private official by title or to the organization even though marked to the attention of a particular person or title will be delivered to the organization if it so directs.

§ 154.5 Delivery to officials or employees of corporations and unincorporated firms.

(a) *Mail addressed to corporations* is delivered as addressed or to an authorized agent. Where disagreement arises among corporate officers and others connected with the company, the mail is delivered in accordance with the order of the president of the corporation.

(b) *Mail addressed to unincorporated firms or partnerships* is delivered as addressed so long as the business is being conducted under the same name at the same address despite some members of the firm's breaking off relations.

§ 154.6 Delivery to persons at hotels, institutions, schools, etc.

(a) *Mail addressed to patients or inmates at institutions,* unless otherwise directed by the addressee, is delivered to the institution authorities, who in turn will deliver the mail to the addressee in accordance with the institution's rules and regulations.

(b) *Mail addressed to persons at hotels, schools, and similar places* is delivered with the other mail directed to the hotel or school, unless otherwise ordered by the addressee. If the addressee is no longer at that address, the mail should be redirected to his current address. If the forwarding address is unknown, the mail should be returned to the post office.

(c) *Registered mail addressed to persons at hotels and apartment houses* will be delivered to the persons designated by the management of the hotel or apartment house in a written agreement with the Postal Service. If delivery of the registered mail has been restricted by the sender, it may not be delivered to the representative of the hotel or apartment house but only to the addressee.

§ 154.7 Conflicting orders by two or more parties for delivery of same mail.

(a) *Delivery to receiver.* Where persons make conflicting orders for delivery of the same mail, and they are unable to agree among themselves as to which of the parties may receive the mail, the mail may be delivered to a named receiver or third party unanimously agreed to by the disputing parties.

(b) *Reference to regional counsel for ruling.* Where the disputing parties are unable to select a receiver, each party shall furnish the postmaster all available evidence on which he relies to exercise control over the disputed mail. If after receipt of such evidence the postmaster is still in doubt as to who should receive the mail, the postmaster will submit the case to his regional counsel for a ruling.

(c) *Delivery of mail in accordance with court order.* When the same mail is claimed by different persons, and a court decides to whom delivery should be made, the mail will be delivered in accordance with the court order.

§ 154.8 Delivery of packages.

(a) *Heavy or bulky packages.* Heavy or bulky packages of any class will be delivered as addressed if facilities are available.

(b) *Unprotected places.* Parcels will not be left on porches, steps, or elsewhere unprotected, except on the written order of the customer or when authorization for such delivery has been placed on the parcel by the mailer.

(c) *Multiple-floor buildings.* Parcel post, registered, insured, certified, and special-delivery articles will be delivered to the addressee or his authorized agent in person without regard to the floor on which his office or apartment is located. Cooperation of customers is requested, however, in making arrangments for mail to be delivered on the first floor.

(d) *Second-attempt delivery.* If an ordinary parcel cannot be delivered on the carrier's first attempt, a notice will be left at the address indicating that the parcel is being held awaiting call. If the parcel is not called for, a second notice is sent after 5 days. If there is no response within 5 days after the second notice and no retention period is specified by the sender, the parcel will then be treated as undeliverable. When a retention period is specified, it is observed up to 30 days after the first notice. A second attempt to deliver will be made only if requested by the addressee.

(e) *Street-address delivery for box renters.* Parcel post mail for customers residing within the city delivery limits who receive mail through rented boxes will be delivered to a designated street address on written request.

§ 154.9 Delivery to military organizations and naval vessels.

(a) *Units not operating military post offices.* Mail addressed to the Commanding General, Commander, Commanding Officer, staff sections and other officials by title, and personnel of military organizations, except registered, numbered insured, and certified mail endorsed "restricted delivery," will be delivered to unit mail clerks or mail orderlies when such individuals have been designed on DD Form 285, Appointment of Unit Mail Clerk or Mail Orderly to receipt for all mail addressed to the unit for which he is designated. If the unit mail clerk or mail orderly has been designated on DD Form 285 to receipt for ordinary mail only, then registered, numbered insured, and certified mail addressed to individuals by name may be delivered to the unit mail clerk or mail orderly only if authorized by the addressee on Form 3849, Mail Arrival Notice, or 3801, Standing Delivery Order.

(b) *Units operating military post offices.* All mail addressed to military or-

ganizations that operate military post offices will be delivered to the military postal clerk or an assistant postal clerk or to a postal finance clerk for the organization. Additionally, mail for other military organizations may be delivered to military postal clerks or postal finance clerks for further delivery when requested.

(c) *Restricted delivery mail.* Registered, numbered, insured, and certified mail marked "Deliver to addressee only" will be delivered only to the person to whom addressed. However, such mail addressed to the Commanding General, Commander, Commanding Officer, staff sections, and other officials by name and title, may be delivered to an authorized agent named by him in writing. "Deliver to addressee only" mail addressed to other personnel will not be delivered to unit mail clerks or mail orderlies, except when the addressee is located at a point remote from the post office. In such instances, this mail may be delivered to unit mail clerks or mail orderlies on written request of the addressee.

(d) *Identification.* Unit mail clerks, mail orderlies, postal clerks, and assistant postal clerks must provide proper identification to obtain mail. DD Form 285, properly completed showing classes of mail that the bearer is authorized to receive, with the military identification card, or Government issued identification bearing the individual's picture in the case of a civilian employee, will be required.

(e) *Return receipts.* Return receipts for registered, numbered insured, and certified mail shall not be completed by anyone other than the addressee.

PART 155—CITY DELIVERY

Sec.
155.1 Establishing city delivery.
155.2 Extension of city delivery.
155.3 Submission of petitions.
155.4 Mail receptacles.
155.5 Out-of-bounds customers.
155.6 Apartment house receptacles.

AUTHORITY: The provisions of this Part 155 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 155.1 Establishing city delivery.

City delivery service may be established at any post office with annual postal receipts of at least $10,000 and having a population of 2,500 or more living within territory possessing good continuous sidewalks, surfaced streets, house numbers, street signs, and mail receptacles or door slots. The territory must be 50 percent improved with houses. When two or more building lots constitute the grounds of one residence, the plot may be regarded as improved. Where all other requirements are met, that regarding sidewalks is waived if there are suitable walks from the streets to houses. Walks of any material, including gravel and cinders, that render them passable throughout the year are acceptable.

§ 155.2 Extension of city delivery.

To extend existing city delivery service by foot carrier to new areas, 50 percent of the proposed new area must be improved with houses and meet the other requirements for establishment of city delivery. These requirements do not apply to the same extent to delivery by motorized city carrier.

§ 155.3 Submission of petitions.

Requests or petitions to establish, change, or extend city delivery service must be made to the local postmaster. No formal petition is required.

§ 155.4 Mail receptacles.

(a) *Obligation of patron.* Customers of the carrier delivery service must provide mail receptacles or door slots. Business houses are not required to provide mail receptacles or door slots if they are open and someone is on hand to receive the mail when the carrier calls. Where an office building is equipped with an elevator, carriers will deliver to individual offices, provided they are open when the carrier arrives. If they will not be open, mail receptacles or door slots must be provided.

(b) *Door slot specifications.* The clear rectangular opening in the outside slot plate must be at least 1½ inches wide and 7 inches long. The slot must have a flap, hinged at the top if placed horizontally, and hinged on the side away from the hinge side of the door if placed vertically. When an inside hood is used to provide greater privacy, the hooded portion must not be below the bottom line of the slot in the outside plate if placed horizontally, or beyond the side line of the slot in the outside plate nearest the hinge edge of the door if placed vertically. The hood at it greatest projection must not be less than 2$\frac{1}{16}$ inches beyond the inside face of the door. Door slots must be placed not less than 30 inches above the finished floor line.

§ 155.5 Out-of-bounds customers.

Customers outside city delivery limits may be given delivery service if they erect boxes on the carrier's regular line of travel. Special delivery, parcel post, insured, certified, COD, and registered mail will be delivered to the residences of out-of-bounds customers, if the residences are not more than three blocks from the carrier's line of travel and passable walks have been constructed or the street is not impassable; otherwise, a notice will be left in the box requesting that the customer call for the mail. If an ordinary parcel is involved and it can be placed in the box, delivery will be made in that manner.

§ 155.6 Apartment house receptacles.

(a) *Requirements for delivery.* The delivery of mail to individual boxes in apartment houses, family hotels, residential flats, and business flats in residential areas containing three or more apartments having a common street entrance or common street number is contingent on the installation and maintenance of Postal Service approved mail receptacles, one for each apartment, including resident manager and janitor, unless the management has arranged for the mail to be delivered at the office or desk for distribution by its employees. The cost of receptacles and their installation is paid by the owner of the building.

(b) *Address number.* The delivery of mail in a new apartment house where approved mail receptacles are installed at two or more entrances is contingent on assignment of a different address number to each entrance. The tenants' correct mailing address shall be the address of the entrance at which their mail receptacles are located.

(c) *Improved receptacles.* Owners and managers of apartment houses, family hotels, and flats, equipped with obsolete apartment house mail receptacles are urged to install up-to-date and approved receptacles to assure more adequate protection to the mail of occupants. When these buildings are remodeled to provide additional apartments or when a material change in the location of boxes is made, they shall be equipped with approved receptacles.

(d) *Installation, specifications, and approval.* The conditions requiring installation, specifications for construction, installation procedures and approval procedures for manufacturers are covered in § 155.2(g), Apartment House Mail Receptacles, Regulations, and Instructions.

PART 156—RURAL SERVICE

Sec.
156.1 Rural stations and branches.
156.2 Delivery routes.
156.3 Carrier service.
156.4 Payment of postage.
156.5 Rural boxes.

AUTHORITY: The provisions of this Part 156 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 156.1 Rural stations and branches.

(a) *Establishment.* Rural stations and branches, both personnel and nonpersonnel, are established and maintained in communities where a considerable number of people would be seriously inconvenienced if required to transact postal business with rural or star route carriers only, and where it is determined inadvisable to establish an independent post office.

(b) *Functions.* (1) Personnel rural stations and branches accept, dispatch, receive, and deliver mail, including registered, insured, COD, and certified mail, issue money orders and sell stamps and stamped paper.

(2) Nonpersonnel rural stations and branches are self-service units which furnish essential mail services such as the collection and delivery of ordinary mail and sale of stamps. Services such as the sale of money orders, and the acceptance and delivery of certified, insured, registered, and COD mail are provided customers of nonpersonnel rural stations and branches by the rural carrier at the time he services the unit. Carriers are required to remain at the unit a minimum of 15 minutes each day their routes are scheduled to operate, to afford customers the services not otherwise available from the unit.

(c) *Hours.* Personnel and nonpersonnel rural stations and branches are open during ordinary business hours of each weekday, except National holidays.

(d) *Treatment of mail.* Mail addressed to a personnel rural station branch will

be kept there to be called for, unless the addressee is a customer of a rural route starting from the rural station, or of an adjoining route, in which case the mail will be delivered to the customer's box by the carrier. Mail addressed to a nonpersonnel rural station or branch will be placed in the addressee's lockbox at the station or branch.

§ 156.2 Delivery routes.

(a) *Establishment.* A petition signed by the heads of families desiring establishment of a rural route should be submitted to the postmaster of the post office from which delivery service is desired, or to the Postal Service. Form 4027, Petition for Change in Rural Delivery, may be obtained from the postmaster for this purpose. The general rule is that a newly established route should serve an average of at least one family per 0.67 (or approximately 0.7) mile. Consider unusual conditions such as volume and type of mail. On routes of less than 10 miles, an average of at least 6 families per mile should be served.

(b) *Extensions.* Requests or petitions for extension of rural routes should be submitted to the postmaster of the office from which the route operates. Form 4027 is available from the postmaster for use in submitting requests. Extensions should ordinarily serve an average of at least one family per 0.67 mile of additional travel including retrace. Consider other factors, such as financial transactions, and type and volume of mail. Roads generally should be public, must be maintained in good condition, and be passable for vehicles year around. If an extension is proposed over a road not maintained by road authorities, postmaster must obtain and submit with Form 4027 a letter from the person responsible for maintaining the road that it will be kept passable at all times. This letter should include the statement "It is understood that if the road is not properly maintained, rural delivery service will be withdrawn." Rural mail delivery may be extended to families at noncity delivery offices of the first-, second-, and third-class who reside outside a 0.25 mile radius of the post office if other such service is requested and the other requirements are met.

(c) *Road conditions.* Roads on which rural delivery service is desired must be in good condition and so maintained, unobstructed by gates. There must be no unbridged streams not fordable at all seasons of the year.

(d) *Obstructions to travel.* Notify customers and officials in charge of highways on Form 4024, Request to Repair Roads, of road conditions obstructing the delivery of mail. If repairs are not made promptly, withdraw service, and submit Form 4003 to the designated sectional center postmaster for transmission to the postal data center.

(e) *Multiple routes.* In rural areas, a customer living on a road traveled by two or more rural carriers may select the carrier by whom he prefers to have his mail delivered and collected, in which case only the designated carrier will handle his mail. Unless selection is made by the customer, each carrier passing the box will deliver mail to it and collect from it any mail that he can expedite in dispatch or delivery, provided the box is on the right-hand side of the road as traveled by the carrier. In suburban or congested areas, the postmaster will designate the route that will provide service.

(f) *Star route delivery.* Persons residing on roads traveled by both rural and star route carriers may qualify as customers of either or both routes. If one box is used for both routes, it must be an approved standard rural route box.

§ 156.3 Carrier service.

(a) *Availability.* (1) Rural carrier service is provided to persons who erect approved boxes on the line of travel of the rural carriers, except those residing within city delivery limits.

(2) Door delivery service will be provided to apartment houses and other multiple dwellings which use or qualify to use apartment house mail receptacles as provided in § 155.6 of this chapter.

(b) *To residence.* Rural carriers deliver registered, certified, numbered insured, COD, and special delivery mail to the customer's residence if it is not more than one-half mile from the route and if there is a passable road leading to it. Unnumbered insured mail will be delivered the same as ordinary mail. This same service will be accorded customers of nonpersonnel and personnel rural stations and branches.

(c) *Parcel delivery.* When an ordinary parcel too large to be delivered into the customer's box is received, the carrier will leave a notice on Form 3570, Notice of Attempt to Deliver Mail, in the box requesting the customer to indicate the date on which he will meet the carrier to receive the parcel. If the addressee has filed a written order that the Postal Service and carriers are relieved of all responsibility in case of loss or depredation when large parcels are placed outside boxes, the carrier will deliver large parcels outside the box. If a customer lives within hailing distance of a route, the carrier will make a reasonable effort to hail the customer so he may come to the box to receive the parcel before it is left outside the box.

(d) *Contagious disease.* A rural carrier will deliver mail to the box of a customer if a quarantined disease exists, when this can be done without exposure to contagion. No mail will be collected from such box while the quarantine is in force.

(e) *Withdrawal of service.* Service will not be withdrawn from any box without specific authority from the Regional Director except that postmasters may withdraw service if a customer continues to provide a conconforming box after notification.

§ 156.4 Payment of postage.

(a) *Acceptance of mail.* (1) A rural carrier will accept any mailable matter, provided postage is fully prepaid or money equal to the required postage is furnished, unless the purpose of handling mail to the carrier for deposit into one office is to "boycott" another office or deprive it of legitimate revenue. During December customers are required to affix stamps to all greeting cards and letter mail.

(2) When a rural carrier finds unstamped mail in a customer's box and the required amount of money for postage, he will normally collect the mail and money and affix the necessary postage. The carrier has stamps, stamped envelopes, and postal cards for sale. For convenience and safety, customers who leave mail and money in rural boxes to be collected by the carrier should either wrap the money, place it in a coin-holding receptacle, or attach it to the mail by means of a clip or other fastener.

(b) *Postage uncertain.* When mail is given to a rural carrier for mailing and he is unable to determine the postage, he will accept from the sender an amount sufficient to insure full payment of postage. On the next trip he will return to the sender any excess money.

(c) *Insufficient postage.* When mailable matter is deposited in a box and the required postage has not been paid nor sufficient money left to purchase stamps, the rural carrier will, when the identity of the sender is known, place in the box a notice that such matter cannot be dispatched until the necessary postage is paid. If the identity of the sender is unknown, the matter will be taken to the post office and treated as unpaid mail.

(d) *Unpaid mailable matter in box.* When a rural carrier finds in a rural box mailable matter on which postage is unpaid, addressed to or intended for the person in whose box it is deposited, the carrier will take such mail to the post office to be held for postage.

§ 156.5 Rural boxes.

(a) *Specifications*—(1) *Dimensions and styles.* Three approved standard sizes and two styles of boxes are approved for use on rural routes:

TRADITIONAL AND CONTEMPORARY STYLES

Size	Inches (approximately)		
	Length	Width	Height
1	19	6¼	8¼
1-A	21	8	[1] 10½
2	23½	11¼	13½

[1] Optional letter slot.

In general, boxes may be constructed in any size between the maximum and minimum outside dimensions specified on approved drawings, provided the height, width, and length proportions and the general shape are maintained.

(2) *Drawings.* Construction standards and drawings for guidance in the manufacture of rural mail boxes may be obtained by writing the Assistant Postmaster General, Operations Department, Washington, DC 20260.

(3) *Approval.* To secure approval of rural boxes, submit to the Operations Department:

(i) Not less than two complete boxes of each style made of exact materials, construction, coating paint, etc., to be iden-

tical in every way with the boxes intended to be marketed. (Two boxes will be damaged during testing.)

(ii) The identification of all parts of the box, by material, alloy, heat treatment, and (for nonmetallic parts) physical properties.

(iii) The complete composition, formula, and trade name and designation, of all paints and nonmetallics.

(iv) A sample showing the marking required by subparagraph (4) of this paragraph.

(v) A copy of the instructions required by section S–12 of the standards.

(vi) Color samples showing all color schemes expected to be used.

(vii) The boxes wrapped in the packaging proposed for shipping them.

Written notification of approval or disapproval, including reasons for disapproval, will be issued. All boxes submitted will be returned, including those damaged during testing; unless the Postal Service is authorized, in writing, to retain them.

(4) *Marking.* All boxes shall have the following inscription legibly embossed into the door of the box (after approval of the box): "U.S. Mail" and "Approved by the Postmaster General." The name of the supplier and the month and year of manufacture shall also be noted on the box, either by embossing in small letters on the rear of the box or by a permanent conspicuous marking on one inside wall of the box. This marking may be accomplished by embossing, stenciling, stamping, or a permanent-type decal. The address of the supplier may be included, if desired.

(5) *List of approved manufacturers.* Following is a list of manufacturers and suppliers of rural and contemporary-style suburban mailboxes whose samples have been approved by the Postal Service.

Akron Metal Sales Co.,
1079 E and J Street,
Barberton, OH 44203.
1–1A–2

Babco Manufacturing, Inc.,
11677 Sheldon Street,
Sun Valley, CA 91352.
C

Burkhead Manufacturing Co.,
Post Office Box 4,
Houston, TX 77001.
1

Chicago Heights Furnace Supply Co., Inc.,
96–104 East 22d Street,
Chicago Heights, IL 60411.
1–1A–2

Deshler Mail Box Co.,
101 East Maple Street,
Deshler, OH 43516.
1–1A–2–C

Durable Punch & Die Co.,
6635 West Irving Park Road,
Chicago, IL 60634.
1–2

E. Z. Manufacturing Co.,
Springfield, SD 57602.
(Door Conversion Kit for No. 2)

Falls Stamping & Welding Co.,
Post Office Box 153,
Cuyahoga Falls, OH 44222.
1–2

Handy-Tilt Corp.,
Post Office Box 2011,
South Bend, IN 46618.
C

Hermitage Stamping Co.,
919 Ewing Avenue, Box 966,
Nashville, TN 37202.
1

Jackes-Evans Manufacturing Co.,
4427 Geraldine Avenue,
St. Louis, MO 63115.
1–1A–2

Kelley Manufacturing Co.,
Los Angeles Division,
5100 Santa Fe Avenue,
Los Angeles, CA 90058.
1–2

Leigh Products, Inc.,
Coopersville, MI 49404.
C

Macklanburg-Duncan Co.,
Post Office Box 25188,
Oklahoma City, OK 73125
1

Montgomery Ward & Co.,
619 West Chicago Avenue,
Chicago, IL 60610.
1–1A–2–C

Northern Fabricators Corp.,
Post Office Box 89,
Worthington, OH 43085.
C

Northwest Metal Products Co.,
Division of Noll Manufacturing Co.,
Post Office Box 10,
Kent, WA 98031.
1

Sears, Roebuck & Co.,
925 South Homan Avenue, Dept. 609,
Chicago, IL 60607.
1–2–C

Southern Fabricators,
Post Office Box 7321,
Shreveport, LA 71107.
C

Steel City Manufacturing Co.,
Post Office Box 1115,
Youngstown, OH 44501.
1–1A–2–C

Superior Sheet Metal Works Co.,
3201–9 Roosevelt Avenue,
Indianapolis, IN 46218.
1–1A–2

The Bromwell Wire Goods Co.,
Michigan City, IN 46360.
C

The Randall Co.,
801 West Eighth Street,
Cincinnati, OH 45203.
C

Waterloo Industries, Inc.,
Post Office Box 209,
Waterloo, IA 50704.
C

1 Traditional Rural Box Size No. 1.
1A Traditional Rural Box Size No. 1A.
2 Traditional Rural Box Size No. 2.
C Contemporary Style Suburban Box (also approved for use on rural routes).

(b) *Painting and identification.* The Postal Service prefers that rural boxes and posts or supports be painted white, but they may be painted other colors if desired. Where box numbers are used, the name of the owner and box number must be inscribed in contrasting color in neat letters and numerals not less than 1 inch high on the side of the box that is visible to the carrier as he regularly approaches, or on the door if boxes are grouped. Where the use of street names and house numbers has been authorized, the house number will be shown on the box. If the box is located on a different street from the customer's residence, the street name and house number will be inscribed on the box. The placing of the owner's name on the box is optional where street name and house numbers have been authorized. Advertising on boxes or supports is prohibited.

(c) *Posts and supports*—(1) *Construction.* Posts or other supports for rural boxes must be neat and of adequate strength and size. They may not be designed to represent effigies or caricatures that would tend to disparage or ridicule any person. The box may be attached to a fixed or movable arm.

(2) *Newspaper receptacles.* A receptacle for newspapers, not restricted to any one paper, may be placed above or below the box or on the post or support, provided it will not interfere with the delivery of mail, obstruct the view of the flag, or present a hazard to the carrier or his vehicle. The receptacle must not extend beyond the front of the box when the box door is closed. No advertising shall be displayed on the outside of the receptacle except that the name of a publication may be shown.

(d) *Location.* Rural boxes must be placed so that they may be safely and conveniently served by carriers without leaving their conveyances, and must be located on the right-hand side of the road in the direction of travel of the carriers in all cases where traffic conditions are such that it would be dangerous for the carriers to drive to the left in order to reach the boxes, or where their doing so would constitute a violation of traffic laws and regulations. (EXCEPTION: See § 156.3(a)(2).) On new rural routes, all boxes must be located on the right of the road in the direction of travel of the carrier. Boxes must be placed to conform with State laws and highway regulations. Rural carriers are subject to the same traffic laws and regulations as are other motorists. Customers must remove obstructions, including snow, that make delivery difficult.

(e) *Grouping.* Boxes should be grouped wherever possible, especially at or near cross roads, at service turnouts, or at other places where a considerable number of boxes are located. A simple and practicable support consists of a board erected on firmly planted posts.

(f) *More than one family.* More than one family, but not more than five families, may use the same box, provided a written notice of agreement, signed by the heads of the families, or by the individuals who desire to join in the use of such box, is filed with the postmaster at the distributing office.

(g) *Locks.* The use of locks on boxes is not required. If customers provide locks, the keys should be delivered only to the postmaster, who will assign them to the carrier. The carrier will unlock and lock the boxes when serving them. To facilitate the carrier's work, customers should, as far as practicable, adopt locks for each route of such pattern that a master key may be provided the carrier for unlocking the boxes.

(h) *Unstamped newspapers.* Rural boxes are to be used for mail only, except that publishers of newspapers regularly mailed as second-class mail may, on Sundays and national holidays only, place copies of the Sunday or holiday issues in the rural and star route boxes of subscribers, with the under-

standing that copies will be removed from the boxes before the next day on which mail deliveries are scheduled.

(i) *Boxes that do not conform to regulations.* Rural carriers will report any boxes that do not conform to the regulations to postmasters, who will send to the owners of these boxes Form 4056, "Your Mail Box Needs Attention", requesting that the irregularities or defects be remedied.

PART 157—STAR ROUTE BOX DELIVERY SERVICE

Sec.
157.1 Description.
157.2 Establishment.
157.3 Box delivery and collection service.
157.4 Location of boxes and receptacles.
157.5 Duties of postmaster.
157.6 Duties of carriers.
157.7 Sale of stamps and stamp supplies.

AUTHORITY: The provisions of this Part 157 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 157.1 Description.

Star route service provides for the transportation of mail between post offices or other designated points where mail is received or dispatched. Box delivery, collection service, and other mail service are also performed on a majority of routes. Every star route carrier will receive any mail matter presented to him, if properly prepaid by stamps, and deliver it for mailing at the next post office at which he arrives.

§ 157.2 Establishment.

(a) *New service.* Contracts for regular service are awarded after public advertisements. Temporary service may be established on short notice without advertising. Address requests or petitions for new routes to the director, logistics division, having supervision over the transportation of mail in the area involved.

(b) *Changes.* Changes in line of travel, extensions of service and schedules may be ordered by the director, logistics division, at any time. Address requests for changes and extensions to him.

§ 157.3 Box delivery and collection service.

(a) *Service required.* Star route advertisements and contracts state whether box delivery, collection service, or other mail services are required and specify the area to be served. In addition to usual box delivery and collection service, on some routes the carriers are required to:

(1) Sell stamp supplies.

(2) Deliver registered, insured, certified, and COD matter.

(3) Accept matter presented by customers to be registered, insured, certified, or mailed COD, and money with applications for money orders and give receipts.

(b) *Availability.* Box delivery and collection service is provided without charge to customers. To qualify for service, a customer must:

(1) Reside on or near a route on which box delivery and collection service is required.

(2) Live at least one-fourth mile from a post office.

(3) Provide and erect a suitable box or provide a suitable sack or satchel with post upon which it may be hung. Where a box is newly installed or a present box is being replaced, an approved rural-type box must be used. The name and box number of the owner must be neatly inscribed in letters and numerals not less than 1 inch high on the side of the box visible to the carrier as he approaches, or on the door if boxes are grouped.

(4) Request, from the post office to which mail is addressed, delivery and collection service on Form 5431, Star Route Box Patron Notice. Star route customers residing between two post offices may receive mail service from that post office which is the one next preceding the customer's residence, or from either post office if there is a return trip. In addition, the customer may receive delivery from the post office from which the star route originates.

(c) *Delivery of mail.* Mail matter addressed to a qualified customer of a star route will be taken by the carrier from the post office and deposited into the proper mailbox. If required by the contract, the carrier will deliver registered, certified, insured, and COD mail: Delivery of this mail will be made only when customer meets the carrier at the box or along the route. Parcel post packages too large to go into boxes may be delivered outside boxes, provided the addressee has filed with the postmaster a written request for delivery in that manner. Otherwise, notice will be left in customer's box to meet carrier on next trip. If delivery cannot be made by carrier, the mail will be held at the post office.

(d) *Collection of mail.* Mail matter properly stamped and placed in a mailbox for dispatch must be collected by the carrier and deposited in the next post office at which the carrier arrives, unless otherwise directed by the Postal Service. Mail collected on the route, addressed for delivery on that part of the route still to be covered before reaching the next post office, will be delivered on the day of collection. The carrier will cancel the stamps before delivery by writing across them the name of the post office last served, the State, the date, and the number of the route. Bulky mailable matter, properly prepared and stamped, will be collected by the carrier if placed on or near the box. Money left in mailboxes for the purchase of stamps will be at the risk of the customer.

§ 157.4 Location of boxes and receptacles.

Mailboxes and approved sacks or satchels must be placed where they protect the mail and may be conveniently served by the carrier without leaving his vehicle. They must be located on the right side of the road in the direction of travel, when required by traffic conditions or when driving to the left to reach the boxes would constitute a violation of traffic laws by the carrier. In such cases, customers desiring service on both outward and return trips of carrier must furnish a box, sack, or satchel on each side of the road.

§ 157.5 Duties of postmasters.

Postmasters will:

(a) Withhold delivery of registered, insured, certified, and COD mail to carrier, unless contract requires that the carrier deliver such mail.

(b) Not deliver mail to carrier outside of regular lock pouch before it has reached the post office to which it is addressed.

§ 157.6 Duties of carriers.

If the contract requires that the carrier case his mail, he must:

(a) Accept mail addressed to customers of the route, from the postmaster, and arrange it in order of delivery.

(b) Prepare and maintain a list of the names of the customers served, arranged in alphabetical order with the box number opposite each name.

(c) Markup and forward mail for customers on his route who have filed a change of address order and make appropriate entry in the roster book.

§ 157.7 Sale of stamps and stamp supplies.

If contract requires carrier to sell stamps and stamp supplies, a fixed credit will be provided by the postmaster at the head of the route. Where the carrier serves customers who receive mail through other offices on the route, the carrier will replenish his fixed credit at those offices in amounts representing sales made by him to customers served through these offices.

PART 158—FORWARDING MAIL

Sec.
158.1 Order to change address.
158.2 Time limit of change of address order.
158.3 Postage for forwarding.
158.4 Address changes of persons in U.S. service.
158.5 Change in post office service.
158.6 Reforwarding.

AUTHORITY: The provisions of this Part 158 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 158.1 Order to change address.

(a) *Ordinary mail—(1) Forwarding instructions.* File Form 5375, "Change of Address Order," which is available at any post office or from any carrier. A written and signed order or a telegram sent by the customer, his agent, or person in whose care mail will be addressed is acceptable. Furnish old and new addresses.

(2) *Forwardable mail.* Mail received at the old address will be handled as follows:

(i) All first-class mail, all official mail described in Part 137, and all third- and fourth-class mail of obvious value will be forwarded.

(ii) Second-class, and other third- and fourth-class mail will be forwarded when specifically requested by the order.

(iii) Mail addressed to "Occupant or Postal Customer" will not be forwarded.

(iv) All third- and fourth-class mail for which the sender has guaranteed to pay the forwarding postage will be forwarded.

(v) Mail bearing specific instructions of the sender "Do not forward" will not be forwarded.

(3) *Pledge to pay forwarding postage.* The order to forward mail constitutes the pledge of the addressee to pay forwarding postage. When an addressee who has pledged to pay forwarding postage refuses to pay the postage due, the postmaster must send Form 3546, Notice to Change Forwarding Order, to the postmaster at the old address requesting him to discontinue forwarding mail of the class refused.

(b) *Registered, certified, insured, and COD mail*—(1) *Conditions.* A change of Address Order for ordinary mail will cover registered, certified, insured, and COD mail unless the sender has given other instructions or unless the addressee moved outside the United States. The sender's instructions should be written or printed on the envelope or wrapper. Examples: "Do not forward; If not accepted within _____ days return to sender." Exceptions:

(i) COD mail will not be forwarded to the Canal Zone nor to overseas military post offices.

(ii) Domestic registered articles mailed outside the United States and addressed for delivery in the United States will not be forwarded to the Canal Zone if the postage indicates the articles were valued at more than $1,000. Articles mailed in the Canal Zone addressed for delivery in the United States will not be forwarded to any place outside the United States if there is reason to believe the value exceeds $1,000.

(iii) Insured and COD parcels that have mailers' instructions to abandon or to sell perishable items, written or printed on the envelope or wrapper, will be treated according to the instructions. Examples:

Do not forward or return. If not accepted within _____ days, treat as abandoned. Notify mailer of final disposition.

Do not forward or return. If undelivered after _____ days, sell contents to highest bidder and remit proceeds, less commission, to mailer.

Do not forward or return. If undeliverable after _____ days, destroy. Notify mailer of final disposition.

A commission of 10 percent, but not less than 25 cents, is retained by the Postal Service from the amount for which perishable items are sold.

(iv) COD mail may have written or printed on it a request that it be forwarded to a new addressee. The name and address of the new addressee must be shown in a bordered space with instructions that the mail be delivered either with or without the collection of COD charges.

§ 158.2 Time limit of change of address order.

(a) *Time limit specified by addressee (not to exceed 2 years).* State beginning and ending dates in the change of address order. The original order should be canceled when the addressee returns to his old address or moves to another permanent address within the specified period.

(b) *Time limit not specified by addressee.* Records of permanent change of address order, other than those subject to paragraph (c) of this section, are kept for 2 years. The order is not renewable. Mail may continue to be forwarded beyond the 2-year period if the new address is known to the forwarding employee.

(c) *Change from general delivery at city delivery office*—(1) *To permanent local address.* Record of change of address orders without time limit will be kept 6 months.

(2) *To other than permanent local address.* Record of change of address orders without time limit will be kept 30 days.

§ 158.3 Postage for forwarding.

(a) *Change in local address.* If a change is made to an address served by the same post office, all first-, second-, and fourth-class mail and third-class mail of obvious value will be delivered as directed. Additional postage will not be required.

(b) *Change to another post office.* Mail forwarded to another post office is subject to additional postage as follows, to be computed the same as if the piece were originally mailed at the office from which it is forwarded:

(1) First-Class Mail weighing not more than 13 ounces, including postal and post cards, is forwarded without charge when postage has been fully prepaid by the sender. No additional charge is made for forwarding first-class mail weighing not more than 13 ounces that is not fully prepaid, but any amount shortpaid at the time of original mailing will be collected on delivery.

(2) Second-Class Publications are subject to additional postage for forwarding at the second-class transient rate computed on each individually addressed copy or package of unaddressed copies.

(3) Controlled Circulation Publications are subject to additional postage for forwarding at the single-piece third- or fourth-class rate according to weight.

(4) Third-Class Mail is subject to collection of additional postage for forwarding at the applicable rate of postage.

(5) Fourth-Class Mail is subject to the collection of additional postage for forwarding at the applicable rate of postage.

(6) Airmail articles weighing 7 ounces or less are forwarded without additional charge. These articles are sent by air when air service to the new address is available. Priority mail (heavy pieces) which includes all mail weighing over 7 ounces, with postage prepaid thereon at the rates provided by § 136.1(b) of this chapter is forwarded by air and additional postage at the applicable rate in § 136.1(b) between the forwarding and the delivery office will be collected on delivery.

(7) Registered, Certified, Insured, COD, and Special Handling Mail is forwarded without the payment of additional fees, but the ordinary forwarding postage charges, if any, must be paid. Such mail will not be forwarded to a foreign country. See § 166.4(f) for forwarding special delivery mail.

§ 158.4 Address changes of persons in U.S. service.

All first-, second-, and fourth-class mail and third-class mail of obvious value addressed to persons in the U.S. service (civil and military) serving at any place where the U.S. mail service operates, whose change of address is caused by official orders, will be forwarded until it reaches the addressee. No additional postage will be charged. Second-, obvious value third-, and fourth-class mail and air parcel post so forwarded are endorsed by the forwarding office "Change of Address Due to Official Orders". This provision for free forwarding from one post office to another applies to mail for the members of the household whose change of address is caused by official orders to persons in the U.S. service. (See § 122.8 (a) (3) and (b) (3) of this chapter concerning dependents residing with military personnel.) EXCEPTION: Second-class mail will not be forwarded from the United States to overseas APO addresses by military authorities. Copies of publications addressed to Army or Air Force personnel transferred to overseas assignments will be endorsed by military personnel "Forwarding prohibited, addressee assigned overseas" and returned to the post office for disposition.

§ 158.5 Change in post office service.

(a) *Addressed to a discontinued post office.* All first-, second-, and fourth-class mail and third-class mail of obvious value addressed to a discontinued post office may be forwarded to any other post office designated by the addressee without additional charge when the office to which such mail is ordered sent by the Postal Service is not convenient for the addressee.

(b) *Forwarded due to change in rural delivery service.* Customers of any office who, on account of the establishment of or a change in rural delivery service, receive their mail from the rural carrier of another office may have their first-, second-, and fourth-class mail and third-class mail of obvious value sent to the latter office and delivered by rural carrier without a new prepayment of postage, provided they file a written request with the postmaster at the former office.

(c) *Addressed to boxholder.* Mail addressed to post office, rural route, or star route boxholder will be delivered to those customers residing in the affected area until June 30 following establishment or conversion to city delivery service or for a period of 90 days, whichever is longer.

§ 158.6 Reforwarding.

The address (but not the name) may be changed and the mail reforwarded as many times as necessary to reach the addressee. Each time second-class mail, third-class mail of obvious value, or fourth-class mail, and airmail weighing over 7 ounces, is reforwarded, it is charged additional postage at the appropriate rate.

PART 159—UNDELIVERABLE MAIL

Sec.
159.1 Provisions applicable to all classes.
159.2 Treatment by classes.
159.3 Retention periods.
159.4 Disposal of undeliverable mail and unclaimed articles.
159.5 Directory service.
159.6 Obvious value mail.
159.7 Dead mail.
159.8 Treatment in dead parcel post branches.

AUTHORITY: The provisions of this Part 159 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 159.1 Provisions applicable to all classes.

(a) *Reasons for nondelivery*—(1) *General reasons.* Nondelivery of mail can result from any one of the following general reasons:

(i) Incomplete, illegible, or incorrect address.

(*a*) Moved, left no address	Addressee has moved and has not filed a change of address order.
(*b*) Moved, not forwardable	Mail requires forwarding postage which is not guaranteed by sender or addressee, forwarding order has expired, or mail bears sender's instructions not to forward.
(*c*) Temporarily away	Addressee is temporarily away and retention period for holding mail has expired.
(*d*) Addressee unknown	Addressee is not known at the place of address.
(*e*) No such number	Nonexistent number. Correct number is not known.
(*f*) Refused	Addressee has refused to accept mail or pay postage charges thereon.
(*g*) Vacant	House, apartment, office or building is not occupied. Use only on mail addressed "Occupant."
(*h*) Out-of-business	Firm or company is out of business and no order for the mail has been filed.
(*i*) No mail receptacle	Addressee has failed to provide a receptacle for the receipt of mail.
(*j*) Building razed	Address has been demolished.
(*k*) Box closed—no order	Post office box has been closed for nonpayment of rent.
(*l*) Fraudulent. Mail to this address returned by order of Postmaster General.	Mail is returned to sender under a fraud order.
(*m*) Unclaimed	Addressee abandons or fails to call for mail.
(*n*) Deceased	Used only when it is known that the addressee is deceased and the mail is not properly deliverable to another person. This endorsement must be made personally by the delivering employee and under no circumstances may it be rubber-stamped. Mark mail addressed "in care of" another to indicate which person is deceased.
(*o*) Unlawful. Mail to this address returned by order of the Postmaster General.	Mail is returned to sender under an unlawful order.
(*p*) In dispute	Mail is returned to sender by order of the General Counsel when it cannot be determined which of disputing parties has better right to the mail.
(*q*) Lottery mail. Mail to this address returned by order of Postmaster General.	Mail is returned to sender under a lottery order.
(*r*) Undeliverable as addressed	Sender has guaranteed return postage. Mail is undeliverable at address given and cannot be transferred locally.

(ii) Removal of the addressee.

(iii) Mail unclaimed.

(iv) Mail refused by the addressee at time of delivery or returned by the addressee unopened and marked "Refused."

Mail properly delivered and opened by the addressee will not be reaccepted without payment of new postage. Undelivered mail returned to the sender should not be mailed again unless enclosed in a new envelope or wrapper with a correct address and new postage.

(2) *Endorsing undeliverable mail.* (i) Mark new address, if known, on third- or fourth-class mail that bears "Address Correction Requested" and is to be returned to sender.

(ii) Give reason for nondelivery, confining the reason to one of the following:

(iii) Initials and route number of carrier or initials of window delivery employee must be shown on all first-class mail marked up.

(iv) Use available rubber stamps and make imprints legible. If necessary, write the reason. Do not abbreviate.

(3) *By other employee.* Incompletely or illegibly addressed mail shall be endorsed in accordance with the following:

(i) Mark reason for nondelivery, confining the reason to one of the following:

(*a*) No such office in State	Addressed to a nonexistent post office. (See § 158.5.)
(*b*) Insufficient address	Mail from another post office fails to bear a number, street, box number, route number, or geographical section of the city or city and State is omitted and the correct address is not known.
(*c*) Returned for better address	Mail of local origin is incompletely addressed for distribution or delivery.
(*d*) No such number	Addressed to a nonexistent number and the correct number is not known.
(*e*) No such street	Addressed to a nonexistent street and the correct street is not known.
(*f*) Illegible	Address cannot be read.
(*g*) Outside delivery limits	Addressed to a location outside the limits of delivery of the post office of address. (See § 155.5.) Mail for "Out of Bounds" customers must be retained in general delivery for the prescribed retention period unless addressee has filed an order.

(ii) Initials of employee or his identifying number, if one has been assigned, must be shown on all mail marked under this section.

§ 159.2 Treatment by classes.

(a) *First-class mail*—(1) *Letters and packages.* First-class mail weighing not more than 13 ounces, except postal and post cards, is returned to the sender, if known, without additional charge. See § 159.2(f) for mail weighing over 13 ounces. Any postage due because of failure to fully prepay postage at the time of mailing will be collected from the sender when the undeliverable mail is returned. When first-class mail bearing the words "Address Correction Requested" is forwarded to a new address, the sender is notified on Form 3547, Notice to Mailer of Correction in Address, of the new address. The charge for this notice is 10 cents.

(2) *Postal and post cards.* Undeliverable postal and post cards are handled as follows:

(i) A card bearing the sender's address and the words "Return Postage Guaranteed" is returned without the reason for nondelivery endorsed thereon, and postage at the card rate is collected on delivery to the sender. The piece will be marked "Undeliverable as Addressed."

(ii) A card bearing the words "Address Correction Requested" is returned to the sender with the reason for nondelivery endorsed thereon. The card serves as the address correction notice. The charge for this notice is 10 cents. There is not an additional charge for return postage.

(iii) If the full amount of card rate postage was not paid at the time of mailing, the amount of the deficiency is collected from the sender when the undeliverable card is returned.

(iv) When a card bearing the words "Address Correction Requested" is forwarded to a new address, the sender is notified on Form 3547, Notice to Mailer of Correction in Address, of the new address. The charge for this notice is 10 cents.

(v) Cards not bearing the words "Return Postage Guaranteed" or "Address Correction Requested" are disposed of at

the post office where they become undeliverable.

(vi) When single cards and double cards without postage affixed to the reply portion bear the sender's return address and his guarantee to pay return postage, return to sender charged with postage due at the rate applicable to post cards.

(vii) Double cards having postage affixed to the reply portion, and bearing the sender's return address and his guarantee to pay return postage, must be:

(*a*) Marked on the original portion for return to the sender and endorsed to show the reason for nondelivery.

(*b*) Reverse folded so that address side of the reply portion is faced out.

(*c*) Postmarked on the face of the reply portion, and

(*d*) Returned without collection of additional postage.

(3) *Letters showing return address of hotel or motel*—(i) *When to return.* Return letters bearing:

(*a*) The name of an individual in the return address.

(*b*) A specific request for return as part of the return address.

(*c*) The name of an office or officer as part of the return address, such as "Office of the Auditor, Cashier, President."

(ii) *When not to return.* Do not return letters having only the name or name and address of a hotel or motel printed as an advertisement.

(4) *Opened by mistake.* Return to the writer, without additional charge, fully prepaid undeliverable letters opened by mistake.

(b) *Second class mail*—(1) *Change in local address*—(i) *Delivery for 3 months.* When there has been any kind of a change in the local address, copies of second-class publications bearing the old local address shall be delivered to the new local address without charge for a period of 3 months even though the copies bear the request of the sender for return. The words "local address" as used in § 159.2(b) mean any address served by the city, rural, or star carriers of any specific post office or a post office box or general delivery address at the post office. Form 3578, Change of Address Notice to Publishers, shall be furnished to the addressee at the new local address, and he shall be requested to use it promptly for furnishing the new local address to the sender. Form 3578 shall not be inserted in the copies but shall be delivered to the addressee separately from the copies.

(ii) *Procedure after 3 months.* When copies bearing the old local address are received after period of 3 months, the carrier or clerk serving the old address shall write the new local address, including ZIP Code number, on Form 3579, Undeliverable Second Class Matter, which shall then be fixed to the copies, envelopes, or wrappers, near but not over the old address. The copies shall then be delivered to the inquiry section or to the clerk designated by the postmaster to receive them. The portion of the page, envelope, or wrapper which bears both the old address, including ZIP Code number, if any, and Form 3579 shall then be cut or torn from the copies, envelopes, or wrappers, placed in an envelope, and mailed directly to the publisher, news agent, or other sender. The address on the envelope shall always include the name of the publication. Any number of notices may be returned in one envelope. Each envelope shall be rated with postage due at the rate of 10 cents for each notice contained in the envelope. Copies bearing the old address which are received after the mailing of the notice shall be disposed of as waste. When the copies bear the request of the sender for return, the portion of the page, envelope, or wrapper, shall not be detached, and after expiration of the 3 months' period each complete copy shall be returned to the sender rated with postage due at the transient rate on each individually addressed copy or package of unaddressed copies and 10 cents for the notice on Form 3579 affixed thereto.

(2) *Undeliverable for any reason other than change in local address.* When copies of second-class publications are undeliverable as addressed for any reason other than a change in the local address, the carrier or clerk serving the old address shall prepare Form 3579 and affix it to the first undeliverable copy, or its envelope or wrapper, near but not over the old address, and then deliver the copy to the inquiry section or to the designated clerk. If a new address has been entered on the form, the ZIP Code number for that address must be shown. If the copies do not bear the request of sender for return, the notice shall be mailed to the sender. Copies bearing the old address which are received after the mailing of the notice shall be disposed of as waste. When the copies bear the request of the sender for return, each complete copy, beginning with the first one undeliverable as addressed, shall be returned to the sender rated with postage due at the transient rate on each individually addressed copy or package of unaddressed copies and 10 cents for the notice on Form 3579.

(3) *Pledge of addressee to pay forwarding postage.* When a change of address is other than a change of local address, and the addressee has filed a written guarantee either on Form 3575 or otherwise to pay forwarding postage, the copies of second-class publications bearing the old address shall be forwarded to the new address for a period of 3 months rated with postage due at the transient rate, computed on each individually addressed copy or package of unaddressed copies. Form 3578 shall be furnished to the addressee at the new address. If the addressee refuses to pay the postage due, the postmaster at the old address shall be requested by the postmaster at the new address to immediately discontinue forwarding the copies. When copies bearing the old address, but not the request of the sender for return, are received after the period of 3 months has expired, a notice shall be prepared and mailed to the sender. Copies bearing the old address which are received after the mailing of the notice shall be disposed of as waste. When the copies bear the request of the sender for return, each complete copy beginning with the first one bearing the old address received after the period of 3 months has expired, shall be returned to the sender rated with postage due at the transient rate on each individually addressed copy or package of unaddressed copies and 10 cents for the notice on Form 3579.

(4) *Manner in which the request of the sender shall be shown.* The words Return Postage Guaranteed shall be printed on the envelopes or wrappers or on one of the outside covers of unwrapped copies, immediately preceded by the sender's name and address, including ZIP Code.

(5) *Failure to follow procedure.* When postmasters do not comply with the instruction in this paragraph their noncompliance should be brought directly to their attention by any postmaster who observes the noncompliance. In all cases where a change of address is not made by the sender within 3 months after the notice is sent on Form 3579, the postmaster at the office of mailing shall be requested on Form 3538, Irregular Handling of Undeliverable Second-Class or Controlled Circulation Publication, to instruct the sender to make the change.

(6) *Canadian publications.* The procedure prescribed by subparagraphs (1) through (3) of this paragraph shall be followed when copies of Canadian second-class publications are undeliverable as addressed.

(7) *Special circumstances.* See §§ 158.4, 158.5 of this chapter for instructions as to forwarding publications under the special circumstances described therein.

(c) *Controlled circulation publications.* Undeliverable copies mailed by a publisher will be treated as described in subparagraphs (1) through (4) of this paragraph. The single piece third-class rate or the fourth-class rate according to the weight of each individually addressed copy or package of unaddressed copies is applicable, in addition to the 10-cent fee for Form 3579, to each individually addressed copy or package of unaddressed copies bearing the sender's pledge "Return Postage Guaranteed."

(d) *Third-class mail*—(1) *Return of mail.* Undeliverable third-class mail bearing the words "Return Postage Guaranteed" will be returned to the sender and postage at the single-piece third-class rate will be collected on delivery. The piece will be marked "undeliverable as addressed." The reason why the piece is undeliverable as addressed or the addressee's new address will not be endorsed on the piece.

(2) *Forwarding and return of mail.* Undeliverable third-class mail bearing the words "Forwarding and Return Postage Guaranteed" will be forwarded when the new address is known. Postage at the single-piece third-class rate will be collected from the addressee. If the addressee refuses to pay the forwarding postage, the piece will be returned to the sender who must pay postage at the single-piece third-class rate for its for-

warding plus postage at the single-piece third-class rate for its return. If the piece cannot be forwarded because the new address is not known, it will be given the "Return Postage Guaranteed" service.

(3) *Address correction service.* The addressee's new address, or the reason why a third-class mailing piece is undeliverable if the new address is not known, may be obtained by the sender either independently of, or in combination with the return and forwarding services provided by subparagraphs (1) and (2) of this paragraph. To obtain these services, the mailing piece must bear the words: "Address Correction Requested," or "Address Correction Requested Return Postage Guaranteed" or "Address Correction Requested Forwarding and Return Postage Guaranteed," according to the service desired. The following conditions govern these services:

(i) A piece weighing 4 ounces or less bearing the words "Address Correction Requested" will be returned to the sender for a fee of 10 cents with the new address or reason endorsed on the piece.

(ii) When a piece weighing more than 4 ounces bears the words "Address Correction Requested," Form 3579 will be used to notify the sender for a fee of 10 cents. Form 3579 and the old address portion of the mailing piece will be prepared for mailing to the sender in an envelope, in the same manner the form is prepared for mailing to second-class and controlled circulation publications.

(iii) When a piece weighing more than 4 ounces and bearing the words "Address Correction Requested Return Postage Guaranteed" or "Address Correction Requested Forwarding and Return Postage Guaranteed" must be returned to the sender by the post office of original address because the piece cannot be forwarded, Form 3570 will be affixed to the piece, and it will be returned to the sender for a fee of 10 cents for the Form 3579 plus the single piece third-class postage for the piece.

(iv) When a piece of any weight bearing the words "Address Correction Requested," "Address Correction Requested Return Postage Guaranteed," or "Address Correction Requested Forwarding and Return Postage Guaranteed" is forwarded to the addressee in compliance with either the sender's or addressee's guarantee to pay forwarding postage (see § 158.1(a)(3)), Form 3547 will be used by the forwarding post office to furnish the sender the new address for a fee of 10 cents.

(e) *Fourth-class mail.* (1) Undeliverable fourth-class mail will be handled according to the instructions in paragraph (d) of this section for handling third-class mail weighing more than 4 ounces, except that fourth-class rates apply wherever third-class rates are mentioned. Address correction and return and forwarding services provided for third-class mail may be used for fourth-class mail.

(2) Return to the sender, or the person designated by him, undeliverable mail having obvious value or bearing the words "Return Postage Guaranteed." (If the mail bears instructions of the sender to destroy or abandon follow the procedures in subparagraph (7) of this paragraph.)

(3) When fourth-class mail of obvious value bearing a postage meter stamp of a private meter user is received unaddressed and without return address and delivery cannot be made, return the piece to the mailing office. The office of mailing shall deliver the piece to the meter licensee on payment of the return postage.

(4) Compute and mark the charge on each piece. In determining the amount due compute postage at the applicable rate between the returning office and the office to which the piece is returned. If the piece has been marked to show that forwarding postage is due, add this amount to the return charge.

(5) When articles correctly prepaid at the rates in § 135.1 (b)(3), (1)(c), or (1)(d) are returned, compute the return charge at the same rate or 10 cents, whichever is higher. For catalogs prepaid at the rates in § 135.1(b)(1), compute return postage at the rates in § 135.1 (b)(3).

(6) If effort has been made to deliver a piece addressed for local delivery, do not return it to the sender without payment of the applicable charge.

(7) When undeliverable domestic ordinary, insured, or COD mail; or when undeliverable ordinary, insured, COD, or registered articles of domestic origin and foreign address bear instructions of the sender to abandon or destroy, hold for the prescribed retention period and then:

(i) Strip the mail and dispose of the contents as prescribed in § 159.7(b).

(ii) Notify the sender on Form 3858, Notice of Undeliverable or Abandoned Mail, relative to insured and COD mail only.

(iii) Treat packages of foods, drugs, and cosmetics in accordance with paragraph (i) of this section.

(f) *Airmail.* Airmail weighing 7 ounces or less and priority mail (heavy pieces) will be returned by the same transportation as first-class mail at no additional charge. Priority mail (heavy pieces) includes all mail weighing over 7 ounces which has postage prepaid thereon at the rates provided by § 136.1(b).

(g) *Registered, certified, insured, and COD*—(1) *Notice.* When mail is undeliverable as addressed and cannot be forwarded, a notice is sent to the mailer on Form 3858, Notice of Undeliverable or Abandoned Mail, showing the reason. By completing the form and returning it immediately in an envelope bearing first-class postage, the mailer may tell the postmaster what to do with the mail. Mail will be returned to the mailer if there is no response. The postage charge, if any, for returning the mail (but not registration, insurance, certified or COD fees) will be collected from the mailer. EXCEPTION: When registered, certified, insured, and COD mail is addressed to a person who has moved and left no forwarding address, Form 3858 will not be sent, and the mail will be returned immediately to the mailer. Registered, certified, insured, and COD nixie mail shall be returned immediately to sender.

(h) *Disposal of perishable mail, drugs, and cosmetics*—(1) *Perishable mail.* Undeliverable parcels containing perishable items that cannot be forwarded or returned before spoiling, and parcels of day-old poultry that cannot be delivered or returned within 60 hours after hatching, if salable will be disposed of by the postmaster to the highest bidder through competitive bidding. Sale by bid will not be made to the addressee. The postmaster will send the proceeds of the sale, less a commission of 10 percent (but not less than 25 cents), to the mailer, by postal money order, with an explanation of the action taken. The postal money order fee will be deducted.

(2) *Drugs.* Packages undeliverable to either the addressee or the sender that contain drugs will be destroyed. They will not be sold, donated, or retained as dead parcel post.

(3) *Cosmetics.* Packages undeliverable to either the addressee or the sender that contain cosmetics, such as soaps, perfumes, powders, home permanent waves, hand lotions, hand creams, after-shave lotions, and deodorant sticks or pastes, which bear no statements claiming medicinal properties, will be treated as dead parcel post. Lipsticks will be destroyed. If there is any question whether the use of a cosmetic might, as the result of deterioration or for other reason, jeopardize life or health, the article will be destroyed.

(4) *Prohibited bidders.* Postal employees may not submit bids at sales of perishable mail.

(i) *Disposal to institutions*—(1) *Food.* Usable food items treated as dead mail may be donated to charitable institutions, or public institutions supported in whole or in part by Federal, State, county, or municipal funds. These institutions include but are not limited to hospitals, asylums, and reformatories. The following conditions apply:

(i) "Homemade" items must not be donated but must be destroyed. If any doubt exists as to whether an item is "homemade," the item shall be destroyed.

(ii) If the local municipal welfare department will assume responsibility for distribution of usable food items to eligible institutions, this method is preferred. Otherwise, postmasters shall equitably apportion the items among eligible applicant institutions.

(iii) The recipient must sign a release stating that the Postal Service is relieved of all responsibility connected with the food items or their subsequent use. Releases must be retained in post office files.

(iv) No selection shall be made by the receiving institutions as to the type quantity of food items to be accepted.

(v) Food items must be called for as soon as possible. Postmasters may deliver these items, but only if unusual circumstances prevail.

(vi) Food items that cannot be disposed of by donation shall be destroyed.

(2) *Periodical publications.* On request, copies of undeliverable newspapers, magazines, and other periodical publications may be furnished to reformatory institutions, hospitals, asylums, and other simi-

ilar institutions which are organized for charitable purposes or which are supported in whole or part by Federal, State, or municipal funds, under the following conditions:

(i) No additional clerical time shall be used in the post office over that required for disposal of the copies as waste material.

(ii) No selection shall be made by the receiving institutions as to character, quality, or type of publications to be furnished.

(iii) The receiving institutions shall call for the copies promptly after notification of their availability, or on a scheduled basis.

(iv) The receiving institutions shall be informed that this privilege is entirely at the option of the Postal Service and may be curtailed or discontinued at any time without notice.

(3) *Samples of merchandise.* Dispose of undeliverable samples of merchandise sent for advertising purposes, which do not bear the words "Return Postage Guaranteed," as follows:

(i) Remove and destroy wrappers if that is practicable and can be accomplished without additional expense. Deliver impartially to charitable or reformatory institutions that promise their free distribution.

(ii) Dispose of, as waste, samples not suitable for distribution indicated in (i) except that anything of sufficient value to warrant the expense of transportation and handling must be sent to the proper dead-parcel post branch without listing or recording.

(iii) Treat packages of foods, drugs, and cosmetics in accordance with paragraph (h) of this section.

§ 159.3 Retention periods.

(a) *Ordinary mail.* (1) Mail returnable under paragraphs (a) through (f) is:

(i) Returned immediately if refused by addressee.

(ii) Returned immediately if undeliverable when specifically addressed to a street, building, rural or star route, or post office box; except that when a customer moves without leaving a change of address, the mail will be held for 10 days awaiting a forwarding order. If no order is received in that time, the mail will be handled as undeliverable. However, this shall not preclude compliance with sender's request in accordance with § 122.3(b).

(iii) Returned immediately, if undeliverable, when incompletely, illegibly, or incorrectly addressed and addressee is unknown. See subparagraphs (1) (iv) and (v) of this paragraph.

(iv) Retained in general delivery not to exceed 30 days, at request of sender, if addressed in manner to indicate addressee is expected to call for mail, or if addressee normally calls there for mail.

(v) Retained as follows when not specifically addressed or when sender does not specify a retention period:

(*a*) Five days if for delivery by village, rural, or star route carrier.

(*b*) Ten days if intended for general delivery service at an office having city carrier service, except that the mail may be held up to 30 days if the addressee has given notice to the postmaster that he will be delayed in arrival.

(*c*) Fifteen days if intended for general delivery service at an office not having city carrier service.

(2) Perishable items not marked to abandon that cannot be delivered before spoiling or day-old poultry that cannot be delivered within 60 hours after hatching are returned immediately, provided return to sender can be made prior to spoilage or within the 60-hour period.

(3) Mail addressed and deliverable to a post office box, except registered, certified, insured, COD, and perishable, will not be returned until box is declared vacant.

(b) *Registered, insured, COD, and certified mail.* (1) Undelivered registered, insured, COD, and certified mail is retained for not less than 3 days, nor more than the periods specified in paragraphs (b)(2), (b)(3), and (b)(4) of this section.

(2) Registered mail is held up to 60 days if the sender so requests by endorsement on the mail. If the sender names no specific period, the mail will be held 10 days before return. EXCEPTION: If the postmaster believes he will be able to make delivery if the mail is held longer than 10 days, it may be held up to 60 days if written permission is obtained from the sender.

(3) Insured and certified mail is held a maximum of 15 days. It is held a lesser number of days if the sender so specifies.

(4) COD mail is held a maximum of 30 days. It is held a lesser number of days if the sender so specifies.

(c) *Special delivery and special handling mail.* Special delivery and special handling articles are held for the period specified in paragraphs (a) or (b), except that requests for immediate return of special delivery mail will be honored.

§ 159.4 Disposal of undeliverable mail and unclaimed articles.

(a) *Disposition of mail.* Mail undeliverable at the last office of address is disposed of as follows:

(1) Postal and post cards or samples of merchandise are destroyed or sold immediately.

(2) Printed matter, including circulars, greeting cards, newspapers, magazines, and other periodical publications, obviously without value, is disposed of as waste paper without examination of contents. This mail will not be torn or mutilated before being consigned to the general waste, except when necessary to prevent improper use. Such matter as redemption coupons and uncanceled postage stamps must be burned or mutilated to prevent improper use. Magazines shall not be separated from the general waste unless their separate bulk sale by contract as waste would result in a material advantage to the Postal Service by reason of the high quality of the paper. Under no circumstances may magazines or other periodical publications be sold at a per copy rate or at auction by the post office. Contracts negotiated for the disposal of waste should contain a provision prohibiting resale by the contractor of copies of magazines or other periodical publications to the public for reading purposes.

(3) Domestic ordinary, insured, or COD articles bearing sender's instructions to abandon are disposed of immediately after expiration of the periods stated in § 159.3 of this chapter.

(4) Third-class mail of no obvious value (see § 159.6 of this chapter) and without sender's request for return is disposed of as waste.

(5) Insured and COD articles bearing sender's instructions to destroy will be destroyed.

(6) Packages containing medicine, perishable articles, liquids, or other articles likely to injure employees, or damage equipment or other mail, or to attract pests, must be destroyed as soon as they are known to be undeliverable.

(7) Letters from Canada or Mexico with return addresses are returned to the postmaster at the post office of origin.

(8) Mail addressed to a deceased person is delivered to the executor or administrator of the estate or, if there is no executor or administrator, to the widow or widower or other claimants, except that U.S. Government pension mail is returned to the mailing Federal agency.

(9) Unclaimed franked mail from a Member of Congress, including that addressed under provisions of § 122.4(*d*)(2), and unclaimed official mail, including official reports and bulletins sent by State agricultural colleges and experiment stations, is returned to the postmaster at the office of origin if it is known. If office of origin is not known, the mail is sent to the post office at Washington, D.C. Undeliverable mail bearing return address of the White House, the Senate, or the House of Representatives, with or without postage stamps, is returned to the post office at Washington, D.C.

(10) Santa Claus letters, with postage fully prepaid (or local unpaid or partly paid), with no identification of person for whom they are intended, are sent to institutions or persons who may request them to use for exclusively philanthropic purposes. If there is no voluntary request, they are sent to the dead mail office.

(11) An undeliverable letter bearing the return address of a hotel, motel, school, college, or other public institution printed on the envelope as an advertisement is sent to a dead letter branch for disposition unless the return address also includes the name or title of an individual or a printed or written request for return.

(12) Other mail, including first-class and airmail, bearing no return address is sent to a dead letter or dead parcel post branch for final disposition.

(13) Coins should be stripped from undeliverable circulars and their value should be accounted for as Miscellaneous Nonpostal Receipts, A/C 40990.

§ 159.5 Directory service.

(a) *Availability.* Service is not generally available, but at carrier offices where a directory is available, directory service is given to registered, certified, insured, COD, special delivery, and special handling mail; to perishable matter and parcels of obvious value; and to international mail, except circulars. Incorrectly or incompletely addressed mail from overseas Armed Forces is given directory service and is not returned to the sender until every effort is made to deliver it.

§ 159.6 Obvious value mail.

(a) *Identified as to obvious value.* The sender of third- and fourth-class mail may identify pieces which are considered to be of obvious value and assure their delivery or return by using the "Return Postage Guaranteed" or the "Forwarding and Return Postage Guaranteed" services.

(b) *Unidentified as to obvious value.* When an undeliverable piece does not bear the sender's guarantee to pay forwarding or return postage, its value must be appraised before it is disposed of. Packages of merchandise or personal property such as photographs, jewelry, or clothing are examples of matter having obvious value. Miscellaneous printed matter such as circulars and articles unsolicited by the addressee such as samples of merchandise are examples of matter not of obvious value.

(c) *Disposition.* When a piece not so indorsed is determined to be of obvious value, it must not be disposed of as waste, or sent to dead letter or dead parcel branches if it can be forwarded to the addressee or returned to the sender. If the addressee has guaranteed to pay forwarding postage for matter of obvious value, the piece will be forwarded. If the piece cannot be forwarded, it will be returned to the sender at the applicable postage rates.

§ 159.7 Dead mail.

(a) *Definition.* Dead mail is matter deposited in the mail which is or becomes undeliverable, or is unmailable, and which cannot be returned to the sender.

(b) *Treatment of dead mail in dead letter branches*—(1) *Opening letters.* The dead letter branches dispose of dead first-class letters. Dead letters are opened at dead letter branches in an attempt to determine the name and address of the sender so that his property may be returned. Only those employees especially designated to open dead letters shall be allowed to treat such matter and then only under proper supervision. Do not ordinarily use substitute employees in dead letter branches.

(2) *Letters which can be returned to sender or forwarded to addressee.* Return dead letters to the sender or, when the opening of the letter reveals the correct name and address of the addressee and the name and address of the sender is not found, forward the letter to the addressee; except:

(i) Destroy any letter which contains advertising matter obviously of no value to the sender.

(ii) Send all domestic letters, registered or ordinary, containing money or valuable enclosures "returnable to a foreign address," after recording when required, to the Postmaster, Dead Letter Branch, Washington DC 20013.

(iii) Dispose of any letter in the categories listed in paragraphs (d) (8)–(f) in this section in accordance with those instructions.

(3) *Letters which cannot be returned or forwarded.* Destroy letters which contain correspondence only and which are without sufficient information to enable return to the sender or delivery to addressee. Dispose of other letters in accordance with paragraphs (d) (8)–(f).

(4) *Dead registered letters.* Treat these letters in the same manner as other dead letters, except:

(i) When it is possible to return these letters to the sender, return them by registered mail and charge only the dead-letter fee for return.

(ii) When these letters must be recorded on Form 3877, Firm Mailing Book, use "Remarks" column to show the original registry number.

(iii) File for 1 year all dead registered letters which cannot be delivered.

(5) *Second-time treatment.* Dead letters dispatched by a dead letter branch that are returned for second-time treatment shall be treated in the same manner as letters receiving original treatment, except that the original records, if any, shall be appropriately endorsed to show that the letters were returned to the dead letter branch for second-time treatment.

(6) *Letters inadvertently sent to dead letter branch.* If they bear the return address of the sender, withdraw and return them unopened, without charge, in the ordinary mail (except registered letters which shall be returned by registered mail). Endorse letters inadvertently opened and return under cover without charge. Forward all first-class parcels inadvertently sent to a dead letter branch to the proper dead parcel post branch.

(7) *Fees to be collected on dead letters returned.* Charge a fee on all opened dead letters returned to the sender (or forwarded to the addressee). When more than one dead letter is returned under one cover, charge each individual piece with the fee to be collected and show the total on the postage-due envelope in which returned. In addition to the dead letter fee, charge the minimum registry fee on letters dispatched by registered mail, except on letters originally registered and sent to a dead letter branch for disposition. They are reregistered without charge. Show the total amount to be collected in each instance on the face of the regular dead letter branch postage-due envelope. Make all collections at the office of delivery by the use of postage-due stamps. Collect any postage which was due before the article became dead.

(8) *Disposition of letters originating in Canada.* Forward dead letters originating in the Provinces of Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, and Newfoundland to the dead letter office at Toronto. Send dead letters originating in the Provinces of Manitoba, Saskatchewan, Alberta, and British Columbia, Yukon and Northwest territories to the dead letter office at Vancouver, British Columbia. If the source of origin cannot be determined, send the letters to the dead letter office at Ottawa. Send packages of returned letters by ordinary mail and show the name, city, and State of the dead letter branch making the return.

(9) *Disposition of letters deposited in violation of law*—(i) *Domestic lottery matter.* Destroy letters of domestic origin containing lottery tickets, chance books, etc., without remittances. Return those containing remittances of money, money orders, checks, etc., to the sender with the original stubs of the ticket sold so that the sender may refund the purchase price. Destroy chance books and tickets found in these letters.

(ii) *Foreign lottery matter.* Endorse foreign letters supposed to contain lottery matter, which have not been opened by the addressee, with the reason of nondelivery. Return them to the country of origin through the proper exchange office. Treat letters originating in Canada in accordance with instructions in § 159.7(d) (8) after endorsing with the reason for nondelivery. Dispatch letters of foreign origin stamped "Supposed to contain prohibited matter," which have been opened by the addressee and found to contain lottery matter, to the postal inspector in charge of the division in which the office of address is located.

(iii) *Other matter.* In opening dead letters, destroy any matter under seal which is prohibited in the mail by law if the address of the sender or addressee is not known. Treat other contents in the regular manner. If the address of the sender (or addressee) is found, return legitimate contents to the sender (or forward to the addressee), and destroy the unlawful matter. Make no report to a postal inspector in charge based on information obtained by breaking the seal of first-class letters.

(e) *Disposition of letters containing cash*—(1) *Letters that can be returned to senders*—(i) *Containing $10 or more.* Enclose these letters in dead letter postage-due envelopes, item P–26–K or P–32–K. Enter on Form 3877 the names and addresses of both senders and addressees. Show in "Remarks" column, the amount of money contained in each letter. Enter registration numbers in column 1 of Form 3877 and on the envelopes from a series assigned to the dead letter branch. Rate each letter for collection of the minimum registration fee plus the dead mail fee. Register the letters and file the mailing receipts in the dead letter branch.

(ii) *Containing less than $10.* Forward these letters to the sender in a dead letter postage-due envelope by ordinary mail, rated for collection of the dead mail

fee. Keep a daily record showing only the total number of these money letters returned and the total amount of money involved.

(f) *Catalogs.* (1) Prepare for each sale a mimeographed or multilithed catalog of numbered merchandise to be sold. List all lots by number and brief description. Provide space by each item for posting sale price and purchaser's name or number during sale.

(2) Show the following information on the front of the catalog:

CATALOG OF UNCLAIMED MERCHANDISE FROM THE MAIL TO BE SOLD AT PUBLIC AUCTION

(Place—Day—Date—Starting Time)

Merchandise Will Be On Display: (Place—Day—Date—Time).

Terms: This catalog is for the purpose of identifying the merchandise only. No sale will be set aside because of any error in description of a lot not seen by the purchaser. There is no guarantee as to quantity or quality. All articles are sold "as is." The minimum initial bid will be $1. Bids after the first bid will be accepted in units of $1 or more only. Purchasers who do not make advance deposits must make payments immediately after each purchase. Refunds will not be made for merchandise not called for by the purchaser. Merchandise purchased must be removed by:

_____
(Time and date)

_____
(Postmaster)

SPECIAL MAIL SERVICES

PART 161—REGISTERED MAIL

Sec.
161.1 Description.
161.2 Fees and liability.
161.3 Preparation for mailing.
161.4 Delivery.
161.5 Procedures at mailing office.
161.6 Transit irregularities.
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AUTHORITY: The provisions of this Part 161 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 161.1 Description.

(a) *Why mail is registered.* Registered mail provides added protection for valuable and important mail plus evidence of mailing and delivery.

(b) *What may be registered.* All mailable matter prepaid with postage at the first-class or airmail rate. Stamps or meter stamps must be attached representing all postage and fee charges. Business reply mail may not be registered unless postage and all fees are fully prepaid.

(c) *Where to mail.* Registration may be obtained by presenting mail to:

(1) *Post offices and their branches and stations.* Postmasters will accept mail of unusually high value only at the main office or larger branches, stations.

(2) *Rural carriers.* Mail and cash may be left in a rural box. Any change will be handed to the sender or placed in an envelope and left in the box on the carrier's next trip. Responsibility will not be assumed for articles or money until a receipt is issued. No responsibility will be assumed for any change placed in the box.

(3) *Nonpersonnel rural stations and branches.* Customers must meet the rural carrier at the nonpersonnel rural station or branch to have mail registered.

(d) *Registration not available.* Mail will not be registered if:

(1) Placed in street letterboxes or in mail drops in post offices.

(2) Addressed to post offices to which it cannot be transported with safety.

(3) Not properly prepared. See § 161.3 of this chapter.

(4) Two or more articles are tied or fastened together, unless enclosed in the same envelope or wrapper.

(e) *Additional services*—(1) *Registered COD.* Combined registry and COD service is available. The regular registered mail fees apply plus the collection charge specified in § 161.2(a) of this chapter. The mail must conform with registered mail and COD service requirements.

(2) *Return receipts.* The sender may obtain return receipt, Form 3811, by paying fees, in addition to the registration fee and postage, under the following conditions:

(i) *At the time of mailing.* Inform the postal clerk or write on the mail "Return Receipt Requested or Return Receipt Requested Showing Address Where Delivered."

(ii) *After mailing.* Show registration receipt at the post office where the registered article was mailed. The return receipt will not show the address where delivery was made.

(iii) *Return by air.* Affix postage stamps to cover the postal card airmail rate to the return receipt and endorse it "Return by Airmail."

(3) *Restricted delivery.* The sender may at the time of mailing direct that the registered article be delivered only to the addressee or to someone named by him in writing. This service is available only for articles addressed to natural persons specified by name. An additional fee is required. The mail will be endorsed "Deliver to Addressee Only" or "Deliver to Addressee or Order." After mailing and before delivery, the sender may direct such action by written order through the mailing postmaster.

§ 161.2 Fees and liability.

(a) *Fees.*

Value	Fees (in addition to postage)	
	For articles not covered by commercial or other insurance	For articles also covered by commercial or other insurance
$0.00 to $100	$1.80	$0.80
$100.01 to $200	1.85	1.85
$200.01 to $400	1.90	1.90
$400.01 to $600	1.75	1.75
$600.01 to $800	1.80	1.80
$800.01 to $1,000	2.05	2.05
$1,000.01 to $2,000	2.35	
$2,000.01 to $3,000	2.60	$2.05 plus handling charge of 15 cents per $1,000 or fraction over first $1,000.
$3,000.01 to $4,000	2.85	
$4,000.01 to $5,000	3.10	
$5,000.01 to $6,000	3.40	
$6,000.01 to $7,000	3.65	
$7,000.01 to $8,000	3.90	
$8,000.01 to $9,000	4.20	
$9,000.01 to $10,000	4.45	
$10,000 to $1,000,000	$4.45 plus handling charge of 15 cents per $1,000 or fraction over first $10,000.	
$1,000,000.01 to $15,000,000	$152.65 plus handling charge of 10 cents per $1,000 or fraction over first $1,000,000.	$151.60 plus handling charge of 10 cents per $1,000 or fraction over first $1,000,000.
Over $15,000,000	Additional charges may be made based on considerations of weight, space and value.	

ADDITIONAL SERVICES

	Extra fee (cents)
COD collection charge (maximum amount collectible is $200)	70
Restricted delivery	60
Return receipts:	
Requested at time of mailing:	
Showing to whom and when delivered	15
Showing to whom, when, and address where delivered	35
Requested after mailing:	
Showing to whom and when delivered	25

(b) *Postal insurance liability*—(1) *Without other insurance.* Postal insurance covers value up to the maximum of $10,000, except as provided in subparagraph (3) of this paragraph.

(2) *With other insurance.* Postal insurance liability is limited to a maximum of $1,000. Whenever postal insurance and other insurance both apply to the first $1,000 of value or any part thereof, postal liability is assumed on a coinsurance basis and prorated according to the formula in Part 164.

(3) *To Canal Zone.* The maximum liability for registered mail addressed to the Canal Zone is $1,000. For values over $1,000, the handling charges apply.

(c) *Refunds.* Registration fees will not be refunded after the mail is accepted. Return receipt or restricted delivery fees will be refunded only when failure to furnish a return receipt or to give restricted delivery was the fault of the Postal Service. Receipts for fees must be submitted with requests for refunds.

(d) *Declaration by sender*—(1) *Value.* The sender is required by law to tell the postal clerk, or to enter on the firm mailing bill if a firm mailer, the "Full" value of mail matter presented for registration. The fact that private insurance may be carried on registered mail does not modify the requirements for declaring the value as defined below:

Kind of mail matter	*Value to be declared*
Negotiable instruments—Instruments payable to bearer, and MATURED interest coupons.	Market value.
Nonnegotiable instruments—All registered bonds, warehouse receipts, checks, drafts, deeds, wills, abstracts, and similar documents. Certificates of stock, including those endorsed in blank, are considered nonnegotiable so far as declaration of value is concerned.	No value, or replacement cost if postal insurance coverage is desired.
Money	Full value.
Jewelry, gems, precious metals	Market value or cost.
Merchandise	Market value or cost.
Nonvaluables—Matter not having intrinsic value such as letters, files, records, etc.	No value, or replacement cost if postal insurance coverage is desired.

(2) *Fragile mail.* The sender must tell the postal clerk whether the mail is fragile and must describe how it is packed if requested to do so.

(3) *Official mail.* Government agencies or officials must declare the value of the matter presented so that it may be given proper care.

(4) *Free registration.* A declaration of value is not required on mail registered free under the provisions of paragraph (e)(1)(iii) and (iv) of this section. No indemnity will be paid for any matter registered free.

(e) *Mail registered without prepayment*—(1) *Types.* The following types of official mail, if prepared in accordance with the requirements for transmission of mail without prepayment of postage set forth in Part 137, may be sent by registered mail without payment of a registration fee:

(i) Official mail of authorized Government departments and agencies.

(ii) Census mail.

(iii) Naturalization and immigration mail.

(iv) Diplomatic and consular mail.

(2) *Currency for redemption.* Currency sent to the Treasurer of the United States, Washington, D.C. 20220, for redemption, contained in letters or parcels with postage prepaid by the sender, and redeemed currency mailed to the Treasurer of the United States may be sent by registered mail without payment of registration fee, under the following conditions:

(i) The contents must be exhibited to the postmaster with a list giving a detailed description of the money. For currency, list the serial number, series date, and denomination. For coin, list only number and denomination.

(ii) After the contents have been verified, the letter or parcel must be sealed in the presence of the postmaster.

(iii) The list must be left with the postmaster.

(iv) No liability is assumed by the Postal Service. If coverage is desired, the regular registration fees must be paid for liability.

(3) *Mailings of U.S. savings bond matter.* The following conditions apply to stubs of sold U.S. savings bonds, spoiled or canceled bonds, and unissued or excess stock when presented for registration by authorized bond issuing and paying agents, including those located in the Canal Zone, or by Federal Reserve banks or their branches:

(i) The sender will prepay postage only. If the article weighs less than 1 pound, the first-class rate applies; if the weight is 1 pound or more, the fourth-class rate applies.

(ii) Each article must be endorsed by the mailer close to or below the return address "Registry Fee Paid by U.S. Treasury Department."

(iii) Each article, regardless of the postage rate chargeable, must be accepted for registration and endorsed "Registered."

(iv) Registry fees will be paid to the Postal Service by the Treasury Department on an annual basis.

§ 161.3 Preparation for mailing.

(a) *Conditions.* Postal employees are not permitted to assist in the preparation or sealing of mail to be registered. The mail must bear the complete names and addresses of both sender and addressee. Envelopes or packages that appear to have been opened and resealed, or which are otherwise improperly prepared, will not be registered.

(b) *Sealing.* The sender must securely seal envelopes. Self-sealing envelopes are not acceptable. Do not place paper or cellulose strips or wax or paper seals over the intersections of flaps of letter size envelopes where the postmark impressions are made. Wrap and seal packages with mucilage or glue or with plain paper or cloth tape. Packages containing currency or securities may not be sealed exclusively by use of paper strips, but must first be sealed securely with mucilage or glue. Large envelopes (flats) which are completely sealed and which also have paper strips or paper tape across the intersections of the flaps may be considered packages so far as the sealing requirements are concerned. Tape that will not adhere in such a manner as to damage the envelope or wrapper if removed, or tape which will not absorb a postmark impression, may not be used on registered mail.

(c) *Window envelopes.* Envelopes must have panels covering the opening. If transparent panels are glued to the envelopes, they may contain only matter without intrinsic value. If the panel is part of the envelope, the envelope may be used for all registered mail.

(d) *Firm registration books.* If an average of three or more articles are presented for registration at one time, the sender may obtain free firm registration books, Form 3877. These must be used in accordance with instructions that will be given by the postmaster. One copy of the bill will be retained by the post office and the other will be receipted and returned to the sender.

(e) *Return receipts and restricted delivery.* Firm mailers are expected to complete and attach the return receipt card, Form 3811, to the mail and show the required official endorsement on the address side of the mail. See paragraphs (e)(2) and (e)(3) of this section. If the mail is to be restricted in delivery, the words "Deliver to Addressee Only" should be shown in space 2 on the receipt side of the return receipt card.

(f) *Mailing receipts.* A receipt will be issued when mail is accepted for registration. If requested to do so by sender, the accepting postal employee will show on the mailing receipt and post office record the time registered article was accepted for mailing. For individual transactions, the receipt is prepared by postal employee. When firm registration forms are used, the receipt will be postmarked and issued after entries have been checked against mail. A temporary receipt showing only the total number of articles may be issued when a large number of articles are mailed. The permanent descriptive receipt will be issued as soon as possible after verification.

(g) *Withdrawal or recall.* The sender may withdraw or recall registered mail without charge before its delivery, under the following conditions:

(1) By writing on the receipt "Withdrawn before dispatch" and signing and surrendering the receipt.

(2) By filing a written request for its return after dispatch at the post office where the article was mailed, giving names and addresses of sender and addressee, the registry number, and date of mailing. Costs of telegrams must be paid by the sender.

(h) *Remailing.* If remailed, the article must be under new cover, and bear new postage and fee.

§ 161.4 Delivery.

(a) *Procedure.* The responsibility of the Postal Service for registered mail ends with its proper delivery. Mail for delivery by carriers is taken on the first trip after it is received unless the addressee has requested the postmaster to hold his mail at the post office. The addressee or person representing him may obtain the name and address of the sender, and may look at registered mail while it is held by the postal employee, before accepting delivery and signing the delivery receipt. Identification will be required if the applicant for registered mail is unknown. The mail will not be given to the addressee until the delivery receipt is obtained by the postal employee. If the signature on the delivery receipt is not legible, the delivering employee must print the name of the recipient on the receipt.

(b) *Rural delivery.* For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 156.

(c) *Star route delivery.* Star route carriers will deliver registered mail if required by the contract, but delivery will be made only at the customer's box or along the route.

(d) *Notice of arrival.* If the carrier is unable to deliver registered mail, he will

leave a notice. If the mail is not delivered by carrier, a notice of arrival will be issued through regular mail channels. If the mail is not delivered or called for within 5 days, a second notice will be issued, provided the maximum period for which the mail may be held permits. No second attempt to deliver will be made unless the post office is requested to do so.

(e) *Restricted delivery.* Restricted delivery service is subject to the following rules:

(1) Mail marked "Deliver to Addressee Only" will be so delivered, except as provided in subparagraphs (4) and (5) of this paragraph.

(2) Mail marked "Deliver to Addressee or Order" may be delivered either to the addressee or to the person he authorizes in writing to receive his mail.

(3) When the mail is addressed jointly to two or more persons, the addressees will be notified to be present to accept delivery together. The delivery receipt obtained and the return receipt, if any, must be signed by all of the addressees. The registered article then may be delivered to any of the addressees unless the others object, in which case delivery will not be made until all of the addressees sign a statement designating the one to receive the mail.

(4) When the registered mail is addressed to officials of executive agencies, or members of the legislative and judicial branches of the Government of the United States, or of the States and possessions, or to members of the diplomatic corps, delivery may be made either to the addressee or to the person he authorizes to receive his mail.

(5) Registered mail addressed to the commander, staff sections, and other officials of military organizations by name and title will be delivered to the unit mail clerk, mail orderly, postal clerk, or assistant postal clerk or postal finance clerk.

(f) *Bad condition.* If the addressee accepts a registered article that has been repaired with sealing stamps or reenclosed in a new envelope or wrapper, the addressee must open it without disturbing the seal, in the presence of the delivering employee. If anything is missing, the envelope or wrapper must be given to the employee after it has been endorsed to show what was missing. The postal employee will not wait while large sums of money or coin are counted if the damage is so slight as to indicate that nothing is missing.

(g) *When not delivered.* The addressee may be required to call at the post office for registered mail if its delivery by a carrier would not be safe.

PART 162—INSURED MAIL

Sec.
162.1 Description.
162.2 Fees and liability.
162.3 Additional services.
162.4 Mailing.
162.5 Delivery.
162.6 Receipts.

AUTHORITY: The provisions of this Part 162 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 162.1 Description.

(a) *Purpose.* The sender may obtain payment for loss of, rifling of, or damage to domestic mail by having it insured.

(b) *Class of mail to which applicable.* (1) Third- and fourth-class mail.

(2) Airmail which contains third- or fourth-class matter (may contain incidental first-class enclosures). Sealed envelopes should be endorsed "Contains Third-Class Mail" or "Contains Fourth-Class Mail."

(3) Official Government mail bearing "Postage and Fees Paid" endorsement.

(4) The mail must bear the complete names and addresses of sender and addressee.

(c) *Not acceptable for insurance.* (1) Parcels containing matter offered for sale, addressed to prospective purchasers who have not ordered or authorized their sending. If such matter is received in the mail, payment will not be made for loss, rifling, or damage.

(2) Nonmailable matter.

(3) Articles that are so fragile as to prevent their safe carriage in the mail regardless of packaging.

(4) Articles not adequately prepared to withstand normal handling in the mail. See Part 121 for packaging standards.

§ 162.2 Fees and liability.

(a) *Fees (in addition to postage).*

Liability:	Fee
$0.01 to $15	$0.20
15.01 to 50	.30
50.01 to 100	.40
100.01 to 150	.50
150.01 to 200	.60

Liability for insured mail is limited to $200.

(b) *Payment of fees and postage.* Insurance fees must be paid in addition to the postage. The mailer guarantees to pay return and forwarding postage unless he writes instructions on the wrapper or envelope not to forward or return the mail.

§ 162.3 Additional services.

(a) *Restricted delivery service.* Mailers may at the time of mailing direct that a parcel insured for more than $15 be delivered only to the addressee or to someone named by him in writing. The mail will be endorsed: "Deliver to Addressee Only" or "Deliver to Addressee or Order." The additional fee for this service is 50 cents.

(b) *Return receipt.* Mailers may request a return receipt for a parcel insured for more than $15. Request at the time of mailing may be made either to the postal employee or by endorsement on the mail reading "Return Receipt Requested," or "Return Receipt Requested Showing Address Where Delivered." Request after mailing must be made at the post office where the insured parcel was mailed. The insurance receipt must be shown and the prescribed additional fee for this service paid. When the request is made after mailing, the return receipt will not show the address where delivery was made. The following additional fees are charged:

	Fee
(1) *Requested at Time of Mailing:*	
Showing to whom and date delivered	$0.15
Showing to whom, date, and address where delivered	.35
(2) *Requested After Mailing:*	
Showing to whom and date delivered	.25

§ 162.4 Mailing.

(a) *Where to mail.* Mailers must mail parcels that they insure at a post office, branch, or station, or give them to a rural carrier. They must not be deposited in mail drops at post offices, nor in or on street mail boxes. They must not be left on, but may be placed in, rural mail boxes.

(b) *Inquiry as to contents and preparation.* The postal employee at the window is required to ask whether the package presented for insurance contains fragile, perishable, or flammable matter. If the package does not contain such matter and to all outward appearances is adequately prepared, no further inquiry as to contents will be made. If the package contains such matter, detailed inquiry will be made to determine whether contents are admissible in the mail and are adequately packed.

(c) *Individual receipts for mailing.* Mailers are issued a receipt for each insured parcel mailed on one of the following forms:

(1) Form 3813, Receipt For Domestic Insured Parcel, when the package is insured for $15 or less.

(2) Form 3813-P, Receipt For Insured Parcel, when the package is insured for more than $15.

The post office keeps no record of the mailing of insured packages. Mailers must enter the name and address of the addressee on the receipt and retain it. Mailers must exhibit the receipt if claim for loss is made. The receipt should be shown if an inquiry is filed. A telephone request for inquiry is acceptable if the mailer can furnish particulars of mailing from his receipt. A temporary receipt showing only the total number of parcels accepted may be issued when a large number of articles are mailed. The permanent receipt will be issued as soon as possible.

(d) *Firm mailings*—(1) *Firm mailing books.* Mailing books, Form 3877-A, are furnished without charge to customers who mail an average of three or more parcels at one time. Spaces are provided for entering the description of parcels to be insured. Any alterations must be initialed by the mailer and accepting employee. The sheets of these books become the senders' receipts. The books must be presented with the parcels to be mailed. Following are instructions for their use:

(i) Parcels to be insured for $15 or less are not to be numbered and should be listed on separate sheets or grouped together. Prepare one copy only.

(ii) For parcels to be insured for more than $15, the postmaster will assign a series of numbers. The mailer must number the articles and the items in the book to correspond.

(iii) The parcels must be conspicuously endorsed with the stamped or printed official insurance endorsement.

(2) *Special firm mailing bills or multiple forms.* Mailers may use special firm mailing bills or multiple forms which incorporate mailing receipts containing all necessary postal information. Such forms must be submitted to the postmaster for prior approval before use. For parcels to be insured for more than $15, the postmaster will assign a series of numbers on Form 3857, Assignment of Number Blocks for Registered Insured, Certified and COD Mail. Suffixes will not be authorized. Any alterations must be initialed by the mailer and accepting employee.

(e) *Mailing on rural routes and at nonpersonnel rural stations and branches.* Mailers may give the mail to the rural carriers; or they may leave the mail in rural mail boxes, provided stamps are affixed for postage and fee, or money for postage and fee is left in the box. Mailers must leave a note stating the amount of insurance desired. The carrier will issue a receipt at the time the mail is received. The Postal Service assumes no responsibility for articles or money left in rural mail boxes until the articles are receipted for by the carrier. Customers at nonpersonnel rural stations and branches must meet the rural carrier at the station or branch for insurance service.

(f) *Endorsements and postmarking.* (1) Each package insured for $15 or less will be stamped on the address side with the elliptical stamp. Each package insured for more than $15 will be stamped close to the address with the "Insured No." stamp, unless the address label on the package bears an effective reproduction of the official stamp.

INSURED Elliptical Stamp	INSURED NO.---------- Insured No. Stamp

(2) When a clear insurance endorsement cannot be stamped directly on the package, the postal employee will attach a white blank gummed label, item 0–27–G, to the package and stamp the impression on it. Each package will be postmarked unless a postage meter stamp is used to pay charges.

(3) Private insurance endorsements or markings may not appear on the address side of mail matter but may appear elsewhere provided they do not resemble official postal endorsements and are not confused with postal endorsements.

§ 162.5 Delivery.

(a) *General provisions.* Delivery is made in accordance with the following provisions and those in Part 154. Parcels insured for over $15 are delivered in accordance with the regulations for the delivery of registered mail (see § 161.4 of this chapter), except that when delivery has not been restricted, mail addressed to a person at a hotel, apartment house, or the like, may be delivered to any person in a supervisory or clerical capacity to whom the mail is customarily delivered. The responsibility of the Postal Service ends at this time.

(b) *At letter carrier offices.* (1) Insured mail is held for the period specified in the sender's return address, but not in excess of 15 consecutive days. If no return period is specified, the mail is held for 15 days. The retention period of 15 days applies also to offices to which the mail may be forwarded.

(2) Insured parcels will be delivered to the addressee's home, or if he receives his mail in a post office box or through general delivery, he will be furnished a notice of the arrival of the parcel. If the parcel is undelivered after 5 days, a second notice will be sent. If addressee does not accept the parcel when it is offered, it will be returned to the post office and held for the length of time directed by the sender, but never more than 15 days. The addressee may go to the post office and obtain the parcel or he may request that it be delivered to his home again. The mailer may also request that it be delivered again.

(c) *At offices not having carrier delivery service.* The addressee is notified when an insured parcel is on hand for delivery. The notice is placed in the general delivery or in a post office box. A second notice is issued if the article is undelivered after 5 days.

(d) *Rural delivery.* Rural carriers will deliver insured mail to the residence if it is not more than one-half mile from the route and if there is a passable road leading to it. Otherwise, the carrier will leave a notice in the box so that the addressee may either meet him at the box on his next trip or call at the post office for the mail. For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 156.

(e) *On star routes affording delivery service.* Star route carriers will deliver insured parcels if required by the contract. Delivery will be made only at the customer's box or along the route.

(f) *Damaged packages.* Damaged packages will be delivered if possible. When a damaged package is refused by the addressee, the sender will be informed of the damage and of the addressee's refusal. If sender does not reply, a partially damaged package will be returned to him at the end of the retention period. Packages damaged beyond repair will be held a reasonable time awaiting instructions or a request for payment of postal insurance. If not received, the mailing postmaster will be requested to ascertain what disposition will be made of the package.

(g) *Spoiled contents.* When the contents of a package are spoiled, the postal employee will write on the receipt form the date and hour the package was received, the date and hour it was delivered to the addressee, whether the package was endorsed "Perishable," and any known cause of delay or improper handling.

(h) *Examination of mail.* The addressee or his representative may read and copy the name and address of the mailer from insured mail while it is in the possesion of the postal employee. Examination of the contents may be made only after delivery has been made.

§ 162.6 Receipts.

(a) *Unnumbered packages.* Unnumbered packages will be delivered as ordinary mail.

(b) *Numbered packages.* Postal employees will take signed receipts for the delivery of numbered packages on the following forms:

(1) Form 3849, when delivery is made by carrier, and window delivery at first- and second-class offices.

(2) Form 3850, Form 3849, for window deliveries made at third- and fourth-class offices.

(3) Form 3883, when addressees regularly receive an average of three or more packages at one time.

(4) Also, Form 3811, Return Receipt, when this service is requested by the sender.

PART 163—COD MAIL

Sec.
163.1 Description.
163.2 Fees.
163.3 Mailing.
163.4 Additional services.

AUTHORITY: The provisions of this Part 163 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 163.1 Description.

(a) *Purpose.* Customers may mail an article for which they have not been paid and have the price and the cost of the postage collected from the addressee when the article is delivered. This is collect-on-delivery or COD service. The amount collected is returned to the mailer by a postal money order. The fees for COD service include insurance against loss, rifling, or damage to the article and failure to receive the amount collected from the addressee.

(b) *Mail which may be sent COD.* First-, third-, and fourth-class matter may be sent as COD mail.

(c) *Conditions.* (1) The mail must bear the complete names and addresses of sender and addressee.

(2) Amount collected from the addressee will not exceed $200.

(3) The amount to be collected or the amount of insurance coverage desired, whichever is higher, determines the COD fee.

(4) The sender guarantees to pay any return postage unless otherwise specified on the mail.

(5) The goods shipped must have been ordered by the addressee.

(d) *Prohibitions.* COD service cannot be used for:

(1) Collection agency purposes.

(2) Return of merchandise about which some dissatisfaction has arisen, unless the new addressee has consented in advance to such return.

(3) Sending only bills or statements of indebtedness, even though the sender may establish that the addressee has

agreed to collection in this manner. However, when a legitimate COD shipment consisting of merchandise, bill of lading, etc., is being mailed, the balance due on a past or anticipated transaction may be included in the charges on a COD article, provided the addressee has consented in advance to such action.

(4) Parcels containing moving-picture films mailed by exhibitors to moving-picture manufacturers, distributors, or exchanges. Such parcels may be sent as insured mail, or, if sealed, by first-class registered mail.

(e) *Restrictions on COD service to military installations.* COD service is not available for articles having an APO or FPO designation as part of the address, including, official shipments and shipments to Armed Forces agencies.

(f) *Service with U.S. possessions and territories.* There is no COD service with the Canal Zone, or Canton Island. There is COD service to and from Majura, Marshall Islands; Saipan, Mariana Islands; and Ponape, Truk, Koror, and Yap, Caroline Islands. COD articles may be mailed from but not to Pago Pago, Samoa.

§ 163.2 Fees.

(a) *In addition to postage.*

Amount to be collected or insurance coverage desired:	*COD fees*
$0.01 to $10	$0.70
$10.01 to $25	.80
$25.01 to $50	.90
$50.01 to $100	1.00
$100.01 to $200	1.10
Restricted delivery	.50
Notice of nondelivery	.05
Alteration of COD charges or designation of new addressee	.35

(b) *Payment of fees and postage.* Fees and postage must be prepaid. If the mailer includes in the charges to be remitted the postage and fee prepaid, the COD fee will be based on the total COD charges, which include the postage and fee.

§ 163.3 Mailing.

(a) *Where to mail.* COD parcels must be mailed at a post office, branch, or station, through a rural carrier or at a personnel or nonpersonnel rural station or branch. They may not be placed in mail drops at post offices, nor in or on street mail boxes. They may not be left on, but may be placed in, rural mail boxes.

(b) *Individual receipts for mailing.* A receipt is issued for each COD parcel mailed on one of the following forms:

(1) Sender's receipt part of COD tag Form 3816 or specially printed COD tag.

(2) Form 3877–A or specially printed firm bills.

(3) Recapitulation sheets or receipt portions of multiple forms specially printed by the mailers.

(c) *Temporary receipts.* The postmaster will issue a temporary receipt when the number of articles presented for COD at one time warrants it. The permanent receipt will be issued as soon as possible.

(d) *Firm mailing books, COD tags, and address labels.* Firm mailing books, Form 3877–A, are furnished without charge to customers who mail an average of three or more parcels at one time. Spaces are provided for entering the description of parcels to be sent COD. The sheets of these books become the senders' receipts and the post office records. The books must be presented with the parcels to be mailed. Following are instructions for their use:

(1) The postmaster will assign a series of numbers using Form 3857, Assignment of Number Blocks for Registered, Insured, Certified, and COD Mail. He will keep the use of prefixes to a minimum. Use of suffixes will not be permitted. The mailer must number the articles and the items to correspond. Entries must be made in duplicate with carbon paper.

(2) A COD tag must be securely affixed by the sender to each COD article, showing article number, names and addresses of sender and addressee, amount due sender, and amount of money order fee necessary to make remittance. The necessary particulars must be filled in by sender. Stock tags are furnished by the post office without charge. There are three types of tags eyeletted for tying to parcels, and one uneyeletted type for attaching by gummed tape. Specially printed COD tags approved by the Postal Service are also used. The eyeletted tag, Form 3816, composed of delivery office portion, delivering employee's coupon, mailing office record and the sender's receipt, is intended for use by customers mailing less than three articles at one time.

(3) The particulars required on the tag must be filled in by the sender with ink, indelible pencil (not ordinary lead pencil), or typewriter. The Postal Service is not responsible for errors by senders in stating charges to be collected.

(4) When the COD remittance is to be sent to someone other than the actual mailer, the name and address of the person to whom the money is to be sent must appear in the proper spaces on the address side of the COD tag. The name and address of the actual mailer must be placed on the back of the delivery office portion of the tag. The name and address of the person to whom the money is to be paid must be shown as sender on the COD parcel itself, together with directions as to return, if undeliverable.

(5) The COD endorsement showing the amount due the sender and the money order fee necessary to make the remittance must be noted on the package.

(6) When COD parcels are addressed to distant points or to overseas domestic destinations, the mailer may, if he desires to expedite remittance, attach an addressed, prepaid airmail reply envelope to the back of the COD tag at time of mailing.

(e) *Nursery stock shipments.* Firms mailing nursery stock may print special COD tags bearing instructions as to disposition of shipments that are not immediately delivered. These tags must contain a coupon that will be returned with the money order. The following rules apply:

(1) If the sender does not desire to have the undeliverable parcel disposed of to the highest bidder, the sender's instructions on the back of the delivery-office portion of the COD tag (1), and on the sender's coupon (2), should read:

(i) If addressee refuses to pay charges for any reason, deliver at once without collecting the charges. Notify sender at once if parcel is not delivered, and if no reply is received in 30 days, destroy parcel. See sender's coupon for further instructions.

(ii) Return this coupon with money order. If parcel is delivered without collection of charges or is destroyed after 30 days, check disposition and send coupon to sender in penalty envelope.

☐ Delivered to addressee without collecting charges.
☐ Destroyed after 30 days.

(2) If sender desires to have the undeliverable parcel disposed of to the highest bidder, the sender's instructions on the back of the delivery office portion of the COD tag (1), and on the sender's coupon (2), should read:

(i) If addressee refuses to pay charges for any reason, deliver at once without collecting the charges. Notify sender at once if parcel is not delivered, and if no reply is received in 30 days, sell to highest bidder and remit proceeds less commission. If sale cannot be made, destroy parcel. See sender's coupon for further instructions.

(ii) Return this coupon with money order. If parcel is delivered without collection of charges, is destroyed after 30 days, or is sold, check disposition and send coupon to sender in penalty envelope.

☐ Delivered to addressee without collecting charges.
☐ Destroyed after 30 days.
☐ Sold for $_____. Remittance, less commission, herewith.

(f) *Multiple mailing forms.* Many mailers consider specially designed and privately printed multiple mailing forms advantageous. They provide in one operation, address labels, firm mailing and post office records, and COD tags or labels to be stuck on stock COD tags. Specially designed recapitulation sheets are used for receipting purposes. Mailers desiring to use multiple forms should consult printers specializing in business forms, and submit specimen proofs to their local postmasters before printing.

§ 163.4 Additional services.

(a) *Restricted delivery service.* Customers may, at the time of mailing, direct that a COD parcel be delivered only to the addressee or to someone named by him in writing. The mail will be endorsed "Deliver to Addressee Only" or "Deliver to Addressee or Order."

(b) *Alteration of COD charges or designation of new addressee.* The sender of a COD package may alter the COD charges or direct delivery to a new addressee by filing a request with the postmaster at the office of mailing on Form 3818, Authorization to Cancel or Change Charges on a COD Article. The postmaster will send the directions to the office of delivery by telegram if the sender pays the costs.

(c) *Notice to Sender.* Senders desiring a notice of undelivered COD mail must request Form 3849–D, Notice to Sender of Undelivered COD Mail, by endorsement

on the address label. This request must appear conspicuously, directly under the return name and address of the sender, and separate from any other instructions, as follows:

FORM 3849-D Requested.

A mailer's request may include directions to send the notice to the mailer or to his representative. When the mailer's representative is designated, the representative's name and local or nearby address must be shown in a bordered space with instructions, reading: "Do not deliver to mailer's designated representative without collecting COD charges," or "Deliver without collecting COD charges to mailer's designated representative." The notice will be sent as follows:

(1) If the delivering employee's notation indicates the addressee declined acceptance, Form 3849-D will be sent immediately.

(2) If the addressee was not at home when the carrier called, or if carrier service is not involved, Form 3849-D will be sent to the sender 5 days after the first notice of arrival, Form 3860, was issued to the addressee.

(d) *Registered COD mail.* Sealed domestic mail of any class bearing postage at the first-class rate may be sent as registered COD mail. Such mail is handled the same as other registered mail. The maximum amount of charges collectible on a parcel is $200, but additional indemnity may be obtained over $200 up to the regular registry limit of $10,000 by payment of a higher fee. Registered COD mail is subject to a handling charge applicable to other registered mail, except that the basis of the handling charge is the amount by which the declared actual value of the article exceeds the limit of liability covered by the fee paid. Envelopes used as covers must not be smaller than 4 x 7¾ inches.

PART 164—PAYMENT FOR LOSSES

Sec.

164.1 How to request payment.
164.2 Payment conditions.
164.3 Payable and nonpayable claims.
164.4 Official mailings.
164.8 Registered mail claims.
164.9 Recovery of articles after payment, overpayments, erroneous or improper indemnity claim payments, or indemnity refunds.

AUTHORITY: The provisions of this Part 164 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 164.1 How to request payment.

(a) *Forms.* Use Form 565, Application for Indemnity for Registered Mail, to request payment for registered mail losses, and Form 3812, Request for Payment of Domestic Postal Insurance, to request payment for insured and COD mail losses. Obtain these forms from your local postmaster.

(b) *Where to file.* File requests at any post office, branch, or station. Claims do not have to be filed at the office of mailing or at the office of address.

(c) *Who may file.* The mailer or the addressee may file claims.

(d) *Waiting period before filing claims.* File claims after a reasonable time has been allowed for the addressee to have received the article, taking into account that, if the mail could not be delivered immediately on arrival, it may have been held at the post office of address for varying periods before return. These retention periods are governed by the sender's instructions on the article. If no retention period was stated on the mail, the following periods, plus transportation time, must be observed before claim is filed:

	Days
(1) Registered Mail	10
(2) Insured Mail	15
(3) COD Mail	30

(e) *Information required with claim—* (1) *Evidence of insurance.* Submit evidence that the mail was registered, insured, or sent COD with Form 3812 or Form 565. This evidence consists of either:

(i) The receipt issued at the time of mailing; an exact copy made by any of the various photographic processes; or a notorized copy of the original; or

(ii) The wrapper or envelope of the article bearing names and addresses of sender and addressee and the endorsemen that the mail was sent registered, insured, or COD.

(2) *Statement of value.* The claimant must make a definite statement on Form 3812 showing the actual value of lost or irreparably damaged articles or the cost of repairing partially damaged articles. Allowance must be made for any depreciation due to age or wear or for repairs needed at time of shipment. Statements of the value of lost or completely damaged articles should be supported by receipted bills or invoices if practicable. If not available, submit a written statement on the back of Form 3825, Request For Information—Postal Claim. In the case of articles which can be repaired, a receipted bill for repairs already made, or an estimate of the cost of repairs obtained from a reliable repairman, must accompany the claim.

(3) *Substantiating amount claimed.* The postal service will not undertake to obtain estimates of the value of items for which claim is made, estimates of repair costs, or direct that repairs be made. It is the responsibility of the claimant to substantiate the amount claimed.

§ 164.2 Payment conditions.

(a) If, through established error by the Postal Service, a fee less than that required to cover the amount of insurance coverage requested at the time of mailing was charged, the sender may be permitted to pay the deficiency in fee and postal insurance may be paid within the limit fixed for the higher fee.

(b) If commercial insurance is carried on a registered, insured, or COD article, the total amount of insurance due will be prorated between the Postal Service and the insurance company using the following formula:

$$\frac{\text{Postal Insurance or Actual Value (whichever is less)}}{\text{Postal Insurance or Actual Value (whichever is less)} + \text{Total Private Insurance}} \times \text{Actual Value or Cost of Repairs} = \text{Postal Liability}$$

(c) If the insured or COD article was lost or the "Entire" contents totally damaged, the payment check will include an additional amount for postage (not fee) paid by the sender.

(d) If both sender and addressee claim insurance, they should decide between themselves who should receive payment. If no agreement is reached, payment may be made to the sender, the person with whom the Government's contract of insurance was made.

(e) If the sender is incompetent or deceased, payment will ordinarily be made to the legal representative. If there is no legal representative, payment may be made to such relative or representative of the sender as may be entitled to receive the amount due, in accordance with applicable State laws.

§ 164.3 Payable and nonpayable claims.

(a) *Payable.* Postal insurance within the amount covered by the fee paid is payable for:

(1) Actual value of lost articles.

(2) Cost of repairing a damaged article or replacing a totally damaged article, not exceeding actual value of the article. When unusual conditions exist, payment may be made, at the discretion of the Postal Service, for the full value of a partially damaged article. The article then becomes U.S. property and must be surrendered to the postmaster.

(3) Amount collected for a COD article that is not received by the sender.

(4) Death of baby poultry due to physical damage to the package or delay for which the Postal Service is responsible. In the absence of definite evidence showing responsibility for death of baby poultry, the Postal Service will be presumed to be at fault if 10 percent or more of the chicks are dead on delivery, if delivered within the 60-hour limit, and insurance will be paid for all dead chicks; otherwise the Postal Service will not be presumed to be at fault.

(5) Perishable matter properly prepared for mailing which, due to fault of the Postal Service, is delivered in spoiled or deteriorated condition.

(6) Cost of duplicating valuable papers, or their original cost if they cannot be duplicated. The fee paid to an attorney to obtain duplication of valuable papers and other actual, direct, and necessary expenses may be included.

(7) The extra cost of gift wrapping if the gift wrapped article was enclosed in another container for handling in the insured mail.

(8) Cost of outer container if specially designed and constructed for goods sent

as insured mail. This provision does not cover usual shipping containers.

(9) Established market value of numismatic coin, or stamps having philatelic value.

(10) In all claims involving registered and insured mail, and COD mail delivered to the addressee, any Federal, State, or city sales tax paid on articles which were lost or irreparably damaged.

(11) Postage (not fee) paid for transportation of replacement articles or for sending damaged articles for repair. If the Postal Service cannot be used for this purpose, other reasonable transportation charges may be included.

(b) *Nonpayable.* Payment will not be made in excess of the actual value of the article or in excess of the maximum covered by the fee paid. Payment will not be made when:

(1) The article was not rightfully in the mail. This includes COD and insured articles sent to addressee without their consent, for purposes of sale.

(2) Requests are filed more than 1 year from the date the article was mailed, unless established that the delay was not the fault of the claimant.

(3) Evidence of insurance coverage has not been presented.

(4) Sender failed to state at time of mailing the full value of a registered article for the purpose of depriving the Postal Service of revenue.

(5) Loss, rifling, or damage occurred after proper delivery by the Postal Service, unless the article was reinsured.

(6) There is only a sentimental value.

(7) Loss resulted from delay in delivery of a registered article.

(8) Claim is for some consequential loss rather than for the article itself.

(9) Contents froze, melted, spoiled, or deteriorated due to temperature.

(10) The parcel could not have reached the addressee in good condition in the ordinary course of the mail.

(11) Damage consists of abrasion, scarring, or scraping of suitcases, handbags, and similar containers which were not packed for protection.

(12) Death of baby poultry was due to shipment to points where delivery could not be made within 60 hours from the time of hatch, or to extremes of temperature in the ordinary course of handling.

(13) Death of honeybees and harmless live animals was not due to fault of the Postal Service.

(14) Fragile-type phonograph records are damaged.

(15) Undamaged returned insured and COD mail is refused by the sender.

§ 164.4 Official mailings.

(a) *Registered mail.* Postal indemnity coverage is provided up to $100 for articles sent as registered mail under the "Postage and Fees Paid" indicia. Postal indemnity coverage is also provided, within the limit fixed for the fees paid, for penalty or franked mail on which the registry fee has been paid by stamps affixed, subject to the limitations of the Government Losses in Shipment Act administered by the Treasury Department.

(b) *Insured mail.* Postal indemnity is provided, up to the maximum of $200, for the value of an article properly sent as insured mail under the "Postage and Fees Paid" indicia, or with stamps affixed to cover the postal charges. Government agencies must comply with postal regulations relating to establishing value of goods lost or damaged in the insured mail. Agencies should refrain from requesting postal indemnity when trivial amounts are involved which would probably be less than the cost of processing and paying a claim.

(c) *Ownership of goods.* Goods involved in a claim need not be owned by the Government agency for a claim to be payable. Either the agency or the owner, as designated by the agency, may be named to receive any indemnity payable.

§ 164.8 Registered mail claims.

(a) *Loss and rifling.* (1) Have customer fill out Form 1510. Send Form 1510 to the post office of address.

(2) If reply on Form 1510 shows no loss or rifling, notify sender. If loss or rifling is established complete Form 1510 and send it to the postal inspector in charge. Form 565 completed from the mailing office standpoint, must also be sent with Form 1510 from first- and second-class offices. A report by memorandum must accompany Form 1510 from third- and fourth-class offices.

(b) *Damage and wrong delivery.* Have customer fill out Form 565 at first- and second-class offices. At third and fourth-class offices, have customer request payment of postal insurance by letter. Send these applications for payment of postal insurance to the postal inspector in charge.

(c) *Claims record.* Record a registered mail claim on Form 3841. Show the amount of insurance claimed. File original by name of sender and attach duplicate copy to the claim. Do not file with records of insurance and COD claims.

(d) *Adjudication.* Claims for domestic registered mail are adjudicated by the post office and delivery services division of the regional office in which the post office of mailing is located. Inquiries concerning the disposition of claims for domestic registered mail shall be sent to the director, post office and delivery services division, of the appropriate regional office. When assistance is needed by a regional office in adjudication of registered mail claims which present unusual or precedent situations, they shall send the claims to the Office of Mail Classification, Finance and Administration Department, Washington, DC 20260, for advice. A statement of the difficulty encountered will accompany such claims.

§ 164.9 Recovery of articles after payment, overpayments, erroneous or improper indemnity claim payments, or indemnity refunds.

(a) *Disposition of article.* When a lost registered, insured, or COD article is recovered, the payee may accept the article and reimburse the United States for the full amount paid if the article is undamaged, or such amount as may be determined equitable by the Postal Service if the article is damaged or has depreciated in value or if the contents are not intact.

(b) *Handling reimbursement.* If reimbursement is tendered representing an overpayment, erroneous or improper payment, or a voluntary indemnity refund, accept it and issue a receipt. Send all reimbursements to the Minneapolis Postal Data Center, with the applicable certifying office claim number and date of certification. Personal checks, money orders, or other negotiable instruments should be made payable to the Postal Service. If the instrument is made payable to the postmaster, he should sign his name and restrictively endorse it "Pay to Postal Service" and remit as above. Do not mark an entry in the cashbook.

(c) *Control over recovery claims.* When an overpayment, erroneous, or improper indemnity claim payment is disclosed and repayment is not tendered, report it to the Director, Minneapolis Postal Data Center, by memorandum to be placed under accounts receivable control.

PART 165—CERTIFICATES OF MAILING

Sec.
165.1 Purpose.
165.2 Fees.
165.3 Forms.
165.4 Additional certificates after mailing.
165.5 Payment and certification.

AUTHORITY: The provisions of this Part 165 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 165.1 Purpose.

Certificates of mailing furnish evidence of mailing only. A receipt is not obtained upon delivery of the mail to the addressee. The fee paid for certificates of mailing does not insure the article against loss or damage.

§ 165.2 Fees.

(a) *Individual pieces.*

	Cents
Original certificate of mailing for individually listed pieces of all classes of ordinary mail. Five cents for each piece of mail described.	
Each additional copy of original certificate of mailing or original mailing receipt for registered, insured, certified, and COD mail. Two cents for each piece of mail described.	

(b) *Bulk pieces.* Identical pieces of first- and third-class mail paid with ordinary stamps, precanceled stamps, or meter stamps are subject to the following fees:

	Cents
Up to 1,000 pieces (1 certificate for total number)	25
For each additional 1,000 pieces, or fraction	5
Duplicate copy	5

§ 165.3 Forms.

(a) *Who prepares.* (1) Certificates of mailing are prepared by the mailer, except mailers on rural routes or at nonpersonnel rural stations and branches. Individual and firm mailing book certificates must show the name and address of both the sender and the addressee,

and may show the amount of postage paid. Identifying invoice or order numbers also may be placed on the certificate.

(2) Customers of rural routes and nonpersonnel rural stations and branches may deliver mail to the rural carrier with the fee for the certificate. The carrier will obtain the certificate at the post office, attach the stamps, cancel them by postmark, and deliver the certificate to the sender on his next trip.

(b) *Individual certificates.* Form 3817, Certificate of Mailing, is used for an individual certificate for ordinary mail of any class. Forms specially printed at the mailer's expense may be used also.

(c) *Firm mailing books.* Firm mailing books Forms 3877 or 3877-A or forms printed at the mailer's expense may be used for certificates for three or more pieces of mail of any class presented at one time.

(d) *Bulk mailings.* Form 3606, Sender's Statement and Certificate of Bulk Mailing, is used to issue certificates that a specified number of pieces have been mailed. These certificates are furnished only for mailings of identical pieces of first- and third-class matter paid with ordinary stamps, precanceled stamps, or meter stamps. A certificate will not be issued for bulk mailings paid with permit imprints.

(e) *Quantity mailings.* When the number of articles ordinarily presented justifies such action, mailers must comply with the following:

(1) When individual certificates on Form 3817 are desired, the forms must either be fixed by the stub to the articles or the forms must be consecutively numbered and fastened together. If the certificates are numbered, the articles should also be lightly numbered at a uniform place to permit relating the parcels and certificates.

(2) When the articles are descriptively listed on firm mailing sheets or on special approved forms, they should, if practicable, be presented in the order in which they are entered on the sheets; otherwise, each entry must be consecutively numbered by the mailer, and the articles lightly numbered to show the sheet and line number on which they are described.

§ 165.4 Additional certificates after mailing.

To obtain an additional certificate after mailing, the sender must present the original certificate and an additional certificate endorsed "duplicate" or "copy" showing the original dates of mailing. The additional certificate will be postmarked to show the current date.

§ 165.5 Payment and certification.

Mailers must affix uncanceled stamps or meter stamps to cover the fee for certificates of mailing. The stamps will be canceled by the postmark of the mailing office. Signatures or initials of accepting employees are not required on Form 3817. The employees who check the mailings and postmark the stamps will initial the certificates issued on firm mailing bills or on special approved forms. If requested to do so by the sender, they will show on the certificates in ink the time the articles were mailed. Form 3606 for bulk mailings will be certified by the postmaster.

PART 166—SPECIAL DELIVERY

Sec.
166.1 Description.
166.2 Payment for special delivery.
166.3 When to deliver.
166.4 Delivery procedures.

AUTHORITY: The provisions of this Part 166 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 166.1 Description.

(a) *Points of delivery.* Special delivery mail is given immediate delivery at the office of address during prescribed hours to:

(1) Points within a radius of 1 mile of any post office, station, or branch (except contract and rural stations and branches).

(2) Points within the city delivery limits of any post office having this service. These conditions apply to customers of rural routes residing within the 1-mile limitation.

(3) Residences on rural routes if the road is passable and is located within one-half mile of rural route; otherwise, mail is left in the box. Delivery will be made by carrier on his regular trip.

(4) Customers of nonpersonnel rural stations and branches if their residence is within one-half mile of the unit and if there is a passable road leading to it. Otherwise, mail is left in customer's box at the unit.

(5) Points within one-half mile of a star route by the star route carrier who may make such delivery on his regular trip if the deviation from his regular route will not delay him in meeting schedule requirements.

(6) Boxes erected on the city delivery boundary line and if customer lives no more than 3 blocks beyond and there is a passable walk or street to the residence. If there is no passable walk or street, the article is left in the box if the box will accommodate it. Otherwise, a notice is left in the box.

(b) *Transporting and delivering.* Special delivery mail is given preferential handling to the extent practicable in dispatch and transportation. Payment of a special delivery fee does not insure safety of delivery or provide for the payment of indemnity. Money or other valuables sent special delivery should be registered also. Insured, certified, and COD mail may be sent special delivery.

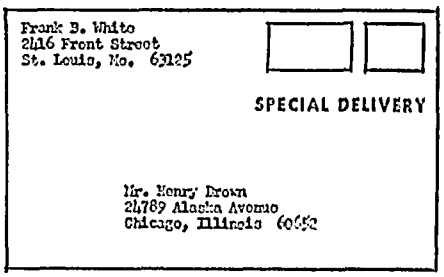
§ 166.2 Payment for special delivery.

(a) *Special delivery fees.*

Class of mail	Weight		
	Not more than 2 pounds	More than 2 pounds but not more than 10 pounds	More than 10 pounds
	Cents	*Cents*	*Cents*
First-class, airmail, and priority mail	45	60	75
All other classes	65	75	90

(b) *Prepayment of fee.* Prepay the special delivery fee by special delivery stamps, ordinary postage stamps, or meter stamps. The special delivery fee must be prepaid in addition to regular postage except on "Postage and Fees Paid" mail (official mail). Official matter in penalty or franked envelopes is not entitled to free special delivery, except urgent official communications of the postal service.

(c) *Marking.* Mailers should mark prominently the words "Special Delivery" preferably below the postage and above the name of the addressee as follows:



§ 166.3 When to deliver.

(a) *Hours of delivery*—(1) *At city delivery offices.* (i) Normal hours of delivery begin at 7 a.m. and end at 11 or 12 p.m., the ending time being contingent upon the last major mail receipt. However, depending on local conditions, first-trip delivery may begin as early as 6 a.m. or as late as 8 a.m. Delivery on the first trip should be completed within 4 hours of the messengers departure from the office.

(ii) Special delivery messengers should leave delivery unit ahead of regular letter carriers serving the same territory. Every effort should be made to deliver specials ahead of ordinary mail.

(iii) Deliver specials in business sections by regular letter carrier on first trip when delivery before 8:30 a.m. and ahead of special delivery messengers can be assured.

(2) *At noncity delivery offices.* Normal hours of special delivery are 7 a.m. until closing hour of the post office. Unless there is a demand for earlier delivery, postmasters may authorize messengers to depart as late as 8 a.m. on the first trip. Specials arriving after the office is closed, but not later than 9 p.m., will be delivered provided the postmaster or an employee is on duty.

(3) *Sundays and holidays.* Sunday and holiday deliveries should be scheduled as needed, but not to exceed a maximum of three delivery trips, one each in the morning, afternoon and evening.

(4) *Outside regular delivery hours.* If specials arrive outside regular delivery hours, notify customers by telephone, if practicable; also notify customer if requested. Attempt to telephone rural customer if specials arrive after the rural carrier has departed on his route.

(5) *Unusual conditions.* Postmasters and postal employees are expected to display interest and ingenuity to effect the prompt delivery of specials.

(b) *Frequency of delivery.* A maximum of four daily city-wide trips will be made.

If unusual conditions exist and postmasters feel additional trips are needed, obtain specific authority from the Regional Director. Fixed schedules will be established to connect major mail receipts to insure that the maximum available specials are delivered on each trip. Establish an additional midmorning trip in the central business sections, if needed. Schedule one of the city-wide trips in the mid or late afternoon to provide delivery of all available specials to firms prior to the normal closing hour. The last city-wide trip should connect with the last major mail receipt; however, messengers should not leave after 9 p.m.

§ 166.4 Delivery procedures.

(a) *To whom delivery may be made.* Ordinary special delivery mail is delivered to the addressee or to anyone authorized to receive his mail. At city delivery offices, special delivery mail, other than registered and insured, addressed to a post office box or to the general delivery, is delivered to the box or held for delivery through the general delivery window, unless the addressee has given written notice that such mail be delivered to his residence or place of business. When special delivery mail is received at a city delivery office addressed to a street address and the addressee usually receives his mail through a post office box or through the general delivery window, the mail is delivered as addressed, unless the addressee files a written notice directing delivery to his box or through the general delivery window. At offices not having city delivery service, all special delivery mail is delivered to the residence or place of business of the addressee, unless the addressee files a written request that such mail be deposited in his post office box or held for delivery through the general delivery window.

(b) *Delivery in mail receptacles.* When no one is at the address to receive mail, the messenger, if he can determine that the occupants are absent for not more than 1 day, will leave the mail and a notice on Form 3955, "Special Delivery Notice."

(c) *Notice of attempted delivery.* When mail cannot be delivered as described in paragraph (b) of this section, the Form 3955, left on the doorknob or handle, under the door, or in the receptacle, will state where the special delivery mail is being held.

(d) *Rural and star route carriers.* If delivery is attempted and cannot be made to a customer's residence or place of business, the special delivery matter is deposited in his box and a notice of nondelivery on Form 3955 is left at his residence or place of business.

(e) *Military posts and camps.* No special delivery service is provided by military personnel at military posts and camps. Special delivery by messenger is made only to addresses such as officers' homes, headquarters, hospitals, and other places where it is definitely known that delivery can be made.

(f) *Forwarded special delivery mail.* Special delivery mail that is forwarded is not entitled to special delivery at the second office, unless a forwarding order had been given by the addressee at the office of original address in advance of the arrival of the mail.

PART 167—SPECIAL HANDLING

Sec.
167.1 Description.
167.2 Fees.
167.3 Marking of parcels.
167.4 Forwarding.

AUTHORITY: The provisions of this Part 167 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 167.1 Description.

Special handling service is available for third- and fourth-class mail only, including that which is insured or sent COD. It provides preferential handling to the extent practicable in dispatch and transportation, but does not provide special delivery. Special handling parcels are delivered as parcel post is ordinarily delivered, on regular scheduled trips. The special handling fee (or special-delivery fee) must be paid on all parcels that must be given special attention in handling, transportation, and delivery, such as parcels containing baby chicks or other baby poultry, package bees carried outside mail bags, baby alligators, etc.

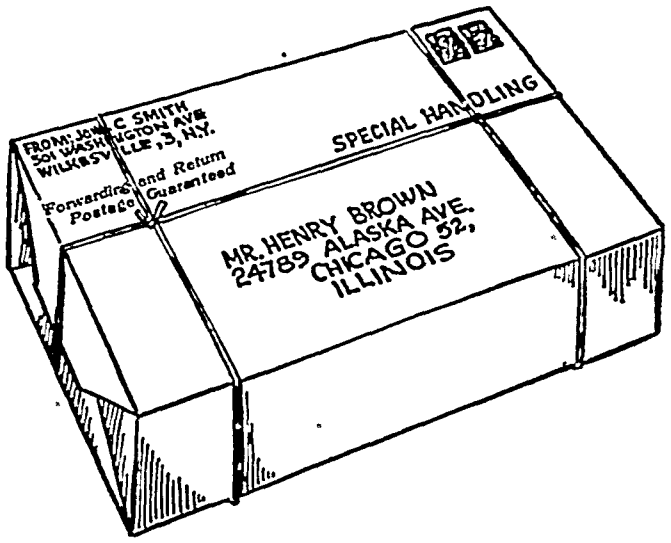
§ 167.2 Fees.

Weight	*Fee (cents)*
Not more than 2 pounds	25
More than 2 pounds but not more than 10 pounds	35
More than 10 pounds	50

The special handling fee is in addition to regular fourth-class postage and may be prepaid by ordinary postage stamps or by meter stamps.

§ 167.3 Marking of parcels.

Mailers should mark the words "Special Handling" above the name of the addressee and below the stamps as illustrated:



§ 167.4 Forwarding.

Parcels undeliverable as originally addressed and forwarded to the addressee at a new address are given special handling without requiring an additional special handling fee. Additional postage at the regular third- or fourth-class rate is collected on delivery.

PART 168—CERTIFIED MAIL

Sec.
168.1 Description.
168.2 Class of mail to which applicable.
168.3 Fees.
168.4 Mailing.
168.5 Delivery.

AUTHORITY: The provisions of this Part 168 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 168.1 Description.

Certified mail service provides a receipt to the sender and a record of delivery at the office of address. No record is kept at the office at which mailed. It will be dispatched and handled in transit as ordinary mail. No insurance coverage is provided. The mail will be endorsed in the following manner:

§ 168.2 Class of mail to which applicable.

Any mailable matter of no intrinsic value on which postage at the first-class rate has been paid will be accepted as certified mail. This does not exclude articles of a nonnegotiable character and other similar matter which would involve a cost of duplication if lost or destroyed. The mail may be sent by air on payment of the required postage. Special delivery services are available on payment of the prescribed fees. Penalty and franked mail may be accepted as certified mail if the fee is prepaid. Official matter of the postal service may be sent as certified mail without payment of the fee. Business reply mail must be fully prepaid with postage and fees.

§ 168.3 Fees.

	Cents
(a) Fee in addition to postage	30
(b) Restricted delivery	50
(c) *Return receipts:*	
Requested at time of mailing:	
Showing to whom and date delivered	15
Showing to whom, date, and address where delivered	35
Requested after mailing:	
Showing to whom and date delivered	25

§ 168.4 Mailing.

(a) *Payment of fees and postage.* The fee and postage may be paid by ordinary postage stamps, meter stamps, or by permit imprints.

(b) *Points to which mailable.* Certified mail may be addressed for delivery only—

(1) In the United States, its territories and possessions.

(2) In the Canal Zone.

(3) Through Army, Air Force (APO) and Navy (FPO) post offices.

(4) Through the United Nations, N.Y. post office.

(c) *Where to mail.* Customers may mail certified mail at the post office, branch, or station or give it to a rural carrier. It may also be deposited in mail drops in post offices, street letterboxes, nonpersonnel rural stations and branches, or any other receptacles for first-class mail, provided the specific directions in paragraph (d) of this section are followed.

(d) *How to mail.* Obtain blank certified mail coupons, Forms 3800, Receipt for Certified Mail (no charge), at the post office or from rural mail carriers. Also obtain blank return receipt forms if needed. Observe the following procedure:

(1) Enter on the receipt portion of the certified mail coupon the name and complete address of the person or firm to whom the mail is addressed.

(2) If return receipt is wanted, check block on the mailing receipt to show the fee and endorse the article on the address side near the certified mail endorsement "Return Receipt Requested" or "Return Receipt Requested Showing Address Where Delivered." The mailer must enter the certified mail number on the return receipt card, address it to himself, and attach it to the back of small envelopes and on front of packages and large envelopes if it will not cover the address. The name of the person to whom the return receipt is to be furnished must be the same as that of the sender as shown on the certified article. If the mailer desires that the return receipt show the address where the article was delivered, he must check the block at the top of the form.

(3) Attach to the envelope sufficient postage stamps to pay for the certified mail fee, first-class postage, return receipt fee, or special delivery fee.

(4) If a postmarked sender's receipt is desired, the sender must attach the certified mail sticker to the address side of the article and present the article and the completed coupon to the postal employee. If requested to do so, the postal employee will show on the receipt the time the article was accepted for mailing. If given to a rural carrier, he will return the postmarked receipt to the customer.

(5) If a postmarked receipt is not desired, the sender must attach the "Certified Mail" sticker to the address side of the article, detach his receipt, and mail the article. He must mark his receipt to show the date.

(6) If the sender desires to restrict delivery of certified mail to the addressee or someone named by him in writing, he must endorse the mail "Deliver to Addressee Only" or "Deliver to Addressee or Order." This service is available only for articles addressed to specific individuals by name.

(e) *Firm mailing books.* If three or more letters are mailed at one time, the sender may use mailing books, Form 3877a, which are furnished by the Postal Service without charge, or specially printed mailing bills. A series of numbers will be furnished the sender. The sheets of the book become the sender's receipts. If the sender wants the firm mailing bills receipted by the Postal Service, he must present the books with the articles to be mailed. He must also obtain at his expense a stamp for endorsing the certified letters, or he may have his envelope overprinted with the endorsement. The endorsement must be a facsimile or proportionate enlargement of the official endorsement shown in § 168.1. Following are instructions for use of firm mailing bills:

(1) Insert the word "Certified" in the space provided at the top of the bill.

(2) The mailer must endorse and number the letters. If return receipt or special delivery services are requested, mark the letters "Return Receipt Requested," "Return Receipt Requested Showing Address Where Delivered," or "Special Delivery." Prepare and attach return receipt to the back of the envelopes with the receipt side showing.

(3) Show on the bill the number of each article and the name and address of addressee.

(4) Enter only the amount of fees paid for return receipts.

(5) Affix necessary postage to the articles.

(6) The accepting employee will count the items, postmark and receipt the bill for the total number, indicate time of mailing, if requested, and return the bill to the sender.

(7) A postmarked receipt marked "Bulk Receipt" will be issued if the quantity mailings do not check out; if they are not listed and arranged to permit issuance of a verified receipt; or if the sender desires only a bulk receipt.

§ 168.5 Delivery.

(a) *Procedure.* Mail for delivery by carriers is taken out on the first trip after it is received, unless the addressee has requested the postmaster to hold his mail at the post office. Certified mail not restricted in delivery will be delivered to the addressee or his authorized representative. Certified mail marked "Deliver to Addressee Only" will be delivered only to the person addressed. If marked "Deliver to Addresse or Order," delivery will be made to the addressee or to a person designated in writing by the addressee to receive the mail. Delivery rules are the same as for registered mail. See § 161.4.

(b) *Rural delivery.* For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 156.

(c) *Star route delivery.* Star route carriers will deliver certified mail if required by the contract, but delivery will be made only at the customer's box or along the route.

(d) *Delivery records.* The delivery records will be held for 2 years. At the end of that period the records will be destroyed.

(e) *Notice of arrival.* The carrier will leave a notice of arrival on Form 3849 if he cannot deliver the certified article for any reason. The article will be brought back to the post office and held for the addressee. If the article is not called for or its redelivery requested, it will be returned at the expiration of the period stated by the sender, or after 15 days if no period is stated.

(f) *Delivery at post office.* Hold certified mail at a place convenient for the public to call if addressed for box or general delivery or for firm callers, or if a Form 3849 had been left for addressee to call. Place Form 3849, "Mail Arrival Notice," in post office box for lockbox patrons. Form 3883 will be used where firm or other customers receive an average of three or more certified letters at one delivery.

PART 169—POST OFFICE BOXES

Sec.
169.1 Use.
169.2 Rental rates.
169.3 Keys.
169.4 Internal controls.
169.5 Delivery.
169.6 Forwarding box mail.

AUTHORITY: The provisions of this Part 169 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 169.1 Use.

(a) *Purpose of boxes.* Post office boxes and drawers are for the convenience of the public. The service affords customers privacy and permits them to obtain mail at their convenience during the hours the lobby is kept open.

(b) *How to rent a box*—(1) *Applications.* The customer must submit Form 1093, "Application For Post Office Box," to the postmaster at the post office where the box is located. This form may be obtained from local postmasters. The application will be approved or denied by the postmaster. Furnishing false information on the application is sufficient reason for denial. When the application is approved, a box will be assigned.

(2) *Known applicant.* A box will be assigned immediately to a known qualified applicant upon submission of an application and payment of rent.

(3) *Unknown applicant.* Applications from unknown applicants must be treated as follows:

(i) The applicant must present his driver's license, military identification card, or other identification document.

(ii) Postmasters will verify that the applicant resides or conducts business at the addresses shown, and that the applicant is served by the telephone number shown.

(c) *Conditions of use*—(1) *Individuals.* An individual renting a box may have placed in it:

(i) Mail addressed to himself.

(ii) Mail directed to a temporary visitor.

(iii) Mail addressed to his care or to the number of his box by persons who wish him to take care of it for them not more than 30 days.

(iv) Mail addressed to members of his family.

(v) Mail addressed to employees who live in his house.

(vi) Mail addressed to a relative or other person who lives permanently in his house as do the other members of his family. Boarders or roomers are not considered members of the family.

(2) *Firms or corporations.* A firm renting a box may have placed in it:

(i) Mail addressed to its name.

(ii) Mail addressed to any of its officials and office employees.

(iii) Mail addressed to any member of a firm, or members of his family, by the consent of all members of the firm.

(3) *Students and teachers.* Mail addressed to students and teachers at an educational institution may be deposited in the box rented by the school, if consistent with the rules of the school.

(4) *Public institutions.* Mail addressed to inmates of a public institution may be deposited in the box rented by it, if consistent with its rules.

(5) *Associations.* An association or society may rent a box, but it may not be used for individual members, other than officers addressed by their official titles.

(6) *Hotel or boarding house.* Mail addressed to guests or transient boarders at a hotel or boarding house will be placed in the box assigned to it or its proprietor.

(7) *Mail addressed to box number.* Mail addressed only to a box number may be delivered to the box holder as long as no improper or unlawful business is conducted in this manner.

(d) *Restrictions on use*—(1) *Improper purposes.* A box will not be rented to anyone who the postmaster has good reason to believe will use it for the purpose of deception, for immoral or improper purposes, or for the conduct of a fraudulent or lottery business.

(2) *Misuse.* A box will not be rerented to anyone who does not take proper care of it or who disregards the rules concerning its use.

(3) *Improper matter in box.* Only matter which has passed through the mail, or official postal notices, may be placed in a post office box.

(4) *Closing of box.* When a postmaster has reason to believe that a box is being used for a deceptive, or unlawful scheme, or for an immoral or improper purpose, or for purposes of a lottery, or that the safety of the mail is endangered by its continued use, or that its use is for other than the receipt of mail or official postal notices, he will report the facts to the Assistant General Counsel, Mailability Division. If the General Counsel finds that the box is being used for any of said purposes, he shall have the right to order the box closed.

(5) *For forwarding.* Boxes may not be rented when the sole purpose is to have mail forwarded or transferred to a permanent address, unless an agent of the addressee plans to remove the matter regularly.

(6) *Minors.* Boxes may not be rented to minors if parents or guardians object.

(7) *Insane persons.* Boxes may not be rented to persons declared by a court to be of unsound mind.

§ 169.2 Rental rates.

(a) *Main post offices*—(1) *Office groups.* The following nine groups are for use in determining the correct rate category for call and lockboxes at main post offices:

(i) *Group A.* Post offices offering city delivery service and with the position of the postmaster ranked in salary levels 17, 18, 19, or 20.

(ii) *Group B.* Post offices offering city delivery service and with the position of the postmaster ranked in salary levels 15 or 16.

(iii) *Group C.* Post offices offering city delivery service and with the position of the postmaster ranked in salary levels 13 or 14.

(iv) *Group D.* Post offices offering city delivery service and with the position of the postmaster ranked in salary levels 11 or 12.

(v) *Group E.* Post offices offering city delivery service and with the position of the postmaster ranked in salary levels 8, 9, or 10.

(vi) *Group F.* Post offices not offering city delivery service and with the position of the postmaster ranked in salary levels 9, 10, or above.

(vii) *Group G.* Post offices not offering city delivery service and with the position of the postmaster ranked in salary level 8.

(viii) *Group H.* Post offices not offering city delivery service and with the position of the postmaster ranked in salary levels 6 or 7.

(ix) *Group I.* All fourth-class post offices.

(2) *Schedule.* The quarterly box rent schedule for main post offices is as follows:

Post office groups	Rate per quarter						
	Call boxes		Lockboxes and drawers				
	Size No.		Size No.				
	1	2	1	2	3	4	5
	Cubic-inch capacity		Cubic-inch capacity				
	To 225	225 to 700	To 225	225 to	700 to	1,000 to	2,000 and over
Offices with city carrier service:							
Group A	$2.25	$3.00	$4.50	$6.00	$3.00	$10.00	$12.00
Group B	1.50	2.25	3.00	4.50	6.00	7.50	9.00
Group C	1.10	1.50	2.25	3.00	4.50	6.00	7.50
Group D	.80	1.10	1.70	2.25	3.00	4.50	6.00
Group E	.65	.80	1.20	1.50	2.25	3.00	4.50
Offices without city carrier service:							
Group F	.50	.65	.90	1.10	1.50	2.25	3.00
Group G	.35	.50	.70	.90	1.10	1.50	2.25
Group H	.20	.30	.50	.65	.90	1.10	1.50
Group I	.15	.20	.35	.50	.65	.90	1.10

(b) *Stations, branches, annexes and airport mail facilities*—(1) *Stations, branches, annexes, and airport mail facilities of first-class offices.* (i) With the exception of rural stations and branches or stations and branches primarily servicing academic institutions, box rent rates at stations, branches, annexes and airport mail facilities affiliated with first-class post offices, regardless of gross annual postal receipts, shall be based on the following:

(*a*) At classified stations, branches, and airport mail facilities, with or without city carrier service and with the position of the superintendent ranked in salary levels 10 or above, the rates are those prescribed in the box rent schedule for the first group below that of the main office.

(*b*) At classified stations, branches, and airport mail facilities, with or without city carrier service and with the position of the superintendent ranked in salary levels 9 or below, the rates are those prescribed in the box rent schedule for the second group below that of the main office.

(c) At designated classified stations and branches located very near the main office and at annexes, the rates will be the same as those charged at the main office.

(*d*) All contract stations will charge those rates prescribed in the box rent schedule for the second group below that of the main office.

(ii) All personnel rural stations and branches will charge the fees prescribed in the box rent schedule for group I post offices.

(iii) At nonpersonnel rural stations and branches, the box rent fee is 60 cents per fiscal year. If rented after the beginning of the fiscal year, the rate is 5 cents for each month, or portion of a month, remaining in the fiscal year.

(iv) Stations and branches with box equipment owned or supplied by an academic institution shall establish box

rental charges in accordance with § 169.2(b)(3). Stations and branches primarily servicing academic institutions with lockbox equipment "Not Owned or Supplied" by an academic institution shall charge regular applicable box rental rates.

(2) *Stations and branches of second- and third-class offices.* (i) With the exception of rural stations and branches or certain stations and branches primarily servicing academic institutions, stations and branches of second- and third-class post offices will charge the same rental fees as those charged at the main office.

(ii) Rural stations and branches will charge the fees prescribed in § 169.2(b)(i) (ii) or (iii).

(iii) Stations and branches with box equipment owned or supplied by an academic institution will establish box rental charges in accordance with § 169.2(b)(3). Stations and branches primarily servicing academic institutions with lockbox equipment "Not Owned or Supplied" by the academic institution will charge regular applicable box rental rates.

(3) *Stations and branches servicing academic institutions.* The following applies only to stations and branches primarily servicing academic institutions when the box equipment is owned or supplied by the academic institution:

(i) When box equipment is separated from designated post office quarters and the mail is placed in the boxes by personnel employed by the school, box rental fees, if any, are controlled by the academic institution, and any revenues therefrom are not considered postal funds.

(ii) When box equipment is not separated from designated post office quarters or the mail is not placed in the boxes by personnel employed by the academic institution, call and lockbox charges are based on the following schedule and all revenues therefrom are considered as postal funds. Fees may be paid on an annual basis or on either a semester or quarterly basis to coincide with the system used by the school. Box rental fees applicable during the summer session of schools operating on a semester basis will be one-half the regular semester rates.

	Call boxes		Lockboxes				
	No. 1	No. 2	No. 1	No. 2	No. 3	No. 4	No. 5
Per semester	$0.30	$0.40	$0.50	$0.60	$0.90	$1.50	$2.40
Per quarter	.20	.30	.35	.40	.60	1.00	1.60

(c) *When new rates are effective*—(1) *Adjustments.* Box Rental rate adjustments shall be made on July 1, the beginning of each fiscal year, when either of the following actions occur:

Type of action	Date of action	Change box rental rates effective
(i) Establishment or discontinuance of city delivery service.	If change occurred on or after July 1, and on or before June 30, of the present fiscal year.	July 1, the beginning of the new fiscal year.
(ii) Change in salary level of postmaster or of station, branch, annex, or airport mail facility superintendent.	If change occurs and notice is received on or before June 1.	July 1, beginning of the new fiscal year.
	If received after June 1.	July 1, the following year (one year later).
	NOTE: This is based on adjusted gross receipts.	

(2) *New units.* Box rental rates at all new units placed in operation after July 1 will be based on those factors in effect on the opening date of the installation, except that when a post office is discontinued and is reestablished as a classified station or branch of another post office, the rental rates that were in effect at the discontinued post office at the beginning of the fiscal year will continue in effect during the remainder of the fiscal year at the newly established unit.

(d) *When boxes of adequate size are not available.* When a box large enough to accommodate the daily average mail of a customer is not available, a smaller available box may be assigned. In such cases, if the volume warrants, a bag or other container may be used in lieu of placing the mail in the box. The fee for this service will be equivalent to the rental that would be collected for the size box necessary to accommodate the average daily mail volume. If the average daily mail volume exceeds the capacity of the largest box in the installation, the rental fee for the largest box will be collected. When there are no boxes of any size available, qualifying customers (firms regularly receiving 50 or more letters on the first delivery trip) may be provided firm holdout service or firm call service, until a box can be assigned.

(e) *Payment of box rent.* Box rent must be paid in advance. Form 1538, Box Rent Receipt, is given for each payment. A box, except those at nonpersonnel rural stations (see § 161.2(d)(5)), may be rented for the following periods: Quarterly; for the balance of the current quarter; for any number of consecutive quarters within the fiscal year; annually (July 1–June 30); or for the remaining portion of the fiscal year. Boxholders of record may during the last quarter of the fiscal year pay rent for the next consecutive quarter or quarters in the ensuing fiscal year. The rent may be paid at the option of the boxholder, as follows:

(1) *Quarterly.* Quarters begin July 1, October 1, January 1, and April 1. Rent may be paid anytime on or before June 30, September 30, December 31, and March 31, respectively, for any number of consecutive quarters within the fiscal year.

(2) *For balance of current quarter.* (i) First month of quarter: Entire quarterly rate.

(ii) Second month of quarter: Two-thirds of quarterly rate. To determine the amount to be paid, multiply quarterly rate by two, and divide by three. Drop fractions of a cent.

(iii) Third month of quarter: If rented before 21st day, one-third quarterly rate. On or after the 21st day, no rent will be charged for the remaining days in the quarter, but full payment must be made for the following quarter.

(3) *Annually.* Rent may be paid annually any time on or before June 30. The fiscal year for box rents begins July 1 and ends June 30.

(4) *For balance of fiscal year.* After June 30, box rent may be paid for the remaining portion of the fiscal year. Rent must be paid for the fractional quarter, if any, computed in accordance with §151.2(e)(2), and for the remaining full quarters.

(5) *At Nonpersonnel rural stations and branches.* Boxes at nonpersonnel rural stations and branches may be rented only on a fiscal year basis, or for the remaining portion of the fiscal year. For each payment collected, the rural carrier will issue Form 1096, Cash Receipt, pending issuance of Form 1538.

(6) *Notice of rent due.* A Notice 32 will be placed in boxes 10 days before rent is due. If a boxholder is temporarily out of town, and has filed a forwarding order, the notice will be sent to him. Notices to Government agencies paying rent on an annual basis will be postmarked before released, and will show the box number and amount due for 1 year.

(7) *Past due rent.* A box will be closed and offered for rent to another person, if rent is not paid by the due date. Mail, unless deliverable by carrier, will be held at the facility where the box is located for the required retention periods, or on request of the boxholder, sent to general delivery at the main office. In either case, mail not called for within 10 days shall be suitably endorsed and returned to sender. Payment of box rent by Government agencies may be made during the first quarter of the fiscal year.

(8) *Surrendered.* When a customer surrenders a box before the end of the period for which rented, the box may be rented to another person.

(f) *Refund of box rent.* When a box is surrendered, no portion of the rent will be refunded to a customer who has paid on a single quarterly basis. A customer renting a box for more than one quarter who surrenders the box before the end of the full period for which rent has been paid may apply for a refund of that portion of the box rent that is applicable to all remaining full quarters within the fiscal year. No refund will be made for the remaining portion of the quarter in which the box is surrendered. Application for refund should be made on Form 3533, Application and Voucher for Refund of Postage and Fees.

§ 169.3 Keys.

(a) *Regular.* A customer renting a key-type lockbox must be supplied with one or two keys, according to his needs. Renters of lockboxes are not permitted to obtain or use any keys except those issued through the post office.

(b) *Additional.* Keys in excess of two may be obtained from the post office on completion of Form 1094, Application for Additional Keys to Post Office Box, and payment of a 50-cent fee for each key. Under no circumstances may the boxholder or his agent obtain additional keys for the box assigned to his use from any other source or supplier.

(c) *Duplicate.* Duplicates of lost keys may be secured by payment of a 50-cent fee for each key.

(d) *Fees not refundable.* Fees for duplicate and additional keys are not refundable.

(e) *Replacement.* Worn or broken keys shall be replaced without charge if the damaged keys are surrendered.

(f) *Return.* All keys must be returned when the box is surrendered. If the customer has lost a regular key, he must pay a fee of 50 cents for each missing key.

§ 169.4 Internal controls.

(a) *Record of boxholders.* Keep a record of boxholders on Form 1091, Box Rent Register for Keylocking and Keyless Equipment. File Form 1091 in numerical sequence according to box number in three sections as follows:

(1) Cards for vacant boxes.

(2) Cards covering boxes rented for one quarter. When boxes are rented for more than one quarter but less than the full or remainder of the fiscal year, separate cards for these boxes and file in rear of second section.

(3) Cards covering boxes rented for the full or remainder of the fiscal year.

(b) *Broken locks.* Do not rent boxes having broken locks. When the lock on a rented box is broken, assign a new one to the customer.

(c) *Surrendered boxes*—(1) *Keyless boxes.* When a keyless box is surrendered, change the combination before reassignment.

(2) *With keys.* When a customer surrenders his box and fails to return all keys, send Form 1099, Notice To Return Keys. If all the keys are not returned, the lock must be changed.

(d) *Keys and fees*—(1) *Keys.* At least three keys must be provided for each keylocking box. One or two keys will be supplied the boxholder. Keep at least one key on hand at all times for issuance upon submission by boxholder of Form 1094, Application for Additional Keys to Post Office Box. Upon issuance of spare key on hand, requisition replacement immediately. Do not keep a record of keys furnished a boxholder. Withdraw keys in excess of reserve requirements, tag to indicate the key (or lock) number, file numerically, and store in safe place.

(2) *Fees.* Account for all fees collected for additional and duplicate keys as provided in Handbook F–1. Do not keep any other record.

§ 169.5 Delivery.

(a) *Placing in boxes.* Place mail addressed to post office boxes in proper boxes immediately after distribution.

(b) *Withdrawal from boxes.* Mail may be delivered to authorized persons who have forgotten their key or cannot open their box. However, mail should not be handed out to persons properly supplied with keys who can open their boxes but who make a practice of requesting that their mail be given to them. Do not remove mail from boxes of address for delivery by carrier.

§ 169.6 Forwarding box mail.

(a) *Order books and index.* When the number of Forms 3575, Change of Address Order, average five or more per month, maintain a change of address order book (supply item O–391–M) in the box section. Use a separate address change sheet, Form 1564, for each letter of the alphabet separated by Item O–89 (b), Index. As Forms 3575 are received, post pertinent information chronologically on appropriate sheet. Make appropriate entries on Forms 1564 whenever a former boxholder fails to furnish a forwarding order at the time he surrenders a lock box or when it is closed for nonpayment of rent. Maintain only one set of Forms 1564 at the main office and at each station or branch. After entry to Forms 1564, file Forms 3575 chronologically by months or alphabetically, in a manner that will permit withdrawal at the end of the month after requests are 2 years old. Do Not Maintain a Separate File of Forms 3575 Covering Temporary Changes of Address.

(b) *Flag boxes.* (1) Use a distinctive colored box label to flag all lock boxes for which there are entries on Forms 1564. Colored labels identify all lock boxes to which mail may be addressed for other than current boxholders.

(2) If desired, the dates on which colored labels should be replaced with conventional white labels may be shown on the colored labels. Except for These Dates Only Information Relating to the Name of the Current Boxholder Shall Be Shown on Colored Labels. No data pertaining to the forwarding address of the former boxholder shall be placed on labels either before or after further rental of the box.

(3) Case all mail addressed to boxes having a colored label, other than that addressed to or in care of the current boxholder, to a single separation for determination of forwarding address from Forms 1564. If no forwarding address is on record, distribute the mail to the boxes as addressed unless the boxholder of record advises mail for the addressee shall not be placed in his box. Mail rejected by the boxholder shall be forwarded, returned to sender, or disposed of as waste.

(4) Replace Colored Box Labels With White Labels Immediately Following Termination of a Forward or Change of Address Order or as Soon as It Is Apparent Than a Need for a Colored Label No Longer Exists.

(5) If the number of requests on Form 3575 average less than five per month follow the same procedures except that Forms 3575 may be filed in alphabetical order and used for reference purposes in lieu of a register.

NONMAIL SERVICES

PART 171—MONEY ORDERS

Sec.
171.1 Issuance of domestic money orders.
171.2 International money orders.
171.3 Cashing money orders.
171.4 Inquiries.
171.5 Requests for photostats of paid money orders.
171.6 Wrong payment.
171.7 Nonpostal money orders.
171.8 Issuance of COD money orders.

AUTHORITY: The provisions of this Part 171 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 171.1 Issuance of domestic money orders.

(a) *Where sold.* Domestic money orders may be purchased at all post offices, branches, and stations in the United States and its possessions, except for certain offices in Alaska. Money order facilities are also provided for members of the Armed Forces of the United States.

(b) *Amounts, fees, payments*—(1) *Money order amounts.* The maximum amount for a single money order is $100. There is no limitation on the number of orders that may be purchased at one time, except when the Department may impose temporary restrictions.

(2) *Money order fees.* (i) No fee is charged for a postal money order issued to military personnel and/or their dependents by a U.S. Armed Forces Postal Clerk at a Military Post Office (APO or NPO) located in Vietnam, or on board a ship in contiguous waters, as defined by regulations of the Department of Defense, Postal Money Orders issued to others shall be charged at the fees indicated below.

(ii) The fee for a postal money order issued to military personnel and/or their dependents by an Armed Forces Postal Clerk on board any other ship or at any other Military Post Office (APO or NPO) located outside the 50 States, Puerto Rico, and Guam is 15 cents, regardless of the amount of the money order. Postal Money Orders issued to others shall be charged at the fees indicated below.

(iii) Fees for domestic money orders issued at other post offices including those with branches or stations on military installations and international money orders issued at any post office are as follows:

Amount of money order	Amount of fee	
	Domestic	International
$0.01 to $10	$0.25	$0.45
$10.01 to $50	.33	.65
$50.01 to $100	.49	.75

(3) *Paying for money orders.* Money orders must be paid for in U.S. money. Coins are legal tender in any amounts.

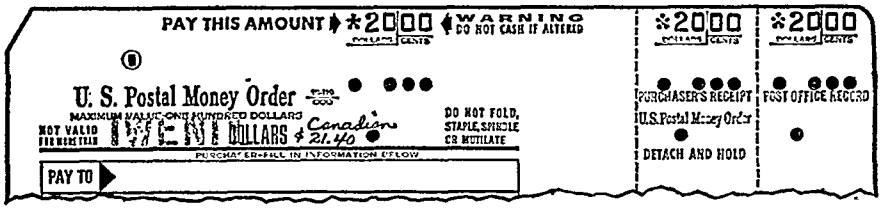
(c) *Putting amount, dating stamp, and initials on money order*—(1) *Amount.* The employee who issues the money order shall enter the amount, as follows:

(i) *Machine issuance (see illustrations).*

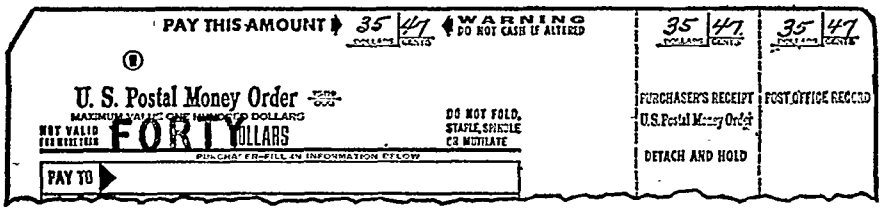
(a) Print-punch the amount requested by the purchaser in the order and both stubs in the manner described in the "Operators Manual," copy of which was packed with each machine.

(b) Enter control stamp for the same or next higher amount after the words "Not Valid For More Than."

(c) The illustration also shows the proper manner of issuing order for payment in Canada. (The rate of exchange used in the illustration is hypothetical.)



(ii) *Manual Issuance.* (a) If the print-punch machine is inoperable, a money order should be issued in the manner illustrated below.



(b) If a money order is hand issued for less than $1, for example 52 cents, write = in the dollars blocks and 52 in the cents blocks and then stamp with the lowest dollar control stamp.

(c) Manual issuance of money orders must be kept to the minimum. Inoperable machines must be replaced as quickly as possible as provided in the "Operators Manual."

(2) *Dating stamp and initials.* Put the all-purpose dating stamp and employee's initial, in ink, in the spaces provided on the form.

(d) *Completion of money order by purchaser.* After receiving cash for the order and fee, the postal clerk shall remove the post office record stub, partially detach purchaser's receipt stub, give the order and receipt to purchaser, and remind him of necessity to complete information on the order. The purchaser must fill in the following information on the money order:

(1) *Name of payee and name and address of purchaser.* The purchaser must fill in his name and address and the name of the person to whom it is to be paid. He must do this promptly to protect his rights in the event the order is lost. The Postal Service is not responsible for money orders lost before completion by the purchaser. Money orders may be payable:

(i) To purchaser, if desired.

(ii) To only one firm or person, by complete name. Don't put the name "Smith" for an individual. But "Smiths" may be used if it is the name of a company or firm.

(iii) To payee (the person to whom payable) by his official title. For example: Cashier, First National Bank; Superintendent of Insurance, New York State; Director of Internal Revenue, Baltimore.

(iv) To a person who has adopted a name in a religious order, such as Sister Theresa or Brother Joseph.

(2) *Identifying data.* The purchaser should add his insurance policy number or other identification data to insure proper credit. Designate government agencies directly, as: Director of Internal Revenue; Superintendent of Documents; Veterans Administration.

(e) *Issuance to rural customers*—(1) *Application form.* A rural customer must obtain from the carrier and complete Form 6001, Application for Domestic Money Order. When the carrier receives the completed Form 6001 and money, he will give the customer a numbered receipt. If the carrier cannot give the correct change, he will meet and give it to the customer on his next trip. Money must never be deposited in a rural box. When a carrier does find money in a box with completed Form 6001, he will take it to his post office for issue of the money order. The carrier will deliver the money order, with purchaser's receipt attached, to the customer on his next regular trip.

(2) *Requesting the mailing of order to payee.* If the purchaser wants the money order mailed to the payee, he should furnish the carrier with a stamped addressed envelope large enough to accommodate the money order without folding. The carrier will take the application form, money and envelope to the post office where a postal employee will complete the money order and mail it to the payee. No extra charge is made for this service.

(3) *Form 6387 for rural carriers.* Postmasters will furnish rural carriers Form 6387, Receipt of Rural Carrier to Purchaser and Certificate of Postmaster for Issue of Money Order, for the purpose of transacting money order business. Conduct these transactions in accordance with instructions on the back of the book cover of Form 6387.

(4) *Nonpersonnel rural stations and branches.* The procedures outlined in subparagraphs (1), (2), and (3) of this paragraph will be followed in providing money order service to customers of nonpersonnel rural stations and branches. Customers should meet the carrier at the station or branch. A supply of applications is maintained at the station or branch.

(5) *Issuance to star route customers.* If required to do so by the contract, star route carriers will accept money and applications for money orders and give receipts on Form 6387, Receipt of Rural Carrier to Purchaser and Certificate of Postmaster for Issue of Money Order, for the money. Except when an intermediate office is involved, the application and money shall be turned in for issuance of the money order at the post office at which the carrier begins and ends his trips. Wherever possible, without delay to the issuance of the money order or to the proper dispatch of mail, the carrier will submit the money order application and money to the intermediate office for issuance. When the money order will not be issued before the carrier leaves the post office, he shall be given a receipt on Form 1096, Cash Receipt, for the funds turned in. In all other respects, money order procedures for star route carriers are the same as provided in § 171.1(e).

(f) *Spoiled or lost money orders*—(1) *Spoiled when being issued*—(i) *Issuance of new order.* The purchaser must make sure that the money order received agrees with the amount requested. When a money order is returned for correction after it has been issued and made a matter of record, a new one will be issued:

(a) *If the post office was at fault,* no fee will be charged the purchaser for the new money order. When, due to post office error, a money order is returned by the purchaser after the date of purchase, deposit the amount of the erroneous order, as shown in the accountability, and collect the fee for the replacement order from the employee who made the error.

(b) *If the purchaser spoils an order* in completing it and returns it to the post office on the day of issue, no charge will be made for a new one; after the day of issue, he must pay a new fee for the replacement order. The purchaser's receipt for all spoiled orders must be recovered.

(c) *When a COD money order,* issued in one accounting period for the correct amount but showing the wrong payee, is returned in a subsequent accounting period, the issuing office will send a completed Form 6401, Inquiry as to Payment of Money Order, with the incorrect money order and a letter of explanation, to the Money Order Division, General Accounting Office Building, Washington, DC 20260. A duplicate money order will be issued, without charge, to the proper payee.

(ii) *Disposition of spoiled order.* Postal employees shall treat money order forms that are defective by misprint or mutilation or spoiled when being issued as follows:

(a) Stamp or write boldly "Not Issued" across the amount block on the order. Detach and destroy purchaser's receipt. First- and second-class offices must sub-

mit these money orders with Form 6125–A, Money Order Group Report; or Form 6126, Statement of Accountability Money Order Business. Third--and fourth-class offices must enter "Not Issued" opposite the serial number on Form 1846, Quarterly List of Money Orders Issued, or Form 1846–A, Report of Money Orders Issued, and submit the spoiled orders with the form. Spoiled—not issued—money orders are processed through accounting machines and should not be pinned, stapled or have other matter attached thereto.

(b) Stamp or write "Not Issued" across the amount block of the post office record (money order stub).

(2) *Orders lost, mutilated, or void by endorsements*—(i) *Application for Duplicate Order.* (a) The Postal Service will replace without charge a money order (a) that is lost "provided it was completed" by the purchaser to show his name and address and name of intended payee, (b) a mutilated order or (c) one void by too many endorsements. The owner—purchaser, payee, or endorsee—should make application for a duplicate, using Form 6401. If a money order lost before completion by the purchaser is cashed, the circumstances must be reported to the postal inspector in charge by letter.

(b) Customers must wait 60 days after date of issue of original money order before filing Form 6401. Form 1510, Inquiry for the Loss or Rifling of Mail Matter, should be initiated and processed immediately if loss is believed to have occurred in the mail.

(c) Application for a duplicate of a mutilated order or an order void by too many endorsements, on Form 6401, may be filed at any time if the order is attached.

(d) If the purchaser's receipt is presented, the post office shall endorse it "Form 6401 (date)" and return it to the applicant. The postmaster shall not keep any record of the filing of the form. Reply will be made directly to the inquirer.

(iii) *Issuance of duplicate order.* (a) Issue a duplicate money order in accordance with the wishes of the purchaser applicant without the consent of the payee or endorsee, provided the records indicate that payment has not been made. However, the purchaser has no claim on COD orders.

(b) Send a mutilated or void order to the Money Order Division with a properly completed Form 6401.

(c) If the amount of the money order is not of record, Money Order Division will forward the duplicate, as well as Forms 6401 and 787, Form 6401 and Replacement Money Order, to the post office of issue of the original order. Form 787 describes the verification required; also the disposition to be made of the replacement order and Form 6401. The employee performing the verification will initial the duplicate, if both the serial number and the amount agree with the post office record (stub). Forward the duplicate money order to the payee.

(d) If the amount of the money order is of record, the Money Order Division will forward the duplicate to the payee named on Form 6401. Form 6401 will be returned to the applicant.

(iv) *Orders recovered after duplicate issued.* When a duplicate order has been issued, write "Canceled-Duplicate Issued" on the original order and send it to the Money Order Division. If the postal employee does not know whether a duplicate was actually issued, send the recovered order with Form 6401.

(v) *Payment of duplicate orders.* A duplicate money order is payable only to the payee named thereon or to his endorsee.

§ 171.2 International money orders.

(a) *Issuance*—(1) *Where sold.* International money orders may be purchased at almost all first-class post offices. Some second-, third-, and fourth-class post offices have been designated to provide this service. Post offices not designated but having sufficient need for the service will make application to the director, regional finance division. International money orders will be issued to addressees in those countries that have agreed with the United States to conduct such business.

(2) *Application.* (i) For most countries and localities, the international money order form is used. Application must be made on Form 6701, Application for International Money Order. For Mexico an optional application Form 6701–A, Application for a Money Order Payable in Mexico, is provided. In some cases, the order is written in foreign currency. In most cases, the amount is written in U.S. dollars and converted into foreign currency in the country where payable.

(ii) Purchasers must complete Form 6083, Supplemental International Money Order Advice, written in the foreign language if possible, when they send money orders payable in Greece, Lebanon, Syria, Yugoslavia, and Japan.

(iii) When the international money order form is used, purchasers will be given a receipt. The postmaster will arrange for sending the order abroad.

(iv) Purchasers must state the following details in their application regarding the payee: full name, exact address, name of city, town, or village; name of the canton, department, or district as the case may be. If the payee is a woman, state whether single, married, or widowed.

(3) *Domestic international money orders.* For certain countries the domestic money order form is used. There is no application.

(4) *Preparation of orders*—(i) *When domestic form is used.* Handle in the same manner as for domestic orders. For Canada, the amount on the order must be expressed in both U.S. and Canadian money. Consult the current conversion table. Put the amount received in U.S. money in the figure block. Write the Canadian amount under the figure block and put Canadian before it.

(ii) *When international form is used.* Complete the transaction the same way as for a domestic money order, with these exceptions:

(a) Print all particulars of the application on the order, including office of payment, if known.

(b) Enter amount in U.S. money. If purchaser requests foreign equivalent of an order payable in one of the following countries, see § 171.2(b), Conversion Tables, and enter that amount also: Great Britain and Northern Ireland, Guyana, Ireland, New Zealand, Republic of South Africa, Belgium, Denmark, France, Luxembourg, Netherlands, Norway, Surinam, Sweden, Switzerland, and Tunisia.

(c) Give receipt to purchaser, and send order to the International Money Order Branch, General Accounting Office Building, Washington, DC 20260, by ordinary mail. When necessary, also attach any required foreign language advices, Form 6083.

(d) If the purchaser wishes expedited service, he may buy an airmail stamp for affixing to the envelope transmitting the order to the International Money Order Branch. The money order will be included by that office with others for the same country, and no stamp need be furnished for its transmission overseas by airmail.

(5) *Refunds.* The amounts of orders sent on the international form may not be repaid until authorized by the foreign postal administration. Verify Form 6684, Inquiry Concerning International Money Order Issued in the United States, with the particulars on the application (Form 6701 or Form 6701–A) at the issuing post office. Send to the International Money Order Branch Office when purchaser requests repayment on U.S. issued orders.

(6) *Lost reissued orders.* Report the facts concerning lost reissued orders (an order certified to the United States by a foreign country and reissued in the United States) to the International Money Order Branch.

(7) *Countries where service is available on domestic basis.*[1]

Country	*Address*
Antigua	Administrator, St. Johns, Antigua.
Bahamas	Postmaster, Nassau, Bahamas.
Barbados	Postmaster General, Bridgetown, Barbados.
Bermuda	Colonial Postmaster, Hamilton, Bermuda.
British Honduras	Postmaster General, Belize, British Honduras.
British Virgin Islands.	Administrator, Tortola, British Virgin Islands.
Canada (see paragraph (a)(4)(i) of this section).	Deputy Postmaster General Financial Branch, Money Order Division, Ottawa 8, ON, Canada.
Canal Zone	Director of Posts, Balboa Heights, CZ
Dominica	Colonial Postmaster, Dominica, West Indies.

[1] See §§ 171.2(a)(3) and 171.4(b)(3).

Grenada	Colonial Postmaster, Grenada, West Indies.
Jamaica	Postmaster General, Kingston, Jamaica.
Montserrat	Administrator, Montserrat, West Indies.
St. Kitts-Nevis-Anguilla.	Administrator, St. Kitts-Nevis-Anguilla, West Indies.
St. Lucia	Postmaster General, St. Lucia, West Indies.
St. Vincent	Colonial Postmaster, St. Vincent, West Indies.
Trinidad and Tobago	Postmaster General, Port of Spain, Trinidad, West Indies.

(8) *Countries where service is available on direct exchange basis.* Direct exchange of international money orders is conducted between the U.S. office and the foreign exchange office of the places named in the following table:

U.S. Office	Foreign Country
International Money Order Branch, U.S. Postal Service, General Accounting Office Building, Washington, DC 20260.	Argentina. Australia, Commonwealth of: New South Wales. Queensland. South Australia. Tasmania. Victoria. Western Australia. Austria. Belgium. Chile. China, Republic of (Formosa). Colombia. Costa Rica. Czechoslovakia (except Province of Ruthenia). Denmark. Egypt (United Arab Republic). Finland. France. Germany.[1] Great Britain and Northern Ireland. Greece.[2] Guatemala. Guyana. Hungary. Iceland. Ireland. Italy. Japan.[2] Lebanon.[2] Luxemburg. Mexico. Morocco, Kingdom of. Netherlands. Netherlands Antilles (Aruba, Bonaire, Curacao, Saba, St. Eustatius, and southern part of St. Martin). New Zealand. Norway. Peru. Philippines. Poland. Ryukyu Islands (Okinawa). Salvador. South Africa, Republic of. Surinam. Sweden. Switzerland. Syria.[2] Thailand. Tunis. United Arab Republic (Egyptian Territory). Uruguay. Vatican City. Yugoslavia.[2]

[1] Money order service is in effect with the American, British and French zones of Germany and the western sector of Berlin only.

[2] Money orders to be accompanied by Form 6083, *Supplemental International Money Order Advice.* (See subparagraph (4)(ii)(c) of this paragraph).

(9) *Countries where service is available on indirect exchange basis.* (Orders are paid in the designated country through an intermediary country which reserves the right to deduct a fee for the service.)

Country or Locality	*Basis: Through intermediary of—*
Aden (including Kamaran Island)	Great Britain.
Aegean Islands (see Dodecanese Islands)	Greece.
Aitutaki, Cook Islands	New Zealand.
Algeria	France.
Andaman Islands	Great Britain.
Andorra, Republic of (Andorre la Vieille only)	France.
Azores[1]	Great Britain.
Bahrein (and Awali)	Great Britain.
Baluchistan (see Pakistan)	Great Britain.
Basutoland (see Lesotho)	South Africa, Republic of
Bechuanaland Protectorate (see Botswana)	South Africa, Republic of
Borneo, North (see Malaysia)	Great Britain.
Botswana (formerly Bechuanaland Prot.)	South Africa, Republic of
British Somaliland (see Somali Republic)	Great Britain.
Burma	Great Britain.
Cameroon, Republic of	France.
Central African Republic (Oubangui-Chari)	France.
Ceylon	Great Britain.
Chad, Republic of (Tchad)	France.
Chios (Dodecanese Islands)	Greece.
Comoro Islands	France.
Congo, Republic of (Brazzaville)	France.
Cook Islands Aitutaki, Rarotonga.	New Zealand.
Corsica	France.
Cos (Dodecanese Islands)	Greece.
Crete	Greece.
Cyprus Famagusta, Kyrenia, Larnaca, Lefka, Lefkara, Lefkoniko, Limassol, Morphou, Nicosia, Paphos, Pedhoulas, Platres, Polis, Troodos, Yialousa. (Pedhoulas, Platres and Troodos are summer offices only.)	Great Britain.
Dahomey, Republic of	France.
Dodecanese Islands Astypalaia, Kalymnos (Calino, Calymnos), Karpathos (Scarpanto), Kassos, Kastellorizon, Cos, Leros (Lero), Nissyros (Nisiro), Patmos, Rhodes (Rodi), and Symi.	Greece.
Ellice Islands	New South Wales.
Falkland Islands	Great Britain.
Fanning Island	New Zealand.
Faroe Islands	Denmark.
Fiji Islands	Great Britain.
French Cameroon (see Cameroon, Republic of)	France.
French Equatorial Africa (see Central African Republic, Chad, Congo and Gabon Republic).	France.
French Guiana	France.
French Oceania (see Polynesia)	France.
French Sudan (see Mali)	France.
French Togoland (see Togo)	France.
French West Africa (see Dahomey, Ivory Coast, Mali, Mauritania, Niger, Senegal, Upper Volta).	France.
Friendly Islands (or Tonga Islands)	New South Wales.
Gabon Republic	France.
Gambia Barre (paid through Bathurst), Basse, Bathurst, Cape St. Mary (paid through Bathurst), Georgetown, Kunta-Ur, Macarthy Island (paid through Georgetown).	Great Britain.
Ghana	Great Britain.
Gibraltar	Great Britain.
Gilbert and Ellice Islands Colony	New South Wales.
Guadeloupe	France.
India	Great Britain.
Iraq[2]	Great Britain.
Islamic Republic (see Mauritania)	France.
Ivory Coast, Republic of	France.
Kalymnos (Dodecanese Islands)	Greece.
Kamaran Island (Aden)	Great Britain.
Karpathos (Dodecanese Islands)	Greece.
Kenya	Great Britain.
Leros (Dodecanese Islands)	Greece.
Lesbos (Dodecanese Islands)	Greece.
Lesotho (formerly Basutoland)	South Africa, Republic of
Liechtenstein, Principality of	Switzerland.
Madagascar (Malagasy Republic)	France.

See footnotes at end of table.

Country or Locality	Basis: Through intermediary of—
Madeira Islands [1]	Great Britain.
Makatea (see Polynesia, French)	France.
Malagasy Republic (see Madagascar)	France.
Malawi	Great Britain.
Malaysia (Federation of): Johore, Kedah, Kelantan, Malacca, Negri Sembilan, Pahang, Penang (including Province of Wellesley), Perak, Perlis, Selangor and Trengganu; also Sabah (North Borneo) and Sarawak.	Great Britain.
Mali, Republic of	France.
Malta	Great Britain.
Birkirkara, Notabile, Siggieui, Sliema, Valletta, Victoria (Gozo)	
Martinique	France.
Mauritania (Islamic Republic)	France.
Mauritius	Great Britain.
Middle Congo (see Congo, Republic of)	France.
Monaco	France.
Mozambique (Portuguese East Africa)	South Africa, Republic of
Nauru Island	New South Wales.
New Caledonia	France.
New Guinea, Territory of	New South Wales.
New Hebrides	New South Wales.
Nicobar Islands	Great Britain.
Niger, Republic of	France.
Nigeria	Great Britain.
Nisyros (Dodecanese Islands)	Greece.
Niue or Savage Island	New Zealand.
Norfolk Island	New South Wales.
North Borneo (see Malaysia)	Great Britain.
Northern Rhodesia (see Zambia)	South Africa, Republic of
Nyasaland (see Malawi)	Great Britain.
Oceania, French (see Polynesia, French)	France.
Oubangui-Chari (see Central African Republic)	France.
Pakistan (including Baluchistan)	Great Britain.
Papeete, Tahiti (see Polynesia, French)	France.
Papua (Territory of)	New South Wales.
Penrhyn Island	New Zealand.
Persian Gulf Ports (see Bahrein, Qatar and Trucial States)	Great Britain.
Polynesia, French	France.
Makatea, Raiatea, Society Islands, Tahiti.	
Portugal [1]	Great Britain.
Portuguese East Africa (Mozambique)	South Africa, Republic of
Qatar (Doha and Umm Said)	Great Britain.
Raiatea (see Polynesia, French)	France.
Rarotonga (Cook Islands)	New Zealand.
Reunion Island	France.
Rhodes (Dodecanese Islands)	Greece.
Rhodesia (Northern and Southern)	South Africa, Republic of
Rodrigues, Island of	Great Britain.
Saar	Germany.
Sabah (see Malaysia)	Great Britain.
Saint Helena	Great Britain.
Saint Pierre and Miquelon	France.
Samoa (Western)	New Zealand.
Samos (Dodecanese Islands)	Greece.
San Marino, Republic of	Italy.
Sarawak (see Malaysia)	Great Britain.
Savage Islands (Niue)	New Zealand.
Senegal, Republic of	France.
Seychelles Islands	Great Britain.
Sierra Leone	Great Britain.
Bauya, Blama, Bo, Bonthe, Cline Town, Daru Freetown, Hangha, Kabala, Kailahun, Kambia, Kenema, Lunsar, Magburaka (Makump), Makeni, Mano, Moyamba, Pendembu, Port Loko, Punjehun, Rotifunk, Sekbwema, Sembehun, Sumbuya, Waterloo.	
Singapore	Great Britain.
Society Islands (see Polynesia, French)	France.
Solomon Islands	New South Wales.
Somali Republic (Northern Region only)	Great Britain.
Berbera, Borama, Burao, Erigavo, Hargeisa, Hargeisa Town, Lasanod, Sheikh.	
Soudanese Republic (see Mali, Republic of)	France.
Southern Rhodesia (see Rhodesia)	South Africa, Republic of
Southwest Africa	South Africa, Republic of
Sudan, French (see Mali Republic)	France.
Swaziland	South Africa, Republic of
Tahiti (see Polynesia, French)	France.
Tanganyika (see Tanzania)	Great Britain.
Tanzania (see Tanganyika and Zanzibar Protectorate)	Great Britain.
Tchad (see Chad Republic)	France.
Togo	France.
Anécho, Atakpamé, Lomé, Palimé.	
Tonga Islands (or Friendly Islands)	New South Wales.
Trucial States (Abu Dhabi and Dubai only)	Great Britain.
Uganda	Great Britain.
Arua, Bombo, Bucambatia, Butiaba, Entebbe, Fort Portal, Gulu, Hoima, Iganga, Jinja, Kabale, Kaberamaido, Kakira, Kaliro, Kampala, Kamuli, Kitgum, Lira, Lugazi, Macaka, Masindi, Mbale, Mbarara, Mubende, Nanacagali, Ngora, Soroti, Tororo.	
Upper Volta	France.
Western Samoa	New Zealand.
Zambia	South Africa, Republic of
Zanzibar Protectorate (see Tanzania)	Great Britain.

(b) *Conversion tables, International money orders.* Following are conversion tables of foreign currencies to be used for international money orders (see § 171.2(a)(4)(ii)(b)).

(1) *List of tables to be used for countries designated.*

[1] The maximum amount which may be sent on any one day by the same purchaser is £40.
[2] The maximum amount which may be sent on any one day by the same purchaser is £10.

Country	Currency	Use table No.
Belgium	Franc	3
Canada (See §171.2(a)(4)(i))	Dollar	1
Denmark	Krone	5
France	Franc	13
Great Britain and Northern Ireland.	Pound sterling	2
Guyana	Pound sterling	2
Ireland (Eire)	Pound sterling	2
Luxembourg	Franc	3
Morocco	Dirham	7
Netherlands	Florin	9
New Zealand	Dollar	12
Norway	Krone	4
Surinam	Florin	10
Sweden	Krona	6
South Africa, Republic of	Rand	11
Switzerland	Franc	8
Tunisia	Dinar	14

(2) *Caution in use of tables.* (i) Except for Canada, these tables are for reference only whenever a patron requests information as to the foreign equivalent of the amount being transmitted by money order.

(ii) While the equivalents of some foreign currencies are expressed in fractions of a cent, no single money order may be listed for a fractional part of a cent.

(iii) Should an overpayment occur as a result of carelessness or error in conversion, the postmaster will be held responsible.

TABLE No. 1

(Rate: 1 United States dollar=1.07 dollars, Canadian money)

FROM 1 CENT TO 100 DOLLARS

United States money	Canadian money	United States money	Canadian money	United States money	Canadian money	United States money	Canadian money	United States money	Canadian money
Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Dollars*	*Dollars*	*Dollars*	*Dollars*
1	1	40	42	79	84	19.00	20.33	58.00	62.06
2	2	41	43	80	85	20.00	21.40	59.00	63.13
3	3	42	44	81	86	21.00	22.47	60.00	64.20
4	4	43	46	82	87	22.00	23.54	61.00	65.27
5	5	44	47	83	88	23.00	24.61	62.00	66.34
6	6	45	48	84	89	24.00	25.68	63.00	67.41
7	7	46	49	85	90	25.00	26.75	64.00	68.48
8	8	47	50	86	92	26.00	27.82	65.00	69.55
9	9	48	51	87	93	27.00	28.89	66.00	70.62
10	10	49	52	88	94	28.00	29.96	67.00	71.69
11	11	50	53	89	95	29.00	31.03	68.00	72.76
12	12	51	54	90	96	30.00	32.10	69.00	73.83
13	13	52	55	91	97	31.00	33.17	70.00	74.90
14	14	53	56	92	98	32.00	34.24	71.00	75.97
15	16	54	57	93	99	33.00	35.31	72.00	77.04
16	17	55	58	94	$1.00	34.00	36.38	73.00	78.11
17	18	56	59	95	1.01	35.00	37.45	74.00	79.18
18	19	57	60	96	1.02	36.00	38.52	75.00	80.25
19	20	58	62	97	1.03	37.00	39.59	76.00	81.32
20	21	59	63	98	1.04	38.00	40.66	77.00	82.39
21	22	60	64	99	1.05	39.00	41.73	78.00	83.46
22	23	61	65	$1.00	1.07	40.00	42.80	79.00	84.53
23	24	62	66	2.00	2.14	41.00	43.87	80.00	85.60
24	25	63	67	3.00	3.21	42.00	44.94	81.00	86.67
25	26	64	68	4.00	4.28	43.00	46.01	82.00	87.74
26	27	65	69	5.00	5.35	44.00	47.08	83.00	88.81
27	28	66	70	6.00	6.42	45.00	48.15	84.00	89.88
28	29	67	71	7.00	7.49	46.00	49.22	85.00	90.95
29	31	68	72	8.00	8.56	47.00	50.29	86.00	92.02
30	32	69	73	9.00	9.63	48.00	51.36	87.00	93.09
31	33	70	74	10.00	10.70	49.00	52.43	88.00	94.16
32	34	71	75	11.00	11.77	50.00	53.50	89.00	95.23
33	35	72	77	12.00	12.84	51.00	54.57	90.00	96.30
34	36	73	78	13.00	13.91	52.00	55.64	91.00	97.37
35	37	74	79	14.00	14.98	53.00	56.71	92.00	98.44
36	38	75	80	15.00	16.05	54.00	57.78	93.00	99.51
37	39	76	81	16.00	17.12	55.00	58.85	----------	----------
38	40	77	82	17.00	18.19	56.00	59.92	----------	----------
39	41	78	83	18.00	19.26	57.00	60.99	----------	----------

NOTE.—The maximum amount for which a money order payable in Canada may be drawn is $93.46 U.S. money.

TABLE No. 2

(Rate, £1=$2.40)

FROM 1 POUND TO 41 POUNDS

Pounds	Dollars	Pounds	Dollars	Pounds	Dollars	Pounds	Dollars	Pounds	Dollars
1	2.40	10	24.00	19	45.60	28	67.20	37	88.80
2	4.80	11	26.40	20	48.00	29	69.60	38	91.20
3	7.20	12	28.80	21	50.40	30	72.00	39	93.60
4	9.60	13	31.20	22	52.80	31	74.40	40	96.00
5	12.00	14	33.60	23	55.20	32	76.80	41	98.40
6	14.40	15	36.00	24	57.60	33	79.20	----------	----------
7	16.80	16	38.40	25	60.00	34	81.60	----------	----------
8	19.20	17	40.80	26	62.40	35	84.00	----------	----------
9	21.60	18	43.20	27	64.80	36	86.40	----------	----------

TABLE No. 2—Continued

FROM 1 PENNY TO 20 SHILLINGS

s.	d.	Dollars	s.	d.	Dollars	s.	d.	Dollars	s.	d.	Dollars	s.	d.	Dollars
	1	0.01	4	1	0.49	8	1	0.97	12	1	1.45	16	1	1.93
	2	.02	4	2	.50	8	2	.98	12	2	1.46	16	2	1.94
	3	.03	4	3	.51	8	3	.99	12	3	1.47	16	3	1.95
	4	.04	4	4	.52	8	4	1.00	12	4	1.48	16	4	1.96
	5	.05	4	5	.53	8	5	1.01	12	5	1.49	16	5	1.97
	6	.06	4	6	.54	8	6	1.02	12	6	1.50	16	6	1.98
	7	.07	4	7	.55	8	7	1.03	12	7	1.51	16	7	1.99
	8	.08	4	8	.56	8	8	1.04	12	8	1.52	16	8	2.00
	9	.09	4	9	.57	8	9	1.05	12	9	1.53	16	9	2.01
	10	.10	4	10	.58	8	10	1.06	12	10	1.54	16	10	2.02
	11	.11	4	11	.59	8	11	1.07	12	11	1.55	16	11	2.03
1	0	.12	5	0	.60	9	0	1.08	13	0	1.55	17	0	2.04
1	1	.13	5	1	.61	9	1	1.09	13	1	1.57	17	1	2.05
1	2	.14	5	2	.62	9	2	1.10	13	2	1.58	17	2	2.06
1	3	.15	5	3	.63	9	3	1.11	13	3	1.59	17	3	2.07
1	4	.16	5	4	.64	9	4	1.12	13	4	1.60	17	4	2.08
1	5	.17	5	5	.65	9	5	1.13	13	5	1.61	17	5	2.09
1	6	.18	5	6	.66	9	6	1.14	13	6	1.62	17	6	2.10
1	7	.19	5	7	.67	9	7	1.15	13	7	1.63	17	7	2.11
1	8	.20	5	8	.68	9	8	1.16	13	8	1.64	17	8	2.12
1	9	.21	5	9	.69	9	9	1.17	13	9	1.65	17	9	2.13
1	10	.22	5	10	.70	9	10	1.18	13	10	1.66	17	10	2.14
1	11	.23	5	11	.71	9	11	1.19	13	11	1.67	17	11	2.15
2	0	.24	6	0	.72	10	0	1.20	14	0	1.68	18	0	2.16
2	1	.25	6	1	.73	10	1	1.21	14	1	1.69	18	1	2.17
2	2	.26	6	2	.74	10	2	1.22	14	2	1.70	18	2	2.18
2	3	.27	6	3	.75	10	3	1.23	14	3	1.71	18	3	2.19
2	4	.28	6	4	.76	10	4	1.24	14	4	1.72	18	4	2.20
2	5	.29	6	5	.77	10	5	1.25	14	5	1.73	18	5	2.21
2	6	.30	6	6	.78	10	6	1.26	14	6	1.74	18	6	2.22
2	7	.31	6	7	.79	10	7	1.27	14	7	1.75	18	7	2.23
2	8	.32	6	8	.80	10	8	1.28	14	8	1.76	18	8	2.24
2	9	.33	6	9	.81	10	9	1.29	14	9	1.77	18	9	2.25
2	10	.34	6	10	.82	10	10	1.30	14	10	1.78	18	10	2.26
2	11	.35	6	11	.83	10	11	1.31	14	11	1.79	18	11	2.27
3	0	.36	7	0	.84	11	0	1.32	15	0	1.80	19	0	2.28
3	1	.37	7	1	.85	11	1	1.33	15	1	1.81	19	1	2.29
3	2	.38	7	2	.86	11	2	1.34	15	2	1.82	19	2	2.30
3	3	.39	7	3	.87	11	3	1.35	15	3	1.83	19	3	2.31
3	4	.40	7	4	.88	11	4	1.36	15	4	1.84	19	4	2.32
3	5	.41	7	5	.89	11	5	1.37	15	5	1.85	19	5	2.33
3	6	.42	7	6	.90	11	6	1.38	15	6	1.86	19	6	2.34
3	7	.43	7	7	.91	11	7	1.39	15	7	1.87	19	7	2.35
3	8	.44	7	8	.92	11	8	1.40	15	8	1.88	19	8	2.36
3	9	.45	7	9	.93	11	9	1.41	15	9	1.89	19	9	2.37
3	10	.46	7	10	.94	11	10	1.42	15	10	1.90	19	10	2.38
3	11	.47	7	11	.95	11	11	1.43	15	11	1.91	19	11	2.39
4	0	.48	8	0	.96	12	0	1.44	16	0	1.92	20	0	2.40

TABLE No. 3

(Rate: 1 franc (or other unit of foreign currency) = 2-2/100 cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Francs	Cents	Francs	Cents	Francs	Dollars	Francs	Dollars	Francs
1	0.50	41	20.20	81	40.10	22.00	1,092.11	62.00	3,062.31
2	.99	42	20.79	82	40.69	23.00	1,138.61	63.00	3,118.81
3	1.49	43	21.29	83	41.09	24.00	1,183.12	64.00	3,163.32
4	1.98	44	21.78	84	41.58	25.00	1,237.62	65.00	3,217.82
5	2.48	45	22.28	85	42.08	26.00	1,287.13	66.00	3,267.33
6	2.97	46	22.77	86	42.57	27.00	1,333.63	67.00	3,316.83
7	3.47	47	23.27	87	43.07	28.00	1,388.14	68.00	3,366.34
8	3.96	48	23.76	88	43.56	29.00	1,433.64	69.00	3,415.84
9	4.46	49	24.26	89	44.06	30.00	1,485.15	70.00	3,465.35
10	4.95	50	24.75	90	44.55	31.00	1,534.65	71.00	3,514.85
11	5.45	51	25.25	91	45.05	32.00	1,584.16	72.00	3,564.36
12	5.94	52	25.74	92	45.54	33.00	1,633.66	73.00	3,613.86
13	6.44	53	26.24	93	46.04	34.00	1,683.17	74.00	3,663.37
14	6.93	54	26.73	94	46.53	35.00	1,732.67	75.00	3,712.87
15	7.43	55	27.23	95	47.03	36.00	1,782.18	76.00	3,762.38
16	7.92	56	27.72	96	47.52	37.00	1,831.68	77.00	3,811.88
17	8.42	57	28.22	97	48.02	38.00	1,881.19	78.00	3,861.39
18	8.91	58	28.71	98	48.51	39.00	1,930.69	79.00	3,910.89
19	9.41	59	29.21	99	49.01	40.00	1,980.20	80.00	3,960.40
20	9.90	60	29.70	$1.00	49.50	41.00	2,029.70	81.00	4,009.90
21	10.40	61	30.20	2.00	99.01	42.00	2,079.21	82.00	4,059.41
22	10.89	62	30.69	3.00	148.51	43.00	2,128.71	83.00	4,108.91
23	11.39	63	31.19	4.00	198.02	44.00	2,178.22	84.00	4,158.42
24	11.88	64	31.68	5.00	247.52	45.00	2,227.72	85.00	4,207.92
25	12.38	65	32.18	6.00	297.03	46.00	2,277.23	86.00	4,257.43
26	12.87	66	32.67	7.00	346.53	47.00	2,326.73	87.00	4,306.93
27	13.37	67	33.17	8.00	396.04	48.00	2,376.24	88.00	4,356.44
28	13.86	68	33.66	9.00	445.54	49.00	2,425.74	89.00	4,405.94
29	14.36	69	34.16	10.00	495.05	50.00	2,475.25	90.00	4,455.45
30	14.85	70	34.65	11.00	544.55	51.00	2,524.75	91.00	4,504.95
31	15.35	71	35.15	12.00	594.06	52.00	2,574.26	92.00	4,554.46
32	15.84	72	35.64	13.00	643.56	53.00	2,623.76	93.00	4,603.96
33	16.34	73	36.14	14.00	693.07	54.00	2,673.27	94.00	4,653.47
34	16.83	74	36.63	15.00	742.57	55.00	2,722.77	95.00	4,702.97
35	17.33	75	37.13	16.00	792.08	56.00	2,772.28	96.00	4,752.48
36	17.82	76	37.62	17.00	841.58	57.00	2,821.78	97.00	4,801.98
37	18.32	77	38.12	18.00	891.09	58.00	2,871.29	98.00	4,851.49
38	18.81	78	38.61	19.00	940.59	59.00	2,920.79	99.00	4,900.99
39	19.31	79	39.11	20.00	990.10	60.00	2,970.30	100.00	4,950.50
40	19.80	80	39.60	21.00	1,039.60	61.00	3,019.80	----------	----------

TABLE No. 4

(Rate: 1 krone (or other unit of foreign currency) = 14.1 cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Kroner	Cents	Kroner	Cents	Kroner	Dollars	Kroner	Dollars	Kroner
1	0.07	41	2.91	81	5.74	22.00	156.03	62.00	439.71
2	.14	42	2.93	82	5.82	23.00	163.12	63.00	446.80
3	.21	43	3.05	83	5.89	24.00	170.21	64.00	453.89
4	.28	44	3.12	84	5.96	25.00	177.30	65.00	460.99
5	.35	45	3.19	85	6.03	26.00	184.39	66.00	468.03
6	.43	46	3.26	86	6.10	27.00	191.49	67.00	475.17
7	.50	47	3.33	87	6.17	28.00	198.58	68.00	482.26
8	.57	48	3.40	88	6.24	29.00	205.67	69.00	489.35
9	.64	49	3.48	89	6.31	30.00	212.76	70.00	496.45
10	.71	50	3.55	90	6.38	31.00	219.86	71.00	503.54
11	.78	51	3.62	91	6.45	32.00	226.95	72.00	510.63
12	.85	52	3.69	92	6.52	33.00	234.04	73.00	517.72
13	.92	53	3.76	93	6.60	34.00	241.13	74.00	524.82
14	.99	54	3.83	94	6.67	35.00	248.22	75.00	531.91
15	1.06	55	3.90	95	6.74	36.00	255.32	76.00	539.00
16	1.13	56	3.97	96	6.81	37.00	262.41	77.00	546.09
17	1.21	57	4.04	97	6.88	38.00	269.50	78.00	553.18
18	1.28	58	4.11	98	6.95	39.00	276.60	79.00	560.28
19	1.35	59	4.18	99	7.02	40.00	283.68	80.00	567.37
20	1.42	60	4.26	$1.00	7.09	41.00	290.78	81.00	574.46
21	1.49	61	4.33	2.00	14.18	42.00	297.87	82.00	581.55
22	1.56	62	4.40	3.00	21.28	43.00	304.96	83.00	588.64
23	1.63	63	4.47	4.00	28.37	44.00	312.05	84.00	595.74
24	1.70	64	4.54	5.00	35.46	45.00	319.14	85.00	602.83
25	1.77	65	4.61	6.00	42.55	46.00	326.24	86.00	609.92
26	1.84	66	4.68	7.00	49.64	47.00	333.33	87.00	617.01
27	1.91	67	4.75	8.00	56.74	48.00	340.42	88.00	624.10
28	1.99	68	4.82	9.00	63.83	49.00	347.51	89.00	631.20
29	2.06	69	4.89	10.00	70.92	50.00	354.61	90.00	638.29
30	2.13	70	4.96	11.00	78.01	51.00	361.70	91.00	645.38
31	2.20	71	5.04	12.00	85.11	52.00	368.79	92.00	652.47
32	2.27	72	5.11	13.00	92.20	53.00	375.88	93.00	659.57
33	2.34	73	5.18	14.00	99.29	54.00	382.97	94.00	666.66
34	2.41	74	5.25	15.00	106.38	55.00	390.07	95.00	673.75
35	2.48	75	5.32	16.00	113.47	56.00	397.16	96.00	680.84
36	2.55	76	5.39	17.00	120.57	57.00	404.25	97.00	687.93
37	2.62	77	5.46	18.00	127.66	58.00	411.34	98.00	695.03
38	2.69	78	5.53	19.00	134.75	59.00	418.43	99.00	702.12
39	2.77	79	5.60	20.00	141.84	60.00	425.53	100.00	709.21
40	2.84	80	5.67	21.00	148.93	61.00	432.62	----------	----------

TABLE No. 5

(Rate: 1 krona (or other unit of foreign currency) = 13½ cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Kroner	Cents	Kroner	Cents	Kroner	Dollars	Kroner	Dollars	Kroner
1	0.07	41	3.04	81	6.00	22.00	162.96	62.00	459.26
2	.15	42	3.11	82	6.07	23.00	170.37	63.00	466.67
3	.22	43	3.19	83	6.15	24.00	177.78	64.00	474.07
4	.30	44	3.26	84	6.22	25.00	185.19	65.00	481.48
5	.37	45	3.33	85	6.30	26.00	192.59	66.00	488.89
6	.44	46	3.41	86	6.37	27.00	200.00	67.00	496.30
7	.52	47	3.48	87	6.44	28.00	207.41	68.00	503.70
8	.59	48	3.56	88	6.52	29.00	214.81	69.00	511.11
9	.67	49	3.63	89	6.59	30.00	222.22	70.00	518.52
10	.74	50	3.70	90	6.67	31.00	229.63	71.00	525.93
11	.81	51	3.78	91	6.74	32.00	237.04	72.00	533.33
12	.89	52	3.85	92	6.81	33.00	244.44	73.00	540.74
13	.96	53	3.93	93	6.89	34.00	251.85	74.00	548.15
14	1.04	54	4.00	94	6.96	35.00	259.26	75.00	555.56
15	1.11	55	4.07	95	7.04	36.00	266.67	76.00	562.96
16	1.19	56	4.15	96	7.11	37.00	274.07	77.00	570.37
17	1.26	57	4.22	97	7.19	38.00	281.48	78.00	577.78
18	1.33	58	5.30	98	7.26	39.00	288.89	79.00	585.19
19	1.41	59	4.37	99	7.33	40.00	296.30	80.00	592.59
20	1.48	60	4.44	$1.00	7.41	41.00	303.70	81.00	600.00
21	1.56	61	4.52	2.00	14.81	42.00	311.11	82.00	607.41
22	1.63	62	4.59	3.00	22.22	43.00	318.52	83.00	614.81
23	1.70	63	4.67	4.00	29.63	44.00	325.93	84.00	622.22
24	1.78	64	4.74	5.00	37.04	45.00	333.33	85.00	629.63
25	1.85	65	4.81	6.00	44.44	46.00	340.74	86.00	637.04
26	1.93	66	4.89	7.00	51.85	47.00	348.15	87.00	644.44
27	2.00	67	4.96	8.00	59.26	48.00	355.56	88.00	651.85
28	2.07	68	5.04	9.00	66.67	49.00	362.96	89.00	659.26
29	2.15	69	5.11	10.00	74.07	50.00	370.37	90.00	666.67
30	2.22	70	5.19	11.00	81.48	51.00	377.78	91.00	674.07
31	2.30	71	5.26	12.00	88.89	52.00	385.19	92.00	681.48
32	2.37	72	5.33	13.00	96.30	53.00	392.59	93.00	688.89
33	2.44	73	5.41	14.00	103.70	54.00	400.00	94.00	696.30
34	2.52	74	5.48	15.00	111.11	55.00	407.41	95.00	703.70
35	2.59	75	5.56	16.00	118.52	56.00	414.81	96.00	711.11
36	2.67	76	5.63	17.00	125.93	57.00	422.22	97.00	718.52
37	2.74	77	5.70	18.00	133.33	58.00	429.63	98.00	725.93
38	2.81	78	5.78	19.00	140.74	59.00	437.04	99.00	733.33
39	2.89	79	5.85	20.00	148.15	60.00	444.44	100.00	740.74
40	2.96	80	5.93	21.00	155.56	61.00	451.85	----------	----------

TABLE No. 6

(Rate: 1 krona (or other unit of foreign currency) = 19½ cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Kronor	Cents	Kronor	Cents	Kronor	Dollars	Kronor	Dollars	Kronor
1	0.05	41	2.10	81	4.15	22.00	112.82	62.00	317.94
2	.10	42	2.15	82	4.20	23.00	117.94	63.00	323.06
3	.15	43	2.21	83	4.26	24.00	123.07	64.00	328.19
4	.21	44	2.26	84	4.31	25.00	128.20	65.00	333.32
5	.26	45	2.31	85	4.36	26.00	133.33	66.00	338.45
6	.31	46	2.36	86	4.41	27.00	138.46	67.00	343.58
7	.36	47	2.41	87	4.46	28.00	143.58	68.00	348.70
8	.41	48	2.46	88	4.51	29.00	148.71	69.00	353.83
9	.46	49	2.51	89	4.56	30.00	153.84	70.00	358.96
10	.51	50	2.56	90	4.62	31.00	158.97	71.00	364.09
11	.56	51	2.62	91	4.67	32.00	164.10	72.00	369.22
12	.62	52	2.67	92	4.72	33.00	169.22	73.00	374.34
13	.67	53	2.72	93	4.77	34.00	174.35	74.00	379.47
14	.72	54	2.77	94	4.82	35.00	179.48	75.00	384.60
15	.77	55	2.82	95	4.87	36.00	184.61	76.00	389.73
16	.82	56	2.87	96	4.92	37.00	189.74	77.00	394.85
17	.87	57	2.92	97	4.97	38.00	194.86	78.00	399.98
18	.92	58	2.97	98	5.03	39.00	200.00	79.00	405.11
19	.97	59	3.03	99	5.08	40.00	205.12	80.00	410.24
20	1.03	60	3.08	$1.00	5.13	41.00	210.25	81.00	415.37
21	1.08	61	3.13	2.00	10.26	42.00	215.38	82.00	420.50
22	1.13	62	3.18	3.00	15.38	43.00	220.50	83.00	425.62
23	1.18	63	3.23	4.00	20.51	44.00	225.63	84.00	430.75
24	1.23	64	3.28	5.00	25.64	45.00	230.76	85.00	435.88
25	1.28	65	3.33	6.00	30.77	46.00	235.89	86.00	441.01
26	1.33	66	3.38	7.00	35.90	47.00	241.02	87.00	446.14
27	1.38	67	3.44	8.00	41.02	48.00	246.14	88.00	451.26
28	1.44	68	3.49	9.00	46.15	49.00	251.27	89.00	456.39
29	1.49	69	3.54	10.00	51.28	50.00	256.40	90.00	461.52
30	1.54	70	3.59	11.00	56.41	51.00	261.53	91.00	466.65
31	1.59	71	3.64	12.00	61.54	52.00	266.66	92.00	471.78
32	1.64	72	3.69	13.00	66.66	53.00	271.78	93.00	476.90
33	1.69	73	3.74	14.00	71.79	54.00	276.91	94.00	482.03
34	1.74	74	3.79	15.00	76.92	55.00	282.04	95.00	487.16
35	1.79	75	3.85	16.00	82.05	56.00	287.17	96.00	492.29
36	1.85	76	3.90	17.00	87.18	57.00	292.30	97.00	497.42
37	1.90	77	3.95	18.00	92.30	58.00	297.42	98.00	502.54
38	1.95	78	4.00	19.00	97.43	59.00	302.55	99.00	507.67
39	2.00	79	4.05	20.00	102.56	60.00	307.68	100.00	512.80
40	2.05	80	4.10	21.00	107.69	61.00	312.81	----------	----------

TABLE No. 7

(Rate: 1 franc (or other unit of foreign currency) = 20½ cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Francs	Cents	Francs	Cents	Francs	Dollars	Francs	Dollars	Francs
1	0.05	41	2.00	81	3.95	22.00	107.32	62.00	302.44
2	.10	42	2.05	82	4.00	23.00	112.20	63.00	307.32
3	.15	43	2.10	83	4.05	24.00	117.07	64.00	312.20
4	.20	44	2.15	84	4.10	25.00	121.95	65.00	317.07
5	.24	45	2.20	85	4.15	26.00	126.82	66.00	321.95
6	.29	46	2.24	86	4.20	27.00	131.71	67.00	326.83
7	.34	47	2.29	87	4.24	28.00	136.59	68.00	331.71
8	.39	48	2.34	88	4.29	29.00	141.46	69.00	336.59
9	.44	49	2.39	89	4.34	30.00	146.34	70.00	341.46
10	.49	50	2.44	90	4.39	31.00	151.22	71.00	346.34
11	.54	51	2.49	91	4.44	32.00	156.10	72.00	351.22
12	.59	52	2.54	92	4.49	33.00	160.98	73.00	356.10
13	.63	53	2.59	93	4.54	34.00	165.85	74.00	360.98
14	.68	54	2.63	94	4.59	35.00	170.73	75.00	365.85
15	.73	55	2.68	95	4.63	36.00	175.61	76.00	370.73
16	.78	56	2.73	96	4.68	37.00	180.49	77.00	375.61
17	.83	57	2.78	97	4.73	38.00	185.37	78.00	380.49
18	.88	58	2.83	98	4.78	39.00	190.24	79.00	385.37
19	.93	59	2.88	99	4.83	40.00	195.12	80.00	390.24
20	.98	60	2.93	$1.00	4.88	41.00	200.00	81.00	395.12
21	1.02	61	2.98	2.00	9.76	42.00	204.88	82.00	400.00
22	1.07	62	3.02	3.00	14.63	43.00	209.76	83.00	404.88
23	1.12	63	3.07	4.00	19.51	44.00	214.63	84.00	409.76
24	1.17	64	3.12	5.00	24.39	45.00	219.51	85.00	414.63
25	1.22	65	3.17	6.00	29.27	46.00	224.39	86.00	419.51
26	1.27	66	3.22	7.00	34.15	47.00	229.27	87.00	424.39
27	1.32	67	3.27	8.00	39.02	48.00	234.15	88.00	429.27
28	1.37	68	3.32	9.00	43.90	49.00	239.02	89.00	434.15
29	1.41	69	3.37	10.00	48.78	50.00	243.90	90.00	439.02
30	1.46	70	3.41	11.00	53.66	51.00	248.78	91.00	443.90
31	1.51	71	3.46	12.00	58.54	52.00	253.66	92.00	448.78
32	1.56	72	3.51	13.00	63.41	53.00	258.54	93.00	453.66
33	1.61	73	3.56	14.00	68.29	54.00	263.41	94.00	458.54
34	1.66	74	3.61	15.00	73.17	55.00	268.29	95.00	463.41
35	1.71	75	3.66	16.00	78.05	56.00	273.17	96.00	468.29
36	1.76	76	3.71	17.00	82.93	57.00	278.05	97.00	473.17
37	1.80	77	3.76	18.00	87.80	58.00	282.93	98.00	478.05
38	1.85	78	3.80	19.00	92.68	59.00	287.80	99.00	482.93
39	1.90	79	3.85	20.00	97.56	60.00	292.68	100.00	487.80
40	1.95	80	3.90	21.00	102.44	61.00	297.56	----------	----------

TABLE No. 8

(Rate: 1 franc (or other unit of foreign currency)=23¼ cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Francs	Cents	Francs	Cents	Francs	Dollars	Francs	Dollars	Francs
1	0.04	41	1.77	81	3.48	22.00	94.62	62.00	266.60
2	.09	42	1.81	82	3.53	23.00	98.92	63.00	270.96
3	.13	43	1.85	83	3.57	24.00	103.22	64.00	275.26
4	.17	44	1.89	84	3.61	25.00	107.53	65.00	279.57
5	.22	45	1.94	85	3.66	26.00	111.83	66.00	283.87
6	.26	46	1.98	86	3.70	27.00	116.13	67.00	288.17
7	.30	47	2.02	87	3.74	28.00	120.43	68.00	292.47
8	.34	48	2.06	88	3.78	29.00	124.73	69.00	296.17
9	.39	49	2.11	89	3.83	30.00	129.03	70.00	301.07
10	.43	50	2.15	90	3.87	31.00	133.33	71.00	305.37
11	.47	51	2.19	91	3.91	32.00	137.63	72.00	309.67
12	.52	52	2.24	92	3.96	33.00	141.93	73.00	313.97
13	.56	53	2.28	93	4.00	34.00	146.23	74.00	318.27
14	.60	54	2.32	94	4.04	35.00	150.54	75.00	322.58
15	.65	55	2.37	95	4.09	36.00	154.84	76.00	326.88
16	.69	56	2.41	96	4.13	37.00	159.14	77.00	331.18
17	.73	57	2.45	97	4.17	38.00	163.44	78.00	335.48
18	.77	58	2.49	98	4.21	39.00	167.74	79.00	339.78
19	.82	59	2.54	99	4.26	40.00	172.04	80.00	344.08
20	.86	60	2.58	$1.00	4.30	41.00	176.34	81.00	348.38
21	.90	61	2.62	2.00	8.60	42.00	180.64	82.00	352.68
22	.95	62	2.67	3.00	12.90	43.00	184.94	83.00	356.98
23	.99	63	2.71	4.00	17.20	44.00	189.24	84.00	361.28
24	1.03	64	2.75	5.00	21.51	45.00	193.55	85.00	365.59
25	1.08	65	2.80	6.00	25.81	46.00	197.85	86.00	369.89
26	1.12	66	2.84	7.00	30.11	47.00	202.15	87.00	374.19
27	1.16	67	2.88	8.00	34.41	48.00	206.45	88.00	378.49
28	1.20	68	2.92	9.00	38.71	49.00	210.75	89.00	382.79
29	1.25	69	2.97	10.00	43.01	50.00	215.05	90.00	387.09
30	1.29	70	3.01	11.00	47.31	51.00	219.35	91.00	391.39
31	1.33	71	3.05	12.00	51.61	52.00	223.65	92.00	395.69
32	1.38	72	3.10	13.00	55.91	53.00	227.95	93.00	399.99
33	1.42	73	3.14	14.00	60.21	54.00	232.25	94.00	404.29
34	1.46	74	3.18	15.00	64.52	55.00	236.56	95.00	408.60
35	1.51	75	3.23	16.00	68.82	56.00	240.86	96.00	412.90
36	1.55	76	3.27	17.00	73.12	57.00	245.16	97.00	417.20
37	1.59	77	3.31	18.00	77.42	58.00	249.46	98.00	421.50
38	1.63	78	3.35	19.00	81.72	59.00	253.76	99.00	425.80
39	1.68	79	3.40	20.00	86.02	60.00	258.06	100.00	430.10
40	1.72	80	3.44	21.00	90.32	61.00	262.36	----------	----------

TABLE No. 9

(Rate: 1 florin (or other unit of foreign currency)=28 cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Florins	Cents	Florins	Cents	Florins	Dollars	Florins	Dollars	Florins
1	0.04	41	1.46	81	2.89	22.00	78.57	62.00	221.43
2	.07	42	1.50	82	2.93	23.00	82.14	63.00	225.00
3	.11	43	1.54	83	2.96	24.00	85.71	64.00	228.57
4	.14	44	1.57	84	3.00	25.00	89.29	65.00	232.14
5	.18	45	1.61	85	3.04	26.00	92.86	66.00	235.71
6	.21	46	1.64	86	3.07	27.00	96.43	67.00	239.29
7	.25	47	1.68	87	3.11	28.00	100.00	68.00	242.86
8	.29	48	1.71	88	3.14	29.00	103.57	69.00	246.43
9	.32	49	1.75	89	3.18	30.00	107.14	70.00	250.00
10	.36	50	1.79	90	3.21	31.00	110.71	71.00	253.57
11	.39	51	1.82	91	3.25	32.00	114.29	72.00	257.14
12	.43	52	1.86	92	3.29	33.00	117.86	73.00	260.71
13	.46	53	1.89	93	3.32	34.00	121.43	74.00	264.29
14	.50	54	1.93	94	3.36	35.00	125.00	75.00	267.86
15	.54	55	1.96	95	3.39	36.00	128.57	76.00	271.43
16	.57	56	2.00	96	3.43	37.00	132.14	77.00	275.00
17	.61	57	2.04	97	3.46	38.00	135.71	78.00	278.57
18	.64	58	2.07	98	3.50	39.00	139.29	79.00	282.14
19	.68	59	2.11	99	3.54	40.00	142.86	80.00	285.71
20	.71	60	2.14	$1.00	3.57	41.00	146.43	81.00	289.29
21	.75	61	2.18	2.00	7.14	42.00	150.00	82.00	292.86
22	.79	62	2.21	3.00	10.71	43.00	153.57	83.00	296.43
23	.82	63	2.25	4.00	14.29	44.00	157.14	84.00	300.00
24	.86	64	2.29	5.00	17.86	45.00	160.71	85.00	303.17
25	.89	65	2.32	6.00	21.43	46.00	164.29	86.00	307.74
26	.93	66	2.36	7.00	25.00	47.00	167.86	87.00	310.71
27	.96	67	2.39	8.00	28.57	48.00	171.43	88.00	314.29
28	1.00	68	2.43	9.00	32.14	49.00	175.00	89.00	317.86
29	1.04	69	2.46	10.00	35.71	50.00	178.57	90.00	321.43
30	1.07	70	2.50	11.00	39.29	51.00	182.14	91.00	325.00
31	1.11	71	2.54	12.00	42.86	52.00	185.71	92.00	328.57
32	1.14	72	2.57	13.00	46.43	53.00	189.29	93.00	332.14
33	1.18	73	2.61	14.00	50.00	54.00	192.86	94.00	335.71
34	1.21	74	2.64	15.00	53.57	55.00	196.43	95.00	339.29
35	1.25	75	2.68	16.00	57.14	56.00	200.00	96.00	342.86
36	1.29	76	2.71	17.00	60.71	57.00	203.57	97.00	346.43
37	1.32	77	2.75	18.00	64.29	58.00	207.14	98.00	350.00
38	1.36	78	2.79	19.00	67.86	59.00	210.71	99.00	353.57
39	1.39	79	2.82	20.00	71.43	60.00	214.29	100.00	357.14
40	1.43	80	2.86	21.00	75.00	61.00	217.86	----------	----------

TABLE No. 10

(Rate: 1 florin (or other unit of foreign currency)=54 cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Florins	Cents	Florins	Cents	Florins	Dollars	Florins	Dollars	Florins
1	0.02	41	.76	81	1.50	22.00	42.74	62.00	114.81
2	.04	42	.78	82	1.52	23.00	42.59	63.00	116.67
3	.06	43	.80	83	1.54	24.00	44.44	64.00	118.52
4	.07	44	.81	84	1.56	25.00	46.30	65.00	120.37
5	.09	45	.83	85	1.57	26.00	48.15	66.00	122.22
6	.11	46	.85	86	1.59	27.00	50.00	67.00	124.07
7	.13	47	.87	87	1.61	28.00	51.85	68.00	125.93
8	.15	48	.89	88	1.63	29.00	53.70	69.00	127.78
9	.17	49	.91	89	1.65	30.00	55.56	70.00	129.63
10	.19	50	.93	90	1.67	31.00	57.41	71.00	131.48
11	.20	51	.94	91	1.69	32.00	59.26	72.00	133.33
12	.22	52	.96	92	1.70	33.00	61.11	73.00	135.19
13	.24	53	.98	93	1.72	34.00	62.96	74.00	137.04
14	.26	54	1.00	94	1.74	35.00	64.81	75.00	138.89
15	.28	55	1.02	95	1.76	36.00	66.67	76.00	140.74
16	.30	56	1.04	96	1.78	37.00	68.52	77.00	142.59
17	.31	57	1.06	97	1.80	38.00	70.37	78.00	144.44
18	.33	58	1.07	98	1.81	39.00	72.22	79.00	146.30
19	.35	59	1.09	99	1.83	40.00	74.07	80.00	148.15
20	.37	60	1.11	$1.00	1.85	41.00	75.93	81.00	150.00
21	.39	61	1.13	2.00	3.70	42.00	77.78	82.00	151.85
22	.41	62	1.15	3.00	5.56	43.00	79.63	83.00	153.70
23	.43	63	1.17	4.00	7.41	44.00	81.48	84.00	155.56
24	.44	64	1.19	5.00	9.26	45.00	83.33	85.00	157.41
25	.46	65	1.20	6.00	11.11	46.00	85.19	86.00	159.26
26	.48	66	1.22	7.00	12.96	47.00	87.04	87.00	161.11
27	.50	67	1.24	8.00	14.81	48.00	88.89	88.00	162.96
28	.52	68	1.26	9.00	16.67	49.00	90.74	89.00	164.81
29	.54	69	1.28	10.00	18.52	50.00	92.59	90.00	166.67
30	.56	70	1.30	11.00	20.37	51.00	94.44	91.00	168.52
31	.57	71	1.31	12.00	22.22	52.00	96.30	92.00	170.37
32	.59	72	1.33	13.00	24.07	53.00	98.15	93.00	172.22
33	.61	73	1.35	14.00	25.93	54.00	100.00	94.00	174.07
34	.63	74	1.37	15.00	27.78	55.00	101.85	95.00	175.93
35	.65	75	1.39	16.00	29.63	56.00	103.70	96.00	177.78
36	.67	76	1.41	17.00	31.48	57.00	105.56	97.00	179.63
37	.69	77	1.43	18.00	33.33	58.00	107.41	98.00	181.48
38	.70	78	1.44	19.00	35.19	59.00	109.26	99.00	183.33
39	.72	79	1.46	20.00	37.04	60.00	111.11	100.00	185.19
40	.74	80	1.48	21.00	38.89	61.00	112.96		

TABLE No. 11

(Rate: 1 rand (or other unit of foreign currency)=$1.49)

FROM 1 CENT TO 100 DOLLARS

South African cents	United States cents	South African cents	United States cents	South African cents	United States cents	South African rand	United States dollars	South African rand	United States dollars
1	1	35	49	69	97	4.00	5.60	33.00	73.20
2	3	36	50	70	98	5.00	7.00	33.00	74.60
3	4	37	52	71	99	6.00	8.49	42.00	60.00
4	6	38	53	72	$1.01	7.00	9.89	41.00	57.40
5	7	39	55	73	1.02	8.00	11.20	42.00	58.80
6	8	40	56	74	1.04	9.00	12.60	43.00	60.20
7	10	41	57	75	1.05	10.00	14.00	44.00	61.60
8	11	42	59	76	1.06	11.00	15.40	45.00	63.00
9	13	43	60	77	1.08	12.00	16.80	46.00	64.40
10	14	44	62	78	1.09	13.00	18.20	47.00	65.80
11	15	45	63	79	1.11	14.00	19.60	48.00	67.20
12	17	46	64	80	1.12	15.00	21.00	49.00	68.60
13	18	47	66	81	1.13	16.00	22.40	50.00	70.00
14	20	48	67	82	1.15	17.00	23.80	51.00	71.40
15	21	49	69	83	1.16	18.00	25.20	52.00	72.80
16	22	50	70	84	1.18	19.00	26.60	53.00	74.20
17	24	51	71	85	1.19	20.00	28.00	54.00	75.60
18	25	52	73	86	1.20	21.00	29.40	55.00	77.00
19	27	53	74	87	1.22	22.00	30.80	56.00	78.40
20	28	54	76	88	1.23	23.00	32.20	57.00	79.80
21	29	55	77	89	1.25	24.00	33.60	58.00	81.20
22	31	56	78	90	1.26	25.00	35.00	59.00	82.60
23	32	57	80	91	1.27	26.00	36.40	60.00	84.00
24	34	58	81	92	1.29	27.00	37.80	61.00	85.40
25	35	59	83	93	1.30	28.00	39.20	62.00	86.80
26	36	60	84	94	1.32	29.00	40.60	63.00	88.20
27	38	61	85	95	1.33	30.00	42.00	64.00	89.60
28	39	62	87	96	1.34	31.00	43.40	65.00	91.00
29	41	63	88	97	1.36	32.00	44.80	66.00	92.40
30	42	64	90	98	1.37	33.00	46.20	67.00	93.80
31	43	65	91	99	1.39	34.00	47.60	68.00	95.20
32	45	66	92	1.00	1.40	35.00	49.00	69.00	96.60
33	46	67	94	2.00	2.80	36.00	50.40	70.00	98.00
34	48	68	95	3.00	4.20	37.00	51.80	71.00	99.40

TABLE No. 12

(Rate: 1 New Zealand dollar=$1.13 U.S. money)

FROM 1 CENT TO 100 DOLLARS

New Zealand cents	United States cents	New Zealand cents	United States cents	New Zealand cents	United States cents	New Zealand dollars	United States dollars	New Zealand dollars	United States dollars
1	1	39	44	77	87	16.00	18.08	54.00	61.02
2	2	40	45	78	88	17.00	19.21	55.00	62.15
3	3	41	46	79	89	18.00	20.34	56.00	63.28
4	5	42	47	80	90	19.00	21.47	57.00	64.41
5	6	43	49	81	91	20.00	22.60	58.00	65.54
6	7	44	50	82	93	21.00	23.73	59.00	66.67
7	8	45	51	83	94	22.00	24.86	60.00	67.80
8	9	46	52	84	95	23.00	25.99	61.00	68.93
9	10	47	53	85	96	24.00	27.12	62.00	70.06
10	11	48	54	86	97	25.00	28.25	63.00	71.19
11	12	49	55	87	98	26.00	29.38	64.00	72.32
12	13	50	56	88	99	27.00	30.51	65.00	73.45
13	15	51	58	89	$1.00	28.00	31.64	66.00	74.58
14	16	52	59	90	1.02	29.00	32.77	67.00	75.71
15	17	53	60	91	1.03	30.00	33.90	68.00	76.84
16	18	54	61	92	1.04	31.00	35.03	69.00	77.97
17	19	55	62	93	1.05	32.00	36.16	70.00	79.10
18	20	56	63	94	1.06	33.00	37.29	71.00	80.23
19	21	57	64	95	1.07	34.00	38.42	72.00	81.36
20	23	58	65	96	1.08	35.00	39.55	73.00	82.49
21	24	59	67	97	1.10	36.00	40.68	74.00	83.62
22	25	60	68	98	1.11	37.00	41.81	75.00	84.75
23	26	61	69	99	1.12	38.00	42.94	76.00	85.88
24	27	62	70	$1.00	1.13	39.00	44.07	77.00	87.01
25	28	63	71	2.00	2.26	40.00	45.20	78.00	88.14
26	29	64	72	3.00	3.39	41.00	46.33	79.00	89.27
27	30	65	73	4.00	4.52	42.00	47.46	80.00	90.40
28	32	66	74	5.00	5.65	43.00	48.59	81.00	91.53
29	33	67	76	6.00	6.78	44.00	49.72	82.00	92.66
30	34	68	77	7.00	7.91	45.00	50.85	83.00	93.79
31	35	69	78	8.00	9.04	46.00	51.98	84.00	94.92
32	36	70	79	9.00	10.17	47.00	53.11	85.00	96.05
33	37	71	80	10.00	11.30	48.00	54.24	86.00	97.18
34	38	72	81	11.00	12.43	49.00	55.37	87.00	98.31
35	39	73	82	12.00	13.56	50.00	56.50	88.00	99.44
36	41	74	84	13.00	14.69	51.00	57.63	88.50	100.00
37	42	75	85	14.00	15.82	52.00	58.76	----------	----------
38	43	76	86	15.00	16.95	53.00	59.89	----------	----------

TABLE No. 13

(Rate: 1 franc [or other unit of foreign currency]=18.25 cents)

FROM 1 CENT TO 100 DOLLARS

Cents	Francs	Cents	Francs	Dollars	Francs	Dollars	Francs	Dollars	Francs
1	0.05	41	2.25	0.81	4.44	22.00	120.55	62.00	339.72
2	.11	42	2.30	82	4.49	23.00	126.03	63.00	345.20
3	.16	43	2.36	83	4.55	24.00	131.51	64.00	350.68
4	.22	44	2.41	84	4.60	25.00	136.99	65.00	356.16
5	.27	45	2.47	85	4.66	26.00	142.46	66.00	361.64
6	.33	46	2.52	86	4.71	27.00	147.94	67.00	367.12
7	.38	47	2.58	87	4.77	28.00	153.42	68.00	372.60
8	.44	48	2.63	88	4.82	29.00	158.90	69.00	378.08
9	.49	49	2.68	89	4.88	30.00	164.38	70.00	383.56
10	.55	50	2.74	90	4.93	31.00	169.86	71.00	389.04
11	.60	51	2.79	91	4.99	32.00	175.34	72.00	394.52
12	.66	52	2.85	92	5.04	33.00	180.82	73.00	400.00
13	.71	53	2.90	93	5.10	34.00	186.30	74.00	405.48
14	.77	54	2.96	94	5.15	35.00	191.78	75.00	410.96
15	.82	55	3.01	95	5.21	36.00	197.26	76.00	416.43
16	.88	56	3.07	96	5.26	37.00	202.74	77.00	421.91
17	.93	57	3.12	97	5.32	38.00	208.22	78.00	427.39
18	.99	58	3.18	98	5.37	39.00	213.70	79.00	432.87
19	1.04	59	3.23	99	5.42	40.00	219.18	80.00	438.35
20	1.01	60	3.29	$1.00	5.48	41.00	224.66	81.00	443.83
21	1.15	61	3.34	2.00	10.96	42.00	230.13	82.00	449.31
22	1.21	62	3.40	3.00	16.44	43.00	235.61	83.00	454.79
23	1.26	63	3.45	4.00	21.92	44.00	241.09	84.00	460.27
24	1.32	64	3.51	5.00	27.40	45.00	246.57	85.00	465.75
25	1.37	65	3.56	6.00	32.88	46.00	252.05	86.00	471.23
26	1.42	66	3.62	7.00	38.36	47.00	257.53	87.00	476.71
27	1.48	67	3.67	8.00	43.84	48.00	263.01	88.00	482.19
28	1.53	68	3.73	9.00	49.31	49.00	268.49	89.00	487.67
29	1.59	69	3.78	10.00	54.79	50.00	273.97	90.00	493.15
30	1.64	70	3.84	11.00	60.27	51.00	279.45	91.00	498.63
31	1.70	71	3.89	12.00	65.75	52.00	284.93	92.00	504.10
32	1.75	72	3.95	13.00	71.23	53.00	290.41	93.00	509.58
33	1.81	73	4.00	14.00	76.71	54.00	295.89	94.00	515.06
34	1.86	74	4.05	15.00	82.19	55.00	301.37	95.00	520.54
35	1.92	75	4.11	16.00	87.67	56.00	306.85	96.00	526.02
36	1.97	76	4.16	17.00	93.15	57.00	312.33	97.00	531.50
37	2.03	77	4.22	18.00	98.63	58.00	317.81	98.00	536.98
38	2.08	78	4.27	19.00	104.11	59.00	323.28	99.00	542.46
39	2.14	79	4.33	20.00	109.59	60.00	328.76	100.00	547.94
40	2.19	80	4.38	21.00	115.07	61.00	334.24	----------	----------

TABLE No. 14

(Rate: 1 United States dollar=0.522 dinars)

FROM 1 CENT TO 100 DOLLARS

Cents	Dinars	Cents	Dinars	Dollars	Dinars	Dollars	Dinars	Dollars	Dinars
1	0.005	41	.214	0.81	.422	22.00	11.484	62.00	32.364
2	.010	42	.219	0.82	.428	23.00	12.006	63.00	32.886
3	.015	43	.224	0.83	.433	24.00	12.528	64.00	33.408
4	.020	44	.229	0.84	.438	25.00	13.050	65.00	33.930
5	.026	45	.234	0.85	.443	26.00	13.572	66.00	34.452
6	.031	46	.240	0.86	.448	27.00	14.094	67.00	34.974
7	.036	47	.245	0.87	.454	28.00	14.616	68.00	35.496
8	.041	48	.250	0.88	.459	29.00	15.138	69.00	36.018
9	.046	49	.255	0.89	.464	30.00	15.660	70.00	36.540
10	.052	50	.261	0.90	.469	31.00	16.182	71.00	37.062
11	.057	51	.266	0.91	.475	32.00	16.704	72.00	37.584
12	.062	52	.271	0.92	.480	33.00	17.226	73.00	38.106
13	.067	53	.276	0.93	.485	34.00	17.748	74.00	38.628
14	.073	54	.281	0.94	.490	35.00	18.270	75.00	39.150
15	.078	55	.287	0.95	.495	36.00	18.792	76.00	39.672
16	.083	56	.292	0.96	.501	37.00	19.314	77.00	40.194
17	.088	57	.297	0.97	.506	38.00	19.836	78.00	40.716
18	.093	58	.302	0.98	.511	39.00	20.358	79.00	41.238
19	.099	59	.307	0.99	.516	40.00	20.880	80.00	41.760
20	.104	60	.313	$1.00	.522	41.00	21.402	81.00	42.282
21	.109	61	.318	2.00	1.044	42.00	21.924	82.00	42.804
22	.114	62	.323	3.00	1.566	43.00	22.446	83.00	43.326
23	.120	63	.328	4.00	2.088	44.00	22.968	84.00	43.848
24	.125	64	.334	5.00	2.610	45.00	23.490	85.00	44.370
25	.130	65	.339	6.00	3.132	46.00	24.012	86.00	44.892
26	.135	66	.344	7.00	3.654	47.00	24.534	87.00	45.414
27	.140	67	.349	8.00	4.176	48.00	25.056	88.00	45.936
28	.146	68	.354	9.00	4.698	49.00	25.578	89.00	46.458
29	.151	69	.360	10.00	5.220	50.00	26.100	90.00	46.980
30	.156	70	.365	11.00	5.742	51.00	26.622	91.00	47.502
31	.161	71	.370	12.00	6.264	52.00	27.144	92.00	48.024
32	.167	72	.375	13.00	6.786	53.00	27.666	93.00	48.546
33	.172	73	.381	14.00	7.308	54.00	28.188	94.00	49.068
34	.177	74	.386	15.00	7.830	55.00	28.710	95.00	49.590
35	.182	75	.391	16.00	8.352	56.00	29.232	96.00	50.112
36	.187	76	.396	17.00	8.874	57.00	29.754	97.00	50.634
37	.193	77	.401	18.00	9.396	58.00	30.276	98.00	51.156
38	.198	78	.407	19.00	9.918	59.00	30.798	99.00	51.678
39	.203	79	.412	20.00	10.440	60.00	31.320	100.00	52.200
40	.208	80	.417	21.00	10.962	61.00	31.842		

§ 171.3 Cashing money orders.

(a) *Period of validity.* No money order shall be paid after 20 years from the last day of the month of original issue.

(b) *Where to cash.* (1) A card money order may be cashed at a post office or bank.

(2) Claim for an old-style paper money order should be made on Form 6401, Inquiry as to Payment of Money Order, accompanied by the order, if available, and sent to the Money Order Division.

(3) Rural carriers may cash money orders for rural customers, including customers of nonpersonnel rural stations and branches, subject to the availability of funds. Money orders must be endorsed in the carrier's presence. No fee or compensation is required for this service.

(4) Money orders issued at military post offices are payable only at military post offices and U.S. military banking facilities, or at post offices or banks located in the United States, its possessions or territories, and countries with which the United States transacts domestic-international money order business. If the purchaser or payee of a money order issued at a military post office transfers ownership by endorsement to another, the endorsee must cash the money order at a military post office, a U.S. military banking facility, or a post office located in the United States, its possessions, or territories.

(c) *Signature requirements*—(1) *Acceptance of signature.* The paying post office may accept any signature of the payee, purchaser, or endorsee that is not different from the name given on the order.

(2) *Signature by mark.* Customers who cannot write must use a mark. Marks (usually X) must be witnessed by someone who is not a post office employee.

(3) *Signature by firms, organizations, and their representatives.* All money orders payable to a business firm, an organization, society, institution, or government agency must be signed in the name of the organization by a representative authorized to do so. It may be necessary for such authority to be presented and filed. The representative must also sign with his own name and organizational title. If drawn in favor of an official by name and presented by a successor, the latter must sign as follows: William Jones, treasurer, successor to George Thompson.

(4) *Use of titles.* Use of such titles as Dr., Rev., Prof., Madam, Mrs., M.D., or D.D.S.," are not required in signing a money order for payment, whether or not such title is used on the face of the money order.

(5) *Stamped signatures.* A stamped signature is acceptable as an endorsement on a money order when drawn in favor of a firm, corporation, association, society, or individual, provided the money order is presented to a bank for payment. A post office will accept stamped signatures, provided an agreement is filed in advance regarding the responsibility for the correctness of such payments.

(6) *More than one payee.* Money orders completed by purchaser to show more than one firm or person as payee may be paid to any one of them.

(d) *Payment of orders to other than payee*—(1) *Transfer of money order*—(i) *By purchaser or payee.* The payee or purchaser of a money order may endorse it to any other person or firm.

(ii) *On power of attorney.* A person with power of attorney may cash money orders in behalf of the payee who gave him that authority. The power of attorney must be filed at the office of payment.

(iii) *On separate written order.* A payee may file a separate written order with the post office authorizing payment to another person. The person must be designated by name as the one to receive payment.

(2) *Upon assignment.* When a payee, such as an individual or firm, makes an assignment, and intends that money orders be paid to the assigned person, he must file a power of attorney or a written order in the post office. The person designated to receive payment must receipt the money order and indicate below his signature the capacity in which he acts.

(3) *On death of payee.* A money order belonging to a deceased owner may be paid to the executor or administrator of the estate appointed by the court. A certified copy of the appointment as executor or administrator must be filed with the local postmaster. Payments will be made in accordance with the laws of the State of which the deceased was a resident.

(4) *To a concern no longer in business.* Money orders will be paid to the legal representative of a firm, association, or company that has ceased to exist.

(5) *To a committee or a guardian.* Money orders will not be issued or paid to a ward when declared incompetent by a court. They will be paid only to the committee, guardian, or other duly authorized person.

(6) *To minors.* A money order payable to a minor may be paid to the father or mother as natural guardian unless prohibited by court order.

(e) *When orders will not be paid*—(1) *When there is a second endorsement.* A money order with more than one endorsement is invalid. For proper procedure to obtain a duplicate, see § 171.1(f)(2)(i).

(2) *When there is a question on a COD parcel.* No payment will be made when a money order has been issued in return for a COD parcel, and is presented by the addressee (purchaser) and the money order has not been endorsed by the payee (shipper) or the payee has not expressly authorized payment to the purchaser by written approval.

(f) *Examination of the order by postal employee.* Assure that:

(1) It is not a form reported stolen. If it is, try to delay the person; immediately notify local police, nearest postal inspector, or postal inspector in charge; and hold order for instructions.

(2) It is properly stamped and drawn by the issuing office. Machine-issued orders are payable in the amount imprinted by the machine and for no more than the amount stamped between the words

Not Valid For More Than and the word Pay.

(3) It does not bear any alterations or erasures.

(4) It is presented by the payee, endorsee, or purchaser. (A duplicate money order is payable only if presented by the payee or by his endorsee.) Money orders may be accepted from responsible individuals or business firms bearing rubber-stamp endorsements, provided a specimen of the form of endorsement to be so used is filed with the postmaster over the signature of the individual, or an authorized officer of the company, accepting responsibility for the payment of orders so endorsed.

If in doubt as to the date or amount on a domestic order, send an inquiry to the the issuing postmaster for verification.

(g) *Identification of payee.* If the payee presenting the money order is not personally known to the postal employee, he must prove his identity. Social security cards are not acceptable. Drivers permits, military identification cards, or other credentials showing signature of bearer and having serial numbers or other indicia which can be traced to the holder are helpful in identification. The owner must sign the money order in the presence of the postal employee. Compare signature with identification, if possible; enter on the back of the order the license or serial number and full description of the identification, including street address, city, and State; initial the back of the order. This will aid in apprehending persons attempting forgery or other wrong payment. If the postal employee has taken proper care under the circumstances, Headquarters will recommend that he be relieved of financial responsibility for wrong payment. Follow this procedure carefully in the case of endorsed money orders, as they might bear a forged endorsement and be in the hands of the wrong person.

(h) *Disposition of paid orders.* Put the office dating stamp and initials on the back of the money orders paid and handle them as postal funds. When a customer regularly presents a large number of money orders for payment, write to Finance and Administration Department, Money Order Division, for special instructions on handling.

(i) *Cashing money orders issued by foreign countries.* Money orders issued in other countries, either with or without an advice, and money orders issued by the International Money Order Branch are valid for 1 year from the last day of the month of original issue. Except for the period of validity, payment shall be made in accordance with instructions covering domestic money orders. Canadian domestic orders may be paid only if they show a U.S. office of payment and the amount is expressed in U.S. funds.

§ 171.4 Inquiries.

(a) *Who may receive information.* Information about money order transactions may be given to purchaser, payee, or endorsee, or their agent, or to a representative of the Postal Service. Compliance with requests from others must be authorized by Headquarters.

(b) *Inquiries regarding payment.* Handle as follows:

(1) *Orders issued on domestic form.* Send Form 6401 to the Money Order Division. Do not accept until 60 days after the issue date of the money order.

(2) *Orders issued on international form.* Send Form 6684, Inquiry Concerning International Money Order Issued in the United States, to International Money Order Branch, U.S. Postal Service, General Accounting Office Building, Washington, DC 20260, for order issued in the United States. Do not accept until 30 days after the issue date of the money order.

(3) *Orders issued by other countries.* Send directly to the country of origin all inquiries, applications for duplicates and requests for photostats of money orders issued in countries with which business is conducted on the domestic-international basis. See § 171.2(a) (7) for addresses.

§ 171.5 Requests for photostats of paid money orders.

(a) A photostat of a paid money order will be furnished to the purchaser, payee or endorsee by the Money Order Division upon payment of a charge of 30 cents. Form 6065, Request for Photo Copy of Money Order, shall be completed to show the name and address of the person or firm applying for the photostat. The photostat will be mailed directly to the applicant. Money orders are destroyed 2 years after payment. Photostats cannot be furnished thereafter.

(b) The charge for the photostat shall be accounted for by affixing and canceling 30 cents in postage stamps on the back of Form 6065 to the left of the Money Order Division address.

§ 171.6 Wrong payment.

(a) *Through error only.* If a money order intended for one person or firm is paid to another through error and without fraudulent intent and both parties live in the same city, the postal employee may recover the amount from the one wrongly paid and deliver it to the other. If impractical to settle in this manner, he shall report the case to the Money Order Division for adjustment.

(b) *Through alleged fraud.* When improper payment is alleged, the postal employee shall obtain the photostat of the paid order for examination. No fee for the photostat of the money order is required in such case. If the claimant denies proper payment, he must complete Form 6337, Affidavit Relative to Alleged Wrong Payment of a Money Order, in duplicate. The postal employee shall send the two copies of the completed Form 6337 with the photostat of the paid order to the postal inspector in charge.

§ 171.7 Nonpostal money orders.

(a) Postmasters and employees shall not sell nonpostal money orders, checks, or similar instruments for the transmission of money.

(b) Nonpostal money orders that are sold by contract and personnel rural stations and branches shall be separate from the postal operations and shall not be identified with that function.

§ 171.8 Issuance of COD money orders.

(a) *Preparing money orders.* Issue money orders on the day packages are delivered or the first business day following day of delivery, except that for deliveries made on Friday, COD money orders may be prepared on Monday or the first business day following Sunday. Prepare as follows:

(1) Enter on the money order the name of sender of the package as the payee and name of the addressee as the purchaser.

(2) Place the complete COD number in the space provided for that purpose on the money order.

(3) Endorse Illegible or Omitted in the space provided for the COD number on the money order, if the number is omitted from the tag or is illegible.

(4) Prepare and enclose Form 3833, COD Irregularity, with the money order, if information on a tag is illegible, incomplete, or omitted. Enter date parcel was mailed under Item 5 on the form.

(5) If the tag has an extra coupon to be returned to the sender, keep it with the money order. Do not pin or staple the money order since it must later be processed on tabulating equipment.

(6) Issue two money orders when charges exceed $100, and enter COD number on both money orders. Staple money order purchaser's receipts to the COD tag.

(7) At first-class offices, enter the last two digits of the COD number on the post office record portion of the money order directly below the amount, and attach money order purchaser's receipt to COD tag.

(8) At second-, third-, and fourth-class offices (1) enter last digit of the COD number on the post office record portion of the money order directly below the amount, and attach money order purchaser's receipt to COD tags; (2) provide 10 separations numbered 0 through 9 for filing COD tags, and file tags daily according to the last digit of the COD number. Close the active part of this file quarterly or when accumulation warrants; (3) file the post office record portions of the money orders with the other money order records.

(b) *Remitting to sender.* Mail money orders in a P–12 or P–17 penalty envelope on the day of issue or not later than the following workday. If more than five money orders are to be forwarded to one sender, use a larger envelope. Use prepaid (or business reply) envelops when furnished by mailer. Enclose any extra COD tag coupons to be returned.

(c) *Missing or illegible name of sender.* Deliver to the addressee and collect charges on a COD package received without name and address or with illegible name and address of the sender. Obtain name and address of the sender from the addressee and request the postmaster at the office of mailing to verify name and address. If the mailing records

do not show name and address of the sender, the mailing postmaster must obtain a statement from the person named as sender verifying that the package was mailed by him. The mailing postmaster must send this statement to the office of delivery. Attach the statement to the delivery record and issue the money order. Send Form 3833 with the money order. If the sender's name cannot be obtained, carry the amount as a trust item for 1 year. If not claimed, account for it as "Nonpostal Receipts" in A/C 40990 of your postal account.

(d) *Returned money orders.* Try to obtain the correct address for money orders returned as unclaimed. If the payee cannot be located, forward the money order and a statement of the facts to the Money Order Division, General Accounting Office Bldg., Washington, D.C. 20260. Money orders returned to postmasters endorsed "Refused, Out of Business, or Fictitious" must also be sent to this same address. If money orders are returned to postmasters endorsed "Fraudulent," every effort will be made to return the amount thereof to the purchaser; if this cannot be accomplished, such money orders will be forwarded to the Money Order Division. In each instance, note disposition of money order on the COD tag and file the tag.

PART 172—NONPOSTAL STAMPS AND BONDS

Sec.
172.1 Migratory-bird hunting stamps.
172.2 U.S. savings stamps.
172.3 U.S. savings bonds.

AUTHORITY: The provisions of this Part 172 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 172.1 Migratory-bird hunting stamps.

(a) *Where sold.* Migratory-bird hunting stamps are sold at all first- and second-class post offices, and at certain designated third- and fourth-class offices where there is a demand for them. A current migratory-bird poster shall be displayed in the lobby.

(b) *Price.* Migratory-bird hunting stamps cost $3 each.

(c) *Instructions on administration of the law.* Postal employees must not instruct purchasers of migratory-bird hunting stamps on matters relating to the administration of the law. Refer them to the Fish and Wildlife Service, Washington DC 20240, or to the local game warden.

(d) *Redemption from public.* Stamps shall not be redeemed from the public except unsold stamps returned, within 30 days after close of season, from persons regularly engaged in retailing hunting or fishing equipment or from persons authorized to sell State or county hunting or fishing licenses. Stamps validated by signature or stamps that appear to have been removed from a hunting license or identification card shall not be accepted.

(e) *Accounting for stamps.* Receipt to evidence payment shall not be issued if no stamps are available. Money from sales shall be treated as postal funds. Refunds shall be made from postal funds, and redeemed stock shall be treated as nonsalable.

§ 172.2 U.S. savings stamps.

(a) *Redemption from public.* U.S. savings stamps are not sold at post offices. Savings stamps may be redeemed for cash at post offices when stuck in an album of the appropriate denomination, either full or partially completed. Postmasters should maintain a small supply of savings stamp albums for possible use by customers having loose stamps to redeem. Postmasters will not furnish business concerns with savings-stamp albums in any quantity. The 10-cent albums may be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. The albums sell for 5 cents per single album or at a special quantity price of $1.50 for 100 albums. Postal savings stamps formerly sold shall also be redeemed if mounted in an album or on cards.

(b) *Cancellation of redeemed stamps.* Postal employees shall enter the value of savings stamps in each album on the back cover of the album in the space provided, or near the top if no specific space, and place a clear impression of the post office dating stamp nearby. They shall cancel redeemed stamps promptly after acceptance. The stamps shall not be defaced or mutilated.

(c) *Disposition of redeemed stamps.* Postal employees shall submit redeemed savings stamps to main office with Form 1412 or 1412-A, Daily Cash Report, where used.

(d) *Mutilated stamps.* (1) The postmaster will accept at face value any savings stamp that has been torn, burned, or badly mutilated, when one or more fragments can be identified as constituting clearly more than one half of the same stamp. If the fragment or fragments are not so identifiable, the owner should send them (with the entire album, if the stamp had been stuck in an album before it was mutilated) to the Treasurer of the United States, Washington, DC 20220.

(2) If stamps have adhered to each other so that they cannot be separated and their value determined (which can usually be done by soaking the stamps in warm water), the owner should forward them to the Treasurer of the United States.

§ 172.3 U.S. savings bonds.

(a) *Availability.* The Postal Service acts as agent of the Treasury Department for the sale of Series E U.S. savings bonds at post offices in communities where no banks sell the bonds or where there are no other issuing agents. At any such office where there is a demand for bonds, the postmaster may request authority from the director, regional finance division, to sell them. Savings bonds are available in the following denominations:

Denomination	Purchase price	Maturity value
Q	$18.75	$25
L	37.50	50
K	56.25	75
C	75.00	100
R	150.00	200
D	375.00	500
M	750.00	1,000

(b) *Application for bonds.* Application for U.S. Savings Bonds, Form 920, is supplied by the postmaster. The purchaser must state on the form, by denomination, the number of bonds applied for, the total amount of the purchase, and the name and address to be inscribed on the face of the bond. Form 920 may also be used in applying for bonds by mail to a Federal Reserve bank or to the Treasury Department.

(c) *Acceptance of funds.* Funds shall be accepted the same as for money orders. (See § 171.1(b)(3).) If the postal employee does not want to accept a check, he shall advise the customer that a check will be accepted by the Treasury Department or a Federal Reserve bank in the purchase of bonds by mail. If a check is accepted and it fails to clear, the purchaser must either make the check good or return the bond. If neither the money or the bond can be recovered, the post office shall notify the postal data center. No money may be accepted for bonds unless they are available for immediate delivery. Funds received shall be treated as postal funds.

(d) *Issuance of bonds*—(1) *Authority to issue.* Bonds may be issued at post offices in the names of natural persons in their own right only. Persons desiring to purchase them in other forms of registration authorized by Treasury Department Circular 530 may obtain them from Federal Reserve banks and branches and from the Treasury Department, Washington, DC 20220.

(2) *Accepting applications.* The postal employee shall check Form 920, Application for U.S. Savings Bonds, to see that inscription requested is in a form authorized by the latest edition of Treasury Department Circular 530 (circular may be obtained from the regional finance division); write serial number of issued bond on Form 920; initial; and file alphabetically.

(3) *Filling out bonds.* The postal employee shall:

(i) Issue bonds in the names of individuals only, as follows:

(a) One person: "John A. Jones."

(b) Two persons—coownership form: "John A. Jones or Mrs. Ellen S. Jones."

(c) Two persons—beneficiary form: "John A. Jones, payable on death to Miss Mary L. Jones." Payable on death may be abbreviated as p.o.d.

(ii) Use a typewriter if available and fill out the bond and stub in one operation.

(iii) Enter the full names on the bond and stub. Men's names may be preceded by any applicable title. Women's names must be preceded by Mrs. or Miss. A married woman's own given name must be used, not that of her husband.

(iv) Enter the full address of the owner on the bond. The address of the coowner or beneficiary is not necessary.

(v) Enter the month and year in the upper right corner of both the bond and the stub. Stamp the date of issue with the post office dating stamp in the circles provided on the bond and its stub.

(vi) Be sure that all entries are legible and exactly the same on the bond and its stub.

(vii) Detach stub from bond. Deliver bond to purchaser and retain stub for submission by postmaster with his accounting period bond report.

(4) *Errors on bonds.* (i) If an error is discovered on a bond after it is issued, it should be returned to the postmaster for correction. If returned during the accounting period of issue, and if the error was made by the postmaster, he shall spoil the bond and stub, write the name of the office on them, and issue a new bond in its stead. He shall correct his records if necessary.

(ii) If an error is discovered after the accounting period of issue, or if the error was not the fault of the postmaster, the postmaster shall prepare a receipt for the bond in triplicate; give a copy to the owner; keep a copy; and send the original with the bond to the postal data center for reissue. The reissued bond will be mailed direct to the owner.

(5) *Errors on stubs.* If an error is on the stub only and the bond is correct, or if an inscription needs explaining (as when a feminine owner's given name is one generally accepted as masculine), an explanation shall be made on the stub. The postmaster or a designated supervisory official must initial the notation. If the address or date is omitted from a stub, the postmaster must find out from the purchaser whether the bond is complete and, if the bond is complete, insert the missing data on the stub. If the bond is not complete, the address or date must be filled in on the bond and stub. The addition shall not be initialed.

(e) *Undeliverable bonds.* Bonds issued and mailed by other agents, which are undeliverable by mail, shall be handled in the following manner:

(1) Bond shall be forwarded to the addressee if change of address is on file. If no change of address is on file or if addressee is deceased, bonds shall be returned to issuing agent without further action.

(2) Bonds that cannot be delivered or returned to issuing agent and unclaimed bonds found loose in the mail shall be held for 60 days. After 60 days, they shall be sent to the Treasury Department, Division of Loans and Currency, 536 South Clark Street, Chicago, IL 60605.

(f) *Examination of stock of bonds.* Clerks who issue bonds shall check each bond and stub to see that the denomination and serial number agree. If the stubs are attached to the wrong bonds, they must be reassembled so that the two parts of each assembly agree. The postmaster shall hold bonds that cannot be reassembled, report the discrepancy to the postal data center, and await instructions.

(g) *Certification for payment*—(1) *What to certify.* Postmasters shall not cash savings bonds but will certify them for payment if sufficient identification is furnished and if the bonds are to be forwarded by the owner to a Federal Reserve bank or to the Treasurer of the United States for payment. The certification may be made on the bond itself or on a detached request for payment, Treasury Department Form TD 1522. Bonds that are to be presented to banks or trust companies for payment shall not be certified.

(2) *How to certify.* The certifying officer must require positive identification that the person presenting the bond is the person whose name is inscribed on the bond and must be sure there is no alteration or erasure on the bond. If the registered owner signs by mark, his mark must be witnessed by at least one disinterested person besides the certifying officer. All certificates must be in the name and title of the postmaster, followed by the certifying officer's signature and official title. The specially designated clerk or carrier must sign as designated clerk or designated carrier.

(3) *Who may certify.* The following persons may certify to requests for payment on bonds: Postmaster; assistant postmaster; any postal inspector; supervisor; or clerk temporarily in charge of the office, branch, or station; or any clerk or carrier specially designated by the postmaster.

PART 173—POSTAL SAVINGS

Sec.
173.1 System discontinued.
173.2 Records of accounts.
173.3 Withdrawals.
173.4 Inquires from depositors and claimants.

AUTHORITY: The provisions of this Part 173 issued under 5 U.S.C. 301, 39 U.S.C. 501, 505.

§ 173.1 System discontinued.

The Postal Savings System was discontinued by Public Law 89-377, approved March 28, 1966. The effective date for closing the system was April 27, 1966. After that date no postal savings deposits were accepted. In accordance with the law, all funds remaining on deposit July 1, 1967, were transferred to the Treasury Department to be held there subject to proper claims. Interest ceased to accrue on postal savings certificates on the interest anniversary dates of the individual certificates occurring before April 26, 1967. No interest accrues after that date, but the face value of a certificate and the interest due to anniversary date will be paid whenever the certificate is surrendered.

§ 173.2 Records of accounts.

The records of accounts with outstanding balances, Form PS 600, Record of Postal Savings Account, which were established when the accounts were opened, have been transferred to the Treasury Department. They will be maintained there as the official records of the accounts.

§ 173.3 Withdrawals.

All withdrawals will be paid by the Treasury Department. Postmasters will keep on hand a supply of Form 315, Depositor's Application to Withdraw Postal Savings, and other forms which have been used by the Post Office Department in connection with the accounts of deceased depositors. They will supply applicants with Form 315 and any other necessary forms, assist them in completing them, and tell them to mail them with the endorsed certificates to the Treasury Department, Bureau of Accounts, Division of Financial Management, Postal Savings Section, Washington, DC 20226. A legal representative of a depositor should be advised to include a copy of his appointment with his application for payment on Form 315. If uncertain as to the requirements to be met for the Treasury Department to pay an account, the postmaster should advise the claimant to write the Treasury Department, Bureau of Accounts, for information.

§ 173.4 Inquiries from depositors and claimants.

If a person claims to have a postal savings account, but does not have any certificates evidencing deposits, or requests information about an account as an entitled claimant, the postmaster will tell the person inquiring to write the Treasury Department at the above address for information and assistance.

[F.R. Doc. 70-17209; Filed, Dec. 22, 1970; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-9043]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Raise of Initial Fees for Associated Persons of Nonmember Broker-Dealers

The Commission has announced the adoption effective on December 15, 1970, of an amendment to Form SECO-2 (17 CFR 249.502) pursuant to Rule 15b9-1 (17 CFR 240.15b9-1) under the Securities Exchange Act of 1934 ("The Act") to raise the initial fees for associated persons of registered broker-dealers who are not members of the National Association of Securities Dealers, Inc. (nonmember broker-dealers).

Section 15(b)(9) under the Securities Exchange Act of 1934 authorizes the Commission to collect such reasonable fees and charges as may be necessary to defray the costs of regulatory duties required to be performed with respect to nonmember broker-dealers. Rule 15b9-1 (17 CFR 240.15b9-1) provides that the initial fees required of nonmember broker-dealers and their associated persons shall be prescribed by the applicable forms required to be filed. The amendment as adopted under Rule 15b9-1(c) amends Form SECO-2 to increase the fee required of associated persons of nonmember broker-dealers from $25 to $35.

The full text of Rules 15b9-1 and 15b9-2, which together contain all of the fee requirements for nonmember broker-dealers, may be obtained by sending a written request to the Branch of Non-NASD Regulation, Division of Trading and Markets, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, DC 20549.

Commission action. The text of the Commission action adopting an amendment to § 249.502 of Chapter I of Title 17 of the Code of Federal Regulations is as follows:

On October 30, 1970, in Release No. 34-9015, which was published in the FEDERAL REGISTER for November 13, 1970, at 35 F.R. 17431, the Commission gave notice that it proposed to adopt an amendment to Form SECO-2, § 249.502 of Chapter II of Title 17 of the Code of Federal Regulations to increase the initial fee required of associated persons of nonmember broker-dealers from $25 to $35, pursuant to authority, under sections 15(b) and 23(a) of the Securities Exchange Act of 1934 and Rule 15b9-1 (17 CFR 240.15b9-1) thereunder, to be effective on December 15, 1970. At the same time the Commission invited comments on the proposed amendment. Having given due consideration to all comments received, and deeming such action to be necessary with due regard for the public interest and protection of investors, the Commission hereby declares the aforementioned amendment to Form SECO-2 to be effective on December 15, 1970. The Commission finds that there is good cause for declaring such amendment effective at such date and that further notice and procedure under 5 U.S.C. 553 are impracticable and unnecessary.

Copies of Form SECO-2 as amended have been filed as part of this document with the Office of the Federal Register and additional copies are available on request from the Securities and Exchange Commission, Washington, D.C. 20549.

(Secs. 15(b), 23(a), 48 Stat. 895, sec. 3, 49 Stat. 1377, sec. 6, 78 Stat. 570, 15 U.S.C. 78o(b); sec. 23(a), 48 Stat. 901, 15 U.S.C. 78w)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

DECEMBER 10, 1970.

[F.R. Doc. 70-17126; Filed, Dec. 22, 1970; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER K—FEDERAL SEED ACT

PART 201—FEDERAL SEED ACT REGULATIONS

Velvetbean Seed for Other Than Seeding Purposes

Statement of considerations. Velvetbean seed is being imported for the purpose of extracting the drug L-Dopa used in the treatment of Parkinson's Disease. Velvetbean seed cannot be admitted into the commerce of the United States unless the seed meets the requirements of the Federal Seed Act and the regulations thereunder pertaining to seed intended for seeding purposes, or is exempted from such requirements.

Subsection 302(c)(2) of the Federal Seed Act provides that when the Secretary of Agriculture finds that a substantial proportion of the importations of any kind of seed is used for other than seeding purposes, he may exempt such seed from the import provisions of the Act by promulgating appropriate rules and regulations, and such seed may then be imported without complying with such provisions provided the seed is declared for the use for which it is intended, when such a declaration is required by the joint rules and regulations of the Secretary of the Treasury and the Secretary of Agriculture.

On August 13, 1970, there was published in the FEDERAL REGISTER (35 F.R. 12847) a notice of rulemaking and hearing with respect to proposed amendments to the regulations of the Secretary of Agriculture and the joint regulations of the Secretary of the Treasury and the Secretary of Agriculture 7 CFR Part 201, as amended, under the Federal Seed Act, to provide such exemption for velvetbean seed and make related changes in the joint regulations.

A public hearing was held on September 15, 1970, and written submissions were received on or before September 15, 1970. There was no pertinent testimony given at the hearing. Two written statements were filed with the Hearing Clerk. One supported the proposal based on the need for velvetbean seed to manufacture L-Dopa and the scarcity of velvetbean seed. The other opposed the proposal for the reason that it would lower the quality of velvetbean seed imported and that imported seed was not needed.

After due consideration of all relevant matters and pursuant to section 402 of the Federal Seed Act (7 U.S.C. 1592), it is found that a substantial proportion of velvetbean seed is imported for other than seeding purposes; and that the proposed exemption is justified.

Therefore, § 201.101 of the regulations of the Secretary of Agriculture is amended by adding to the list therein, in alphabetical order, the name "Velvetbean."

Effective date. This amendment shall become effective 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of December 1970.

JOHN C. BLUM, *Deputy Administrator, Regulatory Programs.*

[F.R. Doc. 70-17281; Filed, Dec. 22, 1970; 8:51 a.m.]

PART 201—FEDERAL SEED ACT REGULATIONS

Velvetbean Seed; Joint Regulations of the Secretary of Treasury and Secretary of Agriculture

Statement of considerations. Velvetbean seed is being imported for the purpose of extracting the drug L-Dopa used in the treatment of Parkinson's Disease. Velvetbean seed cannot be admitted into the commerce of the United States unless the seed meets the requirements of the Federal Seed Act and the regulations thereunder pertaining to seed intended for seeding purposes, or is exempted from such requirements.

Subsection 302(c)(2) of the Federal Seed Act provides that when the Secretary of Agriculture finds that a substantial proportion of the importations of any kind of seed is used for other than seeding purposes, he may exempt such seed from the import provisions of the Act by promulgating appropriate rules and regulations, and such seed may then be imported without complying with such provisions provided the seed is declared for the use for which it is intended, when such a declaration is required by the joint rules and regulations of the Secretary of the Treasury and the Secretary of Agriculture.

On August 13, 1970, there was published in the FEDERAL REGISTER (35 F.R.

12847) a notice of rulemaking and hearing with respect to proposed amendments to the regulations of the Secretary of Agriculture and the joint regulations of the Secretary of the Treasury and the Secretary of Agriculture in 7 CFR Part 201, as amended, under the Federal Seed Act, to provide such exemption for velvetbean seed and make related changes in the joint regulations.

A public hearing was held on September 15, 1970, and written submissions were received on or before September 15, 1970. There was no pertinent testimony given at the hearing. Two written statements were filed with the Hearing Clerk. One supported the proposal based on the need for velvetbean seed to manufacture L-Dopa and the scarcity of velvetbean seed. The other opposed the proposal for the reason that it would lower the quality of velvetbean seed imported and that imported seed was not needed.

A finding has been made by the Secretary of Agriculture that a substantial proportion of velvetbean seed is imported for other than seeding purposes and that the exemption for velvetbean seed is justified. The regulations of the Secretary of Agriculture are being amended concurrently with this action to provide such exemption.

After due consideration of all relevant matters and pursuant to section 402 of the Federal Seed Act (7 U.S.C. 1592), the joint regulations are amended in order to make changes corresponding to the regulations of the Secretary of Agriculture as follows:

1. Section 201.208 is amended by adding to the list, in paragraph (a), in alphabetical order, the name "Velvetbean."

2. Section 201.222 is amended by adding to the list, in paragraph (a), in alphabetical order, the name "Velvetbean."

Effective date. These amendments shall become effective 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of November 1970.

RICHARD E. LYNG,
Assistant Secretary.

EUGENE T. ROSSIDES,
Assistant Secretary, Department of the Treasury.

DECEMBER 9, 1970.

[F.R. Doc. 70-17282; Filed, Dec. 22, 1970; 8:51 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 458, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

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

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

Order, as amended. The provisions in paragraph (b) (1) (i), (ii), and (iii) of § 910.758 (Lemon Reg. 458, 35 F.R. 18912) are hereby amended to read as follows:

§ 910.758 Lemon Regulation 458.

* * * * *

(b) *Order.* (1) * * *

(i) District 1: 37,000 cartons;

(ii) District 2: 73,000 cartons;

(iii) District 3: 125,000 cartons.

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

Dated: December 18, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 70-17237; Filed, Dec. 22, 1970; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 Crop Corn Supp., Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Corn Loan and Purchase Program

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation published in the FEDERAL REGISTER at 35 F.R. 14121 and 14540 containing provisions for price support loans and purchases applicable to the 1970 crops of corn are amended as follows:

1. Section 1421.112 is amended to correct the reference to the Feed Grain Program Regulations. The amended section reads as follows:

§ 1421.112 Compliance requirements.

To be eligible for a loan or purchase, a producer must qualify for a price support payment under the 1970 Feed Grain Program Regulations (35 F.R. 5082, 7495 and 8273), and any amendments thereto, on corn of the 1970 crop produced on the farm on which the corn tendered for loan or purchase was produced except that such qualification is not necessary with respect to corn produced in an area of the United States in which the feed grain program is not in effect.

2. Section 1421.113 is amended to delete in the introductory sentence of § 1421.113 and paragraph (b) all references to approved warehouses operated by eastern common carriers under tariffs approved by the Interstate Commerce Commission. The amended section reads as follows:

§ 1421.113 Warehouse charges.

Subject to the provisions of § 1421.96, the schedule of deuctions set forth in this section shall apply to corn stored in an approved warehouse operating under the Uniform Grain Storage Agreement.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES FOR MATURITY DATE OF JULY 31, 1971

Storage start date:[1]	*Deduction (cents per bushels)*
Prior to Aug. 16, 1970	13
Aug. 16–Sept. 12, 1970	12
Sept. 13–Sept. 10, 1970	11
Oct. 11–Nov. 7, 1970	10
Nov. 8–Dec. 5, 1970	9
Dec. 6, 1970–Jan. 2, 1971	8
Jan. 3–Jan. 30, 1971	7
Jan. 31–Feb. 27, 1971	6
Feb. 29–Mar. 27, 1971	5
Mar. 28–Apr. 24, 1971	4
Apr. 25–May 22, 1971	3
May 23–June 19, 1971	2
June 20–July 31, 1971	1

[1] All dates inclusive.

3. In § 1421.116, paragraph (c) (2) is amended to provide discounts for corn grading No. 5 on the factor of test weight. The amended subparagraph reads as follows:

§ 1421.116 Support rates, premiums, and discounts.

* * * * *

(c) *Discounts.* * * *

(2) *Test weight per bushel.*

Pounds:	*cents per bushel*
53.0 through 53.9	−1
52.0 through 52.9	−2
51.0 through 51.9	−3
50.0 through 50.9	−4
49.0 through 49.9	−5
48.0 through 48.9	−6
47.0 through 47.9	−7
46.0 through 46.9	−8

* * * * *

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 63 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 15, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-17239; Filed, Dec. 22, 1970; 8:47 a.m.]

[CCC Grain Price Support Regs., 1970 and Subsequent Years Tung Oil Warehouse-Stored Loan Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 and Subsequent Crops Tung Oil Warehouse-Stored Loan Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363) and any amendments thereto (hereinafter referred to as the "general regulations") issued by the Commodity Credit Corporation, which contain regulations of a general nature with respect to price support loan operations, are supplemented for tung oil processed from the 1970 and subsequent crops of tung nuts by adding §§ 1421.430–1421.435 to read as follows:

Sec.
1421.430 Purpose.
1421.431 Eligible tung oil.
1421.432 Warehouse receipts.
1421.433 Storage and handling charges.
1421.434 Use of agents.
1421.435 Redemption of tung oil under loan.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, as amended, 1054; 15 U.S.C. 714c, 7 U.S.C. 1446, 1421.

§ 1421.430 Purpose.

This subpart contains program provisions which, together with the general regulations to the extent that the provisions thereof are not made inapplicable by the provisions of this subpart, and the annual crop year supplement issued with respect to the crop for which price support is being requested, apply to warehouse-stored loans for tung oil from the 1970 and subsequent crops of tung nuts. Notwithstanding the provisions of the general regulations, CCC will not purchase or make farm-stored loans on tung oil, nor will it purchase or make loans on tung nuts.

§ 1421.431 Eligible tung oil.

Tung oil, to be eligible for price support, must (a) have been extracted from tung nuts produced by eligible producers during the applicable crop year, (b) meet the requirements of section 3, when tested in accordance with the provisions of section 4 of Federal Specification TT-T-775, Tung Oil Raw (Chinawood) dated May 28, 1957, as amended (referred to in this subpart as "Federal Specifications"), and (c) be stored in an approved warehouse.

§ 1421.432 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan must meet the requirements of § 1421.9 of the general regulations and:

(a) Be signed by the warehouseman or his authorized representative.

(b) Show the location of the warehouse.

(c) State the quantity of tung oil guaranteed by the warehouseman.

(d) Guarantee that the tung oil, when delivered, will meet Federal Specifications.

(e) State the date of issuance.

(f) Contain a statement or an endorsement that (1) all warehouse charges (including insurance) on the tung oil represented by the warehouse receipt have been paid or otherwise provided for through October 31 of the year following the year in which the tung nuts from which the tung oil was extracted were produced, and (2) the warehouseman has no lien upon the tung oil for such charges.

§ 1421.433 Storage and handling charges.

Except as otherwise provided in this section, CCC will not with respect to the tung oil placed under loan, pay or assume the cost of storage, transportation, sampling, insurance, testing, and analysis accruing prior to November 1 of the year following the year in which the tung nuts from which the tung oil was extracted were produced, nor will CCC pay or assume any handling or processing charges which are necessary to prepare the tung oil to meet eligibility requirements. CCC may move the tung oil from the warehouse where stored when placed under loan if CCC determines that, because of lack of space at such warehouse, price support cannot be made available there to eligible producers. CCC may pay any transportation and other charges necessary for such movement, including storage charges at the new location. CCC and any subsequent holders of warehouse receipts covering loan collateral tung oil shall be entitled to any unexpired portion of the storage time and any other warehouse services to which the producer was entitled under any contract between the producer and the warehouseman.

§ 1421.434 Use of agents.

Notwithstanding the provisions of § 1421.5(b) of the general regulations, a producer of tung nuts may delegate authority to exercise on behalf of the producer any of his rights or privileges under this subpart or any note and security agreement or other instrument executed in obtaining price support under this subpart.

§ 1421.435 Redemption of tung oil under loan.

Warehouse receipts redeemed shall be released only to the producer or his authorized agent, except that redeemed warehouse receipts may be released to persons designated in a written authorization filed with the county office by the producer or his properly authorized agent, dated within 15 days prior to the date of repayment.

Effective date. This subpart shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 15, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-17238; Filed, Dec. 22, 1970; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 70-315]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the reference to the State of Connecticut in the introductory portion of paragraph (e) and paragraph (e) (2) relating to the State of Connecticut are deleted, and paragraph (f) is amended by adding thereto the name of the State of Connecticut.

2. In § 76.2, in paragraph (e) (8) relating to the State of Ohio, subdivision (ii) relating to Darke County is deleted.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments exclude a portion of Windham County, Conn., and a portion of Darke County, Ohio, from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply

to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the excluded areas. The amendments release Connecticut from the list of States quarantined because of hog cholera.

The amendments add the State of Connecticut to the list of hog cholera eradication States in § 76.2(f).

The amendments relieve certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of December 1970.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-17280; Filed, Dec. 22, 1970; 8:50 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 2—RULES OF PRACTICE

Subpoenas; Production of Inspection Reports and Internal Working Papers

In its memorandum opinion of August 26, 1970, In the Matter of Northern States Power Co. (Monticello Nuclear Generating Plant, Unit 1), Docket No. 50-263, the Atomic Energy Commission directed the staff to give consideration to the institution of rule making proceedings for the purpose of making clarifying amendments to AEC regulations pertaining to the resolution of questions of privilege arising in AEC adjudicatory proceedings. The Commission has now adopted the amendments to its rules of practice in 10 CFR Part 2 which follow, clarifying its policy and revising its procedures with respect to the subpoena of AEC personnel and the production of Commission inspection reports and internal working papers in Commission adjudicatory proceedings.

An amendment to § 2.720, Subpoenas, dealing with the appearance of AEC personnel to give oral testimony, provides that AEC staff witnesses designated by the General Manager or the Director of Regulation, as appropriate, or their designees, will be made available for oral examination at the hearing or on deposition regarding any matter, not privileged, which is relevant to the issues in the proceeding. The attendance and testimony of the Commissioners and named AEC personnel at a hearing or on deposition may not be required by the presiding officer, by subpoena or otherwise: *Provided,* That the presiding officer may, upon a showing of exceptional circumstances, such as a case in which a particular named AEC employee has direct personal knowledge of a material fact not known to the witnesses made available by the General Manager or the Director of Regulation, certify directly to the Commission for determination, prior to any ruling thereon, the matter of whether the attendance and testimony of named AEC personnel should be required. The provision for certification has been inserted to take care of exceptional cases which may not be foreseen. Since competent witnesses will be made available by the General Manager or the Director of Regulation, it is expected that such exceptional circumstances will rarely, if ever, occur.

In addition, written interrogatories may be submitted to and served on the Secretary of the Commission. They will be answered and signed by AEC personnel with knowledge of the facts designated by the General Manager or the Director of Regulation, as appropriate. The answers will be served by the Secretary of the Commission upon parties to the proceeding.

In view of the increasing number of adjudicatory proceedings, and the demands on the time and energies of AEC policymaking, supervisory and staff personnel, the Commission considers it desirable to provide a procedure and criteria for determining the appropriateness of attendance and testimony of such persons in AEC adjudicatory proceedings. The procedure and criteria established seek to accommodate the public interest in having participation by appropriate AEC personnel in resolving matters in issue in an adjudicatory proceeding with a parallel public interest in maintaining the efficient and expeditious conduct of this and other agency functions.

Section 2.720 has also been amended to provide that an application for the production of records or documents in the custody of the Commissioners and AEC employees will be processed under a new section dealing with production of AEC records and documents, § 2.744. An application for the production of records or documents in the custody of AEC personnel other than full-time AEC employees, such as advisors and consultants, will be immediately certified by the presiding officer to the Commission for determination.

The production of AEC records and documents is covered in new § 2.744. This section specifies that AEC will as a matter of policy produce, on the application of a party to an adjudicatory proceeding, and a showing of need and relevance, Commission inspection reports and other records and documents, the basic purpose of which is to record matters of fact relating to license applications or licensed activities, if the facts contained in those reports and documents are not otherwise available. Certain privileged matter would be deleted from those reports, records and documents, i.e., (1) opinions, evaluations, analyses, deliberations, recommendations, or advice; (2) information given in confidence and names of individuals, other than AEC personnel, providing such confidential information; (3) references to records and documents which may be withheld from public disclosure; (4) proprietary information; and (5) other privileged information, including classified information.

Internal working papers are defined to include (1) the following documents containing opinions, analyses, evaluations, deliberations, advice, or recommendations: (i) Interagency or intra-agency reports; (ii) memoranda; (iii) letters; (iv) correspondence; (v) draft papers; (vi) minutes of meetings; and (vii) staff papers; and (2) internal instructions prepared for the guidance of AEC personnel containing instructions and guidelines for the conduct of inspections of licensed activities and instructions and guidelines for the evaluation of information related to license applications and licensed activities. Internal working papers and records and documents of the type specified in § 9.5 of Part 9 are treated as privileged and exempt from disclosure. If a party wishes to obtain such internal working papers, records, and documents, he must address an application to the presiding officer in writing setting forth his need for the records and documents and their relevancy to the issues in the proceeding. The requested internal working papers, records and documents, will be produced for the in camera inspection of the presiding officer exclusively and only to the extent necessary to determine (1) need and relevancy, (2) whether they are in fact internal working papers or other exempt records or documents, and (3) whether their production, if exempt, would nevertheless not be contrary to the public interest and would not adversely affect the rights of any person.

Upon a determination by the presiding officer that the party making the request has demonstrated need and relevancy and that the production of any privileged papers, records, and documents would not be contrary to the public interest and would not adversely affect the rights of any person, the General Manager or the Director of Regulation, as appropriate, will either authorize production of such records and documents or state any objections to production. If the General Manager or the Director of Regulation, as appropriate, objects to production of such papers, records, and documents, the matter will be certified to the Commission or the Atomic Safety and Licensing Appeal Board, as appropriate, for determination.

Conforming and clarifying amendments have also been made to §§ 2.740, 2.741, and 2.780.

It is expected that the new regulation will permit the maximum amount of production of AEC records and documents for use by parties to an adjudicatory proceeding consistent with the necessary protection of certain rights of privacy and agency operations with respect to information in AEC records and

documents. The approach adopted is consistent with sound Governmental practice and the principles reflected in the Freedom of Information Act.

In the interest of orderly and expeditious conduct of its licensing proceedings, the Commission would emphasize the desirability in this area of discovery, as in others permitted by the rules of practice, of completing necessary discovery at the prehearing stage of the proceeding.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 301, 552, and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 2, are published as a document subject to codification, to be effective upon publication in the FEDERAL REGISTER.

1. New paragraphs (o), (p), and (q) are added to § 2.4 to read as follows:

§ 2.4 Definitions.

* * * * *

(o) "Internal working papers" means (1) (i) Interagency or intraagency reports;

(ii) Memoranda;

(iii) Letters;

(iv) Correspondence;

(v) Draft papers;

(vi) Minutes of meetings; and

(vii) Staff papers

containing opinions, analyses, evaluations, deliberations, advice, or recommendations; and

(2) Internal instructions prepared for the guidance of AEC personnel containing instructions and guidelines for the conduct of inspections of licensed activities and instructions and guidelines for the evaluation of information related to license applications and licensed activities.

(p) "AEC personnel" means employees, consultants, and members of advisory boards, committees, and panels of the AEC; members of boards designated by the Commission to preside at adjudicatory proceedings; and officers or employees of Government agencies, including military personnel, assigned to duty at the AEC.

(q) "AEC records and documents" means any book, paper, map, photograph, brochure, punch card, magnetic tape, paper tape, sound recording, pamphlet, slide, motion picture, or other documentary material regardless of form or characteristics, made by, in the possession of, or under the control of the AEC pursuant to Federal law or in connection with the transaction of public business as evidence of AEC organization, functions, policies, decisions, procedures, operations, programs or other activities. "AEC records and documents" do not include objects or articles such as structures, furniture, tangible exhibits or models, or vehicles and equipment.

2. A new paragraph (h) is added to § 2.720 to read as follows:

§ 2.720 Subpoenas.

* * * * *

(h) (1) The provisions of paragraphs (a) through (g) of this section are not applicable to the attendance and testimony of the Commissioners or AEC personnel, or to the production of records or documents in the custody thereof.

(2) (i) In a proceeding in which the AEC is a party, the AEC staff will make available one or more witnesses designated by the General Manager or the Director of Regulation, as appropriate, or by their designees, for oral examination at the hearing or on deposition regarding any matter, not privileged, which is relevant to the issues in the proceeding. The attendance and testimony of the Commissioners and named AEC personnel at a hearing or on deposition may not be required by the presiding officer, by subpoena or otherwise: *Provided*, That, the presiding officer may, upon a showing of exceptional circumstances, such as a case in which a particular named AEC employee has direct personal knowledge of a material fact not known to the witnesses made available by the General Manager or the Director of Regulation, certify directly to the Commission[1] for determination, prior to any ruling thereon, the matter of whether the attendance and testimony of named AEC personnel should be required.

(ii) In addition, written interrogatories may be submitted to and served on the Secretary of the Commission. They will be answered and signed by AEC personnel with knowledge of the facts designated by the General Manager or the Director of Regulation, as appropriate. The party proposing the interrogatories shall file a copy of the proposed interrogatories showing each interrogatory separately and consecutively numbered. Within seven (7) days after filing, any other party may serve cross-interrogatories. Objections to interrogatories or cross-interrogatories shall be made promptly and will be ruled upon by the presiding officer. Objections to form shall be deemed waived. The interrogatories, cross-interrogatories, and answers shall be recorded and signed. The answers will be served by the Secretary of the Commission upon parties to the proceeding.

(3) An application for the production of records or documents in the custody of the Commissioners and AEC employees will be processed under § 2.744. An application for the production of records or documents in the custody of AEC personnel other than AEC employees will be immediately certified by the presiding officer, prior to any ruling thereon, directly to the Commission for determination of the matter.[1]

3. A new paragraph (j) is added to § 2.740 to read as follows:

§ 2.740 Depositions and written interrogatories.

* * * * *

(j) Motions for the taking by deposition of the testimony of AEC personnel are subject to the provisions of § 2.720(h).

[1] The matter will be certified to the Commission notwithstanding the provisions of § 2.785.

4. A new paragraph (d) is added to § 2.741 to read as follows:

§ 2.741 Discovery and production of documents and things for inspection, copying, or photographing.

* * * * *

(d) The provisions of this section are not applicable to the production for inspection and copying or photographing of AEC records or documents. Motions for production of such records or documents are subject to the provisions of § 2.744.

5. A new § 2.744 is added to 10 CFR Part 2 to read as follows:

§ 2.744 Production of AEC records and documents.

(a) AEC records and documents, except internal working papers and other records of the type which are exempt from public disclosure under § 9.5 of this chapter, will be produced upon request for inspection and copying or photographing.

(b) An application by a party to a proceeding for the production of Commission inspection reports and other records and documents, the basic purpose of which is to record matters of fact relating to license applications or licensed activities, shall be addressed to the presiding officer in writing and shall set forth the need of the party for such documents and the relevancy thereof to the issues in the proceeding. Such applications shall be processed as motions in assordance with § 2.730 (a) through (d). Inspection reports and records and documents which are the subject of such applications will be produced for the in camera inspection of the presiding officer exclusively and only to the extent necessary for the determination of need and relevancy of the reports, records, and documents, and whether the reports, records, and documents are within the categories described in this paragraph. Upon a determination of need and relevancy by the presiding officer, such inspection reports and such records and documents will be produced if the facts recorded therein are not otherwise available to the moving party. Production of such reports, records, and documents will be subject to the deletion of:

(1) Opinions, evaluations, analyses, deliberations, recommendations or advice;

(2) Information given in confidence (whether specifically given in confidence or under circumstances where it could be reasonably concluded that the information was given in confidence) and names of individuals, other than AEC personnel, providing such confidential information;

(3) References to records and documents which may be withheld from public disclosure;

(4) Information of a proprietary nature; and

(5) Other information, including classified information, privileged under § 9.5 of this chapter and/or paragraph (c) of this section.

If the General Manager or the Director of Regulation, as appropriate, objects to authorizing production of the reports,

records and documents on the ground that need for and relevancy of the reports, records, and documents have not been shown, or that the reports, records and documents are not within the categories described in this paragraph, or that certain material should be deleted, the matter shall, prior to any ruling ordering production, be certified to the Commission or the Atomic Safety and Licensing Appeal Board, as appropriate, for determination.

(c) Internal working papers and records and documents of the type specified in § 9.5 of this chapter, including lists, digests and summaries thereof and references thereto, but not including reports, records and documents described in paragraph (b) of this section, will be treated as privileged documents and exempt from disclosure except in accordance with paragraphs (d) and (e) of this section.

(d) An application by a party to a proceeding for the production of AEC records and documents described in paragraph (c) of this section shall be addressed to the presiding officer in writing and shall set forth the need of the party for such records and documents and the relevancy thereof to the issues in the proceeding. Such applications shall be processed as motions in accordance with § 2.730 (a) through (d). Records and documents covered by such applications will be produced for the in camera inspection of the presiding officer exclusively and only to the extent necessary to determine (1) need for and relevancy of the records and documents, (2) whether the records and documents are in fact internal working papers or records or documents of the type specified in § 9.5 of this chapter and thus privileged under paragraph (c) of this section, and (3) whether the production of a record or document privileged under paragraph (c) would not be contrary to the public interest and would not adversely affect the rights of any person.

(e) Upon a determination by the presiding officer that the moving party has demonstrated need for and relevancy of the records and documents and that the production of records and documents privileged under paragraph (c) of this section would not be contrary to the public interest and would not adversely affect the rights of any person, the General Manager or the Director of Regulation, as appropriate, will either authorize production of such records and documents or state any objection to production. If the General Manager or the Director of Regulation, as appropriate, objects to authorizing production of such records and documents on the ground that (1) need for and relevancy of the records and documents have not been shown; or (2) the records and documents are in fact internal working papers or records or documents of the type specified in § 9.5 of this chapter and thus privileged under paragraph (c) of this section; or (3) that, if privileged, the production of the records and documents would be contrary to the public interest or would adversely affect the rights of a person or persons, the matter shall, prior to any ruling ordering production thereof, be certified to the Commission or the Atomic Safety and Licensing Appeal Board, as appropriate, for determination. In view of their knowledge of the adverse effects of production on the effective performance of AEC programs, and their responsibilities for the effective performance of those programs, an objection to production by the General Manager or the Director of Regulation will be accorded great weight by the presiding officer, the Atomic Safety and Licensing Appeal Board and the Commission.

(f) A ruling by the presiding officer, the Atomic Safety and Licensing Appeal Board, or the Commission, for the production of AEC records and documents, will specify the time, place and manner of production. The presiding officer, the Atomic Safety and Licensing Appeal Board, or the Commission may make any order which justice requires to protect against annoyance, embarrassment, or oppression.

(g) Notwithstanding the provisions of §§ 2.3 and 9.10(a) of this chapter, in any conflict between these sections and any other provision of this chapter, this section governs.

6. A note is added following § 2.780 to read as follows:

§ 2.780 Ex parte communications.

* * * * *

NOTE: Matters certified to the Commission or to the Atomic Safety and Licensing Appeal Board pursuant to §§ 2.720(h) and 2.744 (b) and (e) are not deemed to involve substantive matters at issue in a proceeding on the record as described in paragraph (a) of this section.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 21st day of December 1970.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary of the Commission.

[F.R. Doc. 70-17323; Filed, Dec. 21, 1970; 12:40 p.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 9, Amdt. 10]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business Concern

On November 6, 1970, there was published in the FEDERAL REGISTER (35 F.R. 17119) a notice that the Small Business Administration proposed to amend the Small Business Size Standards Regulation so that the small business size status of a diversified business for loan purposes would be determined by computing the percentage that each of its business activities bears to the applicable size standard. It was proposed that, to be eligible for SBA loan assistance, the total of such percentages must not exceed 100 percent.

Interested parties were given thirty (30) days in which to file written statements of facts, opinions, or arguments concerning the proposal.

After consideration of all relevant matter, it has been determined to adopt the new rule as proposed but reworded to make it clear that the rule applies only in those instances in which a loan applicant is diversified in the sense that it is primarily engaged in one industry but has affiliates engaged in other industries.

Accordingly Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by:

(1) Deleting the fourth, fifth, and sixth sentences of the introductory textual material of § 121.3-10, and

(2) Adding three new sentences in lieu thereof so that the introductory text, as amended, reads as follows:

§ 121.3-10 Definition of small business for SBA loans.

A small business concern for the purpose of receiving an SBA loan is a concern, including its affiliates, which is independently owned and operated, is not dominant in its field of operation, and can further qualify under the criteria set forth below. A concern which is a small business under § 121.3-8 which has applied for or received a Certificate of Competency is a small business eligible for an SBA loan to finance the contract covered by the Certificate of Competency. If no standard for an industry, field of operation, or activity has been set forth in this section, a concern seeking a size determination shall submit SBA Form 355 to the Associate Administrator for Procurement and Management Assistance, Washington, D.C. 20416. If an applicant for an SBA loan has one or more affiliates primarily engaged in industries different than that of the applicant, the applicant's size status shall be determined by computing the percentage that the applicant's size is of the size standard for the industry in which it is primarily engaged and adding it to the percentage that the size of each of its affiliates is of the size standard for the industry in which each affiliate is primarily engaged. In order for the applicant to be eligible under this revision, the total of such percentages must not exceed one hundred percent (100%). A concern's primary industry is that which produced the greatest percentage of gross receipts for its past fiscal year.

* * * * *

(3) Adding new § 121.3-14(j) to read as follows:

§ 121.3-14 Interpretations.

* * * * *

(j) *Section 121.3-10 "Definition of small business for SBA loans".* Following is an example of the method to be utilized in computing a diversified concern's size status for the purpose of an SBA loan:

Concern A applies for an SBA loan. It is affiliated with Concern B. Concern A has 15 employees and $2.5 million in sales and is primarily engaged in the retail sale of groceries (Industry No. 5411) for which the size standard is $5 million in annual sales. Concern B has 100 employees and $3 million in sales and is primarily engaged in the manufacture of macaroni (Industry No. 2098) for which the size standard is 250 employees. The sales of Concern A are only 50 percent of the size standard for its industry and the employment of Concern B is only 40 percent of the size standard for its industry. Since the combined percentages are less than 100 percent, Concern A can qualify for an SBA loan.

Effective date. This amendment shall become effective on publication in the FEDERAL REGISTER.

Dated: December 16, 1970.

HILARY SANDOVAL, JR.,
Administrator.

[F.R. Doc. 70-17252; Filed, Dec. 22, 1970; 8:48 a.m.]

Chapter III—Economic Development Administration, Department of Commerce

PART 305—GRANTS, LOANS, AND GUARANTEES

Supplementary Grants to Indian Tribes and Related Indian Organizations

Part 305 of Chapter III, Title 13, of the Code of Federal Regulations (31 F.R. 11296, 31 F.R. 16677 and 33 F.R. 6854) is amended to provide for fifty percent (50%) supplemental grants to Indian Tribes and related Indian organizations and eliminate the eighty percent (80%) limitation on bonus grants to Indian Tribes and related Indian organizations under sections 101(c) and 403(a)(4) of the Public Works and Economic Development Act of 1965, as amended.

§ 305.4 [Amended]

1. Section 305.4 is amended by revising paragraph (b) (1) and (2), as follows:

(1) (i) The nature of the project to be assisted.

(ii) In the case of projects of Indian Tribes or related Indian organizations which are concerned with general economic development such facilities shall be given special consideration.

(2) (i) That amount of loan assistance which may reasonably be expected to be financed from fair user charges, which are determined by comparing the charges subscribed to by users of facilities located in generally comparable areas providing like services, or from other revenues produced by the project after due allowance for maintenance and operating expenses, including depreciation, and amortization of the local share of such project; and

(ii) In the case of Indian Tribes or Related Indian Organizations, revenues the project may reasonably be expected to generate in excess of those which amortize the Indian Tribe's share of the initial costs and provide for its successful operation and maintenance including depreciation.

2. Subdivisions A, B, C, and D of subparagraph (3) are redesignated B, C, D, and E, respectively, and new subdivision A. is added thereto as follows:

A. Applicant Indian Tribes and related Indian organizations	100

3. Section 305.5 is revised to read as follows:

§ 305.5 Ten percent bonus.

Subject to the limitation that the maximum Federal share for any project may not exceed 80 percent of the aggregate project cost or 100 percent for a grant to an Indian Tribe and related Indian organizations, the Assistant Secretary may increase the amount of grant assistance authorized by this subpart for projects within redevelopment areas by an amount not to exceed 10 percent of the aggregate cost of any such project, if:

(a) The redevelopment area is situated within a designated economic development district and is actively participating in the economic development activities of the district; and

(b) The project is consistent with a currently approved district OEDP.

This revision shall become effective on the date of its publication in the FEDERAL REGISTER.

Dated: December 3, 1970.

ROBERT A. PODESTA,
Assistant Secretary,
for Economic Development.

[F.R. Doc. 70-17226; Filed, Dec. 22, 1970; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-WE-50-AD; Amdt. 39-1130]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

There have been reported cracks in the main landing gear trunnion support beam. One such crack resulted in complete beam failure. Since this condition is likely to develop in other Model 727 airplanes, an airworthiness directive is being issued to require inspection and rework of the beam.

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 upon publication in the FEDERAL REGISTER.

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

BOEING. Applies to all Model 727 series airplanes.

Compliance required on all airplanes with 10,000 or more landings as follows:

(1) Within 300 landings after the effective date of this AD where not previously inspected in accordance with these procedures; or

(2) Within 2,000 landings since the initial inspection where previously inspected in accordance with these procedures; and

(3) Thereafter at intervals not to exceed 2,000 landings since the last such inspection.

To detect cracks in the main landing gear trunnion support beam, P/N 65-16230, accomplish the following:

(a) Inspect in accordance with Boeing Service Bulletin 57-115, dated November 20, 1970, or later FAA-approved revisions, or an equivalent inspection approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(b) If cracks are found, replace the beam with a serviceable beam or repair in a manner approved by the Chief, Aircraft Engineering Division, FAA, Western Region.

NOTE: A revision to Service Bulletin 57-115 which will specify inspection and rework procedures which may be accomplished under (b) above is forthcoming. When issued, said revision will constitute an inspection and rework procedure approved by the Chief, Aircraft Engineering Division, FAA, Western Region.

(c) Where records maintained by the operator are such as will permit a clear determination of the number of landings accumulated by the main landing gear trunnion support beam, P/N 65-16230, installed on the airplane, the inspection times prescribed by this AD may be applied to the beam rather than to the airplane.

(d) Inspections prescribed by this AD do not apply to new replacement beams until the replacement beams have accumulated 10,000 landings.

For the purpose of this AD the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

This AD becomes effective December 30, 1970.

(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 Los Angeles, Calif., on December 14, 1970.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[F.R. Doc. 70-17289; Filed, Dec. 22, 1970; 8:51 a.m.]

[Airspace Docket No. 70-EA-93]

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

Revocation of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke the Geneva, Ohio, transition area (35 F.R. 2185).

Cancellation of the instrument approach procedure to Germack Airport, Geneva, Ohio, requires revocation of the transition area. This transition area was established to provide controlled air

space protection for aircraft executing the instrument approach procedure.

Since this amendment is less restrictive, notice and public procedure are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Federal Aviation Administration having reviewed the airspace requirements in the terminal airspace of Geneva, Ohio, the amendment is herewith made effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke the Geneva, Ohio, transition area.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c))

Issued in Jamaica, N.Y., on December 8, 1970.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 70-17289; Filed, Dec. 22, 1970; 8:51 a.m.]

[Airspace Docket No. 70-EA-100]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Willow Grove, Pa. (35 F.R. 2132), and Trenton, N.J. (35 F.R. 2127), control zones.

Naval Air Station, Willow Grove, Pa., airport operating hours will be reduced to the following: 0700–2400 hours, local time, Monday through Friday; 0001–2400 hours, local time, Saturday and Sunday.

The hours of Naval Air Station Willow Grove airport traffic control tower will coincide with these new hours. Accordingly, alteration of the Willow Grove, Pa., control zone hours of designation to reflect this change and to reflect the name change of Johnsville NAS to Warminster NAF will be required. In addition, alteration of the Trenton, N.J., control zone (35 F.R. 2127) to delete the exclusion referring to the Willow Grove, Pa., control zone is necessary.

Since the foregoing rule reduces the amount of regulated airspace, it is less restrictive in nature and imposes no additional burden on any person. Therefore, notice and public procedure hereon are unnecessary and the rule may be made effective in less than 30 days.

In view of the foregoing, Federal Aviation Administration having reviewed the airspace requirements in the terminal airspace of Willow Grove, Pa., the amendment is herewith made effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to:

(a) In the description of the Willow Grove, Pa., control zone, delete "Johnsville NAS" wherever it appears and insert "Warminster NAF" in lieu thereof.

(b) Add the following to the description of the Willow Grove, Pa., control zone, "and excluding the portion within the Trenton, N.J., control zone. This control zone is effective from 0700 to 2400 hours, local time Monday through Friday; and 0001 to 2400 hours, local time, Saturday and Sunday."

(c) In the description of the Trenton, N.J., control zone, delete "and excluding the portion within the Willow Grove, Pa., control zone."

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on December 8, 1970.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 70-17290; Filed, Dec. 22, 1970; 8:51 a.m.]

[Airspace Docket No. 70-EA-104]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Norfolk, Va., transition area (35 F.R. 2233).

A recent review of transition areas disclosed that the part of the Norfolk, Va., transition area established to protect aircraft executing arrival and departure procedures to runway 25 on Langley Field, Va., was inadvertently deleted.

Since this amendment merely adds information which had already been subject to rule making procedures, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Federal Aviation Administration having reviewed the airspace requirements in the terminal airspace of Norfolk, Va., the amendment is herewith made effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations as follows: Add the following to the description of the Norfolk, Va., 700-foot transition area; "and within 2 miles southeast and 5 miles northwest of the Langley AFB, Hampton, Va. (37°05'05" N., 76°21'25" W.) Runway 7 centerline extended 15 miles northeast of the end of Runway 7".

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c))

Issued in Jamaica, N.Y., on December 8, 1970.

ROBERT M. BROWN,
Acting Director, Eastern Region.

[F.R. Doc. 70-17291; Filed, Dec. 22, 1970; 8:51 a.m.]

[Docket No. 8041; Amdts. Nos. 91-83; 135-21]

PART 91—GENERAL OPERATING AND FLIGHT RULES

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT

Approved Aircraft Inspection Programs and Mechanical Reliability Reports

The purpose of these amendments to Parts 91 and 135 of the Federal Aviation Regulations is to clarify certain provisions of §§ 91.169(c)(4) and 135.57(c) with regard to inspection requirements for small aircraft pursuant to an approved aircraft inspection program, and mechanical reliability reports for multiengine aircraft.

Amendment 135-12 (effective Apr. 1, 1970, and published in the FEDERAL REGISTER on Dec. 3, 1969, 34 F.R. 19130), which adopted additional operating rules for operations conducted for compensation or hire with small aircraft, established a procedure permitting operators of small aircraft to use an approved aircraft inspection program in lieu of the annual, 100-hour, or progressive inspection requirements of §§ 91.169 and 91.171. As stated in the amendment, this provision is tied to the make and model aircraft being used by the certificate holder, and is intended to include aircraft with a maximum certificated takeoff weight in excess of 12,500 pounds but which are permitted to be used in air taxi operations as small aircraft. However, § 91.169(c)(4) as adopted does not make this intent clear, and thus the language of that section is amended to state that aircraft inspected in accordance with an approved aircraft inspection program under Part 135 are not required to comply with the inspection requirements of §§ 91.169 and 91.171.

In addition to the requirements discussed above, Amendment 135-12 also established a requirement in § 135.57 for the submission of mechanical reliability reports. As stated in the preamble to the amendment, this requirement was applicable to multiengine aircraft only. However, the section as adopted recited this limited applicability only in paragraph (a), thus raising questions as to whether or not paragraph (c) was so limited. Accordingly, it is necessary to clarify paragraph (c) to reflect the limited applicability of the section.

Inasmuch as these amendments are clarifying and editorial in nature, I find that public notice and procedure thereon are unnecessary and that good cause exists for making them effective in less than 30 days.

In consideration of the foregoing, Parts 91 and 135 of the Federal Aviation Regulations are amended, effective December 23, 1970, as follows:

1. By amending paragraph (c)(4) of § 91.169 to read as follows:

§ 91.169 Inspections.

* * * * *

(c) * * *

(4) An aircraft inspected in accordance with an approved aircraft inspection program under Part 135 of this chapter and so identified by the registration number in the operations specifications of the certificate holder having the approved inspection program.

2. By amending paragraph (c) of § 135.57 to read as follows:

§ 135.57 Mechanical reliability reports.

* * * * *

(c) In addition to the reports required by paragraph (a) of this section, each certificate holder shall report any other failure, malfunction, or defect in a multiengine aircraft that occurs or is detected at any time if, in its opinion, the failure, malfunction, or defect has endangered or may endanger the safe operation of the aircraft.

* * * * *

(Secs. 313(a), 601, 603, 605, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423, 1425; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on December 16, 1970.

J. H. SHAFFER,
Administrator.

[F.R. Doc. 70-17287; Filed, Dec. 22, 1970; 8:51 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER C—PUBLIC RELATIONS

PART 824—AIR FORCE PARTICIPATION IN PUBLIC EVENTS

Part 824 of Title 32 of the Code of Federal Regulations is revised as follows:

Sec.
824.1 Purpose.
824.2 Policy.
824.3 Definitions.
824.4 General policy for participation.
824.5 Funding policy.
824.6 Approval requirements.
824.7 Use of aircraft.
824.8 Use of personnel, facilities, and equipment.
824.9 Loan of equipment and base facilities.
824.10 Requests for participation.
824.11 General instructions.

AUTHORITY: The provisions of this Part 824 are issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

§ 824.1 Purpose.

This part governs official Air Force participation in public events and community relations programs.

§ 824.2 Policy.

(a) This part tells when Air Force participation may or may not be provided for public events and community relations programs.

(b) Does not govern Armed Forces Day activities except as noted and does not apply to appearances on commercially-sponsored audiovisual media.

(c) Does not restrict or control the participation of individual members of the Air Force in community activities. Such participation is desirable and encouraged on a personal off-duty basis and helps to create and sustain public awareness of the civic responsibilities assumed by the Air Force personnel.

§ 824.3 Definitions.

(a) *Additional cost to the Government.* The operation and maintenance (O&M) costs of providing Air Force resources for a public event of mutual interest, i.e., the expenditure of appropriated funds to participate in the event. Additional costs include but are not limited to: Travel and transportation of participating military personnel and their equipment; per diem allowances payable under the provisions of the Joint Travel regulations; transportation of exhibit materials when shipped by commercial means; rental space, utilities and custodial services; and the cost of handling and transporting aviation fuel, if such fuel is not available at a military contract price at the airport staging base. Also included are any additional services determined necessary by the participating units and agreed upon by the sponsor.

(b) *Aerial demonstrations.* Flight demonstrations, parachute jumps, personnel or equipment drops by Air Force personnel or aircraft in public events and community relations programs.

(c) *Aircraft demonstrations.* A demonstration of tactical capabilities by a single aircraft or group of aircraft not constituting an officially designated flight demonstration team. Such demonstrations include air-to-air refueling, helicopter hover and pickup, Low Altitude Parachute Extraction System drops, maximum performance takeoffs, etc.

(d) *Aerial review.* A flyover of multiple types of aircraft representing one or more of the military services.

(e) *Air Force exhibits.* Any display of Air Force material for public affairs purposes, including presentations by the Orientation Group, USAF. Specifically included are items of equipment, models, devices, and information and orientation material. Also included are general purpose displays in public buildings or public locations. Excluded are operable aircraft.

(f) *Air Force participation.* Includes any use of Air Force personnel as individuals or as units; facilities; and material to include aircraft, exhibits, and equipment in support of community relations programs.

(g) *Air Force share of costs.* Those continuing type costs which would exist if the Air Force did not participate in the event. These include regular pay and allowances of the personnel; small incidental base expenses such as local transportation, and telephone calls; and other minor expenses as may be determined by the Air Force commander responsible for participating in the event. The use of opportune airlift or routine training flights of military aircraft for the transportation of military personnel and exhibit materials may be requested. If available and approved, their use is also considered to be an Air Force share of costs as authorized by AFR 190-13 (Use of Military Carriers for Public Affairs Purposes). This applies to support of other services whose participation in an event has been authorized.

(h) *Base.* Any type of Air Force installation on active status, including government owned or leased facilities at a municipal or county airport.

(i) *Classes of public events.* (Corresponding classifications may be made in oversea areas by the Unified and Specified commanders.)

(1) *International event.* Audience and/or participation from the United States and at least one other nation.

(2) *National event.* Audience and/or participation from the United States as a whole.

(3) *Regional event.* Audience and/or participation from two or more States of the United States.

(4) *State event.* Audience and/or participation from the State as a whole.

(5) *County event.* Audience and/or participation from more than one community within a county, from a county as a whole, or from several counties.

(6) *Local event.* Audience and/or participation which centers on and is of primary interest to a single community.

(j) *Community relations area.* The geographical area wherein Air Force facilities and/or personnel have a social or economic impact on the populace.

(k) *Flight team demonstration.* A demonstration of tactical techniques by an officially designated unit, i.e., the USAF Thunderbirds.

(l) *Flyover.* A flight not involving aerobatics or demonstrations, of one or more aircraft over a fixed point at a specific time.

(m) *Fraternal groups.* Societies whose members are banded together for mutual benefit or for work toward a common goal. They include, but not limited to, such organizations as the Fraternal Order of the Eagles, Benevolent and Protective Order of Elks, Loyal Order of the Moose, Free and Accepted Masons (Scottish Rite, York Rite, and Shrine), Knights of Columbus, Knights Templar, Independent Order of Odd Fellows, and Order of the Eastern Star. Service or luncheon clubs, such as Rotary International, Kiwanis International, Lions International, Optimists, Toastmasters International, or Junior Chambers of Commerce, are not considered fraternal groups.

(n) *Fund raising.* The avowed or unannounced purpose of any event or activity which, by any device, seeks to acquire money or material in excess of actual costs of the event or activity for charity or for other purposes.

(o) *Holidays.* (1) National holidays are those prescribed by Federal Law, i.e., New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; and Christmas Day.

(2) Armed Forces Day (3d Saturday in May) will be treated as a National holiday for purposes of this part.

(3) State holidays are those officially proclaimed by an individual State as holidays to be observed in that State.

(4) Primary, general, and special election days are not considered holidays.

(p) *Mutual interest event.* An event mutually beneficial to DOD or USAF and the sponsor.

(q) *Official functions.*—(1) *Official civic functions.* Those public events sponsored and conducted by State, county, or municipal governments, to include in oversea areas corresponding authorities of the host nation. Official civic functions include inaugurations, dedications of public buildings and projects, the convening of legislative bodies, and ceremonies for officially invited Government visitors.

(2) *Official military functions.* Those activities held on military installations (or in the civilian domain when suitable facilities are not available on base) which are sponsored by the Military Service for the promotion of esprit de corps. These events should be conducted primarily for active duty personnel and their guests. Non-Federalized National Guard functions and nonextended active duty Reserve activities are not considered to be official military functions for the purposes of this part.

(3) *Official Government functions.* Those events in which senior officials of the Federal Government are involved in the performance of their official duties.

(r) *Parachute team demonstration.* A demonstration of parachute techniques by the officially designated unit, the U.S. Army Golden Knights. Other military parachute teams, including an individual or group, may be specifically authorized for such demonstrations when representing the Department of Defense.

(s) *Personnel, facilities, and equipment utilization.* The use or appearance of individuals, groups, or units of military personnel, performing units and marching units, drill teams, drum and bugle corps; single-Service color guard details, honor and security cordons, military bands and choral groups or their components; use of Air Force facilities, to include aircraft, and installations, and the use of Air Force material and equipment to include exhibits and lendable or donatable items for community relations purposes.

(t) *Primary interest.* An event primarily beneficial to DOD or USAF.

(u) *Public affairs.* Those public information and community relations activities directed toward the general public by the Air Force.

(v) *Public events.* Programs held in the civilian domain to include all ceremonies, demonstrations, exhibitions, expositions, athletic contests, fairs, trade or air shows, conventions, meetings, or symposia or similar programs intended primarily for nonmilitary audiences. Exercises, movements or maneuvers, conducted as a part of military training, even though incidentally observed by the general public, are not considered public events.

(w) *Static display.* The ground display of any aircraft and its related equipment, not involving flight, taxiing, or starting of engines.

(x) *Veterans organizations.* Nationally recognized bona fide veterans organizations include, but are not limited to, the American Legion, Veterans of Foreign Wars, Disabled American Veterans, American Veterans of World War II and Korea (AMVETS), Military Order of the World Wars, Medal of Honor Society, Catholic War Veterans, Jewish War Veterans, and auxiliaries and youth societies officially attached to the veterans organizations.

(y) *Washington, D.C. Area (National Capital Area).* The District of Columbia; the city of Alexandria, Va.; the counties of Arlington and Fairfax, Va.; and the counties of Montgomery and Prince Georges, Md.; together with incorporated municipalities lying within their borders.

§ 324.4 General policy for participation.

The following policies and guidelines apply to all Air Force participation in public events and should be used to evaluate requests:

(a) Participation is authorized, encouraged, and essential, within the limits defined in this part, to:

(1) Inform the public on Air Force preparedness and promote national security;

(2) Demonstrate U.S. partnership with allies in collective security;

(3) Develop public understanding of the Air Force mission;

(4) Assist Air Force personnel procurement programs; and

(5) Aid community relations. Commanders at all levels will give positive emphasis to the importance of good community relations in the execution of their mission.

(b) All participation will be subject to:

(1) Operational requirements and availability of resources;

(2) The interests of DOD, the Air Force, and the public at large; and

(3) Cost considerations.

(c) This part does not authorize the release or downgrading of classified equipment or information.

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

(1) Included among the organizations which may not be selectively benefited or favored are: Religious and sectarian groups; fraternal organizations, such as Knights of Columbus, Loyal Order of the Moose, or B'nai B'rith; and quasi-religious or ideological movements or organizations, such as Moral Rearmament, "Sing Out," and "Up with People."

(2) Providing use of Government facilities, such as transportation, housing, or messing, at Government expense is a prohibited type of selected benefit or favor.

(3) The restriction on endorsing or selectively benefiting private organizations should not be interpreted as barring any group that offers to provide entertainment on base to military personnel, civilian employees, or dependents. However, promotion of the groups' objectives through handouts, speeches, program content, or other forms of promotion in connection with the entertainment, including the period before and after the entertainment is strictly prohibited.

(e) Participation must not support advertising, publicity, promotional activities or events which benefit or favor a commercial venture.

(f) At events where admission is to be charged, Air Force participation is normally limited to that which is incidental to the program and not the major event. A general admission charge does not necessarily prohibit participation. However, specific or additional charge will not be made to defray the cost of Air Force participation or to observe the participation. This paragraph does not apply to the U.S. Air Force Band, Washington, D.C., when it is engaged in authorized concert tours.

(g) Participation in support of nationally recognized veterans' organizations is authorized when the program or event is oriented exclusively to the veteran. Participation is not appropriate when it supports an organization's sectarian or nation origin objectives. Similarly, participation in support of nonpublic schools is authorized only if it is clearly in support of educational or Air Force personnel recruiting programs.

(h) Participation is not authorized when the sponsoring organization or group excludes any person from its membership or practices any form of discrimination in its functions based on race, creed, color, or national origin.

(i) Participation in any public event is authorized only if admission, seating, and all other accommodations and facilities connected with the event or activity are available to all without regard to race, creed, color, or national origin.

(j) Participation in support of fundraising events is normally limited to:

(1) Officially recognized federated and joint campaigns such as United Funds, Community Chest, Federal Service Campaign for the National Health Agencies, etc.

(2) Fund appeals authorized by the President or the Chairman of the Civil Service Commission.

(3) Collections for authorized military aid societies.

(4) Public or sports events held for the sole purpose of raising funds for United States teams competing in the Pan-American Games and Olympic Games. As an exception, Unified and Specified Commands may participate in athletic or sports competitions within their commands in support of local or indigenous fundraising efforts.

(k) Participation is not authorized for a single cause, even though it is a member of an officially recognized campaign, nor for an event where proceeds are to be donated only in part to one or several members of the recognized campaigns.

These provisions do not prohibit Air Force personnel from participating as private citizens in voluntary agency fundraising activities which are not recognized for on-the-job solicitation within the Federal Government. However, Air Force personnel may not participate in their official capacity either during duty or nonduty hours, nor may such participation be conducted as an official command-sponsored project.

(l) Participation is not authorized in public events for which civilians should properly be employed or when the presence of Air Force participants deprives civilians of opportunities for employment.

(m) Maximum advantage of personnel procurement potential will be taken at appropriate events in which the Air Force participates.

§ 824.5 Funding policy.

The basic Air Force policy is to keep costs of Government participation to a minimum, consistent with community relations objectives. This can best be done by using resources available in the local community relations area. Avoid planning or encouraging types of participation which require additional cost to the Government unless such participation is in the best interest of the Air Force. In determining payment for costs of participation, there are two categories of events: Primary interest, with all costs borne by the Air Force; and Mutual Interest, with costs shared by the Air Force and the sponsor. The following guidelines apply.

(a) Events of primary interest, for which a unit commander is normally authorized to bear all costs of participation, are:

(1) DOD, USAF, or civic-sponsored public observances of United States or host country national holidays.

(2) Official civil ceremonies and functions.

(3) Speaking engagements.

(4) Programed tours by the USAF Orientation Group which are designed to accomplish a priority public information or community relations objective.

(b) Events of primary interest, for which a unit commander may bear all costs after obtaining approval as specified in § 824.6, are:

(1) Tours by units such as the USAF Band, Washington, D.C., when appropriated funds are specifically provided for such participation.

(2) Events considered to be in the National interest because of some unique or unusual benefit to the United States.

(3) Events considered to be in the professional, scientific, or technical interest of the Air Force.

(c) Participation in public events of mutual interest will be accomplished at no additional cost to the Government. Sponsors are required to pay the additional costs explained in § 824.3(a). They do not pay the Air Force share of costs explained in § 824.3(g). Normally, sponsors must pay the standard per diem rate as prescribed in the Joint Travel Regulations for each Air Force participant rather than provide meals and quarters.

§ 824.6 Approval requirements.

Except as noted in this section, major commands and the National Guard Bureau are delegated authority to approve the use of resources under their control according to this part. Major commands and the National Guard Bureau may delegate approval authority. Delegation to the commander having the resources to provide the requested participation is encouraged.

(a) The following events or programs require approval of the Assistant Secretary of Defense (Public Affairs) through channels to the Secretary of the Air Force (SAFOIC):

(1) Public events in the Washington, D.C., Area (National Capital Area).

(2) National and international events, including national conventions and meetings.

(3) Events in areas outside the United States which are not within a unified or specified command area.

(4) Any general aircraft or parachute demonstration in the public domain within the United States.

(5) Any aerial review in the public domain, and aerial reviews involving more than one military service on a military installation within the United States. Approval will be considered only for exceptional events of national interest.

(6) Flyovers in the public domain within the United States, except for civic-sponsored public observances of, or official ceremonies for Armed Forces Day, Memorial Day, Independence Day, and Veterans Day.

(7) Performance by the Thunderbirds in the public domain, within or outside the United States.

(8) Requests for participation of special operational units such as special forces and helicopter rescue teams in the public domain. Authorization will be considered on an individual basis.

(9) Participation in preseason, postseason, or known programed national sports and/or professional athletic events within the United States.

(10) Events of professional, technical, or scientific interest to the Air Force, when participation will result in additional cost to the Government. Requests will include an estimate of the expenses.

(11) Requests for aircraft to engage in performance demonstrations for the purpose of establishing new records for altitude, speed and endurance. Submissions will include a description of the specific aircraft to be used and full justification for the proposed record attempt, including supporting flight and information plans.

(12) Any exceptions to DOD policy. Requests must be specifically justified.

(b) Events or programs requiring approval of the Secretary of the Air Force (SAFOIC), through channels are:

(1) Flight demonstrations by the Thunderbirds on military installations.

(2) Special scheduled tours by the USAF Band, Washington, D.C.

(3) Displays from the USAF Art Collection, other than paintings currently on loan to the Orientation Group, USAF, as part of their exhibits inventory. The Art Program is designed to record the Air Force story on canvas for historical and documentary purposes. Special showings can be arranged for museums, community art galleries, and noncommercial art shows by contacting the Secretary of the Air Force (SAFOIC), Washington, D.C. 20330.

(4) Participation by units other than USAF Recruiting Service in any event which supports Air Force recruiting and will result in additional cost to the Government.

§ 824.7 Use of aircraft.

As practicable, flying time accrued in participating in public events will be used for flying proficiency or training purposes. The following guidelines and procedures apply:

(a) *On base participation requirements.* (1) Static displays, flyovers, single service aerial reviews, aircraft demonstrations, and flight team demonstrations are authorized on military bases and installations, occupied by active duty forces, with no indemnity insurance required.

(2) The event must be sponsored and supported by the installation commander as an "open house." A "closed show" must be requested as an exception to policy with specific justification.

(3) The provisions of AFR 60-6 (Participation in Goodwill Flights, Aerial Reviews and Weapons Demonstrations) apply, and commanders will insure that an Air Force pilot is appointed as military controller for each event involving Air Force aircraft participation.

(4) Mass parachute jumps, equipment drops, assault aircraft demonstrations, standard tactical aircraft maneuvers or helicopter troop landings under simulated tactical installations capable of providing necessary support and only during an "open house" event.

(5) When more than one service is involved, aerial reviews on base must be authorized by OASD/PA. Approval will be considered only for exceptional events in the national interest.

(b) *Off-base static display requirements.* (1) Static displays in the public domain are restricted to appropriate events at airfields or heliports. Exceptions to this policy will be authorized by OASD/PA only when the use of the proposed display area is operationally feasible and meets Air Force safety requirements.

(2) Qualified Air Force personnel will be available to answer spectators questions about the display.

(3) Authorized events for off-base static displays include: official civic functions; programs celebrating national, State, or local holidays; and events designed to encourage public comprehension of and appreciation for aerospace power.

(4) Indemnity insurance for off-base static displays is not required. Aircraft must be in place with power off, before spectators assemble in the display area. Engines on these aircraft cannot be started until all spectators have departed the display area.

(5) Static displays are normally limited to 2 days at each event.

(6) Sponsor costs will be according to § 824.5.

(c) *Off-base flyover requirements.* (1) For civic-sponsored public observances of, and official ceremonies for, Armed Forces Day, Memorial Day, Independence Day, and Veterans Day, approval authority for a flyover of four or less aircraft is delegated to major commands.

(2) Other flyovers and/or aerial reviews in the public domain must be approved by the Assistant Secretary of Defense (Public Affairs). Requests will be forwarded through channels to the Secretary of the Air Force (SAFOIC).

(3) To minimize interference with operations and training of air units, off-base flyovers normaly will be approved by DOD only for the following:

(i) Memorial services for dignitaries of the Armed Forces or the Federal Government.

(ii) Celebrations and receptions for dignitaries of foreign governments, when requested by the White House or Department of State.

(iii) National conventions of bona fide veterans organizations.

(iv) Occasions primarily designed to encourage the advancement of aviation and which are of more than local interest.

(4) Flyovers of events where a military air demonstration team is participating are not authorized.

(5) The sponsor has no financial obligation for off-base flyovers, and no indemnity insurance is required.

(6) Approval for off-base flyovers of more than four aircraft will be considered only for exceptional events of national interest.

(7) Policies governing flyovers of funerals and memorial services are stated in AFM 143-1 (Mortuary Affairs).

(d) *Off-base aerial demonstration requirements.* (1) Sponsors must provide public liability and property damage insurance for Armed Forces flight and parachute team demonstrations and for aircraft demonstrations requiring landings and takeoffs in the public domain. This requirement applies within the 50 States. It also applies in oversea areas unless the requirement is waived by the responsible Unified or Specified Command. This insurance safeguards the Government against any claims which might arise as a result of the Armed Forces participation. This insurance requirement applies only to persons and property other than Government personnel and aircraft participating in the event, but does not exclude Government personnel present as spectators. Indemnity insurance is not required for static displays or flyovers.

(2) The DOD checklist for aerial demonstrations includes the approved insurance policy endorsement which must be quoted verbatim in the sponsor's policy. The sponsor must submit the policy directly to the Assistant Secretary of Defense (Public Affairs), Directorate for Community Relations, Pentagon, Washington, D.C. 20301, no later than 30 days before the date of the event.

(3) Sponsor costs will be determined according to § 824.5.

(4) Flight team demonstration guidelines:

(i) Demonstrations by the USAF Thunderbirds may be held only at public airports, over open bodies of water, or over suitable open areas of land where adequate crowd control can be assured.

(ii) Thunderbird demonstrations are normally limited to 2 days at events in the civilian domain. Participation may include a third day if no other event is compromised.

(iii) The team will not be scheduled when the U.S. Navy Blue Angels are performing at the same event, but may participate in conjunction with one parachute demonstration team.

(5) Aircraft demonstration guidelines:

(i) Aircraft demonstrations may be held only at public airports, over open bodies of water, or over suitable open areas of land where adequate crowd control can be assured.

(ii) Demonstrations of this nature are normally limited to 2 days.

(6) Parachute team demonstration guidelines:

(i) Parachute team demonstrations are restricted to appropriate events over airports, open bodies of water, or open areas of land where adequate crowd control can be assured. Requests for off-base parachute demonstrations at locations other than those specified must receive DOD approval as an exception to policy.

(ii) Participation is normally limited to 3 days, but may be extended if no other event is compromised.

(iii) Only one parachute team or club from each service may participate in the same public event.

(iv) Participation by official parachute teams, parachute sports clubs, or qualified individuals in competitive parachute meets sanctioned by the U.S. Parachute Association (USPA) may be authorized, provided such competitions are not in conjunction with a public event such as a fair, exposition, or similar event. Under the above criteria, an insurance bond is not required for participation in USPA events.

(e) *Aircraft performance attempts.* Record attempts are restricted to aircraft which have been assigned to an operational unit of a military service for at least 6 months and should not imply competition among the services. Aircraft altitude, speed, endurance and individual performance record attempts must be concerned with keeping the public apprised of U.S. engineering-technical capabilities.

§ 824.8 Use of personnel, facilities, and equipment.

(a) *General information.* (1) Air Force bands, troops, drill teams, color guards, installation facilities and materiel may support the community relations programs by participation in public events.

(2) The period of time for which an exhibit is authorized will be determined by the nature of the event and the type of the exhibit.

(3) In fulfilling requests for exhibits, base commanders should maximize the use of equipment in local resources.

(4) Sponsor costs will be determined according to § 824.5.

(b) *Participation is appropriate for.* (1) Official government, military, and civic functions.

(2) Public programs in support of DOD or Air Force personnel recruiting programs.

(3) ROTC programs, including military balls held on campus.

(4) Physical fitness programs.

(5) Free social and entertainment activities held on base or sponsored by a military unit for active duty personnel and their guests, and if held for the principal purpose of morale or esprit de corps. Participation is appropriate for similar events held off-base only if there is no suitable on-base military facility available. A charge levied to defray expenses of food, beverage, and other incidental expenses does not preclude participation.

(6) Regularly scheduled professional (commercial) and nonprofessional sports competitions and postseason college games for which an admission is charged only when participation: (i) Is incidental to the event and designed to support personnel recruiting activities; (ii) will be performed at no additional cost to the Government; (iii) does not appear to benefit the commercial aspects of the event; (iv) is consistent with section 974 of title 10, United States Code; and (v) is in the best interests of the Department of Defense and the Air Force.

(7) Community-sponsored civic parades, if held on a Sunday, a holiday, or at times when shops are closed for business. This includes Christmas parades, even though commercial firms are participating. Individual commercial ventures in such parades need not preclude participation if the parade is on civic rather than commercial aspects. Participation must be incidental to the event and at no additional cost to the Government when commercial firms are represented.

(c) *Participation is not appropriate for.* (1) Commercial motion picture premieres, commercial parades, fashion shows, or similar events conducted for the benefit of commercial interests.

(2) Beauty contests or pageants and similar events, except for those which are national or international in nature. Participation may be authorized by OASD/PA when in the best interest of DOD and/or the Air Force.

(3) An Air Force athletic team or athlete in an off-base professional sporting event or in a postseason bowl game. DOD will give serious consideration to requests for approval of exception to policy only when the following conditions prevail:

(i) The participating Air Force Team(s) is (are) organized for regular season play.

(ii) The Government, or supporting non-appropriated fund, will be reimbursed from game proceeds for all travel and per diem costs.

(iii) At least 50 percent of the proceeds, after game, travel, and per diem

expenses have been paid, is donated to the Air Force Aid Society or the unit welfare fund. The remainder must be donated to a charity specified in § 824.4.

(iv) The participation can be expected to bring credit to the Air Force and assist in recruiting or related personnel procurement objectives.

NOTE: Competition between a U.S. Armed Forces athletic team stationed in the United States and a team of a foreign country, regardless of the site of competition, requires OASD/PA approval before public discussion or formal acceptance may be made. Unified and Specified Commanders headquartered outside the United States may approve international athletic or sports competition within their respective commands, subject to concurrence of the U.S. Ambassador to the foreign country concerned. Such competition may be in support of local or indigenous fund-raising efforts.

(d) *Use of personnel.* Air Force personnel will not be used as ushers, guards, parking lot attendants or messengers in support of public events off-base. Individuals may act as escorts in beauty pageants or other local communitywide civic sponsored ceremonies only if the following conditions prevail:

(1) The approving commander believes participation is appropriate and in good taste.

(2) The individuals volunteer for the assignment.

(3) There is no interference with military duties or operations.

(4) Participation is at no additional cost to the Government.

(5) The event meets the basic DOD criteria.

(e) *Use of exhibits.* (1) Except for programed tours by the Orientation Group, USAF, display of exhibits at fairs, expositions, carnivals, parades or other appropriate events in the public domain, will normally be at no additional cost to the Government.

(2) Local inventory equipment used in a local celebration will normally be limited to 3 days. Formal exhibits by the Orientation Groups in fairs, expositions, and similar events may remain for the duration of the event.

(3) Exhibits may be displayed in any appropriate location or event, including commercially owned spaces such as shopping centers and malls, provided that:

(i) It is clearly established that such areas are frequented by the general public;

(ii) The exhibit is not for the purpose of drawing the public to that location;

(iii) The event is sponsored by civic groups; and

(iv) Participation is in the best interest of the Department of Defense and/or the Air Force.

(4) Indemnity insurance is not required for Armed Forces exhibits.

(f) *Use of color guards.* (1) A Joint Armed Forces Color Detail will be employed to the maximum extent possible for participation in DOD authorized events. It will be composed of: Two Army bearers with National and Army colors; one each Marine Corps, Navy, Air Force, and Coast Guard bearer with individual service colors; and one each Army and Marine rifleman as escorts.

(2) If a Joint Armed Forces Color Guard Detail cannot be provided, the national colors will be carried by the senior member of the senior military service present.

(3) Air Force personnel may carry flags of foreign nations in official civil ceremonies when an official of the nation concerned is present in his official capacity and is one for whom honors would normally be rendered. In all other public events, Air Force personnel in uniform and in an official capacity are not authorized to carry flags of foreign nations, veterans groups or other nonmilitary organizations.

§ 824.9 Loan of equipment and base facilities.

(a) The loan of Air Force equipment and use of Air Force bases for civilian domain public affairs purposes is appropriate when the following criteria are met:

(1) The public affairs purpose involved is of direct interest and concern to the Air Force; is a program actively participated in by the unit; and is wholly within the scope of its public affairs responsibilities.

(2) Equipment is locally available and its loan or use is prudent and does not interfere with the unit mission.

(3) The public affairs objective to be met transcends any direct or implied competition with commercial interests.

(4) The use of the facilities is not for the purpose of raising funds.

(5) There is no significant potential danger to private property or citizens that could result in a claim against the Government.

NOTE: Much equipment which formerly was available only from the military resources is now available through commercial outlets. In considering requests for loan of military material, commanders must give increasing attention to the commercial potentials available before providing the support requested. This is particularly applicable to such items as public address systems, communications equipment, office space, food-handling, lighting equipment, construction equipment, field equipment, and transportation.

(b) If a public information program of a nongovernmental organization will benefit, the following criteria also apply:

(1) The program must be sponsored by a responsible organization, and the participating sponsor, individuals or groups, will be clearly identified in advance. The public information program involved must be known to be politically nonpartisan, and there should be a reasonable assumption of judgment by the unit commander that no aspect will be contrary to U.S. national policy.

(2) Nongovernmental public information programs will not be sponsored or cosponsored by an Air Force command or unit.

§ 824.10 Requests for participation.

To aid civilian sponsors desiring military participation and to guide Air Force officials receiving such requests, utilization of DOD format, "Request for Armed Forces Participation in Public Events," is recommended. This format is attachment 3 to AFM 190–4 and is authorized for local reproduction. The request format is designed to provide the approving authority with the information needed to determine the scope and type of Air Force participation is not locally available or if it is an event requiring approval of higher authority.

§ 824.11 General instructions.

(a) Air Force Academy student sports and athletic programs are exempt from this part and will be guided by policies established by the Superintendent of the Academy.

(b) A minimum of 60 days lead time at Hq USAF is desired for requests received from sponsors for participation in public events requiring Hq USAF or DOD approval.

(c) Requests are frequently received directly in Hq USAF from civilian sponsors. When this happens, the major command with the base closest to the requesting community will appoint a project officer from that base to coordinate all Air Force participation. Initial contact with the sponsor will be made by the project officer within 7 days of receipt of correspondence. The project officer should establish close liaison by assuring the sponsor that the Air Force has received his request and advising him that assistance will be provided if operationally possible.

(d) Requests for exceptions to policies herein will be considered only for highly unusual circumstances. Such requests should be submitted with full justification through command channels to the Secretary of the Air Force (SAFOIC), Washington, D.C. 20330.

(e) Directives of the National Guard Bureau take precedence for Air National Guard units except that the policy herein on use of aircraft will not be waived without authority of Hq USAF (AFXOP).

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 70-17214; Filed, Dec. 22, 1970; 8:45 a.m.]

Chapter XII—Defense Supply Agency

SUBCHAPTER A—DEFENSE SUPPLY PROCUREMENT REGULATION

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Chapter XII of Title 32 of the Code of Federal Regulations is amended as follows:

PART 1201—GENERAL PROVISIONS

Subpart A—Introduction

1. Section 1201.104–51 is deleted; §§ 1201.104–52 and 1201.104–53 are renumbered 1201.104–51 and 1201.104–52,

and §§ 1201.104–51 and 1201.109–50 are revised to read as follows:

§ 1201.104–51 Procurement letters.

Numbered procurement letters (PROC-LTRS) include policy statements of general interest to procurement personnel, reemphasis of existing policy and information of a temporary nature. They are generally directed to procurement staff levels within the Defense Supply Centers (DSCs) but wider distribution within the Procurement Directorates may be directed upon the face of the letter. Procurement letters will normally be canceled within 6 months.

§ 1201.109–50 Deviations to mandatory clauses.

Prior to requesting an ASPR deviation, one-time or otherwise, the Commander or Deputy Commander will personally negotiate with contractors who have refused to accept mandatory ASPR clauses in an attempt to obtain contractor acceptance.

Subpart C—General Policies

2. Section 1201.331 is added to read as follows:

§ 1201.331 Management control systems.

§ 1201.331–50 The development of management control systems in the acquisition process.

(a) *General.* DOD Instruction 7000.6 provides a formal procedure for the development of new management control system documents or substantial modifications of existing management control system documents which are intended for contractual use and for the inclusion of such documents in a management control systems list.

(b) *Definitions.*—(1) *Office of Primary Interest (OPI).* The HQ DSA organizational element having primary responsibility within DSA for the development of management control systems, referred to as the Office of Primary Responsibility in DOD Instruction 7000.6.

(2) *Primary Office (PO).* The HQ DSA organizational element initiating the development or modification of a management control system.

(c) *Responsibilities.*—(1) The Executive Director, Procurement and Production, HQ DSA (DSAH–P) will function as OPI for the development or modification of management control systems.

(2) The heads of DSA Primary Level Field Activities will establish responsibilities and procedures for developing, processing, and transmitting management control systems matters.

(d) *Procedures.*—(1) *Submitting the initial notification memorandum.* The PO will prepare and submit a proposed initial notification memorandum to HQ DSA, Attention: DSAH–PPR, for appropriate action in accordance with DOD Instruction 7000.6, paragraphs V A and VI B.

(2) *Submitting the preliminary and final drafts.* If approval is granted for further development of a proposed management control system, the PO will prepare and submit the preliminary and final drafts of the proposed management control system, as provided in DOD Instructions 7000.6, paragraph V C and D, to HQ DSA, Attention: DSAH–PPR for appropriate action, in accordance with that Instruction.

§ 1201.331–51 The selection and application of management control systems in the acquisition process.

(a) *General.* DOD Instruction 7000.7 provides guidance in the selection of management control systems from the MCSL and their application to the contract, through their listing on the DD Form 1660.

(b) *Responsibilities.* (1) The Executive Director, Procurement and Production, HQ DSA, will (i) function as the DSA Office of Primary Interest for the selection and application of management control systems included in DSA contracts and (ii) formulate and administer policies and procedures in further implementation of DOD Instruction 7000.7.

(2) The heads of DSA Primary Level Field Activities will establish responsibilities and procedures for the selection and review of management control systems to be applied in the contracts of their activity, in accordance with DOD Instruction 7000.7.

Subpart D—Procurement Responsibility and Authority

3. Section 1201.402–50(b) is amended to read as follows:

§ 1201.402–50 General responsibilities of contracting officers.

* * * * *

(b) Contracting officers shall personally sign all contracts and modifications entered into in their name. The Contracting Officer cannot delegate anyone to sign for him.

* * * * *

4. Sections 1201.405–1 and 1201.405–3 are revised as follows:

§ 1201.405–1 Selection.

High qualifications standards must be maintained for the appointment of contracting officers. Authority to execute and administer contracts of $100,000 or greater should be given only to civilian personnel of Grade GS–12 or above, and to military personnel with at least 3 years specialized experience in procurement and 3 years experience in related fields. Exceptions to these minimum qualifications may be granted on a case by case basis by the head of a Procuring Activity and the Commanders of the activities enumerated in 1–405 where exceptional circumstances necessitate appointment of an individual.

§ 1201.405–3 Termination of appointment.

* * * * *

(b) *Revocation.* One copy of each revocation of an appointment shall be sent to HQ DSA Attention: DSAH–PPR.

5. Section 1201.452–2(a) is amended to read as follows:

§ 1201.452–2 Actions requiring HQ review and approval prior to award.

(a) The actions (the term actions as used herein includes both contracts and contract modifications effecting new procurement) listed below require the review and approval of the HQ DSA, Attention: DSAH–PC prior to award. For review purposes, the dollar amount of a proposed action shall be the sum of the estimated or actual amount of obligation and the amount of any option included in the proposed action.

(1) All proposed actions other than firm fixed-price or fixed-price with escalation;

(2) All proposed actions providing for special performance incentives;

(3) All proposed actions involving—

(i) Architectural-engineering services;

(ii) Management engineering services;

(iii) Management surveys and studies;

(iv) Personal or professional services, not covered by applicable civilian personnel instructions;

(v) Services for maintenance of or for manufacture in Government-owned, contractor-operated facilities. (Not applicable to the Defense Fuel Supply Center);

(vi) Services and materials for the repair, maintenance, rehabilitation, alteration or modification of Government installations and utilities of $100,000 or more;

(vii) Proposed lease of Government property for non-defense use;

(viii) Acquisition of automatic data processing equipment in accordance with DSAR 4710.1 and;

(ix) Acquisition of facilities.

(4) All proposed actions resulting from an invitation for bids (including Balance of Payments and Small Business Restricted Advertising types) when award is proposed to a sole responsive, responsible bidder, and the total dollar amount of the sole bid items being awarded is $100,000 or more, except Subsistence items which, by industry practice, are normally subject to 72 hours or less acceptance time, e.g., coffee, flour, sugar;

* * * * *

6. Section 1201.452–9 is added to read as follows:

§ 1201.452–9 Letter contracts.

(a) HQ DSA authorization is required prior to the award of all letter contracts. Requests for such authority may be transmitted by TWX (Attention: DSAH–PC) and shall include, as a minimum:

(1) The facts supporting the requirement for a letter contract (ASPR 3–408(b)), i.e.,—

(i) Why the interests of national defense demand that a contractor be given a binding commitment so that work can be commenced immediately;

(ii) Why negotiation of a definitive contract in sufficient time to meet the procurement need is not possible; and

(iii) The written determination that no other type of contract is suitable.

(2) The proposed unit price and total price ceilings for the definitive contract.

(3) The limit of the Government's liability under the letter contract.

(4) A determination of the contractor's responsibility in accordance with ASPR 1–904; and

(5) The proposed definitization schedule which shall include the dates for—

(i) Receipt of the contractor's proposal;

(ii) Receipt of the Audit report;

(iii) Completion of Center price analysis;

(iv) Completion of negotiations;

(v) Submission of the file to Headquarters for preaward review and approval if required by § 1201.452–2;

(vi) Award of the definitive contract; and

(vii) Termination of the letter contract in the event that definitization is not accomplished.

(b) HQ DSA authorization is required prior to the modification of all letter contracts when the proposed modification affects the:

(1) Unit price or total price ceilings of the definitive contract;

(2) Limit of the Government's liability under the letter contract;

(3) Definitization date; or

(4) Termination date of letter contract.

Subpart I—Responsible Prospective Contractors

7. Sec. 1201.905–4(e) is amended to read as follows:

§ 1201.905–4 Preaward surveys.

* * * * *

(e) A decision by a contracting officer not to request a preaward survey for a proposed award in excess of $10,000 (except for perishable and commodity market subsistence items and bulk fuel) shall be fully documented as to the reasons therefor and shall be recorded in the contract file. In order to ensure full compliance with the intent of ASPR 1–905.4(b), each DSA procuring activity shall establish and maintain requirements and procedures for review and approval of such decisions. These procedures shall include a requirement for approval of such decisions at the level of the Director of Procurement and Production for proposed awards in excess of $100,000, except that for Subsistence Regional Headquarters, approval shall be at the level of the Chief, Purchasing Division.

PART 1202—PROCUREMENT BY FORMAL ADVERTISING

Subpart B—Solicitation of Bids

8. Sections 1202.201–51 and 1202.205–6 are added to read as follows:

§ 1202.201–51 Rights to apply f.o.b. origin offer.

Section D, Evaluation Factors for Award

(i) A provision substantially as below may be included in invitations for bids when appropriate. The intent of the provision is to permit the Government to award f.o.b. origin offers that otherwise could not be covered in a formally advertised procurement. Example—items 1 and 2 are for the same product, but different item numbers are used because of the different destinations. F.o.b. origin offers are permitted. Bidders A and B bid f.o.b. origin on item 1. No bids are received on item 2. Item 1 is awarded to Bidder A. Under present conditions, item 2 would have to be resolicited. With the above provision, and provided the bidder had not specified otherwise, the Bidder B offer could be applied against item 2. Assuming Bidder B's price was reasonable, item 2 could be awarded to Bidder B and the need for a resolicitation negated.

Right to Apply f.o.b. Origin Offer. Unless otherwise specified by the Bidder, the Government may apply an f.o.b. origin offer against any f.o.b. origin item or subitem for the same product or supplies.

§ 1202.205–6 Preinvitation notices.

Preinvitation notices shall be used (a) to determine competitive interest, and (b) to avoid the reproduction and mailing of unnecessary quantities of solicitations.

PART 1203—PROCUREMENT BY NEGOTIATION

Part 1203 is revised as follows:

Subpart C—Determination and Findings

9. Section 1203.306–50(b) is amended to read as follows:

§ 1203.306–50 Class determinations and findings (CDFs).

* * * * *

(b) Class determinations and findings may not be extended beyond their effective periods as approved by the Secretary. When the authority of such CDF is required for an additional period, a new request therefor, together with a new CDF shall be submitted in accordance with this Regulation. Such new requests shall set forth a summary of the procurement actions completed under the earlier CDF as well as those actions contemplated under the new request.

* * * * *

Subpart E—Solicitations of Proposals and Quotations

10. Section 1203.501 is revised to read as follows:

§ 1203.501 Preparation of request for proposals or request for quotations.

(b) Contract Forms and Uniform Contract Format.

Section C, Instructions, Conditions and Notices to Offerors/Quoters.

(iv) The following Products Offered provision is for use in the negotiated procurement of replacement parts and assemblies which are identified only by the manufacturer's name, part number, and a brief description. The purpose is to negate paragraph 2(d) of SF 33A which reads:

"Offers for supplies or services other than those specified will not be considered unless authorized by the solicitation."

When the provision is applicable, the following will be inserted after the item description:

Offer based on:
Manufacturer's Name _____
Part No. _____

The provision will not be included in solicitations covering parts or assemblies which are being negotiated under such authorities as ASPR 3–210.2(i) (xiii), or (xv), 3–213, or 3–202 when it is necessary to restrict the procurement to a particular manufacturer or to certain approved sources (see ASPR 1–313(c)). The provision, when used, shall be verbatim, except when required by DSAM 4715.1, the acronym CLIN may be substituted for the word "item".

Products Offered (1970——):

(a) Products offered must either be identical or functionally, physically, mechanically, and electrically interchangeable with the products cited in each procurement identification description of this solicitation.

(b) For evaluation purposes offerors must indicate, by marking the appropriate block(s), which of the following situations is applicable to each item which they are offering and furnish whatever supporting information is required below. "Failure to furnish complete data and information required to support situations (2), (3), and (4) below may preclude consideration of your proposal."

[ ] (1) For items _____ will furnish the cited manufacturer's product bearing the number specified.

NOTE: If more than one manufacturer's number is specified in the schedule, the offeror must insert beneath the applicable item(s) of the schedule the manufacturer's name and number which he is offering.

[ ] (2) For items _____ will furnish a product manufactured in accordance with the cited manufacturer's drawing or specification, and certified identical to, but bearing a different number.

NOTE: This block must be completed *only* by offerors manufacturing the item described in the schedule for the company or firm whose name and number is specified. Offerors must insert beneath the applicable item of the schedule the substituted manufacturer's name and part number. In addition, the offeror must furnish a copy of the drawing or specification for the part number as originally cited in the schedule, or other information to establish that the offeror will furnish the same item as described in the schedule, but having a different number.

[ ] (3) For items _____ will furnish a product determined under prior military contracts, either as a prime or subcontractor to be functionally, physically, mechanically, and electrically interchangeable with the product cited in this solicitation though not manufactured in accordance with the cited manufacturer's drawing or specification.

NOTE: Offerors relying on this paragraph (3) must insert beneath the applicable item of this solicitation the substituted manufacturer's name and part number, and, in addition, furnish sufficient data to suitably substantiate the item as acceptable. As a minimum, the following data must be furnished (1) copy of Contract or Purchase Order under which furnished, and (2) copy of a drawing to which made.

[ ] (4) For items _____ will furnish a product which is equal in all material respects to the product referenced in the item description. The following NOTE is applicable:

NOTE(a) [ ] NOTE(b) [ ]

NOTE: (a) The Government does not have detailed data for the item referenced in the procurement identification description. Therefore, offerors relying on this paragraph (4) must furnish with their offers drawings and other data which will clearly describe

the characteristics and features of their product.* In addition, offerors must furnish drawings or other data covering design, materials, performance, etc., of the product cited in the schedule sufficient to enable the Government to determine that the offeror's product is equal to the product named in the schedule.

NOTE: (b) Offerors relying on this paragraph (4) must furnish with their offers, drawings and other data which will clearly describe the characteristics and features of their product.*

NOTICE: Offers relying on this paragraph (4) must insert beneath the applicable item of this solicitation the substituted manufacturer's name and number.

Section D, Evaluation Factors for Award:

(iii) discount provisions (see § 1202.407–3);

Subpart F—Small Purchase and Other Simplified Purchase Procedures

11. Section 1203.604–50 is amended as follows:

§ 1203.604–50 Competition and price reasonableness in small purchases.

(a) *General.* All purchases shall be made at reasonable prices considering the circumstances of the individual purchase. For purchases in excess of $250, a determination that the price is reasonable shall be made and documentation of the determination shall be placed in the procurement file. Purchases not in excess of $250 shall be accomplished in accordance with ASPR 3–604.1.

(b) *Decision Logic Chart for Pricing Small Purchases.* To assist buyers in establishing a reasonable price, the Decision Logic Chart for Pricing Small Purchases, shown at end of Part 6, will be utilized in every small purchase in excess of $250. The chart presents a step-by-step price analysis process, in required sequence. Buyers should follow this sequence only to the step at which it can be determined that a reasonable price has been offered. Every purchase does not require processing through the entire sequence. It is expected that, in the majority of procurements, a reasonable price can be established at an early step. Narrative instructions explaining how each step should be performed are as follows:

* * * * *

(e) *Statistical sampling for price reasonableness*—(1) *General.* The sampling and reporting procedure set forth in subparagraph (2) of this paragraph will be utilized when a sample of purchase actions for a specified period is required to determine the incidence of unreasonably priced purchase actions. A further statistical sample for a 12-month period will be accomplished for each company found to have one or more unreasonably and indeterminably priced purchases in the semi-annual sample. Indeterminably priced actions are those in which a fair and reasonable price cannot be determined pursuant to the criteria and guidance in ASPR/DSPR 3–604. Review will be accomplished by individuals who did not participate in the original procurement action. The purpose of the review will be to determine the incidence of unreasonably and indeterminably priced purchase actions in the sample. The incidence of unreasonably and indeterminably priced actions are those in which a fair and reasonable price cannot be determined pursuant to the criteria and guidance in ASPR/DSPR 3–604. Reviews, when required, will be activated by further instructions from HQ DSA. Reports Control Symbol DD–DSA (AR) 1207 (P) applies.

(2) *Procedure.* A systematic sampling technique, with a random start, will be used to provide a reasonable approximation to a true random sample. Samples will include FSN and Non-FSN Purchase Orders, BPA calls, BOA orders and local purchase transactions. Samples will be structured in accordance with the following criteria; when the total population is:

(i) Less than 10, review 100 percent.

(ii) Over 10, but less than 50, review 50 percent, but not less than 10.

(iii) Over 50, but less than 100, review 35 percent, but not less than 20.

(iv) Over 100, but less than 500, review 20 percent, but not less than 30.

(v) Over 500, but less than 1,000, review 15 percent.

(vi) Over 1,000, but less than 2,000, review 10 percent.

(vii) Over 2,000, review 240.

(3) *Reports.* Criteria for establishing reasonableness of price will be in accordance with ASPR/DSPR 3–604. For the purpose of this reporting requirement, in no case, except for purchase under $25 will a price more than 25 percent above the reasonable price level established by the ASPR/DSPR criteria be accepted as reasonable, even though extenuating circumstances such as delivery urgency existed. Reports when required, covering reviews will be forwarded to DSAH–PP and will contain the following:

(i) Total value of procurements and number of actions of universe from which sample is drawn, and the sample;

(ii) Number of procurements negotiated under small purchase procedure and number awarded under other authority;

(iii) Number and dollar value of actions awarded with competition;

(iv) Number and dollar value of actions found overpriced and total dollar amounts considered overpriced using price reasonableness criteria specified above;

(v) Narrative statement of results of any refunds (voluntary or solicited) of overpriced actions noted prior to review and action taken; and

(vi) Narrative statement of availability of catalogs or other published pricing information, and any significant trends or other information not included above. Individual fact sheets will be submitted for each overpriced action revealed by the review.

12. Section 1203.604–51(b) is amended to read as follows:

§ 1203.604–51 Minimum billing and service charges.

* * * * *

(b) If the foregoing efforts are to no avail, DSA buying activities when writing orders with vendors having such policies, will identify the unit price and amount for each item ordered and the minimum billing or service charge. Particular care should be exercised to identify these charges where unpriced purchase instruments are employed.

13. Sections 1203.605–50 and 1203.605–51 are added to read as follows:

§ 1203.605–50 Establishment of blanket purchase agreements with Federal Supply Schedule (FSS) Contractors.

(a) While BPAs may be established with FSS contractors for both non-FSS items and FSS items, a distinction between such items should be made.

(b) A BPA with a FSS contractor for non-FSS items which can be interpreted to cover FSS items because of a generic item description should contain a statement to the effect that the BPA excludes all items on Federal Supply Schedules.

(c) If it is desired to establish a BPA with a FSS contract for items on a FSS, the agreement shall be consistent with the provisions of the applicable FSS, i.e., period of agreement, terms, and conditions. The agreement should be limited to a simplification of purchasing techniques such as placing of orders orally and obtaining monthly consolidated billings.

§ 1203.605–51 Quantity break provision for inclusion in small purchase.

(a) As used herein "quantity break" is a reduction in unit price for a specified larger quantity.

(b) To obtain the lowest possible in small purchases, it is necessary that the Government take advantage of quantity breaks wherever practicable.

(c) For the purpose of establishing that a quantity break does or does not exist, a provision substantially as follows should be included in small purchase solicitations, except in those cases where the contracting officer decides that inclusion of the provision is impractical or would serve no useful purpose:

Quantity break:
The quoted price is effective for quantities from ---------- to ----------. Price for next higher quantity break would be ----------.

(d) Should it appear that it is in the best interest of the Government to procure a larger quantity, so as to take advantage of a lower unit price, the item manager should immediately be provided the details and an amendment to the purchase directive requested. If the item manager indicates that the quantity cannot be increased, then the contracting officer should document the contract file accordingly and proceed with purchase of the originally specified quantity.

*If offerors desire to restrict the Government's use of data submitted with their proposals for evaluation purposes, the data must bear the legend prescribed by ASPR 3–507.1 (a). In the event an award is made to an offeror submitting such data, the Government will have unlimited rights to use such data, unless the offeror checks the following block: [ ].

Subpart G [Reserved]

14. Subpart H is added to read as follows:

Subpart H—Price Negotiation Policies and Techniques

§ 1203.801–2 Responsibility of contracting officers.

(a) Prior to referral to HQ DSA, the Commander, or in his absence, the Acting Commander, shall personally negotiate with the contractor involved and attempt to delete those elements of the contractor's offer that render his price or profit unreasonable.

§ 1203.807–6 Refusal to provide cost or pricing data.

Prior to referral to HQ DSA, the Commander, or in his absence, the Acting Commander, shall personally negotiate with the contractor involved and attempt to obtain the necessary cost or pricing data.

PART 1206—FOREIGN PURCHASES

Subpart A—Buy American Act—Supply and Service Contracts

15. Section 1206.103–2(a) is amended to read as follows:

§ 1206.103–2 Nonavailability in the United States.

(a) The required determination shall be prepared in substantially the following form:

DETERMINATION
Date _____

Pursuant to the authority contained in section 2, title III of the Act of March 3, 1933, commonly called the Buy American Act (41 U.S.C. 10 a–d), and authority delegated to me by paragraph 6–103.2 of the Armed Services Procurement Regulation, I hereby find:

a. (Description of the item or items to be procured, including unit, quantity, and estimated cost inclusive of duty and transportation costs to destination.)

b. (Brief statement of the necessity for the procurement.)

c. (Statement of facts establishing the nonavailability of a similar item or items of domestic origin.)

Based upon the above showing of fact, it is determined that the above described item(s) is (are) not mined, produced, or manufactured, or the articles, materials, or supplies from which it (they) is (are) manufactured, are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

Accordingly, the requirement of the Buy American Act that procurement be made from domestic sources and that it be of domestic origin is not applicable to the above described procurement, since said procurement is within the nonavailability exception stated in the Act. Authority is granted to procure the above item(s) of foreign origin (Country of origin) at an estimated cost of $_____, including duty and transportation costs to destination.

_____
(*Signature*)

* * * * *

16. Section 1206.104–51 is added to read as follows:

§ 1206.104–51 Shipping instructions to Canadian vendors.

Shipping instructions provided Canadian vendors furnishing DOD supplies shall designate a CONUS destination or Canadian port marked for such destination. No Canadian vendor is to be requested to make shipments of DOD supplies addressed to an overseas destination. On urgent requirements for shipment to overseas destinations, the shipping instructions shall be forwarded to the Defense Contract Administration Office, 123 Slater Street, McDonald, Ottawa, 4, Canada, who will make necessary arrangements.

Subpart H—Balance of Payments Program—Procurement of Supplies and Services for Use Outside the United States and Procurement of Scientific and Technical Knowledge Involving Foreign Expenditures

17. Section 1206.805–2(b) is added to read as follows:

§ 1206.805–2 Procurement limitations.

* * * * *

(b) For procurements estimated not to exceed $10,000, the authority in ASPR 6–805.2(b)(1) is redelegated to heads of Procuring Activities within DSA. This authority may be redelegated to the principal staff officer responsible for procurement within the Procuring Activity.

* * * * *

PART 1212—LABOR

Subpart F—Walsh-Healey Public Contracts Act

18. Section 1212.604 is added to read as follows:

§ 1212.604 Responsibilities of contracting officers.

(a) In those instances where the contracting officer makes a determination of ineligibility as a manufacturer or regular dealer, such determination, together with supporting documentation, shall be submitted to the Head of the Procuring Activity or his designee for review and approval.

(b) In the case of DDMT, DDTC, DDOU, DIPEC, DLSC, and DSASC, the review responsibility set forth in paragraph (a) of this section is hereby delegated to the Commander concerned, or his designee, in accordance with § 1201.201–14.

PART 1216—PROCUREMENT FORMS

19. Part 1216 is added to read as follows:

Subpart A—Forms for Advertised and Negotiated Supply and Service Contracts

Sec.
1216.101 Forms for advertised supply or services contracts (Standard Forms 33, 33A, 36, 30, and 26 and DD Form 1707).
1216.101–1 General.
1216.102–1 Request for quotation (Standard Form 18) and information to quoters (DD Form 1706).
1216.104 Instructions for preparation of forms for advertised and negotiated supply and services contracts (Standard Forms 33, 26, 30, and 18).
1216.104–2 Solicitation, offer, and award (Standard Form 33).

Subparts B–G [Reserved]

Subpart H—Miscellaneous Forms

1216.850 Special quality assurance instructions.
1216.850–1 General.
1216.850–2 Conditions for use.
1216.850–3 Procedures.
1216.850–4 General instructions for preparing the special quality assurance instruction form.

AUTHORITY: The provisions of this Part 1216 issued under R.S. 161, secs. 2202, 2301, 2314, 70A Stat. 120, 127, sec. 2, 72 Stat. 514, sec. 1, 76 Stat. 523; 5 U.S.C. 171a(c), 301, 10 U.S.C. 2202, 2301–2314; DOD Directive 5105.23, Nov. 6, 1961.

Subpart A—Forms for Advertised and Negotiated Supply and Services Contracts

§ 1216.101 Forms for advertised supply or services contracts (Standard Forms 33, 33A, 36, 30, and 26 and DD Form 1707).

§ 1216.101–1 General.

(a) DD Form 1707, Information to Offerors, must be printed on blue paper.

§ 1216.102–1 Request for quotation (Standard Form 18) and information to quoters (DD Form 1706).

(a) *General.* DD Form 1706, Information to Quoters, must be printed on pink paper.

§ 1216.104 Instructions for preparation of forms for advertised and negotiated supply and services contracts (Standard Form 33, 26, 30, and 18).

§ 1216.104–2 Solicitation, offer, and award (Standard Form 33).

Instructions for block entries are as follows:

Block No.	*Title and/or instructions*
9	Time for receipt of offers. The terms "Standard Time" and "Daylight Savings Time" or abbreviations thereof shall not be used in DSA Solicitations. In lieu thereof, the terms "Local time at the place of bid opening" or "Local time at the place where proposals are received" shall be used. The first sentence of Block 9 on the SF 33 (for an IFB) would now read as follows: "Sealed offers in original and _____ copies for furnishing the supplies or services described in the Schedule will be received at the place specified in block 8, or if hand carried, in the depository located in Building 4, Room 4D175, until 1 p.m., local time at the place of opening, June 25, 1970.

Subparts B–G [Reserved]

Subpart H—Miscellaneous Forms

§ 1216.850 Special Quality Assurance Instructions.

§ 1216.850–1 General.

The Special Quality Assurance Instruction Form is designed to be used by the Procurement Contracting Officer (PCO) and his Quality Assurance technical specialist to inform the Quality Assurance Representative (QAR), through the Contract Administration Office (CAO), to whom the contract is assigned, of pertinent contract requirements and to provide him with the available quality history of the product and the contractor. The form also provides the QAR with the name, address and phone number of the cognizant technical specialist in the center.

§ 1216.850–2 Conditions for use.

The Special Quality Assurance Instruction Form (DSA Form 970) is to be used on all procurements of critical items.

§ 1216.850–3 Procedures.

When items that have been identified as having a critical application in accordance with DSAR 3200.3, Identification, Processing and Procurement of Items with Critical Application, are to be procured, the appropriate Defense Contract Administration Services (DCAS) field activities or other agencies having inspection cognizance shall be alerted through use of DSA Form 970, regardless of the dollar value of the item or contract. Two copies of the completed form will be forwarded to the appropriate DCAS field activity as shown in DOD 4105.59–H, Directory of Contract Administration Services Components. The copies will be sent to the cognizant CAO quality assurance staff or attached to DCASR copies of the contract at the time of contract distribution.

§ 1216.850–4 General instructions for preparing the special quality assurance instruction form.

Instructions for block entries are as follows (Entries should be typed):

Block No.	*Title and/or Instruction*
8	*Contract Quality/Inspection Requirements*—Identify the contract quality/inspection requirements using ASPR 14–301 as a guide.
9	*Certificate of Conformance*—Indicate "Required" when the contract states that COC may be used as the sole basis for acceptance. Indicate "Optional" when the contract states that COC may be used as an element incident to acceptance by the CAO.
10	*Item Use*—Use when applicable.
11	*Authority for Acceptance of Nonconforming Supplies and Services is Withheld in Accordance with ASPR 14–406 (b) (ii)*—In accordance with ASPR 14–406(b) (ii) use only when PCO retains authority.
13 and 13a	To inform the QAR when and for what purpose DSC technical representatives will participate in the contractor test program.
14 and 14a	To provide verification test requirements and laboratory address.
15	*Product Quality History*—To provide QAR with pertinent details of product that would alert him to possible trouble areas.
16	*Contractor Quality History*—Provide the QAR with pertinent details of the contractor's past performance, where the performance may affect the quality of the supplies or services being procured. Because of its sensitive nature, information should be classified for Official Government Use Only.
18	*DSC Contact for Quality Assurance*—Enter name, address and phone number of DSC specialist in Technical Operations assigned to the commodity.

PART 1220—ADMINISTRATIVE MATTERS

Subpart G—Assignment of Contract Administration

20. Section 1220.706(b) is revised to read as follows:

§ 1220.706 Designation of the disbursing office.

* * * * *

(b) All contracts assigned to a Service Plant Cognizance Representative for administration shall designate the disbursing office supporting the purchasing office as disbursing office for the contract except for contracts resulting from MIPRs, which will cite the disbursing office in accordance with DSAR 4115.3, paragraph VI A 13.

PART 1250—SUPPLEMENTAL PROCEDURES

21. Part 1250 is added to read as follows:

Subpart A—Sale, Loan, Gift of Property

Sec.
1250.101 Sale, loan, or gift of certain property (10 U.S.C. 4506).

Subpart B—Procurement Services for the Federal Republic of Germany

1250.201 Scope of Subpart.
1250.202 Cooperative U.S.-FRG logistics system.
1250.203 Definitions.
1250.204 Policies.
1250.205 Responsibilities.

Subpart C—Training of Procurement Personnel

1250.301 General.
1250.302 Policy.
1250.303 Small purchase orientation course for "new" buying personnel.

Subpart D—Selection of Contracts To Be Terminated for Convenience in Event of Unexpected Deceleration in Military Requirements

1250.401 General.
1250.402 Policy.
1250.403 Priority of termination type.
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Subpart A—Sale, Loan, Gift of Property

§ 1250.101 Sale, loan, or gift of certain property (10 U.S.C. 4506).

(a) The heads of procuring activities are authorized to sell, give, or lend drawings, manufacturing and other information, and samples of supplies and equipment to be manufactured or furnished, to contractors and private firms which are or may likely be manufacturers or furnishers of supplies and equipment for use under approved production plans, whenever they determine that such action is necessary in the interest of national defense: *Provided, however*, That no sale or gift of such items shall be made if the item is to be the subject of recurring procurement, and would be suitable for the purpose for which purchased by the Government, and not obsolete, after serving as a sample, pattern, or guide to a manufacturer or supplier.

(b) Such drawings, manufacturing and other information, and samples of supplies and equipment to be manufactured or furnished shall be sold, given or loaned by appropriate written agreement, reciting the above determination (10 U.S.C. 4506).

(c) The foregoing determination and requirement for a written agreement will not be mandatory in the case of invitations for bids and requests for proposals. Drawings, specifications, and data furnished need not be returned unless otherwise directed by the contracting officer.

(1) The determination to request the return of such specifications, drawings, or any other data furnished the contracting officer, should take into consideration the following factors:

(i) The current or probable future need of the Government for the items.

(ii) The residual value of such items.

(iii) Administrative and other expenses incident to handling and storage of such items.

(iv) The probable cost of reproduction of such items in event of future procurement.

(2) Classified material as a general rule will be required to be returned regardless of the criteria established above.

Subpart B—Procurement Services for the Federal Republic of Germany

§ 1250.201 Scope of subpart.

This subpart pertains to procurement services for nonstandard military items to be provided by the Defense Supply

Agency to the Government of the Federal Republic of Germany (FRG).

§ 1250.202 Cooperative U.S.-FRG logistics system.

Based on principles expressed in Mutual Defense Assistance Agreements between the United States of America and the Federal Republic of Germany of 8 October 1956, and 24 November 1961 TIAS 4903, the U.S. Government has agreed to provide procurement services to the FRG. These services involve the purchase of certain articles and services which are not standard military items but are directly related to or essential for the operational capability of the Armed Forces of the FRG.

§ 1250.203 Definitions.

(a) *Nonstandard item.* The Military Services will make the determination of whether an item is nonstandard. However, in cases where the determination has not been made and where the item has not previously been purchased as a standard item, the determination of whether the item is standard or nonstandard will be made by Plans and Operations Branch, Procurement Division, Executive Directorate, Procurement & Production, HQ, DSA.

(b) *Procurement services.* The purchase, inspection, processing, financing, and delivery of nonstandard items to the FRG.

(c) *Domestic source end product.* See ASPR 6-101(a).

§ 1250.204 Policies.

The furnishing of procurement services for nonstandard military items will be provided the FRG by DSA Supply Centers according to the following policies:

(a) Procurements will be limited to domestic source end products.

(b) Contracts and purchases will be made under the authority of the Foreign Assistance Act of 1961 (Public Law 87-195). Title will pass directly from the suppliers to the FRG.

(c) Each procurement document will cite the applicable trust fund account "Advances, Mutual Security Act, Expenditure (Dept.) Symbol ____ 11X8242" directly on the contract for procurement.

(d) Items not covered by U.S. Government specifications will be procured according to manufacturers' specifications and warranties, unless the FRG requests other specifications, qualifications, and warranties. If the specifications and warranties of the manufacturer are considered inadequate for procurement purposes, such specifications, and warranties may be adequately supplemented by the U.S. Government after consultation with FRG.

(e) Contract clauses and procedures will be in accordance with the Armed Services Procurement Regulation (ASPR). In no event will contracts be awarded at other than prices which are determined to be reasonable.

§ 1250.205 Responsibilities.

(a) The DSCs will render prompt procurement services to the FRG for nonstandard items essential for the operational capability of the Armed Forces of the FRG.

(b) The questions or problems that cannot be resolved, will be referred to HQ DSA, Attention: DSAH-PPR.

Subpart C—Training of Procurement Personnel

§ 1250.301 General.

DOD Manual 1430.10-M-1 is very specific as to the training required for people working in the procurement career field. Every effort must be made to follow the concepts outlined in this manual. This will help assure the availability of a trained work force and will allow for normal job progression in this important function.

§ 1250.302 Policy.

In addition to providing adequate training at Service sponsored schools, all newly employed professional personnel in the procurement and production area (i.e., buyers will be given a minimum of about 40 hours orientation in Small Purchases. See 50-303 for proposed course outline. This instruction should include clear guidance on the necessity for making buys at reasonable prices. This orientation course will be conducted in two phases. Phase I will be completed before any work assignments are made. Phase II will be given 4 to 6 weeks later. This will permit new employees to have a better grasp of the actual duties to be performed. In addition to the new buying personnel, any persons currently assigned to buying tasks, who have not had formal procurement training, will also be given this orientation. For these people, only Phase II may be required.

§ 1250.303 Small purchase orientation course for "new" buying personnel (40 hours).

PHASE I

Agenda	*Time*
1. Organization	1 hour.
a. DOD	
b. DSA	
c. DSC	
2. Ethics and Standards of Conduct	Do.
3. Basic Procurement Policies/Statutes	2 hours.
a. Delegation of Authority	
b. Contracting Officers	
4. ASPR Section III, Part 6	Do.
a. Competition	
b. Purchase Orders	
c. Imprest Funds	
d. BPA's	
e. Fast Pay	
f. Unpriced Orders	
5. Local Procurement Forms	4 hours.
a. How to prepare	
b. When to use	
c. Records—Documentation	
6. Sources of Supply—General	2 hours.
7. Soliciting and Evaluating Quotes	Do.

PHASE I—Continued

Agenda	*Time*
8. Cost and Price Analysis Techniques	4 hours.
a. Catalogs	
b. Price Reasonableness	
9. Adequacy of Purchase Request	2 hours.
a. Technical Data	
b. Priorities	
c. Quantities Required	
Phase I Total	20 hours.

PHASE II

1. Administration of Small Purchases	2 hours.
a. Change Orders	
b. Terminations	
2. Sources of Supply	1 hour.
a. Federal Supply Schedules	
b. Federal Prison Industries	
c. Industries for Blind	
3. ASPR Section III, Part 6	4 hours.
4. Cost and Price Analysis Price Reasonableness	Do.
5. Orientation by Tchnical Operations	Do.
a. Technical Data	
b. Specification	
6. Local Procurement Forms	1 hour.
7. Review Overall Orintation (As required)	4 hours.
Phase II total	20 hours.

Subpart D—Selection of Contracts To Be Terminated for Convenience in Event of Unexpected Deceleration in Military Requirements

§ 1250.401 General.

(a) *References.* (1) ASPR, section I, part 4.

(2) ASPR, section VIII.

(3) ASPR, section XXIV.

(4) DSAM 8110.1, February 1969, Termination Manual for Contract Administration Services.

(5) DSAM 8130.1, April 1969, Contractor Inventory Management Manual.

§ 1250.402 Policy.

Terminations for convenience will be based on individual decisions resulting from a comparison of costs for termination and excess position of items versus the need for release of obligated funds for higher priority use.

§ 1250.403 Priority of termination type.

A termination for default gives the Government certain rights that should be surrendered only when this is to the Government's best interest. Whenever unsatisfactory performance occurs, the possibility of terminating for default should be examined; and this should be done before considering other means of ending the contract.

§ 1250.404 Responsibilities.

(a) Defense Contract Administration Services (DCAS): DCAS is responsible for the settlement of contracts terminated for convenience. Detailed procedural coverage is included in DSAM 8110.1, Termination Manual for Contract Administration Services.

(b) The Procuring Contracting Officer (PCO): The PCO at the cognizant Defense Supply Center (DSC) must issue the notice of termination required by

ASPR 8-202 (see § 1208.201(b)) of this chapter.

(c) The decision to terminate a contract for the convenience of the Government is the joint responsibility of the Commodity Manager and the Procuring Contracting Officer at the cognizant Defense Supply Center. In those cases where the contract resulted from a Military Interdepartmental Purchase Request (MIPR), the decision to terminate for convenience is the responsibility of the MIPR initiator; however, the PCO upon request must inform the initiator of all elements which have any bearing on the status of the contract.

§ 1250.405 Complete and partial terminations.

Terminations may be complete or partial. A complete termination requires the contractor to stop all work under the contract upon receipt of the notice to terminate—or on the date specified in the notice. A partial termination discontinues only a portion of the uncompleted work under a contract. (The part of the work that the contractor must continue to perform is called the continued portion. The part of the contract that has been completed and accepted before the effective date of the termination is called the completed portion. The terminated portion of the contract is any part does not relate to either the completed or the continued work.)

§ 1250.406 Procedures.

Upon receipt of a request for a cutback in contract quantities from the cognizant Commodity Manager, the following information will be utilized in selecting the contracts for termination:

(a) Ascertain all current contracts for item involved.

(1) Determine the undelivered portion of each contract.

(2) Consider supplies in transit (f.o.b. destination contract) as deliveries, unless contract is delinquent and a notice to terminate for default has been sent to the contractor.

(3) Determine what deliveries, if any, are delinquent.

(4) Determine whether the delinquency is excusable or inexcusable.

(5) Contractual quantities scheduled for direct delivery to users are not subject to termination action unless specifically so designated.

(b) If delinquency is considered inexcusable, terminate for default where appropriate.

(c) Where termination for default is not appropriate or where additional quantities remain to be cut back after termination for default, proceed in the selection of contracts to be terminated for convenience.

(1) First choice should be where contractors are agreeable to total or partial termination (voluntary or no cost settlement).

(2) Consider the following factors:

(i) Contracts involving contractors' commercial item.

(ii) Contracts awarded as rated orders [ASPR 1-307.3].

(iii) Contracts for mandatory procurement. [ASPR Section V].

(iv) Contracts most recently awarded and those providing for longest production lead time where production has not progressed to an appreciable degree.

(v) Contracts awarded at the highest price and work down price-wise.

(vi) Partial termination of all contracts where two or more contractors are involved in lieu of total termination of a few.

(d) The dollar amount of potential settlement claims should be estimated with the assistance of DCAS. Consider:

(1) Unit Price of undelivered items.

(2) Raw material on hand and/or on order.

(3) Components on hand or on order.

(4) Work in process.

(5) Unamortized start up costs.

(6) Percentage of completion.

(7) Current commercial value and saleability of the item involved.

(8) Disposal actions required taking into consideration recoupment through sales of items to be disposed.

§ 1250.407 Operational procedures.

(a) The Directorate of Supply Operations or the MIPR initiator will advise Procurement and Production to cancel an item by quantities and consignee. The Directorate of Supply Operations or the MIPR initiator will be required to indicate all open purchase requests and/or contracts when requesting information upon which to base a termination decision or when requesting cancellation by item and consignee.

(b) Procurement and Production, using procedures in § 1250.406 will determine what portion of each open contract (or contracts) should be terminated.

(c) If Procurement and Production decision indicates that Supply Operations original request should be revised, decision will be coordinated with Supply Operations. The final authority for deciding whether or not to terminate, when substantial claims are involved, is the Center Commander.

(d) Upon completion of above actions, Procurement and Production will issue the Termination Notice with a copy of DCAS for termination settlement action.

Subpart E—Reclamation and Utilization of Silver From Scrap Materials

§ 1250.501 General.

The critical shortage of silver from U.S. sources, the large amount of silver required in the manufacture of items for Defense and the need to reduce procurement costs of material with silver content dictated the need for the Department of Defense (DOD) to establish and monitor a program to (a) reclaim silver from silver-bearing scrap and waste materials, and (b) to utilize reclaimed silver as Government Furnished Material (GFM) in procurement of items containing silver. This section implements DOD Directive 4160.22 dated 23 August 1968 and establishes DOD policy governing the management of reclamation and the use of sliver derived from silver-bearing scrap and waste materials generated by all elements of DOD, worldwide. The Secretary of Navy is assigned the responsibility for managing the overall program and has designated the Naval Ordnance Station, Forest Park, Ill., as the activity charged with the responsibility for managing the actual refinement and distribution of refined silver.

§ 1250.502 Policy.

(a) All DSA elements generating silver-bearing scrap will establish and monitor an internal program to assure the economical reclamation of silver, consistent with overall DOD policy of effecting maximum use of excess property to meet DOD needs.

(b) Reclaimed silver, after refinement, will be made available to DOD elements for their use as GFM to reduce new procurement costs.

§ 1250.503 Responsibilities.

Commanders of each DSA field activity are responsible for the following:

(a) Reporting silver-bearing scrap and waste materials to the manager for disposition and shipment to destination upon notification by the manager in accordance with paragraph B-82, chapter 15 of the DOD Disposal Manual 4160.-21M, dated April 1967.

(b) Using the refined silver maintained in storage by the manager, as GFM, whenever feasible (not less than 100 troy ounces), for contracts requiring silver-bearing materials.

§ 1250.504 Procedures.

(a) Prior to soliciting bids for award of contracts requiring silver, contact DSAH-PRM through the Defense Materials Systems (DMS) Officer, indicating the item, quantity and grade of silver required for the procurement. If the required amount is available, forward a letter or TWX to DSAH-PRM, requesting that the required quantity be reserved to cover the procurement including the estimated delivery schedule.

(b) When a contract is awarded, forward a MIPR to the Naval Ordnance Systems Command, Attention: ORD-01233, Washington, D.C., via DSAH-PRM citing the same funds as that on the contract to cover payment of the silver. MIPR should be forwarded 30 days prior to date shipment is required. Currently the cost per troy ounce is 50 cents, not including transportation charges. Funds for transportation must be cited.

Subpart F—Contract Review Checklist

§ 1250.601 General.

The following Contract Review Checklist has been developed for use by DSA contracting officers and buyers in their individual contract reviews. The checklist may be modified to suit the needs of the procurement activity.

§ 1250.602 Contract Review Checklist.

Purchase request/MIPR:

a. Quantity agree with quantity on contract? Requirement revalidated?

b. Adequate funds?

c. Is required delivery schedule being met?
d. Shipping instructions agree with shipping instructions on contract?
e. Buying the right item? Specifications on contract in accord with PR/MIPR? Any deviations authorized by appropriate authority? Documented?
f. All amendments attached?
D&F (if applicable):
a. In format prescribed by Appendix J, Part 503 of ASPR?
b. Option quantity included in D&F? (ASPR 1-1504(a))
c. Is negotiation authority appropriate?
d. Quantity changes incorporated?
e. Signed and dated? Necessary approvals obtained?
f. Backup for required sole source obtained from requiring activity?
Bidders mailing lists:
a. All previous biders solicited?
b. Excessively long lists reduced? (ASPR 2-205.2 and 2-205.4)
c. Could Preinvitation Notice have been used? (ASPR 2-205.6)
d. List annotated as to bidders not responding?
Solicitation:
a. If oral, was it approved at level higher than contracting officer? (ASPR 3-501 (d) (ii))
b. Solicitation synopsized (over $10,000)? If not, why?
c. Contain Small Business or Labor Surplus Set-aside? If not, why?
d. Clauses and provisions current? (Check latest DPCs and ASPR revisions)
e. Meets requirements of ASPR 2-201 (if advertised) or 3-501 (if negotiated)? (Review, make sure)
f. Only ASPR forms and section VII clauses incorporated by reference? (ASPR 16-101.2(b))
g. Bidding time adequate? (ASPR 2-202.1).
h. All evaluation factors clearly stated?
i. Subject to Buy American? Appropriations Act? Balance of Payments?
j. Amendments sent to all on original list, as well as those indicating interest as a result of synopsis? Issue date on amendments?
k. If "Brand Name or Equal", does Purchase Description meet requirements of ASPR 1-1206?
l. Option clauses in excess of 50 percent approved by HPA? (ASPR 1-1504(a))
Evaluation:
a. Abstract complete? Checked against all bids/offers? Signed & dated?
b. Transportation rate factors obtained/applied? Documents in file or identified?
c. Nonresponsiveness determinations documented?
d. Alternate bids/offers referred to appropriate technical authority for review and evaluation?
e. Documentation included showing disposition of late bids/proposals?
f. Mistake in Bid actions documented? (ASPR 2-406)
g. Buy American evaluation criteria correctly applied? (ASPR 6-104.4)
h. Solicitation amendments acknowledged?
i. File documented as to disposition of set-aside?
j. Equal low bid report? (ASPR 2-407.6)
Price/Cost Analysis:
a. Cost or Pricing Data Applicable.
1. Is data complete? Has factual data been provided? (See ASPR Section III, Part 8)
2. Cost or pricing data reviewed by local/price/cost analysis element?
3. Audited by DCAA? (See ASPR 3-809(b)(1)). If waived, does file documentation provide adequate justification?
4. Cost analysis obtained?
b. Cost or Pricing Data Not Applicable.
1. Is basis for not requiring cost & pricing data clearly established?
2. If "commercial" item, was offeror required to provide substantiating data? (ASPR 3-807.1(b)(2))
3. Price analysis performed, obtained?
Prenegotiation Actions (Chapters 13, ASPM No. 1):
a. File clearly reflect the negotiation objectives, any special considerations or decisions bearing on the negotiations to be conducted?
b. Decision to accept initial proposal without discussion explained?
c. Where cost analysis has been performed, has profit objective been developed by WGL method? (ASPR 3-808.2) Complete as to rationale for selection of weight factors?
Determinations of Responsibility and Nonresponsibility:
a. Clearly show that offeror does (or does not) meet standards of ASPR 1-903? Contain statement that offeror is (or is not) responsible within meaning of ASPR 1-902? Substantiating data included?
b. File documented as to why preaward survey not required? (See DSPR 1-905.4(c))
c. If determination contrary to recommendation in preaward survey, did Director, P&P approve? (DSPR 1-905.1)
d. Contractor on DSACEL? (DSPR 1-950). Debarred, Ineligible or Suspended List?
e. If a small business is determined nonresponsible, was a CoC obtained? If not, why? If "Tenacity and Perseverance" Determination, did HPA approve? (DSPR 1-705.4(c))
f. All determinations signed and dated?
g. If $1 million or more, was EEO preaward compliance review made? (ASPR Section XII, Part 8)
Contract:
a. Agree in all respects with contractor's bid/proposal? Quantity? Price? Delivery Schedule?
b. Contractor written changes and agreements (i.e., ltrs, TWXs) referenced on and included in contracts?
c. Extensions (quantity times unit price) and price totals correct?
d. All administrative approvals, i.e., DSPR 1-452 and 1-454, obtained?
e. If foreign item, were all necessary determinations and approvals obtained? (ASPR 6-103.2(b), 6.302, and 6-805.2)
f. Contract being awarded within bid/proposal acceptance period?
File Documentation:
a. If sole bid or offer, what is being done to obtain future competition? (i.e., ASPR 3-102(c)). If sole bid, does file explain basis for formal advertising? File documented as to why previous offers no bid?
b. All substantive actions, i.e., extension of bid opening date, explained in file?
c. Procurement delays, excessive PALT explained?
d. Prompt notification of award provided unsuccessful offerors? (ASPR 2-408 and 3-508).
e. Any protests to award? Explain. Disposition?

By order of the Director, Defense Supply Agency.

S. A. MacKenzie,
Colonel, U.S. Army,
Staff Director, Administration.

[F.R. Doc. 70-16370; Filed, Dec. 22, 1970; 8:52 a.m.]

SUBCHAPTER B—MISCELLANEOUS

PART 1280—INVESTIGATING AND PROCESSING CERTAIN NONCONTRACTUAL CLAIMS AND REPORTING RELATED LITIGATION

New Subchapter B is added to Chapter XII, 32 CFR. Part 1250 published at 35 F.R. 14695, September 22, 1970, is redesignated Part 1280.

Bruce W. Keller,
Captain, SC, U.S. Navy,
Deputy Staff Director, Administration.

[F.R. Doc. 70-17347; Filed, Dec. 22, 1970; 8:52 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Installment Method Treatment of Purchaser Evidences of Indebtedness Payable on Demand or Readily Tradable

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 453(b) of the Internal Revenue Code of 1954 to section 412(a) of the Tax Reform Act of 1969 (Public Law 91-172, 83 Stat. 608), such regulations are amended as follows:

PARAGRAPH 1. Section 1.453 is amended by adding new paragraph (3) to section 453(b) to read as follows:

§ 1.453 Statutory provisions; installment method.

SEC. 453. *Installment method.* * * *

(b) *Sales of realty and casual sales of personalty.* * * *

(3) *Purchaser evidences of indebtedness payable on demand or readily tradable.* In applying this subsection, a bond or other evidence of indebtedness which is payable on demand, or which is issued by a corporation or a government or political subdivision thereof (A) with interest coupons attached or in registered form (other than one in registered form which the taxpayer establishes will not be readily tradable in an established securities market), or (B) in any other form designed to render such bond or other evidence of indebtedness readily tradable in an established securities market, shall not be treated as an evidence of indebtedness of the purchaser.

* * * * *

[Sec. 453 as amended by sec. 27, Technical Amendments Act of 1958 (72 Stat. 1624); sec. 13(f)(5), Rev. Act 1962 (76 Stat. 1035); secs. 222(a) and 231(b)(5), Rev. Act 1964 (78 Stat. 75, 105); sec. 1(b)(2), Act of Aug. 22, 1964 (Public Law 88-484, 78 Stat. 597); sec. 3, Act of Aug. 31, 1964 (Public Law 88-539, 78 Stat. 746); sec. 412(a), Tax Reform Act of 1969 (Public Law 91-172, 83 Stat. 608)]

PAR. 2. Paragraph (c) of § 1.453-1 is amended by adding at the end thereof new subparagraphs (3) and (4) to read as follows:

§ 1.453-1 Installment method of reporting income.

* * * * *

(c) *Limitations on the use of the installment method.* * * *

(3) See § 1.453-3 for the treatment of purchaser evidences of indebtedness that are payable on demand or readily tradable.

(4) Income shall be computed and reported separately for each casual sale or other casual disposition of personal property as installment payments are received in the year of sale and subsequent years.

* * * * *

PAR. 3. Section 1.453-3 is amended to read as follows:

§ 1.453-3 Purchaser evidences of indebtedness payable on demand or readily tradable.

(a) *In general.* A bond or other evidence of indebtedness (hereinafter in this section referred to as an obligation) issued by any person and payable on demand shall not be treated as an evidence of indebtedness of the purchaser in applying section 453(b) to a sale or other disposition of real property or to a casual sale or other casual disposition of personal property. In addition, an obligation issued by a corporation or a government or political subdivision thereof—

(1) With interest coupons attached (whether or not the obligation is readily tradable in an established securities market),

(2) In registered form (other than an obligation issued in registered form which the taxpayer establishes will not be readily tradable in an established securities market), or

(3) In any other form designed to render such obligation readily tradable in an established securities market,

shall not be treated as an evidence of indebtedness of the purchaser in applying section 453(b) to a sale or other disposition of real property or to a casual sale or other casual disposition of personal property. For purposes of this section, an obligation is to be considered in registered form if it is registered as to principal, interest, or both and if its transfer must be effected by the surrender of the old instrument and either the reissuance by the corporation of the old instrument to the new holder or the issuance by the corporation of a new instrument to the new holder.

(b) *Treatment as payment.* If under section 453(b)(3) an obligation is not treated as an evidence of indebtedness of the purchaser, then—

(1) For purposes of determining whether the payments received in the taxable year of the sale or disposition or tion exceed 30 percent of the selling price, and

(2) For purposes of returning income on the installment method during the taxable year o fthe sale or disposition or in a subsequent taxable year,

the receipt by the seller of such obligation shall be treated as a payment. The rules stated in this paragraph may be illustrated by the following examples:

Example (1). On July 1, 1970, A, an individual on the cash method of accounting reporting on a calendar year basis, transferred all of his stock in corporation X to corporation Y in exchange for 250 of corporation Y's registered bonds (which are traded in an over-the-counter-bond market) each with a principal amount and fair market value of $1,000, and Y's unsecured promissory note of $750,000. At the time of such exchange A's basis in the corporation X stock is $900,000. The promissory note is payable at the rate of $75,000 annually, due on July 1, of each year following 1970, until the principal balance is paid. The note and the bond each provide for the payment of interest at the rate of 8 percent per year also payable on July 1 of each year. Under the rule stated in subparagraph (1) of this paragraph, the 250 registered bonds of corporation Y are treated as a payment for purposes of the 30 percent test described in section 453(b)(2)(A)(ii). The payment on account of the bonds equals 25 percent of the selling price determined as follows:

$$\frac{\text{\$250,000 payment (i.e., 250 of corporation Y's registered bonds each with a principal amount and fair market value of \$1,000).}}{\text{\$1 million selling price (i.e., \$250,000 of corporation Y's registered bonds plus promissory note of \$750,000).}} = 25 \text{ percent.}$$

Since the payments received in the taxable year of the sale do not exceed 30 percent of the selling price and the sales price exceeds $1,000, A may report the income received on the sale of his corporation X stock on the installment method. A elects to report the income on the installment method. The gross profit to be realized when the corporation X stock is fully paid for is 10 percent of the total contract price, computed as follows: $100,000 gross profit (i.e., $1 million contract price less $900,000 basis in corporation X stock) over $1 million contract price. However, since subparagraph (2) of this paragraph also treats the 250 corporation Y registered bonds as a payment for purposes of reporting income, A must include $25,000 (i.e., 10 percent times $250,000) in his gross income for calendar year 1970, the taxable year of the sale.

Example (2). Assume the same facts as in example (1). Assume further that on July 1, 1971, corporation Y makes its first installment payment to A under the terms of the unsecured promissory note with 75 more of its $1,000 registered bonds. A must include $7,500 (i.e., 10 percent gross profit percentage times $75,000) in his gross income for calendar year 1971. In addition, A includes the interest payment made by corporation Y on July 1, in his gross income for 1971.

(c) *Payable on demand.* An obligation shall be treated as payable on demand only if such obligation states on its face (or in a related document) that it is payable upon the demand of the holder of the obligation, or that it is payable on or before a stated time for payment at the option of the holder, or states no time for payment. However, an obligation shall not be treated as payable on demand merely because, under the terms of the obligation (or related document), a right to accelerate payment arises upon default, or arises when the holder of the obligation in good faith believes that the prospect of payment or performance is impaired, or upon substantially similar conditions.

(d) *Readily tradable in an established securities market*—(1) *In general.* Any obligation issued by a corporation or government or political subdivision thereof shall be treated as readily tradable in an established securities market if—

(i) The obligation is part of an issue or series of issues which are readily tradable in an established securities market,

(ii) The corporation issuing the obligations has other obligations of a comparable character which are described in subdivision (i) of this subparagraph, or

(iii) The obligation is of a comparable character to obligations of other corporations which are described in subdivision (i) of this subparagraph.

For purposes of subdivisions (ii) and (iii) of this subparagraph, obligations shall not be deemed comparable unless there is substantial similiarity with respect to the presence and nature of security for the obligation, the number of obligations issued (or to be issued), the number of holders of such obligations, the principal amount of the obligation, and other factors relevant in the circumstances. In addition, an obligation shall not be deemed readily tradable in an established securities market by reason of subdivision (iii) of this subparagraph unless the solvency and size of the issuer, the nature of the issuer's trade or business, and the geographic area in which the loan is made in relation to these characteristics of the issuer of the comparable obligation indicate that the issuer's obligations will probably also be so readily tradable.

(2) *Readily tradable.* For purposes of subparagraph (1)(i) of this paragraph, an obligation shall be treated as readily tradable if it is regularly quoted by brokers or dealers making a market in such obligation or is in fact traded in an established securities market.

(3) *Designed to be readily tradable.* Obligations will be deemed to be in a form designed to render such obligations readily tradable in an established securities market if steps necessary to create a market for them are taken at the time of issuance (or later, if taken pursuant to an expressed or implied agreement or understanding which existed at the time of issuance), if they are treated as readily tradable under subparagraph (1) of this paragraph, or if they are convertible obligations to which paragraph (e) of this section applies.

(4) *Established securities market.* For purposes of subparagraph (1)(i) of this paragraph, the term established securities market includes (i) a national securities exchange which is registered under section 6 of the Securities and Exchange Act of 1934 (15 U.S.C. 78f), (ii) an exchange which is exempted from registration under section 5 of the Securities Exchange Act of 1935 (15 U.S.C. 78e) because of its limited volume of transactions, and (iii) any over-the-counter market. For purposes of this subparagraph, an over-the-counter market is reflected by the existence of an interdealer quotation system. An interdealer quotation system is any system of general circulation to brokers and dealers which regularly disseminates quotations of obligations by identified brokers or dealers, other than a quotation sheet prepared and distributed by a broker or dealer in the regular course of his business and containing only quotations of such broker or dealer.

(5) *Examples.* The rules stated in this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1971, five individuals owning equal interests in a tract of land with a fair market value of $1 million sell the land to corporation Y. The $1 million sales price is represented by five promissory notes issued by corporation Y each having a face value of $200,000. The promissory notes are not in registered form and do not have interest coupons attached, and, in addition, are payable in 120 equal installments each due on the first business day of each month. In addition, the notes may be assigned by the holder to any other person. However, the notes are not quoted by any brokers or dealers who deal in corporate bonds, and, furthermore, there are no comparable obligations of corporation Y or any other corporation (determined with reference to the characteristics set forth in subparagraph (1) of this paragraph) which are so quoted. Therefore, the notes are not treated as readily tradable in an established securities market. In addition, under the particular facts and circumstances stated, the notes will not be considered to be in a form designed to render them readily tradable in an established securities market. Since the notes are not in registered form, do not have coupons attached, are not in a form designed to render them readily tradable in an established securities market, and are not readily tradable in an established securities market, the receipt of such notes by the holder is not treated as a payment for purposes of section 453(b), notwithstanding that they are freely assignable.

Example (2). On April 1, 1972, corporation M purchases in a casual sale of personal property a fleet of trucks from corporation N in exchange for corporation M's notes in registered form without coupons attached. The corporation M notes are comparable to notes issued by corporation A which are quoted in the Eastern Bond section of the National daily quotation sheet which is an interdealer quotation system. The notes of corporation M and corporation A are both unsecured, issued as part of a series of notes issued at approximately the same time, held by more than 100 holders, and have a maturity date of more than 5 years. In addition, corporation M and corporation A are both solvent corporations engaged in heavy manufacturing, each with an annual sales volume exceeding $10 million, and each with common stock listed on a national securities exchange. On the basis of these similar characteristics, it appears likely that the notes of corporation M will also be readily tradable. Since an interdealer quotation system reflects an over-the-counter market, corporation A's notes are treated as readily tradable in an established securities market. Since corporation M's notes are comparable obligations to corporation A's notes which are treated as readily tradable in an established securities market, corporation M's notes are also treated as readily tradable in an established securities market (whether or not corporation M's notes are actually traded).

(e) *Special rule for convertible securities.* For purposes of paragraph (d)(3) of this section, if an obligation contains a right whereby the holder of such obligation may convert it directly or indirectly into another obligation which would be treated as a payment under paragraph (b) of this section or may convert it directly or indirectly into stock which would be treated as readily tradable or designed to be readily tradable in an established securities market under paragraph (d) of this section, the convertible obligation normally shall be considered to be in a form designed to render such obligation readily tradable in an established securities market. In determining whether the stock or obligation, into which an obligation is convertible, is readily tradable or designed to be readily tradable in an established securities market, the rules stated in paragraph (d) of this section shall apply, and for purposes of such paragraph (d) if such obligation is convertible into stock then the term "stock" shall be substituted for the term "obligation" wherever it appears in such paragraph (d).

(f) *Effective date.* The provisions of this section shall apply to sales or other dispositions occurring after May 27, 1969, which are not made pursuant to a binding written contract entered into on or before such date. No inference shall be drawn from this section as to any question of law concerning the application of

section 453 to sales or other dispositions occurring on or before May 27, 1969.

[F.R. Doc. 70-17297; Filed, Dec. 22, 1970; 8:52 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 7]

CHILDREN'S SLEEPWEAR

Proposed Flammability Standard; Notice of Hearing

Notice is hereby given, pursuant to the provisions of § 7.9 of the Flammable Fabrics Act Procedures (Title 15 CFR Part 7) and the Flammable Fabrics Act, as amended, that a hearing on the proposed flammability standard for children's sleepwear published on November 17, 1970 (35 F.R. 17670), will be held on January 14, 1971, at 10 a.m., e.s.t., in the Department Auditorium, Main Commerce Building, 14th and Constitution Avenue NW., Washington, DC 20230, before Richard O. Simpson, Deputy Assistant Secretary for Product Standards.

Persons desiring to testify at this hearing should so notify the Assistant Secretary for Science and Technology, Room 3862, Main Commerce Building, Washington, D.C. 20230, before December 31, 1970.

Dated at Washington, D.C., December 16, 1970.

RICHARD O. SIMPSON,
Acting Assistant Secretary for Science and Technology.

[F.R. Doc. 70-17225; Filed, Dec. 22, 1970; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-EA-72]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Block Island, R.I., transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As parts of this proposal relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The FAA proposes to alter the Block Island transition area to read as follows:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Block Island State Airport (lat. 41° 10'05" N., long. 71°34'40" W.).

The alteration of the transition area as proposed herein is necessary to provide controlled airspace for aircraft executing a new public-use VOR standard instrument approach procedure to the Block Island State Airport.

This amendment is proposed under the authority of section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510), Executive Order 10854 (24 F.R. 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on December 16, 1970.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 70-17292; Filed, Dec. 22, 1970; 8:51 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-EA-07]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Bar Harbor, Maine transition area (35 F.R. 2144).

The U.S. Standard for Terminal Instrument Procedures requires alteration of the Bar Harbor, Maine 700-foot transition area (35 F.R. 2144) to provide controlled airspace protection for aircraft executing the revised public instrument approach procedure for Bar Harbor Airport.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Bar Harbor, Maine, proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Bar Harbor, Maine, transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center 44°26'56" N., 68°21'42"

W. of Bar Harbor Airport, Bar Harbor, Maine, and within 3.5 miles each side of the 019° bearing from the Bar Harbor RBN 44°29'20" N., 68°20'39" W., extending from the 7.5-mile radius area to 10 miles north of the RBN.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 8, 1970.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 70-17293; Filed, Dec. 22, 1970; 8:51 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-EA-102]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to issue a rule designating a Wakefield, Va., transition area.

The NDB Runway 20 instrument approach procedure for Wakefield Municipal Airport, Wakefield, Va., requires designation of a 700-foot transition area to provide controlled airspace protection for aircraft executing the instrument approach procedure.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Wakefield, Va., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Wakefield, Va., transition area described as follows:

WAKEFIELD, VA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 36°59'14" N., 77°00'06" W. of Wakefield Municipal Airport, Wakefield, Va., and within 3.5 miles each side of the 024° bearing, from the Wakefield RBN 36°58'59" N., 77°00'05" W., extending from the 5-mile radius area to 11.5 miles northeast of the RBN.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 8, 1970.

ROBERT M. BROWN,
Acting Director, Eastern Region.

[F.R. Doc. 70-17294; Filed, Dec. 22, 1970; 8:52 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-EA-103]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is proposing to amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Fremont, Ohio, transition area (35 F.R. 2183).

The NDB (ADF) RWY 9 instrument approach procedure for Progress Field, Fremont, Ohio, has been canceled. The VOR RWY 9 instrument approach procedure established for Progress Field requires alteration of the transition area to provide controlled airspace protection for aircraft executing the procedure.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Fremont, Ohio, proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Fremont, Ohio, transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°20'00" N., 83°09'40" W. of Progress Field, Fremont, Ohio, and within 2.5 miles each side of the Waterville, Ohio VORTAC 103° radial, extending from the 5-mile-radius area to 19.5 miles east of the VORTAC.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 8, 1970.

ROBERT M. BROWN,
Acting Director, Eastern Region.

[F.R. Doc. 70-17295; Filed, Dec. 22, 1970; 8:52 a.m.]

Office of Pipeline Safety

[49 CFR Part 193]

[Notice 70-14; Docket No. OPS-6]

RULE-MAKING PROCEDURES FOR GAS PIPELINE REGULATIONS

Notice of Proposed Rule Making

The Department of Transportation is considering the establishment of a new Part 193 to provide procedural rules for the formulation and issuance of gas pipeline regulations. These rules would be based on the Administrative Procedure Act (5 U.S.C. sec. 552 et seq.) which governs all rule-making activities of Federal government agencies, and the Natural Gas Pipeline Safety Act (49 U.S.C. 1671 et seq.) which contains a number of additional requirements governing rule making with respect to the minimum Federal safety standards for gas pipelines. The proposed rules are designed to implement the procedural requirements of these two statutes and provide a means for full and orderly participation by the public in the rule-making process.

Part 193 would be very similar to procedural rules established by various other regulatory authorities within the Department with some significant variations, as pointed out below, to accommodate the special provisions of the Natural Gas Pipeline Safety Act. It would cover the issue, amendment, waiver, and repeal of all regulations promulgated under the authority of the Natural Gas Pipeline Safety Act. This would include both the minimum Federal safety standards of Part 192, hazardous condition orders, and other regulations, such as the leak reporting requirements of Part 191, that are based on that Act.

The Secretary would initiate all rule-making actions, whether based on staff recommendations or petitions for rule making. Proposed regulations would be published in the FEDERAL REGISTER, inviting public comment. All comments and other public documents related to each rule-making proceeding would be maintained in a public docket, available for inspection by any interested person. During a rule-making proceeding, the Secretary may conduct public hearings, informal conferences, or other activities in order to obtain the most beneficial public participation. When final regulations are issued, they would also be published in the FEDERAL REGISTER unless each person affected is named and served with a copy. On occasion, a new regulation or an amendment may be issued without notice or public procedure when the Secretary finds that this is impracticable, unnecessary, or contrary to the public interest.

Sections 556 and 557 of title 5, United States Code (formerly sections 7 and 8 of the Administrative Procedure Act) relating to the conduct of hearings on the record, do not apply to rule making under the Natural Gas Pipeline Safety Act since these rules are not "required to be made on the record after opportunity for an agency hearing". However, since an opportunity for oral presentation is required, factfinding hearings would be held upon request of any interested person. The hearing would be nonadversary, with no formal pleadings, and any regulation that resulted would not necessarily be based exclusively on the record of the hearing.

With respect to petitions for waiver from the minimum Federal safety standards, section 3(e) of the Natural Gas Pipeline Safety Act requires a different procedure than is required by procedural rules of the Department for other modes of transportation. Before granting a waiver from the minimum Federal safety standards (49 CFR Part 192), the Secretary must give notice and provide an opportunity for hearing. This is provided for in proposed § 193.15(a). Petitions for waiver from other regulations issued under the Act will be disposed of without a hearing or other proceeding unless the Secretary deems it necessary.

Section 3(e) of the Act also contains a provision whereby a State agency that has a section 5 certification or agreement in effect may grant waivers from the Federal standards in the same manner as the Secretary. Section 193.17 would cover the granting of waivers by State agencies.

The Secretary is empowered by section 3(b) of the Act to require operators to take necessary action to remove hazards to life and property from their pipeline facilities. This is accomplished through the issuance of hazardous condition orders. The procedural rules that would govern these orders are set forth in § 193.37. Since there may be situations requiring action, but which do not present an immediate hazard, paragraph (b) provides for issuance of a letter to give the operator affected an opportunity to show cause why a hazardous condition order should not be issued.

Interested persons are invited to participate in the making of these proposed rules by submitting written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice number and be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received before January 29, 1971, will be considered before taking final action on this notice. All comments will be available for examination by interested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposals contained in this notice may be changed in light of comment received.

In consideration of the foregoing, it is proposed to amend title 49 of the Code of Federal Regulations by adding the following new Part 193.

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (b9 U.S.C. sec. 1671 et seq.), Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1), and the delegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16468).

Issued in Washington, D.C., on December 17, 1970.

JOSEPH C. CALDWELL,
Acting Director,
Office of Pipeline Safety.

PART 193—RULE-MAKING PROCEDURES FOR PIPELINE REGULATIONS

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Subpart A—General

§ 193.1 Scope.

(a) This part prescribes general rule-making procedures that apply to the issue, amendment, waiver, and repeal of regulations under the Natural Gas Pipeline Safety Act (49 U.S.C. 1671 et seq.).

(b) Records relating to gas pipeline rule-making proceedings, including the regulatory docket maintained under § 193.7, are available for inspection as provided in Part 7 of the regulations of the Secretary of Transportation (Part 7 of this title).

(c) As used in this part, "Secretary" means the Secretary of Transportation or any person to whom he has delegated authority in the matter concerned.

§ 193.3 Initiation of rule making.

The Secretary initiates rule making on his own motion. In doing so, the Secretary considers the recommendations of other agencies of the U.S. Government and the petitions of interested persons.

§ 193.5 Participation in rule-making proceedings.

Any person may participate in rule-making proceedings by submitting written information or views. The Secretary may also allow any person to participate in additional rule-making proceedings, such as informal meetings or hearings, held with respect to any rule.

§ 193.7 Regulatory docket.

Records concerning rule-making actions, including notices of proposed rule making, comments received in response to those notices, petitions for rule making or waiver, grants and denials of waivers, denials of petitions for rule making, records of additional rule-making proceedings conducted under § 193.29, records of public contact during rule-making proceedings, and final regulations are maintained in current docket form in the Office of Pipeline Safety.

Subpart B—Petitions for Regulatory Action

§ 193.11 Filing of petitions for rule making.

(a) Any person may petition the Secretary to issue, amend, or repeal a rule.

(b) Each petition for rule making must—

(1) Be submitted, in duplicate, to the Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590;

(2) Set forth the text or substance of the rule or amendment proposed, or specify the rule that the petitioner seeks to have repealed;

(3) Explain the interest of the petitioner in the action requested; and

(4) Contain information to support the action sought.

§ 193.13 Filing of petitions for waivers.

(a) Any person may petition the Secretary for a waiver from any provision of Parts 191–193 of this chapter, with respect to any pipeline facilities other than those for which a State agency has submitted a certification or agreement under section 5 of the Natural Gas Pipeline Safety Act.

(b) Each petition for waiver must be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590, and must contain the following information:

(1) The regulatory provision involved.
(2) The justification for the waiver, including showing why the regulations are not appropriate, why the public interest would be served by the proposal, and the basis upon which the proposal would not be inconsistent with gas pipeline safety.
(3) If appropriate, a detailed description of the pipeline or pipeline facilities involved.
(4) The name, address, and telephone number of the petitioner.
(5) If appropriate, a statement or recommendation regarding any changes to the regulations which would make similar waivers unnecessary.

(c) Unless there is good reason for priority treatment, each petition is considered in the order in which it is received. To permit timely consideration, petitions should be submitted at least 60 days before the requested effective date.

§ 193.15 Processing of petitions for rule making and waivers.

(a) *General.* The Secretary considers the information submitted by the petitioner and any other available pertinent information. Except as provided in paragraph (b) of this section, no public hearing, oral argument, or other proceeding is held directly on a petition for waiver or rule making before its disposition, unless the Secretary, in his discretion, so directs.

(b) *Hearings for waivers.* Before granting a waiver from the minimum Federal safety standards of Part 192 of this chapter, the Secretary gives notice of the petition in the FEDERAL REGISTER and provides an opportunity for a hearing on the proposed waiver.

(c) *Grants.* If the Secretary finds that the petitioner's proposal is consistent with gas pipeline safety and is otherwise justified, he issues a waiver under this subpart with a statement of his reasons for granting the waiver, or he initiates rule-making action under Subpart C of this part.

(d) *Denials.* If the Secretary finds the petitioner's proposal is inconsistent with gas pipeline safety or is not otherwise justified, the Secretary denies the petition. The Secretary will inform the petitioner of the basis for the denial.

(e) *Confidential or proprietary material.* The treatment of confidential or proprietary material submitted by any petitioner is governed by § 7.59 of this title.

§ 193.17 Granting of waivers by State agencies.

(a) As provided by section 3(e) of the Natural Gas Pipeline Safety Act, a State agency that has submitted a certification under section 5(a) of that Act or entered into an agreement under section 5(b) of that Act must give notice and opportunity for hearing before granting a waiver from the minimum Federal safety standards of Part 192 of this chapter. The notice of the petition for waiver may be published by any method authorized under the laws of that State for giving notice.

(b) A waiver granted by a State agency in accordance with paragraph (a) of this section may not become effective until at least 60 days after the State agency has given the Secretary written notice of the terms and conditions of the waiver. If the Secretary objects in writing to the waiver before it becomes effective, the grant of the waiver is stayed. The Secretary may also initiate proceedings in accordance with § 193.15(b) upon receipt of the written notice. If the Secretary objects to the waiver, he promptly notifies the State agency of his objection and affords the State agency an opportunity to present its request for waiver, including a hearing if requested. Thereafter, the Secretary will finally determine whether the requested waiver may be granted.

Subpart C—Procedures for Rule Making

§ 193.21 General.

(a) A notice of proposed rule making is issued and interested persons are invited to participate in the rule-making proceedings with respect to each substantive rule, unless the Secretary finds, for good cause stated, that notice is impracticable, unnecessary, or contrary to the public interest. Normally, the Secretary will provide a minimum of 30 days for comment on each notice.

(b) Interpretive rules, general statements of policy, and rules relating to organization, procedure, or practice are prescribed as final without notice or other public rule-making proceedings, unless the Secretary determines that notice and public rule-making proceedings are desirable.

(c) In his discretion, the Secretary may invite interested persons to participate in the rule-making proceedings described in § 193.29.

§ 193.23 Notices of proposed rule making.

(a) Each notice of proposed rule making is published in the FEDERAL REGISTER, unless all persons who might be subject to the final rule are named therein and are served with a copy.

(b) Each notice of proposed rule making, whether published in the FEDERAL REGISTER or served, includes—

(1) A statement of the time, place, and nature of the proposed rule-making proceeding;

(2) A reference to the authority under which it is issued;

(3) A description of the subjects and issues involved or the substance or terms of the proposed rule;

(4) A statement of the time for the submission of written comments and the number of copies required; and

(5) A statement of how and to what extent interested persons may participate in the proceeding.

§ 193.25 Petitions for extension of time to comment.

(a) Any person may petition the Secretary for an extension of time to submit comments responding to a notice of proposed rule making. The petition must be submitted in duplicate not later than 7 days before expiration of the time stated in the notice. The filing of the petition does not automatically extend the time for petitioner's comments.

(b) The Secretary grants the extension only if it is in the public interest and the petitioner shows good cause for the extension. If an extension is granted, it is granted to all interested persons and is published in the FEDERAL REGISTER.

§ 193.27 Consideration of comments received.

All timely comments are considered before final action is taken on a rule-making proposal. Late filed comments are considered so far as practicable.

§ 193.29 Additional rule-making proceedings.

After issuing a notice of proposed rule making, the Secretary may initiate any further rule-making proceedings that he finds necessary or desirable in any particular case. For example, he may invite interested persons to present oral arguments, participate in conferences, appear at informal hearings, or participate in any other proceeding. Upon request, he will provide interested persons with an opportunity to present oral testimony and argument.

§ 193.31 Hearings.

(a) Sections 556 and 557 of title 5, United States Code (relating to the conduct of hearings required to be on the record) do not apply to hearings held under this part. Each hearing is a nonadversary, fact-finding proceeding, and there are no formal pleadings or adverse parties. A rule issued in a case in which a hearing is held is not necessarily based exclusively on the record of the hearing.

(b) The Secretary or his designated representative conducts any hearing held under this part. The General Counsel or a member of his staff serves as legal officer at the hearing.

§ 193.33 Adoption of final regulations.

If the Secretary adopts a regulation, it is published in the FEDERAL REGISTER or all persons subject to it are named and are served with a copy. All regulations become effective 30 days after the date of issuance, unless the Secretary, for good cause recited, determines an earlier or later effective date is required as a result of the period reasonably necessary for compliance.

§ 193.35 Petition for rehearing or reconsideration of rules.

(a) Any interested person may petition the Secretary for reconsideration of any rule issued under this part. The petition must be transmitted, in duplicate, to the Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590, at least 10 days before the effective date of the rule. However, in any case in which a rule becomes effective in less than 15 days after issuance, the petition may be filed at any time before the effective date. Petitions

that are not timely filed will be considered as petitions for rule making filed under § 193.11. The petition must contain a brief statement of the complaint and an explanation as to why compliance with the rule is not possible, is not practicable, is unreasonable, or is not in the public interest.

(b) If the petitioner requests the consideration of additional facts, he must state the reason they were not presented to the Secretary within the allotted time.

(c) The filing of a petition under this section does not stay the effectiveness of a rule.

§ 193.37 Hazardous condition orders.

(a) Whenever the Secretary finds a particular pipeline facility to be hazardous to life or property, he issues a hazardous condition order requiring the person operating the facility to take such steps as are necessary to remove the hazard. The order may require shutdown of the facility, compliance with safety standards not otherwise applicable, or imposition of such other conditions or restrictions on operation as the Secretary deems necessary to protect the public.

(b) Whenever the Secretary finds that a particular pipeline facility, although not presently hazardous to life or property, may be hazardous or may in the future becomes hazardous, he issues a letter directing the operator involved to show cause why a hazardous condition order should not be issued under paragraph (a) of this section. After considering all information submitted, the Secretary either issues a hazardous condition order or notifies the operator involved that a hazardous condition order will not be issued.

(c) Unless otherwise stated therein, a hazardous condition order is effective upon receipt by the operator affected.

[F.R. Doc. 70-17224; Filed, Dec. 22, 1970; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 21, 43, 61]

[Docket No. 18920; FCC 70-1339]

DOMESTIC PUBLIC POINT-TO-POINT MICROWAVE RADIO SERVICE

Specialized Common Carrier Services; Memorandum Opinion and Order Designating Oral Argument

In the matter of establishment of policies and procedures for consideration of applications to provide specialized common carrier services in the domestic public point-to-point microwave radio service and proposed amendments to Parts 21, 43, and 61 of the Commission's rules.

1. Comments and reply comments on the Notice of Inquiry To Formulate Policy, notice of proposed rule making and order issued on July 17, 1970 (35 F.R. 11806) in this proceeding (24 FCC 2d 318) have been received by the Commission. In paragraph 74 of the notice (24 FCC 2d at 350), we requested the parties to address themselves to the question of whether oral argument before the Commission en banc would assist in a resolution of this matter. American Telephone and Telegraph Co. (AT&T) commented in support of oral argument and The Western Union Telegraph Co. (Western Union) indicated a possible future interest. Otherwise, there appear to be no widespread affirmative requests for oral argument, and the applicants are opposed.

2. Upon preliminary examination of the record, we are of the view that oral presentations, particularly on the issues specified below, would be of considerable assistance to the Commission and would not delay a resolution of this proceeding. We have decided to afford an opportunity for oral argument directed primarily toward some aspects of Issue A (Notice, paragraphs 25–45a), Issue B (paragraphs 46–50b) and Issue E (Notice, paragraphs 66–70). It does not appear that oral presentations would substantially enhance the written filings on Issues C and D (Notice, paragraphs 51–65). However, parties may address these issues, if they choose.

3. With respect to Issue A, we are particularly interested in arguments going to the substantive and policy aspects of the staff analysis. It is not necessary to treat the legal question of whether rule making or evidentiary hearing affords an appropriate procedure for resolving this issue. The written filings sufficiently set forth the pertinent legal authorities and precedents. However, parties are requested to address the question of what, if any, specific information would be adduced in any evidentiary hearing which is of material importance and has not been, or could not have been, filed in the record of this proceeding. With respect to Issue E, it is requested that the parties discuss not only the matters raised in paragraphs 66–70 of the notice and the comments and reply comments relating thereto, but also the petition for rule making (RM 1700) filed by Microwave Communications, Inc., on October 12, 1970, and the pleadings filed in response thereto. That petition seeks a rule making proceeding to allocate frequencies in the 38.6–40 GHz region of the spectrum for a common carrier local distribution service.

Accordingly, it is ordered, That the issues specified above are designated for oral argument before the Commission en banc at Washington, D.C. commencing at 9:30 a.m. on January 21, 1971.

It is further ordered, That each party desiring to participate in such oral argument shall file with the Commission, on or before December 29, 1970, a written notice of intention to do so, which shall set forth the amount of time desired. Parties holding similar views are encouraged to select a joint representative. The order of argument, specific time allotments, and place of presentation will be specified by further order of the Commission.

Adopted: December 17, 1970.

Released: December 18, 1970.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-17257; Filed, Dec. 22, 1970; 8:49 a.m.]

[47 CFR Parts 89, 91, 93]

[Docket No. 19086; RM-1458]

EXPANDED USE OF NONVOICE EMISSION

Order Extending Time for Filing Comments

In the matter of expanded use of nonvoice emission under Parts 89, 91, and 93 of the Commission's rules, Docket No. 19086; petition of Dynacoustic Laboratories, Inc., seeking amendment of Parts 89, 91, and 93 of the Commission's rules to permit use of tone signals, RM-1458.

1. The Association of American Railroads (AAR) has requested the Commission to extend the time for filing comments in the above-captioned matter (FCC 70-1205, released November 13, 1970, 35 F.R. 17747) from December 21, 1970, to January 21, 1971.

2. Sylvania Electric Products, Inc. (Sylvania), has filed an opposition to the request of AAR contending that additional time is not needed or alternatively any extension should be limited to fourteen (14) days beyond December 21, 1970.

3. In support of its request, AAR states that it needs additional time to permit further consultation and study of the proposal in order to file meaningful comments. On the other hand, Sylvania urges that AAR has not shown that the necessary consultation and study could not be completed in less than 30 days. Further, it states that an extended period for comments is not necessary since digital techniques are well known and understood.

4. It appears that the additional time requested by AAR would not unduly delay this proceeding. Railroads utilize nonvoice techniques for purposes of controlling locomotives, a somewhat different use than that contemplated by Sylvania, and the comments of AAR should be useful to the Commission in reaching a determination in this matter. Therefore, we believe that AAR should be given the additional time it states it needs to prepare its comments.

5. In view of the foregoing: *It is ordered,* Pursuant to § 0.331(b)(4) of the Commission's rules, that the time for filing comments in the above-captioned proceeding is extended from December 21, 1970, to January 21, 1971, and the time for filing reply comments is extended from December 31, 1970 to February 1, 1971.

[1] Commissioners Bartley and Johnson absent.

Adopted: December 17, 1970.

Released: December 18, 1970.

[SEAL] JAMES E. BARR,
Chief, Safety and Special Radio Services Bureau.

[F.R. Doc. 70-17258; Filed, Dec. 22, 1970; 8:49 a.m.]

[47 CFR Part 97]

[Docket No. 19110; FCC 70-1308]

INCREASED RADIO TELEPRINTER SPEED

Notice of Proposed Rule Making

In the matter of amendment of § 97.69 of the Commission's rules to permit increased radio teleprinter speed, Docket No. 19110, RM-1392, RM-1538.

1. The Commission has under consideration two petitions for rule making in the above-entitled matter submitted by Mr. Keith B. Petersen, W8SDZ, and Mr. R. Bruce Peters, WB2LRS. Mr. Petersen requests that the rules be amended to allow the use of radio teleprinter speeds of 60, 75, and 100 words per minute (w.p.m.) and Mr. Peters proposes the use of 60, 67, and 100 w.p.m.

2. In support of their requests the petitioners indicate that present commercial teleprinter standards include faster operating models as well as 60 w.p.m. machines. In addition, it is indicated that the present maximum frequency shift of 900 Hz would not be exceeded in the use of the higher speed machines and compliance with present bandwidth limitations is possible. Further, it is pointed out that higher speed operation will stimulate the development of new amateur skills and techniques, and will enhance the ability to handle large volumes of communications in less time. Such ability would be especially important during emergencies.

3. The Commission believes that provision for the use of additional teleprinter speeds in the Amateur Service, in keeping with commercial equipment standards now in use, is desirable. Since increased speeds are attainable within limits of the present bandwidth requirements, additional interference from such operation is not anticipated. In addition, since the teleprinter speed of 67 w.p.m. is only a slight variation from the 60 w.p.m. rate, the proposed use of 60, 75, and 100 w.p.m. is considered to offer the most desirable variety of choices for operation.

4. Accordingly, it is proposed to amend § 97.69 of the Commission's rules to provide for the use of radio teleprinter speeds of 60, 75, and 100 words per minute on the amateur frequencies where radio teleprinter operation is now permitted.

5. The proposed amendments, which are to be found below, are issued under the authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

6. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before March 1, 1971, and reply comments on or before March 22, 1971. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

7. In accordance with the provisions set forth in § 1.419 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: December 16, 1970.

Released: December 17, 1970.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Part 97 of the Commission's Rules is amended as follows:

1. In § 97.69, paragraph (b) is amended to read:

§ 97.69 Radio teleprinter transmissions.

* * * * *

(b) The normal transmitting speed of the radio teleprinter signal keying equipment shall be adjusted as closely as possible to one of the standard teleprinter speeds, namely, 60 (45 bauds), 75 (56.25 bauds), or 100 (75 bauds) words per minute, and in any event, within the range of plus or minus five words per minute of the selected standard speed.

* * * * *

[F.R. Doc. 70-17259; Filed, Dec. 22, 1970; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 249, 270, 274]

[Releases Nos. IC-6284, 34-9024]

ANNUAL REPORTS FOR MANAGEMENT INVESTMENT COMPANIES

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration the revision of Annual Report Form N-1R (17 CFR 249.330, 274.101) for most management investment companies and the amendment of Rule 30a-1 (17 CFR 270.30a-1) under the Investment Company Act of 1940 (Act) with respect to the time of filing annual reports.

The proposed revision of the Form N-1R would require more explicit information with respect to the registration of investment company shares, processing of orders for sales, redemptions and repurchases of such shares; investment company portfolio transactions generally and transactions in "restricted securities." Information relating to the status of shareholder accounts and the processing of shareholder inquiries would also be required. The Opinion of the Independent Public Accountant filed with the Form N-1R would be required to include an evaluation of the accounting system and the system of internal control of the investment company, comments upon any material inadequacies in them and any corrective action taken or proposed. The amendment of Rule 30a-1 would reduce the time for filing Form N-1R from 120 to 90 days after the close of an investment company's fiscal year. However, investment companies would be permitted to include information in Part II of the Form N-1R as of the end of the ninth month of their fiscal year.

The proposed revision of Form N-1R would be adopted pursuant to the authority granted the Commission in sections 30, 31, 38(a), and 45(a) of the Investment Company Act of 1940 and sections 13, (15d), 23(a), and 24 of the Securities Exchange Act of 1934. The amendment to Rule 30a-1 would be adopted pursuant to the authority granted to the Commission in sections 6(c), 30, and 38(a) of the Investment Company Act.

I. *Revisions of Form N-1R (17 CFR 249.330, 274.101).* Form N-1R, a comprehensive annual report filed by management investment companies, was adopted January 25, 1965 (Investment Company Act Release No. 4151) (30 F.R. 2136). It was designed to materially assist the Commission in its inspection program and to achieve a substantial degree of self-inspection by laying before persons responsible for the management and operations of investment companies information which would assist them in determining more readily whether the investment company is in fact complying with the statutory standards and requirements of the Act and rules thereunder.

When the Form N-1R was adopted, the Commission recognized that it might erquire further revision and supplementation in the future. It therefore directed its Division of Corporate Regulation, in light of experience with the revised form, to bring to its attention any special problems encountered in the reports filed on this form. The Division has recommended that those items of the form designed to provide information about the issuance and redemption of investment company shares, Item 1.07, Issuance and Redemption of Securities (sections 22(g) and 23); Item 2.23, Procedures followed upon Receipt Of Orders for Purchase, Repurchase, or Redemption of Registrant's Shares; Item 2.24, Time Lapse Between Sale of Shares of, and Receipt of Proceeds by, Registrant; Item 2.25, Suspension or Postponement of Right of Redemption (section 22(e)), and the item relating to "restricted securities," Item 1.27, Holdings of Restricted Securities" Other Than Straight Debt Securities, be revised as indicated below to provide more specific information and better serve the purposes for which the Form N-1R was designed, and that three new

[1] Commissioner Johnson absent.

items be added, Item 2.30, Portfolio Transactions Not Settled by Specified Settlement Dates; Item 2.31, Correspondence Received by Registrant Relating to Shareholder Accounts; and Item 2.32, Confirmations and Statements of Shareholders' Accounts, to more effectively assist the Commission in its inspection program and to aid investment company management in preventing and detecting potential back-office problems.

The text of these items and appropriate instructions with the new matter and deleted matter is set forth in Release No. IC-6284, copies of which have been filed with the Office of the Federal Register; additional copies may be obtained on request from the Securities and Exchange Commission, Washington, D.C. 20549.

II. *Amendment of Rule 30a-1 (17 CFR 270.30.a-1)*. Under Rule 30a-1(a) (17 CFR 270.30a-1(a)), investment company annual reports are required to be filed 120 days after the close of the company's fiscal year. It is proposed to reduce the date for filing the Form N-1R (17 CFR 274.101) from 120 days to 90 days after the close of the company's fiscal year in order to permit the staff to make more effective use of that document. The filing of the report within 90 days of the close of the company's fiscal year will make available to the staff information relating to the company's most recent fiscal year at the time that it reviews the posteffective amendment to the company's registration statement. In most cases, under present procedures, when the staff reviews an investment company's posteffective amendment, the investment company's Form N-1R on file with the Commission contains information for the preceding fiscal year.

When the Form N-1R was adopted, the Commission extended the due date of the first annual report filed on Form N-1R to not more than 180 days after the close of the fiscal year covered by the report (Investment Company Act Release No. 4151, January 25, 1965) (30 F.R. 2136). It recognized that the increase in the scope of the Form N-1R as compared with the previous annual report might require additional time for filing. Since the industry has now had the opportunity to become familiar with the Form N-1R, an extension of time allowing 180 days for filing the first annual report no longer appears necessary. However, we believe it would be appropriate to permit the first Form N-1R filed by a registrant to be filed not later than 120 days after registrant's fiscal year ends.

The text of the proposed amendment to Rule 30a-1(a) is as follows:

§ 270.30a-1 Annual reports.

(a) Every registered investment company shall file an annual report, on the appropriate form prescribed therefor, not more than 90 days after the close of each fiscal year ending on or after the date upon which such company files its registration statement pursuant to section 8(b) [of the Act]; in case the registrant finds it impractical to file the report within such 90 days, it may file with the Commission an application for an extension of time to a specified date within 6 months after the close of the fiscal year. Such application shall state the grounds of impracticability and shall contain an agreement to file the report on or before such specified date. The application shall be deemed granted unless the Commission within 10 days after receipt thereof shall enter an order denying the application as being unreasonable and unnecessary under the circumstances.

* * * * *

All interested persons are invited to submit views and comments on the proposed revision of Form N-1R and Rule 30a-1. Written statements of views and comments in respect of the proposed revised Form and Rule should be submitted to the Securities and Exchange Commission, Washington, D.C. 20549 on or before February 16, 1971. All communications with respect to the proposed revision should refer to Investment Company Act Release No. 6284. Such communications will be available for public inspection. The Commission does not anticipate that the period for filing views or comments will be extended beyond that date in view of the proposal that the revision be made effective for fiscal years commencing on or after January 1, 1971.

(Sec. 13, 48 Stat. 894, sec. 4, 78 Stat. 569, 15 U.S.C. 78m; sec. 15(d), 48 Stat. 895, sec. 3, 49 Stat. 1377, sec. 6, 78 Stat. 570, 15 U.S.C. 78o(d); sec. 23(a), 48 Stat. 901, sec. 8, 49 Stat. 1379, 15 U.S.C. 78w; sec. 24, 48 Stat. 901, 15 U.S.C. 78x; sec. 6(c), 54 Stat. 800, 15 U.S.C. 80a-6; sec. 30, 54 Stat. 836, 15 U.S.C. 80a-29; sec. 31, 54 Stat. 80a-30; sec. 38(a), 54 Stat. 841, 15 U.S.C. 80a-37(a); sec. 45, 54 Stat. 845, 15 U.S.C. 80a-44)

By the Commission, December 16, 1970.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70-17221; Filed, Dec. 22, 1970; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SMALL BUSINESSS SIZE STANDARDS

Definition of Small Business for Trucking Not Requiring Utilization of Interstate Commerce Commission Certificate or Permit; Withdrawal of Proposed Rule Making

On August 4, 1970, the Small Business Administration held a public hearing on its proposal (35 F.R. 11049, July 9, 1970) to establish for the purpose of Government procurement and SBA loan assistance, a separate $1 million size standard for trucking not requiring the utilization (directly or indirectly) of an Interstate Commerce Commission certificate or permit.

On the basis of information furnished at or in connection with the hearing the Administration has concluded that the proposal should not be adopted as proposed, but that a study shall be conducted of the size of concerns that compete for and are awarded Government trucking contracts, including those for refuse removal.

Dated: December 16, 1970.

HILARY SANDOVAL, Jr., *Administrator.*

[F.R. Doc. 70-17250; Filed, Dec. 22, 1970; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-3238]

IDAHO

Notice of Public Sale

DECEMBER 15, 1970.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421–1427), 43 CFR Subpart 2721, a tract of land will be offered for sale to the highest bidder at a sale to be held at 3 p.m., m.s.t., on Wednesday, February 3, 1971 at the Idaho Land Office, Room 380, Federal Building, 550 West Fort Street, Boise, ID 83702. The land is described as follows:

BOISE MERIDIAN, IDAHO

T. 2 N., R. 39 E.,
Sec. 29, S½NW¼SW¼;
Sec. 30, S½NE¼SE¼.

The area described contains 40 acres. The appraised value of the tract is $1,550 and the publication cost to be assessed is $10.

The land will be sold subject to all valid existing rights and rights-of-way of record and to a reservation to the United States for rights-of-way for ditches and canals under the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals will be reserved to the United States and withdrawn from appropriation under the public land laws, including the mining and mineral leasing laws.

Bids may be made by the principal or his agent, either at the sale or by mail. An agent should be prepared to show that the person he represents is a qualified bidder.

Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received at the Idaho Land Office, Bureau of Land Management, Room 334, Federal Building, 550 West Fort Street, Boise, ID 83702 prior to 1 p.m., m.s.t., on Wednesday, February 3, 1971. Bids made prior to the public auction must be in sealed envelopes and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus publication costs. The envelopes must be marked in the lower left-hand corner "Public Sale Bid, I-3238, Sale of February 3, 1971."

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in specified increments. After oral bids, if any, are received, the authorized officer shall declare the high bid. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract and cost of publication, before 3:30 p.m. of the day following the sale.

If no bids are received for the sale tract on Wednesday, February 3, 1971, the tract will be reoffered on the first Wednesday of subsequent months at 1:30 p.m., beginning March 3, 1971.

Any adverse claimants to the above described lands should file their claims or objections with the undersigned before the time designated for the sale.

The land described in this notice has been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the Land Office, Bureau of Land Management, Room 334 Federal Building, 550 West Fort Street, Boise, ID 83702.

ORVAL G. HADLEY,
Manager, Land Office.

[F.R. Doc. 70-17216; Filed, Dec. 22, 1970; 8:45 a.m.]

[Serial No. I-3632]

IDAHO

Notice of Public Sale

DECEMBER 16, 1970.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421–1427), 43 CFR Subpart 2721, a tract of land will be offered for sale to the highest bidder at a sale to be held at 2 p.m., m.s.t., on Wednesday, February 10, 1971, at the Idaho Land Office, Room 380, Federal Building, 550 West Fort Street, Boise, ID 83702. The land is described as follows:

BOISE MERIDIAN, IDAHO

T. 2 S., R. 38 E.,
Sec. 6, lot 9.

The area described contains 19.29 acres. The appraised value of the tract is $250 and the publication cost to be assessed is $10.

The land will be sold subject to all valid existing rights and rights-of-way of record and to a reservation to the United States for rights-of-way for ditches and canals under the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals will be reserved to the United States and withdrawn from appropriation under the public land laws, including the mining and mineral leasing laws.

Bids may be made by the principal or his agent, either at the sale or by mail. An agent should be prepared to show that the person he represents is a qualified bidder.

Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received at the Idaho Land Office, Bureau of Land Management, Room 334, Federal Building, 550 West Fort Street, Boise, ID 83702, prior to 2 p.m., m.s.t., on Wednesday, February 10, 1971. Bids made prior to the public auction must be in sealed envelopes and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus publication costs. The envelopes must be marked in the lower left-hand corner "Public Sale Bid, I-3632, Sale of February 10, 1971."

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in specified increments. After oral bids, if any, are received, the authorized officer shall declare the high bid. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract and cost of publication, before 3:30 p.m. of the day following the sale.

If no bids are received for the sale tract on Wednesday, February 10, 1971, the tract will be reoffered on the first Wednesday of subsequent months at 2 p.m., beginning March 3, 1971.

Any adverse claimants to the above described lands should file their claims or objections with the undersigned before the time designated for the sale.

The land described in this notice has been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the Land Office, Bureau of Land Management, Room 334, Federal Building, 550 West Fort Street, Boise, ID 83702.

ORVAL G. HADLEY,
Manager, Land Office.

[F.R. Doc. 70-17263; Filed, Dec. 22, 1970; 8:49 a.m.]

[Montana 7931]

MONTANA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 15, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and the regulations in 43 CFR Parts 2400 and 2460, the public lands described below were classified for multiple use management (33 F.R. 9714–9715) on July 4, 1968.

2. Publication of this notice has the effect of further segregating the lands described below from all forms of appropriation under the public land laws, including the general mining laws, but not from the mineral leasing laws. As used

herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

3. Comments and statements were received following publication of the notice of proposed classification in the FEDERAL REGISTER of October 15, 1970 (35 F.R. 16197), most of them favorable to the proposal. All comments were carefully considered in the light of the law and regulations, and it was determined that no change in the proposed classification is warranted. The record showing comments received and other information can be examined in the Billings District Office, Billings, Mont., and on records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

4. The public lands affected by this classification are located within the following described areas and are shown on maps on file in the Billings District Office, Billings, Mont., and on maps and records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

CARBON COUNTY

T. 9 S., R. 27 E.,
Sec. 1;
Sec. 12;
Sec. 13;
Sec. 22, NE¼, N½SE¼, SE¼SE¼;
Sec. 23, NE¼, NW¼NW¼, N½SW¼NW¼, SW¼SW¼NW¼, N½SE¼SW¼NW¼, SW¼SE¼SW¼NW¼, W½SW¼, and E½SE¼;
Sec. 24;
Sec. 25, N½, SW¼, N½SE¼, and SE¼SE¼;
Sec. 26, NW¼, N½SW¼, and SE¼SW¼;
Sec. 27, NE¼NE¼.
T. 10 S., R. 27 E.,
Sec. 1, lots 1 and 2.
T. 9 S., R. 28 E.,
Sec. 6, lots 1, 2, 3, and 4, W½NE¼, E½NW¼, E½SW¼, and W½SE¼;
Sec. 7;
Sec. 8, W½;
Sec. 17, W½ and W½E½;
Sec. 18;
Sec. 19;
Sec. 20, NW¼NE¼, S½NE¼, W½, and SE¼;
Sec. 21, S½NW¼ and SW¼;
Sec. 28, W½;
Sec. 29;
Sec. 30;
Sec. 31;
Sec. 32;
Sec. 33, lots 1, 2, 7, and 8, NW¼, and N½SW¼.

The public lands described above aggregate approximately 11,634.05 acres.

5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3. For a period of 30 days interested parties may submit comments to the Secretary of the Interior, LLM, 321, Washington, D.C. 20240.

EDWIN ZAIDLICZ,
State Director.

[F.R. Doc. 70-17264; Filed, Dec. 22, 1970; 8:49 a.m.]

[Montana 16782]

MONTANA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 15, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18), and to the regulations in 43 CFR Parts 2400 and 2460, the public lands described below are hereby classified for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the lands described in paragraph 4 from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

3. Comments and statements were received following publication of the notice of proposed classification published in the FEDERAL REGISTER (35 F.R. 16197) on October 15, 1970. These comments were favorable to the classification as proposed and therefore no changes have been made. The record showing comments received and other information can be examined in the Billings District Office, Billings, Mont., and on records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

4. The public lands affected by this classification are located within the following described areas and are shown on maps on file in the Billings District Office, Billings, Mont., and on maps and records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

CARBON COUNTY

T. 9 S., R. 25 E.,
Sec. 35, lot 1, N½, N½SW¼.

The public lands described above aggregate approximately 457.04 acres.

5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3. For a period of 30 days interested parties may submit comments to the Secretary of the Interior, LLM, 321, Washington, D.C. 20240.

EDWIN ZAIDLICZ,
State Director.

[F.R. Doc. 70-17265; Filed, Dec. 22, 1970; 8:49 a.m.]

[Montana 16803]

MONTANA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 15, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2400 and 2460, the public lands described below are hereby classified for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1964, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the lands described in paragraph 4 from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171), from lease or sale under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869), and from rights of way under R.S. 2477 (43 U.S.C. 932). Except as provided above, the lands shall remain open to all other applicable forms of appropriation including the mining and mineral leasing laws

3. Comments and statements were received following publication of the notice of proposed classification in the FEDERAL REGISTER of October 15, 1970 (35 F.R. 16197), most of them favorable to the proposal. All comments were carefully considered in the light of the law and regulations, and it was determined that no change in the proposed classification is warranted. The records showing comments received and other information can be examined in the Billings District Office, Billing, Mont., and on records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

4. The public lands affected by this classification are located within the following described areas and are shown on maps on file in the Billings District Office, Billings, Mont., and on maps and records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

YELLOWSTONE COUNTY

T. 3 N., R. 25 E.,
Sec. 5, lots 1, 2, 3, and 4, S½N½, and S½;
Sec. 7, lots 1 and 2, E½W½, and E½;
Sec. 17, all;
Sec. 20, N½N½.

T. 3 N., R. 26 E.,
Sec. 8, SE¼;
Sec. 9, all;
Sec. 10, SW¼.

The public lands described above aggregate approximately 2,950.34 acres.

5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3. For a period of 30 days interested parties may submit comments to the Secretary of the Interior, LM, 321, Washington, D.C. 20240.

EDWIN ZAIDLICZ,
State Director.

[F.R. Doc. 70-17266; Filed, Dec. 22, 1970; 8:49 a.m.]

[Serial No. U-8742]

UTAH

Notice of Classification of Public Lands for Multiple-Use Management, and Designation of Outstanding Natural Areas

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411–18), and to the regulations in Title 43 CFR Parts 2410 and 2411, the public lands within the area described in paragraph 3 below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C., sec. 334), and from sales under section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171). Except as noted in paragraph 6, the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. After careful consideration of all available data including geologic, economic, and environmental factors, and information included in the several hundred comments received in response to the notice of the proposed classification in the FEDERAL REGISTER, September 29, 1970, and the public hearings in Escalante and Salt Lake City, Utah, on October 28, and 30, 1970, respectively, no change in segregative effects of the proposed classification is made.

The designations described as "Natural Areas" in paragraph 4 of the Notice of Proposed Classification have been changed to "Outstanding Natural Areas" in conformance with terminology of the regulations, 43 CFR Subpart 2071, pertaining to the type and effect of designations. For preservation of their unique scenic values and natural wonders three additional areas totaling 43,530 acres are designated as "Outstanding Natural Areas", and will be managed in such a manner as to preserve these characteristics and values. None of the additional lands designated as Outstanding Natural Areas are segregated from location and entry under the mining leases.

3. The public lands hereby classified are those administered by the Kanab District, Bureau of Land Management, in Kane and Garfield Counties, Utah, bounded on the northwest by Dixie National Forest, on the northeast by the Capitol Reef National Monument and the Waterpocket Fold, on the southeast by the Glen Canyon Reclamation Withdrawal Boundary, and on the southwest by the Straight Cliffs, and the Escalante Rim. The public domain lands here proposed to be classified aggregate approximately 809,400 acres.

4. The following-described parcels of public domain land that fall within the area described in paragraph 3 are excluded from this classification:

SALT LAKE MERIDIAN, UTAH

T. 35 S., R. 3 E.,
Sec. 22, all west of Utah Highway 54;
Sec. 26, all west of Utah Highway 54;
Sec. 27, all west of Utah Highway 54;
Sec. 35, N½, W½SW¼, E½SE¼.
T. 36 S., R. 3 E.,
Sec. 10, NE¼NE¼, S½SW¼;
Sec. 11, N½NW¼;
Sec. 15, E½NE¼, SW¼NE¼, N½NW¼.

The areas described excluded from this classification aggregate approximately 1,240 acres.

5. The eight areas and sites described below are designated by virtue of the authority vested in the Secretary of the Interior under the Classification and Multiple-Use Act of September 19, 1964, supra, and R.S. 2478 (43 U.S.C. 1201), and pursuant to the provisions of 43 CFR Part 2070, as follows:

SALT LAKE MERIDIAN, UTAH

(A) ESCALANTE CANYONS OUTSTANDING NATURAL AREA

T. 35 S., R. 7 E.,
Sec. 34, SE¼SE¼;
Sec. 35, SE¼NE¼, NE¼SW¼, S½SW¼, SE¼.
T. 36 S., R. 6 E.,
Sec. 9, N½, SE¼;
Sec. 10, SW¼NE¼, S½NW¼, S½;
Sec. 11, W½NE¼, W½, NW¼SE¼;
Sec. 13, NE¼NE¼, S½NE¼, SE¼NW¼, S½;
Sec. 14, NW¼, NW¼SW¼, S½S½;
Sec. 15, E½, E½NW¼, NE¼SW¼;
Sec. 22, NE¼, S½;
Secs. 23, 24, and 25, all;
Sec. 26, N½;
Sec. 27, N½;
Sec. 28, S½N½, S½;
Sec. 29, S½N½, S½;
Sec. 30, S½NE¼, S½SW¼, SE¼;
Sec. 31, N½.
T. 36 S., R. 7 E.,
Secs. 1, 3 to 15, inclusive, 17 to 31, inclusive, 33, 34 and 35, all.
T. 36 S., R. 8 E.,
Sec. 18, SW¼SW¼;
Sec. 19, W½W½;
Sec. 30, W½NW¼;
Sec. 31, S½.
T. 36 S., R. 9 E.,
Sec. 18, all;
Sec. 19, E½, E½W½, NW¼NW¼;
Sec. 20, all;
Sec. 27, W½NW¼, SW¼;
Secs. 28 and 29, all;
Sec. 30, NE¼, E½NW¼, S½;
Secs. 31, and 33, all;
Sec. 34, NW¼NE¼, S½NE¼, NW¼, S½.
T. 37 S., R. 6 E.,
Sec. 1, all;
Sec. 12, E½.
T. 37 S., R. 7 E.,
Secs. 1, 3 to 15, inclusive, 17, and 20 to 29, inclusive.
T. 37 S., R. 8 E.,
Secs. 1, 5 to 15, inclusive, 17 to 31, inclusive, 33, 34 and 35, all.
T. 37 S., R. 9 E.,
Secs. 4 to 9, inclusive, 17 to 21, inclusive, 28 to 31, inclusive; and 33, all.
T. 38 S., R. 8 E.,
Secs. 1, 3 to 15, inclusive;
Sec. 21, N½, SE¼;
Secs. 22 to 26, inclusive, and 35, all.
T. 38 S., R. 9 E.,
Secs. 4 to 9, inclusive, 17 to 31, inclusive, 33, 34, and 35, all.
T. 38 S., R. 9½ E.,
Secs. 19, 30, and 31, all.
T. 38½ S., R. 10 E.,
Secs. 29, 30, and 31, all.
T. 39 S., R. 7 E.,
Sec. 11, S½NE¼, S½;
Sec. 12, S½S½;
Sec. 13, N½.
T. 39 S., R. 8 E.,
Sec. 7, S½S½;
Sec. 8, S½S½;
Sec. 15, S½;
Sec. 17, N½, N½S½;
Sec. 18, N½.
T. 39 S., R. 9 E.,
Secs. 1, 3, 4, 5, 8 to 15, inclusive, 17, and 22 to 27, inclusive.
T. 39 S., R. 9½ E.,
Secs. 6, 7, 18, 19, and 30, all.
T. 39 S., R. 10 E.,
Secs. 5, 6, 7, 8, 17, and 18, all.

The area described aggregates approximately 129,000 acres.

(B) CALF CREEK RECREATION AREA

T. 34 S., R. 4 E.,
Sec. 3, SW¼, SW¼SE¼;
Sec. 4, SE¼SW¼, SE¼;
Sec. 9, E½, E½W½;
Sec. 10, all;
Sec. 11, W½SW¼NW¼, W½NW¼SW¼, SE¼NW¼SW¼, SW¼SW¼, W¼SE¼SW¼;
Sec. 14, NW¼SW¼NE¼, S½SW¼NE¼, W½, W½SE¼, W½SE¼SE¼, SE¼SE¼SE¼;
Sec. 15, all;
Sec. 21, N½NE¼;
Sec. 22, NE¼, N½NW¼, SE¼NW¼;
Sec. 23, N½, N½S½, N½SW¼SE¼, SE¼SW¼SE¼, SE¼SE¼;
Sec. 24, W½NW¼NW¼, SW¼NW¼, W½SW¼, W½NE¼SW¼, SE¼NE¼SW¼, SE¼SW¼, SW¼SW¼SE¼;
Sec. 25, W½NE¼, W½SE¼NE¼, W½, W½SE¼, W½NE¼SE¼, SE¼NE¼SE¼, SE¼SE¼;
Sec. 26, E½E½.
T. 34 S., R. 5 E.,
Sec. 31, W½SW¼NW¼, SE¼SW¼NW¼, W½SW¼, W½NE¼SW¼.
T. 35 S., R. 4 E.,
Sec. 1, E½, E½W½, SE¼NW¼SW¼, SW¼SW¼;
Sec. 12, N½, NE¼SW¼, N½NW¼SW¼, SW¼NW¼SW¼, N½SE¼NW¼SW¼, SW¼SW¼, N½SE¼, SE¼SE¼.
T. 35 S., R. 5 E.,
Sec. 6, lots 4, 5, and 6.

The area described aggregates approximately 5,835 acres.

(C) DEER CREEK RECREATION SITE

T. 34 S., R. 5 E.,
Sec. 16, all.
The area described contains 640 acres.

(D) DEVIL'S GARDEN OUTSTANDING NATURAL AREA

T. 37 S., R. 4 E.,
Sec. 13, S½;
Sec. 24, N½.
The area described contains 640 acres.

(E) DANCE HALL ROCK HISTORIC SITE

T. 40 S., R. 7 E.,
Sec. 12, all.
The area described contains 640 acres.

(F) NORTH ESCALANTE CANYON OUTSTANDING NATURAL AREA

T. 35 S., R. 4 E.,
Sec. 13, S½NE¼, E½NW¼, SE¼;
Sec. 24, N½NE¼.
T. 35 S., R. 5 E.,
Sec. 8, NE¼NE¼;
Sec. 9, NW¼, W½NE¼, SE¼NE¼, SE¼, E½SW¼;
Sec. 10, W½SW¼, SW¼NW¼;
Sec. 14, S½S½SW¼;
Sec. 15, S½SE¼, SW¼, S½NW¼, NW¼ NW¼;
Sec. 17, N½, N½S½, S½SE¼;
Sec. 18, N½, N½S½;
Sec. 20, N½NE¼NE¼;
Sec. 21, N½N½NW¼, N½NE¼;
Sec. 22, N½NW¼, NE¼, N½SE¼, SE¼ SE¼;
Sec. 23, W½, S½SW¼SE¼;
Sec. 25, S½, SW¼NW¼;
Sec. 26, N½N½, N½SW¼NW¼, SE¼NW¼, S½NE¼, E½NE¼SW¼, N½SE¼, E½ SW¼SE¼, SE¼SE¼;
Sec. 27, NE¼NE¼, N½SE¼NE¼.
T. 35 S., R. 6 E.,
Sec. 28, W½W½;
Sec. 29, E½NE¼, SW¼NE¼, SE¼, SE¼ SW¼;
Sec. 31, N½, N½S½, N½SE¼SE¼.
T. 36 S., R. 6 E.,
Sec. 4, W½, W½E½;
Sec. 5, E½NE¼, E½NW¼NE¼.
The area described aggregates approximately 5,800 acres.

(G) THE GULCH OUTSTANDING NATURAL AREA

T. 34 S., R. 5 E.,
Sec. 13, SW¼;
Sec. 14, E½SE¼;
Sec. 23, E½NE¼, SE¼, SE¼SW¼;
Sec. 24, W½NW¼, W½E½NW¼, NW¼ SW¼, W½SW¼SW¼;
Sec. 26, E½W½, W½E½, W½E½E½, E½ SW¼SW¼;
Sec. 35, W½, W½W½E½.
T. 35 S., R. 5 E.,
Sec. 11, E½NE¼, N½NW¼NE¼, SE¼ NW¼NE¼, NE¼SE¼, E½SE¼SE¼;
Sec. 12, W½W½, E½SW¼;
Sec. 13, N½NW¼, W½NE¼, E½SW¼ NW¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 24, NE¼NE¼.
T. 35 S., R. 6 E.,
Sec. 18, S½SW¼, NW¼SW¼, SW¼SE¼.
Sec. 19, W½, W½E½;
Sec. 30, W½, NW¼NE¼.
The area described aggregates approximately 3,430 acres.

(H) PHIPPS—DEATH HOLLOW OUTSTANDING NATURAL AREA

T. 34 S., R. 3 E.,
Sec. 1, all;
Sec. 3, all;
Sec. 10, 11, 12, 13, 14, and 15, all;
Sec. 19, E½;
Sec. 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, and 35, all.
T. 35 S., R. 3 E.,
Sec. 1, all;
Sec. 3, all;
Sec. 4, N½, N½S½, SE¼SW¼, S½SE¼;
Sec. 5, E½NE¼;
Sec. 9, E½, E½NW¼;
Sec. 10, N½, N½S½;
Sec. 11, and 12, all.
T. 34 S., R. 4 E.,
Sec. 5, W½W½;
Sec. 6, and 7, all;
Sec. 8, W½, SE¼;
Sec. 9, W½SW¼;
Secs. 17, 18, 19, and 20, all;
Sec. 21, W½, S½NE¼, SE¼;
Sec. 22, S½, SW¼NW¼;
Sec. 23, S½SW¼, SW¼SW¼SE¼;
Sec. 26, W½, W½E½;
Secs. 27, 28, 29, 30, and 31, all;
Secs. 33, 34, and 35, all.
T. 35 S., R. 4 E.,
Sec. 1, W½NW¼, N½NW¼SW¼, SW¼ NW¼SW¼;
Secs. 3, 4, 5, 6, 7, 8, 9, 10, and 11, all;
Sec. 14, N½N½;
Sec. 15, N½N½;
Sec. 17, N½;
Sec. 18, NE¼NE¼.
The area described aggregates approximately 34,300 acres.

The area described in subparagraphs (a) through (h) total approximately 180,370 acres.

6. Publication of this notice has the further effect of segregating the lands described in subparagraphs a, b, c, d, and e of paragraph 5 above from all forms of entry, location, or selection under the public land laws, including the general mining laws, but not the mineral leasing laws. Publication of this notice also has the effect of segregating all the lands described in subparagraphs a, b, c, d, and e of paragraph 5 from oil and gas exploration operations under 43 CFR Subpart 3045, to the extent that "Notices of Intent to Conduct Oil and Gas Exploration Operations" as described in 43 CFR 3045.1–1 will require approval of the district manager prior to commencement of such operations.

7. Maps depicting these lands and the record showing comments received and other information are on file and may be viewed at the Bureau of Land Management District Office, 320 North First East, Kanab, UT; and in the State Office, Federal Building, 125 South State Street, Salt Lake City, UT.

8. For a period of 30 days from date of publication of this notice of classification in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3. During this 30-day period, interested parties may submit comments to the Secretary of the Interior, LLM 320, Washington, D.C. 20240.

R. D. NIELSON,
State Director.

[F.R. Doc. 70–17321; Filed, Dec. 22, 1970; 8:52 a.m.]

National Park Service

NATIONAL CAPITAL PARKS

Notice of Intention To Extend Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to extend the concession contract with Government Services, Inc., authorizing it to continue to provide concession facilities and services for the public within the National Capital Parks for a period of 1 year from January 1, 1971, through December 31, 1971.

The foregoing concessioner has performed its obligations under the expiring contract to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the publication date of this notice.

Interested parties should contact the Chief, Office of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: December 14, 1970.

JOE HOLT,
Acting Deputy Director,
National Park Service.

[F.R. Doc. 70–17217; Filed, Dec. 22, 1970; 8:45 a.m.]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. G–481]

JAMES P. LALES

Notice of Loan Application

James P. Lales, Post Office Box 485, Pinellas Park, FL 33565, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 51-foot length overall wood vessel to engage in the fishery for snappers, groupers, and spiny lobsters.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may

be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,
Division of Financial Assistance.

[F.R. Doc. 70-17212; Filed, Dec. 22, 1970; 8:45 a.m.]

[Docket No. S-528]

DONALD E. WILLIAMS

Notice of Loan Application

Donald E. Williams, Post Office Box 71, Westport, WA 98595, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 36-foot length overall fiber glass vessel to engage in the fishery for salmon, dungeness crab, and albacore, off the coasts of Washington, Oregon, and California.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,
Division of Financial Assistance.

[F.R. Doc. 70-17213; Filed, Dec. 22, 1970; 8:45 a.m.]

Office of the Secretary

[Dept. Organization Order 10-1]

ASSISTANT SECRETARY FOR SCIENCE AND TECHNOLOGY

Authority and Functions

The following order was issued by the Secretary of Commerce on December 7, 1970. This material supersedes the material appearing at 34 F.R. 12840 of August 7, 1969 and 35 F.R. 12360 of August 1, 1970.

SECTION 1. *Purpose.* This order prescribes the scope of authority and the functions of the Assistant Secretary for Science and Technology. This revision, in particular, transfers certain responsibilities for environmental affairs activities to the Assistant Secretary for Science and Technology.

SEC. 2. *Administrative designation.* The position of Assistant Secretary of Commerce, established by the Act of February 16, 1962 (Public Law 87-405; 15 U.S.C. 1507), shall continue to be designated as the Assistant Secretary for Science and Technology. The Assistant Secretary is appointed by the President by and with the advice and consent of the Senate.

SEC. 3. *Transfers.* .01 Department-wide responsibility of the Bureau of Domestic Commerce concerning the National Environmental Policy Act of 1969 and related environmental quality matters is hereby transferred to the Assistant Secretary for Science and Technology.

.02 The Assistant Secretary for Administration shall arrange for the transfer of such funds, personnel, property, and records from the Bureau of Domestic Commerce as may be required to carry out the provisions of this order with respect to environmental affairs activities.

SEC. 4. *Delegation of authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by law, the following authorities of the Secretary are hereby delegated to the Assistant Secretary for Science and Technology:

a. Approve regulations established by the Commissioner of Patents for the conduct of proceedings in the Patent Office (35 U.S.C. 6);

b. Issue procedural regulations necessary for the development and promulgation of flammability standards and regulations (including labeling), and amendments thereto, pursuant to chapter 25 of title 15, United States Code, as amended, and for the prescribing and publication of standards for household refrigerator safety devices, pursuant to chapter 26 of title 15, United States Code;

c. Make determinations as to the possible need for, and to institute the proceedings for the determination of, a new or amended flammability standard or other regulation, including labeling pursuant to 15 U.S.C. 1193(a), as amended;

d. Issue procedural regulations providing for the development and publication of voluntary product standards by the Department of Commerce, pursuant to chapter 7 of title 15, United States Code;

e. Issue regulations necessary to implement the provisions of section 5 (d) and (e) of the Fair Packaging and Labeling Act (15 U.S.C. 1454 (d-e)), and to make determinations under these sections (1) as to whether the reasonable ability of consumers to make value comparisons has been impaired by undue proliferation of the weights, measures, or quantities in which retail commodities are packaged, (2) as to whether a standard will not be published, and (3) as to the nonobservance of a published standard; and

f. Exercise the functions, powers, duties, and authorities of the Secretary of Commerce pursuant to the provisions of the State Technical Services Act of 1965 (15 U.S.C. 1351-1368), as may be required, including reduction of the Department's activities under the Act in the absence of authorized funds.

.02 The Assistant Secretary for Science and Technology may exercise other authorities of the Secretary as applicable to performing the functions assigned in this order.

.03 The Assistant Secretary may delegate his authorities except for the authority to issue or approve regulations, and except that redelegation of other authorities in subparagraphs e. and f. of paragraph .01 above shall be limited to the Deputy Assistant Secretaries provided herein.

SEC. 5. *Functions.* .01 The Assistant Secretary for Science and Technology shall exercise policy direction and general supervision over the National Bureau of Standards, the Patent Office, the National Technical Information Service, and the Office of Telecommunications. He shall exercise direct supervision over the Office of Product Standards.

.02 The Assistant Secretary for Science and Technology shall also serve as the principal advisor and assistant to the Secretary on scientific and technological matters involving the physical and natural sciences (hereafter called "science and technology"). In this capacity, the Assistant Secretary shall have the following functions:

a. Advise the Secretary and other Commerce officials on important questions and problems in science and technology.

b. Review, evaluate, and coordinate research and development programs of operating units involving science and technology.

c. Develop and assist in the initiation and implementation of new research and development programs in science and technology in furtherance of the Department's objectives.

d. Provide Department-wide leadership and guidance to assure compliance by all operating units and other elements of the Department with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and Executive Orders 11507 and 11514; provide coordination and guidance in bringing about maximum contribution by Commerce programs to the solution of national problems of environmental quality of concern to the Department as a whole; and serve as the Department's principal point of contact with the Council on Environmental Quality, and with organizations, both public and private, on environmental matters of concern to the Department as a whole. Regarding environmental impact required to be prepared by section 102(2)(c) of the Act referred to above, exercise Departmental review and related functions in accord with procedural instructions (DAO 216-6) issued by the Secretary.

e. Represent the Department on the Federal Council for Science and Technology.

f. Coordinate efforts within the Department to stimulate, and, where appropriate, sponsor, as relevant to the objectives of Commerce programs, research and development activities in the

private sector, including industry, universities, and nonprofit organizations, in science and technology.

g. Serve as a general point of contact and communication for Commerce with the scientific and engineering communities, both national and international.

h. Assure the coordination of Commerce's activities in science and technology with other applicable Federal programs.

i. Take actions, with respect to Commerce patent policy for contracts and grants, as assigned in Department Administrative Order 208–14; and approve and issue royalty-free licenses for the use of patents owned or controlled by the Department.

j. Take such actions as are incident to the exercise of the specific authorities delegated in paragraph 4.01 of this order.

SEC. 6. *Deputy Assistant Secretaries for Science and Technology.* The Assistant Secretary for Science and Technology shall be assisted by Deputy Assistant Secretaries as follows:

a. The Deputy Assistant Secretary for Science and Technology shall be the overall assistant to the Assistant Secretary and shall assume full responsibilities for carrying out the functions of the Assistant Secretary during the latter's absence.

b. The Deputy Assistant Secretary for Environmental Affairs shall be the principal assistant to the Assistant Secretary on the environmental quality responsibilities of the Assistant Secretary.

c. The Deputy Assistant Secretary for Product Standards is the Director of the Office of Product Standards (see DOO 30–6, formerly DO 16).

SEC. 7. *Saving provision.* Department Organization Order 40–1A of September 15, 1970, and Department Administrative Order 216–6 of August 19, 1970, pertaining to the responsibilities of the Bureau of Domestic Commerce with respect to environmental affairs, are hereby constructively amended to reflect the actions of this order.

Effective date: December 7, 1970.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 70-17255; Filed, Dec. 22, 1970; 8:48 a.m.]

[Dept. Administrative Order 216–6]

STATEMENTS ON PROPOSED FEDERAL ACTIONS AFFECTING THE ENVIRONMENT

Policies and Procedures

The following order was issued by the Acting Secretary of Commerce on December 9, 1970. This material supersedes the material appearing at 35 F.R. 14167 of September 5, 1970.

SEC. 1. *Purpose.* This order prescribes the policies and procedures to be followed throughout the Department in the preparation of statements on proposals for legislation and other major actions significantly affecting the quality of the environment. The intent of this order is to establish a system which requires careful consideration of those factors which should be examined within the Department with regard to actions having a significant impact on the environment.

SEC. 2. *General.* .01 Section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91–190 (Attachment A)[1] and Executive Order 11514 (Attachment B)[2] require all Federal agencies to include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on:

a. The environmental impact of the proposed action,

b. Any adverse environmental effects which cannot be avoided should the proposal be implemented,

c. Alternatives to the proposed action,

d. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

e. Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

.02 The section of the law cited above further prescribes that prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to appropriate officials, as well as the public, and shall accompany the proposal through the existing agency review processes.

SEC. 3. *Policies.* .01 The Department shall, to the maximum extent possible, cooperate fully in the national effort to improve environmental quality, including extending its services to other Federal, State, and local agencies for assistance in evaluating the impact of Federal actions on the environment.

.02 Effective immediately, no major action, including legislative matters, shall be taken or approved within the Department that significantly affects the environment unless a detailed environmental statement has been prepared and approved, as provided herein.

.03 Heads of operating units shall establish procedures to assure that all relevant program matters within their respective areas of responsibility are reviewed to assess the need for statements on the impact of environmental quality.

.04 The Department is responsible for the preparation of environmental statements on only those actions related to responsibilities formally delegated or assigned to the Department. Environmental statements shall normally not be prepared by operating units on actions in support of matters which are the primary responsibility of other agencies.

.05 The Department shall fulfill its responsibilities for commenting on statements referred to it by other departments and agencies, pursuant to section 102(2)(C) of the Act and Executive Order 11514.

SEC. 4. *Scope and responsibilities.* .01 Heads of operating units shall:

a. Determine whether proposed actions of their operating unit have, or are likely to have, a significant impact on the environment;

b. Prepare necessary statements on these actions and submit them for comment and review, as provided below;

c. Comment on statements prepared by other operating units, departments and agencies which have been referred to them for that purpose; and

d. Keep the Assistant Secretary for Science and Technology generally advised of (1) future actions that will have, or be likely to have, a significant impact on the environment and (2) other matters that affect his assigned responsibilities in the environmental area.

.02 For purposes of this order, "actions" include, but are not limited to:

a. Recommendations or reports relating to legislation and appropriations;

b. Projects and continuing activities directly undertaken by Federal agencies supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of funding assistance or involving a Federal lease, permit, license, certificate or other entitlement for use; and

c. Making or changing policy or procedures.

.03 Secretarial Officers shall determine procedures for review of statements prepared by operating units under their direction.

.04 Department Organization Order 10–1 assigns the Assistant Secretary for Science and Technology certain Department-wide responsibilities for carrying out the National Environmental Protection Act and Executive Order 11514, and in connection with environmental matters generally. In discharging these responsibilities the Assistant Secretary shall:

a. Review environmental statements prepared within the Department and transmit approved statements and related material to the Council on Environmental Quality, in accordance with Council guidelines;

b. Provide for comment on statements prepared by other departments and agencies and referred to the Department for that purpose;

c. Interpret and supplement guidelines established by the Council, and otherwise provide guidance to operating units in preparing and commenting on environmental statements; and

d. Supplement procedures for preparation, review and coordination of statements contained in this order or issued

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[1] Attachment A: See 83 Stat. 852.

[2] Attachment B: See 35 F.R. 4247, March 7, 1970.

by the Council and the Office of Management and Budget, except as noted in paragraph .05 below.

Attachment C[3] to this order contains current interim guidelines for environmental statements issued by the Council. Attachment D[4] to this order contains current interim procedures for preparation, review, and coordination of these statements, issued by the Office of Management and Budget.

.05 The General Counsel and Assistant Secretary for Administration shall supplement procedures for preparation, review, and coordination of environmental statements contained in this order or issued by the Council on Environmental Quality and Office of Management and Budget, as follows:

General Counsel: Statements required in connection with legislative proposals or reports; and

Assistant Secretary for Administration: Statements required in connection with budget material.

SEC. 5. *Preparation, review, and coordination of departmental statements.* .01 All actions which relate to, or involve, environmental considerations shall be reviewed at the earliest opportunity by heads of operating units to determine significance of impact on the environment. The criteria in subsections 5 (b) and (c) of Attachment C, as supplemented by the Assistant Secretary for Science and Technology shall be used to determine significance.

.02 A draft environmental statement shall be prepared for each action which, individually or in combination with other actions, will likely have a significant impact on the environment and will include the information required in Attachment E.[5] Specifically, it shall be the responsibility of heads of operating units to:

a. Circulate draft statements and related material for comment to appropriate officials and agencies within and outside the Federal Government and consult with them, in accordance with existing procedures. Normally, a minimum of 30 calendar days will be allowed by operating units for the receipt of comments. (Refer to sections 8 and 9 of Attachment C and Section 3 of Attachment D.)

b. Give careful consideration to comments in the preparation of final environmental statements and assure that copies of any comments accompany the environmental statements.

c. Review and certify that proposed final environmental statements comply with the requirements provided by law and regulation.

d. Assure that the latest statement accompany the action item through any reviews required by existing Departmental procedures.

e. Forward twelve (12) copies of each draft and proposed final environmental statement, with comments, to the Assistant Secretary for Science and Technology and four (4) copies of each draft statement to the Administrator, National Oceanic and Atmospheric Administration.

.03 The Assistant Secretary for Science and Technology shall review and coordinate draft environmental statements with the originating office and with the Administrator, NOAA as to matters within NOAA's expertise. The Assistant Secretary for Science and Technology shall then transmit the draft and final environmental statements and comments to the Council on Environmental Quality as provided in section 10(b) of the Interim Guidelines. In addition, he shall make the statements, and the comments and views obtained with respect to them, available to the public as provided by 5 U.S.C. 552 (the Freedom of Information Act). In making this information available, he shall use central facilities of the Department to the fullest.

SEC. 6. *Implementation of actions requiring departmental statements.* Unless specifically authorized by the appropriate Assistant Secretary or other official reporting directly to the Secretary, no action for which an environmental statement is required shall be taken until 30 days after submission of the proposed final statement to the Assistant Secretary for Science and Technology.

SEC. 7. *Comments on nondepartmental statements.* .01 Operating units shall prepare comments on all environmental statements referred to them by the Assistant Secretary for Science and Technology. They shall either submit their comments directly to the requesting department or agency, or to the Assistant Secretary, as he directs. If the former, they shall provide him with a copy of their comments and incoming material when submitted.

.02 Operating units shall advise the Assistant Secretary of all requests for comments made directly to them by other departments or agencies as soon as received. They shall submit their comments and incoming materials to the Assistant Secretary, unless specifically advised to the contrary. In such cases, however, they shall provide him with a copy of the comments and incoming material.

.03 The Assistant Secretary shall review and coordinate operating unit comments with the office or offices of primary concern and with the Administrator, NOAA, as to matters within NOAA's expertise. The Assistant Secretary shall then transmit the comments to the requesting department or agency.

Effective date: December 9, 1970.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 70-17256; Filed, Dec. 22, 1970; 8:48 a.m.]

[3] Attachment C: See 35 F.R. 7391, May 12, 1970.

[4] Attachment D filed as part of original document.

[5] Attachment E filed as part of original document.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 5010; Docket No. FDC-D-228; NDA 5-010]

MEPERIDINE HYDROCHLORIDE FOR ORAL AND PARENTERAL USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Demerol Hydrochloride Tablets, Elixir, and Injection containing meperidine hydrochloride, marketed by Winthrop Laboratories, Division of Sterling Drug Inc., 90 Park Avenue, New York, New York 10016 (NDA 5010).

The drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new-drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. A new-drug application is required from any person marketing such drugs without approval.

The Food and Drug Administration is prepared to approve new-drug applications and supplements to previously approved new-drug applications under conditions described in this announcement.

I. MEPERIDINE HYDROCHLORIDE (TABLETS AND ELIXIR)

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy reports, as well as other available evidence, and concludes that meperidine hydrochloride administered orally is:

1. Effective for the relief of moderate to severe pain.

2. Probably effective for preoperative medication.

3. Lacking substantial evidence of effectiveness as a spasmolytic and for the support of anesthesia.

B. *Form of drug.* Meperidine hydrochloride preparations are in tablet or solution form suitable for oral administration.

C. *Marketing status.* Marketing of the drug may continue under the conditions described in V and VI of this announcement except that those indications referenced in paragraph IV may continue to be used as described therein.

II. MEPERIDINE HYDROCHLORIDE (PARENTERAL)

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes that meperidine hydrochloride in this form is:

1. Effective for the relief of moderate to severe pain, for preoperative medication, for support of anesthesia, and for obstetrical analgesia.

2. Lacking substantial evidence of effectiveness as a spasmolytic.

B. *Form of drug.* Meperidine hydrochloride preparations are in sterile aqueous solution form suitable for parenteral administration.

C. *Marketing status.* Marketing of the drug may continue under the conditions described in V and VI of this announcement.

III. LABELING CONDITIONS

1. The label bears the statement "Caution: Federal law prohibits dispensing without prescription."

2. The drug is labeled to comply with all requirements of the Act and regulations promulgated thereunder and those parts of its labeling indicated below are substantially as follows: (Optional additional information, applicable to the drug, may be proposed under other appropriate paragraph headings and should follow the information set forth below.)

MEPERIDINE HYDROCHLORIDE

DESCRIPTION

(Descriptive information to be included by the manufacturer or distributor should be confined to an appropriate description of the physical and chemical properties of the drug and the formulation.)

ACTIONS

Meperidine hydrochloride is a narcotic analgesic with multiple actions qualitatively similar to those of morphine; the most prominent of these involve the central nervous system and organs composed of smooth muscle. The principal actions of therapeutic value are analgesia and sedation.

There is some evidence which suggests that meperidine may produce less smooth muscle spasm, constipation, and depression of the cough reflex than equianalgesic doses of morphine. Meperidine, in 60- to 80-mg. parenteral doses, is approximately equivalent in analgesic effect to 10 mg. of morphine. The onset of action is slightly more rapid than with morphine, and the duration of action is slightly shorter. Meperidine is significantly less effective by the oral than by the parenteral route, but the exact ratio of oral to parenteral effectiveness is unknown.

INDICATIONS

For the relief of moderate to severe pain.

For preoperative medication.

For support of anesthesia (parenteral form only).

For obstetrical analgesia (parenteral form only).

CONTRAINDICATIONS

Hypersensitivity to meperidine.

Meperidine is contraindicated in patients who are receiving monoamine oxidase inhibitors (MAOI) or those who have received such agents within 14 days.

Therapeutic doses of meperidine have inconsistently precipitated unpredictable, severe, and occasionally fatal reactions in patients who have received such agents within 14 days. The mechanism of these reactions is unclear. Some have been characterized by coma, severe respiratory depression, cyanosis, and hypotension, and have resembled the syndrome of acute narcotic overdose. In other reactions the predominent manifestations have been hyperexcitability, convulsions, tachycardia, hyperpyrexia, and hypertension. Although it is not known that other narcotics are free of the risk of such reactions, virtually all of the reported reactions have occurred with meperidine. If a narcotic is needed in such patients, a sensitivity test should be performed in which repeated, small, incremental doses of morphine are administered over the course of several hours while the patient's condition and vital signs are under careful observation.

(Intravenous hydrocortisone or prednisolone have been used to treat severe reactions, with the addition of intravenous chlorpromazine in those cases exhibiting hypertension and hyperpyrexia. The usefulness and safety of narcotic antagonists in the treatment of these reactions is unknown.)

WARNINGS

Drug dependence. Meperidine can produce drug dependence of the morphine type and therefore has the potential for being abused. Psychic dependence, physical dependence, and tolerance may develop upon repeated administration of meperidine, and it should be prescribed and administered with the same degree of caution appropriate to the use of morphine. Like other narcotics, meperidine is subject to the provisions of the Federal narcotic laws.

Interaction with other central nervous system depressants. Meperidine should be used with great caution and in reduced dosage in patients who are concurrently receiving other narcotic analgesics, general anesthetics, phenothiazines, other tranquilizers, sedative-hypnotics, tricyclic antidepressants, and other CNS depressants (including alcohol). Respiratory depression, hypotension, and profound sedation or coma may result.

Head injury and increased intracranial pressure. The respiratory depressant effects of meperidine and its capacity to elevate cerebrospinal fluid pressure may be markedly exaggerated in the presence of head injury, other intracranial lesions, or a preexisting increase in intracranial pressure. Furthermore, narcotics produce adverse reactions which may obscure the clinical course of patients with head injuries. In such patients, meperidine must be used with extreme caution and only if its use is deemed essential.

Intravenous use. If necessary, meperidine may be given intravenously, but the injection should be given very slowly, preferably in the form of a diluted solution. Rapid intravenous injection of narcotic analgesics, including meperidine, increases the incidence of adverse reactions; severe respiratory depression, apnea, hypotension, peripheral circulatory collapse, and cardiac arrest have occurred. Meperidine should not be administered intravenously unless a narcotic antagonist and the facilities for assisted or controlled respiration are immediately available. When meperidine is given parenterally, especially intravenously, the patient should be lying down.

Asthma and other respiratory conditions. Meperidine should be used with extreme caution in patients having an acute asthmatic attack, patients with chronic obstructive pulmonary disease or cor pulmonale, patients have a substantially decreased respiratory reserve, and patients with preexisting respiratory depression, hypoxia, or hypercapnia. In such patients, even usual therapeutic doses of narcotics may decrease respiratory drive while simultaneously increasing airway resistance to the point of apnea.

Hypotensive effect. The administration of meperidine may result in severe hypotension in an individual whose ability to maintain his blood pressure has already been compromised by a depleted blood volume or concurrent administration of drugs such as the phenothiazines or certain anesthetics.

Usage in ambulatory patients. Meperidine may impair the mental and/or physical abilities required for the performance of potentially hazardous tasks such as driving a car or operating machinery. The patient should be cautioned accordingly.

Meperidine, like other narcotics, may produce orthostatic hypotension in ambulatory patients.

Usage in pregnancy and lactation. Meperidine should not be used in pregnant women prior to the labor period, unless in the judgment of the physician the potential benefits outweigh the possible hazards, because safe use in pregnancy prior to labor has not been established relative to possible adverse effects on fetal development.

When used as an obstetrical analgesic, meperidine crosses the placental barrier and can produce respiratory depression in the newborn; resuscitation may be required (see section on "overdosage").

Meperidine appears in the milk of nursing mothers receiving the drug.

PRECAUTIONS

Supraventricular tachycardias. Meperidine should be used with caution in patients with atrial flutter and other supraventricular tachycardias because of a possible vagolytic action which may produce a significant increase in the ventricular response rate.

Convulsions. Meperidine may aggravate preexisting convulsions in patients with convulsive disorders. If dosage is escalated substantially above recommended levels because of tolerance development, convulsions may occur in individuals without a history of convulsive disorders.

Acute abdominal conditions. The administration of meperidine or other narcotics may obscure the diagnosis or clinical course in patients with acute abdominal conditions.

Special risk patients. Meperidine should be given with caution and the initial dose should be reduced in certain patients such as the elderly or debilitated, and those with severe impairment of hepatic or renal function, hypothyroidism, Addison's disease, and prostatic hypertrophy or urethral structure.

ADVERSE REACTIONS

The major hazards of meperidine, as with other narcotic analgesics, are respiratory depression and, to a lesser degree, circulatory depression; respiratory arrest, shock, and cardiac arrest have occurred.

The most frequently observed adverse reactions include light headedness, dizziness, sedation, nausea, vomiting, and sweating. These effects seem to be more prominent in ambulatory patients and in those who are not experiencing severe pain. In such individuals, lower doses are advisable. Some adverse reactions in ambulatory patients may be alleviated if the patient lies down.

Other adverse reactions include:

Central nervous system. Euphoria, dysphoria, weakness, headache, agitation, tremor, uncoordinated muscle movements, transient hallucinations and disorientation, visual disturbances.

Gastrointestinal. Dry mouth, constipation, biliary tract spasm.

Cardiovascular. Flushing of the face, tachycardia, bradycardia, palpitation, faintness, syncope.

Genitourinary. Urinary retention.

Allergic. Pruritus, urticaria, other skin rashes, wheal and flare over the vein with I.V. injection.

Other. Pain at injection site; local tissue irritation and induration following subcutaneous injection, particularly when repeated; antidiuretic effect.

DOSAGE AND ADMINISTRATION

For relief of pain. Dosage should be adjusted according to the severity of the pain and the response of the patient. While subcutaneous administration is suitable for occasional use, intramuscular administration

is preferred when repeated doses are required. If intravenous administration is required, dosage should be decreased and the injection made very slowly, preferably utilizing a diluted solution. Meperidine is less effective orally than on parenteral administration.

Usual Dosage

Adults. 50–150 mg. I.M., S.C. or oral, every 3 or 4 hours as necessary.

Children. 0.5–0.8 mg./lb. I.M., S.C. or oral up to adult dose, every 3 or 4 hours as necessary.

For preoperative medication.

Usual Dosage

Adults. 50–100 mg. I.M. or S.C., 30–90 minutes before the beginning of anesthesia.

Children. 0.5–1 mg./lb. I.M. or S.C. up to adult dose, 30–90 minutes before the beginning of anesthesia.

For support of anesthesia. Repeated slow intravenous injections of fractional doses (e.g. 10 mg./cc.) or by a continuous intravenous infusion of a more diluted solution (e.g. 1 mg./cc.). The dose should be titrated to the needs of the patient and will depend on the premedication and type of anesthesia being employed, the characteristics of the particular patient, and the nature and duration of the operative procedure.

For obstetrical analgesia.

Usual Dosage

50–100 mg. I.M. or S.C. when pains become regular and repeated at 1–3-hour intervals.

OVERDOSAGE

Symptoms: Serious overdose with meperidine is characterized by respiratory depression (a decrease in respiratory rate and/or tidal volume, Cheyne-Stokes respiration, cyanosis), extreme somnolence progressing to stupor or coma, skeletal muscal flaccidity, cold and clammy skin, and sometimes bradycardia and hypotension. In severe overdosage, particularly by the intravenous route, apnea, circulatory collapse, cardiac arrest, and death may occur.

Treatment: Primary attention should be given to the reestablishment of adequate respiratory exchange through provision of a patent airway and institution of assisted or controlled ventilation. The narcotic antagonists, nalorphine hydrochloride and levallorphan tartrate, are specific antidotes against respiratory depression which may result from overdosage or unusual sensitivity to narcotics, including meperidine. Therefore, an appropriate dose of one of these antagonists should be administered, preferably by the intravenous route, simultaneously with efforts at respiratory resuscitation.

An antagonist should not be administered in the absence of clinically significant respiratory or cardiovascular depression.

Oxygen, intravenous fluids, vasopressors, and other supportive measures should be employed as indicated.

NOTE: In an individual physically dependent on narcotics, the administration of the usual dose of a narcotic antagonist will precipitate an acute withdrawal syndrome. The severity of this syndrome will depend on the degree of physical dependence and the dose of antagonist administered. The use of narcotic antagonists in such individuals should be avoided if possible. If a narcotic antagonist must be used to treat serious respiratory depression in the physically dependent patient, the antagonist should be administered with extreme care and only one-fifth to one-tenth the usual initial dose administered.

How Supplied. (This information is to be supplied by the manufacturer.)

IV. INDICATIONS PERMITTED DURING EXTENDED PERIOD FOR OBTAINING SUBSTANTIAL EVIDENCE

Those indications for which the drug is described in paragraph I.A.2. above as probably effective are included in the labeling conditions in paragraph III and may continue to be used for 12 months following the date of this publication to allow additional time within which holders of previously approved applications or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration data to provide substantial evidence of effectiveness.

To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12 (a) (5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

V. PREVIOUSLY APPROVED APPLICATIONS

A. Each holder of a "deemed approved" new-drug application (i.e., an application which became effective on the basis of safety prior to Oct. 10, 1962) for such drug is requested to seek approval of the claims of effectiveness and bring the application into conformance by submitting supplements containing:

1. Revised labeling as needed to conform to the labeling conditions described herein for the drug and complete current container labeling, unless recently submitted.

2. Adequate data to assure the biologic availability of the drug in the formulation which is marketed. If such data are already included in the application, specific reference thereto may be made.

3. Updating information as needed to make the application current in regard to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of the new-drug application form FD–356H to the extent described for abbreviated new-drug applications, § 130.4(f), published in the FEDERAL REGISTER April 24, 1970 (35 F.R. 6574). (One supplement may contain all the information described in this paragraph.)

B. Such supplements should be submitted within the following periods after the date of publication of this notice in the FEDERAL REGISTER:

1. 60 days for revised labeling. The supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9) which permit certain changes to be put into effect at the earliest possible time.

2. 180 days for biologic availability data.

3. 60 days for updating information.

C. Marketing of the drug may continue until the supplemental applications submitted in accord with the preceding subparagraphs A and B are acted upon, provided that within 60 days after the date of this publication, the labeling of the preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described in this announcement. (It may continue to include the indication referenced in paragraph IV for the period stated.)

VI. NEW APPLICATIONS

A. Any other person who distributes or intends to distribute such drug which is intended for the conditions of use for which it has been shown to be effective, as described under I.A. and II.A. above should submit an abbreviated new-drug application meeting the conditions specified in § 130.4(f) (1), (2), and (3), published in the FEDERAL REGISTER of April 24, 1970 (35 F.R. 6574). Such applications should include proposed labeling which is in accord with the labeling conditions described herein and adequate data to assure the biologic availability of the drug in the formulation which is marketed or proposed for marketing.

B. Distribution of any such preparation currently on the market without an approved new-drug application may be continued provided that:

1. Within 60 days from the date of publication of this announcement in the FEDERAL REGISTER, the labeling of such preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described herein. (It may continue to include the indication referenced in paragraph IV for the period stated.)

2. The manufacturer, packer, or distributor of such drug submits, within 180 days from the date of this publication, a new-drug application to the Food and Drug Administration.

3. The applicant submits within a reasonable time additional information that may be required for the approval of the application as specified in a written communication from the Food and Drug Administration.

4. The application has not been ruled incomplete or unapprovable.

VII. OPPORTUNITY FOR A HEARING

A. The Commissioner of Food and Drugs proposed to issue an order under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of all new-drug applications and all amendments and supplements thereto providing for the indications for which substantial evidence of effectiveness is lacking as described in subparagraphs I.A.3. and II.A.2. of this announcement. An order withdrawing approval of the applications will not issue if such applications are supplemented, in accord with this notice, to delete such indications. Promulgation of the proposed order would cause any drug for human use containing the same components and offered for the indications for which substantial evidence of

effectiveness is lacking, to be a new drug for which an approved new-drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

B. In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the holders of any such applications, and any interested person who would be adversely affected by such an order, an opportunity for a hearing to show why such indications should not be deleted from labeling. A request for a hearing must be filed within 30 days after the date of publication of this notice in the FEDERAL REGISTER. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing, together with a well-organized and full-factual analysis of the clinical and other investigational data the objector is prepared to prove in a hearing. Any data submitted in response to this notice must be previously unsubmitted and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12 (a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety. If a hearing is requested and justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue a written notice of the time and place at which the hearing will commence.

VIII. UNAPPROVED USE OR FORM OF DRUG

A. If the article is labeled or advertised for use in any condition other than those provided for in this announcement, it may be regarded as an unapproved new drug subject to regulatory proceedings until such recommended use is approved in a new-drug application, or is otherwise in accord with this announcement.

B. If the article is proposed for marketing in another form or for a use other than the use provided for in this announcement, appropriate additional information as described in § 130.4 of § 130.9 of the regulations (21 CFR 130.4, 130.9) may be required, including results of animal and clinical tests intended to show whether the drug is safe and effective.

Representatives of the Administration are willing to meet with any interested person who desires to have a conference concerning proposed changes in the labeling set forth herein. Requests for such meetings should be made to the Office of Marketed Drugs (BD-200), at the address given below, within 30 days after the publication of this notice in the FEDERAL REGISTER.

A copy of the NAS-NRC report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 5010 and be directed to the attention of the following appropriate office and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Marketed Drugs (BD-200), Bureau of Drugs.

Original abbreviated new-drug applications (identify as such): Office of Marketed Drugs (BD-200), Bureau of Drugs.

Request for Hearing (identify with Docket number): Hearing Clerk, Office of General Counsel (GC-1), Room 6-62, Parklawn.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.

Requests for NAS-NRC report: Press Relations Office (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: November 18, 1970.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[F.R. Doc. 70-17215; Filed, Dec. 22, 1970; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-344]

PORTLAND GENERAL ELECTRIC CO. ET AL.

Notice of Application for Construction Permit and Operating License

The Portland General Electric Co., 621 Southwest Alder Street, Portland, OR; the city of Eugene, Eugene Water & Electric Board, 500 East Fourth Street, Eugene, OR; and Pacific Power & Light Co., 920 Southwest Sixth Avenue, Portland, OR (the applicants), pursuant to the Atomic Energy Act of 1954, as amended, filed an application, dated June 25, 1969, for a permit to construct and a license to operate a pressurized water nuclear power reactor at the Trojan Nuclear Plant, an approximately 623-acre site on the west bank of the Columbia River, about 31 miles north of Portland, Oreg., 4 miles south-southeast of Rainier, Oreg., and 3 miles northwest of Kalama, Wash., in Columbia County, Oreg.

In amendments to its application, the Portland General Electric Co. (the applicant) and the city of Eugene, Oreg., acting by and through the Eugene Water & Electric Board and the Pacific Power & Light Co. (the coapplicants) will be coowners of the proposed Trojan Nuclear Plant. Portland General Electric Co. will act as representative of the owners with respect to design, construction and operation of the facility.

The proposed reactor, designated as the Trojan Nuclear Plant, is designed for initial operation at approximately 3,423 thermal megawatts with a net electrical output of approximately 1,106 megawatts.

A copy of the application and the amendments thereto are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Law Library, Columbia County Circuit Court, St. Helens, Oreg.

Dated at Bethesda, Md., this 27th day of November 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-16031; Filed, Dec. 1, 1970; 8:45 a.m.]

[Docket No. 50-375]

NORTH AMERICAN ROCKWELL CORP.

Notice of Receipt of Application for Facility License

The North American Rockwell Corp., Atomics International Division, Canoga Park, Calif., has filed an application dated November 25, 1970, for a license pursuant to section 104.c of the Atomic Energy Act of 1954, as amended, to acquire, possess, and operate the L-85 Nuclear Examination Reactor located at its Nuclear Development Field Laboratories site in the Simi Hills near Los Angeles, Calif.

The L-85 reactor is the former AEX6 reactor which Atomics International has been operating under contract with the Atomic Energy Commission since 1956 at power levels up to 2.5 thermal kilowatts. The applicant proposes to modify the facility for operation at 3 thermal kilowatts and to use it to provide a source of neutrons for neutron radiography, for neutron activation or irradiation work, and for training reactor operators.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 14th day of December 1970.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 70-17240; Filed, Dec. 22, 1970; 8:47 a.m.]

[Docket No. 50-208]

TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK

Extension of Completion Date

The Trustees of Columbia University in the city of New York having filed a request for extension of the latest completion date specified in Construction Permit No. CPRR-78, in order to permit the completion of pending proceedings concerning the issuance of an operating license, and good cause having been shown for extension of said date pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered, That the latest completion date is extended to June 30, 1971.

Date of issuance: December 14, 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-17241; Filed, Dec. 22, 1970; 8:47 a.m.]

[Docket No. 50-356]

UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

Extension of Completion Date of Construction Permit

The University of Illinois having filed a request dated November 25, 1970, for extension of the latest completion date specified in Construction Permit No. CPRR-110, which authorizes the construction of a low power reactor assembly (LOPRA) on the University's campus at Urbana, Ill., and good cause having been shown for extension of said date, pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and 10 CFR § 50.55 of the Commission's regulations:

It is hereby ordered, That the latest completion date for Construction Permit No. CPRR-110 is extended from January 1, 1971, to April 1, 1971.

Date of issuance: December 14, 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-17243; Filed, Dec. 22, 1970; 8:47 a.m.]

[Docket No. 50-166]

UNIVERSITY OF MARYLAND

Extension of Completion Date of Construction Permit

University of Maryland having filed a request dated November 25, 1970, for extension of the latest completion date specified in Construction Permit No. CPRR-108, which authorizes the installation of a new reactor console and a TRIGA Mark III control and instrumentation (C&I) system as a replacement for the present reactor console and C&I system in the existing reactor located on the University's campus at College Park, Md., and good cause having been shown for extension of said date, pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and 10 CFR 50.55 of the Commission's regulations:

It is hereby ordered, That the latest completion date for Construction Permit No. CPRR-108 is extended from November 30, 1970, to March 1, 1971.

Date of issuance: December 14, 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-17242; Filed, Dec. 22, 1970; 8:47 a.m.]

GENERAL MANAGER'S DRAFT ENVIRONMENTAL STATEMENT—RADIOACTIVE WASTE REPOSITORY, LYONS, KANS.

Notice of Availability

Notice is hereby given that a document entitled "Draft Environmental Statement—Radioactive Waste Repository, Lyons, Kans." issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(C) of the National Environmental Policy Act of 1969 is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and in the Commission's Oak Ridge Operations Office, Post Office Box E, Oak Ridge, TN 37830; the Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439; the New York Operations Office, 376 Hudson Street, New York, NY 10014; and the San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704. This statement covers the environmental aspects of the Commission's proposal to establish a radioactive waste repository to assure future isolation of such wastes from the biosphere and the human environment.

The draft statement will be furnished upon request addressed to the General Manager, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Washington, D.C., this 17th day of December 1970.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary
of the Commission.

[F.R. Doc. 70-17211; Filed, Dec. 22, 1970; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19939; Order 70-12-112]

AIR WEST

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of December 1970.

On August 11, 1970, Hughes Air Corp., doing business as Air West (Air West) filed an amended application seeking authority to operate one of the routes set forth in the recently revised Air Transport Services Agreement governing United States-Mexico air services.[1] Subsequently, on August 20, 1970, Air West filed a motion for issuance of an order to show cause why its certificate for route 76-F should not be amended as requested in its pending application.

Air West is the presently designated U.S. carrier over the United States-Mexico route in question, and no answers in opposition to the carrier's request have been received.[2]

Upon consideration of Air West's request and other relevant facts, we have decided to issue an order to show cause, proposing to award Air West the requested authority. We tentatively find and conclude that the public convenience and necessity require the amendment of segment 2 of Air West's certificate for Route 76-F to conform to the revised description of U.S. Route M.

In support of our ultimate conclusion, we tentatively find and conclude as follows:

Air West currently operates over U.S. Route M, and no U.S. carrier or other party has opposed the requested amendment or has sought to consolidate a competing application for the authority at issue. The new bilateral route involves primarily the addition of the new points, Guadalajara and San Jose del Cabo, which would logically be granted to the current designee of U.S. Route M, absent objections. Moreover, Guadalajara is the second largest city in Mexico, and its addition as a coterminal point should markedly strengthen Air West's Mexican route. The carrier estimates that the amendment will enable it to achieve a subsidy need reduction of $70,000 after allowance for return on investment and

[1] On July 31, 1970, the United States and Mexico concluded an exchange of notes which amended and extended (until June 30, 1973) the Air Transport Services Agreement governing United States-Mexico air services, originally signed on Aug. 15, 1960. Among other modifications, the July 31, 1970, amendment revised U.S. Route M to read as follows: "Phoenix, Tucson-Guaymas, La Paz, San Jose del Cabo, Mazatlan, Puerto Vallarta, Guadalajara." The amended Route M was made subject to Condition 3.D. which requires the designated airline to make an intermediate stop in both directions on flights between Phoenix and Guadalajara, and to make intermediate stops at Guaymas, La Paz, and Mazatlan in corresponding order in both directions on flights serving both Tucson and Puerto Vallarta. Finally, it was agreed that all points on U.S. Route M should be designated as coterminals through a modification in the prior route description to eliminate the term "via" therefrom with respect to the intermediate points listed therein.

[2] The Board has received a letter from the Acting Commissioner of Customs, Department of the Treasury, advising that inauguration of direct international air service at Phoenix, Ariz., will have to await the establishment of customs inspection facilities at that point.

taxes. In light of the carrier's experience in serving its smaller Mexico markets, we believe that the forecast is reasonably attainable.[3] Finally, Air West has indicated that it expects to operate the amended route utilizing existing equipment, which should enable the carrier to increase its present aircraft utilization and thus achieve lowered unit costs in its operations as a whole.

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis.

If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary, and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

During the same 20-day period prescribed above, we will expect Air West to file with the Board an estimate, with supporting data, of the annual gross transport revenue increase for the first full year of operations resulting from the amended authority proposed herein. This data is requested for the purpose of computing the appropriate licensing fee pursuant to § 389.25(a) (2) (i) of the Board's Organization Regulations.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, and amending Hughes Air Corp.'s certificate for route 76–F so as to amend segment 2 thereof to read as follows:

2. Between the coterminal points Phoenix and Tucson, Ariz., and the coterminal points Guaymas, Las Paz, San Jose del Cabo, Mazatlan, Puerto Vallarta, and Guadalajara, Mexico.

2. Any interested persons having objections to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;[4]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action; and

5. A copy of this order shall be served upon American Airlines, Inc., Continental Airlines, Inc., Delta Air Lines, Inc., Frontier Airlines, Inc., Trans World Airlines, Inc., Western Air Lines, Inc., Governor, State of Arizona, and Bureau of Customs, Treasury Department.

This order will be placed in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

[F.R. Doc. 70–17279; Filed, Dec. 22, 1970; 8:50 a.m.]

[3] Air West's present authority over segment 2 of route 76–F is not eligible for subsidy, and the carrier has not requested that the amended authority be made eligible for subsidy.

[4] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

[Docket Nos. 22859, 22897; Order 70–12–99]

AMERICAN AIRLINES, INC., AND BRANIFF AIRWAYS, INC.

Order Instituting Domestic Air Freight Rate Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of December 1970.

By a tariff[1] bearing the posting date of October 20, 1970, and marked to become effective January 1, 1971, American Airlines, Inc. (American) proposes to establish reduced space-available "aireconomy" general commodity rates in four selected markets.[2] Braniff Airways, Inc. (Braniff) has filed to meet American's rates from Dallas to New York by tariff revision[1] bearing the posting date of November 9, and marked to become effective January 1, 1971. American's and Braniff's proposals are marked to expire on January 1, 1972.

The proposed rates would effect a reduction of 40 percent from the currently applicable general commodity rates and would provide the alternative of either door-to-door or airport-to-airport service. Shipments utilizing door-to-door service would be charged the normal Area A pick-up and delivery charge in addition to the line-haul charge. Pick-up or delivery would be performed in normal service and processed at the carriers' convenience. Shipments in airport-to-airport service would be restricted as to time of tender[3] and would be assessed an additional $2 per shipment to offset the cost of storing and notifying the consignee that the shipment is available for pickup.

[1] Airline Tariff Publishers, Inc., Agent, Tariff CAB No. 152.

[2] From Dallas to Los Angeles and New York, and between Los Angeles and Philadelphia.

[3] Philadelphia 10 a.m. to 4 p.m.; Dallas 11 a.m. to 4 p.m.; and Los Angeles 1 p.m. to 5 p.m. of the same day.

The minimum weight per shipment under both airport-to-airport and door-to-door services would be 500 pounds. Shipments with a declared value in excess of 50 cents per pound or $50 per shipment would not be accepted. Specific traffic, such as perishables, animals, human remains, oversize pieces, valuables, and sea-air traffic, would also be excluded from the proposed aireconomy service. Tracing of shipments would not be performed until such shipments have been in the carrier's possession for approximately 4 days.

Complaints requesting investigation and suspension have been filed by The Flying Tiger Line Inc., Seaboard World Airlines, Inc., United Air Lines, Inc., and jointly by Shulman, Inc., doing business as Shulman Air Freight and WTC Air Freight, Inc., air freight forwarders. In addition the Board has received various letters from shippers in support of American's proposal.

The complainants assert, inter alia, that American's proposal is substantially identical to two earlier "space-available" proposals that were suspended by the Board; that the only distinctions between the proposed aireconomy service and those suspended are (1) the substitution of Philadelphia for New York in certain movements while retaining the other points that were originally involved, (2) the extension of the holding time at origin from 4 a.m. to 10 a.m. of the day following tender of the shipment and (3) the proposal would be in effect for 1 year rather than 6 months as in the more recent of the suspended filings.

The complainants maintain that shippers could still receive overnight service under the proposed tariff in three of the four markets in the proposal as a result of American's schedules; that the proposed service would result in higher costs, by way of handling, marking or otherwise distinguishing aireconomy freight from standard service freight, and the need for increased terminal storage space; that any new traffic developed by the proposed rates would require additional administrative costs; that the holding of freight for an additional 6 hours would make it more subject to theft and pilferage, etc. It is argued that American, under its aireconomy proposal, would have to reduce its system unit costs by 34 percent just to meet its revenue and return needs at its current average all-cargo service yield, but, since dilution will occur, the cost reductions would have to be higher than 34 percent. In this regard, the complainants point out that American does not propose terminal bypass costs savings or savings in terminal handling and warehousing or even savings due to simplified accounting or billing, and it is alleged that almost 30 percent of American's cargo traffic servicing costs were incurred in warehousing when freight was not being deferred. According to the complainants, American has not submitted adequate data supporting its allegations as to cost of the proposed service or as to the forecast of traffic volume to be generated, nor has it identified a single

shipper or commodity that would be attracted from surface transportation to air by the proposed rates.

The complainants contend that American would subsidize the proposed rates from its recent proposals to increase passenger fares and to increase air mail rates; that American is in no position to offer such a generous discount when, by its own admission, it is already losing $16 million per year on belly traffic; and that American's proposal will prove harmful to the air cargo industry particularly when the four largest carriers reported operating losses in all cargo operations of $24 million in fiscal year 1970.

In justification of its proposal and in answer to the complaints, American asserts, inter alia, that (1) the proposed rates will develop traffic for daytime, nonpeak hours and will thereby increase utilization of aircraft, terminal facilities, and available manpower; consequently, the additional traffic that will be generated can be handled and transported at little or no added cost; (2) the rates proposed will significantly narrow the differential between air and surface transportation charges resulting in considerable diversion from surface to air transportation; and (3) diversion of present air traffic to airconomy service would be minimal because of the exclusion of certain types of traffic, the proposed minimum weight of 500 pounds, and the 17- to 24-hour delay at origin.

American estimates that approximately 36 percent of the revenue from its present traffic, in the four segments involved, would be subject to diversion. The carrier contends, however, that assuming a diversion of as much as 25 percent of the eligible traffic, no more than 9.1 percent of the total revenue would be subject to dilution; that generation of new traffc amounting to 5.9 percent of total traffic would offset this dilution and that rate reductions of the magnitude proposed would generate at least a 15 percent increase in traffic, which would result in an increase in revenues for American of over $200,000, after allowance for dilution.

American points out that its unit costs for the year 1971 as set forth in Docket 21866-7 shows that the fully allocated ground costs for a 500-pound shipment is $8.31 per hundred pounds while the lowest rate for a 500-pound shipment under the proposed tariff would be $9.50 per hundred pounds and that in the case of a 3,000-pound shipment from Dallas to New York, to which the lowest proposed rate would be applicable, the ground costs allocable to such a shipment would be $5.52 per hundred pounds while the rate would be $7.25 per hundred pounds. According to the carrier, full allocation of ground costs is unwarranted since manpower is substantially underutilized today and as a result there is capacity to handle considerable additional units of traffic with no increase in manning, provided the freight can be processed at the carrier's convenience during nonpeak hours and that any additional costs resulting from storing shipments, will be minimal and will be far less than the savings resulting from the economies in the other ground handling functions. Finally, American asserts that the complainants' allegations completely ignore the significant changes it has made in the instant proposal to meet the objections raised by the Board with regard to its previous proposals.

Braniff provided no justification for its filing other than a statement that it was to meet competition.

Upon consideration of the complaints and other relevant matters, the Board finds that American's and Braniff's proposals may be unjust, unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated.

The carriers' proposals, offering a 40-percent discount from the general commodity rates, have a potential to generate traffic which is not now moving by air. The need for additional traffic is particularly acute in view of the carriers' current economic situation. Preliminary statistics show that the rate of growth of freight has been reduced from an average of 12.3 percent for the year ended December 31, 1969, to rates of growth of 0.1 and 0.2 percent for the months of August and September 1970, respectively, over the same months of the previous year.

The Board concludes that the new service can be distinguished from standard service and that it provides deterrents to shippers from shifting from standard service to the lower-priced service which are sufficient to warrant the tariffs becoming effective during the experimental period of 1 year. In this regard, the new proposals defer the carriage of traffic under this tariff until 10 a.m. of the day after the shipment is tendered, which detains shipments for an additional 6 hours over the deferral period in the previous proposals.[4] In addition, there are space-available provisions resulting in shippers not being assured that their freight would move on any particular flight; the restrictions applicable to certain traffic (shipments over 500 pounds, perishables, animals, oversized pieces, etc.) and other reduced-service provisions such as delayed tracing of missing shipments and the restriction against shipments having excess declared valuation which will operate to limit the use of the space-available tariffs for traffic now using standard service. This should be particularly applicable to shipments requiring overnight service such as forwarder traffic. Inasmuch as the viability of the proposal can best be tested in actual operation, and in consideration of all the facts and circumstances, the Board will deny the requests for suspension. The Board finds, however, that the questions presented warrant investigation of the tariff. The investigation ordered herein will be consolidated into the Domestic Air Freight Rate Investigation, Docket 22859.

We shall expect American and Braniff to submit comprehensive reports indicating the volume of traffic transported under the proposal and other relevant data. The details of the reports will be worked out by consultation between the carriers and Board staff members.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the rates, charges and provisions of Tariff CAB No. 152 issued by Airline Tariff Publishers, Inc., Agent, including subsequent revisions and reissues thereof, and rules, regulations and practices affecting such rates, charges and provisions are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful rates, charges and provisions and rules, regulations, or practices affecting such rates, charges and provisions;

2. The investigation ordered herein is consolidated into the Domestic Air Freight Rate Investigation, Docket 22859;

3. The complaints of The Flying Tiger Line Inc., in Docket 22707; Seaboard World Airlines, Inc., in Docket 22705; United Air Lines, Inc., in Docket 22703; and jointly by Shulman, Inc., doing business as Shulman Air Freight and WTC Air Freight, Inc., in Docket 22724 are dismissed except to the extent granted herein;

4. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

5. Copies of this order shall be served upon American Airlines, Inc., Braniff Airways, Inc., The Flying Tiger Line, Inc., Seaboard World Airlines, Inc., Shulman, Inc., doing business as Shulman Air Freight, United Air Lines, Inc., and WTC Air Freight, Inc., which are hereby made parties to this proceeding and upon all parties in Docket 22859.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-17277; Filed, Dec. 22, 1970; 8:50 a.m.]

[4] United, in its complaint against the more recent of American's space-available proposals, maintained that to effect a meaningful distinction between classes of service, space-available traffic should not be transported until 10 a.m. of the day following tender.

[Docket No. 22370]

CHINA AIRLINES

Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on January 6, 1971, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Richard M. Hartsock.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless on or before January 4, 1971, a person objects or shows reason for further postponement.

Dated at Washington, D.C., December 17, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-17272; Filed, Dec. 22, 1970; 8:50 a.m.]

[Docket No. 22834; Order 70-12-97]

COMMUTER AIRLINES, INC.

Order To Show Cause

Issued under delegated authority December 16, 1970.

The Postmaster General filed a notice of intent December 1, 1970, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 65 cents per great circle aircraft mile for the transportation of mail by aircraft between Elmira and New York (LGA), via Binghamton, N.Y., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beechcraft 18 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Commuter Airlines, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 65 cents per great circle aircraft mile between Elmira and New York (LGA), via Binghamton, N.Y., based on five round trips per week.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.16(f):

It is ordered, That:

1. Commuter Airlines, Inc., the Postmaster General, Eastern Air Lines, Inc., Mohawk Airlines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Commuter Airlines, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Commuter Airlines, Inc., the Postmaster General, Eastern Air Lines, Inc., and Mohawk Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-17278; Filed, Dec. 22, 1970; 8:50 a.m.]

[Docket No. 21866-6B]

DOMESTIC PASSENGER FARE INVESTIGATION

Notice of Oral Argument

Phase 6B-load factor.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on January 15, 1971, at 10:00 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the Board.

Dated at Washington, D.C., December 18, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-17273; Filed, Dec. 22, 1970; 8:50 a.m.]

[Docket No. 22388]

EXPRESS SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on January 21, 1971, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner James S. Keith.

Requests for information and evidence, statements of proposed issues, and proposed procedural dates shall be filed with the Examiner, Bureau Counsel, and all parties on or before January 15, 1971.

Dated at Washington, D.C., December 17, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-17274; Filed, Dec. 22, 1970; 8:50 a.m.]

[Docket No. 22634]

LEP TRANSPORT, LTD. (UNITED KINGDOM)

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on January 7, 1971, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Edward T. Stodola.

Dated at Washington, D.C., December 17, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-17275; Filed, Dec. 22, 1970; 8:50 a.m.]

[Docket No. 22635]

McGREGOR SWIRE AIR SERVICES (AMERICA), INC.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned for January 6, 1971, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington DC, before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., December 17, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-17276; Filed, Dec. 22, 1970; 8:50 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF COMMERCE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Chief

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

Counsel, National Oceanic and Atmospheric Administration.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17227; Filed, Dec. 22, 1970; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Director, Office of Telecommunications, Office of the Assistant Secretary for Science and Technology.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17229; Filed, Dec. 22, 1970; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Domestic Business Policy, Assistant Secretary for Domestic and International Business.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17228; Filed, Dec. 22, 1970; 8:46 a.m.]

DEPARTMENT OF DEFENSE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Assistant to the President for National Security Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17230; Filed, Dec. 22, 1970; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Title Change in Noncareer Executive Assignment

By notice of October 22, 1969, F.R. Doc. 69-12619 the Civil Service Commission authorized the Department of Health, Education, and Welfare to fill by noncareer executive assignment the position of Deputy Assistant Secretary/Deputy Commissioner for Planning, Research and Evaluation, Office of the Secretary. This is notice that the title of this position is now being changed to Deputy Commissioner for Planning, Research and Evaluation, Office of Education.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 17231; Filed, Dec. 22, 1970; 8:46 a.m.]

OFFICE OF THE VICE PRESIDENT

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of the Vice President to fill by noncareer executive assignment in the excepted service the position of Assistant to the Vice President for Political Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17232; Filed, Dec. 22, 1970; 8:46 a.m.]

FOREIGN LANGUAGE BROADCASTING IN WASHINGTON, D.C., AREA AND FORT GEORGE G. MEADE, MD.

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on November 19, 1970, for the positions of Foreign Language Broadcasting GS-1048-7/15 in the Washington, D.C., Standard Metropolitan Statistical Area (SMSA) and Fort George G. Meade, Md.

Assuming other legal requirements are met, an appointee to any of these positions may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-17233; Filed, Dec. 22, 1970; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

MATSON NAVIGATION CO. AND INTEROCEAN STEAMSHIP CORP.

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, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La, and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. 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:

Peter P. Wilson, Esq., Matson Navigation Co., 100 Mission Street, San Francisco, Calif. 94105.

Agreement No. 9909 between Matson Navigation Co. and Interocean Steamship Corp. provides for the lease of Matson containers and container equipment to Interocean in accordance with the terms contained therein.

Dated: December 18, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-17283; Filed, Dec. 22, 1970; 8:51 a.m.]

ORIENTAL CENTRAL AMERICA LINES, INC., AND CHINESE MARITIME TRUST, LTD.

Notice of Issuance of Casualty Certificate

Security for the protection of the public; financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages.

Notice is hereby given that the following have been issued a certificate of financial responsibility to meet liability

incurred for death or injury to passengers or other persons on voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Oriental Central America Lines, Inc., and/or Chinese Maritime Trust, Ltd. (Orient Overseas Line), 80 Broad Street, Monrovia, Liberia.

Dated: December 18, 1970.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-17284; Filed, Dec. 22, 1970; 8:51 a.m.]

ORIENTAL CENTRAL AMERICA LINES, INC., AND CHINESE MARITIME TRUST, LTD.

Notice of Issuance of Performance Certificate

Security for the protection of the public; indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a certificate of financial responsibility for indemnification of passengers for nonperformance of transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Oriental Central America Lines, Inc., and/or Chinese Maritime Trust, Ltd. (Orient Overseas Line), 80 Broad Street, Monrovia, Liberia.

Dated: December 18, 1970.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-17285; Filed, Dec. 22, 1970; 8:51 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

The following application was tendered December 10, 1970, seeking the identical facilities of former station KFLY, Corvallis, Oreg. The license of KFLY was revoked September 2, 1970, and the station will cease operation on or before March 3, 1971. Accordingly, we have waived the provisions of note 2 to § 1.571 of the Commission's rules and accepted this application for filing. Similarly, we will accept any other application for consolidation which proposes essentially the same facilities.

New, Corvallis, Oreg.
Corvallis Broadcasting Corp.
Req: 1240 kc., 250 w., 1 kw.-LS., U.

Pursuant to the provisions of §§ 1.227 (b)(1), 1.591(b), and note 2 to § 1.571 of the Commission's rules, an application, in order to be considered with this application must be in direct conflict and tendered no later than January 29, 1971.

The attention of any party in interest desiring to file pleadings concerning this application, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for the provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: December 17, 1970.

Released: December 18, 1970.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-17260; Filed, Dec. 22, 1970; 8:49 a.m.]

[FCC 70-1328]

USE OF TELECASTS TO INFORM AND ALERT VIEWERS WITH IMPAIRED HEARING

DECEMBER 17, 1970.

The Commission's attention has been directed to the need of deaf persons, and those with impaired hearing, for information concerning emergency situations which may affect safety of life or property, as well as their desire to benefit from news, information, and entertainment programs.[1] Estimates of the number of citizens who have impaired hearing and therefore have need for the receipt of news and entertainment material through appropriate television programing range from 8.5 million to 20 million. Many of these persons, it appears, live alone and oftentimes do not receive important news information unless advised by neighbors or friends.

As AM and FM radio are ideally suited to bring news, informational material, and entertainment to the blind, so the video segment of telecasts are ideally suited to alert, assist, and entertain persons with impaired hearing. Therefore, the capability of television to present visual material should be used to its fullest extent, i.e., while oral announcements of news bulletins, sports scores, weather conditions, etc. are being made on a telecast that the same material be presented, when feasible, visually.

The material which persons with impaired hearing need and desire to receive via telecasts falls basically into two categories—first, rapid receipt of emergency information which concerns the safety of life or property, and second, the receipt of news, information and entertainment. In respect to the need of all citizens including the deaf and hard of hearing for information concerning emergency situations, we are convinced there can be little argument. We suggest to TV broadcasters that they make use of visual announcements along with oral announcements when presenting bulletins of an emergency nature, such as approaching tornadoes, windstorms, hazardous driving conditions, escaped convicts, industrial accidents, health hazards and other community dangers. These visual announcements would not only provide an alert to persons with impaired hearing, but would also emphasize the importance of the announcement to all viewers.

The second category of telecasts (news, information and entertainment) with which the deaf and hard of hearing are concerned, also is significant and worthy, in our view, of broadcasters' attention. Leaders of the deaf and hard of hearing have made the following suggestions: In respect to news programs—that visual bulletins of the matter under discussion be presented, that weather maps have descriptive phrases placed on them and that some segment of the screen be, as far as possible, continually reserved for the presentation of the face of the announcer so as to permit lip-reading. In respect to informational programs—that such programs be presented concerning the problems of the deaf and hard of hearing. At this time we note that various educational television stations have been and are presenting courses in lip-reading. In respect to entertainment—that during sports programs the scoreboard be frequently flashed on the screen, that names of players or persons being pictured be presented in written form and that broadcasts of movies be made with subtitles when films are available with subtitles. We understand that some subcaptioned Hollywood films are available from the Division of Media Services and Captioned Films of the U.S. Office of Education.

We wish to emphasize that it is the responsibility of each licensee to determine how it can most effectively meet the needs of its viewers. We have not adopted and do not propose definite rules on this subject, and this Public Notice is advisory in nature. The above are suggestions of program presentation techniques which could assist a segment of our population, suffering from a significant handicap, and make the tremendously powerful television medium more useful to them. We believe that these techniques can be applied, to a significant degree, without interfering with the station's service to its general audience, and urge broadcasters to explore them and apply them to the extent feasible.

One approach to this subject which we believe warrants exploration is the possibility of stations presenting material in a form especially useful to the deaf on a rotating basis. If this were done, for example, by each of the various stations in a large city for a month, it might be

[1] The petition raising this subject mentioned particularly emergency material. To the extent that the petition concerns the transmission of written information relating to an Emergency Action Notification during conditions of a grave national crisis or war, or the use of EBS facilities, interconnecting systems and procedures including the use of the Attention Signal for day-to-day emergencies posing a threat to the safety of life and property, this matter is under active consideration by the National Industry Advisory Committee and action in this area will be considered at the conclusion of their studies.

possible for them to do more in the way of visual presentation of value to the deaf than each station would be able to do (or justified in doing) continuously. We suggest that licenses in multistation markets explore this possibility. The Commission does not believe that discussions and joint efforts among licensees concerning programing for the deaf, without extending into other areas of programing or commercial practices, would be subject to question under the antitrust laws.

We hope that this Public Notice will alert licensees to the importance of making television a truly valuable medium for the hard of hearing, and of our concern about the matter. We will observe developments in this area in the near future, and if the situation does not develop satisfactorily it may be necessary to begin rule making looking toward the adoption of minimum requirements.

Action by the Commission December 16, 1970.[2]

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-17261; Filed, Dec. 22, 1970; 8:49 a.m.]

FOREIGN-TRADE ZONES BOARD

McALLEN TRADE ZONE, INC.

Application for Special-Purpose Foreign-Trade Subzone at La Porte, Tex.; Examiners Committee Investigation and Invitation for Comments in Writing

Notice is hereby given that an Examiners Committee has been appointed to investigate that part of an application made by McAllen Trade Zone, Inc., a Texas corporation (applicant), filed in May 1970, which requests a grant of authority from the Foreign-Trade Zones Board (Board) to permit the establishment of a special-purpose foreign-trade subzone at La Porte, Tex. The subzone would encompass a hydrofluoric acid manufacturing facility owned and operated by E. I. du Pont de Nemours & Co., located on a 6-acre site at Brinson Point in the city of La Porte, Harris County, Tex. (about 15 miles from the center of Houston, which is a designated customs port of entry).

The subzone application is a supplementary part of an application for a general-purpose zone at McAllen, Tex., filed with the Board by the applicant on May 18, 1970. The FEDERAL REGISTER notice (35 F.R. 8258, May 26, 1970) concerning the processing of the general-purpose zone application indicated that the supplementary part of the application concerning the La Porte subzone would be processed separately and at a later time. There is a distance of some 350 miles between the site of the general purpose zone and the proposed subzone.

The application under consideration asks that the above described existing hydrofluoric acid facility be permitted to operate as a foreign-trade subzone so as to utilize the customs privileges of the Foreign-Trade Zones Act of 1934, as amended (19 U.S.C. 81a et seq.) and the regulations of the Foreign-Trade Zones Board (15 CFR Part 400). Generally, these privileges permit the movement of foreign dutiable merchandise into U.S. foreign-trade zones without a formal customs entry and payment of duties unless and until the merchandise, or its product, is moved from the zone into U.S. customs territory for domestic consumption. Duties are then imposed on either the products withdrawn from the zone, or on the raw materials used in their production, at the option of the person liable for the payment of duties. The hydrofluoric acid facilities under consideration use as a raw material approximately 100,000 tons of fluorspar annually, most of which is imported from Mexico. Imported fluorspar is dutiable under Items 522.21 (acid grade) and 522.24, Tariff Schedules of the United States. Hydrofluoric acid is nondutiable (Item 416.20, T.S.U.S.).

The general-purpose zone part of the application has been processed, and was approved by the Board on October 26 (35 F.R. 16962, November 3, 1970). The processing of the subzone part of the application will now commence with an investigation of the application by an Examiners Committee appointed pursuant to § 400.1308 of the Board's regulations (15 CFR Part 400). The committee, designated "Examiners Committee (La Porte)", is composed of: Milton A. Berger (Chairman), Assistant Director, Office of International Investment, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C.; Cleburne M. Maier, Regional Commissioner of Customs, Region VI, Houston, Texas; and, Colonel Nolan C. Rhodes, District Engineer, U.S. Army Engineer District Galveston, Galveston, Tex.

In connection with this investigation, interested persons and organizations are invited to submit comments in writing (10 copies) concerning any aspect of the proposal, including views as to the effect which the operation of this plant as a foreign-trade subzone would have on related industries and producers of raw materials used in the production of hydrofluoric acid. Such submissions must be received within 45 days of the appearance of this notice in the FEDERAL REGISTER. Comments should be addressed to:

Milton A. Berger, Chairman, Examiners Committee (La Porte), Foreign-Trade Zones Board (Code 816), U.S. Department of Commerce, Washington, D.C. 20230.

After comments received during the 45 day period are reviewed, a public hearing will be scheduled for which notice will appear in the FEDERAL REGISTER.

Copies of the supplementary subzone application under consideration will be available for public inspection at each of the following locations during the 45 day period:

Office of the Director, U.S. Department of Commerce Field Office, Old Federal Building, Room 1017, 201 Fannin Street, Houston, Tex., (Edward T. Fecteau, Jr., Director).

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Washington, D.C., Phone (202) 967-2862.

Dated: December 18, 1970.

JOHN J. DA PONTE, Jr.,
Acting Executive Secretary,
Foreign-Trade Zones Board.

[F.R. Doc. 70-17254; Filed, Dec. 22, 1970; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4954]

COLUMBIA GAS SYSTEM, INC., AND COLUMBIA COAL GASIFICATION CORP.

Notice of Proposed Acquisition of Common Stock of Newly Organized Company Proposing To Engage in Development of Gasification of Coal

DECEMBER 17, 1970.

Notice is hereby given that The Columbia Gas System, Inc. (Columbia), 20 Montchanin Road, Wilmington, DE 19807, a registered holding company, and the Columbia Coal Gasification Corp. (Coal Gasification), a Delaware corporation recently organized by Columbia, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 9, 10, and 12 of the Act and Rules 41, 43, 44, and 45 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

Columbia owns a interconnected natural gas system for the production, purchase, storage, transmission, and distribution at retail and at wholesale of natural gas. At September 30, 1970, it had consolidated property, plant and equipment (principally gas plant), less reserves for depreciation and depletion, of $1,762 million and for the year then ended, operating gas revenues of $821 million.

Coal Gasification was organized for the purpose of researching, developing, and ultimately producing a low cost, direct substitute for natural gas from the synthesis of coal. At present, it has no securities outstanding, no paid-in capital and has transacted no business. Upon the consummation of the proposed transaction, it will become a wholly owned subsidiary of Columbia.

[2] Commissioners Burch (Chairman), Robert E. Lee, and H. Rex Lee, with Commissioner Bartley dissenting, and Commissioner Wells concurring in the result.

Columbia proposes to acquire, and Coal Gasification proposes to issue and sell, for cash at the aggregate par value thereof, 80,000 shares, $25 par value per share, of the common stock of Coal Gasification. The $2 million to be paid by Columbia from its general funds, will provide Coal Gasification with its contemplated cash requirements for the year 1971. Coal Gasification does not intend to issue any debt securities during the initial years of research. Columbia cites the increasing scarcity of natural gas in the face of increasing demand therefor as the principal reason for Coal Gasification's undertaking. Columbia states that the synthesizing of gas from coal offers a major opportunity to meet its projected gas requirements, which it estimates will increase from 1,494,000 mcf in 1971 and 2,128,000 mcf by 1980.

The application-declaration states that no approval or consent of any regulatory body, other than this Commission, is necessary for the consummation of the proposed transaction. It is further stated that the fees and expenses to be incurred by Columbia in connection with the proposed transaction are estimated at $3,100, including services of the Columbia Gas System Service Corporation, a wholly owned service subsidiary company of Columbia, at cost of $3,000. Coal Gasification will incur no fees or expenses.

Notice is further given that any interested person may, not later than January 15, 1971, 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 should the Commission 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 (airmail 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 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] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70-17244; Filed, Dec. 22, 1970; 8:47 a.m.]

[File No. 24NY-6773]

ROADWAY MAINTENANCE CORP.

Order Permanently Suspending Exemption

DECEMBER 17, 1970.

I. Roadway Maintenance Corp. (now known as RMC Industries, Inc.) 74-05 Metropolitan Ave., Middle Village, NY, filed a notification pursuant to Regulation A in the New York Regional Office on April 23, 1969, in connection with the proposed offering of 200,000 shares of its $0.01 par value common stock at $1.50 per share. The offering was conducted by Kevin Securities Corp. as underwriter. The Notification became effective on August 12, 1969, and the offering was completed on September 12, 1969.

Roadway Maintenance Corp. was incorporated in the State of New York on August 26, 1968. The final offering circular dated August 12, 1969, states that the company is engaged "in the business of providing emergency tire road service for trucks, and selling truck tires" and that the funds to be raised from the offering are to be utilized to purchase tire repair vehicles, truck washing vehicles and to hire personnel to man these vehicles.

II. The Commission, on August 11, 1970, issued an order pursuant to Rule 261 of Regulation A temporarily suspending the Regulation A exemption of Roadway Maintenance Corp. On September 4, 1970, Roadway Maintenance Corp. filed, pursuant to Rule 7 of the Commission's rules of practice, an answer to the charges set forth in the temporary suspension order and requested a hearing with respect to those charges. On November 2, 1970, a hearing on the issue of the permanent suspension of the Regulation A exemption of Roadway Maintenance Corp. commenced. During this hearing Roadway Maintenance Corp. submitted an offer of settlement pursuant to Rule 8 of the Commission's rules of practice. Under the terms of the offer, the issuer waived further evidentiary hearings pursuant to Rule 261 of Regulation A and posthearing procedures pursuant to Rule 16 and 17 of the Commission's rules of practice and any judicial review, and solely for the purpose of these proceedings and without admitting or denying the allegations in the temporary suspension order, consented to certain findings as alleged in the order and to the entry of a permanent suspension order.

After due consideration of the offer of settlement and upon the recommendation of the staff, the Commission determined to accept the offer.

On the basis of the temporary suspension order and the offer of settlement it found that:

A. The offering circular contains untrue statements of material facts concerning the proposed use of proceeds of the offering, in particular, that the proceeds will primarily be used to develop Roadway Maintenance Corp.'s emergency truck and tire repair service.

B. The offering circular omits to state material facts concerning the proposed use of proceeds and proposed acquisition of or consolidation with other companies, in particular, Aarden Security System, Inc., a security guard service, and that loans and advances totaling $84,314 would be made to such subsidiary.

Accordingly, it is ordered, Pursuant to Rule 261 of Regulation A under the Securities Act of 1933, that the exemption from registration with respect to the above public offering of securities by Roadway Maintenance Corp. be, and it hereby is, permanently suspended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70-17245; Filed, Dec. 22, 1970; 8:48 a.m.]

[811-1470]

SECURITIES MUTUAL FUND, INC.

Notice of Proposal To Terminate Registration

DECEMBER 16, 1970.

Notice is hereby given that the Commission proposes, pursuant to section 8(f) of the Investment Company Act of 1940 (Act), to declare by order upon its own motion that Securities Mutual Fund, Inc. (Fund), 3041 North 22d Street, Philadelphia, PA 19132, a Pennsylvania corporation, registered under the Act as an open-end diversified management investment company, has ceased to be an investment company.

The Fund registered under the Act on February 16, 1967. However, no filings required by sections 8(b) or 30 of the Act have been filed with the Commission. Information available to the Commission indicated that in April 1968, the Fund had assets of $7,100 and 41 shareholders and was in the process of dissolving. By June 1969, the Commission was further informed all securities had been liquidated and all monies returned to shareholders. No registration statement regarding a proposed public offering of securities has ever been filed with the Commission under the Securities Act of 1933.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect, and that, if necessary for the protection of investors, such order may be made upon appropriate conditions.

Notice is further given that any interested person may, not later than January 4, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission,

Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Securities Mutual Fund, Inc., at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in this notice, unless an order for hearing upon this matter shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive 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] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70–17222; Filed, Dec. 22, 1970; 8:46 a.m.]

[24FW–1441, 24FW–1456]

SUN-MASTR CORP., INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

DECEMBER 17, 1970.

I. The Sun-Mastr Corp., Inc., 603 South Kansas Avenue, Olathe, KS 66061, incorporated under the laws of the State of Kansas on October 11, 1949, and having its principal offices located at 603 South Kansas Avenue, Olathe, KS, filed with the Commission on December 31, 1968, a Notification on Form 1–A, File No. 24FW–1441, with related exhibits, including an offering circular, relating to an offering of 60,000 shares of its no par value common stock at the offering price of $5 per share or a total of $300,000, which offering became effective, was commenced and completed with the sale of all of the 60,000 shares offered on March 20, 1969; thereafter on August 1, 1969, the company filed with the Commission a Notification on Form 1–A, File No. 24FW–1456, with related exhibits, to cover a proposed offering of 60,000 shares of the company's no par value common stock to be made as an offer of rescission to those stockholders of the company who purchased the shares of the company's stock under prior Notification 24FW–1441 and the offering circular dated March 20, 1969, such offer of rescission to be made at the price of $5 per share plus interest at 6 percent per annum from the date of the original purchase, with all rescinded shares to be reoffered to the public at $5 per share, all for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission on the basis of information reported by the staff has reason to believe the terms and conditions of Regulation A have not been complied with in that:

A. The offering circular under Notification 24FW–1441, dated March 20, 1969, contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, in that the balance sheet and statement of earnings for the period ended October 31, 1968, certified by independent Certified Public Accountants, overstate in a material amount the total net sales, trade accounts receivable, and net earnings for the period then ended.

B. The offering circular filed under Notification 24FW–1456 contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to disclose either in the narrative portion or in the financial information section the existence of contingent civil liability by reason of the provisions of section 12(2) of the Securities Act of 1933, as amended.

2. The failure to disclose by appropriate amendment the actual filing of and explanation concerning the pending civil suit against the company in the U.S. District Court for the Western District of Missouri, Western Division, alleging violations of the Securities Act of 1933 and the Securities Exchange Act of 1934.

C. The offering made by this company pursuant to Notification 24FW–1441 was made and completed in violation of section 17 of the Securities Act of 1933, as amended, and the offering of rescission proposed to be made under Notification 24FW–1456 would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the Issuer, the Sun-Mastr Corp., Inc., be temporarily suspended:

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A for securities of the Sun-Mastr Corp., Inc., pursuant to said Notifications 24FW–1441 and 24FW–1456 be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for such hearing shall be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70–17246; Filed, Dec. 22, 1970; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 4.2, Rev. 3]

CENTRAL OFFICE CLAIMS REVIEW COMMITTEE

Delegation on Financial Assistance

Delegation of Authority No. 4.2, Revision 2 (35 F.R. 836) is hereby revised to read as follows:

I. Pursuant to the authority delegated by the Administrator to the Associate Administrator for Financial Assistance in Delegation of Authority No. 4, Revision 2 (35 F.R. 13234), as amended (35 F.R. 16759), there is hereby redelegated to the Central Office Claims Review Committee consisting of the Director, Office of Loan Administration, Chairman; Director, Office of Financing; and Associate General Counsel, Office of Litigation, the following authority:

To meet and consider reasonable and properly supported compromise proposals of indebtedness owed to the Agency and to take final action on such proposals provided the decision of the Committee is unanimous.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Associate Administrator for Financial Assistance to the Washington Office Claims Review Committee is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to date hereof.

Effective date: October 29, 1970.

JACK EACHON, Jr.,
Associate Administrator for Financial Assistance.

[F.R. Doc. 70–17251; Filed, Dec. 22, 1970; 8:43 a.m.]

TARIFF COMMISSION

[TEA-F-16]

FIBRE FORM CORP.

Petition for Determination of Eligibility To Apply for Adjustment Assistance; Notice of Investigation

Investigation instituted. Upon petition under section 301(a)(2) of the Trade Expansion Act of 1962, filed by Fibre Form Corp., 700 South Main Street, Columbia City, IN, the U.S. Tariff Commission, on December 17, 1970, instituted an investigation under section 301(c)(1) of the said Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with paper cones for loudspeakers produced by the aforementioned firm, are being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to such firm.

The petitioner has not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

Inspection of petition. The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: December 18, 1970.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[F.R. Doc. 70-17235; Filed, Dec. 22, 1970; 8:47 a.m.]

[TEA-W-55]

WORKERS OF FIBRE FORM CORP.

Petition for Determination of Eligibility To Apply for Adjustment Assistance; Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers of the Fibre Form Corp., Columbia City, Ind., the U.S. Tariff Commission, on December 17, 1970, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with paper cones for loudspeakers produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of its workers.

The petitioners have not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: December 18, 1970.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[F.R. Doc. 70-17236; Filed, Dec. 22, 1970; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly rates lower than the minimum wage rates otherwise applicable under section 6 of the act. While effective and expiration dates are shown for those certificates issued for less than a year, only the expiration dates are shown for certificates issued for a year. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below $1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below $1 an hour in the base year.

C. R. Anthony Co., variety-department store; 137 Plaza De Las Palmas, San Antonio, TX; 9-25-71.

Banner Food Store, foodstore; No. 23, Jacksonville, Fla.; 9-28-71.

The Barr Co., variety-department store; 116 South Main Street, Celina, OH; 9-25-71.

Beatrice Super Market, Inc., foodstore; 808 Court Street, Beatrice, NE; 10-21-70 to 10-13-71.

The Blyth and Fargo Co., variety-department store; Evanston, Wyo.; 10-19-71.

Chatham Drug Co., Inc., drugstore; Park Shopping Center, Siler City, NC; 9-21-71.

Clifton's Grocery, foodstore; 201 South A Street, McAlester, OK; 10-6-71.

Community Memorial Hospital, hospital; Park Street, Sheldon, Iowa; 10-8-70 to 10-4-71.

Culter's Drugs, drugstores, 9-20-71: Nos. 2 and 5, Columbus, Ohio.

Dan's Inc., foodstores, 9-23-70 to 9-9-71: 2085 East 21st South and 2266 East 33d South, Salt Lake City, UT.

Ron Davidson Chevrolet, automobile dealer; 222 East High Street, Ebensburg, PA; 10-6-71.

Davis Super Market, Inc., foodstore; 730 East Pittsburgh Street, Greensburg, PA; 10-9-71.

Eagle Stores Co., Inc., variety-department stores: 114-16 Baltimore and Annapolis Boulevard, Glen Burnie, MD, 10-9-71; 16 Main Street, Sylva, NC, 10-16-71.

Fantles, apparel store; 504 Fourth Street, Sioux City, IA; 9-22-71.

M. H. Fishman Co. Inc., variety-department store; 88-90 Merchants Row, Rutland, VT; 11-20-71.

Goldblatt Bros. Inc., variety-department store; 1505 West King Street, Decatur, IL; 9-26-71.

W. T. Grant Co., variety-department stores: No. 828, Wyckoff, N.J., 9-30-71; No. 572, Cleveland, Ohio, 10-10-71; No. 254, Steubenville, Ohio, 10-19-71; No. 458, Pittsburgh, Pa., 9-29-71; No. 803, Pittsburgh, Pa., 9-27-71.

Autry Greer & Sons, Inc., foodstores, 10-7-70 to 9-6-71: Bay Minette, Ala.; Citronelle, Ala.; Fairhope, Ala.; Foley, Ala.; Jackson, Ala.; 2216 Dauphin Island Parkway and 3311 Dauphin Island Parkway, Mobile, AL; Monroeville, Ala.; Saraland, Ala.; Lucedale, Miss.

Home Town Super Market, foodstore; 6850 Bank Expressway, Marrero, LA; 9-14-70 to 8-13-71.

IGA Foodliner, foodstores: 222 North Pomeroy Avenue, Hill City, KS, 9-20-71; Highway 63 South, Macon, Mo., 10-17-71.

Kahanek Food Store, Inc., foodstore; 1000 West Main, Prague, OK; 10-16-71.

Keeling's Kountry Key Market, foodstore; 520 Lyndon Lane, Louisville, KY; 9-27-71.

S. S. Kresge Co., variety-department stores: No. 730, Miami, Fla., 10-29-71; No. 81, Aurora, Ill., 9-22-71; No. 253, Chicago, Ill., 9-26-71; No. 305, Chicago, Ill., 9-28-71; No. 301, Chicago Heights, Ill., 10-10-71; No. 463, Oak Lawn, Ill., 9-20-71; No. 647, Evansville, Ind., 9-2-71; No. 167, Logansport, Ind., 10-2-71; No. 154, Council Bluffs, Iowa, 10-14-70 to 9-30-71; No. 145, Fort Dodge, Iowa, 9-25-70 to 9-2-71; No. 363, Owensboro, Ky., 9-15-71; No. 285, Baltimore, Md., 9-24-71; No. 414, Baltimore, Md., 9-27-71; No. 576, Baltimore, Md., 10-1-71; No. 616, Baltimore, Md., 9-28-71; No. 209, Dundalk, Md., 9-22-71; No. 698, Glen Burnie, Md., 9-22-71; No. 227, Birmingham, Mich., 9-2-71; No. 352, Detroit, Mich., 10-7-71; No. 405, Inkster, Mich., 9-22-71; No. 549, Lansing, Mich., 9-13-71; No. 404, Pontiac, Mich., 9-25-71; No. 577, River Rouge, Mich., 9-2-71; No. 315, Sault Sainte Marie, Mich., 9-14-71; No. 381, Chillicothe, Ohio, 10-6-71; No. 240, Cleveland, Ohio, 9-20-71; No. 376, Cleveland, Ohio, 9-27-71; No. 640, Columbus, Ohio, 10-9-71; No. 644, Dayton, Ohio, 9-20-71; No. 150, Portsmouth, Ohio, 9-26-71; No. 615, Harrisburg, Pa., 9-22-71; No. 738, Chattanooga, Tenn., 9-20-71; No. 4579, Kenosha, Wis., 9-26-71.

The Leach Home, nursing home; 714 North Fourth, Wahpeton, ND; 9-27-71.

Lebensraum, nursing home; 114-118 South Ingalls, Grand Island, NE; 10-8-70 to 9-8-71.

Marion & Dean's AG Market, foodstore; Delta, Utah; 10-21-70 to 10-2-71.

McCrory-McLellan-Green Stores, variety-department stores: No. 73, Daytona Beach, Fla., 9-22-71; No. 112, Deland, Fla., 9-18-70 to 9-2-71; No. 95, Jacksonville, Fla., 9-21-70 to 9-2-71; No. 57, Ocala, Fla., 9-18-70 to 9-2-71; No. 81, Palatka, Fla., 9-24-70 to 9-2-71; No. 310, St. Petersburg, Fla., 9-25-70 to 9-20-71; No. 432, Athens, Ga., 10-22-70 to 9-20-71; No. 1113, Augusta, Ga., 9-21-70 to 9-2-71; No. 1121, Macon, Ga., 10-8-70 to 9-8-71; No. 1305, Savannah, Ga., 9-18-71;

No. 1081, Koekuk, Iowa, 9–22–70 to 9–8–71; No. 506, Ypsilanti, Mich., 9–23–71; No. 1073, Trenton, N.J., 9–23–71; No. 565, Albuquerque, N. Mex., 9–11–71; No. 566, Farmington, N. Mex., 9–19–71; No. 479, Goldsboro, N.C., 9–18–70 to 9–2–71; No. 1045, Wilmington, N.C., 9–21–70 to 9–2–71; No. 1022, Easton, Pa., 10–8–71; No. 63, Philadelphia, Pa., 9–22–71; No. 334, Reading, Pa., 9–23–71; No. 1048, Anderson, S.C., 10–26–71; No. 1103, Charleston, S.C., 9–14–70 to 9–2–71; No. 1120, Memphis, Tenn., 9–20–71; No. 1132, San Antonio, Tex., 9–15–71; No. 177, Waco, Tex., 10–10–71; No. 138, Charlottesville, Va., 9–30–71; No. 1069, Falls Church, Va., 10–13–71.

Millners, Inc., variety-department store; Gainesville, Ga.; 9–28–70 to 9–24–71.

H. Minkovitz & Sons, Inc., variety-department store; 1 South Main Street, Statesboro, GA; 10–4–71.

G. C. Murphy Co., variety-department store; No. 463, Delphos, Ohio; 10–14–71.

J. J. Newberry Co., variety-department stores: No. 425, Atlanta, Ga., 9–22–71; No. 303, Hackettstown, N.J., 10–10–71; No. 14, Ephrata, Pa., 9–21–71; No. 35, Northampton, Pa., 9–24–71.

Nobles Super Market, Inc., foodstore; 10th and Payne Street, Tell City, IN; 10–6–71.

Olson Supermarket, foodstores, 9–25–70 to 9–2–71: 1406 West Main Street, Chanute, KS; 3209 Main Street, Parsons, KS.

Peace Haven Association, nursing home; Walnut, Iowa; 10–8–71.

Raylass Department Store, variety-department tsore; 9 and 11 West Fourth Street, Winston Salem, NC; 1026–71.

Rosary Hospital, hospital; Corning, IA; 10–1–71.

Roth's Department Store, variety-department store; Third and Locust Street, Boonville, IN; 9–19–71.

Royal's Inc., variety-department stores, 10–27–71: 400 Southwest Avenue A, Belle Glade, FL; 112 Bond Street, Clewiston, FL.

St. Mary's Home & Geriatric Hosiptal, nursing home; 607 East 26th Street, Erie, PA; 10–1–71.

Samuel Schlesinger, Inc., apparel store; 5716 Bergenline Avenue, West New York, NJ; 10–17–71

Shelton Supermarket, foodstores; 206 West Main, Stigler,, KO; 10–2–71.

Spurgeon's, variety-department stores: 516 North Aadms, Carroll, IA, 10–6–71; 131 West Broadway, Owatonna, MN, 10–17–71; 929 Main Street, Stevens Point, WS, 10–1–71

The Strouss-Hirshberg Co., variety-department stoer; 20 West Federal Street, Youngston, OH 10–19–71.

Stucksey's Pecan Shop, foodstore; U.S. Highway 66, Lexington, IL; 9–22–71

T. G. & Y. Stores Co., variety-department store; No. 37, Midwest City, Okla.; 10–15–70.

Walter's Red & White, Inc., foodstore; 304 South Parler Avenue, St. George, SC 10–31–71

White's Stores, Inc., variety-department store; 601–607 Dickinson Avenue, Greenville, NC; 10–19–71.

Whittaker Inc., foodstore; No. 2, Harrah, Okla.; 9–28–71.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

Max Adler Co., apparel store; 2524 Miracle Lane, Mishawaka, IN; office clerk, stock clerk, salesclerk, maintenance; 3 to 7 percent; 10–16–71.

Albuquerque Drumstick Restaurant, Inc., restaurant; 2225 Wyoming NE., Albuquerque, NM; waitress (waiter), bus boy (girl), counter girl (boy), kitchen helper, hostess (host), take-out department personnel; 38 to 63 percent; 9–30–71.

Barkmeier's, variety-department store; Exeter, Nebr.; bagger, carryout, stock clerk; 10 to 15 percent; 9–28–70 to 9–3–71.

Big T Foods, foodstores: U.S. Highway 54, Peotone, IL, stock clerk, carryout, maintenance, checker-cashier, 35 to 40 percent, 9–30–71; 801 Broadway, Chesterton, IN, carryout, 35 to 40 percent, 9–25–71.

Bornemann's Nursing Home, nursing home; 1853 Mills Street, Green Bay, WI; nurse's aide, kitchen aide; 4 percent; 10–20–71.

Bridgeton Drive-in II, Inc., restaurant; 12499 Natural Bridge Road, Bridgeton, MO; general restaurant worker; 8 to 25 percent; 10–18–71.

Culter's Drugs, drugstore; No. 6, Columbus, Ohio; cashier, stock clerk, fountain clerk; 2 to 10 percent; 9–20–71.

Dans Inc., foodstores, for the occupations of courtesy clerk, bagger, bottle clerk, 24 to 37 percent, 9–23–70 to 9–9–71; 1326 South 21st East, Salt Lake City, UT; 3735 South Ninth East, Salt Lake City, UT.

Elliotts Inc., apparel stores, for the occupations of salesclerk, credit clerk, cashier, 9 to 20 percent, 10–15–71: 118 Front Street, Beaver Dam, WI; Four South Main Street, Janesville, WI; 5614 Sixth Avenue, Kenosha, WI; 200 Main, Watertown, WI.

Family Department Store, variety-department stores: No. 84, Phoenix, Ariz., salesclerk, stock clerk, 6 to 18 percent, 10–15–70 to 9–30–71; No. 81, Phoenix, Ariz., salesclerk, 6 to 15 percent, 9–30–71.

Farmer's foodstore; West Columbia, TX; stock clerk, carryout, cleanup; 6 to 20 percent; 10–14–71.

Food Fair Inc., foodstores, for the occupations of bagger, carryout, cleanup, pricing clerk, tagging clerk, stock clerk, 4 to 21 percent, 9–30–71: Hazard, Ky.; London, Ky.; Whitley City, Ky.

Gee Bee, variety-department store; Route 22, Monroeville, PA; salesclerk, stock clerk, cashier, wrapper; 0.2 to ^ percent; 9–20–71.

Good Samaritan Center, nursing home; Scribner, Nebr.; kitchen helper, serving helper, dining room helper, nurse's aide; 2 to 9 percent; 9–23–70 to 9–9–71.

W. T. Grant Co., variety-department stores: No. 365, Anaheim, Calif., salesclerk, stock clerk, 4 to 18 percent, 10–17–70 to 9–30–71; No. 579, Milford, Del., salesclerk, office clerk, stock clerk, cashier, 1 to 13 percent, 10–3–71; No. 575, Milton, Pa., salesclerk, stock clerk, 11 to 36 percent, 9–24–71; No. 848, State College, Pa., salesclerk, 11 to 36 percent, 9–23–71; No. 1108, Richmond, Va., salesclerk, stock clerk, office clerk, cashier, 2 to 8 percent, 9–30–71.

Autry Greer & Sons, Inc., foodstore; 6 South McGregor Avenue, Mobile, AL; bagger; 15 to 16 percent; 10–7–70 to 9–6–71.

H & M Discount Food Market, foodstore; 845 Broad Street, Camden, SC.; bagger; 12 to 16 percent; 9–30–71.

Hi-Nabor Super Market, foodstore; 7201 Winbourne Avenue, Baton Rouge, LA; bagger, bottle clerk; 20 percent; 9–14–70 to 8–13–71.

John's Self Service, foodstore; Old Fort, NC; salesclerk, stock clerk, bagger; 21 percent; 10–29–71.

S. S. Kresge Co., variety-department stores, for the occupations of stock clerk, maintenance, office clerk, food preparer, salesclerk, checker-cashier, counter clerk, customer service, 10 percent, 9–30–71, except as otherwise indicated: No. 786, Miami, Fla. (salesclerk, 1 to 12 percent, 10–29–71); No. 4265, Atlanta, Ga. (salesclerk, 3 to 13 percent, 10–19–71); No. 4071, Marietta, Ga. (salesclerk, checker, 10–10–71); No. 4044, Savannah, Ga. (salesclerk, 3 to 13 percent, 9–18–71); No. 4035, Joliet, Ill. (salesclerk, stock clerk, checker-cashier, office clerk, 14 to 22 percent, 10–12–71); No. 554, Moline, Ill. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, 4 to 21 percent, 9–28–71); No. 187, Palatine, Ill. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, 18 to 26 percent, 9–20–71); No. 502, Mount Prospect, Ill. (salesclerk, stock clerk, checker-cashier, office clerk, 12 to 20 percent, 9–21–71); No. 455, Springfield, Ill. (salesclerk, stock clerk, maintenance, checker-cashier, office clerk, 4 to 9 percent, 9–20–71); No. 4249, Elkhart, Ind. (salesclerk, stock clerk, counter clerk, checker-cashier, customer service, maintenance, 3 to 10 percent 10–6–71); No. 4196, Indianapolis, Ind. (salesclerk, office clerk, stock clerk, checker-cashier 3 to 10 percent, 10–7–71); No. 4203, Indianapolis, Ind. (salesclerk, office clerk, checker-cashier, 3 to 10 percent, 10–7–71); No. 4336, Indianapolis, Ind. (3 to 10 percent, 10–9–71; No. 312, Speedway, Ind. (salesclerk, stock clerk, checker-cashier, office clerk, 10–8–71); No. 4565, Topeka, Kans. (salesclerk, stock clerk, office clerk, checker-cashier, 16 to 25 percent, 10–8–71); No. 4232, Lexington, Ky. (maintenance, stock clerk, counter clerk, checker-cashier, customer service, salesclerk, bookkeeping, office clerk, display clerk, 6 to 23 percent, 9–27–71); No. 4625, Bladensburg, Md. (salesclerk, 9 to 18 percent, 10–18–71); No. 204, Lutherville-Timonium, Md. (salesclerk, stock clerk, maintenance, 14 to 25 percent, 9–22–71); No. 4091, Bay City, Mich.; No. 631, Birmingham, Mich. (9–28–71); No. 4134, East Lansing, Mich. (salesclerk, stock clerk, office clerk, checker-cashier, maintenance, counter clerk, customer service, 10–21–71); No. 4637, Ironwood, Mich. (salesclerk 1 to 20 percent, 10–25–71); No. 4256, Lansing, Mich. (salesclerk, stock clerk, office clerk, checker-cashier, maintenance, counter clerk, customer service, 10–21–71); No 4631, Lansing, Mich. (9–2–71); No. 423, Livonia, Mich. (9–23–71); No. 4238, Melvindale, Mich. (10–9–71); No. 501, Southfield, Mich. (10–16–71); No. 4570, Austin, Minn. (salesclerk, stock clerk, office clerk, checker-cashier, customer service, maintenance, 1 to 10 percent, 10–19–71); No. 4173, Cincinnati, Ohio, (salesclerk, stock clerk, office clerk, maintenance, checker-cashier, customer service, 7 to 22 percent, 10–19–71); No. 4190, Dayton, Ohio (8 to 10 percent, 10–19–71); No. 4054, New Kensington, Pa. (bagger, stock clerk, salesclerk, 6 to 29 percent); No. 97, Pittsburgh, Pa. (salesclerk, 4 to 13 percent, 9–29–71); No. 4003, Washington, Pa. (salesclerk, 6 to 29 percent); No. 4043, Columbia, S.C. (salesclerk, stock clerk, office clerk, 11 to 40 percent, 9–23–71); No. 4016, Greenville, S.C. (salesclerk, 10–18–71); No. 723, Cleveland, Tenn. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service, counter clerk, 2 to 17 percent, 10–4–71); No. 4132, Arlington, Tex. (salesclerk, 7 to 27 percent, 9–15–71); No. 4195, Beaumont, Tex. (salesclerk, 7 to 27 percent, 9–21–71); No. 4307, Corpus Christi, Tex. (salesclerk, 7 to 27 percent, 9–23–71); No. 4259, Fort Worth, Tex. (salesclerk, 7 to 27 percent, 9–20–71); No. 4237, Groves, Tex. (salesclerk, 10–14–71); No. 782, Houston, Tex. (salesclerk, 7 to 27 percent, 9–17–71); No. 743, Pasadena, Tex. (salesclerk, 7 to 27 percent, 9–20–71); No. 4042, Fredericksburg, Va. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service, counter clerk, 14 to 25 percent); No. 547, Springfield, Va. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service, counter clerk, 14 to 25 percent); No. 4521, Parkersburg, W. Va. (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service, counter clerk, 4 to 10 percent 9–22–71); No. 4517, Janesville, Wis. (salesclerk, stock clerk maintenance, office clerk, checker-cashier, customer service, counter clerk, 14 to 29 percent, 10–3–71); No 4254, Oshkosh, Wis. (salesclerk,

stock clerk, office clerk, checker-cashier, 3 to 20 percent, 10–13–71).

Lerner Shops, apparel stores, for the occupations of salesclerk, cashier, credit clerk, except as otherwise indicated: No. 280, Michigan City, Ind., 3 to 9 percent, 10–18–71 (salesclerk, stock clerk); No. 314, Salisbury, Md., 10 to 34 percent, 10–13–71; No. 279, Grand Rapids, Mich., 4 to 10 percent, 9–24–71; No. 330, Houston, Tex., 4 to 11 percent, 9–29–71.

M & M Supermarket, food store; Highway 70 West, Marion, NC; clerk, stock clerk, bagger; 15 percent, 10–9–71.

McCrory-McLellan-Green Stores, variety department stores, for the occupations of salesclerk, office clerk, stock clerk, except as otherwise indicated: No. 379, Phoenix, Ariz., 5 to 16 percent, 9–24–70 to 8–31–71; No. 274, Danbury, Conn., 7 to 28 percent, 10–6–71; No. 1033, Milford, Conn., 7 to 15 percent, 10–13–71; No. 1009, Norwalk, Conn., 7 to 28 percent, 10–12–71; No. 7504, Casselberry, Fla., 4 to 15 percent, 10–6–71; No. 388, Live Oak, Fla., 7 to 24 percent, 10–20–71; No. 204, Merritt Island, Fla., 6 to 18 percent, 10–18–71 (salesclerk, office clerk, stock clerk, maintenance); No. 319, Orlando, Fla., 4 to 15 percent, 10–14–70 to 10–6–71; No. 7502, Orlando, Fla., 6 to 15 percent, 10–14–70 to 10–6–71; No. 366, Pensacola, Fla., 2 to 19 percent, 9–26–71 (salesclerk, stock clerk); No. 356, Plant City, Fla., 10 to 30 percent, 10–8–70 to 10–2–71 (salesclerk, stock clerk); No. 340, Tarpon Springs, Fla., 6 to 34 percent, 9–22–71; No. 262, Titusville, Fla., 6 to 16 percent, 9–30–71 (office clerk, maintenance, salesclerk, stock clerk); No. 339, Winter Garden, Fla., 4 to 15 percent, 9–21–70 to 9–2–71 (salesclerk); No. 225, Monroe, Ga., 10 to 31 percent, 9–24–71 (salesclerk, stock clerk, office clerk, maintenance); No. 391, Matteson, Ill., 7 to 22 percent, 9–2271; No. 1301, Baltimore, Md., 27 to 38 percent, 9–28–71; No. 345, Ellicott City, Md., 27 to 38 percent, 10–8–71; No. 641, Greenfield, Mass., 3 to 12 percent, 10–8–71; No. 377, Stirling, N.J., 9 to 20 percent, 10–2–71; No. 1040, Columbus, Ohio, 3 to 10 percent, 9–21–71; No. 210, Piqua, Ohio, 7 to 24 percent, 9–24–71; No. 381, Philadelphia, Pa., 3 to 13 percent, 10–11–71 (salesclerk, stock clerk, office clerk, maintenance); No. 364, Scranton, Pa., 6 to 19 percent, 9–22–71 (salesclerk, stock clerk, maintenance); No. 333, Wyoming, Pa., 8 to 31 percent, 9–24–71; No. 160, Sumter, S.C., 13 to 45 percent, 10–19–71 (salesclerk); No. 144, Madison, Wis., 8 to 26 percent, 10–25–71.

McDonald's Hamburgers, restaurant; 3594 North Lindbergh Boulevard, St. Ann, MO; general restaurant worker; 8 to 25 percent; 10–21–70 to 10–13–71.

Memorial Hospital, hospital; 300 East 23d Street, Cheyenne, WY; clerk; 4 to 7 percent; 10–21–70 to 10–5–71.

Millner Aycocks, Inc., variety-department store; Monroe, Ga.; salesclerk, cashier; 1 to 15 percent; 9–28–70 to 9–24–71.

Minimax, foodstore; 1201 Strawberry Road, Pasadena, TX; bagger, carryout, janitorial, stock clerk; 8 to 11 percent; 10–18–71.

Mr. H's Village Kitchen, foodstore; 13925 West Capitol Drive, Brookfield, WI; bagger, carryout, stock clerk, cleanup; 17 to 22 percent; 9–30–71.

G. C. Murphy Co., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, janitorial: No. 82, Atlanta, Ga., 5 to 13 percent, 10–3–71; No. 326, Decatur, Ind., 8 to 20 percent, 10–14–71; No. 313, Indianapolis, Ind., 11 to 26 percent, 10–2–71; No. 317, Bel Air, Md., 22 to 33 percent, 10–2–71; No. 324, Okemos, Mich., 9 to 29 percent, 9–29–71; No. 332, Minneapolis, Minn., 13 to 22 percent, 10–4–71; No. 323, Annandale, Va., 13 to 28 percent, 10–9–71; No. 320, Hampton, Va., 11 to 20 percent, 10–14–71.

Neisner Brothers, Inc., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk: No. 190, Cape Coral, Fla., 10 to 29 percent, 10–17–71; No. 95, Englewood, Fla., 10 to 29 percent, 10–9–71; No. 5, Palatka, Fla., 8 to 17 percent, 10–13–71.

Old Fort Supermarket, foodstore; Old Fort, N.C.; salesclerk, stock clerk, bagger; 21 percent; 10–29–71.

Park View Manor, nursing home; Park Avenue, Sac City, Iowa; nurse's aide; 3 to 10 percent; 10–8–70 to 9–2–71.

Pleezing Food Store, foodstore; No. 2, Pensacola, Fla.; bagger, checker, stock clerk, market counter helper; 8 to 18 percent; 9–30–71.

Raylass Department Store, variety-department stores: 217 Broad Avenue, Albany, GA, salesclerk, stock clerk, office clerk, cleanup, 13 to 34 percent, 10–29–71; 309 South Main Street, Tifton, GA, salesclerk, stock clerk, office clerk, cleanup, marker, 11 to 29 percent, 10–14–71.

The Record Bar, music stores, for the occupations of salesclerk, 13 to 28 percent, 9–30–71: Northgate Shopping Center, Durham, NC; Dutch Village Square, Columbia, SC.

John P. Robilio & Co., foodstore; 910 Vance Avenue, Memphis, TN; package clerk, salesclerk, checker, stock clerk; 16 to 28 percent; 10–9–71.

Rose's Stores, Inc., variety-department stores, for the occupation of salesclerk, 10–14–71, except as otherwise indicated: No. 187, Lanett, Ala., 13 to 31 percent (salesclerk, stock clerk, checker, marker, order writer, window trimmer); No. 188, Elizabethtown, Ky., 3 to 16 percent; No. 193, Murray, Ky., 3 to 16 percent; No. 192, Winchester, Ky., 6 to 20 percent (salesclerk, stock clerk, office, clerk, checker, 9–30–71); No. 93, Belhaven, N.C., 2 to 25 percent (9–20–71); No. 186, Virginia Beach, Va., 13 to 31 percent (9–30–71).

Rusty's Food Centers, Inc., foodstore; 23d and Louisiana, Lawrence, KS.; bagger, courtesy clerk, carryout; 12 to 20 percent; 9–22–71.

Schensul's Cafeteria, restaurant; 309 North Washington Avenue, Lansing, MI; general restaurant worker; 49 to 77 percent; 10–14–71.

Ralph Schwartz Co., drugstore; 7100 Dixie Highway, Florence, KY; clerk, delivery clerk; 20 percent; 10–14–71.

Scott Stores Co., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, 9–30–71, except as otherwise indicated: No. 9263, Aurora, Ill., 15 to 27 percent; No. 9303, Buffalo Grove, Ill., 15 to 27 percent; No. 9290, Lombard, Ill., 23 to 39 percent; No. 9302, Iowa City, Iowa, 22 to 30 percent (10–15–71); No. 9321, Alma, Mich., 5 to 20 percent (10–25–71); No. 9145, Christiansburg, Va., 2 to 27 percent.

Skippers Table Inc., restaurant; No. 2, Livonia, Mich.; bus boy (girl), cleanup, dish washer; 16 to 23 percent; 10–14–71.

Spurgeon's, variety-department store; 202 East Robinson Street, Knoxville, IA; salesclerk, marking clerk, stock clerk, janitorial, receiving clerk; 8 to 13 percent; 9–30–71.

The Stern & Mann Co., apparel store; 4355 Belden Mall, Canton, OH; stock clerk, service desk, alteration; 1 to 8 percent; 10–20–71.

T.G. & Y. Stores Co., variety-department stores, for the occupations of salesclerk, office clerk, stock clerk, 20 to 30 percent, 9–30–71, except as otherwise indicated: No. 1603, Florence, Ala. (15 to 30 percent, 10–15–71); No. 333, Mobile, Ala. (15 to 30 percent, 10–15–71); No. 1600, Monroeville, Ala. (2 to 17 percent, 10–17–70 to 9–16–71); No. 199, Glendale, Ariz. (19 to 35 percent, 9–27–70 to 8–31–71); No. 187, Phoenix, Ariz. (9–22–70 to 8–31–71); No. 1503, Tempe, Ariz.; No. 652, Blythe, Calif.; No. 581, Chino, Calif. (10–15–71); No. 641, Concord, Calif.; No. 568, Hawthorne, Calif. (salesclerk, stock clerk, 9–23–70 to 8–31–71); No. 593, San Bernardino, Calif. (salesclerk, stock clerk, 9–22–70 to 8–31–71); No. 594, Tujunga, Calif.; No. 1804, Durango, Colo. (10–4–71); No. 1306, Fort Walton Beach, Fla. (10 to 29 percent, 10–14–71); No. 729, Port Orange, Fla. (12 to 24 percent, 10–28–71); No. 9231, Iola, Kans. (19 to 30 percent, 10–4–71); No. 734, Marksville, La. (3 to 30 percent, 10–15–71); No. 126, Kansas City, Mo. (22 to 30 percent, 9–20–71); No. 304, Liberty, Mo. (22 to 31 percent, 10–2–71); No. 475, Warrensburg, Mo. (22 to 30 percent, 10–4–71); No. 2400, Las Vegas, Nev.; No. 176, Santa Fe, N. Mex. (13 to 24 percent, 9–22–71); No. 2300, Roxboro, N.C. (16 to 34 percent, 9–29–71); No. 459, Claremore, Okla. (24 to 30 percent, 9–26–71); No. 1001, Del City, Okla. (28 to 30 percent, 10–13–71); No. 447, El Reno, Okla. (6 to 19 percent, 9–20–71); No. 36, Stillwater, Okla. (14 to 30 percent); No. 47, Weatherford, Okla. (12 to 23 percent, 10–15–71); No. 1705, Columbia, S.C. (18 to 30 percent, 10–14–71); No. 1702, Greenville, S.C. (18 to 30 percent, 10–14–71); No. 814, Austin, Tex. (30 percent, 9–26–71); No. 851, El Paso, Tex. (30 percent); No. 806, Houston, Tex. (30 percent, 10–5–71); Nos. 811 and 838, Houston, Tex. (30 percent, 10–9–71).

Thornberry's Super Valu Market, Inc., foodstore; Winchester, Ky.; stock clerk; 7 to 27 percent; 10–6–71.

Warshaw's Giant Foods, foodstore; No. 44, Salt Lake City, Utah; bagger, carry out; 26 to 33 percent; 9–28–70 to 9–9–71.

West Court Food Center, foodstore; West Court Street, Marion, NC; salesclerk, stock clerk, bagger; 21 percent; 10–29–71.

Willards Foodland, foodstores, for the occupations of clerk, stock clerk, bagger, 15 percent, 10–9–71: Nos. 1 and 2, Marion, N.C.

Younker Brothers, Inc., variety-department store; The Kennedy Mall, Dubuque, IA; salesclerk, stock clerk, office clerk, marker, delivery clerk, messenger, porter, wrapper, cleanup; 9 to 16 percent; 10–17–71.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 30 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 15th day of December 1970.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 70–17218; Filed, Dec. 22, 1970; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 17, 1970.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42092—*Motor vehicles from Pontiac, Mich.* Filed by Traffic Executive Association-Eastern Railroads, agent (No. 2990), for interested rail carriers. Rates on motor vehicles, on bi-level or tri-level cars, as described in the application, from Pontiac, Mich., to Miami, Port Everglades, and Titusville, Fla., and Kinsler and Dixiana, S.C.

Grounds for relief—Market competition and modified short line distance formula.

Tariff—Supplements 113 and 115 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C–611.

FSA No. 42093—*Fish or whale meal from points in Canada, and returned shipments in reverse direction.* Filed by Southwestern Freight Bureau, agent (No. B–193), for interested rail carriers. Rates on fish or whale meal, in carloads, as described in the application, from points in New Brunswick, Nova Scotia, Prince Edward Island, and Quebec, Canada, to points in Arkansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

Grounds for relief—Market competition, return movements of commodities.

Tariff—Supplement 23 to P. J. Lavallée, agent, tariff ICC 291.

FSA—42094—*Fish or whale meal from Canadian points.* Filed by Western Trunk Line Committee, agent (No. A–2634), for interested rail carriers. Rates on fish or whale meal, in carloads as described in the application from points in New Brunswick, Nova Scotia, Prince Edward Island, and Quebec, Canada, to Western Trunk Line territory.

Grounds for relief—Market competition, modified short line distance formula and grouping.

Tariff—Supplements 19 and 20 to P. J. Lavallée, agent, tariff ICC 303.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[F.R. Doc. 70–17268; Filed, Dec. 22 1970; 8:49 a.m.]

[Notice 30]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

DECEMBER 18, 1970.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 571) (Cancels Deviation No. 547), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH, filed December 4, 1970. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highways 80–94 and U.S. Highway 41 in Hammond, Ind., over Interstate Highways 80–94 to junction Interstate Highway 65 in East Gary, Ind., thence over Interstate Highway 65 to junction Indiana Highway 25, thence over Indiana Highway 25 to Lafayette, Ind., with the following access routes: (1) From Gary, Ind., over city streets to the 15th Avenue Interchange of Interstate Highway 65, (2) from the Interchange of Interstate Highway 90 (Indiana Toll Road) and Interstate Highway 65 over Interstate Highway 65 to Interchange with Interstate Highways 80–94, and (3) from Lafayette, Ind., over Indiana Highway 43 (also known as U.S. Highway 421) to junction Interstate Highway 65, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Lafayette, Ind., over U.S. Highway 52 via Templeton, Ind., to Atkinson, Ind., thence over U.S. Highway 52 to Kentland, Ind., thence over U.S. Highway 41 via Cook and Hammond, Ind., to Chicago, Ill., (2) from junction U.S. Highways 6 and 41 and Indiana Highway 152, over Indiana Highway 152 to junction Interstate Highways 80–94, thence over Interstate Highways 80–94 to junction Interstate Highway 94, thence over Interstate Highway 94 to Chicago, Ill., and (3) from the Indiana-Ohio State line near U.S. Highway 20 over the Indiana East-West Toll Road (also known as Indiana Turnpike) to the Indiana-Illinois State line at Hammond, Ind., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[F.R. Doc. 70–17270; Filed, Dec. 22, 1970; 8:49 a.m.]

[Notice 110]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 18, 1970.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission, Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

No. MC 119654 (Sub-No. 15) (Republication), filed November 12, 1969, published in the FEDERAL REGISTER issue of January 8, 1970, and republished this issue. Applicant: HI-WAY DISPATCH, INC., 26th Street and Bypass, Marion, IN 46952. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, IN 46204. A decision and order of the Commission, dated December 10, 1970, and served December 16, 1970, finds; that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce as a common carrier by motor vehicle, over irregular routes, of glass containers, closures thereto, and fiberboard boxes, from points in Indiana to St. Louis, Mo., and points in Illinois, Kentucky, Michigan, Ohio, and Wisconsin, restricted to the transportation of shipments originating at points in Indiana. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority granted herein, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication during which period any proper party in interest may file a petition to reopen the proceeding, or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128866 (Sub-No. 13) (Republication), filed April 17, 1970, published in the FEDERAL REGISTER issue of May 28, 1970, and republished this issue. Applicant: B & B TRUCKING, INC., Post Office Box 128, Cherry Hill, NJ 08034. Applicant's representative: Daniel L. O'Connor, 1815 H Street NW., Washington, DC 20006. The modified procedure has been followed in this proceeding and a supplemental order of the Commission, Operating Rights Board, dated November 30, 1970, and served December 14, 1970, finds; that operation by applicant in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of scrap aluminum, from the plantsites of Penny Plate, Inc., at Cherry Hill, N.J., and Searey, Ark., to the plantsite of the Aluminum Co. of America at Davenport, Iowa, under a continuing contract with Penny Plate, Inc., of Cherry Hill, N.J., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by

the lack of proper notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 134625 (Republication), filed May 18, 1970, published in the FEDERAL REGISTER issue of June 11, 1970, and republished this issue. Applicant: H & H TRANSPORTATION, INC., 29 School Street, Lebanon, NH 03766. Applicant's representative: Ridler W. Page (same address as applicant). The modified procedure has been followed in this proceeding and an Order of the Commission, Operating Rights Board, dated November 30, 1970, and served December 11, 1970 finds; that operation by applicant in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of prefabricated buildings from Bradford, Vt., to those points in the United States east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to the western boundary of Itasca County, Minn., thence northerly along the boundary of Itasca County and Koochiching County to the international boundary line, between the United States and Canada; under a continuing contract with Northland Development Co., Inc., of Bradford, Vt., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in the proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC 52709 (Petition for Amendment of Certificate), filed November 19, 1970. Petitioner: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, CO 80216. Petitioner's representative: John F. Mueller (same address as petitioner). Petitioner states it holds authority in its certificate MC 52709, which contains the following authority. "General commodities, between Denver, Colo., and Wyoming points, serving all intermediate points, and the off-route points of Boulder, Colo., and Yoder, Lagrange, Huntley, Devils Tower, and Sundance, Wyo., as follows: From Denver over U.S. Highway 287 (formerly U.S. Highway 87) to junction Colorado Highway 1 (formerly U.S. Highway 87), thence over Colorado Highway 1 to junction U.S. Highway 87, thence over U.S. Highway 87 via Douglas, Wyo., to Casper, and return over the same route. From Denver to Douglas, Wyo., as specified above, thence over Wyoming Highway 59 (formerly Wyoming Highway 87) to junction unnumbered highway, thence over unnumbered highway via Verse, and Hilight, Wyo., to junction Wyoming Highway 59 (formerly Wyoming Highway 87), thence over Wyoming Highway 59 to Gillette, and return over the same route." Petitioner requests that the portion of its Certificate No. MC 52709 described hereinabove be amended under the provisions of section 212(a) of the Interstate Commerce Act through the addition of restrictions as set forth hereinafter. That it is no longer practicable or feasible to continue service over the routes above described without addition of the restrictions proposed in this Petition. Petitioner further states it believes that it would be in the public interest that the following restrictions be added to the portion of its interstate service between Denver, Colo., and Wyoming points above described, to wit, "Restriction: Service is not authorized over the above route of shipments moving: (1) Locally between points in Wyoming. (2) Locally between points in Colorado on the one hand, and on the other, points in Wyoming." By the instant petition, petitioner requests that the above portion of its certificate authorizing service between Denver, Colo., and Wyoming points be amended by adding thereto the restriction above set forth." Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 117842 (Sub-No. 1) (Notice of Filing of Petition To Add Additional Destination Points for Shipper Under Contract Permit), filed November 28, 1970. Petitioner: INTERSTATE DISTRIBUTOR CO., Tacoma, WA. Petitioner's representative: George R. LaBissooniere, 1424 Washington Building, Seattle, WA 98101. By the instant petition, petitioner seeks to amend its Contract Carrier Permit No. MC 117842 (Sub-No. 1) by allowing additional points of service to be authorized thereunder for the same shipper presently authorized thereunder, namely, Mother's Cake & Cookies Co., San Francisco, Calif., as set as follows: Petitioner, under its permit No. MC 117842 (Sub-No. 1) states it is authorized to transport such merchandise as is dealt in by wholesale and retail grocery establishments, except frozen foods in vehicles equipped with mechanical refrigeration, from all points in California to Tacoma, Wash., for Mother's Cake & Cookies Co. of San Francisco, Calif. By the instant petition, petitioner now seeks authority to serve Mother's Cake & Cookies Co. of San Francisco, Calif., to the points of Klamath Falls, Medford, Roseburg, Eugene, Salem, and Portland, Oreg., also as destination points. These will be additional destination points to the single point presently authorized, namely Tacoma, Wash. The commodities transported will be the same as those presently authorized, namely cake, cookies, and related bakery items presently authorized under its permit. By the instant petition, petitioner states the authority sought is not for additional commodities, but for additional points of delivery as specified above, so that this petition seeks to add new territory to that presently authorized for the present shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 124841 (Sub-No. 7) (Notice of Filing of Petition To Add Additional Shippers Under Contract Permit) (Correction), filed September 24, 1970, published in the FEDERAL REGISTER issue of October 21, 1970, and republished as corrected this issue. Petitioner: D. D. JACOBS, INC., Walla Walla, WA 99362. Petitioner's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, WA 98101. By petition filed September 24, 1970, petitioner seeks to amend its contract carrier Permit MC 124841 Sub No. 7, by allowing petitioner to haul for three additional shippers; namely Pendleton Distributing Co., Granger Distributing Co., and Dee-Dee Distributing Co. as more particularly set forth as follows: Petitioner states that under its present permit MC 124841, it is authorized to transport frozen foods, and supplies and equipment used in the manufacture, storage, and distribution of frozen foods, between specified points in Washington, Idaho, and Oregon. As part of the same permit, it is also authorized to transport beet pulp from certain Washington origins to points in Umatilla County, Oreg. Petitioner's President, also owns and operates Dee-Dee Distributing Co. which is a wine and beer distributing company for the local area around Walla Walla, Wash. To secure its products, his trucks frequently go to California to pick up beer and wine as a private carrier to bring to Walla Walla for distribution.

This traffic is sometimes handled in equipment also utilized under its permit MC 124841 Sub 7 and therefore, technically since there is a separate entity between the distributing company and the permit holder corporation, authority should be held by the corporation to transport this wine and beer northbound from California to Walla Walla. Petitioner states that at the same time that Dee-Dee Distributing Co. is transporting this traffic it is constantly being requested by other distributors to transport for them also, since the trucks are returning with room for additional traffic. Pendleton Distributing Co. of Pendleton, Oreg., which community is in the vicinity of Walla Walla, Wash.; and Granger Distributing Co. of Kennewick, Wash. (which is some 50 miles from Walla Walla) also desires this service. Petitioner states that these companies are willing to enter into contracts with petitioner to transport their wine and beer requirements from California to Pendleton and Kennewick, Wash. Most of the wineries are located in the counties requested in this application in the San Francisco Bay Area and the greater Los

Angeles Area with many smaller wineries located at intermediate points such as Modesto and Lodi or in adjacent counties. All of the beer requirements come out of San Francisco and Los Angeles proper as distinguished from any other origin. Therefore, the requests here seeks from many origin counties for wine to Walla Walla, Pendleton, and Granger, Wash. under contracts for Pendleton Distributing Co., Granger Distributing Co. and Dee-Dee Distributing Co. These origin counties cover every county south of Redding, Calif., so it is just as easy to ask for the entire State to Pendleton, Kennewick, and Walla Walla. Petitioner requests that upon due consideration, this petition be granted and that its permit be amended so that Pendleton Distributing Co., Granger Distributing Co. and Dee-Dee Distributing Co., be named as additional shippers, on the limited basis set forth herein, in applicant's permit. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER. NOTE: The purpose of this republication is to redescribe the authority sought as previously published.

No. MC 124964 (Sub-No. 9) (Notice of Filing of Petition To Add Name of Shipper) (Correction), filed October 12, 1970, published in the FEDERAL REGISTER issue of December 2, 1970, under No. MC 124969 (Sub-No. 9), and republished in part, as corrected this issue. Petitioner: JOSEPH M. BOOTH, doing business as J. M. BOOTH TRUCKING, Tavares, FL. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. NOTE: The sole purpose of this partial republication is to correct the docket number of the petition as previously published to reflect "No. MC 124964 (Sub-No. 9)", inadvertently shown as No. MC 124969 (Sub-No. 9). The rest of the petition remains as previously published on December 2, 1970.

No. MC 128813 (Sub-No. 4) (Notice of Filing of Petition for Modification of Permit), filed December 2, 1970. Petitioner: C. R. ENGLAND & SONS, INC., Salt Lake City, UT. Petitioner's representative: Daniel B. Johnson, 1111 E Street NW., Washington, DC. By the instant petition, petitioner requests modification of its permit MC 128813 Sub 4 to permit that an additional service point be authorized therein. As pertinent herein, petition describes the presently held authority over irregular routes, in which as herein it seeks modification as follows: *"Filters, filter parts,* and *machinery, materials, and supplies* used in the manufacture of filters and filter parts, between Clearfield, Utah, and Greenville, Ohio. *Restriction:* The service authorized herein as subject to the following conditions: Said operations are limited to a transportation service to be performed under a continuing contract or contracts, with Cambell Filter Co., of Rumford, R.I., and Fram Corp., of East Providence, R.I. Said operations are subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions, or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act." Petitioner states that modification of the authority is requested to the extent that "Providence, R.I." be shown as an additional service point so that the territorial scope of the authority would be amended to read: "Between Clearfield, Utah, Greenville, Ohio, and Providence, R.I." Petitioner also states (a) The commodity description will remain the same. (b) The restriction authorizing the service to the two named shippers will remain the same. (c) Petitioner continues to hold common carrier authority so dual operations are yet involved. (d) There has been no change in the corporate structure of petitioner nor has there been any change in the information shown on the initial form OP-OR-9 submitted with the initial filing of the application in said No. MC 128813 (Sub-No. 4). Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 133928 (Sub-No. 3) (Notice of Filing of Petition To Add Additional Contracting Shipper) filed November 16, 1970. Petitioner: ANTHONY B. OSTERKAMP, JR., doing business as OSTERKAMP TRUCKING, 764 North Cypress Street, Orange, CA 92666. Petitioner's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, CA 90212. Petitioner holds a permit in No. MC 133928 (Sub-No. 3) authorizing it to conduct operations as a contract motor carrier in the transportation, over irregular routes, of *Agricultural field equipment and harvesting equipment, parts* of agricultural field equipment and harvesting equipment, and materials and supplies used in the harvesting and distribution of agricultural commodities, between points in California, on the one hand, and, on the other, points in Arizona. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contracts, or contracts, with Bud Antle, Inc., of Salinas, Calif. By the instant petition, petitioner seeks to add the name of *"Menasha Corporation"* as an additional contracting shipper of commodities and within scope-of-service held by petitioner in its Permit MC 133928 Sub 3. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from date of publication in the FEDERAL REGISTER.

No. MC 134145 (Sub-No. 1) (Notice of Filing of Petition To Add an Additional Shipper), filed November 6, 1970. Petitioner: NORTH STAR TRANSPORT, INC., Thief River Falls, MN. Petitioner's representative: Robert P. Sack, Post Office Box 6010, West St. Paul, MN. By the instant petition, petitioner states it was granted authority as a motor contract carrier in MC 134145 Sub 1 pursuant to the findings of order of the Commission, Operating Rights Board No. 1, on September 28, 1970. The said order of September 28, 1970, granted the above named petitioner with authority of (1) snowmobiles, boats, motorbikes, and racing vehicles, from Roseau, Thief River Falls, Karlstad, and Minneapolis, Minn., and Afton, Wyo., to points in the United States (except Alaska and Hawaii); and (2) materials, supplies, and equipment used in the manufacture of the above described commodities (except commodities in bulk) from points in California, Colorado, Connecticut, Idaho, Iowa, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Texas, Washington, and Wisconsin, to Roseau, Thief River Falls, Karlstad, and Minneapolis, Minn.; and Afton, Wyo. Petitioner is operating that authority under contracts with Polaris Industries, Division of Textron, Roseau, Minn., and Arctic Enterprises, Inc., of Thief River Falls, Minn. Petitioner states Rosco, Inc., of Roseau, Minn., has requested petitioner to provide the same kind and type of service for it as petitioner now provides for contract shippers named in MC 134145 (Sub-No. 1). Petitioner is ready, willing, and able to provide the kind and type of service requested by Rosco, Inc., of Roseau and currently being performed under MC 134145 (Sub-No. 1). Rosco, Inc., of Roseau, Minn., is an independent distributor of snowmobiles into the territory named in MC 134145 (Sub-No. 1). By the instant petition, petitioner requests this shipper to be added to its grant of authority as an additional contracting shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

Applications for certificates or permits which are to be processed concurrently with applications under section governed by Special Rule 240 to the extent applicable:

No. MC 4966 (Sub-No. 18), filed November 20, 1970. Applicant: JONES TRANSFER COMPANY, a corporation, 300 Jones Avenue, Monroe, MI 48161. Applicant's representative: Rex Eames, 900 Guardian Building, Detroit MI 48226. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* (except classes A and B explosives and household goods as defined by the Commission); (1) between Toledo, Ohio, and Sandusky, Ohio, over Ohio Highway 2; (2) between Toledo, Ohio, and Norwalk, Ohio; (a) from Toledo over Interstate Highway 280 to junction U.S. Highway 20 thence over U.S. Highway 20 to Norwalk, Ohio, and return over the same route; (b) from Toledo, Ohio, over Ohio Highway 51 to junction U.S. Highway 20 and thence over U.S. Highway 20 to Norwalk, Ohio, and return over the same route; (3) between Toledo, Ohio, and the junction of U.S. Highway 23 and Ohio Highway 15, from Toledo, Ohio, over Interstate Highway 280 to junction U.S. Highway 23 and thence over U.S. Highway 23 to junction of Ohio Highway 15, and return over the same route; (4) between Port Clinton, Ohio, and Tiffin, Ohio, over Ohio Highway 53; (5) between Findlay, Ohio, and Fremont, Ohio,

over Ohio Highway 12; (6) between Ottawa, Ohio, and junction U.S. Highways 224 and 250 thence over U.S. Highway 224; (7) between Toledo, Ohio, and junction of U.S. Highway 127 as follows: (a) from Toledo, Ohio, over U.S. Highway 20 to junction U.S. Highway 127; (b) from Toledo, Ohio, over Ohio Highway 2 to junction of U.S. Highway 127; (c) from Toledo, Ohio, over U.S. Highway 24 to junction of U.S. Highway 127, and return over the same routes in 7 (a), (b), and (c) above, serving all intermediate points; (8) between junction of U.S. Highways 20 and 127 and U.S. Highways 127 and 24, thence over U.S. Highway 127; (9) between junction of U.S. Highway 127 and Ohio Highway 15, and Ottawa, Ohio, over Ohio Highway 15; (10) between Oak Shade, Ohio, and Napoleon, Ohio, over Ohio Highway 108; (11) between the junction of U.S. Highway 20 and Ohio Highway 109, and Ottawa, Ohio, over U.S. Highway 109; (12) between junction of U.S. Highways 127 and 6 and Sandusky, Ohio, over U.S. Highway 6 to Sandusky; (13) between Defiance, Ohio, and Tiffin, Ohio, over Ohio Highway 18, serving all intermediate points over the named routes in (1) through (13) above and all off-routes points in Ohio on, north, and west of U.S. Highways 224 and 250 as well as the off-route points of Bucyrus, Delphos, Lima, Shelby, and Upper Sandusky, Ohio. NOTE: This application is directly related to the procedings in MC–F–10914 published in the FEDERAL REGISTER issue of August 12, 1970 and MC–4966 (Sub-No. 17) published in the FEDERAL REGISTER issue of September 23, 1970. Applicant proposes to tack the foregoing authority, if granted, at Toledo, Ohio, so as to provide a through service to and from its presently authorized points in Michigan and Ohio. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC–F–11015. Correction (NORTH STAR LINE, INC.—Purchase (portion)—GREYHOUND LINES, INC., published in the November 25, 1970, issue of the FEDERAL REGISTER on page 18096. Omitted, through typographical errors from the notice published November 25, 1970, was the following interstate operating authority of GREYHOUND LINES, INC., as a motor common carrier of passengers, and which would be purchased by NORTH STAR LINES, INC.: (1) From No. MC–1515 Sub-6, sheet 9, between Manistee and Benzonia, Mich., over U.S. Highway 31 and Michigan Highways 23 and 115, (2) from No. MC–1501 Sub-33 (reassigned MC–1515 Sub-8), between Rothbury and Jack and Jill Ranch, in seasonal operation.

No. MC–F–11048. Authority sought for purchase by GREENWOOD MOTOR LINES, Montague Street, Extension (Post Office Drawer 336), Greenwood, SC 29646, of the operating rights of PIEDMONT MOTOR LINES, INC., Post Office Box 410, Greer, SC 29651, and for acquisition by J. C. SELF, C. D. BLALOCK, and J. C. SELF, JR., all of Greenwood Building, Greenwood, S.C. 29626, of control of such rights through the purchase. Applicants' attorney: Howard L. Burns, Post Office Drawer 1207, Greenwood, S.C. 29646. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC–96955 Sub–1, covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of South Carolina. Vendee is authorized to operate as a common carrier in South Carolina. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–11049 Authority sought for purchase by EDWARDS TRUCKING INC., Hemingway, S.C. 29554, of the operating rights of JARRETT & SON TRUCKING CO., INC., Post Office Box 847, Spartanburg, S.C. 29301, and for acquisition by F. G. EDWARDS, and G. V. EDWARDS, both of Post Office Box 428, Hemingway, SC 29554, of control of such rights through the purchase. Applicants' attorney: Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006. Operating rights sought to be transferred: *Textile waste materials and used bagging, and textile waste materials and cotton* which are within the exemption of section 203(b)(6) of the Interstate Commerce Act, when transported in the same vehicle with the commodities specified herein, as a *common carrier*, over irregular routes, between points in Virginia, North Carolina, South Carolina, Tennessee, and Georgia. Vendee is authorized to operate as a *common carrier* in North Carolina, South Carolina, Georgia, Virginia, Kentucky, Tennessee, Pennsylvania, Alabama, Rhode Island, New York, New Jersey, Massachusetts, and Maryland. Application has been filed for temporary authority under section 210a (b).

No. MC–F–11050. Authority sought for purchase by ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Sioux Falls, SD 57101, of the operating rights and property of KOLB, INC., 614 North 15th, Omaha, NE 68102, and for acquisition by BUFFALO EXPRESS, INC., and in turn by H. LAUREN LEWIS, Post Office Box 769, 1500 Industrial Avenue, Sioux Falls, SD 57101, of control of such rights and property through the purchase. Applicants' attorneys: Axelrod, Goodman, Steiner & Bazelon, 39 South La Salle Street, Chicago, IL 60603, and Stern, Harris, Feldman & Becker, 630 City National Bank Building, Omaha, NE 68102. Operating rights sought to be transferred: *General commodities* excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Shenandoah, Iowa, and Omaha, Nebr., serving the intermediate and off-route points of South Omaha, Nebr., and those within 12 miles of Shenandoah, with exception, between Shenandoah, Iowa, and Nebraska City, Nebr., serving all intermediate and off-route points within 12 miles of Shenandoah, with exception; between Lenox, Iowa, and Omaha, Nebr., serving the intermediate and off-route points within 15 miles of Lenox, Iowa, restricted to pickup only; from St. Joseph, Mo., to Lenox, Iowa, serving the intermediate points within 15 miles of Lenox, Iowa; *livestock*, between Kansas City, Kans., and Lenox, Iowa, serving the intermediate point of Kansas City, Mo., and the intermediate and off-route points within 15 miles of Lenox, Iowa, from Lenox, Iowa, to St. Joseph, Mo., serving the intermediate points within 15 miles of Lenox, Iowa;

Household goods and emigrant movables, over irregular routes, between Shenandoah, Iowa, and points within 12 miles of Shenandoah, on the one hand, and, on the other, points in Nebraska; *livestock*, between St. Louis, Mo., and Omaha, Nebr., on the one hand, and, on the other, Corning, Iowa, and points within 25 miles of Corning; *building materials, farm implements, feed, farm machinery, and twine*, from Omaha, Nebr., to points in the above described Iowa territory; *household goods*, as defined by the Commission, and *emigrant movables*, between Corning, Iowa, and points within 25 miles of Corning, on the one hand, and, on the other, points in Missouri and Nebraska, between Lenox, Iowa, and points within 15 miles thereof, on the one hand, and, on the other, points in Missouri and Nebraska; *feed and building materials*, from Kansas City and St. Joseph, Mo., to Lenox, Iowa; *malt beverages*, in containers, from Milwaukee, Wis., to Lenox, Iowa; *phosphate*, raw and acid treated, in open top low side trailers, from St. Joseph, Mo., to Lenox, Iowa; *seeds*, from Lenox, Iowa, and points within 15 miles thereof, to points in that part of Missouri on and north of U.S. Highway 40 and on and west of U.S. Highway 65; *sand and gravel*, from points in Cass County, Nebr., to Lenox, Iowa, and points within 10 miles thereof; and *livestock and agricultural commodities*, between Lenox, Iowa, and points within 15 miles thereof, on the one hand, and, on the other, certain specified points in Missouri. Vendee is authorized to operate as a *common carrier* in Minnesota, South Dakota, Nebraska, Iowa, Illinois, North Dakota, Indiana, Kentucky, Ohio, Michigan, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC–F–11051. Authority sought for control and merger by DENVER MIDWEST MOTOR FREIGHT, INC., 1740 West 13th Avenue, Denver, CO 80205, of the operating rights and property of PREMIER TRUCKING SERVICE CO., Post Office Box 156, Downtown Station, Omaha, NE 68102, and for acquisition by HOWARD E. HOLDCROFT, also of Denver, Colo., of control of such rights and property through the transaction. Applicants' attorney: Donald E. Leonard, Post Office Box 82028, 605 South 14th Street, Lincoln, NE 68501. Operating rights sought to be controlled and merged: *General commodities*, excepting

among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Omaha, Nebr., and Chicago, Ill., between Omaha, Nebr., and Sioux City, Iowa, serving no intermediate points, with restriction; *general commodities,* excepting among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, between the plantsite of the Container Corporation of America, at Carol Stream, Ill., and Chicago, Ill.; *paper boxes,* from Morris, Ill., to Des Moines and Sioux City, Iowa, and Omaha and South Omaha, Nebr.; *meats, meat products, and meat byproducts,* as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates;* 61 M.C.C. 209 and 766, except liquid commodities, in bulk, in tank vehicles, from the plantsite of the Sioux City Dressed Pork Co., at Sioux City, Iowa, to the plantsite of the Agar Packing Co. at Momence, Ill., and *premium merchandise and trading stamps,* from the warehouse of Peter King Co., Elk Grove, Ill., to Sioux City, Iowa, and Omaha, Nebr. DENVER MIDWEST MOTOR FREIGHT, INC., is authorized to operate as a *common carrier* in Iowa, Nebraska, Colorado, South Dakota, Missouri, Kansas, Minnesota, and Wyoming. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[F.R. Doc. 70-17271; Filed, Dec. 22, 1970; 8:50 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

DECEMBER 18, 1970.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. CC-915 (Rev. App. No. 19) filed December 3, 1970. Applicant: FORE WAY EXPRESS, INC., 204 Bellis Street, Wausau, WI 54401. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, WI 53703. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities,* over U.S. Highway 141 between Milwaukee and Green Bay in intrastate and interstate commerce.

Hearing: February 15, 1971, 10 a.m., Suite 301, City Hall, Milwaukee, Wis. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Public Service Commission of Wisconsin, Hill Farms State Office Building, 4802 Sheboygan Avenue, Madison WI 53702 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[F.R. Doc. 70-17269; Filed, Dec. 22, 1970; 8:49 a.m.]

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