

federad register

THURSDAY, NOVEMBER 20, 1975



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

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Title 5—Administrative Personnel CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE

Department of the Army; Correction

In the FEDERAL REGISTER of November 3, 1975, FR Doc. 75-29496, appearing on page 51009 paragraph (f) was added in error. It should appear as paragraph (j) as set out below:

§ 213.3107 - Department of the Army.

(j) *U.S. Military Academy Preparatory School, Fort Monmouth, New Jersey.*

(1) Positions of Academic Director, Department Head and Instructor.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
*Executive Assistant
to the Commissioners.*

[FR Doc.75-31319 Filed 11-19-75;8:45 am]

Title 7—Agriculture

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

SUBCHAPTER C—REGULATIONS AND STANDARDS UNDER THE AGRICULTURAL MARKETING ACT OF 1946

PART 54—GRADING AND INSPECTION OF DOMESTIC RABBITS, AND EDIBLE PRODUCTS THEREOF; AND UNITED STATES SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF; AND UNITED STATES CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

Meat and Poultry Inspection Program; Rate Increase

Pursuant to the statutory authorities cited below, the fees relating to inspection, identification, or certification service rendered to operators of establishments engaged in slaughtering or preparing domestic rabbits, or squabs or game birds by the Animal and Plant Health Inspection Service, Meat and Poultry Inspection Program, are hereby amended to reflect increases in Federal employees' salaries authorized by the Federal Pay Comparability Act of 1970, and Executive Order 11811, dated October 8, 1974, to a level that will more adequately cover the service provided.

The rate for base time, overtime, or holiday inspection, identification, or certification service rendered, as provided for in these parts, is changed from \$11.00

per hour to \$12.40 per hour in §§ 54.101 (d) and 70.131(d).

It has been determined that in order to cover these increased costs of the services, the hourly fees charged in connection with the performance of the services must be increased as soon as practicable as provided herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Animal and Plant Health Inspection Service. Therefore, under 5 U.S.C. 553, it is found that notice and other public procedure with respect to these amendments are impracticable and unnecessary and good cause is found for making these amendments effective less than 30 days after publication in the FEDERAL REGISTER.

(60 Stat. 1090, as amended (7 U.S.C. 1624); 37 FR 28464, 28477)

Effective date: October 12, 1975.

Done at Washington, D.C., on November 14, 1975.

F.J. MULHERN,
*Administrator, Animal and Plant
Health Inspection Service.*

[FR Doc.75-31360 Filed 11-19-75;8:45 am]

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

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Travelttime Allowances

• Purpose. The purpose of this document is to publish commuted travelttime established for agricultural inspection service. •

This amendment establishes commuted travelttime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of the Plant Protection and Quarantine Programs performs overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service.

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Plant Protection and Quarantine Programs, by 7 CFR 354.1 of the regulations concerning overtime services relating to imports and exports, the administrative instructions appearing at 7 CFR 354.2, as amended, February 3, 1975 (40 FR 4897), March 20, 1975 (40 FR 12646), May 1, 1975 (40 FR 19828), May 6, 1975 (40 FR 19633), July 22, 1975 (40 FR 30621), September 8, 1975 (40 FR 41513), and September 22, 1975 (40 FR 43479), prescribing the commuted travel-

time that shall be included in each period of overtime or holiday duty are further amended by adding (in appropriate alphabetical sequence) or deleting the information as shown below:

The following entry is added to the table in 7 CFR 354.2:

§ 354.2 Administrative instructions prescribing commuted travelttime.

Commuted travelttime allowances (in hours)

Localities covered	Served from	Metropolitan area	
		Within	Outside
Add in alphabetical order:			
Iowa:			
Des Moines	Berno		3
Michigan:			
Battle Creek	Kalamazoo		2
Kent County	Grand Rapids	1	
New Jersey:			
McGuire AFB	Freehold		2
Do	Eatontown		4
Do	Trenton		3

(64 Stat. 561; (7 U.S.C. 2250))

It is to the benefit of the public that this instruction be made effective at the earliest practicable date. Accordingly, it is found upon good cause, under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing amendment are impracticable and unnecessary and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. The foregoing amendment shall become effective November 20, 1975.

Done at Washington, D.C., this 14th day of November 1975.

THOMAS G. DARLING,
*Acting Deputy Administrator,
Plant Protection and Quarantine Programs.*

[FR Doc.75-31359 Filed 11-19-75;8:45 am]

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

PART 929—CRANBERRIES GROWN IN THE STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

Expenses and Rate of Assessment

This document authorizes \$62,725 of Cranberry Marketing Committee expenses for the 1975-76 fiscal period, under

RÚLES AND REGULATIONS

Marketing Order No. 929, and fixes the rate of assessment at \$0.03 per barrel of cranberries, handled during such period, to be paid to the committee by each first handler as his pro rata share of such expenses.

On October 20, 1975, notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 48954) regarding proposed expenses and the related rate of assessment for the fiscal period September 1, 1975, through August 31, 1976, pursuant to the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. The notice afforded 21 days during which interested persons could submit written data, views, or arguments in connection with said proposals. None were received. This regulatory program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including the proposals which were submitted by the Cranberry Marketing Committee (established pursuant to the amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that:

§ 929.216 Expenses and rate of assessment.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Cranberry Marketing Committee during the fiscal period September 1, 1975, through August 31, 1976, will amount to \$62,725.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 929.41, is fixed at \$0.03 per barrel, or equivalent quantity, of cranberries.

(c) *Terms.* Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of cranberries are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable cranberries handled during the aforesaid period, and (3) such period began on September 1, 1975, and said rate of assessment will automatically apply to all such cranberries beginning with such date.

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

Dated: November 14, 1975.

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

[FR Doc.75-31363 Filed 11-19-75;8:45 am]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Expenses of Raisin Administrative Committee, and Rate of Assessment, for 1975-76 Crop Year

Notice was published in the October 24, 1975, issue of the FEDERAL REGISTER (40 FR 49791), regarding proposed expenses of the Raisin Administrative Committee, and rate of assessment, for the 1975-76 crop year, under §§ 989.79 and 989.80 of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. The marketing agreement and order are effective under the Agriculture Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The total expenses proposed in the notice were \$152,513; the assessment rate proposed was 83 cents per ton of assessable raisins. The assessable tonnage was estimated by the Committee at 183,750 tons.

The notice afforded interested persons opportunity to submit written data, views, or arguments on the proposal. None were received.

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Raisin Administrative Committee, and other available information, it is found that the expenses of the Raisin Administrative Committee and the rate of assessment for the crop year beginning September 1, 1975, shall be contained in a new § 989.326 in Subpart—Budget of Expenses and Rate of Assessment (7 CFR 989.325).

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of the amended marketing agreement and order require that the rate of assessment fixed for a particular crop year which handlers are required to pay shall be applicable to all free tonnage raisins of the crop year; and (2) the current crop year began on September 1, 1975, and the rate of assessment fixed herein will automatically apply to all such raisins beginning with that date.

Section 989.326 reads as follows:

§ 989.326 Expenses of the Raisin Administrative Committee and rate of assessment for the 1975-76 crop year.

(a) *Expenses.* Expenses (other than those specified in § 989.82) in the amount of \$152,513 are reasonable and likely to be incurred by the Raisin Administrative Committee during the crop year beginning September 1, 1975, for the maintenance and functioning of the Committee and the Raisin Advisory Board and for such purposes as the Secretary may, in accordance with § 989.79, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for that crop year which each handler is required, under § 989.80, to pay to the Raisin Administrative Committee as his pro rata share of the expenses is fixed at 83 cents per ton applicable to each of the following:

(1) Free tonnage raisins acquired by the handler during the crop year, exclusive of such quantity thereof as represents the assessable portion of other handlers' raisins under paragraph (b) (3) of this section;

(2) Reserve tonnage raisins released or sold to the handler for use as free tonnage, during that crop year; and

(3) Standards raisins (which he does not acquire) recovered by the handler by the reconditioning of off-grade raisins but only to the extent of the aggregate quantity of the free tonnage portions of these standard raisins that are acquired by other handlers during the crop year.

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

Dated: November 14, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and Veg-
etable Division, Agricultural
Marketing Service.

[FR Doc.75-31362 Filed 11-19-75;8:45 am]

Title 9—Animals and Animal Products

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

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

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Travelttime Allowances

● *Purpose* The purpose of this amendment is to establish commuted travelttime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of Veterinary Services performs overtime or holiday duty when such travel is performed solely on account of overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service. ●

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Veterinary Services, Animal and

Plant Health Inspection Service by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1975 ed.), as amended January 3, 1975 (40 FR 757), February 21, 1975 (40 FR 7620), March 11, 1975 (40 FR 11346), May 8, 1975 (40 FR 20065), July 1, 1975 (40 FR 27643), September 23, 1975 (40 FR 43717), and October 7, 1975 (40 FR 46300), prescribing the commuted traveltime that shall be included in each period of overtime or holiday duty, are hereby amended by adding to the respective lists therein as follows:

§ 97.2 Administrative instructions prescribing commuted travel time.

**OUTSIDE METROPOLITAN AREA
THREE HOURS**

St. Louis Airport, St. Louis, Missouri (served from Beaufort, Missouri), St. Louis Zoological Park, St. Louis, Missouri (served from Beaufort, Missouri).

(64 Stat. 561; (7 U.S.C. 2260))

Effective date. The foregoing amendment shall become effective November 20, 1975.

It is to the benefit of the public that this instruction be made effective at the earliest practicable date. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this instruction are impracticable, unnecessary, and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 17th day of November 1975.

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

[FR Doc.75-31384 Filed 11-19-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-NW-38-AD, Amdt. 39-2436]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 737-100 and -200 Series Airplanes

Amendment 39-2159 (FR Doc. 75-8778), AD 75-8-6, requires installation of warning placards prohibiting use of Stauffer Aero Safe ER hydraulic fluid. These placards were installed adjacent to the hydraulic pressure filling installation, the "A" hydraulic system reservoir, and the ground service hydraulic module.

As indicated in Amendment 39-2159, a type design change is being incorporated in new production airplanes to install ground spoiler actuators with internal locking mechanisms that are compatible with very low friction hydraulic fluids. This positive method of preventing spoiler float will obviate the necessity for regulatory restriction, by FAA directive, of the sale and use of a commercial hydraulic fluid. Therefore, the AD is being superseded by a new AD which permits spoiler actuator rework in accordance with Boeing Service Bulletin 737-27-1080, dated November 21, 1975, as an alternate terminating action.

Since this AD provides an alternate means of compliance and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2159 (FR Doc. 75-8778), AD 75-8-6, is amended as follows:

Boeing: Applies to Model 737-100/-200 series airplanes listed in Boeing Service Bulletin 737-27-1080, certificated in all categories, compliance required as indicated.

To prevent an inadvertent deployment of ground spoilers in flight after the loss of system "A" hydraulic pressure, accomplish one of the following:

A. Within the next 100 hours time in service after the effective date of this AD, unless already accomplished, remove the existing placards, P/N BACM10HG6Y and BAC27DHY 195, and install warning placards, P/N BAC27DHY220 and BAC27DHY221, or equivalent placards approved by the FAA assigned maintenance inspector, in accordance with the instructions contained in Boeing Service Bulletin 737-29-1027 dated December 20, 1974, or later revisions approved by the Chief, Engineering and Manufacturing Branch, Northwest Region, near the hydraulic pressure filling installation, on the hydraulic system "A" reservoir, and at the ground service hydraulic module. These placards warn that servicing the 737 airplane with Stauffer Aero Safe ER hydraulic fluid is prohibited. The improved lubricity characteristics of the ER fluid may permit the unlocking of the ground spoiler actuators in flight if/when hydraulic system "A" fails; or

B. Unless already accomplished, accomplish the following in accordance with the applicable instructions contained in Boeing Service Bulletin 737-27-1080 dated November 21, 1975, or later FAA approved revisions:

1. Remove and rework ground spoiler actuators, P/N 65-44851-3, -4, -5, or -6 and 65-44961-2, -4, or -5; and
2. Reidentify the reworked ground spoiler actuators; and
3. Reinstall the reworked and reidentified ground spoiler actuators, P/N 65-44851-7 and 65-44961-6; and
4. Remove warning placards, P/N BAC27DHY221 and BAC27DHY220, or equivalent placards; and
5. Install service placards, P/N BAC27DHY 195 and BAC27DHY233, or equivalent placards approved by the FAA assigned maintenance inspector.

Airplanes having complied with paragraph B above are compatible with hydraulic fluids that have been qualified to Boeing

Specification BMS 3-11 including Stauffer Aero Safe ER Type IV hydraulic fluid.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive, who have not already received these documents from the manufacturer, may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective December 2, 1975.

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

Issued in Seattle, Wash., November 12, 1975.

C. B. WALK, Jr.,
*Director,
Northwest Region.*

Note: The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.75-31332 Filed 11-19-75;8:45 am]

[Airspace Docket No. 75-EA-41]

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

Alteration of Control Zone and Transition Area

On page 26684 of the FEDERAL REGISTER for June 25, 1975, the Federal Aviation Administration published a proposed rule which would alter the Quantico, Va., transition area (40 FR 576) and Control Zone (40 FR 419).

Interested parties were given 30 days after publication in which to submit written data or views. Objections to the proposal were received from a County Executive and owners of Parks Airpark and Holly Springs Farm Airport. One common failure in all of the objections is to understand that the subject docket deals with altering a presently existing control zone and transition area. The transition area presently overlies both airports and the proposed alteration would in fact reduce the area of coverage. Another review indicates a further reduction is appropriate. Holly Springs Farm Airport lies outside the present control zone and will continue to do so with the proposed extensions. Parks Airpark will remain in.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. January 29, 1976, except as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Quantico, Va. control zone in its entirety and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, lat. 38°30'15" N., long. 77°18'15" W. of Quantico MCAS (Turner Field) Quantico, Va.; within 2 miles each side of the Brooke, Va. VORTAC 013° radial, extending from the 5-mile radius zone to 1.5 miles north of the VORTAC and within 3 miles each side of the 183° bearing from the Quantico UHF RBN, extending from the 5-mile radius zone to 8.5 miles south of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Quantico, Va., transition area in its entirety and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 38°30'15" N., long. 77°18'15" W. of Quantico MCAS (Turner Field) Quantico, Va.; within a 9-mile radius of the center of the airport, extending clockwise from a 225° bearing to a 365° bearing from the airport; within 6.5 miles east and 4.5 miles west of the Brooke, Va., VORTAC 013° radial and 193° radial, extending from 4.5 miles south of the VORTAC to 8.5 miles north of the VORTAC.

(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 November 7, 1975.

DUANE F. FREER,
Director,
Eastern Region.

[FR Doc.75-31333 Filed 11-19-75;8:45 am]

[Airspace Docket No. 75-SW-63]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a 700-foot transition area at Orange, Tex.

On September 30, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR. 44841) stating the Federal Aviation Administration proposed to designate the Orange, Tex. transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. We received, as a result, one objection which was from the Air Transport Association of America (ATA). It objected to the proposal on the basis that the missed approach procedure would conflict with IFR procedures serving Jefferson County Airport runway 11/29.

While we understand ATA's concern, the establishment of a transition area for the Orange County Airport does not, in itself, conflict with instrument approach procedures that serve Orange Airport. The application of missed approach procedures that serve Orange

County Airport may be changed if a requirement should exist. However, in view of the expected volume of traffic utilizing the Orange County Airport, and particularly the number of missed approaches likely, there should be no significant effect, if any, on air carrier operations into Jefferson County Airport.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 29, 1976, as hereinafter set forth.

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

ORANGE, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Orange County Airport (latitude 30°04'10" N., longitude 93°48'05" W.) and within 3 miles each side of the 042° bearing from the proposed NDB (latitude 30°04'35" N., longitude 93°47'35" W.) extending from the 5-mile radius area to 2.5 miles northeast.

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

Issued in Fort Worth, Tex., on November 11, 1975.

HENRY L. NEWMAN,
Director,
Southwest Region.

[FR Doc.75-31334 Filed 11-19-75;8:45 am]

[Docket No. 15173, Amdt. 995]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from

the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or cancelling the following VOR-VOR/DME SIAPs, effective January 1, 1976:

Anderson, SC—Anderson County Arpt., VOR Rwy 5, Amdt. 6.
Childress, TX—Childress Muni. Arpt., VOR Rwy 35, Amdt. 7.
Collegedale, PA—Perkiomen Valley Arpt., VOR Rwy 9, Original.
Detroit Lakes, MN—Detroit Lakes Arpt., VOR Rwy 13, Amdt. 3.
Detroit Lakes, MN—Detroit Lakes Arpt., VOR Rwy 31, Amdt. 1.
Dothan, AL—Wheelless Arpt., VOR-B, Amdt. 1.
Galesburg, IL—Galesburg Muni. Arpt., VOR Rwy 2, Amdt. 5.
Galesburg, IL—Galesburg Muni. Arpt., VOR Rwy 20, Amdt. 6.
Haverhill, MA—Haverhill Arpt., VOR-A, Amdt. 2.
Las Vegas, NM—Las Vegas Muni. Arpt., VOR Rwy 2, Amdt. 8.
Las Vegas, NM—Las Vegas Muni. Arpt., VOR Rwy 20, Amdt. 3.
Oklahoma City, OK—Wiley Post Arpt., VOR Rwy 17L, Amdt. 4.
Oklahoma City, OK—Wiley Post Arpt., VOR Rwy 35R, Amdt. 4.
Oklahoma City, OK—Wiley Post Arpt., VOR-A, Amdt. 13.
Tracy, CA—Tracy Muni. Arpt., VOR-A, Amdt. 1.
Watertown, NY—Watertown New York Int'l Arpt., VOR Rwy 6, Amdt. 9.

2. Section 97.25 is amended by originating, amending, or cancelling the following SDF-LOC-LDA SIAPs, effective January 1, 1976:

Fort Worth, TX—Meacham Fid., LOC(BC) Rwy 34R, Amdt. 3.
Monroe, LA—Monroe Muni. Arpt., LOC/DME (BC) Rwy 22, Amdt. 2, cancelled.

* * * effective December 4, 1975:

Auburn-Lewiston, ME—Auburn-Lewiston Muni. Arpt., LOC Rwy 4, Original.
New Orleans, LA—Lafayette Arpt., LOC Rwy 17, Amdt. 1, cancelled.

3. Section 97.27 is amended by originating, amending, or cancelling the following NDB/ADF SIAPs, effective January 1, 1976:

Athens, TX—Jones Muni. Arpt., NDB Rwy 35, Amdt. 1.
Barnwell, SC—Barnwell County Arpt., NDB-A, Amdt. 2.
Fort Worth, TX—Meacham Field, NDB Rwy 16L, Amdt. 1.
Fort Worth, TX—Meacham Field, NDB Rwy 34R, Amdt. 2.
Grand Marais, MI—Devils Track Muni. Arpt., NDB Rwy 27, Amdt. 5.
Greenville, ME—Greenville, Muni. Arpt., NDB Rwy 3, Amdt. 2.

Greenville, ME—Greenville Seaplane Base, NDB-A, Amdt. 2.
 Mt. Pleasant, IA—Mt. Pleasant Muni. Arpt., NDB Rwy 33, Amdt. 1.
 Orr, MN—Orr Public Arpt., NDB Rwy 13, Amdt. 2.
 Palestine, TX—Palestine Muni. Arpt., NDB Rwy 35, Amdt. 1.
 Palestine, TX—Palestine Muni. Arpt., NDB-A, Original.
 Washington, NC—Warren Field, NDB Rwy 35, Original, cancelled.
 Washington, NC—Warren Field, NDB-A, Original.

* * * effective December 4, 1975:

Auburn-Lewiston, ME—Auburn-Lewiston Muni. Arpt., NDB Rwy 4, Original.
 Auburn-Lewiston, ME—Auburn-Lewiston Muni. Arpt., NDB Rwy 4, Amdt. 6, cancelled.
 Burlington, IA—Burlington Muni. Arpt., NDB Rwy 36, Amdt. 2.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective January 1, 1976:

Billings, MT—Billings Logan Int'l Arpt., ILS Rwy 9, Amdt. 19.
 Fort Worth, TX—Meacham Field, ILS Rwy 16L, Amdt. 2.
 New York, NY—John F. Kennedy Int'l Arpt., ILS Rwy 13L, Amdt. 6.
 Oklahoma City, OK—Wiley Post Arpt., ILS Rwy 17L, Amdt. 2.

* * * effective December 4, 1975:

Burlington, IA—Burlington Muni. Arpt., ILS Rwy 36, Amdt. 2.
 New Orleans, LA—Lakefront Arpt., ILS Rwy 17, Original.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective January 1, 1976:

Billings, MT—Billings Logan Int'l Arpt., RADAR-1, Amdt. 2.
 Duluth, MN—Duluth Int'l Arpt., RADAR-1, Amdt. 10.
 Grand Rapids, MI—Kent County Arpt., RADAR-1, Amdt. 2.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective January 1, 1976:

Greenwood, MS—Greenwood-LeFlore Arpt., RNAV Rwy 18, Original.
 Greenwood, MS—Greenwood-LeFlore Arpt., RNAV Rwy 36, Original.
 Sioux City, IA—Sioux City Muni. Arpt., RNAV Rwy 35, Original.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1438, 1354, 1421, 1510); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on November 13, 1975.

JAMES M. VINES,
 Chief,
 Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610), approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 75-31335 Filed 11-19-75; 8:45 am]

Title 21—Food and Drugs
 CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER C—DRUGS: GENERAL

[Docket No. 75N-0293]

PART 201—LABELING

PART 207—REGISTRATION OF PRODUCERS OF DRUGS AND LISTING OF DRUGS IN COMMERCIAL DISTRIBUTION

Drug Listing Act of 1972; Revision of Implementing Regulations

Correction

In FR Doc. 75-29228 appearing at page 52000 in the issue of Friday, November 7, 1975, on page 52002 in the second complete paragraph in column one insert after the next to the last line "Diagnostic Products, 8757 Georgia Avenue".

SUBCHAPTER D—DRUGS FOR HUMAN USE

PART 431—CERTIFICATION OF ANTIBIOTIC DRUGS

PART 455—CERTAIN OTHER ANTIBIOTIC DRUGS

Rifampin-Isoniazid Capsules

The Commissioner of Food and Drugs has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, with respect to approval of the antibiotic drug rifampin-isoniazid capsules.

The Commissioner concludes that data supplied by the manufacturer concerning the subject antibiotic drug are adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should be amended to provide for its certification, effective November 20, 1975.

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 431 and 455 are amended to provide for the certification of the antibiotic drug product rifampin-isoniazid capsules:

1. Part 431 is amended in § 431.53 by alphabetically inserting the following item into the table in paragraph (b) (1):

§ 431.51 Fees.	
(b) * * *	
(1) * * *	

Test:	Chargeable fee per test
•	•
•	•
•	•
Isoniazid content.....	27

2. Part 455 is amended by redesignating § 455.170 as § 455.170a and by adding new §§ 455.170 and 455.170b, to read as follows:

§ 455.170 Rifampin oral dosage forms.

§ 455.170a Rifampin capsules.

§ 455.170b Rifampin-isoniazid capsules.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Rifampin-isoniazid capsules contain rifampin and isoniazid with a suitable and harmless filler and with or without binders, lubricants, and stabilizers in a gelatin capsule. Each capsule contains 300 milligrams of rifampin and 150 milligrams of isoniazid. Its rifampin content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of milligrams of rifampin that it is represented to contain. Its isoniazid content is satisfactory if it is not less than 90 percent and not more than 110 percent of the number of milligrams of isoniazid that it is represented to contain. Its loss on drying is not more than 3.0 percent. The rifampin used conforms to the standards prescribed by § 455.70(a)(1). The isoniazid used conforms to the standards prescribed by the U.S.P.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 431.1 of this chapter, each such request shall contain:

(i) Results of tests and assays on:
 (a) The rifampin used in making the batch for potency, safety, loss on drying, pH, absorptivity, identity, and crystallinity.

(b) The isoniazid used in making the batch for all U.S.P. specifications.

(c) The batch for rifampin content, isoniazid content, and loss on drying.

(ii) Samples required:

(a) The rifampin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 36 capsules.

(b) *Tests and methods of assay—(1) Rifampin content.* Proceed as directed in § 436.105 of this chapter, preparing the sample for assay as follows: Place a representative number of capsules into a high-speed glass blender jar containing 200 milliliters of methyl alcohol and blend for 3 minutes. Add 300 milliliters of 1 percent potassium phosphate buffer, pH 6.0 (solution 1), and blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 1 to the reference concentration of 5.0 micrograms of rifampin per milliliter (estimated).

(2) *Isoniazid content—(i) Equipment—(a) Electronic voltmeter.* A vacuum tube voltmeter or pH meter capable of measuring potentials from 0 to 1,400 millivolts.

(b) *Platinum electrodes.* Use twin platinum electrodes.

(c) Constant current potential source. Polarize the platinum electrodes by

means of a battery and a suitable resistance in series with the electrodes, or by a stable electronic power supply, so that the current flow is about 2.5 microamperes.

(d) *Titration vessel.* Use a 100-milliliter beaker.

(ii) *Reagents*—(a) Concentrated hydrochloric acid, reagent grade.

(b) 0.1N Bromine solution. Dissolve 3.0 grams of potassium bromate and 15.0 grams of potassium bromide in sufficient water to make 1 liter. Preserve in dark amber-colored, glass-stoppered bottles.

(c) 1.0N Potassium iodide. Dissolve 16.5 grams of potassium iodide in 100 milliliters of water.

(d) Starch iodide paste, T.S. (U.S.P.).

(e) 0.1N Sodium thiosulfate (U.S.P.).

(f) 0.1N Hydrochloric acid.

(g) Chloroform, reagent grade.

(iii) *Standardization of 0.1N bromine solution.* Measure accurately about 25 milliliters of the bromine solution into a 500-milliliter iodine flask and dilute with 120 milliliters of water. Add 5 milliliters of hydrochloric acid, insert the stopper in the flask, and shake it gently. Then add 5 milliliters of potassium iodide T.S., insert the stopper, shake the mixture, and allow it to stand for 5 minutes. Titrate the liberated iodine with standard 0.1N sodium thiosulfate U.S.P., adding starch iodide paste T.S./U.S.P. as the endpoint

is approached. Calculate the normality of the bromine solution.

(iv) *Preparation of sample solution.* Empty the contents of not less than 10 capsules into a tared weighing bottle. Mix and weigh the powder. Calculate the average capsule weight content and accurately weigh a sample equivalent to approximately 100 milligrams of isoniazid. Transfer the sample to a 125-milliliter separatory funnel. Add 20 milliliters of 0.1N hydrochloric acid and shake well. Extract the acidic solution with six 25-milliliter portions of chloroform, combining any interfacial emulsion with the aqueous phase throughout the extraction procedure. Discard the chloroform extracts. Quantitatively transfer the acidic aqueous layer to a 100-milliliter volumetric flask and dilute to volume with 0.1N hydrochloric acid.

(v) *Titration procedure.* Pipet 25 milliliters of the sample solution into the titration vessel and add 10 milliliters of concentrated hydrochloric acid. Adjust the volume to approximately 50 milliliters with water. Titrate potentiometrically at constant current with 0.1N bromine solution to a dead stop endpoint. Calculate the isoniazid content for the sample used and determine the isoniazid content for the average capsule weight as follows:

$$\text{Milligrams isoniazid per average capsule} = \frac{V \times N \times 34.29 \times 4 \times W}{S}$$

where:

V=Volume in milliliters of 0.1N bromine solution used to titrate the sample;

N=Normality of bromine solution;

W=Average capsule weight content in milligrams;

S=Weight of sample in milligrams.

(3) *Loss on drying.* Proceed as directed in § 436.200(b) of this chapter.

Since the conditions prerequisite for providing for the certification of the subject antibiotic have been complied with, and since the matter is noncontroversial, notice and public procedures and delayed effective date are not prerequisites to this promulgation.

Effective date. This amendment shall be effective November 20, 1975.

(Sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357))

Dated: November 14, 1975.

MARY A. McENIRY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

[FR Doc.75-31364 Filed 11-19-75;8:45 am]

PART 450—ANTITUMOR ANTIBIOTIC DRUGS

Sterile Bleomycin Sulfate

Correction

In FR Doc. 75-29849 appearing at page 52003 in the issue of Friday, November 7, 1975, on page 52005 in the sixth line of § 450.10a(a)(1)(ix) in column one "bleomycin B₁" should read "bleomycin B₂".

Issued in Washington, D.C., this 14th day of November 1975.

JAMES D. HUTCHINSON,
Administrator for Pension,
and Welfare Benefit Programs.

[FR Doc.75-31316 Filed 11-19-75;8:45 am]

PART 2556—INTERPRETIVE BULLETINS RELATING TO REPORTING AND DISCLOSURE

Independence of Accountant Retained by Employee Benefit Plan

For Immediate Release; November 19, 1975 ERISA IB RD 75-1.

The Department of Labor today announced guidelines for determining when a qualified public accountant is independent for purposes of auditing and rendering an opinion on the financial information required to be included in the annual report filed with the Department.

Section 103(a)(3)(A) requires that the accountant retained by an employee benefit plan be "independent" for purposes of examining plan financial information and rendering an opinion on the financial statements and schedules required to be contained in the annual report.

Under the authority of section 103(a)(3)(A) the Department of Labor will not recognize any person as an independent qualified public accountant who is in fact not independent with respect to the employee benefit plan upon which that accountant renders an opinion in the annual report filed with the Department of Labor. For example, an accountant will not be considered independent with respect to a plan if:

(1) During the period of professional engagement to examine the financial statements being reported, at the date of the opinion, or during the period covered by the financial statements, the accountant or his or her firm or a member thereof had, or was committed to acquire, any direct financial interest or any material indirect financial interest in such plan, or the plan sponsor, as that term is defined in section 3(16)(B) of the Act.

(2) During the period of professional engagement to examine the financial statements being reported, at the date of the opinion, or during the period covered by the financial statements, the accountant, his or her firm or a member thereof was connected as a promoter, underwriter, investment advisor, voting trustee, director, officer, or employee of the plan or plan sponsor except that a firm will not be deemed not independent in regard to a particular plan if a former officer or employee of such plan or plan sponsor is employed by the firm and such individual has completely disassociated himself from the plan or plan sponsor and does not participate in auditing financial statements of the plan covering any period of his or her employment by the plan or plan sponsor. For the purpose of this bulletin the term "member" means all partners or shareholder employees in the firm and all professional employees participating in the audit or

Title 29—Labor

CHAPTER XXV—OFFICE OF EMPLOYEE BENEFITS SECURITY, DEPARTMENT OF LABOR

PART 2556—INTERPRETIVE BULLETINS RELATING TO REPORTING AND DISCLOSURE

Employee Retirement Income Security Act of 1974

In order to provide a concise and ready reference to its interpretations of the provisions of Part 1 of Title I of the Employee Retirement Income Security Act of 1974, relating to reporting and disclosure, the Department of Labor will hereafter publish its interpretive bulletins pertaining to reporting and disclosure in the rules and regulations section of the FEDERAL REGISTER.

Copies of the various interpretive bulletins may be obtained from the Labor Management Services Administration Information Office, Room N-5641, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C., 20210.

Accordingly, 29 CFR Chapter XXV is amended by adding a new Part 2556, Interpretive Bulletins Relating to Reporting and Disclosure.

located in an office of the firm participating in a significant portion of the audit;

(3) An accountant or a member or an accounting firm maintains financial records for the employee benefit plan.

However, an independent qualified public accountant may permissibly engage in or have members of his or her firm engage in certain activities which will not have the effect of removing recognition of his or her independence. For example, (1) an accountant will not fail to be recognized as independent if at or during the period of his or her professional engagement with the employee benefit plan the accountant or his or her firm is retained or engaged on a professional basis by the plan sponsor, as that term is defined in section 3(16)(B) of the Act. However, to retain recognition of independence under such circumstances the accountant must not violate the prohibitions against recognition of independence established under paragraphs (1), (2) or (3) of this interpretive bulletin; (2) the rendering of services by an actuary associated with an accountant or accounting firm's independence. However, it should be noted that the rendering of services to a plan by an actuary and accountant employed by the same firm may constitute a prohibited transaction under section 406(a)(1)(C) of the Act. The rendering of such multiple services to a plan by a firm will be the subject of a later interpretive bulletin that will be issued by the Department of Labor.

In determining whether an accountant or accounting firm is not, in fact, independent with respect to a particular plan, the Department of Labor will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant or accounting firm and that of the plan sponsor or any affiliate thereof, and will not confine itself to the relationships existing in connection with the filing of annual reports with the Department of Labor.

Further interpretive bulletins may be issued by the Department of Labor concerning the question of independence of an accountant retained by an employee benefit plan.

Issued in Washington, D.C., this 14th day of November 1975.

JAMES D. HUTCHINSON,
*Administrator for Pension
and Welfare Benefit Programs.*

[FR Doc.75-31318 Filed 11-19-75;8:45 am]

Title 32—National Defense

CHAPTER XII—DEFENSE SUPPLY AGENCY

SUBCHAPTER B—MISCELLANEOUS

PART 1285—AVAILABILITY TO THE PUBLIC OF OFFICIAL INFORMATION

Appendix A—Schedules of Fees; Correction

In FR Doc. 75-4501, Volume 40—Number 34, published at page 7282 in the issue dated Wednesday, February 19, 1975, is corrected by changing fees under

"Search" from "\$6.50, 3.50, 13.00, 10.00" to "\$5.50, 2.75, 11.00, 5.50" and under "Computer Service Charges," line 4, by changing "if" to "of".

J. J. McALEER, Jr.,
*Colonel, USA,
Staff Director, Administration.*

[FR Doc.75-31354 Filed 11-19-75;8:45 am]

Title 40—Protection of Environment
CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 456-7]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

New Hampshire Plan; Revision

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with exceptions, the New Hampshire Plan for attainment of national ambient air quality standards. Included in this approval were Regulations 4, 6, 8, 10, 11, 13, 14, and 17. This publication contains the Administrator's approval of a revision to these regulations.

New Hampshire has revised the following regulations and submitted them to EPA for approval as a revision to the New Hampshire State Implementation Plan: Regulation 4, Control of Visible and Particulate Emissions from Fuel Burning Equipment; Regulation 6, Prevention, Abatement and Control of Air Contaminants from Incinerators; Regulation 8, Emissions from Asphalt Plants; Regulation 10, Prevention, Abatement and Control of Air Contaminants from Ferrous Foundries; Regulation 11, Ambient Air Quality Standards for the State of New Hampshire; Regulation 13, Prevention, Abatement and Control of Air Contaminants from the Sand and Gravel Industry and the Cement, Ready Mix Concrete and Cement Elock Industry; Regulation 14, Prevention, Abatement and Control of Air Contaminants from Non-Ferrous Foundries, Smelters, and Investment Casting Industries; Regulation 17, Prevention, Abatement and Control of Air Contaminants from Process, Manufacturing, Service and Miscellaneous Industries.

The revision in Regulation No. 4 exempts new steam generators over 250 million BTU/hr heat input from the visible emission control limitation, allowing up to a 40 percent opacity reading for two minutes in any one hour.

Regulation No. 6 has added a definition for "Heating Values".

Regulation No. 8 has added a requirement for the submission of data on type, sizing and quantity of aggregates used and hours of plant operation for new or modified asphalt plants.

Regulation No. 10 has been revised to prohibit new or modified ferrous foundries from discharging into the atmosphere any gases which contain particulate matter in excess of 50 milligrams per dry standard m³ (0.022 grains dsccf).

Regulation 11 adds the following primary ambient air quality standard for sulfur dioxide: Maximum three hour average 1300 µg/m³, 0.5 ppm not to be exceeded more than once per year.

Regulation 13 adds a definition of Portland Cement Plants.

Regulation 14 adds a definition of opacity.

Regulation 17 adds testing definitions for: Nitric Acid Production Unit, Sulfuric Acid Production Unit, and for opacity.

As proposed, the changes to regulations 4, 6, 8, 10, 11, 13, 14 and 17 bring existing regulations into conformity with Federal New Source Performance Standards promulgated December 23, 1971, and March 8, 1974. The change in Regulation 11 will insure conformance with the Federal ambient air quality standards for sulfur dioxide (SO₂).

The proposed revision was published as proposed rulemaking on August 21, 1974 (39 FR 30167) and opportunity was provided for the public to comment on the approvability of the revision. The comment period has expired with no comments being received.

After evaluation of the State's submittal, the Administrator has determined that the regulation, as amended, meets the requirements of the Clean Air Act and 40 CFR Part 51. This regulation is hereby approved as a revision to the New Hampshire Implementation Plan.

The Agency finds that good cause exists for making these actions effective immediately on November 20, 1975, for the following reasons:

1. The implementation plan revisions were adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public hearings and comments, and further participation is unnecessary and impracticable.

2. Immediate effectiveness of the actions enables the sources involved to proceed with certainty in conducting their affairs, and persons wishing to seek judicial review of the actions may do so without delay.

This revision becomes effective on November 20, 1975.

(Sec. 110, Clean Air Act, as amended, (42 U.S.C. 1857c-5))

Dated: November 13, 1975.

JOHN QUARLES,
Acting Administrator.

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

Subpart EE—New Hampshire

§ 52.1520 [Amended]

Section 52.1520(d) is amended by inserting the date "June 6, 1974" in proper chronological order.

[FR Doc.75-31313 Filed 11-19-75;8:45 am]

[FRL 456-8]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**Approval of Revision to Pennsylvania State Implementation Plan**

On December 26, 1974, the Commonwealth of Pennsylvania submitted to the Regional Administrator of EPA Region III an amendment to the approved State Implementation Plan. The amendment consists of a modification to Table 1 of § 123.13, *Processes*, of the Pennsylvania Department of Environmental Resources Rules and Regulations. The actual modification consists of a revision to incorporate a process factor of 50 pounds per ton of fill for pressed, spun and blown glass production melting furnaces.

The Commonwealth contends that based on information submitted by the glass container industry, the current emission standard, which is based on grain loading requirements, is overly restrictive and should be relaxed.

The amendments to the Pennsylvania Implementation Plan were publicly advertised and a hearing was held in Pittsburgh on April 3, 1974, in accordance with the requirements set forth in 40 CFR Part 51, Requirements for Preparation, Adoption and Submittal of State Implementation Plans.

On March 14, 1975 (40 FR 18894), the Regional Administrator announced receipt of the amendment, proposed the amendment as a revision to the Pennsylvania State Implementation Plan, and announced a 30 day public comment period.

During the comment period, which ended on April 14, 1975, EPA received comments from the Owens-Illinois Corporation. The company favored the revised process weight factor, as it would allow them to achieve compliance with the revised § 123.13 at the Clarion, Pennsylvania plant. No comments recommending disapproval were received.

Upon review of the amendment, the Administrator has determined that the requirements of section 110 of the Clean Air Act and 40 CFR Part 51 have been met. The amendment strengthens the control of particulate emissions from glass production melting furnaces, in that it sets an upper limit on the level of allowable emissions. In light of EPA's favorable review, and in light of favorable comments received concerning approval of this amendment, the Administrator hereby approves the change to Table 1 of § 123.13 of the Pennsylvania Department of Environmental Resources Rules and Regulations as a revision to the Pennsylvania State Implementation Plan, effective as of (30 days after publication of this notice).

Copies of the amendment are available for inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Curtis Building, Second Floor, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106.

Pennsylvania Department of Environmental Resources, Bureau of Air and Water Quality Control, Third and Locust Streets, Harrisburg, Pennsylvania 17120.

Public Information Reference Unit, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

(42 U.S.C. 1857 3-5)

Dated: November 13, 1975.

JOHN QUARLES,
Acting Administrator.

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

Subpart NN—Pennsylvania

1. Section 52.2020 is amended by adding paragraph (c) (4) as follows:

§ 52.2020 Identification of Plan.

(c) Supplemental information was submitted on * * *

(4) April 15, May 14, and December 26, 1974.

[FR Doc.75-31399 Filed 11-19-75;8:45 am]

Title 45—Public Welfare**CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE****PART 250—ADMINISTRATION OF MEDICAL ASSISTANCE PROGRAMS****Limits on Payment for Drugs**

Final regulations were published August 15, 1975 (40 FR 34516) setting forth amended provisions governing the upper limit for payment for prescribed drugs in the Medicaid program (title XIX, Social Security Act). Those provisions specify that the upper limit for all prescribed drugs for which payment is made under State Medicaid programs shall be based on the lower of the cost of the drug plus a dispensing fee or the provider's usual and customary charge to the general public. With respect to certain multiple-source drugs, "cost" is limited to the lowest of (1) maximum allowable cost as published in the FEDERAL REGISTER, (2) estimated acquisition cost, or (3) the provider's usual and customary charge to the general public. This third alternative was incorrectly included in the paragraph describing cost as applied to multiple-source drugs. Since the provider's charge includes the cost of the drug plus a dispensing fee, it is not an appropriate alternative to the first two, which do not include a dispensing fee. The regulation has been revised to correct this provision by deleting the third alternative.

An additional revision in the same paragraph has been made to clarify the use of the word "limitation" in the clause dealing with the physician's certification of the necessity for a particular brand

of drug. There is a previous reference to limitations on cost in the same sentence, and use of the word the second time without further explanation could be misleading.

The purpose of these changes is to make technical revisions to avoid ambiguity and possible confusion. The basis is the Department's desire to assure correct interpretation and implementation of each of the regulatory provisions. Since these technical clarifications should be published as soon as possible for the information of State administrators, providers, and others involved in carrying out the title XIX program, the Department finds there is good cause to dispense with notice of proposed rule-making.

Section 250.30(b) (2) (ii) of Part 250, Chapter II, Title 45, Code of Federal Regulations, is revised to read as follows:

§ 250.30 Reasonable charges.(b) *Upper limits.* * * *(2) *Drugs.* * * *

(ii) For each multiple source drug designated by the Pharmaceutical Reimbursement Board and published in the FEDERAL REGISTER, cost will be limited to the lower of (a) the maximum allowable cost established by the Board for such drug, and published in the FEDERAL REGISTER, or (b) the estimated acquisition cost (as defined in paragraph (b) (2) (iii) of this section). Limitation to the maximum allowable cost established by the Board shall not apply in any case where a physician certifies in his own handwriting that in his medical judgment a specific brand is medically necessary for a particular patient. The form and procedure for the certification shall be prescribed by the State. An example of an acceptable certification would be the notation "brand necessary." A procedure for checking a box on a form will not constitute an acceptable certification. At the discretion of the State, the certification may be retained by the provider rather than submitted with the claim form with the understanding that it will be available for inspection by the State and by the Department of Health, Education, and Welfare.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

Effective date. These amendments shall be effective on November 20, 1975.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Dated: October 17, 1975.

JOHN A. SVAHN,
*Acting Administrator, Social
and Rehabilitation Service.*

Approved: November 14, 1975.

DAVID MATTHEWS,
Secretary.

[FR Doc.75-31352 Filed 11-10-75;8:45 am]

Title 49—Transportation
 SUBTITLE A—OFFICE OF THE SECRETARY
 OF TRANSPORTATION
 [OST Docket No. 39]
 PART 10—MAINTENANCE OF AND AC-
 CESS TO RECORDS PERTAINING TO
 INDIVIDUALS

Establishment of Part
Correction

In FR Doc. 75-26397 appearing at page 45729 in the issue of Thursday, October 2, 1975 the following heading should be inserted directly after the text of § 10.85:

APPENDIX I—EXEMPTIONS

Title 50—Wildlife

CHAPTER I—FISH AND WILDLIFE SER-
 VICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Mingo National Wildlife Refuge, Missouri

The following special regulation is issued and is effective on November 20, 1975.

§ 33.5 Special regulations; sport fishing for individual wildlife refuge areas.

MISSOURI

MINGO NATIONAL WILDLIFE REFUGE

Sport fishing on the Mingo National Wildlife Refuge, Missouri is permitted in all waters as designated on the refuge during daylight hours only. The waters comprise about 4,300 acres. Maps and

information are available at refuge headquarters and from the office of the Area Manager, Fish & Wildlife Service, 601 East 12th, Kansas City, Missouri 64106. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

- (1) Open Season: January 1, 1976 through March 14, 1976 in designated waters.
- (2) Open Season: March 15, through September 30 in all waters.
- (3) Open Season: October 1, through December 31 in designated waters.
- (4) Use of all motors is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1976.

GERALD L. CLAWSON,
*Refuge Manager, Mingo Na-
 tional Wildlife Refuge, Pur-
 ico, Missouri.*

NOVEMBER 5, 1975.

[FR Doc.75-31370 Filed 11-19-75;8:45 am]

PART 33—SPORT FISHING
 National Wildlife Refuges, Wisconsin

The following special regulation is issued and is effective on November 20, 1975.

§ 33.5 Special regulations; sport fishing, for individual wildlife refuge areas.

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing, in accordance with all applicable State regulations is permitted on the Necedah National Wildlife Refuge, Necedah, Wisconsin, but only on those areas designated as open to fishing during the following dates:

1. January 1, 1976 thru March 15, 1976, the entire 39,549 acre refuge.
2. June 1, 1976 thru September 30, 1976, only on the Sprague-Mather Pool, an area of approximately 2,000 acres.
3. December 15, 1976 through December 31, 1976, the entire refuge, except Rynearson No. 1 Pool, approximately 39,000 acres.

The open fishing areas are delineated on a map available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1976.

GERALD H. UPDIKE,
*Refuge Manager, Necedah Na-
 tional Wildlife Refuge, Necedah,
 Wisconsin 54646.*

NOVEMBER 14, 1975.

[FR Doc.75-31356 Filed 11-19-75;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 12]

SPECIAL CLASSES OF MERCHANDISE

Proposed Procedures for Importation of Motor Vehicles and Motor Vehicle Equipment

Notice is hereby given that under the authority of R.S. 231, as amended (19 U.S.C. 66), sections 592, 623, 624, 46 Stat. 750, as amended, 759, as amended (19 U.S.C. 1592, 1623, 1624), and section 108, 80 Stat. 722, (15 U.S.C. 1397), it is proposed to amend § 12.80 of the Customs Regulations (19 CFR 12.80) to make certain substantive changes in the procedures established for the entry of motor vehicles and motor vehicle equipment subject to the Federal motor vehicle safety standards.

At present, § 12.80 of the Customs Regulations prescribes regulations providing for the admission or refusal of motor vehicles (hereinafter referred to as "vehicles") and motor vehicle equipment (hereinafter referred to as "equipment items") offered for importation into the Customs territory of the United States and which are subject to Federal motor vehicle safety standards promulgated by the Department of Transportation in 49 CFR Part 571, pursuant to the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, as amended (15 U.S.C. 1381, et seq.) (hereinafter referred to as "the Act").

After careful examination of the procedures presently set forth in § 12.80 of the Customs Regulations, it has been determined that certain substantive changes in those procedures, as described below, would aid in the effective administration and enforcement of the Act with respect to imported vehicles and equipment items.

Section 12.80(b) of the Customs Regulations presently provides for the entry of a vehicle or equipment item into the Customs territory of the United States provided it bears a certification label or tag affixed by the original manufacturer in accordance with section 114 of the Act (15 U.S.C. 1403), or is intended solely for export and is so labeled, as tagged, or, in the case of vehicles exempted by the Secretary of Transportation from meeting certain safety standards, bears a label or tag which meets the requirements of 49 CFR 555.9. Any vehicle or equipment item not bearing such a label or tag will be allowed entry if a declaration is filed at the time of entry which states that one of the following nine conditions exist:

(1) The vehicle or equipment item was manufactured when no applicable safety standards were in force;

(2) The vehicle or equipment item was not manufactured in conformity with applicable safety standards, but has since been brought into conformity with those standards (the declaration to be accompanied by a statement of the manufacturer, contractor, or other person who brought the vehicle or equipment item into conformity, describing the nature and extent of the work performed);

(3) The vehicle or equipment item does not conform with applicable safety standards, but will be brought into conformity with them and not sold or offered for sale until conformity is achieved and a statement of the type referred to in (2), above, is filed and accepted by the appropriate district director of Customs;

(4) The vehicle is a new vehicle being imported for purposes of resale and does not conform to all applicable safety standards only because readily-attached equipment items are not yet attached, but the vehicle will be brought into conformity by the attachment of such equipment items before it is offered for sale to the first purchaser for purposes other than resale;

(5) The importer or consignee is a nonresident of the United States importing the vehicle or equipment item primarily for personal use or for the purpose of making repairs or alterations to it, for a period of one year or less from the date of entry, and will not resell it in the United States during that time;

(6) The importer or consignee is (a) a member of the armed forces of a foreign country, (b) a member of the Secretariat of a public international organization (so designated pursuant to 59 Stat. 669), or (c) is a member of the personnel of a foreign government, who is on assignment in the United States and who comes within the class of persons for whom free entry of motor vehicles has been authorized by the Department of State, and is importing such vehicle or equipment item for purposes other than resale;

(7) The importer or consignee is importing the vehicle or equipment item solely for purposes of show, test, experiment, competition, repairs, or alterations, and such vehicle or equipment item will not be sold or licensed for use on the public roads (vehicles imported for test or experiment may be licensed for use on the public roads if certain additional information, specified in § 12.80(b) (2) (vii) of the Customs Regulations, is provided in the declaration);

(8) The vehicle is not manufactured primarily for use on the public roads and is not a "motor vehicle" as defined in section 102 of the Act (15 U.S.C. 1391); or

(9) The vehicle was manufactured in conformity with all applicable safety standards, and the declaration is accompanied by a statement of the vehicle

manufacturer as evidence of such conformity.

Each declaration is required to state the name and United States address of the importer or consignee, the date, and the entry number. It must also contain a description of the item (in the case of an equipment item), specify either the make, model, and engine and body identification numbers (in the case of a vehicle) or other identification numbers, and indicate the city and state in which it is to be registered (in the case of a vehicle) and principally located, if known.

It is proposed to amend § 12.80(b) of the Customs Regulations to require that a declaration be filed with each vehicle or equipment item presented for entry into the Customs territory of the United States, including a vehicle or equipment item which bears a certification label or tag affixed by the original manufacturer in accordance with section 114 of the Act (15 U.S.C. 1403), or a vehicle or equipment item which is intended solely for export and is so labeled or tagged. The requirement of a declaration is being extended to these two situations in order to relieve Customs officers of the burden of examining the vehicle or equipment item for the presence of the appropriate label or tag (on the basis of which the vehicle or equipment item is presently permitted entry) and also to negate the use of false certification labels or tags. Under this proposed change, certification labels or tags, or export labels or tags, as appropriate, will continue to be required to be affixed to the vehicle or equipment item (or the container in which an equipment item may be shipped). The proposed change will more closely align the declaration procedure used for the Federal motor vehicle safety standards with those used for the Federal motor vehicle emission standards, as set forth in § 12.73 of the Customs regulations (19 CFR 12.73).

It is also proposed to amend § 12.80(b) of the Customs Regulations to require that a vehicle or equipment item which was not manufactured in conformity with all applicable Federal motor vehicle safety standards but which has been, or will be, brought into conformity with those standards, be entered under a bond for the production of a statement that the vehicle or equipment item has been brought into conformity. This conformity statement would be required to identify the manufacturer, contractor, or other person who has brought the vehicle or equipment item into conformity, and to describe the nature and extent of the work performed. This procedure is presently required only with respect to a vehicle or equipment item not manufactured in conformity with applicable safety standards which is to be brought

into conformity after entry. With respect to a vehicle or equipment item not manufactured in conformity with applicable safety standards which has been brought into conformity before entry, the present regulations require that a conformity statement of the type described above be filed with the entry, but permit the giving of a bond for the subsequent production of the statement in the event the statement cannot be filed at the time of entry. Under the proposed amendment, entry of the vehicle or equipment item would be permitted upon the filing of a declaration and the giving of a bond for the delivery of the required conformity statement to the National Highway Traffic Safety Administration (NHTSA) within 120 days after entry (or such additional period, not to exceed 60 days, as the NHTSA shall allow). The bond will be required to be given on Customs Form 7551, 7553, or 7595 in the amount prescribed under § 113.14 of the Customs Regulations (19 CFR 113.14). If the NHTSA determines the statement to be acceptable, it will advise the district director of Customs to whom the bond was given that the bond (or charge against the bond) may be released. If the statement is not delivered to the NHTSA within the allotted time, or if the statement submitted is inaccurate or false in any material respect, the NHTSA may request the district director of Customs at the port of entry to issue a Notice of Redelivery, Customs Form 4647, requesting the return to Customs custody of the vehicle or equipment item. If the vehicle or equipment item is not returned, or has not been exported under Customs supervision, liquidated damages will be assessed under the bond.

It is also proposed to amend § 12.80(b) of the Customs Regulations to require that the declaration filed by a nonresident of the United States, who declares that he is importing a vehicle or equipment item primarily for personal use for a period not exceeding one year and that he will not sell it in the United States during that time, shall indicate the nonresident's passport number and country of issue. This added requirement will aid in the identification of individuals entering a vehicle or equipment item in this situation.

Similarly, it is proposed to amend § 12.80(b) of the Customs Regulations to require a member of the foreign armed forces, or of the Secretariat of an appropriately-designated public international organization, or of the personnel of a foreign government who is authorized free entry of a motor vehicle by the Department of State while on assignment in the United States, to submit a copy of his assignment orders verifying his eligibility to temporarily import a nonconforming vehicle or equipment item. A qualifying member of the personnel of a foreign government may, in the alternative, name the embassy to which he is accredited. These additional requirements will permit a greater degree of control over the importation of nonconforming vehicles and equipment items by these individuals.

It is also proposed to amend § 12.80(b) of the Customs Regulations to provide that the period of time for which a vehicle imported solely for purposes of test or experiment may be licensed for use on the public roads (now limited to one year) may be extended an additional year. This change would permit the use of the vehicle for an extended period under conditions which are an integral part of the tests or experiments for which the vehicle was imported.

Lastly, it is proposed to amend § 12.80 of the Customs Regulations to provide that a vehicle or equipment item entered into the Customs territory of the United States by means of a false or fraudulent entry declaration shall be subject to forfeiture under section 592 of the Tariff Act of 1930, as amended (19 U.S.C. 1592). This change will provide, in the case of such a declaration, an effective enforcement action which should aid in ensuring compliance with the Federal motor vehicle safety standards.

Accordingly, it is proposed to amend § 12.80 of the Customs Regulations (19 CFR 12.80) to read as follows:

§ 12.80 Federal motor vehicle safety standards.

(a) *Standards prescribed by the Department of Transportation.* Motor vehicles and motor vehicle equipment manufactured on or after January 1, 1968, offered for sale, or introduction or delivery for introduction in interstate commerce, or importation into the United States are subject to Federal motor vehicle safety standards (hereinafter referred to in this section as "safety standards") prescribed by the Secretary of Transportation under sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) (hereinafter referred to in this section as "the Act") and set forth in 49 CFR Part 571. A motor vehicle (hereinafter referred to in this section as "vehicle") or item of motor vehicle equipment (hereinafter referred to in this section as "equipment item"), manufactured on or after January 1, 1968, is not permitted entry into the Customs territory of the United States unless (with certain exceptions set forth in paragraph (b) of this section) it is in conformity with applicable safety standards in effect at the time the vehicle or equipment item was manufactured.

(b) *Requirements for entry and release.* (1) Each vehicle or equipment item offered for importation into the Customs territory of the United States shall be refused entry unless there is filed with the entry, in duplicate, a declaration signed by the importer or consignee which identifies the vehicle or equipment item and affirms that:

(i) The vehicle or equipment item conforms to all applicable safety standards and bears a certification label or tag affixed by its original manufacturer in accordance with section 114 of the Act (15 U.S.C. 1403) and regulations issued thereunder by the Secretary of Transportation (49 CFR Parts 555, 567, and 568) (in the case of a vehicle, certifica-

tion shall be in the form of a label or tag permanently affixed to the vehicle, or, in the case of an equipment item, in the form of a label or tag on the item or on the outside of a container in which the item is delivered); or

(ii) It is intended solely for export, the vehicle or equipment item and the outside of its container, if any, to be so labeled and tagged; or

(iii) The vehicle or equipment item was manufactured on a date when there were no applicable safety standards in force, an oral declaration being acceptable at the option of the district director of Customs for vehicles entering at the Canadian and Mexican borders if the vehicles are of Canadian or Mexican registry; or

(iv) The vehicle or equipment item was not manufactured in conformity with all applicable safety standards, but that such vehicle or equipment item has been or will be brought into conformity with such safety standards as evidenced by the true and complete statement described in paragraph (c) of this section, and that the vehicle or equipment item will not be sold or offered for sale until the bond required by paragraph (c) of this section shall have been released; or

(v) The importer or consignee is a nonresident of the United States, importing the vehicle or equipment item primarily for personal use for a period not exceeding one year from the date of entry, and that he will not sell it in the United States during that time (the declarant's passport number and country of issue shall be indicated on the declaration); *Provided*, That persons regularly entering the United States by a motor vehicle at the Canadian and Mexican borders may apply to the district director of Customs for an appropriate means of identification to be affixed to the vehicle which will serve in place of the declaration required by this paragraph; or

(vi) The importer or consignee is a member of the armed forces of a foreign country on assignment in the United States, a member of the Secretariat of a public international organization so designated pursuant to section 1, 59 Stat. 669 (22 U.S.C. 288), as listed in § 148.87 of this chapter, on assignment in the United States, or a member of the personnel of a foreign government on assignment in the United States who comes within the class of persons for whom free entry of motor vehicles has been authorized by the Department of State, and that he is importing the vehicle or equipment item for purposes other than resale (a copy of the official orders of the importer or consignee on assignment within the United States or the name of the embassy to which the importer or consignee is accredited shall be attached to the declaration); or

(vii) The importer or consignee is importing the vehicle or equipment item solely for the purpose of show, test, experiment, competition, repairs, or alterations and that the vehicle or equipment item will not be sold for use or licensed for use on the public roads: *Provided*,

That vehicles imported solely for purposes of test or experiment may be licensed for use on the public roads for a period not to exceed one year, where such use is an integral part of the tests or experiments for which such vehicle is being imported, upon condition that the importer attach to the declaration a description of the tests or experiments for which the vehicle is being imported, the period of time during which it is estimated that it will be necessary to test the vehicle on the public roads, and the disposition to be made of the vehicle after completion of the tests or experiments. A vehicle may be licensed for use on the public roads for an additional year upon application to and approval by the Administrator, National Highway Traffic Safety Administration (hereinafter referred to in this section as "NHTSA"), Department of Transportation. The declaration accompanying a vehicle imported for purposes of show, competition, repairs, or alterations, shall contain a statement fully describing the use to be made and the ultimate disposition of the vehicle; or

(viii) The vehicle was not manufactured primarily for use on the public roads and is not a "motor vehicle" as defined in section 102 of the Act (15 U.S.C. 1391); or

(ix) The vehicle is an incomplete vehicle, as defined in 49 CFR Part 568.

(2) Any declaration given under this section (except an oral declaration accepted at the option of the district director of Customs under paragraph (b)(1)(iii) of this section) shall include the name and United States address of the importer or consignee, the date and the entry number, a description of the item (if an equipment item), the make and model, and engine and body serial numbers (if a vehicle), or other identification numbers, and shall be signed by the importer or consignee. The district director of Customs at the port of entry shall immediately forward the original of such declaration to the Director, Office of Standards Enforcement, National Highway Traffic Safety Administration, Washington, D.C. 20590.

(c) *Release under bond.* (1) If a declaration filed in accordance with paragraph (b) of this section states that the entry is being made under circumstances described in paragraph (b)(1)(iv) of this section, the entry shall be accepted only if the importer or consignee gives a bond on Customs Forms 7551, 7553, or 7595 for the production of a statement by the importer or consignee that the vehicle or equipment item described in the declaration has been brought into conformity with applicable safety standards and identifying the manufacturer, contractor, or other person who has brought the vehicle or equipment item into conformity with such standards and describing the nature and extent of the work performed. The bond shall be in the amount required under § 113.14 of this chapter.

(2) Within 120 days after such entry, or such additional period not to exceed 60 days as the Administrator, NHTSA, may allow for good cause shown, the importer or consignee shall deliver to the Director, Office of Standards Enforcement, NHTSA, the original of the statement described in paragraph (c)(1) of this section. Upon determination of the extent of conformity with all applicable safety standards by review of the statement and/or inspection of the vehicle or equipment item, the NHTSA will advise the district director of Customs at the port of entry whether release of the bond required by this section is satisfactory.

(3) If such statement is not delivered to the NHTSA within 120 days of the entry, or such additional time as may have been allowed, or in the event that it has been determined that the statement submitted is inaccurate or false in a material respect, the district director of Customs at the port of entry shall, upon request by the NHTSA, issue a Notice of Redelivery, Customs Form 4647, for the vehicle or equipment item to be redelivered to Customs custody. In the event that such vehicle or equipment item is not redelivered within the period allowed by the district director of Customs or exported under Customs supervision, liquidated damages shall be assessed in the full amount of a bond given on Customs Form 7551. When the transaction has been charged against a bond given on Customs Form 7553 or 7559, liquidated damages shall be assessed in the amount that would have been demanded if the vehicle or equipment item had been released under a bond given on Customs Form 7551.

(d) *Vehicle or equipment item entered by means of fraudulent or false declaration.* A vehicle or equipment item brought into the Customs territory of the United States by means of a fraudulent entry declaration or a false entry declaration that is made without reasonable cause to believe the truth of such declaration is subject to forfeiture under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592).

(e) *Vehicle or equipment item refused entry.* If a vehicle or equipment item is denied entry under the provisions of paragraph (b) of this section, the district director of Customs shall refuse to release the vehicle or equipment item for entry into the Customs territory of the United States and shall issue a notice of such refusal to the importer or consignee.

(f) *Disposition of vehicle or equipment item refused entry into the Customs territory of the United States: Redelivered vehicle or equipment item.* A vehicle or equipment item which is denied entry under paragraph (b) of this section, or which is redelivered in accordance with paragraph (c) of this section and which is not exported under Customs supervision, within 90 days from the date of notice of refusal of admission or date of redelivery shall be disposed of under Customs laws and reg-

ulations: *Provided, however,* That any such disposition shall not result in an introduction into the United States of a vehicle or equipment item in violation of the Act.

Prior to the adoption of this amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received not later than December 22, 1975.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

VERNON D. ACREE,
Commissioner of Customs.

Approved: October 2, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the
Treasury.

Approved: November 12, 1975.

JAMES B. GREGORY,
Administrator, National Highway Traffic Safety Administration.

[FR Doc.75-31393 Filed 11-19-75;8:45 am]

[19 CFR Part 113]
CUSTOMS BONDS

Proposed Incorporation of Immigration and Naturalization Service Form Into the Vessel, Vehicle, or Aircraft Bonds; Rescinded

In the matter of proposed incorporation of Immigration and Naturalization Service Form I-310, into the vessel, vehicle, or aircraft bonds, Customs Forms 7567, 7569, and proposed amendment to condition 4 of the vessel, vehicle, or aircraft bonds, rescinded.

On May 21, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 17870) which proposed to incorporate the provisions of the Bond for Payment of Sums and Fines Imposed under Immigration and Nationality Act (Term or Single Entry), Immigration and Naturalization Service Form I-310, into the Vessel, Vehicle, or Aircraft Bond (Single Entry), Customs Form 7567, and the Vessel, Vehicle, or Aircraft Bond (Term), Customs Form 7569. It was also proposed to amend condition 4 of the Vessel, Vehicle, or Aircraft Bonds to provide that when merchandise subject to duty is removed from the place of unloading prior to obtaining a proper permit for removal, the importing carrier is liable for liquidated damages in an amount equal to the total of the duties, taxes, charges, and exactions accruing on the merchandise so removed. The purpose of the proposed consolidation and amendment was to reduce the number of documents filed by carriers in connection with the entry and clearance of

vessels and aircraft and to encourage stricter adherence to the provisions of section 448(a), Tariff Act of 1930, as amended (19 U.S.C. 1448(a)).

However, based upon the response to the notice, it has been determined that the public interest would not be served by proceeding with the proposed consolidation and amendment at this time.

Accordingly, the notice is hereby rescinded.

VERNON D. ACREE,
Commissioner of Customs.

Approved: November 11, 1975.

L. F. CHAPMAN, JR.
Commissioner of Immigration and
Naturalization Service.

[FR Doc. 75-31394 Filed 11-19-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 42]

FOOD CONTAINERS

Proposed Standards for Condition
Correction

In FR Doc. 75-30376, appearing at page 52735 in the issue for Wednesday, November 12, 1975 make the following changes:

1. In § 42.123 on page 52737, in the notes that appear below the table, "Notes: V" should read "Notes: 1".
2. The 6th line of the introductory paragraph of § 42.141 should read as follows: "in § 42.142. The procedure for using the curve in § 42.142 is as follows:."

[7 CFR Part 52]

VARIOUS CANNED FRUITS

Proposed United States Standards for
Grades

Correction

In FR Doc. 75-29893, appearing at page 52038 in the issue for Friday, November 7, 1975, make the following changes:

1. On page 52040, the third line of § 52.5601 should read as follows: "Drug, and Cosmetic Act, and are either pitted or unpitted".
2. On page 52045, in § 52.2824, in the table, under "Brix measurements", "16° or more but less than 21°" should appear adjacent to the line under "designations" which reads "Light sirup;" or "Lightly sweetened fruit * * *".

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

[41 CFR Part 60-5]

AFFIRMATIVE ACTION PLAN FOR FEDERALLY INVOLVED CONSTRUCTION CONTRACTORS IN THE WASHINGTON, D.C. AREA

Extension of Comment Period

On September 5, 1975, the Office of Federal Contract Compliance Programs published in the FEDERAL REGISTER (40

FR.41149) a proposed affirmative action plan for the Washington, D.C. area construction industry. The proposed plan would establish affirmative action requirements applicable to all non-exempt Federal and Federally assisted construction contracts in the Washington, D.C. area including goals for minority manpower utilization.

Interested persons were invited to comment upon the proposal by submitting written data, views or arguments to the Department of Labor on or before October 7, 1975. That comment period has expired and many persons have submitted requests asking for an extension of the time to comment. In consideration of the public interest in the proposed Revised Washington Plan the period for comments is extended until December 22, 1975.

Interested persons may submit their comments to Mr. George F. Travers, Acting Director, Office of Federal Contract Compliance Programs, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N3402, Washington, D.C. 20210.

Signed this 15th day of November 1975.

BERNARD E. DELUXY,
Assistant Secretary for
Employment Standards.

GEORGE F. TRAVERS,
Acting Director, Office of Federal
Contract Compliance
Programs.

[FR Doc. 75-31381 Filed 11-19-75; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 416]

[Reg. No. 16]

SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Unearned Income; Support and Maintenance Provided in Kind to Residents of Nonmedical Institutions

Notice is hereby given pursuant to the Administrative Procedure Act (5 U.S.C. 553), that the amendment to the regulations which is set forth in tentative form is proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed amendment revises Subpart K of Part 416 at § 416.1125 (Unearned income; support and maintenance).

The proposed amendment establishes new rules for valuing support and maintenance provided in kind to residents of various types of nonmedical institutions. Proposed rules for valuing in-kind support and maintenance to individuals in noninstitutional living arrangements have recently been published and reflect many of the same principles as are applicable here. (Those rules also implemented the special statutory provisions contained in section 4 of Public Law 93-484 pertaining to nonprofit retirement homes and similar nonprofit institutions.)

In general, payment arrangements between individuals and proprietary institutions are commercial transactions and do not result in in-kind income to those individuals. For that reason, under the proposed amendment the value of support and maintenance provided in kind by a proprietary institution does not result in income to the individual if the institution accepts as payment in full either what the individual himself pays or the individual's legally contracted indebtedness to the institution plus the amount of his payment, if any. However, if a third party pays the institution on the individual's behalf, a different rule (described below) applies.

Section 4 of Pub. L. 93-484 establishes, in effect, that support and maintenance provided by a private nonprofit residential care facility does not result in countable income to the individual. However, when a third party (other than a private nonprofit organization) makes a vendor payment on behalf of an individual in a facility to which section 4 applies, section 4 does not direct the exclusion of the support and maintenance attributable to that payment. In this case the facility itself is not providing support and maintenance; instead, it is merely furnishing it in return for money paid. Under these circumstances the vendor payment is unearned income. The amount of unearned income will be presumed to be that amount which, for an individual with no other income, offsets his supplemental security income standard payment amount by one-third. If, however, the individual demonstrates that the actual amount of the third party payment is less, the lower figure will be used for income purposes.

Similarly, if the individual is in a proprietary institution and payment is made by a third party, the vendor payment is unearned income and is subject to the same conditions as are described in the last two sentences of the preceding paragraph.

Finally, the proposed amendment establishes the presumption that the maximum value of support and maintenance provided by a private nonprofit residential care institution, by a public or private nonprofit institution for education or vocational training, or by a public residential care institution when an individual is not there throughout a month, regardless of whether a third party payment is involved, is that amount which, for an individual with no other income, would offset the standard payment amount by one-third. The individual may rebut this presumption by establishing that the current market value of such support and maintenance, reduced by any payment he himself makes for it, is less than the presumed value. This is consistent with existing rules for valuation of support and maintenance provided in kind to residents of households and greatly simplifies the case adjudication process.

The rules set forth in the proposed amendment (paragraphs (g), (h), and (i) of § 416.1125) will be applied by the Social Security Administration for

months beginning April 1975 (the month in which the Secretary approved the formulation of the rules contained in the proposed amendment), until a final regulation is adopted. These rules are being given interim effectiveness since their operation does not disadvantage any recipient; the alternative would involve either holding for later adjudication the cases to which these rules apply or adjudicating them currently in a fashion less favorable to the applicant or recipient with subsequent retroactive correction (assuming final adoption of at least the general substance of the proposed amendment).

Prior to final adoption of the amendment to the regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Maryland 21203, on or before December 22, 1975.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Information, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

The proposed amendment is to be issued under the authority contained in sections 1102, 1612, and 1631(d)(1) of the Social Security Act, as amended; 49 Stat. 647, as amended; 86 Stat. 1468 and 86 Stat. 1476; 42 U.S.C. 1302, 1382a, 1383 (d) (1).

(Catalog of Federal Domestic Assistance Program No. 13.807, Supplemental Security Income Program)

Dated: September 16, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: November 14, 1975.

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

Part 416 of Chapter III of Title 20 of the Code of Federal Regulations is amended as set forth below:

Section 416.1125 is amended by revising paragraph (g) and redesignating it as paragraph (j) and by adding new paragraphs (g), (h), and (i) to read as follows:

§ 416.1125 Unearned income; support and maintenance.

(g) *Individual in proprietary institution; no third party payment for support and maintenance.* In the case of an eligible individual (or eligible spouse) living in a proprietary institution for other than medical care, with no payments being made by a third party to the institution for such individual's support and maintenance, the value of in-kind support and maintenance provided by that institution does not result in income to the individual under the following circumstances:

(1) The individual makes payment to the institution and the institution accepts that amount as payment in full, or

(2) The individual contracts a legal debt to the institution for his support and maintenance, regardless of whether the amount owed represents full market value, and the institution accepts the amount of the debt plus the individual's payment, if any, as payment in full.

(h) *Individual in private nonprofit or proprietary institution; third party pays toward support and maintenance.* In the case of an eligible individual (or eligible spouse) residing in an institution, on whose behalf a third party makes payment to such institution for such individual's support and maintenance, the individual will be considered to be receiving in-kind support and maintenance which is unearned income. However, the value of such support and maintenance is presumed to be that amount which, for an individual with no other income, would reduce the applicable standard payment amount by one-third; i.e., the value is presumed to be one-third of the standard payment amount plus the exclusion applicable to unearned income. However, this presumption may be rebutted by the individual's establishing that the actual amount of the third party payment is less than the presumed value. This rule will apply in the following circumstances:

(1) The eligible individual (or eligible spouse) is in a private nonprofit institution as described in paragraph (f) of this section and a third party, other than another private nonprofit organization, makes a vendor payment on his behalf, or

(2) The eligible individual (or eligible spouse) is in a proprietary nonmedical institution and a third party makes a vendor payment on his behalf.

(i) *Individual in other type of institution:* In the case of an eligible individual (or eligible spouse) in the types of institutions described in paragraphs (i) (1), (i) (2) and (i) (3) of this section, support and maintenance provided by the institution, regardless of whether a third party pays for some or all of such support and maintenance, is unearned income. However, the maximum value of such support and maintenance is presumed to be that amount which, for an individual with no other income, would reduce the applicable standard payment amount by one-third; i.e., the value is presumed to be one-third of the standard payment amount plus the exclusion applicable to unearned income. This presumption may be rebutted by the individual's establishing that the current market value of such support and maintenance, less any payment he makes therefor, is lower than the presumed value. This rule will apply in the following circumstances:

(1) The eligible individual (or eligible spouse) is in a private nonprofit institution as described in paragraph (f) of this section and an express obligation exists to provide full support and maintenance without receiving current or future payment for doing so, or

(2) The eligible individual (or eligible spouse) is in a public or private nonprofit institution for education or vocational training, or

(3) The eligible individual (or eligible spouse) is in any other public non-medical institution under circumstances to which § 416.231(a) (1) does not apply.

(j) *Effective dates.* The provisions set forth in paragraphs (a), (b) (1), (b) (3), (c), and (f) of this section are effective beginning with amounts payable for January 1974. The provisions of paragraphs (b) (2), (d), and (e) of this section are effective with amounts payable for December 1974. The provisions of paragraphs (g), (h), and (i) of this section are effective with amounts payable for April 1975.

[FR Doc. 75-31353 Filed 11-19-75; 8:46 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 157]

[CGD 75-201]

TANK VESSELS CARRYING OIL IN DOMESTIC TRADE

Extension of Comment Deadline

The Coast Guard published a notice of proposed rulemaking in the October 14, 1975 issue of the FEDERAL REGISTER (40 FR 48289). This Notice solicited comments on amendments to the oil pollution regulations by adding requirements for the distribution of required segregated ballast in certain seagoing U.S. tankships and barges certified to carry oil in the domestic U.S. trade.

Comments have been received from the public and other governmental sources requesting the comment deadline be extended due to insufficient time to adequately prepare a response. Since this is a reasonable request, the comment deadline for this notice is hereby extended until December 1, 1975.

Dated: November 17, 1975.

J. V. CAFFEY,
Captain, U.S. Coast Guard,
Acting Chief, Office of Merchant Marine Safety.

[FR Doc. 75-31495 Filed 11-19-75; 8:46 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-EA-69]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Downingtown, Pa., transition area.

A new VOR instrument approach procedure has been developed for Bob Shannon Memorial Field, Downingtown, Pa., and will require designation of a transition area to provide additional controlled airspace to protect IFR arrivals and departures at said airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before December 22, 1975, 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 parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Downingtown, Pennsylvania, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Downingtown, Pa. transition area as follows:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 39°59'00" N., 75°44'30" W., of Bob Shannon Memorial Field, Downingtown, Pa. and within 6.5 miles northeast and 4.5 miles southwest of the Modena, Pa. VORTAC 320° radial and 140° radial, extending from 5.5 miles northwest to 11.5 miles southeast of the VORTAC. This transition area is effective from sunrise to sunset, daily.

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 November 10, 1975.

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.75-31336 Filed 11-19-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-SW-76]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate the Crownpoint, N. Mex., transition area with a floor of 11,500 feet MSL. It is also considering a nonrule-making action to establish the Crownpoint, N. Mex., military operations area in conjunction with the rulemaking action.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before December 22, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

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

CROWNPOINT, N. Mex.

That airspace extending upward from 11,500 feet MSL within an area bounded on the north by a line beginning at latitude 35°58'20" N., longitude 108°30'00" W., thence to latitude 36°11'00" N., longitude 107°45'30" W.; bounded on the east by the west boundary of V-187; bounded on the south by the north boundary of V-62; and bounded on the west by the east boundary of V-421; excluding the portion which coincides with the Gallup, N. Mex., transition area.

This proposal will provide additional controlled airspace below 14,500 feet MSL to encompass a proposed Crownpoint military operations area (MOA). The proposed transition area and MOA are depicted on the enclosed chart.

It is proposed to establish the Crownpoint military operations area (MOA) as follows:

A. Title. Crownpoint 1 MOA.

B. Purpose. To contain military training activities, to separate these activities from other IFR traffic, and to chart this area for the information of the flying public.

C. Location and description. 1. The Crownpoint 1 MOA is described as that airspace within the vertical and horizontal limits from 12,000 feet MSL up to, but not including, FL 180 MSL, beginning at 35-52-00 N, 108-30-00 W, direct to 36-05-00 N, 107-50-00 W, direct to 35-40-00 N, 107-31-00 W, direct to 35-35-00 N, 108-30-00 W, direct to point of beginning.

2. The horizontal dimensions of the Crownpoint 1 MOA are approximately 25 nautical miles by 40 nautical miles. The MOA is clear of all low altitude airways and lies east of V-421, north of V-62, west of V-

187 and south of the Albuquerque ARTC Center/Denver ARTC Center boundary.

D. Pertinent data on activities to be conducted. 1. The 150th TFG will conduct air combat maneuvers and acrobatics within the Crownpoint 1 MOA. Such activity will overlap vertically into overlying ATO assigned airspace (ATCAA) in positive control area which will be designated from FL 180 through FL 280.

2. Time of operations will normally be 0600 to 1900 local time, 7 days a week.

3. Up to two flights of two A7 type aircraft per hour will use the area.

4. Communications with the Albuquerque ARTC Center will be via the Zuni RCAG located 20 miles northeast of the Zuni VORTAC and the ARTC Center building equipment located 15 miles northeast of the Albuquerque VORTAC.

E. Safety considerations. Aircraft will remain within the area by visual reference to the ground and with on-board inertial navigation equipment.

F. Remarks. 1. Aircraft using the area will be on IFR flight plans and under the control jurisdiction of the Albuquerque ARTC Center. The area is within radar coverage. No military radar unit is involved.

2. During periods of nonuse, the controlling agency may authorize air traffic to traverse the Crownpoint 1 MOA. No flight restrictions or communications requirements will be imposed on nonparticipating VFR pilots. Nonparticipating IFR aircraft may be cleared through the area if IFR separation can be provided from the military activity within the area.

The amendment to FAR Part 71 is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on November 11, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.75-31337 Filed 11-19-75;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

SPECIAL CLASSES OF MERCHANDISE

Proposed Procedures for Importation of Motor Vehicles and Motor Vehicle Equipment

CROSS REFERENCE: For a document relating to the importation of motor vehicles and motor vehicle equipment, issued by Customs Service, Treasury Department, see FR Doc. 75-31393 in the proposed rules section of this issue.

CIVIL AERONAUTICS BOARD

[14 CFR Parts 253, 399]

[EDR-290; PSOR-44 Docket No. 28460]

COMMISSIONS AND OTHER FORMS OF COMPENSATION AND STATEMENTS OF GENERAL POLICY

Proposed Rulemaking

Notice is hereby given that the Civil Aeronautics Board is proposing to adopt a new Part 253 of the regulations (14 CFR Part 253) to require each air carrier and each foreign air carrier to file, and to

maintain on file, a currently effective schedule showing the commissions and all other forms of compensation which it pays to persons other than its own employees for the sale of air transportation. The rule would prohibit the payment or provision of commissions or other forms of compensation which differ from those set forth in the carrier's filed schedules.

Notice is also hereby given that the Board proposes to amend Part 399 of the regulations (14 CFR Part 399) to state that it will be the Board's policy to regard as an unfair practice and an unfair method of competition in air transportation, within the meaning of section 411 of the Act, the payment by a carrier—or the solicitation or receipt by a ticket agent or by another carrier—of commissions or other forms of compensation which differ from those set forth in the paying carrier's current commission schedule on file with the Board, pursuant to Part 253.

The proposed amendments and a statement explaining their principal features are attached. The rules are proposed under the authority of sections 102, 204, 401(e), 402(e), 403(b), 407, 411, 1002 and 1102 of the Federal Aviation Act of 1958, as amended, (72 Stat. 740, 743, 754 (as amended by 76 Stat. 143, 82 Stat. 867), 757, 758 (as amended by 74 Stat. 445), 766 (as amended by 83 Stat. 103), 769, 788, 797; 49 U.S.C. 1302, 1324, 1371, 1372, 1373, 1377, 1381, 1482, 1502).

Interested persons may participate in the proposed rulemaking through submission of twelve (12) copies of written data, views or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before December 8, 1975, and reply comments received on or before December 23, 1975, will be considered by the Board before taking final action on the proposed rule.

Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710 Universal Building, 1825 Connecticut Avenue, N.W., Washington, D.C. upon receipt thereof.

Those persons planning to file comments and/or responsive comments who wish to be served with the comments filed by others, and are willing to undertake service of their own comments on others, shall file with the Docket Section at the above address by November 17, 1975, a request to be placed on the service list in Docket 28460. The service list will be prepared by the Docket Section and sent to the persons named thereon. The persons on the service list are to serve each other with their comments and/or responsive comments at the time of filing, and are to include appropriate proof of service (Rule 8(e), 14 CFR 302.8 (e)) with each filing.

Individual members of the general public who wish to express their interest as consumers by participating informally in this proceeding, may do so through submission of comments in letter form to the Docket Section at the above indi-

cated address, without the necessity of filing additional copies thereof.

Dated: November 3, 1975.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

British Caledonian Airways Limited (BCAL) and the United States Department of Transportation (DOT) have filed separate petitions for rulemaking with respect to practices involving the level of commissions or other compensation paid by carriers to persons acting as agents or intermediaries in the sale of air transportation. No answers have been filed in response to BCAL's petition; answers to DOT's petition have been filed by the American Society of Travel Agents (ASTA), the Association of Retail Travel Agents (ARTA), British Airways, Pan American World Airways, Inc. (Pan American), Trans World Airlines, Inc. (TWA), Air France, Scandinavian Airlines System (SAS) and the Travel Agents Legal Action Committee (TALAC). Since the petitions raise substantially the same issues, we are considering them simultaneously.¹

The great bulk of air transportation, both foreign and domestic, is performed by carriers who are members of the International Air Transport Association (IATA), or of the Air Traffic Conference of America (ATC), or both.² As members of these associations, most carriers have been traditionally committed to payment of precise commission rates specified in resolutions which have been adopted by the associations and reflected in Board-approved agreements.³ It has, however, for some time been clear that—as BCAL and DOT allege and answers to their petitions confirm—the commission levels embodied in these resolutions have in fact been widely disregarded by carriers, and undisclosed amounts of "excess" commissions or compensation paid or provided to agents by carriers seeking to obtain increased traffic. While the exact amounts involved in these transactions are not known, there is no doubt that they are of considerable magnitude. Indeed, there appears little doubt that practices involving payment of excess commissions have long been quite common among carriers in many markets, particularly over the North Atlantic, and that these practices have resulted in a very substantial loss of revenues.⁴

¹Dockets 26990 and 27413 are therefore consolidated into this proceeding. The motion to expedite, filed by DOT and supported by Air France, ASTA, ARTA, SAS, British Airways, Pan American, and the Department of State, and the motions of Air France, SAS, and Pan American for leave to file unauthorized documents are hereby granted.

²All certificated trunk and local service air carriers belong to ATC. Of these, Allegheny, American, Braniff, Delta, Eastern, Flying Tiger, National, TWA, and United also belong to IATA. Pan American, although not an ATC member, belongs to IATA.

³For example, ATC Resolution 80.10 and 80.15 (Agreement CAB 5044, as amended),

On April 9, 1975, Pan American focused attention on these problems by denouncing the IATA commission resolutions, stating that it could not afford to observe them while they are ignored by other carriers. Other airlines followed Pan American's lead and the resolutions were rescinded, leaving carriers free in principle as well as practice to make such payments as they found appropriate or necessary. The result has been sharp and continuing competitive escalation of announced commission rates among both U.S. and foreign air carriers. The extent of unannounced payments or other forms of compensation remains unknown, but there is no reason to believe, that they have been curtailed.

It is obvious that undisclosed compensation, while resulting in substantial benefits to a limited number of agents, tends to be injurious to other agents and, indeed, to the air transportation industry as a whole, as well as to the general public, as consumers. Undisclosed payments are apt to have no real relationship to the value or costs of the agent's services. They inevitably erode carrier revenues, aggravate any anticompetitive tendencies which may exist in the travel industry, and may well cause eventual increases in fares and rates charged the general public.⁵

Both IATA and the ATC have enforcement or compliance offices and both provide for investigation of breaches of their resolutions.⁶ However, these mechanisms have historically not been effective.

provides for the payment of 7% commissions for sales of most domestic air transportation, 8% for family travel, 10% and 11% for tours, 5% for charter transportation, and 3% for in-plant ticketing.

⁴It has been estimated that illegal discounts and related practices involving excess payments by carriers to travel agents—whether retained entirely by the agents or passed on to their customers as illegal rebates—cost carriers in the North Atlantic over \$500 million a year. Hearings on H.R. 14266 et al. before Subcommittee on Transportation and Aeronautics of the House Committee on Interstate and Foreign Commerce, 93rd Cong., 2d Sess., Ser. 93-90, p. 422 (1974). Some of these practices were for many months the subject of a New York federal grand jury investigation which recently terminated by nolle contendere pleas and fines imposed upon nineteen international airlines, which also entered into a civil consent agreement. New York Times, September 30, 1975, p. 1. A grand jury investigation into similar practices in the trans-Pacific markets has been initiated in San Francisco.

⁵International concern with excessive agents' commissions is reflected in Article XI of the 1960 revision, Standard Form of Bilateral Air Transport Agreement, which includes a mutual obligation to prevent this practice and is in effect with 16 countries.

⁶Excessive commissions may, of course, in some instances be used as a device to rebate part of the fare to particular transportation users, in violation of section 403(b) of the Act.

⁷Breaches of IATA and ATC resolutions may result in fines and, in the case of IATA, expulsion from the association. ATC Resolution 1.20; Provisions for the Regulation and Conduct of IATA Traffic Conference, XII.

tively employed to enforce member carriers' adherence to agreed-upon commission levels.⁷ Nor has the Board been successful in its efforts to solve the problem, either through obtaining carrier cooperation in voluntary discontinuance of excess payments, or through institution of cease and desist proceedings against individual carriers.⁸

BCAL's petition proposes that we remedy commission practices through adoption of the substance of its draft rule, which would require carriers to file commission schedules with the Board and which would prohibit compensation in excess of, or in a form different from, that set forth in the schedules. In addition, BCAL requests adoption of a policy statement that the Board considers it an unfair practice and unfair method of competition for a ticket agent to demand, collect, or receive any compensation which the terms of the proposed rule would prohibit the carrier from paying.

DOT has not submitted a draft rule but generally supports BCAL's petition and proposes similar Board action. DOT requests that we require all carriers to file schedules of the compensation which they actually pay air transportation intermediaries for traffic they generate, declare it unlawful for a carrier to pay compensation differing from that set forth in its filed schedule, and adopt a policy statement that receipt of undisclosed rates of compensation constitutes an unfair practice in violation of Section 411 of the Act. To enforce compliance, DOT would have us require the carriers to file periodic reports showing revenues from passengers generated by intermediaries, and showing all compensation paid intermediaries on the basis of these revenues. While the proposed BCAL rule would apply to all air transportation, DOT suggests limitation to foreign air transportation and domestic movements which are part of an international movement.

Answers filed by TWA, Pan American and British Airways generally support the proposal that binding compensation schedules be filed with the Board, although Pan American goes on to advocate Board sponsorship of a legislative program which would impose stringent controls on air traffic intermediaries.⁹ TWA submits a draft rule which would

⁷We note that IATA has recently taken steps to bolster its enforcement efforts. See Agreement CAB 1175-A36.

⁸See Order 73-11-10, November 2, 1973 (Air-India); Deutsche Lufthansa, Enforcement, 47 CAB 1111 (1967) and Order E-12791, July 15, 1958 (Pan American).

⁹On April 9, 1975, Pan American by letter informed the Board of its denunciation of the IATA commission resolution and urged Board support of legislation which would not only require the filing of binding commission schedules but would establish a licensing system for air transportation intermediaries. Its answer to DOT's petition also advocates such a licensing system, and proposes that the Board support legislation to impose on the receipt of nonconforming compensation the same civil and criminal sanctions as DOT's proposed rule would apply to payment of nonconforming compensation. These matters are not properly a part of this rulemaking, but may be considered in connection with the Board's legislative responsibilities. See Section 205 of the Act.

require schedules in the format of a tariff and which would apply only to compensation of "ticket agents." Answers filed by ASTA, TALAC and ARTA also generally support the thrust of the petition. However, they raise some questions as to the scope of the proposed rule and would inject into the rulemaking issues concerning the manner in which commissions are determined, the role of travel agents in their determination, and the adequacy of present levels. TALAC further proposes that commission agreements should not be given antitrust immunity and that commission levels should be subject to the same general type of regulatory treatment as fares and cargo rates. ARTA also favors withdrawal of antitrust immunity, and would have us prohibit payments to nonconference agents and require that carrier commission schedules be industrywide and nondiscriminatory.

On review of the matters raised by the petitions and the answers, we have tentatively concluded that a regulation requiring carriers to make full disclosure of the commissions and other forms of compensation that they pay in respect to the sale of air transportation would help reduce the problems in this area. We will not at this time consider regulatory action designed to prescribe any particular level of commissions. Questions as to the procedures by which those levels are arrived at and the voice given to travel agents in those procedures are also not here in issue. We are now simply proposing to require the filing of commission levels which are in fact paid, without regard to how these levels are determined and whether or not they are incorporated in agreements. Our present limited purpose is to insure that these commission levels and all other forms of compensation actually paid or provided for the sale of air transportation are fully disclosed to the Board, to the consuming public, and to all competitors within the industry.

We are therefore proposing to adopt a rule which would: (1) Require each carrier to file and maintain on file a currently effective schedule setting forth the commissions or other compensation which it pays for the sale of air transportation and (2) prohibit payment of commissions or compensation different from that set forth in the currently filed schedules. In addition, we propose to adopt a policy statement expressing the Board's view that the payment or receipt of commissions or compensation differing from that set forth in the currently filed schedule constitutes an unfair practice and an unfair method of competition within the meaning of Section 411 of the Act.

It should be noted that under this limited proposal, carriers, either individually or through association agreements approved by the Board, would remain free to change their commission levels from time to time, provided only that the new levels are reflected in revised schedules duly filed with the Board.¹⁰ It may be that

¹⁰ATC is currently reviewing its commission levels. See Order 74-9-44, September 13, 1974.

British Airways suggests that a draft rule

ultimately we shall have to go further in dealing with commission practices. We are aware that the rulemaking now being proposed will not provide any overall cure for the many problems related to airline compensation of traffic intermediaries, and we are continuing to consider other remedies. We have, however, concluded that making accurate information available to all segments of the industry and the public will at least be a first step which should have some ameliorative effect.

The rule as here proposed would require the carriers to file schedules of commissions and other compensation for the sale of air transportation which are currently being paid. For present purposes, it does not include any requirement for reports of commissions and compensation for the sale of air transportation which have already been paid. DOT has suggested periodic carrier reports showing the revenues generated by intermediaries and all compensation paid on the basis of those revenues. It urges that these reports be required as an enforcement tool, and its proposal is supported by Pan American. So that the Board may be in a position fully to evaluate the usefulness of such reports as compared with the burden which their requirement would impose on the carriers, we are requesting all interested parties to comment not only on the draft proposed rule but also on (1) the necessity or desirability of a requirement for reporting commissions and compensation paid in past periods and (2) if such reports are believed desirable, the scope and contents which should be prescribed.

We have tentatively concluded that the disclosure requirement which we now propose should differ in several technical respects from those suggested by the petitions:

(1) BCAL's proposed language enumerating some of the many forms of excess or nonconforming compensation¹¹ appears to be unnecessary. "Compensation" clearly includes not only money but labor, services, credit, goods or other things of value. All practices which directly or indirectly result in any form of compensation different from those specified in current filed commission schedules are clearly encompassed by the terms of the rule we are proposing and a partial listing of such forms appears superfluous.

(2) We would require a filed schedule to be complete on its face, and would thus not permit incorporation by reference of applicable agreements, as BCAL proposes. The schedules should state the exact amount and precise forms of all

should specifically permit carriers to meet competitive payments "on lesser notice." Such a provision would defeat the purposes of our proposal. The draft rule would not require that a schedule be on file for any specified period prior to effectiveness. It would, however, prohibit any nonconforming payments without regard to the reasons for which such payments are made.

¹¹BCAL's listing of acts and practices BCAL deems to constitute, prime facie, methods of remunerating "sales agents" is set forth below, at Appendix A.

compensation, without regard to whether this information already appear in IATA or ATC agreements, or elsewhere.

(3) We see no reason to limit the proposed disclosure to commissions with respect to foreign air transportation, as suggested by DOT. While current problems with which we are dealing in this proceeding are particularly prevalent in foreign air transportation, there is no reason to believe that they are confined entirely to those markets. By the same token, it should be noted that we have tentatively concluded that there is no reason to confine the proposed regulation to any particular segment of the industry or to any particular kind of traffic. We therefore propose that the disclosure requirement should apply comprehensively with respect to compensation paid or provided to any persons—including other carriers—for the sale of air transportation services whether involving passenger or cargo traffic.

(4) Although our proposed Part 253 would proscribe the payment of nonconforming commissions or other compensation by a carrier, we see no reason why this practice should not also be specifically designated as an unfair practice in the proposed policy statement. Accordingly, our proposed amendment to Part 399 refers to the payment as well as to the receipt of such compensation, whereas the policy statement contemplated by the petitions would not extend to payment.

PROPOSED RULES

It is proposed to adopt a new Part 253 of the Board's Economic Regulations, Commissions and Other Forms of Compensation, as follows:

1. Adopt a new Part 253 as follows:

PART 253—COMMISSIONS AND OTHER FORMS OF COMPENSATION

- Sec.
253.1 Definition.
253.2 Required filing of schedules; prohibition of nonconforming commissions and compensation.
253.3 Number of copies and place of filing schedules.

AUTHORITY: Secs. 102, 204, 401(e); 402(e), 403(b), 407, 411, 1002 and 1102, Federal Aviation Act of 1958, as amended, (72 Stat. 740, 743, 754 (as amended by 76 Stat. 143, 82 Stat. 867), 757, 758 (as amended by 83 Stat. 1037, 769, 788, 797; 49 U.S.C. 1302, 1324, 1371, 1372, 1373, 1377, 1381, 1482, 1502).

§ 253.1 Definition.

For purposes of this part, a "carrier" means any air carrier directly engaged in the operation of aircraft pursuant to a certificate of public convenience and necessity issued under section 401 of the Act or a foreign air carrier directly engaged in the operation of aircraft pursuant to a permit issued under section 402 of the Act.

§ 253.2 Required filing of schedules; prohibition of nonconforming commissions and compensation.

Each carrier shall file and maintain on file with the Board a currently effective schedule which sets forth the level of

commissions and all other forms of compensation which it in any manner or by any device directly or indirectly pays to any person (other than its own *bona fide* employees) for the sale of air transportation. No carrier shall directly or indirectly in any manner or by any device pay any person (other than its own *bona fide* employees) for the sale of air transportation, any commissions or other forms of compensation which differ from those set forth in the schedule which the carrier currently has on file with the Board, pursuant to this section.

§ 253.3 Number of copies and place of filing schedules.

Each carrier shall submit an original of any schedule which it files under § 253.2, addressed to the Secretary, Civil Aeronautics Board, Washington, D.C. 20428.

PART 399—STATEMENT OF GENERAL POLICY

2. Amend the table of contents by adding § 399.85 to the table, to read in pertinent part as follows:

- Sec.
399.85 Unfair practice and unfair method of competition of carrier in paying or providing, or of another carrier or a ticket agent in soliciting or receiving, commissions or other forms of compensation differing from those set forth in the commission schedule currently on file with the Board under Part 253.

3. Add a new § 399.85 to read as follows:

- § 399.85 Unfair practice and unfair method of competition of carrier in paying or providing, or of another carrier or a ticket agent in soliciting or receiving, commissions or other forms of compensation differing from those set forth in the commission schedule currently on file with the Board under Part 253.

(a) It is the policy of the Board to consider that the payment by any carrier, or the solicitation or receipt by any other carrier or by any ticket agent, of commissions or other forms of compensation for the sale of air transportation which differ from those set forth in the commission schedule currently on file with the Board, under Part 253 of the Economic Regulations, constitutes an unfair practice and an unfair method of competition in air transportation or the sale thereof, within the meaning of section 411 of the Act.

(b) For purposes of this part, "carrier" means any air carrier directly engaged in the operation of aircraft pursuant to a certificate of public convenience and necessity issued under section 401 of the Act, or a foreign air carrier directly engaged in the operation of aircraft pursuant to a permit issued under section 402 of the Act.

APPENDIX A

Listing by British Caledonian Airways, Limited, in its Petition for Rulemaking,

Docket 26990, of acts and practices that would, among others, be deemed, *prima facie*, to be payments to sales agents "in consideration of the sale of air transportation or related services or the solicitation or furnishing of traffic."

1. The purchase by a carrier from or for the benefit of a sales agent of any goods or services where (a) the price or other consideration is in excess of that charged to other customers of comparable goods or services, or (b) the sale is fictitious in whole or part, or (c) the sale is contrary to the terms of an Approved Commission Agreement to which the carrier is a party or of any Commission Schedule filed by the carrier under this Part or any Regulation of the Board applicable to such carrier.

2. The reimbursement by a carrier of expenses incurred by, on behalf of or for the benefit of a sales agent where (a) such expenses are not *bona fide* or actually incurred in whole or part, or (b) the reimbursement of such expenses is contrary to the terms of any Approved Commission Agreement to which the carrier is a party or of any Commission Schedule filed by the carrier under this Part, or any Regulation of the Board applicable to such carrier.

3. The lease or other engagement of facilities (a) by an air carrier from or for the benefit of a sales agent, or (b) from an air carrier by or for the benefit of a sales agent where the transaction is fictitious in whole or part, or where the rental or other consideration in the case of (a) above is greater than or in the case of (b) above is less than that normally charged for such facilities.

4. The sale by a carrier to or for the benefit of a sales agent of any goods or services (including, without limitation, tour services and land arrangements) for a consideration less than that charged to other customers of comparable goods and services.

5. The furnishing by a carrier to or for the benefit of a sales agent of any service, facility or allowance not accorded to all of the carrier's sales agents on proportionately equal terms or accorded in a fashion contrary to the terms of any Approved Commission Agreement to which the carrier is a party or any Commission Schedule filed by the carrier under this part or any regulation of the Board applicable to such carrier.

6. The payment or contribution by a carrier to or for the benefit of a sales agent of compensation in respect of services performed by any person by whomsoever employed where the services are not *bona fide* or actually performed or not useful in the activities of the carrier, or where the compensation is in excess of amounts normally paid for such services. This provision embraces, without limitation, services performed by any person related to a sales agent or a principal, officer, director, employee or shareholder thereof.

7. The entry by a carrier into an agreement under which a carrier undertakes or is required to perform any act or practice in violation of § 229.3 (relating to excess commissions) or § 229.4(a) (precluding the acts set forth in paragraphs 1-6 above) hereof.

[FR Doc.75-31391 Filed 11-19-75;8:45 am]

[14 CFR Parts 253, 399]

[EDR-290A; PSDR-44A; Docket No. 28400]
COMMISSIONS AND OTHER COMPENSATION AND STATEMENTS OF GENERAL POLICY

Supplemental Notice of Proposed Rulemaking

On November 3, 1975, the Civil Aeronautics Board adopted EDR-290/PSDR-44, a notice of proposed rulemaking giving notice that the Board is proposing to

adopt a new Part 253 of the Economic Regulations (14 CFR Part 253) and to amend Part 399 of the Policy Statements (14 CFR Part 399).

As set forth in EDR-290/PSDR-44, the proposed Part 253 would require each air carrier and each foreign air carrier to file, and maintain on file a currently effective schedule showing the commissions and all other forms of compensation which it pays to persons other than its own employees for the sale of air transportation. The rule would also prohibit the payment or provision of commissions or other forms of compensation which differ from those set forth in the carrier's filed schedules.

The proposed amendment of Part 399 would state that it will be the Board's policy to regard as an unfair practice and an unfair method of competition in air transportation, within the meaning of section 411 of the Act, the payment by a carrier—or the solicitation or receipt by a ticket agent or by another carrier—of commissions or other forms of compensation which differ from those set forth in the paying carrier's current commission schedule on file with the Board, pursuant to Part 253.

The procedural dates specified in the Notice for filing comments and reply comments, as well as for filing of requests to be placed on the service list in the rulemaking, were all computed from the anticipated date on which the Notice would be published in the FEDERAL REGISTER. By inadvertence, however, the Notice was not forwarded to the FEDERAL REGISTER in time to be published before today. Persons depending on FEDERAL REGISTER publication for notice of these proceedings will therefore not have had the time period the Board intended them to have for the filing of comments, reply comments, and requests for service, unless the originally specified due dates are extended.

Accordingly, pursuant to the authority delegated in § 385.20(d) of the Board's Organization Regulations, the undersigned hereby extends the time for submission of written data, views or arguments to December 22, 1975 and the time for reply comments to January 6, 1976. Similarly, the due date for requests to be placed on the service list in Docket 28460 is hereby extended to December 1, 1975.

Procedures for review of this action by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50 through 385.54). (Sec. 204(a) of the Federal Aviation Act, as amended, 72 Stat. 743, 49 U.S.C. 1324.)

Dated: November 17, 1975.

[SEAL] SIMON J. ELLENBERG,
Acting Associate General Counsel,
Rules and Rates Division.

[FR Doc.75-31392 Filed 11-19-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[16 CFR Part 1207]

SWIMMING POOL SLIDES

Extension of Time for Development of Safety Standard

The purpose of this notice is to extend by 45 days, until December 29, 1975, the period in which the Consumer Product Safety Commission must publish in the FEDERAL REGISTER a final consumer product safety standard for swimming pool slides, or a notice withdrawing the notice of proceeding for the development of a standard.

A standard development proceeding for swimming pool slides was commenced under the Consumer Product Safety Act by notice in the FEDERAL REGISTER of June 28, 1974 (39 FR 24028), soliciting offers to develop a recommended consumer product safety standard or submission of previously existing standards for consideration as a proposed standard. The Commission subsequently accepted the offer of the National Swimming Pool Institute (NSPI), which submitted a recommended standard to the Commission on May 30, 1975. After some modification to the recommended standard, the Commission published for comment in the FEDERAL REGISTER of September 15, 1975 (40 FR 42562) a proposed standard for swimming pool slides. A more detailed discussion of the history of the swimming pool slide standard development appears in the FEDERAL REGISTER of September 15, 1975.

The Commission received 24 written comments on the proposed standard, and 7 oral presentations concerning the proposal were made. The Commission staff has been reviewing and analyzing all the comments. However, in order for the Commission to adequately examine the comments and the responses thereto and to consider a number of complex issues that have been raised in the comments, the Commission hereby extends the period in which it must either issue a final consumer product safety standard applicable to swimming pool slides, or withdraw the notice of proceeding by 45 days or until December 29, 1975. This period may be further extended by a notice published in the FEDERAL REGISTER showing good cause.

Dated: November 14, 1975.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc.75-31371 Filed 11-19-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 51]

[FRL 453-1]

MAINTENANCE OF NATIONAL AMBIENT AIR QUALITY STANDARDS

Requirements for Preparation, Adoption, and Submittal of Implementation Plans; Extension of Comment Period

On October 20, 1975 (40 FR 49048), the Administrator proposed regulations pertaining to the analysis and development of plans for air quality maintenance areas (AQMAS), required under 40 CFR 51.12. The regulations would specify the minimum requirements for the form and content of the AQMA analyses and plans and attainment plan revisions required in AQMAS.

The notice of proposed rulemaking solicited public comment on the proposal and indicated that comments received on or before November 19, 1975, would be considered in the development of the final regulations. After EPA published the proposal, however, interested parties requested an extension of the comment period, because the length and complexity of the regulations required additional time for thorough understanding of the regulations and preparation of comments.

Consequently, EPA is extending the end of the comment period from November 19, 1975, to December 8, 1975. This should provide the additional time necessary for concerned parties to prepare their comments.

Dated: November 18, 1975.

ROGER STRELOW,
Assistant Administrator for
Air and Waste Management.

[FR Doc.75-31477 Filed 11-19-75;8:45 am]

[40 CFR Part 52]

[FRL 458-6]

OREGON

Approval and Promulgation of Implementation Plans; Proposed Revision

On September 25, 1975, the State of Oregon Department of Environmental Quality (DEQ) submitted the Oregon Revised Statutes (ORS), Chapter 468, Pollution Control, as a proposed revision to the State Implementation Plan (SIP). The Statutes are a recodified version of ORS Chapter 449, approved as part of the original SIP on May 31, 1972 (37 FR 10842). The recodification was completed by the State legislature in 1973 and includes some wording modifications of a "housekeeping" nature.

Two sections, § 468.095 Investigatory authority; entry on premises; Status of Records, and § 468.450 to § 468.485 Field

Burning Regulation, are not being considered in this proposal because they have recently been revised again and submitted to EPA separately. These revisions will be addressed in separate FEDERAL REGISTER notices of proposed rulemaking in the near future.

Pursuant to section 110 of the Clean Air Act, as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove these recodified statutes as a SIP revision and therefore invites public comment on whether the revision should be approved or disapproved.

Copies of the statutes are available for public inspection during normal business hours at the EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington 98101; the State of Oregon Department of Environmental Quality, 1234 SW Morrison Street, Portland, Oregon 97205; and the Freedom of Information Center, EPA, 401 M Street SW., Washington, DC 20460.

Interested persons may participate in this rulemaking by submitting written comments to the Regional Administrator, EPA, Region X, 1200 Sixth Avenue, Seattle, Washington 98101, Attention: K. Higley. Relevant comments received on or before December 22, 1975, will be considered. Comments received will be available for inspection during normal working hours at the Region X Office and the EPA Freedom of Information Center.

This notice is issued under the authority of Section 110 of the Clean Air Act, as amended. (42 U.S.C. 1857c-5).

Dated: November 10, 1975.

CLIFFORD V. SMITH, JR.,
Regional Administrator,
Region X.

[FR Doc.75-31400 Filed 11-19-75;8:45 am]

[40 CFR Part 52]

[FRL 458-7]

OREGON

Approval and Promulgation of Implementation Plans; Proposed Revision

On July 24, 1975, the Director of the State of Oregon Department of Environmental Quality (DEQ) submitted to the Administrator of the Environmental Protection Agency (EPA) a revision to the Oregon State Implementation Plan, Oregon Administrative Rules (OAR), Chapter 340, §§ 20-100 through 20-135, "Rules for Indirect Sources." The regulation was adopted by the Oregon Environmental Quality Commission after proper notice and public hearing on November 22, 1974 and was effective December 12, 1974, the latter also being the date the DEQ repealed OAR, Chapter 340, §§ 20-050 through 20-070 "Parking Facilities and Urban Areas."

Pursuant to a court ruling by the United States Court of Appeals for the District of Columbia in the case "Natural Resources Defense Council Inc. v. Environmental Protection Agency," 475 F.2d 968 (D.C. Cir. 1973), the Administrator on March 8, 1973 (38 FR 6279) dis-

approved all State Implementation Plans to the extent to which they do not adequately assure the maintenance of the national ambient air quality standards. On June 13, 1973 (38 FR 15834), the Administrator promulgated requirements directing States to provide for preconstruction review and approval of indirect sources of air pollution to insure maintenance of standards. Indirect sources are facilities which have an impact on air quality because of associated mobile source activity.

It should be noted that the Federal indirect source regulation promulgated on February 25, 1974 (39 FR 7270) for Oregon and many other States was indefinitely suspended pending Congressional consideration of amendments to the Clean Air Act relating to indirect sources. See 40 FR 28065, July 3, 1975. As stated in that notice, however, EPA believes that the necessary preconstruction reviews for air quality can be most effective when implemented at the State or local level, rather than the Federal level.

The Oregon Rules for Indirect Sources provide for preconstruction review of indirect sources both in and outside urbanized areas. Three types of areas are identified, each with a separate size criteria. In or around (within 5 miles) the municipal boundaries of a municipality with a population of 50,000 or more, any new or modified source which will create or add 50 or more parking spaces is subject to review. In addition, any new highway with an anticipated traffic volume of 20,000 or more motor vehicles per day within ten years of completion or any modification to a highway which will increase traffic volumes to a total of 20,000 or more motor vehicles per day or will incrementally increase traffic volumes by 10,000 or more motor vehicles per day within ten years after completion is subject to review.

In other areas within Clackamas, Lane, Marion, Multnomah and Washington counties, except those noted in the previous paragraph, any new or modified source which will create or add 500 or more parking spaces is subject to review. The size criteria for new or modified highways is the same as in a municipality, as outlined above.

In all other areas of the State, any new or modified parking facility which creates or adds 1,000 or more parking spaces is subject to review. Also, any new highway with an anticipated traffic volume of 50,000 or more motor vehicles per day within ten years of completion or a modified highway section which will increase traffic volumes to 50,000 or more motor vehicles per day or will increase traffic volumes by 25,000 or more motor vehicles per day within ten years of completion is subject to review.

In all areas of the State, any new airport with projected annual aircraft operations of 50,000 or more within ten years of completion or modification of an airport which will increase the projected number of annual aircraft operations by 25,000 or more within ten years after completion is subject to the regulation.

The regulation also provides for the establishment of a Regional Parking and Circulation Plan(s) by a City, County or Regional Planning Agency, lists the information and requirements applicable to indirect source construction permit applications and lists the procedures for the issuance or denial of an indirect source construction permit.

The Administrator is required by Section 110 of the Clean Air Act to approve or disapprove any revision to an implementation plan submitted by a State. Public comment is invited on whether the Oregon Rules for Indirect Sources should be approved or disapproved as a revision to the State Implementation Plan. Copies of the proposed revision are available for public inspection during normal business hours at the EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington 98101; EPA Freedom of Information Center, 401 M Street SW., Washington, D.C. 20460; and the State of Oregon Department of Environmental Quality, 1234 SW Morrison Street, Portland, Oregon 97205.

Interested persons may participate in this rulemaking by submitting written comments, preferably in triplicate, to the Regional Administrator, EPA, Region X, 1200 Sixth Avenue, Seattle, Washington 98101, Attention: K. Higley. Relevant comments received on or before December 22, 1975 will be considered and will be available for public inspection at the above addresses.

This notice of proposed rulemaking is issued under the authority of section 110(a) of the Clean Air Act, as amended. 42 U.S.C. 1857c-5(a).

Dated: November 10, 1975.

C. V. SMITH, JR.,
Regional Administrator.

[FR Doc.75-31401 Filed 11-19-75;8:45 am]

[40 CFR Part 87]

[FRL 458-5]

CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES

Extension of Compliance Date for Emission Standards Applicable to JT3D Engine

On October 29, 1975, the Environmental Protection Agency published a notice of proposed rulemaking (40 FR 50453) which would extend by 18 months the compliance date specified in the EPA aircraft engine emissions standards applicable to emissions of smoke from JT3D engines (Class T3). This action was taken in response to a petition from the Air Transport Association (ATA) which stated that the compliance date required by the standards could not be met. Comments in the proposal were requested to be submitted by December 15, 1975.

To permit the inclusion in comments on the proposal of data on the results of currently ongoing test programs related to the issue at hand, the Air Transport Association, on behalf of eleven airlines, has requested a one-month extension of the comment period. Inasmuch as these data are highly relevant to the

subject of the proposal, the period for acceptance of written data, views or arguments bearing on the proposed regulation is hereby extended from December 15, 1975, to January 15, 1976.

Dated: November 17, 1975.

ROGER STRELON,
Assistant Administrator for Air
and Waste Management.

[FR Doc.75-31402 Filed 11-19-75;8:45 am]

**GENERAL SERVICES
ADMINISTRATION**

[34 CFR Part 237]

**USE OF FEDERAL REAL PROPERTY BY
NON-FEDERAL ACTIVITIES**

**Proposed Assignments and Policy
Guidelines**

This notice offers interested parties an opportunity to comment on a proposed regulation developed to provide better management of federally controlled real property. The regulation proposes (1) to bring about greater consistency within individual agencies and among different agencies relative to the assignment of federally controlled real property to non-Federal activities and (2) to provide policy guidelines for assessing fair charges for real property and related services furnished by the Government to non-Federal activities.

The proposed regulation is the product of an interagency task group. Its purpose is to establish executive branch policy pertaining to the assignment of federally controlled real property and the providing of related services to non-Federal activities.

Interested persons should submit their comments in triplicate to the General Services Administration (AMP), Washington, D.C. 20405. All relevant material should be received by December 31, 1975.

Dated: November 10, 1973.

JOHN J. LORDAN,
Acting Associate Administrator.

This Federal Management Circular requires all Federal agencies to adopt standard administrative requirements for assigning federally controlled real property to non-Federal activities. Authority for issuance of the circular is provided under provisions of Executive Order 11717.

As proposed 34 CFR Part 237 will read as follows:

**PART 237—USE OF FEDERAL REAL PROP-
ERTY BY NON-FEDERAL ACTIVITIES**

- Sec. 237.1 Purpose.
- 237.2 Effective date.
- 237.3 Background.
- 237.4 Policy intent.
- 237.5 Applicability and scope.
- 237.6 Definitions.
- 237.7 Policies and procedures.
- 237.8 Annual report.
- 237.9 Responsibilities.

- Sec. 237.10 Appendices.
- 237.11 Inquiries.

AUTHORITY: Executive Order 11717.

§ 237.1 Purpose.

This part establishes executive branch policy pertaining to the assignment of federally controlled real property and the providing of related services to non-Federal activities.

§ 237.2 Effective date.

This part is effective January 1, 1976. Contracts existing as of the effective date which provide for the assignment of federally controlled real property or the providing of related services to non-Federal activities shall be amended to the extent feasible to comply with the policies contained herein. Contracts entered into after the effective date shall incorporate the policies contained in the part.

§ 237.3 Background.

Many non-Federal activities currently occupy federally-controlled real property. The real property (generally building space), is occupied under a variety of terms and conditions. This part recognizes the need for achieving greater consistency within the executive branch regarding policy and practices for assigning federally-controlled real property to non-Federal activities. The part is issued pursuant to Executive Order 11717 of May 9, 1973, which transferred certain functions from the Office of Management and Budget to the General Services Administration and pursuant to the Office of Management and Budget, Office of Federal Procurement Policy delegation letter of June 24, 1975, 40 FR 29935, July 16, 1975.

§ 237.4 Policy intent.

The intent of the part is to bring about greater consistency within individual agencies and among different agencies relative to the assignment of federally-controlled real property to non-Federal activities. The part is also intended to provide policy guidelines for assessing fair charges for real property and related services furnished by the Government to non-Federal activities.

§ 237.5 Applicability and scope.

The provisions of the part apply to all executive departments and independent establishments in the executive branch. They do not apply to:

- (a) The Government of the District of Columbia;
- (b) Non-appropriated fund instrumentalities of the Armed Forces;
- (c) The Veterans' Canteen Service, Veterans' Administration; or
- (d) Other non-appropriated fund activities for which there is specific statutory authority for the matters covered by this part. Except as indicated herein, the term "agency" is synonymous with the terms "department and establish-

ment" as defined by Federal Management Circular 73-1, dated August 30, 1973. (34 CFR Part 200.)

§ 237.6 Definitions.

(a) *Non-Federal activity.* Any individual, group, organization or association that is organized, operated or controlled by a private individual(s) or an individual(s) acting outside his official capacity as an officer, employee or agent of the Federal Government.

(b) *Assignment of real property.* The granting to a non-Federal activity of the right to use real property and related services controlled by a Federal agency. This does not include the interim out-leasing of excess real property being held by agency pending transfer or disposition pursuant to Federal Management Circular 73-5, Utilization, disposition and acquisition of Federal real property. (34 CFR Part 231.)

(c) *Federally-controlled real property.* Land or buildings, including space within buildings and related services owned, leased or provided by the Government. Related services include but are not limited to heat, light, air conditioning, janitorial, telephone and security services.

§ 237.7 Policies and procedures.

(a) *Assignment of federally controlled real property to non-Federal activities.* Heads of agencies may assign real property under their control to non-Federal activities if the assignments contribute to the accomplishment of the agencies' missions and are consistent with the public interest. Assignments authorized by law shall be made pursuant to the applicable statutes. Where real property is assigned to non-Federal activities in the absence of particular statutory authority, the head of the agency making the assignment shall prepare a written statement setting forth all factors pertaining to the assignment. Such written determination shall be retained for appropriate review in agency files and shall include the basis for making the assignment and the terms and conditions governing the use of the property. Policies applicable to specific categories of non-Federal activities are provided in appendices A through C of this part.

(b) *Charges for use of federally controlled real property.* Consistent with the policies contained in Office of Management and Budget Circular A-25, non-Federal activities assigned federally controlled real property shall to the maximum extent feasible be charged for such use of real property. Charges for real property controlled by the General Services Administration (GSA) shall be based on the standard level users charges developed by GSA pursuant to Pub. L. 92-313, Public Buildings Amendments of 1972 (See Federal Property Management Regulations Subpart 101-21.2 of this title). Charges for real property for which standard level user charges have not been established and for real prop-

erty controlled by agencies other than GSA shall be based on the estimated fair rental value of the assigned property as determined by standard real property appraisal practices. Agencies not having "in-house" capability for determining fair rental values may request GSA assistance by telephoning 202-343-7528.

(c) *Agency records.* Agencies shall maintain current records on all real property that they have assigned to non-Federal activities. The records shall as a minimum, include the written statements and determinations required by paragraph a. above. The records shall also reflect the total annual rental income produced on an agency-wide basis by assignments to non-Federal activities.

(d) *Deposit of revenue.* Unless otherwise provided by law, revenues collected from non-Federal activities for the use of federally controlled real property shall be deposited in miscellaneous receipts in the Treasury.

§ 237.8 Annual report.

Each agency that assigns real property to non-Federal activities shall submit an annual report, original and one copy, as of the end of each fiscal year. The reports shall be submitted to the General Services Administration (AMP), Washington, D.C. 20405. The first report shall be for the period beginning January 1, 1976, and ending September 30, 1976, and shall be submitted by January 1, 1977. Successive years reports shall be submitted within 90 days after the end of each fiscal year. Interagency Reports Control Number _____ GSA-AM has been assigned to this report. Agency annual reports shall indicate the total amount and type of real property assigned on an agency-wide basis to activities providing services to employees (see Appendix A below) and to other organizations (see Appendix B below) and the total income derived therefrom. The total amount of real property assigned to activities covered in Appendices A and B below and the total annual income received from each shall be provided separately for each appendix and itemized to show:

- (a) Square feet of office space _____ and annual income _____;
 (b) Square feet of storage space _____ and annual income _____;
 (c) Square feet of special space _____ and annual income _____;
 (d) Square feet of land _____ and annual income _____.

(Definitions of office, storage and special space are provided in § 101-17.003.2a of the Federal Property Management Regulations.)

Copies of all annual reports will be given to the Office of Management and Budget after review by GSA.

§ 237.9 Responsibilities.

Heads of agencies are responsible for promulgating such regulations, controls,

and review actions as are necessary to comply fully with the provisions of this part and the appendices.

§ 237.10 Appendices.

Policies governing the assignment of real property to specific types of non-Federal activities and the assessment of charges for the use of such property are set forth in the following appendices:

Appendix A—Activities Providing Services to Employees.

Appendix B—Other Organizations.

Appendix C—Temporary Use.

§ 237.11 Inquiries.

Further information concerning this part may be obtained by contacting:

General Services Administration (AMP),
 Washington, DC 20405, Telephone: IDS
 183-7528, FTS 202-343-7528.

APPENDIX A—ACTIVITIES PROVIDING SERVICES TO EMPLOYEES

1. *Policy intent.* The intent of this appendix is to provide specific policies to be followed by Federal agencies in assigning real property to non-Federal activities that provide services to Federal employees.

2. *Definition.* The activities covered by this appendix include those performed or directed by any individual, association, or organization that require the use of Federal real property and have as their primary purpose the rendering of goods or services to Federal employees.

3. *Policies and procedures—*a. *Employee welfare and recreation associations.* Federal agencies, as a rule, do not establish or administer welfare and recreational programs for their employees. However, they often lend encouragement to the voluntary efforts of employees who form associations for recreational and welfare purposes. This encouragement frequently takes the form of assigning Federal real property to the associations either on a temporary or long-term basis. Determinations regarding assignments to employee associations shall be made on a case-by-case basis by agency heads. Real property controlled by GSA will be assigned to the using agency. It is then up to the using agency to determine whether to assign any portion of the space to an employees' association. Determinations involving real property not controlled by GSA will be made by the head of the agency controlling the property. In making determinations regarding the use of real property by employee associations, heads of agencies shall consider: (1) The availability of the real property and the need to minimize nonessential assignments; (2) the purpose for which the employees association will use the property; and (3) the consistency of the association's mission with the mission of the agency and the association's overall contribution to the welfare and morale of the agency's work force.

(1) *Charges.* Charges for the use of real property assigned to employee associations shall be assessed in accordance with § 237.7b. However, such charges may be waived where an association's use of real property does not interfere with the Government's use and does not result in the Government incurring additional expenses.

(2) *Agency overview responsibilities.* While welfare and recreation associations are in-

dependent entities and are not subject to supervision by agency management, agencies are responsible for assuring that those activities utilizing Federal real property comply with non-discrimination, conflict of interest, equal employment opportunity and other appropriate standards and criteria prescribed by the Civil Service Commission or other agencies.

b. *Credit unions.* The Federal Credit Union Act (12 U.S.C. 1770) provides that duly organized and constituted credit unions may occupy federally controlled space if such space is available in the community or district where the credit union does business. The act states that an agency may in "its discretion allot space to such credit union if space is available, without charge for rent or services."

c. *Blind vending facilities.* The Randolph-Sheppard Act as amended, 20 U.S.C. 107 et seq., provides that, whenever feasible, one or more vending facilities are to be established on Federal real property to the extent that such facilities will not adversely affect the interests of the United States. Under the provisions of the Randolph-Sheppard Act, blind vending facilities are to be given priority with respect to the use of Federal real property over all other vendors. Vending facilities are defined in the Act to include automatic vending machines, cafeterias, snack bars, cart service, shelters and counters. Blind vendors shall not be charged for Government space. Charges may be assessed, however, for utilities and other services provided by the assigning agency.

d. *Concessions.* Federally controlled real property may be assigned on a concession basis for barber shops, retail stores, banks, cafeterias, child care centers and other commercial activities that provide services to Federal employees. Prior to making such assignments the head of the agency controlling the real property must determine that the service to be provided by the concession contributes to the welfare and morale of employees and that adequate alternative facilities offering the same or similar services are not reasonably accessible to the employees. Concessionaires shall be required to pay fair rental value for the use of federally controlled real property. Concessions as used in this appendix are limited to activities providing services primarily to Federal employees convenient to the work site; this does not include concessions in national parks or other high visitor facilities that provide services primarily for the public.

e. *Labor organizations.* Section 23, Executive Order 11491, as amended, Labor Management Relations in the Federal Service, provides that each agency shall issue appropriate policies with respect to the use of agency facilities by labor organizations. Accordingly, determinations as to occupancy or use of federally controlled real property by labor organizations and the terms and conditions relative thereto are governed by agency policies and are not subject to the provisions of this part. Agencies shall, however, maintain records of the space assigned to labor organizations as called for by § 237.7c. Space in GSA-controlled buildings will be assigned directly to agencies and subsequent assignments, if any, to labor organizations will be made by the respective agency head and not by GSA.

APPENDIX B—OTHER ORGANIZATIONS

1. *Policy intent.* In addition to organizations that provide services primarily to Fed-

eral employees, it is sometimes necessary and advantageous for an agency to assign real property to commercial firms or other organizations that provide services to the general public or to specific sectors thereof. The intent of this appendix is to prescribe policies pertaining to such assignments.

2. *Policies and procedures.* Federal agencies should not endeavor to assign real property to commercial and other organizations unless the assignment is in the Government's interest and is required to carry out an authorized program activity of the agency making the assignment.

3. *Charges.* When real property is assigned to commercial or other organizations, the organizations shall be required to pay for the property as provided for in § 237.7b unless specifically exempted by statute, this part or other regulations.

4. *Specific organizations.*—a. *Veterans' service organizations.* Pursuant to 38 U.S.C. 3402 the Administrator of Veterans Affairs may, in his discretion, furnish, if available, space and office facilities for the use of the American Red Cross and paid full time representatives of veterans' service organizations recognized by the Veterans Administration pursuant to its governing laws and regulations. Space provided to veteran service organizations will be without charge.

b. *State and local governments.* Federal real property that is not required for Federal

programs and which cannot be disposed of, may be assigned to units of State or local governments. Such assignments shall be made at the discretion of the controlling agency and shall require the payment of fair charges. In determining the amount State and local governments shall be charged for the use of Federal real property, the controlling Federal agency shall take into consideration any benefits which may accrue to the United States from such occupancy and appropriate adjustments may be made particularly where reciprocal agreements provide for Federal occupancy of State or local real property.

APPENDIX C—TEMPORARY USE

1. *Policy intent.* The intent of this appendix is to prescribe policy for the temporary use of Federal real property by non-Federal activities.

2. *Definitions.* a. *Temporary use.* For purposes of this appendix, temporary use of Federal real property means use of the property for a period of 48 hours or less by a non-Federal activity during business or off duty hours either on a one time or intermittent basis.

b. *Community service organizations.* As used in this appendix community service organizations mean any non-profit group, organization or association that is organized and operated to serve the interest of the local

community of which the Federal employee is a part. Examples of community service organizations include civic organizations, parent-teacher organizations, 4-H Clubs, scouting organizations, and community fund activities.

3. *Temporary use by a non-Federal activity.* Upon approval of the controlling agency, Federal real property such as conference rooms, hearing rooms, training rooms, auditoriums and cafeterias may be used by employees, community service, or similar type organizations for meetings or other purposes on a temporary basis. Generally, such use shall not be scheduled beyond normal building operating hours nor for Saturdays, Sundays, holidays or other times when the facility is normally closed, without appropriate reimbursement for services. Activities using Federal real property on a temporary basis shall pay the Government for costs (utilities, maintenance, protection, and other provided services) resulting from the activities' use of the property.

4. *National voluntary action programs.* Consistent with Executive Order 11470 real property may be used by volunteer organizations for meetings, training programs and similar purposes, when it will not interfere with the intended use of the facilities. Costs of utilities and other services provided by the Government should, to the maximum extent possible, be recovered.

[FR Doc.75-31330 Filed 11-19-75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

ADVISORY COMMITTEE ON EXPLOSIVES TAGGING AND THE TECHNICAL SUBCOMMITTEE OF THE ADVISORY COMMITTEE ON EXPLOSIVES TAGGING

Continuation

Pursuant to the Federal Advisory Committee Act of October 6, 1972, (Pub. L. 92-463, Stat. 770), the Director of the Bureau of Alcohol, Tobacco and Firearms announces the continuation of the Advisory Committee on Explosives Tagging and the Technical Subcommittee of the Advisory Committee on Explosives Tagging.

Purpose. The committees are strictly advisory in nature and provide recommendations on research and development of explosives detection and identification systems, and the industrial, environmental, and law enforcement requirements of such systems. The committees also provide a forum for interested agencies to help avoid duplication of effort in the research and development of explosives identification and detection systems. Through the committees, the Director obtains informed advice on issues pertinent to technological advances which have an impact on public safety and enforcement of Federal laws and regulations governing the manufacture, sale, and distribution of explosives.

Statement of Public Interest. The problem of detection and identification of explosives which are used illegally is of vital concern to law enforcement and public safety agencies as well as the general public. The rising number of deaths and injuries and the millions of dollars in property damage and other costs to society which result from the illegal use of explosives emphasizes the need for a coordinated effort to develop technology to combat this problem. In developing new technology, the Director must seek the views and requirements of interested governmental agencies, the explosives industry, and the scientific community.

In making his determination to continue these committees, the Director recognizes the importance of providing a forum for the exchange of technical data on explosives detection and identification, thus avoiding wasteful duplication of effort. The broad representation on these committees from the scientific, technical, and academic communities, the explosives industry and interested government agencies of all levels has provided such a forum. This has result-

ed in an important exchange of technical information not only within the United States but with interested foreign governments as well.

While the committees have made significant contributions in identifying and demonstrating feasible techniques, it is anticipated that they will make even greater contributions as additional advances are made which will enable detection and identification systems to be implemented.

Based on the accomplishments of the committee and the fact that no other committee or single government agency exists that could carry on these important activities, the continuation of these committees has been found to be in the public interest.

REX D. DAVIS,
Director.

NOVEMBER 18, 1975.

[FR Doc.75-31590 Filed 11-19-75;10:01 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Application for Airport Lease

Notice is hereby given that pursuant to the Act of May 24, 1928, (49 U.S.C. 211-214) the State of Alaska, Division of Aviation, has applied for an airport lease for the following land:

Commencing at corner No. 2 of U.S. Survey No. 4481, Alaska; proceed north 59°30' W., a distance of 2140 feet to the TRUE POINT OF BEGINNING; thence north 37°15' W., a distance of 1,000 feet to a point; thence north 52°45' E., a distance of 4,600 feet to a point; thence south 37°15' E., a distance of 1,000 feet to a point; thence south 52°45' W., a distance of 4,600 feet to the TRUE POINT OF BEGINNING.

This tract having an area of 105.60 acres, more or less.

(The parcel described above is designated as Tract I on the attached Birch Creek Airport Property Plan, dated July 2, 1975.)

Fairbanks Recording District, Fourth Judicial District, State of Alaska

The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of use or disposal under the public land laws.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1150, Fairbanks, Alaska 99707.

HAROLD E. WALDO,
Chief, Division of Land Office.

[FR Doc.75-31326 Filed 11-19-75;8:45 am]

CHIEF, BRANCH OF LANDS AND MINERALS

Redelegation of Authority by Chief, Division of Technical Services

1. Pursuant to Section 2.1 of Bureau Order No. 701 of July 23, 1964, as amended, the following authority is hereby delegated to the Chief, Branch of Lands and Minerals Operations, to become effective immediately upon publication in the FEDERAL REGISTER.

The Chief, Branch of Lands and Minerals Operations is delegated authority to take action for the Chief, Division of Technical Services in matters listed in sections 2.2, 2.3, 2.5, 2.6, and 2.9 of Part II of Bureau Order No. 701 supra.

2. The authority delegated in paragraph 1 may not be redelegated.

3. The redelegation of authority supercedes all previous redelegation by the Land Office Manager.

GLENDON E. COLLINS,
Chief, Division of Technical Services.

Approved: November 10, 1975.

ROBERT O. BUFFINGTON,
State Director.

[FR Doc.75-31325 Filed 11-19-75;8:45 am]

[Colorado 23160]

NORTHWEST PIPELINE CORP.

Pipeline Application

NOVEMBER 11, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corporation, P.O. Box 1526, Salt Lake City, Utah 84110, has applied for a right of way for 4½-inch O.D. natural gas gathering pipeline totaling approximately 0.064 miles in length across the following lands in Rio Blanco County, Colorado:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 4 S., R. 101 W.,
Sec. 23: NW¼NE¼.

The right of way is needed for a portion of applicant's gathering system in Rio Blanco County, Colorado. This will help applicant to meet the increasing demands for adequate supplies of natural gas in the northwestern Colorado market area.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining

whether the application should be approved and, if so, under what terms and conditions; to allow any persons asserting to comment on the application, and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed natural gas gathering pipeline right of way to file their objections in this office. Any persons asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, as promptly as possible after publication of this notice.

EVERETT K. WEEDIN,
Chief, Branch of
Land Operations.

[FR Doc.75-31323 Filed 11-19-75;8:45 am]

[NM 26958]

NEW MEXICO

Application

NOVEMBER 12, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for one 4 inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO
T. 29 N., R. 9 W.,
Sec. 36, SE¼, SE¼.

The pipeline will convey natural gas across .173 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Land and
Minerals Operations.

[FR Doc.75-31355 Filed 11-19-75;8:45 am]

[Wyoming 53123]

WYOMING

Application

NOVEMBER 14, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Northwest Pipeline Corporation has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING
T. 28 N., R. 114 W.,
Sec. 11.

The pipeline will convey natural gas from the Tip Top 83-11-G well to an existing pipeline all in sec. 11, T. 28 N., R. 114 W., Sublette County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, WY 82901.

GLENNA M. LANE,
Acting Chief, Branch of
Lands and Minerals Operations.

[FR Doc.75-31331 Filed 11-19-75;8:45 am]

[Wyoming 53130]

WYOMING

Application

NOVEMBER 14, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Northwest Pipeline Corporation has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING
T. 28 N., 114 W.,
Sec. 12.

The pipeline will convey natural gas from the Tip Top 26X-12 well to an existing pipeline all in sec. 12, T. 28 N., R. 114 W., in Sublette County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, WY 82901.

GLENNA M. LANE,
Acting Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-31324 Filed 11-19-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

BUCKEYE-ROUND HILL POWER TRANSMISSION LINE LAKE TAHOE BASIN MANAGEMENT UNIT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture has prepared a draft environmental statement for Buckeye-Round Hill Power Transmission Line, Lake Tahoe Basin Management Unit,

California, USDA-FS-R5-DES(Adm) 76-01.

The environmental statement concerns a proposed special use permit, by the Forest Service, USDA, to the Sierra Pacific Power Company for the construction and operation of a 120 K.V. Power Transmission line across two and one-quarter miles of the Toiyabe National Forest located in Douglas County, Nevada.

The purpose of this transmission line is to help provide an acceptable level of reliability for the electrical supply system serving the present development in the South Lake Tahoe area.

This draft environmental statement was submitted to the Council on Environmental Quality (CEQ) on November 13, 1975.

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

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

USDA, Forest Service, Lake Tahoe Basin Management Unit, 1052 Tata Lane, P.O. Box 8465, South Lake Tahoe, CA 95731.

Regional Forester, U.S. Forest Service, 630 Sansome St., Rm. 529, San Francisco, CA 94111.

Forest Supervisor's Office, Toiyabe National Forest, 111 North Virginia St., Rm. 601, Reno, Nevada 89501.

Forest Service, Carson Ranger District, 1560 Carson Street, Carson City, Nevada 89701.

A limited number of single copies are available upon request to: Robert H. Sharp, Administrator, Lake Tahoe Basin Management Unit, P.O. Box 8465, South Lake Tahoe, CA 95731, or: John Lavin, Forest Supervisor, Toiyabe National Forest, Charles Mapes Building, 111 No. Virginia Street, Reno, NV 89503.

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

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to: Robert H. Sharp or John Lavin, at the addresses shown above. Comments must be received by January 12, 1976 in order to be considered in the preparation of the final environmental statement.

T. W. KOSKELLA,
Deputy Regional Forester.

NOVEMBER 13, 1975.

[FR Doc.75-31320 Filed 11-19-75;8:45 am]

HEBGEN LAKE PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement of Hebgen Lake Planning Unit, USDA-FS-R1-FES-Adm-75-4.

The environmental statement concerns a proposed land use plan for 104,962 acres of National Forest land surrounding Hebgen Lake on the Hebgen Lake Ranger District, Gallatin National Forest, entirely within Gallatin County, Montana. Proposed land use includes timber harvest, heavy recreation use, potential wilderness, backcountry management, and special considerations for wildlife with emphasis on protection of grizzly bear habitat.

This final environmental statement was transmitted to CEQ on November 12, 1975.

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

USDA Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave., SW., Washington, DC 20250.

USDA Forest Service, Northern Region, Federal Building, Missoula, MT 59801.

USDA Forest Service, Gallatin National Forest, Federal Building, Bozeman, MT 59715.

USDA Forest Service, Hebgen Lake Ranger District, P.O. Box 520, West Yellowstone, MT 59758.

A limited number of single copies are available upon request to Forest Supervisor, Gallatin National Forest, P.O. Box 130, Bozeman, MT 59715.

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

KEITH M. THOMPSON,
*Acting Regional Forester,
Northern Region, Forest Service.*

NOVEMBER 12, 1975.

[FR Doc.75-31366 Filed 11-19-75;8:45 am]

OREGON DUNES NATIONAL RECREATION AREA ADVISORY COUNCIL

Meeting

The Oregon Dunes National Recreation Area Advisory Council will meet on Monday, December 15, 1975 at 10:00 a.m. in the conference room at the Siuslaw National Forest headquarters in Corvallis, Oregon.

The purpose of the meeting is to make a review of the Final Environmental Statement of the Oregon Dunes National Recreation Area Management Plan and to review the Chief's comments on certain elements of the Plan. They will also review the proposed response to the comments and plans to expand and clarify input relevant to the Management Plan.

The meeting will be open to the public. Persons who wish to attend should notify Marne Irwin, 855 Highway Avenue, Reedsport, Oregon 97467. The telephone number is 503-271-3611. Written statements may be filed with the committee before or after the meeting.

The committee has established the following rules for public participation.

Any member of the public who wishes to speak must be recognized by the council chairman. The council chairman will decide the time when public participation will take place.

ROLF D. ANDERSON,
Area Ranger.

NOVEMBER 14, 1975.

[FR Doc.75-31321 Filed 11-19-75;8:45 am]

Rural Electrification Administration EASTERN IOWA LIGHT AND POWER COOPERATIVE, WILTON, IOWA, ET AL.

Proposed Loan Guarantees

Under the authority of Pub. L. 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 20-22, notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for three loans in the aggregate amount of approximately \$50,000,000 to the Eastern Iowa Light and Power Cooperative (Eastern Iowa) of Wilton, Iowa, Central Iowa Power Cooperative (CIPCO) of Marion, Iowa, and Corn Belt Power Cooperative (Corn Belt) of Humboldt, Iowa. These loan funds will be used to finance undivided interests of 3.8 percent for Eastern Iowa (\$12,500,000), 7.7 percent for CIPCO (\$25,000,000), 3.8 percent for Corn Belt (\$12,500,000) in the planned 600 MW coal fired steam generating plant near Council Bluffs, Iowa and the related transmission outlet facilities.

Legally organized lending agencies capable of making, holding and servicing the loans proposed to be guaranteed may obtain information on the proposed project, including the engineering and economic feasibility studies and the proposed schedule for the advances to the borrowers of the guaranteed loan funds from:

Mr. Edward H. Williams, Manager, Central Iowa Power Cooperative, P.O. Box 389, Marion, Iowa 52302.

In order to be considered, individual proposals must be submitted on or before December 22, 1975 to Mr. Donald R. Norris, Manager, Eastern Iowa Light and Power Cooperative, 600 East Fifth Street, Wilton, Iowa 52778; Mr. Edward H. Williams of CIPCO, or Mr. Richard W. Buckner, Manager, Corn Belt Power Cooperative, P.O. Box 508, Humboldt, Iowa 50548. The right is reserved to give such consideration and make such evaluations or other disposition of all proposals received as Eastern Iowa, CIPCO, Corn Belt, and REA deem appropriate. Prospective lenders are advised that the guaranteed financing for this project is available from the Federal Financing Bank under a standing agreement with the Rural Electrification Administration.

Copies of REA Bulletin 20-22 are available from Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C. this 14th day of November 1975.

DAVID H. ASKEGAARD,
*Acting Administrator,
Rural Electrification Administration.*
[FR Doc.75-31385 Filed 11-19-75;8:45 am]

SOUTHERN ILLINOIS POWER COOPERATIVE

Final Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Final Environmental Impact Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a request for a loan guarantee from the Rural Electrification Administration for Southern Illinois Power Cooperative of Marion, Illinois. This loan guarantee will provide financial assistance for the construction of a 160 MW unit addition to the cooperative's existing plant near Marion, Illinois.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The Final Environmental Impact Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW., Washington, D.C., Room 4310, or at the borrower address indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 14 day of November 1975.

DAVID H. ASKEGAARD,
*Acting Administrator,
Rural Electrification Administration.*
[FR Doc.75-31361 Filed 11-19-75;8:45 am]

Soil Conservation Service

BUSH RIVER WATERSHED PROJECT, VIRGINIA

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650.7 (e) of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Bush River Watershed Project,

Prince Edward County, Virginia, USDA-SCS-EIS-WS-(ADM)-76-3-(D)-VA.

The environmental impact statement concerns a plan for watershed protection, flood prevention, fish and wildlife development, and municipal and industrial water storage. The planned works of improvement include conservation land treatment, supplemented by one multiple-purpose structure for floodwater, sediment and municipal water supply storage, one multiple-purpose structure for fish and wildlife, flood protection and sediment storage, and six single-purpose structures for floodwater and sediment storage.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, Room 9026, Federal Building, 400 North 8th Street, Richmond, Virginia 23240

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to D. N. Grimwood, State Conservationist, Soil Conservation Service, P.O. Box 10026, Richmond, Virginia 23240.

Comments must be received on or before January 14, 1976, in order to be considered in the preparation of the final environmental impact statement.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

JAMES W. MITCHELL,
Acting Deputy Administrator
for Water Resources, Soil
Conservation Service.

NOVEMBER 14, 1975.

[FR Doc.75-31322 Filed 11-19-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business
Administration

DOWNSTATE MEDICAL CENTER, ET AL.

Applications for Duty-Free Entry of
Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before December 10, 1975.

Amended regulations issued under cited Act, (40 FR 12253 et seq, 15 CFR Part 701, 1975) prescribed the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76-00186-33-77030. Applicant: Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, New York 11203. Article: Coherent Nuclear Magnetic Resonance Pulse Spectrometer, CPS-2. Manufacturer: Spin-Lock Electronics Co., Canada. Intended use of article: The article is intended to be used in the study of the chemical characteristics of cancerous tissue as part of a continuing program of research and development aimed at evolving a method for early detection of human tumors. Photon relaxation times will be studied with specific measurements to be made of the spin-lattice relaxation time in the laboratory (T_1) and rotating frames ($T_{1\rho}$) and the spin-spin relaxation time (T_2). These measurements will be made on both normal and diseased tissue of humans and various experimental animals. Application received by Commissioner of Customs: October 28, 1975.

Docket Number: 76-00187-33-46070. Applicant: Northwestern University Medical School, Northwestern Memorial Hospital, Superior Street and Fairbanks Court, Chicago, Illinois 60611. Article: Scanning Electron Microscope, Model PSEM-500. Manufacturer: Phillips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for a number of research projects particularly those involving the liver. Both normal and pathological structures of tissues from human liver biopsies will be analyzed. The article will also be used in surgical biopsy material in order to search for further aids in the diagnosis of clinical problems. Application received by Commissioner of Customs: October 29, 1975.

Docket Number: 76-00188-00-66700. Applicant: University of Arkansas for Medical Sciences, Department of Pathology, 4301 West Markham, Little Rock, Arkansas 72201. Article: Projection Table for Morphometric Analysis. Manufacturer: Anatomisches Institute, Switzerland. Intended use of article: The article is a custom designed instrument for use in morphometric analysis of biological tissue for use in studying alterations in volumes of different components of tissue in experimental and pathological conditions. Micrographs or electron micrographs are projected by the instrument in a fixed fashion on a specially calibrated screen, with special geometric markings. The incidence of different cells, organs and organelles are then counted for mathematical computation of their relative volumes. Application received by Commissioner of Customs: October 29, 1975.

Docket Number: 76-00189-01-77030. Applicant: Brown University, Providence,

RI 02912. Article: Fourier Nuclear Magnetic Resonance Spectrometer, WP-60. Manufacturer: Bruker Scientific, West Germany. Intended use of article: The article is intended to be used to detect Nuclear Magnetic Resonance signals from protons and carbon 13 nuclei in samples of organic and inorganic compounds in the liquid state. The nmr spectra so obtained will be used to elucidate the molecular structures of such compounds and the mechanisms by which they are formed in biochemical, photochemical and thermolytic reactions. In addition, the article is intended to be used in the courses Chemistry 145- Advanced Organic Chemistry and Chemistry 12- Introductory Organic Chemistry which are designed primarily to provide an up-to-date knowledge of organic chemistry for undergraduate students studying chemistry, biology and medicine. Application received by Commissioner of Customs: October 29, 1975.

Docket Number: 76-00191-33-46040. Applicant: University of Pennsylvania, School of Veterinary Medicine, 3800 Spruce Street, Philadelphia, Pennsylvania 19174. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for the following research on degenerative retinal diseases in animals as models for similar diseases in man: (1) Studies on early stages of hemeralopia in dogs, (2) studies on rod-cone degenerative in the dog and (3) rod disc turnover in the rod-cone dysplastic retina of the dog. In all of these projects the ultrastructure of the retina and retinal pigment epithelium which has been studied electrophysiologically, is investigated. The article will also be used for a teaching program in ophthalmology. Application received by Commissioner of Customs: October 30, 1975.

Docket Number: 76-00192-01-77030. Applicant: Georgia State University, Department of Chemistry, University Plaza, Atlanta, Georgia 30303. Article: Fourier Transform NMR Spectrometer, FX-60. Manufacturer: JOEL Ltd., Japan. Intended use of article: The foreign article will be used to study a variety of compounds such as compounds of the type p-G-phenyl-X-C(Y)-Z (where G is various substituents; x is NH, O, S or absent; Y is O or S and Z is N(CH₃)₂ or Y(H₃); Zn (CF₃)₂, Zn(CH₂:(CH₃)₃)₂, Zn-(CF₃COCHCOCF₃)₂, R₂NH, and R₂O; CHCl₃, ClC≡CClH, C₂H₂C≡CH, R₂NH and R₂O; guinolinemethanoamines; naphthothiopheneethanolamines; acridine derivatives; Nucleotides, oligonucleotides, and polynucleotides as well as their deoxy derivatives. The studies will involve inter alia ¹³C and ¹H nmr spectra, T₁ρ, Nuclear Overhauser effect, varying temperatures, varying solvents, signal broadening, signal coalescence, varying delution, γH_i, determination of delta G, ¹⁹F shifts, J₁₂-H, determination of equilibrium constants, evaluation of changes in electron density in C-H bonding, ¹³C chemical shifts and ¹H chemical shifts.

The article will also be used in several courses to teach undergraduate as well as graduate students. Application received by Commissioner of Customs: October 30, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

B. BLANKENHEIMER,
Director,
Office of Import Programs.

[FR Doc.75-31376 Filed 11-19-75;8:45 am]

ROCKEFELLER UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR Part 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76-00025-33-46040. Applicant: The Rockefeller University, York Avenue and 66th Street, New York, N.Y. 10021. Article: Electron Microscope, Model EM 201 and accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the study of cell growth. The materials to be studied in a large variety of biochemical experiments will be primarily nucleic acids from mammalian cells and viruses including cancer viruses which will affect mammalian cells.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (June 25, 1975).

Reasons: The foreign article is equipped with a eucentric goniometer stage and has a specified resolving power of 4Å. At the time the foreign article was ordered the most closely comparable domestic instrument was the Model EMU-4C available from the Adam David Company. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated October 24, 1975 that the eucentric goniometer stage of the article is pertinent to the applicant's structural studies of nucleic acid fractions visualized by newer techniques of electron microscopy involving details of their physical structures and measurements of lengths and contours of the molecules. HEW further advises that the EMU-4C does not have a scientifically equivalent eucentric goniometer stage. We, therefore, find that EMU-4C was not

of equivalent scientific value to the foreign article for such purposes as this article is intended to be used at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

B. BLANKENHEIMER,
Director,
Office of Import Programs.

[FR Doc.75-31377 Filed 11-19-75;8:45 am]

ST. ALPHONSUS, ET AL.

Consolidated Decision on Applications for Duty-Free Entry of EMI Scanner Systems

The following is a consolidated decision on applications for duty-free entry of EMI Scanner Systems pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR Part 701, 1975). (See especially § 301.11 (e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76-00027-33-90000. Applicant: St. Alphonsus Hospital, Dept. of Neuro-Diagnostics, 1055 West Curtis Road, Boise, Idaho 83704. ARTICLE: EMI Scanner System including Magnetic Tape System, Diagnostic Display Console, and Data Transfer Module. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for computerized axial tomography study of patients with neurological diseases involving brain tissue and cerebrospinal fluid spaces. Various disorders such as brain tumors, infections, stroke trauma and degenerative neurological problems will be studied. Properties of brain and adjacent tissues altered by disease will be determined. The data provided by the article will be available for study and continuing medical education for physicians and medical technicians. Physicians in family practice residency programs will be instructed in the procedures and the usefulness of this particular equipment and its accessories. Application received by Commissioner of Customs: July 11, 1975. Advice Submitted by the Department of Health, Education, and Welfare on: October 24, 1975. Article ordered: March 7, 1975.

Docket Number: 76-00041-33-90000. Applicant: Rockford Memorial Hospital, 2400 North Rockton Avenue, Rockford, Illinois 61101. Article: EMI Brain Scan-

ner. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used by radiologists, neurosurgeons, neurologists, pathologists, and radiotherapists, to study a wide variety of neurological disorders of the brain, including brain tissue injuries due to trauma, benign and malignant tumors of the brain, cerebral vascular accidents (strokes, changes in brain tissue due to aging (i.e., atrophy), and hydrocephalus in children). In addition, the article will be used to give students instruction in the use of the machine including x-ray techniques and physics, and in the anatomy of the brain. Students will also be given instructions in the significance of the results of the EMI versus other modalities. Application received by Commissioner of Customs: July 17, 1975. Advice submitted by the Department of Health, Education, and Welfare on: October 24, 1975. Article ordered: December 17, 1974.

Docket Number: 76-00043-33-90000. Applicant: St. Francis Hospital of Lynwood, 3630 East Imperial Highway, Lynwood, California 90262. Article: EMI Scanner System with Diagnostic Display Console. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to study patients with suspected neurological diseases involving the brain. Specific projects of investigation include the following: 1. The normal anatomical changes in the aging brain in which the cortical sulci and ventricular size will be followed in the elderly who are asymptomatic neurologically; 2. Ventricular size changes in the hydrocephalic patients who have been treated with ventriculo-atrial and ventriculo-peritoneal shunts. In addition, the symptoms and the size of the ventricles will be correlated with time in the course of the followup of these patients; and 3. The anatomical changes of traumatic lesions of the brain with time. Application Received by Commissioner of Customs: July 17, 1975. Advice submitted by the Department of Health, Education, and Welfare on: October 24, 1975. Article ordered: April 30, 1975.

Docket Number: 76-00044-33-90000. Applicant: Saint Agnes Hospital, 1303 E. Herndon Avenue, Fresno, California 93710. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for the investigation of intracranial disease; strokes, brain masses, head trauma, brain atrophy and inflammatory disease. Analysis of data obtained by use of computerized axial tomography of the head will be compared with current diagnostic modalities used, e.g., cerebral angiography, pneumencephalography, radioisotope scanning and ultrasound to determine the following: (1) Reliability and validity of each method in determining the anatomical localization, size, and morphological characteristics of intracranial lesions; (2) Feasibility of use of computerized axial

tomography in the diagnostic evaluation of head trauma in a trauma and neurosurgical center; (3) Cost effectiveness of EMI Scanning compared with currently available methods in establishing diagnosis of intracranial disease; and (4) Reliability and validity in establishing the diagnosis of intracranial inflammatory disease especially coccidioidomycosis, a mycotic infectious disease, endemic in Fresno County. Publicized data obtained in the studies listed above will be used for physician and other health science personnel education; to consist of lectures and conferences regarding the results of investigative studies to insure proper selection of techniques for diagnosis and follow-up studies in patients with strokes, brain masses, head trauma, brain atrophy and intracranial inflammatory diseases. Application received by Commissioner of Customs: July 17, 1975. Advice submitted by the Department of Health, Education, and Welfare on: October 24, 1975. Article ordered: January 28, 1975.

Document Number: 75-00047-33-90000. Applicant: Scripps Memorial Hospital, 9888 Genesee Avenue, P.O. Box 28, La Jolla, Ca. 92037. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in studying acute changes seen in the brain under various pathological conditions utilizing phantoms and patients in the specific areas of the eyes, optic nerves, cranial nerves in general, cerebrospinal fluid, gray matter, white matter, blood vessels, bone and calcification. Pathologic entities to be studied include brain tumors, nerve tumors; active bleeding, old hemorrhage, retinal detachment, orbital tumors, hydrocephalus, and acute brain injury. The article will also be used in the education of physicians as to the advantages and limitations of the technique of computerized axial tomography with instruction in specific findings seen in various disease states. Technical personnel will be instructed in the operation of the equipment and patient care during the procedure, as well as instruction in the findings in various disease states. Application received by Commissioner of Customs: July 21, 1975. Advice submitted by the Department of Health, Education, and Welfare on: October 24, 1975. Article ordered: December 5, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered. Reasons: Each foreign article is a newly developed system which is designed to provide precise transverse axial X-ray tomography. Although competitive systems are now being manufactured domestically, none of these systems were available at the time the articles were ordered. The Department of Health, Education, and Welfare (HEW) advised

in its respectively cited memoranda that the sensitivity and the non-invasive methodology of each article are pertinent to the purposes for which each foreign article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used which was being manufactured in the United States at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which were being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

B. BLANKENHEIMER,
Director,
Office of Import Programs.

[FR Doc.75-31378 Filed 11-19-75;8:45 am]

WISCONSIN SHOE CO.

Petition for Determination

A petition by Wisconsin Shoe Company, Milwaukee, Wisconsin, was accepted for filing on November 14, 1975, under section 251 of the Trade Act of 1974 and in conformity with Adjustment Assistance Certification Regulations for Firms, 15 CFR Part 350, 40 FR 14291 (April 3, 1975) (the "Regulations"). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm. The petitioner asserts that imported articles classified in items 700.25, 700.27, 700.29, 700.35 and 700.55 of the Tariff Schedules of the United States ("TSUS") are like or directly competitive with men's shoes produced by the firm.

Any party having a substantial interest in the proceedings (as described in § 350.40(b) of the regulations) may request a public hearing on the matter. A request for a hearing conforming to § 350.40 of the regulations must be received by the Director, Office of Trade Adjustment Assistance, Room 3011, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of December 1, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.106, Trade Adjustment Assistance)

JACK W. OSBURN, Jr.,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-31376 Filed 11-19-75;8:45 am]

Maritime Administration

[Docket No. S-475]

OVERSEAS BULK TANK CORP.

Application

Notice is hereby given that application has been filed under the Merchant Marine Act, 1936, as amended (the Act), to include the S/T OVERSEAS JUNEAU in its operating-differential subsidy agreement with respect to bulk carrying service in the U.S. foreign trade, principally between the United States and the Union of Soviet Socialist Republics, to expire on December 31, 1975, unless further extended, or until completion of a voyage in progress on that date.

Inasmuch as the applicant, and/or related persons or firms, employ or may employ ships in the domestic intercoastal or coastwise service, written permission of the Maritime Administration under section 805(a) of the Act will be required if its application for operating-differential subsidy is granted.

Overseas has previously been granted written permission for the OVERSEAS ARCTIC and OVERSEAS VALDEZ while not on subsidy to engage in domestic coastwise, intercoastal and non-contiguous petroleum trades and is now requesting written permission for the OVERSEAS JUNEAU while not on subsidy to provide the same type of domestic service.

Such written permission is now required under section 805(a) notwithstanding the fact that a voyage in the proposed service on which the vessel engaged in domestic intercoastal or coastwise trade would not be eligible for subsidy.

Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) and desiring to submit comments or views concerning the applications must, by close of business on December 1, 1975, file same with the Secretary, Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By order of the Assistant Secretary for Maritime Affairs.

Dated: November 17, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-31409 Filed 11-19-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 75F-0309]

MINNESOTA MINING & MANUFACTURING CO.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786 (21 U.S.C. 348(b) (5))), notice is given that a petition (FAP 6B3156) has been filed by the Minnesota Mining & Manufacturing Co., 3m Center, St. Paul, MN 55101, proposing that §§ 121.2520 *Adhesives* (21 CFR 121.2520), 121.2577 *Pressure-sensitive adhesives* (21 CFR 121.2577), and 121.2622 *Styrene block polymers* (21 CFR 121.2622) be amended to provide for safe use of styrene block polymers with 1,3-butadiene as a component of adhesive and pressure-sensitive adhesives intended to contact food.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: November 12, 1975.

HOWARD R. ROBERTS,
Acting Director,
Bureau of Foods.

[FR Doc.75-31365 Filed 11-19-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration
HIGHWAY SAFETY PROGRAM
Program Approval Policy Revision

The purpose of this notice is to announce a revision of the Program Approval Policy of the Federal Highway Administration and the National Highway Traffic Safety Administration as published June 12, 1975 (40 FR 25246) and revised August 27, 1975 (40 FR 38185).

The Program Approval Policy deals with the approval of highway safety pro-

grams of certain States for fiscal year 1976. Category II of the Policy deals with States without a periodic motor vehicle inspection program as required by Highway Safety Program Standard No. 1, 23 CFR 1204.4, and provides that Comprehensive Plans of Category II States will not be approved beyond December 1, 1975. In order to provide for a fuller consideration of the issues involving the four States remaining in Category II—Minnesota, Montana, Oregon and Alabama—the Comprehensive Plan approval of these States is hereby extended until June 30, 1976. This is the date by which all States are required to be implementing the Vehicle-in-Use standards issued by NHTSA. The extension will therefore permit a consolidated review of all issues relating to motor vehicle inspection.

Most of the States formerly included in Category II have submitted acceptable alternative inspection programs in accordance with the provisions of Standard No. 1, and have therefore been removed from Category II. NHTSA Regional Administrators and FHWA Division Administrators are therefore being authorized to approve the Comprehensive Plans of such States for the period of each State's approved alternative program.

Two States without periodic motor vehicle inspection, California and Illinois, are presently involved in sanctions proceedings as a result of their lack of a motorcycle helmet use law. These States have not been included in Category II, but may be subject to reclassification depending on the outcome of the present sanctions proceedings.

The NHTSA Regional Administrators and the FHWA Regional Administrators and/or Division Engineers are authorized to act in accordance with this revision to the Program Approval Policy.

(Pub. L. 89-564, 80 Stat. 731, 23 U.S.C. 401 et seq.; delegations at 49 CFR 1.48 and 49 CFR 1.51)

Issued on November 17, 1975.

NORBERT T. TIEMANN,
Administrator,
Federal Highway Administration.

JAMES B. GREGORY,
Administrator, National Highway
Traffic Safety Administration.

[FR Doc.75-31388 Filed 11-19-75;8:45 am]

National Highway Traffic Safety
Administration
Program Approval Policy Revision
HIGHWAY SAFETY PROGRAM

CROSS REFERENCE: For a document issued jointly by the Department of Transportation's Federal Highway Administration and National Highway Traffic Safety Administration on the subject of revised program approval policies, see FR Doc. 75-31388 under Department of Transportation, Federal Highway Administration, appearing in the notices section of this issue.

[Docket No. EX75-23; Notice 2]

LOTUS CARS, LTD.

Petition for Temporary Exemption From Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to grant the petition by Lotus Cars, Ltd. of Norwich, England, for a temporary exemption from compliance with Federal Motor Vehicle Safety Standard No. 215, *Exterior Protection*, on the basis of substantial economic hardship.

Notice of petition by Lotus was published in the FEDERAL REGISTER on September 29, 1975 (40 FR 44600), and an opportunity afforded for comment.

Lotus manufactured 800 motor vehicles in the 12-month period ending July 31, 1975, 54 per cent of which were exported to the United States. Although it designed its passenger cars to comply with Standard No. 215, it recently determined that the presently produced front bumper system failed by a small margin to meet the requirement, effective September 1, 1975, for pendulum corner impact at levels below 20 inches. The company, at a cost of \$129,000, is retooling for a complying bumper system which it intends to incorporate into production not later than September 1, 1976. Its net profit for fiscal 1974 was approximately \$40,000. Denial of the exemption would cost it the American market for a year (an estimated loss of \$3,094,000).

The company argued that an exemption would be in the public interest and consistent with the objectives of the National Traffic and Motor Vehicle Safety Act of 1966 because of "the wide margin" by which it exceeds many Federal requirements. Appendix F to its petition cited specific examples (Standards Nos. 204, 214, 216).

One comment supported the petition. No comments were received opposing it.

The NHTSA notes that the petition requested an exemption for only one-third of the time available for hardship exemptions. It is further noted that the manufacturer, whose financial resources and production are limited, has with this one minor exception conformed its product to all applicable Federal motor vehicle safety standards. A denial of access to the American market for a year would constitute a hardship to the company, its dealers, and its labor force.

For the reasons discussed above, the Administrator has determined that compliance would cause substantial economic hardship, and that a temporary exemption would be in the public interest and consistent with the objectives of the National Traffic and Motor Vehicle Safety Act. Accordingly, Lotus Cars, Ltd. is hereby granted NHTSA Temporary Exemption No. 75-26 from 49 CFR 571.215, Motor Vehicle Safety Standard No. 215, *Exterior Protection*, expiring November 1, 1976.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51)

Issued on November 14, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-31386 Filed 11-17-75; 4:05 pm]

[Docket No. EX75-30; Notice 1]

MASTER TRUCK

Petition for Exemption From Federal Motor Vehicle Safety Standard

Master Truck, a division of Hallamore, Inc., Fountain Valley, California, has petitioned for an exemption of 8 months from Federal Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, 49 CFR 571.121, on the basis that compliance would cause it substantial economic hardship.

Petitioner produced "less than 200 trucks" in 1974. The company manufactures a line of diesel-powered refuse trucks. The city of Los Angeles had contracted to buy 145 trucks from it. Because of the imminence of Standard No. 121 and California emission standards, performance under the contract became impossible and petitioner was forced to cancel it after partial performance. This left 56 Rockwell FF 921 P X 56 front axle assemblies in inventory at a cost of \$42,000. Rockwell has informed Master Truck that the axles cannot be rated in excess of 10,800 pounds GAWR. Master Truck does not offer a product which could utilize an axle of that rating. The axles apparently cannot be resold as they were made to Master Truck's specifications "including a wider than standard track and large brakes." Petitioner argues that an exemption will not compromise safety since actual highway use of refuse trucks is limited to traveling to and from collection areas and dump sites. The company (Hallamore, Inc.) has had a cumulative net loss of almost \$3,000,000 over its last 4 fiscal years. While its other motor vehicle product lines conform to Standard No. 121, it has suffered hardship because of the cancellation of the contract and its inability to use the 56 axles in inventory.

This notice of receipt of a petition for a temporary exemption is published in accordance with the NHTSA regulations on this subject (49 CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit comments on the petition for exemption of Master Truck. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials,

and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent practicable. Notice of final action on the petition will be published in the FEDERAL REGISTER.

Comment closing date: December 22, 1975.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.51 and 49 CFR 501.3)

Issued on November 13, 1975.

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

[FR Doc.75-3187 Filed 11-19-75; 8:45 am]

Office of the Secretary

REQUEST FOR FEDERAL GRANT ASSISTANCE TO ACQUIRE LAND AT COLUMBIA-WATERLOO, ILLINOIS, FOR AIRPORT TO SERVE ST. LOUIS METROPOLITAN AREA

Public Hearing

As the Secretary of Transportation, I will be deciding whether an application under the Airport and Airway Development Act should be approved for a Federal grant for acquisition of a site in Columbia-Waterloo, Illinois, for an airport to serve the St. Louis metropolitan area. Commitment of Federal funds for site acquisition would be the first in a series of steps towards development of a major air carrier airport at this location.

This decision is highly controversial and has been under consideration for many years. An extensive record has been compiled and numerous recommendations have been made. In particular, the argument is made that the existing Lambert-St. Louis International Airport can be modified to serve air carrier airport needs of the St. Louis area for the foreseeable future, or that another site in Missouri would be preferable to Columbia-Waterloo.

The Department of Transportation (DOT) had hoped that agreement would be reached in the St. Louis region on a new or upgraded airport. When this did not occur, the Department studied carefully and at length all of the proposals which have been suggested. I now plan to complete my review of the matter and make a decision shortly on the request for a grant for land acquisition at Columbia-Waterloo.

There have been prior opportunities for public and official participation in this decision. However, in order to permit a final opportunity for interested elected public officials and representatives of civic, public interest, and industry organizations to express their views, I will hold a public hearing on the question. The hearing will be conducted in a manner comparable to a congressional hearing. It will be held on Thursday, December 18, 1975, at a location in St. Louis, Missouri, to be announced. The tentative agenda is:

Time: 10 a.m.-11 a.m.—elected officials who favor approval of land acquisition for an airport at Columbia-Waterloo.

Time: 11 a.m.-12 noon—representatives of civic, public interest, and industry groups who favor approval of land acquisition at Columbia-Waterloo.

Time: 2 p.m.-3 p.m.—elected officials who favor expansion of Lambert-St. Louis International Airport in St. Louis, Missouri, or development of an alternative Missouri site.

Time: 3 p.m.-4 p.m.—representatives of civic, public interest, and industry groups who favor expansion of Lambert-St. Louis International Airport, or development of an alternative Missouri site.

Participants will be permitted a maximum of ten minutes for each presentation. Those of the same point of view are urged to combine their presentations. Written copies of presentations will be helpful, but are not required. Additionally, written presentations by any interested persons, including those who may not have sufficient time to express their full views at the hearing, may be submitted directly to me (address: Secretary of Transportation, Washington, D.C. 20590 and indicate "St. Louis Airport" on the envelope) before December 30, 1975.

The DOT is preparing a current summary of information on the major issues involved in this decision. That summary will be given to public officials and other interested parties and made available in public libraries and elsewhere in the St. Louis area about two weeks before the hearing. Its availability will be announced locally. I encourage persons who wish to speak at the hearing to review that summary, and to address their remarks to the issues identified in it.

I recognize that some persons may wish to take positions which are not completely in favor of or opposed to land acquisition at Columbia-Waterloo, and I would also take comments with respect to such positions. In order to facilitate the scheduling of speakers and assure equity in the assignment of the available time, however, persons requesting to speak should place themselves in either the "pro" or "con" category, whichever is closest to their position.

Any elected public official or representative of a civic, public interest, or industry group desiring to participate at the hearing should write to: The Secretary of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590 (telephone: 212-426-4357) before December 1, 1975, giving the following information:

1. Name.
2. Address.
3. Phone number during normal working hours.
4. Capacity in which presentation will be made (i.e., public official or civic, public interest, or industry group representatives, with name of group represented).
5. Position, pro or con.
6. Time (maximum ten minutes) desired for presentation.

A schedule will be prepared listing the participants in the order in which their presentations will be made. If more requests to testify are made than the time

allotted will permit, we will attempt to obtain prior agreement on time allotments, or will allot time through the drawing of names by lot. The public and the press are invited to the hearing. The hearing will be transcribed electronically. The transcription and all written submissions will become a part of the record in this proceeding.

The holding of this hearing is not a precedent for the way in which I will handle similar matters in the future.

Issued in Washington, D.C., November 14, 1975.

WILLIAM T. COLEMAN, Jr.,
Secretary of Transportation.

[FR Doc.75-31339 Filed 11-19-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 26487]

TRANSATLANTIC, TRANSPACIFIC AND LATIN AMERICAN SERVICE MAIL RATES INVESTIGATION

Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding, which was assigned to be held on December 2, 1975 (40 FR 51493, November 5, 1975), is postponed to December 8, 1975, at 10 a.m. (local time) in Room 1003, Hearing Room A, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., November 14, 1975.

[SEAL] ARTHUR S. PRESENT,
Administrative Law Judge.

[FR Doc.75-31390 Filed 11-19-75;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

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 for Economic Impacts, Immediate Office, OASD (Installations and Logistics), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.75-31389 Filed 11-19-75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

ECONOMIC ROLE OF CONTRACT MARKETS ADVISORY COMMITTEE

Meeting

Notice is hereby given, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, 10(a),

that the Commodity Futures Trading Commission Advisory Committee on the Economic Role of Contract Markets ("Advisory Committee on Economic Role of Contract Markets") will conduct a public meeting on December 4, 1975 at the Statler Hilton Hotel, 16th and K Streets, NW., Washington, D.C. in the Gallery Room, beginning at 10:00 a.m. The objectives and scope of activities of the Advisory Committee on Economic Role of Contract Markets will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Economic functions of futures trading. This will include consideration of such matters as:

(i) Benefits of commodity futures trading;
(ii) Appropriate standards to be utilized by the Commission under the Commodity Exchange Act, as amended, in developing a definition of bona fide hedging transactions or positions;
(iii) Appropriate standards to be utilized by the Commission under the Commodity Exchange Act, as amended, in developing a definition of international arbitrage; and
(iv) Appropriate policy criteria to be utilized by the Commission in establishing trading and position limits under the Commodity Exchange Act, as amended.

(2) Criteria for economic evaluation of existing contracts and new contract applications, including such matters as:

(i) Proliferation of contracts;
(ii) Commercial viability of contracts (including delivery points); and
(iii) Trading potential (new and inactive contracts).

The summarized agenda for the meeting is as follows:

1. Speculative Limits Discussion
2. Hedging and International Arbitrage Discussion

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to Margaret Harrison, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, at least five days before the meeting. Members of the public that wish to make oral statements should inform Mrs. Harrison, telephone (202) 254-8955, at least five days before the meeting, and reasonable provision will be made for their appearance on the agenda.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings of the committee to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036.

Dated: November 17, 1975.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures
Trading Commission.

[FR Doc.75-31374 Filed 11-19-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[Petition No. HP 75-18]

HIGHLAND MANUFACTURING AND SALES CO.

Denial of Petition Regarding Banning of Easter Grass Under Federal Hazardous Substances Act

The purpose of this notice is to announce the decision of the Consumer Product Safety Commission (CPSC or Commission) to deny the subject petition.

On April 28, 1975, the Highland Manufacturing and Sales Company filed a petition under the Federal Hazardous Substances Act (15 U.S.C. 1261) (FHSA) with CPSC for an "immediate reinstatement of the Commission's ban¹ on the sale of Easter grass which does not meet the requirements of section 191.4 of the Federal Hazardous Substances Act regulations (redesignated as 16 CFR 1500.44 in FR Vol. 38, No. 187)" (38 FR 27012). Essentially, the grounds presented on behalf of the requested ban are that flammable Easter grass is currently being marketed with flammability warning labels and since, it is alleged, such labeling does not adequately protect children from the risk of being burned, flammable Easter grass should be banned.

Before any article or substance can be classified, based on flammability, as a "hazardous substance" for regulatory or enforcement purposes under the FHSA, it must be found to be both "flammable" and capable of causing "substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children" (15 U.S.C. 1261(f)(1)(A)). Any article or substance which is found to be a "hazardous substance" will, if it is a "toy, or other article intended for use by children," be a "banned hazardous substance" under the provisions of the act (15 U.S.C. 1261(q)(1)(A)). If a hazardous substance is not a children's article, but is intended or packaged in a form suitable for use in the household, it will be considered a "misbranded hazardous substance" under the act unless it bears required precautionary labeling (15 U.S.C. 1261(p)).

Therefore, to determine whether the article known as "Easter grass" should be considered a "banned hazardous substance" because of a flammability hazard, the Commission must determine whether it is "flammable" within the meaning in the act as well as whether, if flammable, it can cause substantial injury.

Under the FHSA, a solid substance is considered "flammable" if it meets the

¹ It is noted that the Commission has never instituted proceedings to declare Easter grass or similar products to be banned. Although, as stated in the petition, officials of the Food and Drug Administration (which administered the FHSA prior to the Commission) issued letters on the subject of Easter grass, the Commission is also unaware of initiation by FDA of any formal administrative or judicial procedures relating to Easter grass.

definition of "flammable" that is established by regulation based on test methods generally applicable to solid materials that are also established by regulation (15 U.S.C. 1261(1)).

The term "flammable solid" is defined in Commission regulations as "a solid substance that, when tested by the methods described in § 1500.44, ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis" (16 CFR 1500.3(c)(6)(iv)). Section 1500.44 of the regulations (16 CFR 1500.44(a)(2), (b)) prescribes the following method for determining flammable solids:

(a) *Preparation of samples* * * *

(2) *Rigid and pliable solids.* Measure the dimensions of the sample and support it by means of metal ringstands, clamps, rings, or other suitable devices as needed, so that the major axis is oriented horizontally and the maximum surface is freely exposed to the atmosphere.

(b) *Procedure.* Place the prepared sample in a draft-free area that can be ventilated and cleared after each test. The temperature of the sample at the time of testing shall be between 63° F. and 86° F. Hold a burning paraffin candle whose diameter is at least 1 inch, so that the flame is in contact with the surface of the sample at the end of the major axis for 5 seconds or until the sample ignites, whichever is less. Remove the candle. By means of a stopwatch, determine the time of combustion with self-sustained flame. Do not exceed 60 seconds. Extinguish flame with a CO or similar nondestructive type extinguisher. Measure the dimensions of the burnt area and calculate the rate of burning along the major axis of the sample.

In attempting to apply this test method to the product, "Easter grass," several difficulties arise. Among the foremost is the fact that the regulation does not specify a procedure for preparing or mounting specimens to be tested. Whereas the instructions, "support it [the sample] by means of metal ringstands, clamps, rings, or other suitable devices as needed, so that the major axis is oriented horizontally and the maximum surface is freely exposed to the atmosphere," are sufficient for many types of materials, in the case of loose fibrous materials such as Easter grass, they do not specify whether one strand or a bundle is to be tested, or how the sample is to be supported in a horizontal position.

This deficiency was recognized by the Food and Drug Administration (FDA) (the Commission's predecessor agency for administration of the FHSA) which issued informal guidelines as follows:

Between 4 and 5 grams of 'grass' are separated and shaped into a strip 7 to 9 inches long by 1½ inches wide by ½ to ¾ inch thick. This strip is suspended on a wire mesh (wire gauge about 28 mesh size about 1 inch) and the narrow edge of the grass subjected to a candle flame.

However, while these guidelines may aid in preparation of samples from which some comparisons may be made, they have never been issued as regulations and thus are not considered part of the official test method. The Commission, also recognizing the deficiencies inherent in the present test method when applied to Easter grass, has embarked on a pro-

gram to establish a more definitive test method and sample preparation method for the measurement of the flammability hazards of solids. It is anticipated that when this project is completed consideration will be given to amending the present regulations.

In addition to the problems associated with the present flammable solid test method, the Commission also lacks at the present time sufficient information to warrant a finding that because of flammability, Easter grass "may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children," as is required under the act before a substance or mixture of substances may be considered to be a "hazardous substance" (15 U.S.C. 1261(f)(1)(A)). Although injury data are certainly not essential to the making of this finding, it is noted that the Commission is unaware of usable epidemiological or other technical information relating to flammability hazards of Easter grass.

Therefore, having considered the petition and other available information, the Commission hereby announces its decision to deny the petition of the Highland Manufacturing and Sales Co. to declare flammable Easter grass to be a banned hazardous substance under the provisions of the Federal Hazardous Substances Act. As discussed above, this decision is based on the inability of the Commission to find that certain types of Easter grass are flammable under the act, and capable of causing substantial personal injury or illness. Although not required, the announcement of this decision is being published in the FEDERAL REGISTER because of the public interest generated and because this decision may represent a departure from the prior position of the Food and Drug Administration on the matter.

Dated: November 14, 1975.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc.75-31372 Filed 11-19-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 458-3]

AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Receipt of Application

Notice is hereby given that on October 7, 1975, the Environmental Protection Agency received an application from the Bendix Corporation, Lewisburg, West Virginia, to determine if its Model 8002 ambient ozone analyzer should be designated by the Administrator of the EPA as a reference or equivalent method under 40 CFR Part 53, promulgated February 18, 1975 (40 FR 7044). If, after appropriate technical study, the Administrator determines that this method

should be so designated, notice thereof will be given in a subsequent issue of the FEDERAL REGISTER.

C. GERBER,
Acting Assistant Administrator
for Research and Development.

[FR Doc.75-31403 Filed 11-19-75;8:45 am]

[FRL 458-1]

NATIONAL DRINKING WATER ADVISORY COUNCIL

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the National Drinking Water Advisory Council established under Pub. L. 93-523, the "Safe Drinking Water Act," will be held at 9:00 a.m. on December 11, 1975, in Conference Room 1101, West Tower, and at 8:30 a.m. on December 12, 1975, in the EPA Conference Room 3906, Mall Section, Environmental Protection Agency, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460.

The purpose of the meeting will be to exchange information with the Department of Health, Education, and Welfare regarding health effects research, discuss relative activities of the Council on Environmental Quality, public affairs, update the status on the interim primary regulations, underground water regulations, training, research, and State program regulations.

The meeting will be open to the public. Any member of the public wishing to attend or submit a written statement should contact the Executive Secretary, Patrick Tobin, Office of Water Supply (WH-550), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

The telephone number is Area Code: 202/426-8847.

EDWIN L. JOHNS,
Acting Assistant Administrator
for Water and Hazardous Materials.

NOVEMBER 14, 1975.

[FR Doc.75-31315 Filed 11-19-75;8:45 am]

FEDERAL MARITIME COMMISSION

[No. 75-50]

COMMERCIAL SOLVENTS CORPORATION INTERNATIONAL, INC., AND MOORE- McCORMACK LINES, INC.

Filing of Complaint

NOVEMBER 14, 1975.

Notice is hereby given that a complaint filed by Commercial Solvents Corporation International, Inc. against Moore-McCormack Lines, Inc. was served November 14, 1975. The complaint alleges that complainant has been subjected to payment of a freight rate for transportation which is unjust and unreasonable and in violation of section 18(b)(3) of the Shipping Act, 1916.

Hearing in this matter shall commence on or before May 14, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-31408 Filed 11-19-75;8:45 am]

[No. 75-49]

CSC INTERNATIONAL, INC. AND NIPPON YUSEN KAISHA (NYK LINE)**Filing of Complaint**

November 14, 1975.

Notice is hereby given that a complaint led by CSC International, Inc. against Nippon Yusen Kaisha (NYK Line) was served November 14, 1975. The complaint alleges that complainant has been subjected to payment of a freight rate for transportation which is unjust and unreasonable and in violation of section 18 (b) (3) of the Shipping Act, 1916.

Hearing in this matter shall commence on or before May 14, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-31407 Filed 11-19-75;8:45 am]

JAPANESE AMERICAN DISCUSSION AGREEMENT**Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before December 10, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

R. A. Velez, Vice President Corporate Pricing, United States Lines, Inc., One Broadway, New York, New York 10004.

Agreement No. 10203, entered into by:

American Export Lines, Inc.
American President Lines, Ltd.
Japan Line, Ltd.
Kawasaki Kisen Kaisha, Ltd.
Lykes Bros. Steamship Company, Inc.
Mitsui O.S.K. Lines, Ltd.
Nippon Yusen Kaisha

Pacific Far East Line, Inc.
Sea-Land Service, Inc.
Showa Line, Ltd.
States Steamship Company
United States Lines, Inc.
Yamashita-Shinnihon Steamship Co., Ltd.,
- and
Waterman Steamship Corporation.

All common carriers by water operating Japanese- and U.S.-flag vessels between ports in Japan and ports in the United States, covers an arrangement for the exchange of information and for cooperation in the development of information on matters relevant to their services in the trade between ports and places in Japan and ports and places in the United States, and more particularly relating to:

(1) Cargo movements, the seasonality and other fluctuations of traffic flows, and related data bearing on the level and frequency of common carrier steamship service required by shippers;

(2) Cost of service, rates, rules and tariffs;

(3) Practices in connection with the carriage of cargo, and the receipt and delivery of cargo, including interchange with connecting land carriers;

(4) The market shares of the carriers; and

(5) Also discuss the possibility of acceptance of common carriers by water operating other than U.S. or Japanese flag vessels into any agreement, resulting from said discussion, that is subsequently approved.

Dated: November 17, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-31406 Filed 11-19-75;8:45 am]

LYKES BROS. STEAMSHIP CO., INC., AND CAROLINA SHIPPING CO.**Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before December 10, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination

or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

R. J. Finnan, Esquire, Lykes Bros. Steamship Co., Inc., 300 Poydras Street, New Orleans, Louisiana 70130.

Agreement No. 10198, between Lykes Bros. Steamship Co., Inc. and Carolina Shipping Company, is an agency agreement whereby Lykes appoints Carolina to act as its agent in the ports of Port Royal, Georgetown and Charleston, South Carolina on the terms and conditions and to the extent set forth therein.

Dated: November 17, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-31404 Filed 11-19-75;8:45 am]

LYKES BROS. STEAMSHIP CO., INC., AND WILMINGTON SHIPPING CO.**Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before December 10, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness, with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

R. J. Finnan, Esquire, Lykes Bros. Steamship Co., Inc., 300 Poydras Street, New Orleans, Louisiana 70130.

Agreement No. 10197, between Lykes Bros. Steamship Co., Inc. and Wilmington Shipping Company, is an agency agreement whereby Lykes appoints Wilmington to act as its agent in the ports of Sunny Point, Morehead City and Wilmington, North Carolina on the terms and conditions and to the extent set forth therein.

Dated: November 17, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-31405 Filed 11-19-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP72-110 (PGA76-3)]

ALGONQUIN GAS TRANSMISSION CO.

Rate Change Pursuant to Purchased Gas Cost Adjustment Provision

NOVEMBER 12, 1975.

Take notice that Algonquin Gas Transmission Company (Algonquin Gas), on October 31, 1975, tendered for filing Tenth Revised Sheet No. 10 to its FPC Gas Tariff, First Revised Volume No. 1.

Algonquin Gas States that its tariff sheets entitled Alternate (Corrected) Substitute Eighth Revised Sheet No. 10, proposed to be effective October 23, 1975 and Substitute Ninth Revised Sheet No. 10, effective October 24, 1975, failed to include Algonquin Gas' latest Purchased Gas Cost Amortizing Adjustment of 1.14¢ which became effective September 1, 1975 pursuant to a Commission order dated August 25, 1975. Therefore, Algonquin Gas proposes in the instant filing to re-include in its rates, effective December 1, 1975, the 1.14¢ amortizing adjustment. The period from October 23, 1975 through November 30, 1975, during which the amortizing adjustment is not applicable as a result of the inadvertent error, will be accounted for by the next amortizing adjustment of the balance of the Deferred Gas Cost Account then on the books; i.e., the adjustment to be made effective on March 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 21, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this

filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31349 Filed 11-19-75;8:45 am]

[Docket No. ER76-203]

BOSTON EDISON CO.

Initial Rate Schedule and Request for a Waiver

NOVEMBER 13, 1975.

Take notice that on October 28, 1975, the Boston Edison Company (Edison), tendered for filing as an initial rate schedule six copies of a letter agreement dated January 9, 1974 and its amendment dated June 20, 1974 (collectively the Agreement) between New England Power Company (NEPCO) and Edison providing for NEPCO's support, of Edison's 115 kV radial transmission facilities serving NEPCO's East Holbrook, Massachusetts Substation 398, commencing December 1, 1973.

Edison requests a waiver under § 35.11 of the Commission rules and regulations to permit the Agreement to become effective December 1, 1973.

Edison states that copies of this filing have been sent to NEPCO.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE. Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 21, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31346 Filed 11-19-75;8:45 am]

[Docket No. ER76-212]

CONSUMERS POWER CO.

Filing of Service Agreement

NOVEMBER 13, 1975.

Take notice that Consumers Power Company ("Consumers Power") on November 3, 1975, tendered for filing a Service Agreement for wholesale for resale electric service between Consumers Power and the City of Eaton Rapids, Michigan ("Eaton Rapids"). On its proposed effective date, September 30, 1975, the agreement supplanted a prior contract for electric service between the two parties, dated September 30, 1965 and designated Consumers Power Company

Rate Schedule FPC No. 4. The Service Agreement incorporates the rates permitted by the Commission to become effective, subject to refund, on September 30, 1975. The Commission Order was in Docket No. ER76-45, issued August 29, 1975.

The Service Agreement was concluded with Eaton Rapids pursuant to the commitment of Consumers Power to place its wholesale for resale customers on a SCHEDULE OF RATES GOVERNING WHOLESALE FOR RESALE ELECTRIC SERVICE, and consistent with the Order of the Federal Power Commission in Docket No. ER76-45 dated August 29, 1975. The execution of the Service Agreement is prompted by Consumers Power's desire to have one standard rate schedule for wholesale service.

Copies of this filing were served on Eaton Rapids and on the Michigan Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions should be filed on or before November 20, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31344 Filed 11-19-75;8:45 am]

[Docket No. RP72-155]

EL PASO NATURAL GAS CO.

Tariff Filing

NOVEMBER 13, 1975.

Take notice that on October 30, 1975, El Paso Natural Gas Company (El Paso) tendered for filing Substitute Second Revised Sheet No. 67-D and First Revised Sheet No. 1-I to El Paso's FPC Gas Tariff, Original Volume Nos. 1 and 2A, respectively.

El Paso states that the said tariff sheets are tendered in compliance with the Commission's Order No. 535, issued September 16, 1975, at Docket No. RM75-9. The tendered tariff sheets modify the "Time and Manner of Filing and Related Reports" section of the "Purchased Gas Cost Adjustment Provision"; as contained on said sheets, in order to reflect therein the notice requirement of at least thirty (30) days established in the aforementioned Order No. 535. Except for the said change in notice requirements, the tendered tariff sheets are identical in all respects to their currently effective counterparts.

Any person desiring to be heard or to make any protest with reference to this filing should, on or before November 21, 1975, file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene in accordance with the Commission's rules. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31342 Filed 11-19-75;8:45 am]

[Docket Nos. RP74-19, etc.]

FLORIDA GAS TRANSMISSION CO.

Proposed Settlement

NOVEMBER 13, 1975.

Take notice that Florida Gas Transmission Company (Florida Gas), Docket Nos. RP74-19, RP69-2, RP70-25, RP71-27, RP71-28, RP72-144, RP72-136, RP71-67, RP71-109, RP72-35, RP72-35, and RP72-123, on October 23, 1975, submitted a stipulation and agreement to the Commission, pursuant to § 1.18(e) of the rules of practice and procedure in settlement of the rate proceedings consolidated with Docket Nos. RP74-19, et al., together with an accompanying motion for approval of the settlement. The Stipulation and Agreement, if approved, would resolve all issues in these proceedings.

Florida Gas states in its submittal that copies of the proposed settlement have been served on all parties to the proceedings, on all its jurisdictional customers and on the Florida Public Service Commission. Copies of the proposed settlement are also on file with the Commission and available for public inspection.

Any person wishing to do so may submit comments in writing concerning the proposed settlement agreement to the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. All comments should be submitted on or before November 21, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31343 Filed 11-19-75;8:45 am]

[Docket No. ER76-211]

FLORIDA POWER & LIGHT CO.

Tariff Change

NOVEMBER 13, 1975.

Take notice that Florida Power & Light Company (FP&L) on October 31, 1975,

tendered for filing proposed changes in sheets 5-9 of its FPC Electric Tariff, Original Volume No. 1. The proposed changes would increase revenues from sales-for-resale sales and service by \$7,263,666, based on the 12 month period ending December 31, 1975.

FP&L states that it expects to earn a rate of return under present rates from service to these customers of 6.36 percent during the Period II test year, which is the 12 months ending December 31, 1976, and that the proposed rates are designed to enable the Company to have the opportunity of earning a rate of return more nearly appropriate to that required for it to attract necessary capital for its construction program if it is to continue to provide adequate service to its customers.

Copies of the applicable portions of the filing were served upon FP&L's sales-for-resale customers and upon the Florida Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 21, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31345 Filed 11-19-75;8:45 am]

[Docket No. E-9502]

MINNESOTA POWER & LIGHT CO.

Filing of Revised Data Pursuant to Order

NOVEMBER 13, 1975.

Take notice that on October 24, 1975, Minnesota Power & Light Company (MP&L) tendered for filing revised data in compliance with the Commission's Order issued October 9, 1975 in the above-referenced proceeding, wherein the Commission affirmed Ordering Paragraph (F) of its July 18, 1975 Order in this proceeding which requires the Company to file "substitute tariff sheets which reflect the exclusion of CWIP from rate base for facilities which will not be placed into service prior to January 1, 1976." Previously, on August 4, 1975 the Company submitted six copies of Volume VI of its Application For Increase In Electric Rates, which contained revised exhibits and data reflecting the exclusion of construction work in progress (CWIP) from the Company's rate base and from that portion of the rate base allocated to the municipal, private utility, rural electric cooperative, and transmission service customers affected by the rate in-

crease application. In addition, the Company submitted a revised "Schedule 92R, Resale Service-Municipalities And Private Utilities" and "Rider For Standby Service," reflecting reduced rates for service to the municipal and private utility customers required by the exclusion of CWIP from rate base.

According to MP&L, pursuant to the Commission's October 9 Order, it has lowered the demand charge for service to the cooperative customers and has also lowered the rates for transmission service. The revised rates for service to the cooperative customers reduce the rate of return anticipated during Period II from 10.25 percent to 10.02 percent and the revised rate for transmission service to the City of Wadena reduces the rate of return anticipated during Period II from 9.85 percent to 9.60 percent.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before November 21, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31348 Filed 11-19-75;8:45 am]

[Docket Nos. RP71-125, etc.]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Filing of Revision to PGA Filing To Track Pipeline Supplier Rate Increase

NOVEMBER 12, 1975.

Take notice that on November 3, 1975, Natural Gas Pipeline Company of America (Natural) tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, the below listed substitute tariff sheets:

	<i>To be effective</i>
2d substitute 4th revised substitute 24th revised sheet No. 5.	Nov. 14, 1975.
2d substitute 25th revised sheet No. 5. (Alternate) 2d substitute 25th revised sheet No. 5.	Dec. 1, 1975. Do.

Natural states that on October 15, 1975, Great Lakes Gas Transmission Company (Great Lakes) filed revised PGA recovery rates in lieu of such rates filed on September 17, 1975 in Docket No. RP75-94. Said PGA recovery rates incorporate a new formula for allocating purchased gas costs between sales and transportation services in lieu of the presently ef-

fective formula reflected in the filing of September 17, 1975. These revised PGA recovery rates of Great Lakes will result in an additional increase to Natural in the amount of approximately \$1,700,000.

Great Lakes had previously proposed the change in allocation formula by a filing dated June 13, 1975. By order issued July 18, 1975, the Commission granted Great Lakes' request to withdraw certain tariff sheets incorporating the proposed allocation method, and ordered that a hearing should be held to adjudicate the propriety of changing the allocation method and that the issue be consolidated with Great Lakes' current rate case at Docket No. RP75-94.

Natural states that it cannot determine at this time whether the Commission will grant the special permissions and waivers of its regulations requested by Great Lakes in order to permit the tariff sheets tendered October 15, 1975 to become effective November 14, 1975.

Therefore, Natural tendered the following substitute tariff sheet to be effective November 14, 1975 in the event that the Commission should allow the aforesaid revised PGA recovery rates filed by Great Lakes to become effective as requested:

Second Substitute FOURTH REVISED Substitute Twenty-fourth Revised Sheet No. 5.

Natural requested that this tariff sheet be substituted for the corresponding tariff sheet filed by Natural on October 1, 1975.

Natural also tendered Second Substitute Twenty-fifth Revised Sheet No. 5 and an Alternate to be effective December 1, 1975 to be substituted for the corresponding tariff sheets filed with Natural's PGA filing and with its "Motion to Make Suspended Tariff Sheets Effective" in the proceedings at Docket No. RP75-108, which were submitted under separate cover letters dated October 16, 1975.

Natural respectfully requests waiver of the terms of its PGA clause and the Commission's regulations to the extent necessary to permit the requested substitutions of the enclosed tariff sheets for the tariff sheets previously filed should the Commission grant the special permissions and waivers requested by Great Lakes.

Natural states that copies of this filing were mailed to its jurisdictional customers, interested state commissions and interested parties in Docket No. RP75-108.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 21, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make pro-

testants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31350 Filed 11-19-75;8:45 am]

[Docket Nos. E-8954, ER70-100]

NEW ENGLAND POWER CO.

Certification of Settlement Agreement

NOVEMBER 13, 1975.

Take notice that on October 31, 1975, the Presiding Administrative Law Judge certified to the Commission for its consideration and disposition in the above dockets a proposed settlement agreement, together with the entire record related thereto. The settlement agreement, if approved, would resolve all issues in these proceedings.

Any person wishing to do so may submit comments in writing concerning the proposed settlement agreement. All such comments should be addressed to the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, and should be filed or mailed on or before November 21, 1975. Reply comments, if any should be filed or mailed on or before November 28, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31347 Filed 11-19-75;8:45 am]

[Docket No. RP76-33]

TRANSCONTINENTAL GAS PIPE LINE
CORP.

Proposed Changes in Gas Tariff

NOVEMBER 13, 1975.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco), on October 31, 1975, tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2. The proposed changes would increase revenues from jurisdictional sales, transportation and storage services by approximately \$61 million based on the 12-month period ending July 31, 1975, as adjusted. Transco requests a proposed effective date of December 1, 1975.

Transco states that the principal reasons for the rate increase filing are (1) increased advance payment amounts incurred and to be incurred during the test period and, (2) the increase in unit cost of operation of its pipeline system due to the continuing decline in gas supply and the consequent reduction in annual sales volume.

Included in the filing, were *pro forma* tariff sheets to the General Terms and Conditions which will provide Transco the right to (1) "track" in its Gas Storage Service rate schedule any changes in the rates for storage service furnished to Transco by Consolidated Gas Supply

Corporation under the latter's Rate Schedule Gas and (2) "track" in its Rate Schedule S-2 any changes in the rates for storage service furnished to Transco by Texas Eastern Transmission Corporation under the latter's Rate Schedule X-28.

In addition, *pro forma* tariff sheets were submitted in the filing incorporating a Volumetric Variation Adjustment Clause (VVAC) in the General Terms and Conditions of Transco's tariff. This provision would permit Transco to change its rates to reflect changes in unit fixed costs as a result of changes in gas supply and to collect the jurisdictional portion of such fixed costs based on the formula contained therein.

Transco states that copies of the filing were served upon the company's jurisdictional customers and interested State commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 20, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-31341 Filed 11-19-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DANCE ADVISORY PANEL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463); notice is hereby given that a meeting of the Dance Advisory Panel to the National Council on the Arts will be held on December 7-9, 1975 at Lincoln Center in New York City. On December 7 the meeting hours are 10:00 a.m.-4:30 p.m.; on December 8 from 9:00 a.m.-5:00 p.m.; and on December 9 from 9:00 a.m.-4:30 p.m.

A portion of this meeting will be open to the public on December 7 from 1:30 p.m.-4:30 p.m. and on December 9 from 1:45 p.m.-4:30 p.m. On December 7 there will be a General discussion and a discussion of Artists-in-Schools Dance Component. On December 9 there will be Policy discussions of Dance/Film/and Video and a tour of the New York Public Library Dance Collection.

The remaining sessions of this meeting on December 7 from 10:00 a.m.-12:00 noon, December 8 from 9:00 a.m.-5:00 p.m., and December 9 from 9:00 a.m.-12:30 p.m. are for the purpose of Panel

review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552 (b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
*Administrative Officer, National
Endowment for the Arts, Na-
tional Foundation on the Arts
and the Humanities.*

[FR Doc.75-31357 Filed 11-19-75; 8:45 am]

VISUAL ARTS ADVISORY PANEL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that closed meetings of the Visual Arts Advisory Panel to the National Council on the Arts will be held on December 8-9, December 10-12 and December 15-16, 1975 from 9:30 a.m.-6:00 p.m. in the 11th floor conference room of the Columbia Plaza Building, 2401 E Street NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552 (b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
*Administrative Officer, National
Endowment for the Arts, Na-
tional Foundation on the Arts
and the Humanities.*

[FR Doc.75-31358 Filed 11-19-75; 8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 75-33]

AIRCRAFT ACCIDENT BRIEFS; SAFETY RECOMMENDATION AND RESPONSE

Availability and Receipt

The National Transportation Safety Board announces the availability of the following documents:

Aircraft Accident Briefs, Issue No. 1, "Aircraft Accident Reports, U.S. Civil Aviation—1975," NTSB-BA-75-4, released November 11, 1975, contains a computer-printed synopsis of the findings and probable cause(s) of 896 general aviation accidents which have occurred in the United States this year.

Also now available is the Supplemental Issue of reports of accidents which occurred during 1974. This publication, Report No. NTSB-BA-75-3, is the final issue of reports of last year's aircraft accidents and incidents which were not included in the five previous issues of "Briefs of Accidents" for 1974. Included are three U.S. air carrier accidents, 28 U.S. air carrier incidents, 99 U.S. general aviation accidents, and 38 U.S. general aviation incidents. Four foreign air carrier accidents, one foreign air carrier incident, and 12 foreign general aviation accidents investigated by the Safety Board are also included.

Although the brief format reports in these two publications contain essential information, more detailed data may be obtained from the original factual reports which are on file in the Washington Office of the Safety Board. Upon request, these factual reports will be reproduced commercially at an average cost of 23¢ per page for printed matter, \$1.25 per page for black and white photographs, and \$4.00 per page for color photographs, plus postage. Minimum reproduction charge is \$2.00; an additional \$4.00 user-service charge will be made for each order. Requests should be directed to the Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594. The requester must provide the following information concerning the accident: (1) Date and place of occurrence, (2) type of aircraft and registration number, and (3) name of pilot.

Both the 1975 Issue No. 1 volume and the 1974 Supplemental Issue may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Safety recommendation. Investigation of the cause of the gas leak which ruptured a 12-inch pipe at a Goldsmith, Texas, gas processing plant on October 13, 1975, has prompted the Safety Board to recommend that the plant owner, El Paso Natural Gas Company of Houston, Texas, examine the wall thickness of the existing piping in areas of potential liquid accumulation at the Goldsmith plant and at other gas proc-

essing plants or take other remedial action to insure that similar conditions for potential pipeline failure are not present. The Safety Board asks urgent followup action on this recommendation, No. P-75-15.

Response to safety recommendations. The Board has received a letter, dated November 6, 1975, from the Federal Railroad Administration in response to recommendations R-75-31 and 32. The recommendations were made as a result of the Board's investigation of the collision of a Southern Railway work train with a Polk District schoolbus at Aragon, Georgia, October 23, 1974 (40 FR 42217). Recommendation R-75-31 asked that FRA "promulgate regulations governing railroad operating rules for the use of radio communications and flagging when trains are being pushed (shoved) across grade crossings." In response, FRA published at 40 FR 33682, August 11, 1975, an advance notice of proposed rulemaking concerning radio standards and procedures. In answer to R-75-32, which requested FRA to "promulgate regulations to require that if radios are to be utilized for directing rearward movement of trains, the radio must be installed so that they can be used by an employee from the leading platform," FRA notes that this same advance notice of proposed rulemaking "contains specific language regarding the use of radios for rearward movement of train."

The recommendation letter is available to the general public; single copies may be obtained without charge. A \$4.00 user-service charge will be made for each recommendation response, in addition to a charge of 10¢ per page for reproduction. All requests must be in writing, identified by recommendation number and date of publication of this notice in the FEDERAL REGISTER. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

(Secs. 304(a)(2), 307, Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1906))

MARGARET L. FISHER,
*Federal Register
Liaison Officer.*

NOVEMBER 17, 1975.

[FR Doc.75-31383 Filed 11-19-75; 8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. P-560-A]

CENTRAL MAINE POWER CO.

Receipt of Partial Application for Construction Permit and Facility License: Time for Submission of Views on Antitrust Matters

Central Maine Power Company (the applicant), pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, which was docketed on August 20,

1975, in connection with their plans to construct and operate a reactor in Searsport, Maine. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portions of the application consisting of an Environmental Report and a Preliminary Safety Analysis Report pursuant to § 2.101 of Part 2, are expected to be filed in April and June 1976, respectively. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

The applicant has solicited from other New England utilities non-binding indications of potential interest in the unit. As utilities indicate their interest, additional antitrust information will be submitted for them.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Local Public Document Room, Office of Town Manager, Union Hall, Reservoir Street, Searsport, Maine 04974. Docket No. P-560-A has been assigned to the application and should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Office of Antitrust and Indemnity, Office of Nuclear Reactor Regulation, on or before December 30, 1975.

Dated at Bethesda, Md., this 23d day of October 1975.

For the Nuclear Regulatory Commission.

KARL KNIEL,
Chief, Light Water Reactors
Branch 2-2, Division of Re-
actor Licensing.

[FR Doc.75-29240 Filed 10-29-75;8:45 am]

GULF STATES UTILITIES CO. (BLUE HILLS STATION, UNITS 1 AND 2)

Hearings on Applications for Construction Permits

Correction

In FR Doc. 75-30094 appearing at page 52768 in the issue of Wednesday, November 12, 1975, a page of type was inadvertently omitted from what appears as the third sentence of the first full paragraph on page 52769. The corrected text reads as follows:

"* * * Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to inter-

vene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

"Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

"A petition for leave to intervene must be filed with the Secretary of the Commission and others as specified below by December 12, 1975. A petition for leave to intervene which is not timely will not be entertained absent a determination by the Board that the petitioner, in addition to the matters specified in 10 CFR 2.714(d), has made a substantial showing of good cause for failure to file on time. The reasons for the tardiness in filing a petition for leave to intervene, as well as the factors specified in 10 CFR 2.714(a)(1)-(4) shall be considered in making a determination whether there has been a substantial showing of good cause by the petitioner.

"Pursuant to 10 CFR 2.101, the application was tendered on June 28, 1974, with the Preliminary Safety Analysis Report, covering the matters in 10 CFR 50.34(a) and 50.34a and with the Environmental Report required by 10 CFR 50.30(f). Following a preliminary review for completeness, the application was accepted for docketing on July 30, 1974, and the Preliminary Safety Analysis Report was docketed on August 23, 1974. The Environmental Report has not been accepted for docketing due to lack of complete environmental information required by the Commission staff. * * *

[Docket No. 50-18]

POWER REACTOR DEVELOPMENT CO. Intent To Transfer Provisional Operating License

By application dated October 16, 1975, The Detroit Edison Company requested authorization to transfer Provisional Operating License No. DPR-9 from Power Reactor Development Company to The Detroit Edison Company. The license issued to Power Reactor Development Company authorizes possession, but not operation of the Enrico Fermi Atomic Power Plant located in Monroe County, Michigan.

The transfer will be accomplished by amending the existing facility operating license. The amended license would authorize The Detroit Edison Company to possess but not operate the facility at the location described above.

The Nuclear Regulatory Commission (the Commission) has reviewed the application and has determined that it complies with the standards and requirements of the Atomic Energy Act of

1954, as amended (the Act), and the Commission's rules and regulations. The Commission has also determined that the transfer of the license is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

By December 22, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR 2.714. If no requests for a hearing are received within the time prescribed, the Commission will consider issuing the amended facility operating license authorizing The Detroit Edison Company to possess, but not operate the facility.

For further details concerning this proposed action, see the application for transfer of the license dated October 16, 1975 which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 18 day of November, 1975.

For The Nuclear Regulatory Commission.

VERNON L. ROONEY,
Acting Chief, Operating Reactors
Branch 4, Division of Re-
actor Licensing.

[FR Doc.75-31691 Filed 11-19-75;10:06 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on November 17, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Manage-

ment and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

SMALL BUSINESS ADMINISTRATION

Factoring in Success Interview Guide, single-time, minority small businesses, Economics and general government division, Lowry, R. L., 395-3451.

VETERANS ADMINISTRATION

Notice To Female Veterans Under Chapter 34, FI-22-895, single-time, female veterans, Caywood, D. P., 395-3443.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service, Program of information for the school breakfast program, single-time, State educational agencies, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Center for Disease Control, Health effects of dust and diesel exhaust on non-coal underground miners, CDCNIOSE 100, single-time, underground non-coal miners, Ellett, C. A., 395-5867.

Food and Drug Administration, Report of research use of radioactive drug membership summary; study summary, FD 2914, on occasion, medical research personnel, Harry B. Sheftel, occasion, medical research personnel, Office of the Secretary:

Household Parent and Youth Questionnaires: statistical Survey on Runaways—Phase II, single-time, individuals, Reese, B. F., 395-3211.

Survey of Head Start Handicapped Efforts, 05-26-73, annually, Head start grantees and delegate agencies, Dick Eisinger, 395-6140.

Survey Questionnaire to Clients of Vocational Rehabilitation Services, OS-58-75, single-time, vocational rehabilitation clients, Human Resources Division, Raynsford, R., 395-3532.

REVISIONS

VETERANS ADMINISTRATION

Application for Home Loan Guaranty, 26-1802A, on occasion, lenders and veterans, Caywood, D. P., 395-3443.

DEPARTMENT OF LABOR

Bureau of Labor Statistics, Digest of Selected Pension Plans, BLS 2714, on occasion, private pension plan administrators, Strasser, A., 395-5867.

EXTENSIONS

DEPARTMENT OF LABOR

Manpower Administration, Handbook for Analyzing Jobs (Chapters IV, V and VII and appendix on physical demands and environmental conditions), MA7-35, MA7-36, MA7-37, on occasion, employers and employees, Strasser, A., 395-5867.

PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.75-31520 Filed 11-19-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 01/01-0278]

DEVONSHIRE CAPITAL CORP.

Issuance of License To Operate as a Small Business Investment Company

On September 16, 1975, a notice was published in the FEDERAL REGISTER (40

FR 42805) stating that Devonshire Capital Corporation, 111 Devonshire Street, Boston, Massachusetts 02109 had filed an application with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1975) for a license to operate as a small business investment company (SBIC).

Interested parties were given 15 days to submit written comments on the application to SBA.

Notice is hereby given that no written comments were received and having considered the application and all other pertinent information, SBA approved the issuance of License No. 01/01-0278 on October 31, 1975, to Devonshire Capital Corporation, pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: November 13, 1975.

JAMES THOMAS PHELAN,
*Deputy Associate Administrator
for Investment.*

[FR Doc.75-31327 Filed 11-19-75;8:45 am]

[License No. 06/06-5168]

TEJAS INVESTMENT CORP.

License Surrender

Notice is hereby given that Tejas Investment Corporation (Tejas), 3001 S. Congress Street, Austin, Texas, has surrendered its license to operate as a small business investment company under section 301(d) of the Small Business Investment Act of 1958, as amended (the Act).

Tejas was licensed by the Small Business Administration on January 24, 1975. Under the authority vested by the Act and pursuant to 13 CFR 107.105 (1975), the surrender of Tejas is hereby approved. Accordingly, all rights, privileges and franchises derived from the license are hereby terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: November 13, 1975.

JAMES THOMAS PHELAN,
*Deputy Associate Administrator
for Investment.*

[FR Doc.75-31328 Filed 11-19-75;8:45 am]

[Proposed License No. 09/09-0189]

VPJ FINANCIAL CORP.

Notice of Application for a License as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing small business investment companies (SBICs) (13 CFR 107.102(1975)), under the name of VPJ Financial Corporation, 20555 Earl Street, Torrance, California 90053, for a license to operate

in the State of California as an SBIC under the provisions of the Small Business Investment Act of 1958 (Act), as amended (15 U.S.C. 661 et seq.).

The proposed officers, directors, and principal shareholders are:

Velko Miletich (President, Director, 50%) 31 Yacht Club Way, Apartment 303, Redondo Beach, California 90277.

R. Parnell Jones (Secretary-Treasurer, Director, 50%) 10 Saddleback Road, Rolling Hills, California 90274.

Lolita Jean Packard (Director), 21107 Ladeene Avenue, Torrance, California 90503.

American Financial Resources, Investment Advisor/Manager.

The company will begin operations with an initial capitalization of \$500,000. American Financial Resources (AFR) will be the Investment Advisor/Manager of the applicant, pursuant to a written contract subject to SBA approval under § 107.809 of the regulations and will receive compensation for the services provided. The officers, directors and shareholders of AFR are:

President, Director: Joy E. Davis, 40%.

Vice President, Director: Peter D. Glusac, 40%.

Secretary, Director: Michael F. Leone, Jr., 20%.

Although the applicant intends to make diversified investments, it has an interest in the vehicle equipment and accessory industry. The applicant intends to render management consulting services to small concerns. It will conduct its operations principally in the State of California, and will look to the growth of its portfolio for a major portion of its return.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the applicant under their management, including adequate profitability and financial soundness in accordance with the Act and SBA rules and regulations.

Notice is further given that any person may, within 15 days after the date of this publication, submit written comments on the application to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

The applicant shall cause a similar notice to be published in a newspaper of general circulation in Los Angeles, California.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: November 12, 1975.

JAMES THOMAS PHELAN,
*Deputy Associate Administrator
for Investment.*

[FR Doc.75-31329 Filed 11-19-75;8:45 am]

UNITED STATES RAILWAY ASSOCIATION

[USRA Docket No. 76-14]

READING CO.

Discontinuance of All Passenger Service

Order. Berks, Bucks, Chester, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill Counties, Pennsylvania, and Mercer, Somerset, Union and Essex Counties, New Jersey.

On August 4, 1975, the Trustees of the Reading Company, debtor, a railroad in reorganization under the Regional Rail Reorganization Act of 1973 (45 U.S.C. 701 et seq), pursuant to authority granted by the United States District Court for the Eastern District of Pennsylvania in Order No. 877 applied to the United States Railway Association for the authorization required by Section 304(f) of that Act to discontinue all passenger service operated by it under contract for the Southeastern Pennsylvania Transportation Authority (SEPTA). At the time of filing, applicant provided service between Reading Terminal, Philadelphia, Pa., and Norristown, Lansdale, Doylestown, Warminster, Newtown, Fox Chase, Pottsville and Bethlehem, Pa., serving Berks, Bucks, Chester, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill Counties, Pa., and between Reading Terminal, Philadelphia and West Trenton and Newark, N.J., serving Bucks County, Pa., and Mercer, Somerset, Union, Essex, Ocean, Monmouth, and Hudson Counties, N.J.

Section 304(f) provides that a railroad in reorganization may not discontinue service or abandon a line of railroad "unless it is authorized to do so by the Association and unless no state or local or regional transportation authority reasonably opposes such action."

Subsequently, by letter dated October 30, 1975, the Reading Company advised the Association that it wished to withdraw its application.

Accordingly, The application filed on August 4, 1975, by the Trustees of the Reading Company to discontinue all passenger service is dismissed.

This order will be effective immediately.

Dated this 5th day of November 1975.

[SEAL] JAMES A. HAGEN,
President,
United States Railway Association.

[FR Doc.75-31373 Filed 11-19-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

Meeting

Notice is hereby given of a meeting of the National Advisory Committee on Occupational Safety and Health, established under section 7 (a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656). The purpose of this

Committee is to advise the Secretary of Labor and the Secretary of Health, Education, and Welfare on matters relating to the administration of the Act.

The meeting will be held December 11 and 12, 1975, starting at 9:00 a.m. in the Georgetown Room, Key Bridge Marriott, Rosslyn, Virginia. The public is invited to attend.

The agenda will include the swearing-in of newly appointed members. The current membership and the categories they represent are as follows (newly appointed members are designated by an asterisk):

PUBLIC

Mr. Howard Pyle, President Emeritus, National Safety Council, 245 Concorda Drive, Tempe, Arizona 85282.

*Mr. Barry C. Brown, Attorney at Law, Sommers, Schwartz, Silver, Schwartz, Tyler, and Gordon, 26555 Evergreen Road, Suite 1800, Southfield, Michigan 48066.

Mr. Lelf Thorne-Thomsen, Health Care Management Consultant, 448 Scenic Drive, Santa Barbara, California 93103.

Mr. Roger H. Wingate, Vice President, Liberty Mutual Insurance Company, 175 Berkeley Street, Boston, Massachusetts 02117.

MANAGEMENT

*Dr. Miles Colwell, Vice President, Health and Environment, Aluminum Company of America, Pittsburgh, Pennsylvania 15219.

*Dr. Paul Kotin, Medical Director, Johns Manville Corp., Greenville Plaza, Denver, Colorado 80217.

LABOR

Mr. John J. Sheehan, Legislative Director, United Steelworkers of America, 815 16th Street, N.W., Suite No. 706, Washington, D.C. 20008.

*Mr. George H. R. Taylor, Executive Secretary, AFL-CIO Standing Committee on Occupational Safety & Health, 815 16th Street, N.W., Washington, D.C. 20008.

SAFETY

*Mr. Edward N. Deck, Manager, Corporate Safety and Security, General Electric Company, Fairfield, Connecticut 06430.

Mr. Charles S. Morgan, President, National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210.

HEALTH

*Dr. Mary Amdur, Department of Physiology, Harvard School of Public Health, Cambridge, Massachusetts 02115.

*Dr. Harold R. Imbus, Medical Director, Burlington Industries, P.O. Box 21207, Greensboro, North Carolina 27410.

The members were selected on the basis of their experience and competence in the field of occupational safety and health.

Other agenda items will include an update of OSHA activities relating to standards development, regional programs, and legal issues. The Committee also will be briefed on current activities of the National Institute for Occupational Safety and Health.

Any written data or views concerning these subjects which are received by the Committee's Executive Secretary by December 4, 1975, together with 20 duplicate copies, will be presented to the Committee and included in the official record of the meeting. Those persons desiring to make presentations at the meeting

must also notify the Executive Secretary by December 4, 1975, of their desire to appear, stating the amount of time requested and the capacity in which they wish to appear as well as a brief outline of the content of their presentation. Oral presentations will be scheduled at the discretion of the Committee Chairman depending on the extent to which time permits.

Communications to the Executive Secretary should be addressed as follows:

Ms. J. Goodell, Executive Secretary, National Advisory Committee on Occupational Safety and Health, U.S. Department of Labor, OSHA, Room N-3635, 2d Street and Constitution Avenue, N.W., Washington, D.C. 20210. Phone: 202/523-8024.

Official transcripts of the meetings will be available for public inspection at OSHA's Technical Data Center, Room N-3620, at the above address.

Signed at Washington, D.C., this 18th day of November.

J. GOODELL,
Executive Secretary.

[FR Doc.75-31583 Filed 11-19-75;8:45 am]

[Dockets SCP 9, 10]

STANDARDS COMPLETION PROJECT

Availability of Draft Technical Standards

On March 18, 1974, the Assistant Secretary of Labor for Occupational Safety and Health announced the joint OSHA/NIOSH Standards Completion Project. The purpose of the project is to issue completed standards for all of the toxic materials listed in Tables Z-1, Z-2, and Z-3 of 29 CFR 1910.1000 (formerly Tables G-1, G-2, and G-3 of 29 CFR 1910.93), with the exception of some substances which are or will be the subjects of NIOSH Criteria Documents. These exceptions will be the subject of separate rulemaking proceedings, outside of the Standards Completion Project.

Section 1910.1000 lists exposure limits for certain hazardous or toxic substances. The new standards will establish requirements for monitoring employee exposure, medical surveillance, methods of compliance, handling and use of each substance, employee training, record-keeping, sanitation, and housekeeping, among other things. In addition, the proposals are also designed to enable employers to better understand and comply with existing OSHA standards. The exposure limits listed in § 1910.1000 are not at issue in the proposals, and no changes to these limits will be proposed or made in the standards issued as part of the Standards Completion Project.

Drafts of the technical content of proposed standards for the following substances, designated Set I, Standards Completion Project, have been prepared:

Acetylene Tetrabromide
Allyl Chloride
Chlorobenzene
Chlorodiphenyl (54% chlorine)
1,1-Dichloroethane
Epiclorohydrin
1,1,2,2-Tetrachloro-1,2-difluoroethane

1,1,1,2-Tetrachloro-2,2-difluoroethane
 1,1,2,2-Tetrachloroethane
 1,1,2-Trichloro-1,2,2-trifluoroethane
 1,2,3-Trichloropropane
 Trifluoromonobromomethane

Also prepared are drafts of the technical content of proposed standards for the groups of substances designated Set J. These substances are:

arsine
 carbon tetrachloride
 diazomethane
 o-dichlorobenzene
 diethylamine
 dimethylamine
 ethylene dichloride
 methyl chloroform
 tetrachloroethylene
 1,1,2-trichloroethane

These draft technical standards reflect only the technical intent of NIOSH and OSHA and do not necessarily contain the specific language which will appear in the proposed standards. Copies of the draft technical standards on the above listed substances are available for inspection or for purchase, at the standard copying fee, at the Occupational Safety and Health Administration, U.S. Department of Labor, Room N3620, 200 Constitution Avenue, NW., Washington, D.C. 20210. Copies are also available at any of the following OSHA Regional and Area Offices:

REGIONAL OFFICES

U.S. Department of Labor, Occupational Safety and Health Administration, 18 Oliver Street, Boston, Massachusetts 02110.
 U.S. Department of Labor, Occupational Safety and Health Administration, 1515 Broadway (1 Astor Plaza), Room 3445, New York, New York 10036.
 U.S. Department of Labor, Occupational Safety and Health Administration, Gateway Building, Suite 15220, 3535 Market Street, Philadelphia, Pennsylvania 19104.
 U.S. Department of Labor, Occupational Safety and Health Administration, 1375 Peachtree Street, N.E., Suite 587, Atlanta, Georgia 30309.
 U.S. Department of Labor, Occupational Safety and Health Administration, 230 South Dearborn Street, 32nd Floor, Room 3259, Chicago, Illinois 60604.
 U.S. Department of Labor, Occupational Safety and Health Administration, 555 Griffin Square Building, Room 602, Griffin at Young, Dallas, Texas 75202.
 U.S. Department of Labor, Occupational Safety and Health Administration, 911 Walnut Street, Room 3000, Kansas City, Missouri 64106.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 15010, 1961 Stout Street, Denver, Colorado 80202.
 U.S. Department of Labor, Occupational Safety and Health Administration, 9470 Federal Building, 450 Golden Gate Avenue, Box 36017, San Francisco, California 94102.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Office Building, Room 6048, 900 First Avenue, Seattle, Washington 98174.

AREA OFFICES

U.S. Department of Labor, Occupational Safety and Health Administration, Custom House Building, Room 703, State Street, Boston, Massachusetts 02109.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 426, 55 Pleasant Street, Concord, New Hampshire 03301.

U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 617B, 450 Main Street, Hartford, Connecticut 06103.
 U.S. Department of Labor, Occupational Safety and Health Administration, U.S. Post Office and Courthouse Building, 436 Dwight Street, Room 501, Springfield, Massachusetts 01103.
 U.S. Department of Labor, Occupational Safety and Health Administration, 90 Church Street, Room 1405, New York, New York 10007.
 U.S. Department of Labor, Occupational Safety and Health Administration, Belle Mead GSA Depot Building T3, Belle Mead, New Jersey 08502.
 U.S. Department of Labor, Occupational Safety and Health Administration, 519 Federal Street, Room 408, Camden, New Jersey 08101.
 U.S. Department of Labor, Occupational Safety and Health Administration, Picatinny Arsenal Building 171, Dover, New Jersey 07801.
 U.S. Department of Labor, Occupational Safety and Health Administration, Teterboro Airport Prof. Building, 377 Route 17, Room 206, Hasbrouck Hts., New Jersey 07604.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Office Building, 970 Broad Street, Room 1435C, Newark, New Jersey 07102.
 U.S. Department of Labor, Occupational Safety and Health Administration, Clinton Avenue and N. Pearl Street, Room 132, Albany, New York 122207.
 U.S. Department of Labor, Occupational Safety and Health Administration, 111 W. Huron Street, Room 1002, Buffalo, New York 14202.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 203, Midtown Plaza, 700 East Water Street, Syracuse, New York 13210.
 U.S. Department of Labor, Occupational Safety and Health Administration, 370 Old Country Road, Garden City, Long Island, New York 11530.
 U.S. Department of Labor, Occupational Safety and Health Administration, Condominium San Alberto Building, 605 Conrado Avenue, Room 328, Santurce, Puerto Rico 00907.
 U.S. Department of Labor, Occupational Safety and Health Administration, William J. Green, Jr. Federal Building, 600 Arch Street, Room 4456, Philadelphia, Pennsylvania 19106.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 1110-A, 31 Hopkins Plaza, Charles Center, Baltimore, Maryland 21201.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room LL2, 400 First Street, NW., Washington, D.C. 20210.
 U.S. Department of Labor, Occupational Safety and Health Administration, Charleston National Plaza, Suite 1726, 700 Virginia Street, Charleston, West Virginia 25301.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 802, Jonnet Building, 4099 William Penn Highway, Monroeville, Pennsylvania 15146.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 8016, 400 N. 8th Street, P.O. Box 10186, Richmond, Virginia 23240.
 U.S. Department of Labor, Occupational Safety and Health Administration, Building 10, Suite 33, La Vista Perimeter Park, Tucker, Georgia 30084.
 U.S. Department of Labor, Occupational Safety and Health Administration, Federal Office Building, Room 613A, 310 New Bern Avenue, Raleigh, North Carolina 27601.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 204, Bridge Building, 3200 E. Oakland Park Boulevard, Fort Lauderdale, Florida 33308.
 U.S. Department of Labor, Occupational Safety and Health Administration, 1000 Hayes Street, Suite 302, Nashville, Tennessee 37203.
 U.S. Department of Labor, Occupational Safety and Health Administration, 2800 Art Museum Drive, Art Museum Plaza, Suite 4, Jacksonville, Florida 32207.
 U.S. Department of Labor, Occupational Safety and Health Administration, Todd Mall, 2047 Canyon Road, Birmingham, Alabama 35216.
 U.S. Department of Labor, Occupational Safety and Health Administration, Suite 554-E, 600 Federal Place, Louisville, Kentucky 40202.
 U.S. Department of Labor, Occupational Safety and Health Administration, Enterprise Building, Suite 204, 6605 Abcorn Street, Savannah, Georgia 31405.
 U.S. Department of Labor, Occupational Safety and Health Administration, Commerce Building, Room 600, 118 North Royal Street, Mobile, Alabama 36602.
 U.S. Department of Labor, Occupational Safety and Health Administration, Riverside Plaza Shopping Center, 2720 Riverside Drive, Macon, Georgia 31204.
 U.S. Department of Labor, Occupational Safety and Health Administration, 1710 Gervais Street, Room 205, Columbia, South Carolina 29201.
 U.S. Department of Labor, Occupational Safety and Health Administration, 650 Cleveland Street, Room 44, Clearwater, Florida 33515.
 U.S. Department of Labor, Occupational Safety and Health Administration, 230 South Dearborn Street, 10th Floor, Chicago, Illinois 60604.
 U.S. Department of Labor, Occupational Safety and Health Administration, 847 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.
 U.S. Department of Labor, Occupational Safety and Health Administration, 360 S. Third Street, Room 109, Columbus, Ohio 43215.
 U.S. Department of Labor, Occupational Safety and Health Administration, Michigan Theatre Building, Room 620, 200 Bagley Avenue, Detroit, Michigan 48226.
 U.S. Department of Labor, Occupational Safety and Health Administration, 110 South Fourth Street, Room 437, Minneapolis, Minnesota 55401.
 U.S. Department of Labor, Occupational Safety and Health Administration, Clark Building, Room 400, 633 West Wisconsin Avenue, Milwaukee, Wisconsin 53203.
 U.S. Department of Labor, Occupational Safety and Health Administration, U.S. Post Office and Courthouse, Room 423, 46 East Ohio Street, Indianapolis, Indiana 46202.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 4028, Federal Office Building, 550 Main Street, Cincinnati, Ohio 45202.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 734, Federal Office Building, 234 N. Summit Street, Toledo, Ohio 43604.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 2118, 2320 La Branch Street, Houston, Texas 77004.
 U.S. Department of Labor, Occupational Safety and Health Administration, Adolphus Tower, Suite 1820, 1412 Main Street, Dallas, Texas 75202.
 U.S. Department of Labor, Occupational Safety and Health Administration, Room 421, Federal Building, 1205 Texas Avenue, Lubbock, Texas 79401.

U.S. Department of Labor, Occupational Safety and Health Administration, 546 Carondelet Street, Room 202, New Orleans, Louisiana 70130.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 512, Petroleum Building, 420 South Boulder, Tulsa, Oklahoma 74103.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 303, Donaghey Building, 103 East 7th Street, Little Rock, Arkansas 72201.

U.S. Department of Labor, Occupational Safety and Health Administration, 1015 Jackson Keller Road, Room 215, San Antonio, Texas 78213.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 3114, Federal Building, 500 Gold Avenue, S.W., P.O. Box 1428, Albuquerque, New Mexico 87103.

U.S. Department of Labor, Occupational Safety and Health Administration, 1627 Main Street, Room 1100, Kansas City, Missouri 64108.

U.S. Department of Labor, Occupational Safety and Health Administration, 210 North 12th Boulevard, Room 554, St. Louis, Missouri 63101.

U.S. Department of Labor, Occupational Safety and Health Administration, Petroleum Building, 221 South Broadway Street, Suite 312, Wichita, Kansas 67202.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 643, 210 Walnut Street, Des Moines, Iowa 50309.

U.S. Department of Labor, Occupational Safety and Health Administration, City National Bank Building, Harney and 16th Street 803, Omaha, Nebraska 68102.

U.S. Department of Labor, Occupational Safety and Health Administration, 113 West 6th Street, North Platte, Nebraska 69101.

U.S. Department of Labor, Occupational Safety and Health Administration, 8527 W. Colfax Avenue, Lakewood, Colorado 80215.

U.S. Department of Labor, Occupational Safety and Health Administration, Suite 525, Petroleum Building, 2812 1st Avenue North, Billings, Montana 59101.

U.S. Department of Labor, Occupational Safety and Health Administration, Russell Building, Highway 73 North, Bismark, North Dakota 58501.

U.S. Department of Labor, Occupational Safety and Health Administration, Court House Plaza Building, Room 408, 300 North Dakota Avenue, Sioux Falls, South Dakota 57102.

U.S. Department of Labor, Occupational Safety and Health Administration, Executive Building, Suite 309, 455 East 4th Street, South, Salt Lake City, Utah 84111.

U.S. Department of Labor, Occupational Safety and Health Administration, 100 McAllister Street, Room 1708, San Francisco, California 94102.

U.S. Department of Labor, Occupational Safety and Health Administration, Suite 318, Amerco Towers, 2721 North Central Avenue, Phoenix, Arizona 85004.

U.S. Department of Labor, Occupational Safety and Health Administration, 333 Queen Street, Suite 505, Honolulu, Hawaii 96813.

U.S. Department of Labor, Occupational Safety and Health Administration, 1100 E. William Street, Suite 222, Carson City, Nevada 89701.

U.S. Department of Labor, Occupational Safety and Health Administration, Hartwell Building, Room 401, 19-Pine Avenue, Long Beach, California 90802.

U.S. Department of Labor, Occupational Safety and Health Administration, 121 107th Street, N.E., Bellevue, Washington 98004.

U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 227, 605 West 4th Avenue, Anchorage, Alaska 99501.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 526, Pittock Block, 921 S.W. Washington Street, Portland, Oregon 97205.

U.S. Department of Labor, Occupational Safety and Health Administration, 1319 W. Idaho Street, Boise, Idaho 83702.

The draft technical standards will also be available for inspection and copying at the national and regional offices of the U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW, National Institute for Occupational Safety and Health, Room 10-A22, 5600 Fishers Lane, Rockville, Maryland.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 1114 Commerce Street, Room 1012, Dallas, Texas 75202.

U.S. Department of HEW, National Institute for Occupational Safety and Health, P.O. Box 13716, Philadelphia, Pennsylvania 19108.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 9017 Federal Building, 19th and Stout Streets, Denver, Colorado 80202.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 50 Seventh Street, N.E., Atlanta, Georgia 30323.

U.S. Department of HEW, National Institute for Occupational Safety and Health, Arcade Building, 1321 Second Street, Seattle, Washington 98101.

U.S. Department of HEW, National Institute for Occupational Safety and Health, John F. Kennedy Federal Building, Government Center, Boston, Massachusetts 02203.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 28 Federal Plaza, New York, New York 10007.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 601 East 12th Street, Kansas City, Missouri 64106.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 223 Federal Office Building, 50 Fulton Street, San Francisco, California 94102.

U.S. Department of HEW, National Institute for Occupational Safety and Health, 390 South Wacker Drive, Chicago, Illinois 60607.

It is anticipated that standards for the above listed substances will be proposed by OSHA in the near future. At that time, a formal comment period will be provided for the proposals. However, interested persons wishing to submit written data, views, and arguments on the draft technical standards at this time may submit them to the Docket Officer, Standards Completion Project, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3620, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Comments on Set I should be directed to Docket SCP-9. Those for Set J should be di-

rected to Docket SCP-10. The communications will be available for public inspection and copying at the above location. Information submitted in response to the Notice of Intent to Prepare an Environmental Impact Statement, published in the FEDERAL REGISTER on September 20, 1974 (39 FR 33843), need not be resubmitted.

Signed at Washington, D.C. this 7th day of November, 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc. 75-31352 Filed 11-19-75; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 917]

ASSIGNMENT OF HEARINGS

NOVEMBER 17, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 78243 Sub 61, Hart Motor Express, Inc., now assigned December 2, 1975 at Bismarck, North Dakota, is cancelled and the application is dismissed.

MC 141174, Whitfield Associated Transfer, Inc., application is dismissed.

MC 106433 Sub 8, Antrim Transportation Co., Inc., application dismissed.

MC 113622 Sub 5, Daigarno Transportation, Inc., application dismissed.

MC 116904 Sub 40, Grover Trucking Co., now being assigned January 14, 1976 (2 days), at Seattle, Washington, in a hearing room to be later designated.

MC 1459 Sub 7, Royal Motor Express, Inc., now being assigned January 13, 1976, (1 day) at Chicago, Ill., in a hearing room to be later designated.

MC 140621 Sub 1, K S I Farm Lines Co-op, Inc., now being assigned January 14, 1976 (3 days) at Chicago, Ill., in a hearing room to be later designated.

FF 84 Sub 1, C. S. Green & Company, Inc., Common Carrier Application and FF 434 Sub 1, Transconex, Inc., Common Carrier Application now being assigned hearing January 19, 1976 (1 week) at Chicago, Ill., in a hearing room to be later designated.

AB 52 Sub 4, Atchinson, Topeka and Santa Fe Railway Company Abandonment Between Richmond and B.C. Junction, in Ray Clay Clinton and Buchanan Counties, Missouri, now being assigned January 13, 1976, (3 days), at Flattsburg, Missouri, in a hearing room to be later designated.

MC 134142 Sub 8, Brown Refrigerated Express, Inc., now being assigned January 16, 1976, (1 day), at Kansas City, Missouri, in a hearing room to be later designated.

MC 141009, McClellon Transportation Corp., A Corporation, now being assigned January 10, 1976, (1 week), at Kansas City, Missouri, in a hearing room to be later designated.

AB 2 Sub 5, Louisville and Nashville Railroad Co. Abandonment between Colesburg and Hohenwald, in Dickson, Hichman and Lewis Counties, Tennessee, now being assigned January 14, 1976 (3 days), at Nashville, Tenn.; in a hearing room to be later designated.

MC 127834 (Sub-No. 107), Cherokee Hauling & Rigging, Inc., now being assigned January 19, 1976 (1 day), at Memphis, Tenn.; in a hearing room to be later designated.

MC 113495 (Sub-No. 70), Gregory Heavy Haulers, Inc., now being assigned January 20, 1976 (1 day), at Memphis, Tenn.; in a hearing room to be later designated.

MC 100668 (Sub-No. 299), Melton Truck Lines, Inc., now being assigned January 21, 1976 (1 day), at Memphis, Tenn.; in a hearing room to be later designated.

WC-23 KGW Towing Company, Inc.—Investigation and Revocation of Certificates, W-C-25, Waxler Towing Company, Incorporated—Investigation and Revocation of Certificate, W-C-26, A. & O. Barge Line, Inc.—Investigation and Revocation of Certificates and W-C-27 IGERT—Investigation and Revocation of Certificate, now being assigned January 23, 1976, (2 days), at Memphis, Tenn.; in a hearing room to be later designated.

MC 111729 Sub 547, Purolater Courier Corp., now being assigned pre-hearing conference December 17, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 72243 Sub 46, The Aetna Freight Lines, Inc., now being assigned January 20, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 141112, Burwell Ray Gallop, dba Gallop Bus Lines, now being assigned January 19, 1976 (1 week) at Norfolk, Va., in a hearing room to be later designated.

MC 140818, Gray Line of Seattle, Inc., now being assigned hearing January 12, 1976, at Olympia, Washington, in a hearing room to be later designated.

MC 127800 Sub 2, Groome Transportation, Inc., now being assigned January 28, 1976, (3 days), at Richmond, Virginia; in a hearing room to be later designated.

MC 128932 (Sub-No. 9), Robert L. Torrans, dba Commercial Storage & Distribution Co., now being assigned January 13, 1976, (3 days) at Baton Rouge, Louisiana; in a hearing room to be later designated.

MC 141015, Triangle Trucking Co., Inc., now being assigned February 5, 1976, (2 days), at Baltimore, Maryland, in a hearing room to be later designated.

MC 19227 Sub 213, Leonard Bros. Trucking Co., Inc., now being assigned January 13, 1976, at Dallas, Tex., in a hearing room to be later designated.

MC 111231 Sub 193, Jones Truck Lines, Inc., now being assigned hearing January 14, 1976, at Dallas, Tex., in a hearing room to be later designated.

MC 107743 Sub 28, System Transport, Inc., now being assigned January 22, 1976, (2 days), at Portland, Oregon, in a hearing room to be later designated.

MC 140811 Sub 1, Richard R. Shultz, dba Carrier Trucking, now being assigned hearing January 15, 1976, at Dallas, Texas, in a hearing room to be later designated.

MC 138313 Sub 9, Builders Transport, Inc., now being assigned January 20, 1976, (2 days), at Portland, Oregon, in a hearing room to be later designated.

MC 135486 Sub 11, Jack Hodge Transport, Inc., now being assigned hearing January 16, 1976, at Dallas, Texas, in a hearing room to be later designated.

No. 35957, Southern Clay Products, Inc. v-Southern Pacific Transportation Co., Et Al and No. 36160, Sikes Corporation v-South-

ern Pacific Transportation Company, now being assigned hearing January 19, 1976, at Dallas, Tex., in a hearing room to be later designated.

MC 127539 Sub 43, Parker Refrigerated Service, Inc., now being assigned January 26, 1976, (1 week), at Portland, Oregon, in a hearing room to be later designated.

MC-C-8516, Willard Richardson—Revocation of Certificate, now being assigned January 14, 1976, at Lexington, Ky. (1 day); in a hearing room to be later designated.

MC 128086 Sub 6, A & M Hauling, Inc., now being assigned February 2, 1976, (2 days), at Billings, Montana, in a hearing room to be later designated.

MC 136376 Sub 7, Mont R. Lynch d/b/a Lynch Trucking, now being assigned February 4, 1976 (3 days), at Billings, Montana, in a hearing room to be later designated.

MC-C8423, Dunlap Bus Lines, Inc.—Revocation of Certificate, now being assigned January 22, 1976 (1 day), at Nashville, Tenn.; in a hearing room to be later designated.

MC 124606 Sub 4, Ford Truck Line, Inc., now being assigned January 26, 1976 (2 weeks), at Little Rock, Arkansas, in a hearing room to be later designated.

MC 72442 Sub 47, Akers Motor Lines, Incorporated; MC 105881 Sub 50, M. R. & R. Trucking Company; MC 109533 Sub 67, Overnite Transportation Company and MC 113528 Sub 26, Mercury Freight Lines, Inc., continued to December 9, 1975 (2 weeks) at Mobile, Alabama, in the Sheraton Inn, 301 Government Street and January 13, 1976 (9 days) at Atlanta, Georgia, in the Atlanta American Motor Hotel, 160 Spring Street.

MC 138741 Sub 17, E. K. Motor Service, Inc., now being assigned January 20, 1976 (1 day), at Chicago, Illinois in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-31398 Filed 11-19-75;8:45 am]

[Rule 19; Ex Parte No. 241; 9th Rev. Exemption 10]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO., ET AL.

Exemption Under Provision of Mandatory Car Service Rules

It appearing, that the railroads named herein own numerous 40-ft. plain boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the railroads listed herein, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 397, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "XM", with inside length 44 ft. 6 in. or less and equipped with doors less than 9 ft. wide and bearing reporting marks assigned to the railroads named below, shall be ex-

empt from the provisions of Car Service Rules 1(a), 2(a), and 2(b).

¹The Atchison, Topeka and Santa Fe Railway Company, Reporting Marks: ATSF. Atlanta and Saint Andrews Bay Railway Company, Reporting Marks: ASAB. The Baltimore and Ohio Railroad Company, Reporting Marks: BO. Bangor and Aroostook Railroad Company, Reporting Marks: BAR. The Central Railroad Company of New Jersey, Robert D. Timpany, Trustee, Reporting Marks: CNJ. The Chesapeake and Ohio Railway Company, Reporting Marks: CO. Chicago, West Pullman & Southern Railroad Company, Reporting Marks: CWP. The Denver and Rio Grande Western Railroad Company, Reporting Marks: DRGW. Missouri-Kansas-Texas Railroad Company, Reporting Marks: MKT. Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees, Reporting Marks: NH-NYC-PAE-PC-P&E-PRR. Soo Line Railroad Company, Reporting Marks: SOO. Union Pacific Railroad Company, Reporting Marks: UP. Western Maryland Railway Company, Reporting Marks: WM.

Effective 11:59 p.m., November 3, 1975, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., November 3, 1975.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[FR Doc.75-31396 Filed 11-10-75;8:45 am]

[Notice 121]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

NOVEMBER 20, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before December 10, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76171. By order of November 13, 1975, the Motor Carrier Board approved the transfer to Schippers Service, Inc., 1325 Morgan Hill Road, Easton,

¹ Addition.

Pa. 18042, of the operating rights in Certificate No. MC 125710 (Sub-No. 1) issued May 4, 1964, to William R. Schippers, Jr., doing business as Schippers Service, same address, Easton, Pa., authorizing the transportation of fuel oil, gasoline, and kerosene, in bulk, in tank vehicles, from Changewater (Washington Township), Warren County, N.J., to points in Montgomery, Northampton, Carbon, Monroe, Schuylkill, Luzerne, Pike, Wayne, Lackawanna, Bucks, Berks, Lehigh, Wyoming, and Susquehanna Counties, Pa.

No. MC-FC-76173. By order of November 13, 1975, the Motor Carrier Board approved the transfer to Mason Wrecker Service, Inc., Casper, Wyo., of the operating rights in Certificates Nos. MC 133673 (Sub-No. 1) and MC 133673 (Sub-No. 2) issued September 27, 1971, and November 8, 1973, respectively, to George T. Mason, doing business as Mason Wrecker Service, Casper, Wyo., authorizing the transportation of wrecked or disabled trucks, truck tractors, and truck trailers, between points in Colorado, Montana, Nebraska, South Dakota, and Wyoming, and wrecked and disabled motor vehicles and trailers, in secondary movements, in truckaway service, between points in Wyoming, on the one hand, and, on the other, points in Utah and Colorado, restricted against the transportation of trailers designed to be drawn by passenger automobiles. Houston G. Williams, 540 First National Bank Building, Casper, Wyo. 82601, attorney for applicants.

No. MC-FC-76178. By order entered November 14, 1975, the Motor Carrier Board approved the transfer to Etolin Enterprises Inc., Wrangell, Alaska, of the operating rights set forth in Certificate No. MC 121552 (Sub-No. 2), issued February 19, 1971, to Peter C. McCormack III, doing business as Etolin Transfer & Storage Co., Wrangell, Alaska, authorizing the transportation of general commodities, except livestock and commodities in bulk, between points on Wrangell Island, Alaska, restricted to shipments having a prior or subsequent movement by water. Peter C. McCormack III, P.O. Box 762, Wrangell, Alaska 99929, representative for applicants.

No. MC-FC-76181. By order entered November 14, 1975, the Motor Carrier Board approved the transfer to W. G. Carter Truck Service, Inc., Plattsburg, Mo., of the operating rights set forth in Certificates Nos. MC 127001 and MC 127001 (Sub-No. 2), issued September 20, 1965 and October 14, 1969, respectively, to William G. Carter, doing business as W. G. Carter Truck Service, Plattsburg, Mo., authorizing the transportation of general commodities and certain specified commodities, from, to, and between specified points in Kansas, Missouri, Nebraska, and Iowa. Tom B. Kretsinger, Suite 910 Fairfax Bldg., 101

W. 11th St., Kansas City, Mo. 64105, attorney for applicants.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-31397 Filed 11-19-75;8:45 am]

[Notice 92]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

NOVEMBER 14, 1975.

The following applications are governed by Special Rule 1100.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) (as amended, 49 FR 37215) published in the FEDERAL REGISTER issue of August 26, 1975, effective September 15, 1975, further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

Evidence respecting how equipment is expected to be returned to an origin point, as well as other data relating to operational feasibility (including the need for dead-head operations), must be presented as part of an applicant's initial evidentiary presentation (either at oral hearing or in its opening verified statement under the modified procedure) with respect to all applications filed on or after December 1, 1973.

If an applicant states in its initial evidentiary presentation that empty or partially empty vehicle movements will result upon a grant of its application, applicant will be expected (1) to specify the extent of such empty operations, by mileages and the number of vehicles, that would be incurred, and (2) to designate where such empty vehicle operations will be conducted.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 531 (Sub-No. 324), filed October 28, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy sauce, and table sauce*, in bulk, in tank vehicles, from the plant site of Kikkoman Foods, Inc., located at or near Walworth, Wis., to points in California.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 2202 (Sub-No. 499), filed October 22, 1975. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Ave. NW., Washington D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis and Jackson, Tenn., serving the plantsite of Reinforced Plastics Division Reichhold Chemicals, Inc., located at or near Grand Junction, Tenn., as an intermediate point; From Memphis over U.S. Highway 72 to the junction of Ten-

ennessee Highway 57, thence over Tennessee Highway 57 to the junction of Tennessee Highway 18, thence over Tennessee Highway 18 to the junction of U.S. Highway 45, thence over U.S. Highway 45 to Jackson, and return over the same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn., or Washington, D.C.

No. MC 2202 (Sub-No. 500), filed October 28, 1975. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) Between Hancock and Cumberland, Md., serving all intermediate points: From Hancock over U.S. Highway 40 to Cumberland, Md., and return over the same route; (2) Between Berkeley Springs, W. Va., and Front Royal, Va., serving all intermediate points: From Berkeley Springs over U.S. Highway 522 to Front Royal, Va., and return over the same route; (3) Between Cumberland, Md. and Winchester, Va., serving all intermediate points except those on W. Va. Highway 28 located in Mineral County, W. Va.: From Cumberland, Md. across the Potomac River to W. Va. Highway 28, thence over W. Va. Highway 28 to the junction of U.S. Highway 50, thence over U.S. Highway 50 to Winchester, Va., and return over the same route; and (4) Between the Maryland-Pennsylvania state line and the junction of Interstate Highway 81 and U.S. Highway 11 at or near Strasburg, Va., serving all intermediate points except those on Interstate Highway 81 and U.S. Highway 11 located in Berkeley County, W. Va.: From the Maryland-Pennsylvania state line over Interstate Highway 81 to the junction of U.S. Highway 11 at or near Strasburg, Va., also, from the Maryland-Pennsylvania state line over U.S. Highway 11 to the junction of Interstate Highway 81 at or near Strasburg, Va., and return over the same route, serving all points in Morgan and Hampshire Counties, W. Va.; Allegany and Washington Counties, Md.; and Frederick and Warren Counties, Va. as off-route points in connection with the above routes. Restriction: The authority herein shall not be severable by sale or otherwise from the authorities presently granted to Roadway Express, Inc. in Sub-No. 489.

NOTE.—Applicant indicates that the sole purpose of this application filing is to convert its existing irregular route authority to regular route authority. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 501), filed October 22, 1975. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box

471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Weyerhaeuser Corp., located at or near Columbus, Miss., as an off-route point in connection with carrier's regular route operation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn., or Washington, D.C.

No. MC 4963 (Sub-No. 49), filed October 22, 1975. Applicant: ALLEGHANY CORPORATION, doing business as JONES MOTOR, Bridge Street and Schuykill Road, Spring City, Pa. 19475. Applicant's representative: Roland Rice, Suite 618, Perpetual Bldg., 1111 E St., NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): Serving the warehouse site of Western Electric, located at or near Martinsburg, W. Va., as an off-route point in connection with carrier's presently authorized regular-route operation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 11220 (Sub-No. 144), filed October 28, 1975. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. 38101. Applicant's representative: James J. Emigh, P.O. Box 59, Memphis, Tenn. 38101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except automobiles set up on wheels, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment): Serving the plantsite and warehouse facilities of American Greetings Corporation, located at or near McCrory, Ark., as an off-route point in connection with carrier's authorized regular-route operations between Fort Smith, Ark., and Memphis, Tenn., and between Chicago, Ill., and Memphis, Tenn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 19553 (Sub-No. 37), filed November 5, 1975. Applicant: KNOX MOTOR SERVICE, INC., 5670 11th St., P.O. Box 5206, Rockford, Ill. 61125. Applicant's representative: Paul J. Maton, Suite 1620, Ten S. LaSalle St., Chicago, Ill. 60603. Authority sought to operate as

a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk, and those requiring special equipment): Serving the plantsites and warehouse facilities of Lonza, Inc., and Caterpillar Tractor Co., located at or near Mapleton, Ill., as an off-route point in connection with applicant's regular route operations, at Peoria, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 21866 (Sub-No. 81), filed October 21, 1975. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Avenue, Boyertown, Pa. 19512. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automotive accessories, parts, and supplies, and material, supplies, and equipment* used or useful in the installation or manufacture of automotive accessories, parts, and supplies (except commodities in bulk), and *electric transformers and electric motors*, (1) between St. Louis, Mo., Columbus and Greenville, Ohio, and Memphis, Sevierville, and Sparta, Tenn., on the one hand, and, on the other, points in Connecticut, Delaware, the District of Columbia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, and West Virginia and (2) between Piscataway, N.J. and Boyertown, Hazleton, and Weatherly, Pa., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to the transportation of shipments originating at or destined to the facilities of Wagner Electric Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa. or Washington, D.C.

No. MC 30844 (Sub-No. 558), filed October 24, 1975. Applicant: KROBLIN REFRIGERATED EXPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: John P. Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen bread dough*, from the plantsite and facilities of Witterau and Company at or near St. Louis, Mo., to the plantsite and facilities of Morton Frozen Foods—Division of ITT Continental Baking Company Inc., at Crozet, Va., restricted to shipments originating at and destined to the above named plantsites and facilities; and (2) *frozen foods*, between Crozet, Va., and Russellville, Ark., restricted to shipments originating at and destined to Morton Frozen Foods—Division of ITT Continental Baking Company, Inc., at the above named points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant does not specify location.

No. MC 30887 (Sub-No. 225), filed October 24, 1975. Applicant: SHIPLEY TRANSFER, INC., 1550 E. Patapsco Avenue, Baltimore, Md. 21225. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Molten liquid polypropylene*, from Linden, N.J., Severn, N.C., to points in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana and (2) *waste oil*, in bulk, in pneumatic tank trailers, from Westville, N.J., to Baltimore, Md.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 42146 (Sub-No. 19), filed October 20, 1975. Applicant: A. G. BOONE COMPANY, a Corporation, 1812 W. Morehead Street, Charlotte, N.C. 28208. Applicant's representative: Floyd C. Hartsell (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses and in connection therewith, equipment, materials, and supplies used in the conduct of such business*, between points in Alabama and Georgia, on the one hand, and, on the other, points in Florida and Beaufort and Charleston Counties, S.C., under contract with The Great Atlantic and Pacific Tea Company, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Charlotte, N.C., Atlanta, Ga., or Washington, D.C.

No. MC 51146 (Sub-No. 450), filed October 22, 1975. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cans, aluminum, and return of empty pallets and other dunnage material*, from the plantsites and warehouse of Reynolds Metals Company, at or near Middletown, Newburgh, and Warwick, N.Y., and Woodbridge, N.J., to points in the United States (except Alaska and Hawaii); and (2) *returned, refused, and rejected shipments*, from points in the United States (except Alaska and Hawaii), to the plantsites and warehouses of Reynolds Metal Co., at or near Middletown, Newburgh, and Warwick, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 58885 (Sub-No. 29), filed October 20, 1975. Applicant: ATLANTA MOTOR LINES, INC., P.O. Box 345, Conley, Ga. 30027. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30303. Authority sought

to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Atlanta, Ga. and Oglethorpe, Ga.: From Atlanta, Ga. over U.S. Highway 19 to Rupert, Ga., thence over Georgia Highway 90 to Ideal, Ga., thence over Georgia Highway 195 to Fountainville, Ga., thence over Georgia Highway 214 to Oglethorpe, Ga. and return over the same route serving the intermediate and off route points of Ideal, Prattsburg, and Fountainville, Ga.

NOTE.—Common control was approved in MC-F-8173. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 59367 (Sub-No. 101), filed October 28, 1975. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site of Hygrade Food Products Corporation at Storm Lake, Iowa, to points in Illinois and points in Indiana which are in the Chicago, Ill. Commercial Zone.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59856 (Sub-No. 64), filed October 20, 1975. Applicant: SALT CREEK FREIGHTWAYS, a Corporation, 3333 West Yellowstone, Casper, Wyo. 82601. Applicant's representative: John R. Davidson, Room 805, Midland Bank Building, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, and household goods as defined by the Commission), Between Idaho Falls, Idaho and West Yellowstone, Mont.: From Idaho Falls, Idaho, over U.S. Highway 26 to the junction of U.S. Highway 191, to West Yellowstone, Mont., and return over the same route, serving no intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Idaho Falls, Idaho or Billings, Mont.

No. MC 61592 (Sub-No. 376), filed October 20, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697 R.R. #3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal castings*, from Sparta, Mich., to Aber-

deen, S. Dak., Chicago, Ill., Milwaukee, Wis., Dayton, and Moraine, Ohio, Indianapolis, Ind. and St. Louis and Manchester, Mo.

NOTE.—Common control was approved in MC-F-10387 and MC-F-10697. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64808 (Sub-No. 20), filed October 22, 1975. Applicant: W. S. THOMAS TRANSFER, INC., 1854 Morgantown Avenue, Fairmont, W. Va. 26554. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glazing units, glass and glass products, and machinery, materials, equipment and supplies*, used in connection with the manufacture, sale, transportation, or distribution of glazing units, glass and glass products (except commodities in bulk), between the facilities of Fourco Glass Co., and White-Bailey Inc., at Clarksburg, W. Va., on the one hand, and, on the other, New York, N.Y., and points in Arkansas, Colorado, Florida, Georgia, Nebraska, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Texas, Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charleston, W. Va.

No. MC 69785 (Sub-No. 5), filed October 28, 1975. Applicant: F. C. DAVIS TRANSPORTATION COMPANY, INC., North Main Street, Danielson, Conn. 06239. Applicant's representative: F. Clifford Davis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Quaker Hill, Conn. in the Town of Waterford, to Kenyon, R.I., in the Town of Charlestown.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Providence, R. I. or Hartford, Conn.

No. MC 74321 (Sub-No. 116), filed October 23, 1975. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Off-highway vehicles and parts, attachments and accessories thereof*, between Tulsa, Okla., and Lufkin, Houston, and Conroe, Tex., on the one hand, and, on the other, points in Oklahoma, Kansas, Nebraska, Texas, Louisiana, New Mexico, Utah, Colorado, Wyoming, Montana, Idaho, Arizona, Nevada, Washington, and Oregon, restricted to shipments originating at or destined to the facilities of Unit Rig & Equipment Company at Tulsa, Okla., and Houston, Tex., and the facilities of Kimco, Inc., at Houston, Lufkin, and Conroe, Tex.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex., or Denver, Colo.

No. MC 74321 (Sub-No. 117), filed October 22, 1975. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the facilities of Nucor Steel of Texas at or near Jewett, Tex., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. Applicant seeks no duplicating authority. If this application is granted, applicant has no objection to a restriction against duplicating authority being imposed upon any grant of authority which may result from this application. If a hearing is deemed necessary, applicant requests it be held at either Houston, Tex. or Denver, Colo.

No. MC 95876 (Sub-No. 180), filed September 15, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foam board insulation and insulated gypsum foam board panels, insulated panels and building sections*, from points in Salt Lake County, Utah, Denver, Arapahoe, and Adams Counties, Colo. and Dallas County, Tex., to points in the United States, including Alaska but excluding Mississippi, Tennessee, Alabama, Georgia, North Carolina, South Carolina, Florida, and Hawaii and (2) *equipment, materials and supplies* used in the manufacture of commodities named in (1) above, from the destination points named in (1) above, to points in Salt Lake County, Utah, Denver, Arapahoe, and Adams Counties, Colo. and Dallas County, Tex.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah or Denver, Colo.

No. MC 96633 (Sub-No. 5), filed October 14, 1975. Applicant: UNITED DRAYAGE COMPANY, a Corporation, 2425 Porter Street, Los Angeles, Calif. 90021. Applicant's representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in the Los Angeles and Los Angeles Harbor Commercial Zones, Calif., as defined by the Commission, on the one hand, and, on the other, points in Orange, Riverside, and San Bernardino Counties, Calif.,

south of the Angeles and San Bernardino National Forest, and on or west of Interstate Highway 15E, including Colton, Redlands, Riverside, and San Bernardino, Calif., restricted to the transportation of traffic originating at or destined to territories of possession of the United States or the State of Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 97310 (Sub-No. 20), filed April 22, 1975. Applicant: SHARRON MOTOR LINES, INC., P.O. Box 5636, Meridian, Miss. 39301. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives and commodities which by reason of size or weight require the use of special equipment): (1) Between Centre, Ala. and Atlanta, Ga.: From Centre over Alabama Highway 9 to the Alabama-Georgia State Boundary line, thence over Georgia Highway 20 to Rome, Ga., thence over U.S. Highway 411 to junction U.S. Highway 41, thence over U.S. Highway 41 to Marietta, Ga., thence over Interstate Highway 75 to Atlanta, and return over the same route, serving all intermediate points between Centre and Rome, including Rome; (2) Between Centre, Ala. and Birmingham, Ala.: From Centre over U.S. Highway 411 to junction U.S. Highway 278 at or near Gadsden, Ala., thence over U.S. Highway 278 to junction U.S. Highway 11 at or near Attalla, Ala., thence over U.S. Highway 11 to Birmingham, and return over the same route, serving all intermediate points; (3) Between the junction of U.S. Highway 278 and U.S. Highway 411 at or near Gadsden, Ala. and Montgomery, Ala.: From the junction of U.S. Highway 278 and U.S. Highway 411 over U.S. Highway 411 to junction Alabama Highway 77, thence over Alabama Highway 77 to junction Alternate U.S. Highway 231 at or near Lincoln, Ala., thence over Alternate U.S. Highway 231 to junction U.S. Highway 231 at or near Sylacauga, Ala., thence over U.S. Highway 231 to Montgomery, and return over the same route, serving all intermediate points.

(4) Between the junction of Interstate Highway 59 and U.S. Highway 278 at or near Gadsden, Ala. and Montgomery, Ala.: From the junction of Interstate Highway 59 and U.S. Highway 278 over Interstate Highway 59 to junction Interstate Highway 65, thence over Interstate Highway 65 to Montgomery, and return over the same route, serving all intermediate points, and operating over U.S. Highway 31 between Birmingham, Ala. and Montgomery, Ala. for such portions of Interstate Highway 65 which have not yet been completed; (5) Between the junction of Alabama Highway 68 and U.S. Highway 411 at or near Leesburg, Ala. and Tuscumbia, Ala.: From the junction of Alabama Highway 68 and

U.S. Highway 411 over Alabama Highway 68 to junction U.S. Highway 11, thence over U.S. Highway 11 to junction Alabama Highway 117 at or near Hammondville, Ala., thence over Alabama Highway 117 to junction U.S. Highway 72, thence over U.S. Highway 72 to Florence, Ala., thence over U.S. Highway 72 (Bus.) to Tuscumbia, and return over the same route, serving all intermediate points; (6) Between the junction of Alabama Highway 68 and U.S. Highway 11 and the junction of Alabama Highway 35 and U.S. Highway 72 at or near Scottsboro, Ala.: From the junction of Alabama Highway 68 and U.S. Highway 11 over Alabama Highway 68 to junction Interstate Highway 59, thence over Interstate Highway 59 to junction Alabama Highway 35, thence over Alabama Highway 35 to junction U.S. Highway 72, and return over the same route, serving all intermediate points; (7) Between the junction of U.S. Highway 278 and U.S. Highway 11 at or near Attalla, Ala. and Tuscumbia, Ala.: From the junction of U.S. Highway 278 and U.S. Highway 11 over U.S. Highway 278 to Cullman, Ala., thence over Interstate Highway 65 to junction Alabama Highway 157, thence over Alabama Highway 157 to junction U.S. Highway 72 (Bus.), thence over U.S. Highway 72 (Bus.) to Tuscumbia, and return over the same route, serving all intermediate points.

(8) Between the junction of Interstate Highway 65 and Alabama Highway 157 and the junction of Alternate U.S. Highway 72 and Alabama Highway 157: From the junction of Interstate Highway 65 and Alabama Highway 157 over Interstate Highway 65 to junction Alabama Highway 67, thence over Alabama Highway 67 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Alternate U.S. Highway 72 at or near Decatur, Ala., thence over Alternate U.S. Highway 72 to junction Alabama Highway 157, and return over the same route, serving all intermediate points; (9) Between the junction of Interstate Highway 65 and Alabama Highway 67 and Huntsville, Ala.: From the junction of Interstate Highway 65 and Alabama Highway 67 over Interstate Highway 65 to junction Alternate U.S. Highway 72, thence over Alternate U.S. Highway 72 to Huntsville, and return over the same route, serving all intermediate points; (10) Between the junction of U.S. Highway 278 and U.S. Highway 231 and Huntsville, Ala.: From the junction of U.S. Highway 278 and U.S. Highway 231 over U.S. Highway 231 to Huntsville, and return over the same route, serving all intermediate points; (11) Between the junction of U.S. Highway 411 and Alabama Highway 77 and Selma, Ala.: From the junction of U.S. Highway 411 and Alabama Highway 77 over U.S. Highway 411 to junction Alabama Highway 119 at or near Leeds, Ala., thence over Alabama Highway 119 to junction Alabama Highway 25 at or near Montevallo, Ala., thence over Alabama Highway 25 to junction Alabama Highway 139, thence

over Alabama Highway 139 to junction Alabama Highway 22 at or near Maplesville, Ala., thence over Alabama Highway 22 to Selma, and return over the same route, serving all intermediate points; (12) Between the junction of Alabama Highway 139 and Alabama Highway 25 and Marion, Ala.: From the junction of Alabama Highway 139 and Alabama Highway 25 over Alabama Highway 25 to junction Alabama Highway 5 at or near Centreville, Ala., thence over Alabama Highway 5 to junction Alabama Highway 14, thence over Alabama Highway 14 to Marion, and return over the same route, serving all intermediate points.

(13) Between Atlanta, Ga., and Meridian, Miss.; From Atlanta over U.S. Highway 78 to Birmingham, Ala., thence over U.S. Highway 11 (also over Interstate Highway 59) to Meridian, and return over the same route, serving all intermediate points located in Alabama; (14) Between Atlanta, Ga. and Montgomery, Ala.: From Atlanta over Interstate Highway 85 to Montgomery, and return over the same route, serving all intermediate points located in Alabama, and using U.S. Highway 29 and Alternate U.S. Highway 27 for such portions of Interstate Highway 85 as are not yet completed; (15) Between Birmingham, Ala. and Huntsville, Ala.: From Birmingham over Interstate Highway 65 to junction Alternate U.S. Highway 72, thence over Alternate U.S. Highway 72 to Huntsville, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, but serving Birmingham and Huntsville for purposes of joinder only; (16) Serving all points in Alabama on and north of U.S. Highway 80 as off-route points in connection with routes (1) through (14) above in the transportation of traffic moving to, from, or through Atlanta, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Birmingham, Ala., or Jackson, Miss.

No. MC 100666 (Sub-No. 312), filed October 28, 1975. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 Nat'l Fdn. Life Bldg., 3535 N.W. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foam board, insulation, and insulated gypsum foam board panels*, from points in Dallas County, Tex., and Salt Lake County, Utah, to points in the United States (except Alaska and Hawaii); and (2) *materials*, used in the manufacture of foam board, insulation, and insulated gypsum foam board panels (except commodities in bulk), from point in the United States (except Alaska and Hawaii), to points in Dallas County, Tex., and Salt Lake County, Utah.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 103051 (Sub-No. 357), filed Oct. 30, 1975. Applicant: FLEET TRANS-

PORT COMPANY, INC., 934 44th Ave. North, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oils and vegetable oil products* (except vegetable oil products which are chemicals), in bulk, in tank vehicles, from the plantsite of Cargill, Inc., at or near Fayetteville, N.C., to points in Arkansas, Alabama, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, South Carolina, and Tennessee; and (2) *vegetable oils*, in bulk, in tank vehicles, from the plantsite of Cargill, Inc., at or near Gainesville, Ga., to the plantsite of Cargill, Inc., at or near Fayetteville, N.C.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC 103993 (Sub-No. 860), filed October 22, 1975. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani and James B. Buda (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pneumatic guns and gunite placers* mounted on wheeled undercarriages, from points in Lehigh County, Pa., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—Common control was approved by the Commission in MC-F-10057. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 105940 (Sub-No. 8), filed July 23, 1975. Applicant: SAFEWAY TRUCKING CORPORATION, Bldg. No. 221, Elizabeth Port Authority Marine Terminal, McLester Street, Elizabeth, N.J. 07201. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), between the facilities of East Coast Warehouse and Distribution Corp., at Elizabeth, N.J., on the one hand, and, on the other, points in the Philadelphia, Pa. Commercial Zone.

NOTE.—Applicant states that it intends to tack the requested authority on Foodstuffs (except in bulk) with its lead certificate and Subs 1, 4, and 6, at the facilities of East Coast Warehouse and Distribution Corp., at Elizabeth, N.J., to provide service between points in the Philadelphia, Pa. Commercial Zone, on the one hand, and on the other, points in Essex, Hudson, Union, Middlesex, Somerset, Passaic, Nassau, and Westchester Counties, N.J., those in Suffolk, Orange, and Rockland Counties, N.Y., those in Fairfield, Hartford, and New Haven Counties, Conn., and pliers in Bayonne, Hoboken, Edgewater, Jersey City, and Newark, N.J., and New York, N.Y. No duplicating authority is sought in either the extension or tacking request. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 106497 (Sub-No. 124), filed October 20, 1975. Applicant: PARKHILL

TRUCK COMPANY, a Corporation, Post Office Box 112 (Bus. Rte. I-44 east), Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs, Post Office Box 113, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and warehouse facilities of Nucor Steel, at or near Jewett, Tex., to points in the United States including Alaska but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 106674 (Sub-No. 176), filed October 22, 1975. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air pollution control devices and parts*, from the plantsite of Carborundum Company, at or near Knoxville, Tenn., to points in the United States in and east of Minnesota, Iowa, Missouri, Oklahoma, and Texas, restricted to shipments originating at the above-named plantsite, and destined to the above-named states.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Indianapolis, Ind.

No. MC 106707 (Sub-No. 8), filed October 30, 1975. Applicant: ADAMS TRUCKING, INC., 1711 West Second St., Webster City, Iowa 50595. Applicant's representative: Ronald Adams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except truck tractors), (2) *agricultural machinery and implements*, (3) *attachments* for (1) and (2) above, (4) *such merchandise* as is dealt in by lawn and garden stores (except chemicals in bulk), and (5) *twine*, from Milan, Ill., to points in Illinois and Iowa, restricted to commodities described in parts (3), (4), and (5) above when moving in mixed shipments with the commodities described in parts (1) and (2) above and further restricted to the transportation of traffic originating at the facilities used by International Harvester Company at Milan, Ill.

NOTE.—If a hearing is deemed necessary, applicant does not state a location.

No. MC 107295 (Sub-No. 787), filed October 24, 1975. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardwood flooring systems, hardwood flooring, lumber, lumber products, and accessories* used in the installation thereof, from the plantsite of A.G.A., Inc., located at Amasa, Mich., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 107460 (Sub-No. 57), filed October 31, 1975. Applicant: WILLIAM Z. GETZ, INC., 3055 Yellow Goose Road, Lancaster, Pa. 17601. Applicant's representative: Donald D. Shipley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal roofing and accessories thereof and fabricated metal products* (except commodities in bulk), from the plantsite of Fabral Corporation, located at or near Jackson, Ga., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia; and (2) *materials and supplies* used in the manufacture of metal roofing (except commodities in bulk), from points in Alabama, Arkansas, Florida, Georgia, Indiana, Kentucky, Louisiana, Mississippi, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, and Virginia, to the plantsite of Fabral Corporation, located at or near Jackson, Ga., under a continuing contract or contracts with Fabral Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Atlanta, Ga.

No. MC 107496 (Sub-No. 1010), filed October 29, 1975. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, 666 Grand Avenue, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and blends* containing corn products, in bulk, from the plantsite or warehouse facilities of Cargill, Incorporated located at or near Memphis, Tenn., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Dayton, Ohio or Chicago, Ill.

No. MC 110525 (Sub-No. 1135), filed October 28, 1975. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Ave., Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, in tank vehicles, from Owensboro, Ky., to points in Illinois, Indiana, Kentucky, Missouri, Tennessee, Ohio, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Louisville, Ky., or Indianapolis, Ind.

No. MC 112184 (Sub-No. 47), filed October 28, 1975. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, 11250 Kinsman Road, Newbury, Ohio 44065. Applicant's representative: John

P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and blends* containing corn products, in bulk, from the plantsite or warehouse facilities of Cargill, Incorporated, located at or near Memphis, Tenn., to points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Cargill, Incorporated of Memphis, Tenn.

NOTE.—Applicant holds common carrier authority in MC 128302 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio or Washington, D.C.

No. MC 112750 (Sub-No. 321), filed October 28, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments*, between Monroe and Shreveport, La., on the one hand, and, on the other, points in Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Tensas, Union, Webster, and West Carroll Counties, La., restricted to the transportation of traffic having an immediately prior or subsequent movement by air, under a continuing contract with Banking Institutions.

NOTE.—Applicant holds common carrier authority in MC 111729 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either New Orleans, La., or Dallas or Houston, Tex.

No. MC 112822 (Sub-No. 394), filed October 23, 1975. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from the plantsite and warehouse facilities of Jenos at or near Sodus, Mich., to points in Arkansas, Arizona, California, Colorado, Idaho, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Kansas City or St. Louis, Mo.

No. MC 114211 (Sub-No. 252), filed October 20, 1975. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Singer, Sulli-

van, & Smyth, 327 South La Salle, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building material and bricks*, from Napa, Calif.; Clarksville, Ark.; Macon, Miss.; Denver, Colo.; Jacksonville and Goose Lake, Ill.; Ottumwa and Redfield, Iowa; and Salisbury, N.C. to points in Minnesota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, Minn. or Washington, D.C.

No. MC 114569 (Sub-No. 128), filed October 20, 1975. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingston, Pa. 17072. Applicant's representative: Stanley C. Geist (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles used by and distributed by meat packinghouses* moving in vehicles equipped with mechanical temperature control devices (except hides, animal feed and animal feed ingredients), between Lancaster County, Nebr., on the one hand, and, on the other, points in Virginia, West Virginia, District of Columbia, Pennsylvania, Maryland, Delaware, New Jersey, and New York, restricted to traffic originating at the named origin and destined to the named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Harrisburg, Pa.

No. MC 115496 (Sub-No. 38), filed October 31, 1975. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsite of Brunswick Pulp & Paper Co. Pearson Wood Products Division at or near Pearson, Atkinson County, Ga., to points in Alabama, Mississippi, North Carolina, South Carolina, Virginia, and Tennessee (Shelby County only).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta or Waycross, Ga.

No. MC 115730, (Sub-No. 6), filed October 29, 1975. Applicant: THE MICKOW CORP., 1914 E. Euclid, P.O. Box 1774, Des Moines, Iowa 50306. Applicant's representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plantsite and storage facilities of North Star Steel Company, at or near Wilton, Iowa, to points in Minnesota, North Dakota, South Dakota, Wyoming, Colorado, Nebraska, Kansas, Oklahoma, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, and Ohio; and (2) *materials, equipment and supplies* (except in bulk), used in the manu-

facture and distribution of iron and steel articles, from the destination points named in Part (1) above, to the plant-site and storage facilities of North Star Steel Company, at or near Wilton, Iowa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa; St. Paul, Minn.; or Washington, D.C.

No. MC 115841 (Sub-No. 506), filed May 27, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, in vehicles equipped with mechanical refrigeration, as embraced in foodstuffs, from points in that part of New York on and west of U.S. Highway 11, and from North East, Pa., to points in Florida. The purpose of this filing is to eliminate the gateways of Nashville, Tenn., and Atlanta, Ga., or a point in their Commercial Zones.

(2) *Frozen foods*, as embraced in beef, lamb, and veal cuts, in vehicles equipped with mechanical refrigeration, from New York, N.Y., to points in Florida. The purpose of this filing is to eliminate the gateways of Nashville, Tenn. and Atlanta, Ga., or a point in their Commercial Zones. (3) *Frozen foods*, as embraced in prepared foods, in vehicles equipped with mechanical refrigeration, from New York, N.Y., Union City and Jersey City, N.J.; and Philadelphia, Pa., to points in Florida. The purpose of this filing is to eliminate the gateways of Nashville, Tenn., and Atlanta, Ga., or a point in their Commercial Zones. (4) *Frozen foods*, as embraced in fresh and frozen meats, in vehicles equipped with mechanical refrigeration, from the plantsite of Briggs and Company, within the Washington, D.C. Commercial Zone, to points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Ga., or a point in its Commercial Zone.

(5) *Frozen meats*, as embraced in frozen foods, in vehicles equipped with mechanical refrigeration, from Wilmington, Del., to points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Ga., or a point in its Commercial Zone. (6) *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Prattville, N.Y., to points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Ga., or a point in its Commercial Zone. (7) *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Allentown, Pa., to points in Florida. The purpose of this filing is to eliminate the gateways of Nashville, Tenn. and Atlanta, Ga., or a point in their Commercial Zones. (8) *Frozen fruits and frozen berries*, as embraced in frozen foods, in vehicles equipped with mechanical refrigeration, from Ransom, W. Va., to points in Florida. The purpose of this filing is to eliminate the gateways of Nashville, Tenn., and Atlanta, Ga., or a point in their Commercial Zones. (9)

Frozen fruits and frozen berries, as embraced in frozen foods, in vehicles equipped with mechanical refrigeration, from Hammonton and Glassboro, N.J., to points in Florida, restricted to traffic originating at Hammonton and Glassboro, N.J. The purpose of this filing is to eliminate the gateways of Nashville, Tenn. and Atlanta, Ga., or a point in their Commercial Zones.

(10) *Frozen foods*, as embraced in bakery goods, in vehicles equipped with mechanical refrigeration, from Elizabeth, N.J., to points in Florida. The purpose of this filing is to eliminate the gateways of Union City or Jersey City, N.J., Nashville, Tenn., and Atlanta, Ga., or a point in their Commercial Zones. (11) *Meats, meat products, and meat by-products*, as encompassed in frozen foods, and 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 in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Hernando, Miss., to points in North Carolina, South Carolina (except points in Chesterfield, and Marlboro Counties, S.C.), Florida, and Atlanta, Ga. The purpose of this filing is to eliminate the gateways of Nashville, Tenn., Chattanooga, Tenn., and Atlanta, Ga. and points in their Commercial Zones.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 115904 (Sub-No. 42), filed October 22, 1975. Applicant: GROVER TRUCKING CO., a Corporation, 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from the port of entry on the International Boundary line between the United States and Canada located at Sumas, Wash., to points in Utah, Nevada and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boise, Idaho or Salt Lake City, Utah.

No. MC 116763 (Sub-No. 323) (Correction), filed September 24, 1975, published in the FEDERAL REGISTER issue of October 16, 1975, republished as corrected this issue. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured animal and poultry feeds and ingredients* (except in bulk), (1) from Red Bay, Ala., to points in the United States in and east of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota (except that part of Florida east of U.S. Highway 231); and (2) from Tupelo, Miss., to points in the United States in and east of Texas, Oklahoma, Kansas, Nebraska, South

Dakota, and North Dakota (except Mississippi, Indiana, Michigan, and Ohio.)

NOTE.—The purpose of this republication is to correct the exception in part (1) of this proceeding. If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 117068 (Sub-No. 54), filed October 23, 1975. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., P.O. Box 6418, North Highway 63, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles and contractors' machinery, equipment, materials and supplies* (except commodities in bulk), between Indian Oaks, Ill., on the one hand, and, on the other points in Indiana, Ohio, Michigan, Pennsylvania, New York, West Virginia, Kentucky, Tennessee, Arkansas, Oklahoma, Colorado, Wyoming, Montana, and Texas; and (2) *Contractors' machinery, equipment, supplies and materials* (except commodities in bulk), between points in Minnesota, Iowa, Missouri, Wisconsin, Kansas, Nebraska, South Dakota, North Dakota, and points in the States named in (1) above; both (1) and (2) above are restricted to traffic moving on self-loading or self-unloading equipment and to traffic originating at or destined to warehouses, storage areas, job sites or other facilities owned, operated or used by Chicago Bridge & Iron Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 556), filed October 30, 1975. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72764. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the plantsites and warehouse facilities of Jeno's, Inc., located at or near Sodus, Mich., to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming, restricted to traffic originating at the named origins and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 117119 (Sub-No. 557), filed October 30, 1975. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, toilet preparations, and chemicals* (except in bulk), from Cranbury, N.J., to Nashville,

Knoxville, and Memphis, Tenn., and points in California.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa. or Washington, D.C.

No. MC 117574 (Sub-No. 266), filed October 29, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, P.O. Box 1166, 100 Pine Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberwood and fiberwood products, and accessories and supplies* used in the installation and erection thereof, between points in Bradford County, Pa., on the one hand, and, on the other points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Nebraska, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 117574 (Sub-No. 267), filed October 29, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers and equalizers* for air, gas or liquids; *machinery and equipment* for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids; and (2) *parts, materials, equipment, and supplies* used in the manufacture, distribution, installation, or operation of those items named in (1) above (except in bulk), between points in Monroe, Randolph, Perry Counties, Ill., and St. Clair County, Ill., on and south of Illinois Highways 177 and 158, on the one hand, and, of the other, points in the United States (except Alaska and Hawaii), restricted to shipments originating at or destined to the plantsite and warehouse facilities of the Singer Company at Monroe, Randolph, Perry, and St. Clair Counties, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo. or Washington, D.C.

No. MC 117574 (Sub-No. 268), filed October 29, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cranes, excavators, backhoes and self-propelled articles* weighing 15,000 pounds or more and *parts, attachments and accessories* for the above named commodities, between the plantsites of FMC Corporation

located at or near Bowling Green, Ky., on the one hand, and, on the other, points in the United States including, Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 118831 (Sub-No. 127), filed October 20, 1975. Applicant: CENTRAL TRANSPORT, INCORPORATED, P.O. Box 5388, High Point, N.C. 27262. Applicant's representative: Richard E. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from points in Rutherford County, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, West Virginia, and Wisconsin.

NOTE.—Common control was approved in MC-F-7867. Applicant states that it intends to tack the requested authority: (1) with its existing authorities in Sub-Nos. 21 and 107, at Rutherford County, N.C. (via Spartanburg County, S.C.), on dry chemicals, in bulk, in tank vehicles (except salt and spent carbon), to provide service from Wilmington N.C. to the destination states named herein; (2) with its Sub-No. 27, at Rutherford County, N.C., on dry chemicals, in bulk, in tank vehicles, to provide service from points in Kanawha County, W. Va., to the destination states named herein; (3) with its Sub-No. 29 at Rutherford County, N.C., on dry polyethylene, in bulk, in tank or hopper-type vehicles, to provide service from points in Greenville and Laurens Counties, S.C. to the destination states named herein; (4) with its Sub-Nos. 32 and 107, at Rutherford County, N.C. (via Spartanburg County, S.C.), on dry chemicals, in bulk (except salt, cement and spent carbon), in tank or hopper-type vehicles, to provide service from points in N.C., to the destination states named herein.

(5) With its Sub-No. 38, at Rutherford County, N.C., on urea, in bulk, to provide service from Wilmington, N.C., to the destination states named herein; (6) with its Sub-No. 50, at Rutherford County, N.C., on dry fertilizer, fertilizer materials, and fertilizer ingredients, to provide service from Spartanburg County, S.C. to the destination states named herein; (7) with its Sub-Nos. 32, 73 and 107, (1) at points in North Carolina east of U.S. Highway 21 and north of U.S. Highway 74; (2) at Spartanburg County, S.C., and (3) at Rutherford County, N.C., on dry chemicals, in bulk, to provide service from the plantsite of Howerton-Gowen Company, Incorporated at Chesapeake, Va., to the destination states named herein; (4) at Rutherford County, N.C. (via Spartanburg County, S.C.), on dry chemical fertilizer and dry fertilizer materials, in bulk, to provide service from the plantsite of Smith-Douglas Division of Borden, Incorporated at Chesapeake, Va. and F. S. Royster Company in Norfolk, Va. to the destination states named herein; (8) with its Sub-No. 107, at Rutherford County, N.C., on dry chemicals, in bulk (except salt and spent carbon), to provide service from Spartanburg County, S.C. to the destination states named herein.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Raleigh, N.C.

No. MC 119917 (Sub-No. 30), filed October 20, 1975. Applicant: DUDLEY TRUCKING COMPANY, INC., 724 Memorial Drive, S.E., Atlanta, Ga. 30316. Applicant's representative: Archie B. Culbreth, Suite 246-1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, not frozen, from St. Petersburg, Fla., to Conyers, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 123407 (Sub-No. 269), filed October 20, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mulch*, in bags, and *equipment, materials, and supplies*, used in the application thereof, from the facilities of Thermo-Coustics Mfg., Inc., at or near Colton, Calif., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, or San Francisco, Calif.

No. MC 124579 (Sub-No. 17), filed October 20, 1975. Applicant: WIKEL BULK EXPRESS, INC., Route 2, Huron, Ohio 44839. Applicant's representative: James Duvall, P.O. Box 97, 220 West Bridge Street, Dublin, Ohio 43017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats and oils, vegetable oils and blends thereof*, in bulk, in tank vehicles, (1) from Detroit, Mich., to points in Connecticut, Delaware, the District of Columbia, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania and Rhode Island; and (2) from Sandusky Ohio, to the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio, or Washington, D.C.

No. MC 124887 (Sub-No. 17), filed October 20, 1975. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, Fla. 32421. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) (1) *Roofing and roofing materials*, and (2) *materials and supplies* used in the distribution or installation of commodities in (1) above; (b) *materials, equipment and supplies* used in the manufacture or distribution of roofing and roofing materials, (1) from Peachtree City, Ga., to

points in Alabama, Mississippi, Louisiana, Florida, Tennessee, South Carolina, North Carolina, Virginia, Kentucky, West Virginia, Georgia, Arkansas, and the District of Columbia; (2) from points in Alabama, Arkansas, Mississippi, Louisiana, Florida, Tennessee, South Carolina, North Carolina, Virginia, Kentucky, West Virginia, Georgia, and the District of Columbia, to Peachtree City, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga. or Washington, D.C.

No. MC 125358 (Sub-No. 18), filed October 24, 1975. Applicant: MID-WEST TRUCK LINES, LTD., 1216 Fife Street, Winnipeg, Manitoba, Canada. Applicant's representative: James E. Ballenbain, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities used in the manufacture of tractors and agricultural implements and equipment* (except commodities in bulk), from Hesston, Kans., to ports of entry on the International Boundary line between the United States and Canada at or near Pembina, N. Dak. and Noyes, Minn., under a continuing contract or contract with Versatile Manufacturing, Ltd.,

NOTE.—Applicant holds common carrier authority in MC-134638, therefore dual operations are involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 125956 (Sub-No. 10), filed November 4, 1975. Applicant: JOHNSON BROTHERS TRUCKING CO., INC., 501 East Spring Street, Herndon, Va. 22070. Applicant's representative: James Anton, 1133 Munsey Building, 1329 E Street, N.W., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Top soil*, from points in Montgomery County, Md., to the District of Columbia and points in Virginia, under contract with S & T Landscaping Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126276 (Sub-No. 142), filed October 24, 1975. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container components and ends, container closures, and materials, equipment and supplies used in the manufacture and distribution of containers, ends and closures*, from Lancaster, Pa., Omaha, Nebr., Shoreham, Mich., Cincinnati, Ohio, Hurlock and Baltimore, Md., and Passaic and Paterson, N.J., to points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Continental Can Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Washington, D.C.

No. MC 126899 (Sub-No. 86), filed October 20, 1975. Applicant: USHER TRANSPORT, INC., P.O. Box 3051, Paducah, Ky. 42001. Applicant's representative: George M. Catlett, 703-706 McClure Bldg., Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Industrial belting and associated hardware*, from Paducah, Ky., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies used in the manufacture and processing of industrial belting*, from points in the United States (except Alaska and Hawaii), to Paducah, Ky.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Louisville, Ky., or Nashville, Tenn.

No. MC 127705 (Sub-No. 45), filed October 20, 1975. Applicant: KREVEDA BROS. EXPRESS, INC., P.O. Box 68, Gas City, Ind. 46933. Applicant's representative: Donald W. Smith, 2465 One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiber glass automobile grille opening panels*, from Marion, Ind., to Mahwah, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 127721 (Sub-No. 2), filed October 28, 1975. Applicant: POST BROTHERS, INC., 105 Middle Street, Scranton, Pa. 18501. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth Street NW, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, between points in Carbon, Columbia, Lackawanna, Luzerne, Pike, Monroe, Schuylkill, Susquehanna, Wayne and Wyoming, Pa., and points in Warren County, N.J., restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating, and decontainerization of such shipments.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 128273 (Sub-No. 205), filed October 14, 1975. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 S. Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bicycles; toys designed for peddling or riding by children; and parts and accessories therefor*; and (2) *advertising and display materials*, when moving with the above commodities, from Lawrenceburg, Tenn., to

points in the United States (except Alaska, Hawaii and Tennessee).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 133591 (Sub-No. 23), filed October 22, 1975. Applicant: WAYNE DANIEL TRUCK, INC., P.O. Box 303, Mount Vernon, Mo. 65712. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish and agricultural commodities exempt from economic regulation under Section 203(b) (6) of the Interstate Commerce Act when moving on the same vehicle and at the same time with regulated commodities otherwise authorized*, between points in Indiana, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Iowa, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, and Washington.

NOTE.—Applicant holds contract carrier authority in MC 134494 Subs 1, 3 and 6, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif., or Kansas City, Mo.

No. MC 133966 (Sub-No. 42), filed October 28, 1975. Applicant: NORTH EAST EXPRESS, INC., P.O. Box 127, Mountaintop, Pa. 18707. Applicant's representative: Kenneth R. Davis, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Miniature golf courses, portable tennis courts and games and toys*, from Scranton, Pa., to Pueblo and Denver, Colo., and points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 133962, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134404 (Sub-No. 23), filed October 23, 1975. Applicant: AMERICAN TRANS-FREIGHT, INC., P.O. Box 499, South Bound Brook, N.J. 03880. Applicant's representative: Bert Collins, Suite 6193—5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel bath tubs, lavatories, sinks, and plumbers' fittings and supplies*, from Salem, Ohio, to points in Michigan, Illinois, Indiana, New Jersey, New York, West Virginia and points in Pennsylvania on and east of a line begin-

ning at the West Virginia-Pennsylvania State Boundary line, and extending along U.S. Highway 119 to junction U.S. Highway 219 to the Pennsylvania-New York State Boundary line, under a continuing contract or contracts with American Standard, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 135078 (Sub-No. 9), filed October 8, 1975. Applicant: AMERICAN TRANSPORT, INC., 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and related wooden articles*, from El Paso, Tex., and Sacramento, Calif., to Ogdensburg, N.Y.

NOTE.—Applicant holds contract carrier authority in MC 135007 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 135078 (Sub-No. 10), filed October 24, 1975. Applicant: AMERICAN TRANSPORT, INC., 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabric, tire hose or belting*; (2) *cord, tire hose or belting*; and (3) *materials* necessary for the transportation of the items in (1) and (2), between the plant sites and manufacturing facilities utilized by the Goodyear Tire and Rubber Company located at or near Cartersville, Cedartown and Rockmart, Ga. and Decatur and Scottsboro, Ala., on the one hand, and, on the other, Lincoln, Nebr. and Los Angeles, Calif., restricted to traffic originating at or destined to the above named points.

NOTE.—Applicant holds contract carrier authority in MC 135007 (Sub-No. 1) and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Akron, Ohio or Omaha, Nebr.

No. MC 135221 (Sub-No. 3), filed October 20, 1975. Applicant: DICK SIMON TRUCKING, INC., 3700 So. 4355 West, Salt Lake City, Utah 84120. Applicant's representative: Irene Warr, 430 Judge Bldg., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Filmore, Utah to Los Angeles, Calif., and the Los Angeles, California Commercial Zone.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 135684 (Sub-No. 15), filed October 21, 1975. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, P.O. Box 391, Flemington, N.J. 08822. Applicant's representative: Herbert A. Dubin, Federal Bar Building West, 1819 H Street NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Laboratory and hospital equipment and chemicals* (except in bulk), from Bridgewater Township, Somerset County, N.J., to Boston, Mass., King of Prussia and Pittsburgh, Pa., the District of Columbia, Cleveland and Cincinnati, Ohio and (2) *damaged or defective shipments* of these commodities, from Boston, Mass., King of Prussia and Pittsburgh, Pa., the District of Columbia, Cleveland and Cincinnati, Ohio, to Bridgewater Township, Somerset County, N.J.

NOTE.—Applicant holds contract carrier authority in MC 87720 Subs 2, 8, 14, 26, and 37, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Flemington, N.J., or Trenton, N.J.

No. MC 136168 (Sub-No. 5), filed October 20, 1975. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. Box 717, Marshall, Mo. 65340. Applicant's representative: Donald L. Stern, 530 Univac Bldg., Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant sites and warehouse facilities utilized by Wilson & Co., Inc., located at Cedar Rapids, Cherokee and Des Moines, Iowa, to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia; and (2) *returned shipments, materials, supplies and equipment* utilized in the manufacture, sale and distribution of the commodities specified above, in the reverse direction, restricted against the transportation of hides, commodities in bulk or those requiring special equipment, and further restricted to traffic originating or terminating at the plant sites and warehouse facilities utilized by Wilson & Co., Inc., located at Cedar Rapids, Cherokee and Des Moines, Iowa, under a continuing contract with Wilson & Co., Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Oklahoma City, Okla., or Omaha, Nebr.

No. MC 136371 (Sub-No. 17), filed October 22, 1975. Applicant: CONCORD TRUCKING CO., INC., 1 Scout Ave., South Kearny, N.J. 07032. Applicant's representative: George A. Olsen, 69 Ton-

nele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or used by discount department stores, between the facilities of Gaylords National Corp., located at points in the New York, N.Y., Commercial Zone, as defined by the Commission, on the one hand, and, on the other, points in Alabama, Delaware, Florida, Georgia, Illinois, Louisiana, Mississippi, North Carolina, Ohio and Pennsylvania, under a continuing contract with Gaylord National Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 136464 (Sub-No. 16), filed October 24, 1975. Applicant: CAROLINA WESTERN EXPRESS, INC., 650 Eastwood Drive, Gastonia, N.C. 28052. Applicant's representative: Eric Melerhoefer, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hosiery and materials and supplies* as are used in the manufacture and sale of hosiery when moving in mixed loads with hosiery, (a) between the plantsite and warehouse facilities utilized by Adams-Millis Corporation located at or near Kernersville and High Point, N.C., on the one hand, and, on the other, Edmond, Okla. and (b) from the plantsite and warehouse facilities utilized by Adams-Millis Corporation located at or near Edmond, Okla., to Los Angeles, Calif., and points in its Commercial Zone, under contract with Adams-Millis Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Charlotte, N.C.

No. MC 136480 (Sub-No. 2), filed Oct. 20, 1975. Applicant: RUSSELL PARSONS, R.D. #4, Dallas, Pa. 18612. Applicant's representative: Kenneth R. Davis, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except in bulk), from Farmingdale, N.J., to the warehouse facilities of Robert Sosnick, located at Los Angeles and South San Francisco, Calif.; Portland, Oreg., and Seattle, Wash.; and (2) *anthracite filter media*, from points in Wyoming, Lackawanna and Luzerne Counties, Pa., to points in the United States lying on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138398 (Sub-No. 17), filed October 22, 1975. Applicant: CHARTER EXPRESS, INC., 1959 E. Turner Street, P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tile*, from Florence, Ala. and Marshall and San Angelo, Tex., to points in California and Arizona, under contract with Monarch Tile Manufacturing, Inc.

NOTE.—Applicant holds common carrier authority in MC 134755 and Subs thereunder, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn. or Jackson, Miss.

No. MC 138875 (Sub-No. 27), filed Oct. 28, 1975. Applicant: SHOEMAKER TRUCKING COMPANY, a Corporation, 11900 Franklin Road, Boise, Idaho 83705. Applicant's representative: Frank L. Sigloh (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber mill products, composition board, and treated or untreated poles, pilings and cross ties*, between points in Idaho, south of the northern boundary of Idaho County, on the one hand, and, on the other, points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Boise or Meridian, Idaho.

No. MC 139080 (Sub-No. 2), filed October 28, 1975. Applicant: CENTRAL DELIVERY SERVICES, INC., Route 3, North Brady Street Road, Davenport, Iowa 42804. Applicant's representative: Robert R. Rydell, 900 Savings and Loan Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Home, laundry, toilet care preparations, cosmetics, cookware, cutlery and food supplements* (except commodities in bulk), from Davenport, Iowa, to points in Iowa, restricted to shipments having a prior out of state movement, under a continuing contract or contracts with Amway Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Des Moines or Davenport, Iowa.

No. MC 139495 (Sub-No. 104), filed October 21, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Typewriters and office copy machines*, from the facilities of SCM Corporation located at or near Cortland, N.Y., Phoenixville, Pa., and Hazelton, Pa., to Paramount, Calif., Arlington, Tex., Dayton, Ohio, Chicago, Ill., and Reno, Nev.

NOTE.—Applicant holds contract carrier authority in MC 133106 and Subs thereunder,

therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 105), filed October 28, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Taco shells*, from Shirley, Ind., to Des Plaines, Ill., Maple Heights, Ohio, and Detroit, Mich.

NOTE.—Applicant holds contract carrier authority in MC 133106 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 106), filed October 29, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Yarn and fabrics*, from Thomaston, Ga., to Los Angeles, Calif. and Toledo and Columbus, Ohio.

NOTE.—Applicant holds contract carrier authority in MC 133106 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 107), filed October 31, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toy guns and holsters*, from Jacksonville, Tex., to Los Angeles, Calif., San Francisco, Calif., Portland, Oreg., Seattle, Wash., Chicago, Ill., Detroit, Mich., Boston, Mass., Jersey City, N.J. and New Haven, Conn. Note: Applicant holds contract carrier authority in MC 133106 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139926 (Sub-No. 4), filed October 6, 1975. Applicant: MILLER TRUCKING CO., INC., P.O. Drawer D, Stroud, Okla. 74709. Applicant's representative: Jack H. Blanshan, Suite 200, 205 West Touhy Avenue, Park Ridge, Ill. 60068. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: (1) *Road paving asphalt*, from Arkansas City, Kans.; Tulsa and Cyril, Okla.; and Memphis, Tenn., to points in Missouri; and (2) *industrial heating oil*, from Wood River, Ill., and Tulsa, Okla., to points in Missouri, under a continuing contract with Southern Missouri Oil Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either St. Louis or Kansas City, Mo.

No. MC 140180 (Sub-No. 6), filed October 23, 1975. Applicant: CHEYENNE EXPRESS, INC., P.O. Box 8295, Nashville, Tenn. 37207. Applicant's representative: Louis J. Amato, P.O. Box E, Bowling Green, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Water heaters, boilers, water storage tanks, and garbage disposals*, from the plantsite and warehouse facilities of A. O. Smith Corporation, at or near Kankakee, Ill., to points in Arizona, California and Nevada; and (2) *water heaters*, from the plantsite and warehouse facilities of Bradford-White Corporation, at Los Angeles, Calif., to points in Texas, Arkansas, Tennessee, and Kentucky.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 140185 (Sub-No. 1), filed October 24, 1975. Applicant: NEAL BROWN, LEON BROWN AND CLAYTON BROWN, doing business as BROWN BROTHERS, Lavaca, Ark. 72941. Applicant's representative: James M. Llewellyn, Jr., P.O. Box 108, Lavaca, Ark. 72941. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ceramic, plastic, vinyl and asbestos tile and floor coverings and materials and supplies* for the installation thereof, (A) From New Orleans, La., Houston and Mineral Wells, Tex., Cleveland, Miss., Jackson, Tenn. and Des Plaines, Ill., to Little Rock and Barling, Ark., Tulsa and Oklahoma City, Okla.; and (B) Between Little Rock and Barling, Ark., Tulsa and Oklahoma City, Okla., and points in Oklahoma, Cleveland, Canadian, Pottawatomie, McClain, Grady, Lincoln, Tulsa, Wagoner, Creek, Pawnee, Osage, Rogers, Mayes, and Muskogee Counties, Okla. and Sebastian, Crawford, Franklin, Pulaske, Saline, Lonoke, Jefferson, White, and Faulkner Counties, Ark., under a continuing contract or contracts with Plunkett Company of Oklahoma, Inc. and Plunkett Company of Arkansas, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 140422 (Sub-No. 3), filed October 30, 1975. Applicant: GENE R. THEODORI AND JERRY M. SMIELL, a partnership, doing business as, THEODORI TRUCKING, Box 45, Waltersburg, Pa. 15488. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from points in Garrett County, Md., to Bellaire and Martins Ferry, Ohio, under a continuing contract or contracts with Utilities Fuel Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 140439 (Sub-No. 2), filed November 5, 1975. Applicant: WALTER E. WIGGINS, 725 Gresham Ave. SE., Atlanta, Ga. 30316. Applicant's representative: Walter E. Wiggins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural lime*, from points in Blount County, Tenn., to points in Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Atlanta, Macon or Albany, Ga.

No. MC 140688 (Sub-No. 1), filed October 6, 1975. Applicant: NICOLL TRUCKING (MEDICINE HAT) LTD., a Corporation, 31 Huckvale Crescent SW., Medicine Hat, Alberta, Canada T1A 5J7. Applicant's representative Ray F. Koby, 314 Montana Building, Great Falls, Mont: 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brick, tile and clay products* (except in bulk), from ports of entry on the International Boundary line between the United States and Canada located in North Dakota, Montana, Idaho and Washington, to points in Idaho, Montana, North Dakota, Oregon and Washington, restricted to traffic moving in foreign commerce originating in Alberta, Canada; and (2) *lumber and lumber products, particle board, treated posts and poles*, between ports of entry on the International Boundary line between the United States and Canada located in Montana, Idaho and Washington, on the one hand, and, on the other, points in Idaho, Montana, Oregon and Washington, restricted to traffic moving in foreign commerce to or from points in Alberta and British Columbia, Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at any city in Montana.

No. MC 141028 (Sub-No. 2), filed October 20, 1975. Applicant: EARL A. HAZEN, Route 2, Box 102, Prosser, Wash. 99350. Applicant's representative: Charles C. Flower, Suite 2, 303 East "D" Street, Yakima, Wash. 98901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime sludge*, in bulk, from Buena, Toppenish and Zillah, Wash., to Sublimity, Oreg.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Yakima or Seattle, Wash. or Portland, Oreg.

No. MC 141033 (Sub-No. 6), filed Oct. 22, 1975. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 10545 E. Salt Lake Ave., P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: R. A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato flakes*, (1)

from Pine Bluffs and Cheyenne, Wyo., to points in the United States (except Alaska and Hawaii); and (2) *returned, refused or rejected shipments of potato flakes*, from points in the United States (except Alaska and Hawaii), to Pine Bluffs and Cheyenne, Wyo.

NOTE.—Applicant holds contract carrier authority in MC 124796 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo., or Washington, D.C.

No. MC 141046 (Sub-No. 2), filed October 28, 1975. Applicant: MASON O. MITCHELL, doing business as M. MITCHELL TRUCKING, 1911 "I" Street, LaPorte, Ind. 46350. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood and plastic products, toothpick dispensers, and sporting goods and accessories*, from the plant sites of Forster Mfg. Co., Inc. near Wilton, Maine, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, West Virginia and Wisconsin, under a continuing contract or contracts with Foster Mfg. Co., Inc., Wilton, Maine.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind. or Chicago, Ill.

No. MC 141155 (Sub-No. 2), filed November 3, 1975. Applicant: JONES TRUCKING COMPANY, a Corporation, Shakesville Road, Bristol, Va. 24201. Applicant's representative: Wm. Rogers McCall, 317 Reynolds Arcade Building, P.O. Box 82, Bristol, Va. 24201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone*, from Vulcan Materials Quarry in Bristol, Va., to points in Sullivan County, Tenn., under contract with Vulcan Materials Co. (Bristol Quarry), Shakesville Road, Bristol, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Bristol, Va., Blountville, Tenn. or Roanoke, Va.

No. MC 141242 (Sub-No. 1), filed October 22, 1975. Applicant: TRANS-COASTAL FREIGHT LINES, INC., Azalea Estates & Highway 78 West, P.O. Drawer 1360, Summerville, S.C. 29483. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *New furniture*, from City of Industry, Calif., to points in Arkansas, Colorado, Florida, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, and Wyoming; and (B) *returned, rejected, and damaged furniture*, from the destination

points in (A), to City of Industry, Calif., under a continuing contract or contracts in (A) and (B) above with I. J. Isenberg and Son.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 141275 (Sub-No. 1), filed Sept. 24, 1975. Applicant: WARREN G. DIAZ, SR., doing business as DIAZ TRUCKING CO., 4835 Rosemont Place, New Orleans, La. 70126. Applicant's representative: Byron M. Unkauf, 1120 Hibernia Bank Bldg., New Orleans, La. 70112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in the New Orleans, La. Commercial Zone as defined by the Commission, restricted to the transportation of traffic having a prior or subsequent movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 141288 (Sub-No. 2), filed October 22, 1975. Applicant: R. J. & RALPH R. COSTELLO, doing business as, D & R TRUCKING, a Partnership, Box 500, Casper, Wyo. 82601. Applicant's representative: Lawrence E. Middaugh, City Center Building, Casper, Wyo. 82601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sucker rods*, between points in Wyoming, Colorado, North Dakota, South Dakota, Montana, Utah and New Mexico, under contract with Dover Corp., Norris Division.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Casper or Cheyenne, Wyo.

No. MC 141290 (Sub-No. 1), filed October 14, 1975. Applicant: AJF CONSOLIDATORS CO., 250 Great South West, Parkway, SW., Atlanta, Ga. 30336. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise dealt in by trading stamp redemption centers*, from Atlanta, Ga., to points in Georgia, under a continuing contract or contracts with Top Value Enterprises, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 141328 (Sub-No. 2), filed Oct. 20, 1975. Applicant: MID-STATES HAULING CONTRACTORS, INC., 100 North 25th Street, P.O. Box 13, Lexington, Mo. 64067. Applicant's representative: Thomas J. Presson, Lot 27, River Bend Estates, Redfield, Ark. 72132. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock, sand and gravel*, from points in Hot Springs, Dallas, Sevier, Pulaski, Howard and Clark Counties, Ark., on the one hand, and, on the other, points in Louisiana.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.; Memphis, Tenn.; or Kansas City, Mo.

No. MC 141425, filed October 9, 1975. Applicant: THUNDER EXPRESS, LTD., W137 N9418 Highway 145, Menomonee Falls, Wis. 53051. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53208. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pallets, boxes and lumber*, from Menomonee Falls, Wis., to points in Illinois, Indiana, Iowa and Michigan and (2) *lumber and equipment, materials and supplies* used in the manufacture of pallets and boxes, from points in Alabama, Arkansas, the Upper Peninsula of Michigan, Minnesota, Mississippi, Montana, Oregon, and Washington, to Menomonee Falls, Wis., under a continuing contract with Thunder Corporation of Menomonee Falls, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 141452, filed October 23, 1975. Applicant: INDUSTRIAL MOLASSES COMPANY, INC., P.O. Box 1607, Englewood Cliffs, N.J. 07632. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and liquid feed ingredients*, from the plant and/or storage facilities of (a) Southern Minnesota Beet Sugar Cooperative at or near Renville, Minn.; (b) American Crystal Sugar Company at or near Moorhead, Crookston, and East Grand Forks, Minn., and Drayton and Hillsboro, N. Dak.; and (c) Westway Trading Corporation at or near St. Paul, Minn.; and LaCrosse, Wis., to points in Minnesota, North Dakota, South Dakota, Iowa, Wisconsin, Nebraska, and Montana, under a continuing contract or con-

tracts with Westway Trading Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 141453, filed October 16, 1975. Applicant: AUBRY TRANSPORTATION, INC., P.O. Box 342, Arcade, N.Y. 14009. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from the facilities of Hanna Furnace Corporation, located at Buffalo, N.Y., (1) to the facilities of Hallstead Foundry, Inc., at Hallstead, Pa.; and (2) to the facilities of Benton Foundry Incorporated, at Benton, Pa., under contract with Benton Foundry Incorporated, and Hallstead Foundry, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 141454, filed October 20, 1975. Applicant: DIXIE TOMATO & PACKAGING INC., 5801 G Street, Harahan, La. 70183. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. 70130. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to the Winn-Dixie Warehouse at Harahan, La., under contract with Winn-Dixie.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 141456, filed October 29, 1975. Applicant: MIDLAND TRUCK LINE, INC., 3317 Sheffield, Hammond, Ind. 46320. Applicant's representative: Albert

A. Andrin, 180 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Raw plastic and scrap plastic, and machinery, equipment and supplies*, used or useful in the sale, distribution or processing of raw or scrap plastic, between points in the United States (except Alaska and Hawaii), under contract with Harper Plastics, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

WATER CARRIER APPLICATION

No. W-1293 (Amendment), filed June 6, 1975, published in the FEDERAL REGISTER issue of July 24, 1975, republished as amended this issue. Applicant: PRUDENTIAL LINES, INC., One California Street, San Francisco, Calif. 94106. Applicant's representative: John A. Traina, Jr. (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce as a *common carrier by water* in the transportation of *Passengers and their baggage*, by self-propelled vessels, between Seattle and Tacoma, Wash., Portland, Oreg., and San Francisco, Long Beach and San Diego, Calif.

NOTE.—The purpose of this republication is to add Seattle, Wash. as a service point. It is ordered, that the order of September 17, 1975, by which the said matter was directed for handling under modified procedure, be, and it is hereby, vacated and set aside. Dated at Washington, D.C., this 11th day of November, 1975. By the Commission, Commissioner Murphy.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-31295 Filed 11-19-75; 8:45 am]

federal register

THURSDAY, NOVEMBER 20, 1975



PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

**Public Health Service and
Social and Rehabilitation
Service**



**MATERNAL AND CHILD
HEALTH AND CRIPPLED
CHILDREN'S SERVICES**

Title 42—Public Health

CHAPTER I—PUBLIC HEALTH SERVICE,
DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE

SUBCHAPTER D—GRANTS

PART 51a—GRANTS FOR MATERNAL AND
CHILD HEALTH AND CRIPPLED CHILD-
REN'S SERVICESMaternal and Child Health and Crippled
Children's Services Programs of Projects

On March 25, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 13288) to amend Subpart A of Part 51a of Title 42, Code of Federal Regulations, by adding five new sections. The purpose of the new sections is to implement sections 505(a) (8), (9) and (10) of the Social Security Act. Sections 505(a) (8), (9) and (10) require that as of July 1, 1974, each State must include in its State plan for Maternal and Child Health and Crippled Children's Services programs, to be carried out directly or through grants or contracts, of projects described in sections 508, 509, and 510 of the Act. Comments from interested persons were invited. A summary of the comments received, with the responses of the Department, follows:

(1) A recommendation was made that a statement be included in each section of these regulations to indicate that affected local governments would have input in the development of the programs of projects. Such a statement was considered unnecessary in view of the assurance of cooperation with other agencies and groups required under 42 CFR 51a.121, and the requirement of coordination of health care services with, and utilization of, other health, welfare, and education resources in the proposed regulations.

(2) Several comments objected to or sought clarification of the proposed provisions requiring an assurance that, to the extent funds are inadequate for the provision of necessary health care, the program of projects will be curtailed in terms of areas or population served, or similar factors, and not in terms of the care and services provided under the program. Because the intent of this provision is to ensure that the quality and range of care and services provided under the program of projects be maintained, even if available resources are reduced, no basic change was made in the regulations. However, the term "similar factors" was deleted from the proposed provision to avoid confusion.

Although these regulations provide that projects are to be reduced in terms of areas or populations served rather than in terms of care and services provided if funds are inadequate, it is the intention of the Secretary (as stated in the preamble to the notice of proposed rulemaking) that existing projects be maintained at their current strength whenever possible, by whatever means are consistent with the policies of, and funds available to, the States. It also should be noted that nothing in the above provisions affects the requirement

imposed by section 516(a) (2) of the Act that, in order to be eligible for a supplementary allotment under section 516, a State must have in effect arrangements which the Secretary finds will provide for the continuation of appropriate services to population groups previously receiving services from funds provided under sections 508, 509, and 510.

(3) A number of comments concerned charges for services provided by the projects. Several of these objected to charging patients who are not from low-income families for treatment services, primarily on the ground that the cost of setting up the fee schedules and collecting from such patients would exceed collections. However, the regulation as proposed contains safeguards against establishing charges which would be barriers to service and provision for flexibility in the application of charges which should help offset administrative difficulties, and it is consistent with general departmental policy that individuals who can pay for treatment services be charged accordingly. Clarification of the fee schedules to be used by the projects was also requested, and a statement that fee schedules shall be developed in accordance with criteria established by the Secretary was accordingly added. One comment pointed out that the proposed regulations do not provide that third parties (including Government agencies) can be charged for the diagnostic and preventive services furnished by the programs of projects; this was an oversight which has been corrected in these regulations.

(4) Three respondents objected to provision of diagnostic and preventive services without charge to persons able to pay for such services. However, provision of diagnostic and preventive services without charge to such persons is consistent with the legislative history of the title V program, in view of the emphasis on the need for early identification of conditions requiring treatment. Therefore, no change was made in the regulations.

(5) Six comments registered objections to or requested clarification of the proposed provisions stating that the Secretary will take into consideration the degree to which each program of projects provides for arrangements for services for prospective mothers, infants, and children, as appropriate, for whom the program of projects cannot provide care. In order to clarify the scope of arrangements covered, these provisions have each been replaced by two separate sections: one covering arrangements for patients eligible for treatment services, and the other covering arrangements for services for those patients ineligible for treatment services.

(6) Five comments were received from professional organizations requesting that their disciplines be mentioned by name in each section of the regulations. Such an addition was considered redundant in view of 42 CFR 51a.101(i) and accordingly, no change was made.

(7) A number of comments objected to the statement in the preamble of the notice of proposed rulemaking that

family planning services supported by grants to State Maternal and Child Health agencies under Title X of the Public Health Service Act are, in general, suitable for inclusion in the program of projects required by proposed § 51a.125 on the ground that this would conflict with the congressional mandate for family planning services under Title V of the Act and Title X of the Public Health Service Act and the requirement that not less than 6 percent of the amount appropriated shall be available for family planning services from allotments under sections 503 and 512. However, the inclusion of title X projects in a State's program of projects is not inconsistent with title V, since the requirement that at least 6 percent of the amount appropriated shall be available for family planning services from allotments under section 503 and for such services under projects under section 512 would still have to be met. Moreover, the inclusion of such projects in the title V program of projects would clearly not affect their operation for title X purposes. It should also be noted that projects funded under Title X of the Public Health Service Act must meet the requirements of this regulation to be suitable for inclusion in a State's program of projects and will be reviewed accordingly.

(8) One comment related to the fact that demonstration projects were still required for dental care for children and for family planning services for mothers even though there is a similar requirement for the programs of projects. Since such projects are required to be part of the program of projects by sections 505 (a) (8) and 508(a) (10) and demonstration projects are required by section 505(a) (12), no change was made in the regulations.

(9) Several comments expressed concern about regionalization of intensive infant care projects. The main objection was that project funds which now are being used for supplementing specialized staff and for other project-related expenses would be diverted into payment for inpatient hospital care and that regionalization would suffer as a result. This section of the regulations has thus been revised to take into account a State's effort in the development of regionalized perinatal health services in meeting its objectives under the intensive infant care program of projects. It must be noted, however, that the regulations continue to require that where there is a reduction in funds available for the intensive infant care program of projects, the projects may be reduced only in terms of the area or population served and not in the scope, quality, or standards of care.

(10) One comment inquired whether the regulation stating that family planning services will be made available without regard to age requires providing family planning services to minors or to certain unmarried women, that section in the regulations has been modified by adding the clause "but not in contravention of applicable State law."

(11) One respondent requested that an additional section be added in the maternity and infant care section requiring that the program of projects develop, organize, and make locally available community-based practical courses in parenthood, and that such courses be incorporated into the high school curriculum. However, it was felt that this would be inconsistent with the statutory focus on the provision of services, and therefore no change was made in this regard.

(12) Section 51a.125 of the proposed regulations contained several internally inconsistent references to "women" and "persons". This has been remedied by changing the word "women" to "persons" throughout the section. The change clarifies the intent of the section not to limit the provision of family planning services only to women.

(13) Other minor and editorial changes in the regulations were also made.

Accordingly, 42 CFR Part 203 and Subparts B and C of Part 51a are revoked and Subpart A of Part 51a is amended and adopted as set out below.

Effective date. These regulations are effective on November 20, 1975.

Dated: October 20, 1975.

JAMES F. DICKSON,
*Acting Assistant Secretary
for Health.*

Approved: November 12, 1975.

DAVID MATHEWS,
Secretary.

1. Subpart A of Part 51a is amended by redesignating §§ 51a.124-133 thereof as §§ 51a.134-143, respectively, by reserving §§ 51a.124-127 and 51a.133 and adding thereto the following new sections:

§§ 51a.124-51a.127 [Reserved]

§ 51a.128 Program of projects for maternity and infant care.

(a) The State plan shall incorporate by reference documents providing for a program of projects (carried out by the State agency directly or through grants and contracts) described in section 508

(a) (1) of the Act, particularly in areas with concentrations of low-income families, which offers reasonable assurance of satisfactorily helping to reduce (1) the incidence of mental retardation and other handicapping conditions caused by complications associated with childbearing and (2) infant and maternal morbidity and mortality, through provision of necessary health care to prospective mothers (including, after childbirth, health care to mothers and their infants) who have or are likely to have conditions associated with childbearing or who are in circumstances which increase the hazards to the health of mothers or their infants (including those which may cause physical or mental defects in the infants).

(b) The Secretary, in determining whether the program of projects described in the documents incorporated by reference offers reasonable assurance of achieving the above-stated objectives, will take into consideration the degree

to which such program of projects provides for:

(1) Appropriate diagnostic, preventive, prenatal, and postnatal health care and services, including hospital care and delivery services, and family planning services, for women and infants within the area served by the program of projects.

(2) The prompt delivery of care and services.

(3) Procedures to insure coordination and continuation of care and services, including active follow-up of cases.

(4) Income standards established in accordance with criteria of the Secretary for determining eligibility for treatment services, which are to be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of required care.

(5) Staff and/or consultants in the State maternal and child health program, or in each project, that will insure adequacy of services.

(6) Arrangements, which may include payment, for the provision of services to those women and infants eligible for treatment services within the area served by the program of projects for which the program of projects cannot provide care.

(7) Arrangements for the provision of services to those women and infants who have received diagnostic services but are not eligible for treatment services under the program of projects.

(8) The coordination of health care and services provided under the program with, and utilization (to the extent feasible) of, other health and welfare resources.

(9) Other medical care as defined in § 51a.101(d) of these regulations.

(c) The State plan shall contain the following assurances:

(c) The State plan shall contain the following assurances:

(1) That the program of projects will provide services particularly in areas with concentrations of low-income families, with priority given to the areas having the greatest need for such services, whether urban or rural.

(2) That diagnostic and preventive prenatal and postnatal services will be available without charge to all women, and diagnostic and preventive services will be available without charge to all infants, within the area served by the program of projects.

(3) That treatment services (including labor and delivery services and correction of defects) will be available only to women and infants who would not otherwise receive them because they are from low-income families or for other reasons beyond their control.

(4) That services will be available to patients from outside the area served by each project only if it is determined by the project director that provision of such services will best promote the purposes of the program of projects under this section.

(5) That treatment will be provided to women and infants who are not from low-income families but who would not otherwise receive such services for rea-

sons beyond their control only if such treatment does not reduce the delivery of necessary services to women and infants from low-income families. In those instances where charges are made for treatment services provided to women and infants who are not from low-income families, such charges shall be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of required care. Full disclosure of such payment scales and the factors by which they are applied shall be available to the public. The established basic payment schedule shall not exceed actual costs.

(6) That every reasonable effort will be made to collect the cost of care and services from third-party payment sources (including Government agencies) which are authorized or under legal obligation to make such payments for any service provided by the project including diagnostic, preventive, and treatment services even though such service may otherwise be provided without charge to the patient or family. Where the cost of care and services furnished by or through the program of projects is to be reimbursed by a Government agency, a written agreement with that agency is required. Reimbursement may be made either to the project or directly to the provider, in accordance with such agreement.

(7) That the program of projects will be administered by the State maternal and child health program unit, either directly or through grants or contracts, and that each project within such program of projects will be under the direction of a single director, responsible for the overall direction of the project, who will be a full-time employee of that project: *Provided*, That the State agency may, in particular cases, approve the appointment of a project director who is employed less than full time where the State agency finds that such appointment is consistent with the purposes of the program.

(8) That medical care and services provided by each project will be under the direction and responsibility of a physician with appropriate training and experience.

(9) That determinations of eligibility for services under each project will be made by the project director or a member of the project staff designated by him, and will be in accordance with the Act, these regulations, and the policies and procedures promulgated thereunder, and in accordance with the approved State plan.

(10) That to the extent that funds are inadequate for the provision of necessary health care, the program of projects will be curtailed in terms of areas or population served and not in terms of the care and services provided under the program.

§ 51a.129 Program of projects for intensive infant care.

(a) The State plan shall incorporate by reference documents providing for a program of projects (carried out by the State agency directly or through grants and contracts) described in section 508

RULES AND REGULATIONS

(a) (2) of the Act, particularly in areas with concentrations of low-income families, which offer reasonable assurance of satisfactorily helping to reduce (1) the incidence of mental retardation and other handicapping conditions caused by complications associated with child-bearing and (2) infant and maternal morbidity and mortality, through the provision of necessary health care to infants, during the first year of life, who have any conditions or who are in circumstances which increase the hazards to their health.

(b) The Secretary, in determining whether the program of projects described in the documents incorporated by reference offers reasonable assurance of achieving the above-stated objectives, will take into consideration the degree to which the program of projects provides for:

(1) Appropriate services for intensive care of infants, including surgical and specialized consultative services, and for follow-up care of the infant during the first year of life.

(2) The prompt delivery of care and services.

(3) The development of regionalized perinatal health services.

(4) Transportation for the woman prior to delivery or the infant and parent, as appropriate.

(5) Procedures to insure coordination and continuation of care and services, including active follow-up of cases.

(6) Income standards established in accordance with criteria of the Secretary for determining eligibility for treatment services, which are to be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of required care.

(7) Staff and/or consultants in the State maternal and child health program, or in each project, that will insure adequacy of services.

(8) Arrangements, which may include payment, for the provision of services to those infants within the area served by the program of projects for whom the program of projects cannot provide services.

(9) Arrangements for the provision of services to those infants who have received diagnostic services but are not eligible for treatment services.

(10) Coordination of necessary health care and services provided under the program with, and utilization (to the extent feasible) of, other health and welfare resources.

(11) Other medical care as defined in § 51a.101(1) of these regulations.

(c) The State plan shall contain the following assurances:

(1) That the program of projects will provide services particularly in areas with concentrations of low-income families, with priority given to the areas having the greatest need for such services, whether urban or rural.

(2) That services will be available only to infants who would otherwise not receive them because they are from low-income families or for other reasons beyond their control.

(3) That services will be available to infants from outside the area served by each project only if it is determined by the project director that provision of such services will best promote the purposes of the program of projects under this section.

(4) That services will be provided to infants who are not from low-income families but who would not otherwise receive such services for reasons beyond their control only if such treatment does not reduce the delivery of necessary services to infants from low-income families. In those instances where charges are made for services provided to infants who are not from low-income families, such charges shall be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of required care. Full disclosure of such payment scales and the factors by which they are applied shall be available to the public. The established basic payment schedule shall not exceed actual costs.

(5) That every reasonable effort will be made to collect the cost of care and services from third-party payment sources (including Government agencies) which are authorized or under legal obligation to make such payments for any service provided by the project including diagnostic, preventive, and treatment services even though such service may otherwise be provided without charge to the patient or family. Where the cost of the care and services furnished by or through the program of projects is to be reimbursed by a Government agency, a written agreement with that agency is required. Reimbursement may be made either to the project or directly to the provider, in accordance with such agreement.

(6) That the program of projects will be administered by the State maternal and child health program unit, either directly or through grants or contracts, and that each project within such program of projects will be under the direction of a single director, responsible for the overall direction of the project, who will be a full-time employee of that project: *Provided*, That the State agency may, in particular cases, approve the appointment of a project director who is employed less than full time where the State agency finds that such appointment is consistent with the purposes of the program.

(7) That medical care and services provided by each project will be under the direction and responsibility of a physician with appropriate training and experience.

(8) That determinations of eligibility for services under each project will be made by the project director or a member of the project staff designated by him, and will be in accordance with the Act, these regulations, and the policies and procedures promulgated thereunder, and in accordance with the approved State plan.

(9) That to the extent that funds are inadequate for the provision of necessary health care, the program of projects will be curtailed in terms of areas or population served, and not in terms of the

care and services provided under the program.

§ 51a.130 Program of projects for family planning services.

(a) The State plan shall incorporate by reference documents providing for a program of projects (carried out by the State agency directly or through grants and contracts), described in section 508 (a) (3) of the Act, particularly in areas with concentrations of low-income families, which offers reasonable assurance of satisfactorily helping to reduce (1) the incidence of mental retardation and other handicapping conditions caused by complications associated with child-bearing, and (2) infant and maternal morbidity and mortality, through the provision of family planning services.

(b) The Secretary, in determining whether the program of projects described in the documents incorporated by reference offers reasonable assurance of achieving the above-stated objectives, will take into consideration the degree to which the program of projects provides for:

(1) Counseling and interpretation to individuals of the services offered by the project, and public education and information services.

(2) Medical services that include a medical examination under the direction of a physician with appropriate training and experience in family planning, and the services of allied health personnel.

(3) Comprehensiveness and continuity in the health management and supervision of patients receiving family planning services.

(4) The prompt delivery of family planning services.

(5) Income standards established in accordance with criteria of the Secretary for determining eligibility for family planning services, which are to be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of such services.

(6) Staff and/or consultants in the State maternal and child health program, or in each project, that will insure adequacy of services.

(7) Arrangements, which may include payment, for the provision of family planning services for those persons eligible for treatment services within the area served by the program of projects for whom the program or projects cannot provide such services.

(8) Arrangements for the provision of services to those persons who have received diagnostic services but are not eligible for treatment services under the program of projects.

(9) The coordination of health care and services provided under the program with, and the utilization (to the extent feasible) of, other health and welfare resources.

(c) The State plan also shall contain the following assurances:

(1) That the program of projects will provide services particularly in areas with concentrations of low-income families with priority given to the areas having the greatest need for such services, whether urban or rural.

(2) That a variety of medically approved methods of family planning, including the rhythm method, will be available to all persons within the area served by the program of projects and supplied without charge to all persons from low income families or those who would not otherwise receive family planning services for other reasons beyond their control.

(3) That family planning services and supplies include at least physician's consultation, examination, and continuing supervision, necessary laboratory examinations and tests; medically approved contraception through chemical, mechanical, or other means; surgical procedures for voluntary sterilization in accordance with 42 CFR 50.201 (et seq.) and the moratorium set forth at 38 FR 20930; and evaluation of persons for infertility and referral to other appropriate resources when services are not provided by the project.

(4) That treatment services will be available only to persons who otherwise would not receive them because they are from low-income families or for other reasons beyond their control.

(5) That services will be provided without regard to age or marital status but not in contravention of applicable State laws.

(6) That services will be available to persons from outside the area served by each project only if it is determined by the project director that provision of such services will best promote the purposes of the program of projects under this section.

(7) That services will be provided to persons who are not from low-income families but who would not otherwise receive such services for reasons beyond their control only if the provision of such services does not reduce the delivery of services to persons from low-income families. In those instances where charges are made for services provided to persons who are not from low-income families, such charges shall be applied flexibly, with due regard to family size and income and the family's other financial responsibilities in relation to the cost of such services. Full disclosure of such payment scales and the factors by which they are applied shall be available to the public. The established basic payment schedule shall not exceed actual costs.

(8) That every reasonable effort will be made to collect the cost of care and services from third-party payment sources (including Government agencies) which are authorized or under legal obligation to make such payments for any service provided by the project including diagnostic, preventive, and treatment services even though such service may otherwise be provided without charge to the patient or family. Where the cost of care and services furnished by or through the program of projects is to be reimbursed by a Government agency, a written agreement with that agency is required. Reimbursement may be made either to the project or directly to the provider, in accordance with such agreement.

(9) That the program of projects will be administered by the State maternal

and child health program unit, either directly or through grants or contracts. However, where there is a separate unit of the State agency with specific responsibility for family planning services, the program of projects may be conducted in that unit subject to the requirements of § 51a.104(a). Each project within such program of projects will be under the direction of a single director, responsible for the overall direction of the project, who will be a full-time employee of that project: *Provided*, That the State agency may, in particular cases, approve the appointment of a project director who is employed less than full time where the State agency finds that such appointment is consistent with the purposes of the program.

(10) That family planning medical services provided by the project will be under the direction and responsibility of a physician with appropriate training and experience.

(11) That determinations of eligibility for services under each project will be made by the project director or a member of the project staff designated by him; and will be in accordance with the Act, these regulations and the policies and procedures promulgated thereunder, and in accordance with the approved State plan.

(12) That the program of projects will be in addition to the demonstration services referred to in § 51a.117.

(13) That to the extent that funds are inadequate for the provision of necessary family planning services, the program of projects will be curtailed in terms of areas or population served and not in terms of the care and services provided under the program.

§ 51a.131 Program of projects for health of children and youth.

(a) The State plan shall incorporate by reference documents providing for a program of projects (carried out by the State agency directly or through grants and contracts), described in section 509 (a) of the Act, which offers reasonable assurance of satisfactorily promoting the health of children and youth of school or preschool age, particularly in areas with concentrations of low-income families, through provision of health care and services of a comprehensive nature for children and youth of school age, or for preschool children (to help them prepare for school).

(b) The Secretary, in determining whether the program of projects described in the documents incorporated by reference offers reasonable assurance of achieving the above-stated objectives, will take into consideration the degree to which the program of projects provides for:

(1) Medical and dental care, including screening, diagnosis, preventive services, treatment, correction of defects, and aftercare, the scope and content of which are to be in accordance with generally recognized medical standards; e.g., preventive services must include periodic check-ups and necessary immunizations; diagnosis must include thorough medical and dental examinations and indicated laboratory tests and specialty

examinations; treatment must include services of medical and dental paramedical practitioners; inpatient and outpatient hospital services, and such other care and services as are medically indicated, must be provided.

(2) The prompt delivery of care and services.

(3) Procedures to insure coordination and continuation of care and services, with active follow-up of cases.

(4) Income standards established in accordance with criteria of the Secretary for determining eligibility for treatment services, which are to be applied flexibly with due regard for family size and income, and the family's other financial responsibilities in relation to the cost of required care.

(5) Staff and/or consultants in the State maternal and child health program, or in each project, that will insure adequacy of services.

(6) Arrangements, which may include payment, for the provision of services to those children and youth eligible for treatment services within the area served by the program of projects for whom the program of projects cannot provide care.

(7) Arrangements for the provision of services to those children and youth who have received diagnostic services but are not eligible for treatment services under the program of projects.

(8) Coordination of health care and services provided under the program with, and utilization (to the extent feasible) of other health, welfare, and education resources.

(9) Other medical care as defined in § 51a.101(d) of these regulations.

(c) The State plan shall contain the following assurances:

(1) That the program of projects will provide services particularly in areas with concentrations of low-income families, with priority given to the areas having the greatest need for such services, whether urban or rural.

(2) That screening, diagnostic, and preventive services will be available without charge to all children and youth within the area served by the program of projects.

(3) That treatment, correction of defects, and aftercare will be available only to children and youth who otherwise would not receive such services because they are from low-income families or for other reasons beyond their control.

(4) That the program of projects will provide comprehensive dental care and services including diagnostic, screening, preventive services, treatment, correction of defects, and aftercare.

(5) That services will be available to patients from outside the area served by each project only if it is determined by the project director that the provision of such services will best promote the purposes of the program of projects under this section.

(6) That treatment, correction of defects, and aftercare will be provided to children and youth who are not from low-income families but who would not otherwise receive such services for reasons beyond their control only if such treatment does not reduce the delivery

of necessary services to children and youth from low-income families. In those instances where charges are made for treatment services provided to children and youth who are not from low-income families, such charges shall be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of required care. Full disclosure of such payment scales and the factors by which they are applied shall be available to the public. The established basic payment schedule shall not exceed actual costs.

(7) That every reasonable effort will be made to collect the cost of care and services from third-party payment sources (including Government agencies) which are authorized or under legal obligation to make such payments for any service provided by the project including diagnostic, preventive, and treatment services even though such service may otherwise be provided without charge to the patient or family. Where the cost of care and services furnished by or through the program of projects is to be reimbursed by a Government agency a written agreement with that agency is required. Reimbursement may be made either to the project or directly to the provider, in accordance with such agreement.

(8) That the program of projects will be administered by the State maternal and child health program unit, either directly or through grants or contracts, and that each project within such program of projects will be under the direction of a single director, responsible for the overall direction of the project, who will be a full-time employee of that project: *Provided*, That the State agency may in particular cases approve the appointment of a project director who is employed less than full time where the State agency finds that such appointment is consistent with the purposes of the program.

(9) That medical care and services provided by each project will be under the direction and responsibility of a physician with appropriate training and experience.

(10) That determinations of eligibility for services under each project will be made by the project director or a member of the project staff designated by him and will be in accordance with the Act, these regulations and the policies and procedures promulgated thereunder, and in accordance with the approved State plan.

(11) That to the extent that funds are inadequate for the provision of comprehensive health care, the program of projects will be curtailed in terms of areas served or age levels of children served and not in terms of the care and services provided under the program.

§ 51a.132 Program of projects for dental health of children and youth.

(a) The State plan shall incorporate by reference documents providing for a program (carried out by the State agency directly or through grants and contracts) of projects, described in section 510(a) of the Act, which offers reasonable assurance of satisfactorily promoting the den-

tal health of children and youth of school or preschool age, particularly in areas of concentrations of low-income families, through the provision of projects of a comprehensive nature for dental care and services for children and youth of school age or preschool age.

(b) The Secretary, in determining whether the program of projects described in the documents incorporated by reference offers reasonable assurance of meeting the above-stated objectives will take into consideration the degree to which the program of projects provides for:

(1) Appropriate screening, diagnosis, preventive services, treatment, correction of defects, and aftercare.

(2) The prompt delivery of care and services.

(3) Procedures to insure coordination and continuation of care and services, including active follow-up of cases.

(4) Income standards established in accordance with criteria of the Secretary for determining eligibility for treatment services, which are to be applied flexibly with due regard for family size and income, and the family's other financial responsibilities in relation to the cost of required care.

(5) Staff and/or consultants in the State maternal and child health program, or in each project that will insure adequacy of services.

(6) Arrangements, which may include payment, for the provision of services to those children eligible for treatment services within the area served by the program of projects for whom the program of projects cannot provide care.

(7) Arrangements for the provision of services to those children who have received diagnostic services but are not eligible for treatment services under the program of projects.

(8) The coordination of health care and services provided under the program with, and utilization (to the extent feasible) of, other health, welfare, and education resources.

(9) Appropriate referral for other medical care if needed.

(c) The State plan shall contain the following assurances:

(1) That the program of projects will provide services particularly in areas with concentrations of low-income families, with priority given to the areas having the greatest need for such services, whether urban or rural.

(2) That diagnostic, screening, and preventive services will be available without charge to all children within the area served by the program of projects.

(3) That treatment, correction of defects, or aftercare will be available only to children who otherwise would not receive such services because they are from low-income families or for other reasons beyond their control.

(4) That services will be available to children from outside the area served by each project only if it is determined by the project director that provision of such services will best promote the purposes of the program of projects under this section.

(5) That treatment, correction of defects, and aftercare will be provided to

children and youth who are not from low-income families but who would not otherwise receive such services for reasons beyond their control only if such treatment does not reduce the delivery of necessary services to children from low-income families. In those instances where charges are made for treatment services provided to children who are not from low-income families, such charges shall be applied flexibly with due regard to family size and income and the family's other financial responsibilities in relation to the cost of required care. Full disclosure of such payment scales and the factors by which they are applied shall be available to the providers as well as to the patients and their families. The established basic payment schedule shall not exceed actual costs.

(6) That every reasonable effort will be made to collect the cost of care and services from third-party payment sources (including Government agencies) which are authorized or under legal obligation to make such payments for any service provided by the project including diagnostic, preventive, and treatment services even though such services may otherwise be provided without charge to the patient or family. Where the cost of care and services furnished by or through the program of projects is to be reimbursed by a Government agency, a written agreement with that agency is required. Reimbursement may be made either to the project or directly to the provider, in accordance with such agreement.

(7) That the program of projects will be administered by the State maternal and child health program unit, either directly or through grants or contracts. However, where there is a separate unit of the State agency with specific responsibility for dental health services, the program of projects may be conducted in that unit subject to the requirements of § 51a.104(a). Each project within such program of projects will be under the direction of a single director, responsible for the overall direction of the project, who will be a full-time employee of that project: *Provided*, That the State agency may, in particular cases, approve the appointment of a project director who is employed less than full time where the State agency finds that such appointment is consistent with the purposes of the program.

(8) That dental care and services provided by each project will be under the direction and responsibility of a dentist with appropriate training and experience.

(9) That determinations of eligibility for services under each project will be made by the project director or a member of the project staff designated by him and will be in accordance with the Act, these regulations and the policies and procedures promulgated thereunder, and in accordance with the approved State plan.

(10) That to the extent that funds are inadequate for the provision of comprehensive dental care and services, the program of projects will be curtailed in terms of areas served or age levels of

children served, or similar factors, and not in terms of the care and services provided under the program.

(11) That the program of projects will be in addition to the demonstration services referred to in § 51a.117.

(d) The State plan may provide, in its program of projects, for research looking toward the development of new methods of diagnosis or treatment, or demonstration of the utilization of dental personnel with various levels of training.

§ 51a.133 [Reserved]

Subpart B—Special Project Grants for Family Planning Services [Revoked]

Subpart C—Special Project Grants for Dental Health of Children [Revoked]

2. Subparts B and C of Part 51a are revoked.

PART 203 [REVOKED]

3. Part 203 is revoked.

[FR Doc.75-31204 Filed 11-19-75;8:45 am]

CHAPTER II—CHILDREN'S BUREAU, SOCIAL AND REHABILITATION SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 203—SPECIAL PROJECT GRANTS FOR HEALTH OF SCHOOL AND PRE-SCHOOL CHILDREN

Revocation

CROSS REFERENCE: For a document revoking Part 203 of Title 42 CFR, see FR Doc. 75-31204, also appearing in this Part II of this issue.

federal register

THURSDAY, NOVEMBER 20, 1975



PART III:

DEPARTMENT OF TRANSPORTATION

**Federal Highway
Administration**

■

**FEDERAL-AID HIGHWAY
PROGRAM DIRECTIVES**

**DEPARTMENT OF
TRANSPORTATION**

**Federal Highway Administration
FEDERAL-AID HIGHWAY PROGRAM**

Directives

● **Purpose.** The purpose of this document is to publish material related to the Federal-aid highway program contained in existing Federal-aid highway manuals, notices, orders and other directives. ●

The material in this document is published in compliance with the order of the

United States District Court for the District of Columbia in "National Wildlife Federation v. Brinegar," Civil Action No. 1269-73 (August 22, 1975). The published documents contain material which must be published in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a) (1) as well as material which would not normally be published in the FEDERAL REGISTER.

Publication of this document constitutes publication of material previously issued by the Federal Highway Administration in the following documents:

FHWA N 4510.5.....	Apportionment of FY 1974 Safer Roads Demonstration Program Funds
FHWA N 4510.8.....	Apportionment of FY 1975 Safer Roads Demonstration Program Funds
FHWA N 4510.9.....	Apportionment of FY 1975 Safety Construction Funds
FHWA N 4510.10.....	Apportionment of FY 1975 Forest Highways Funds
FHWA N 4510.11.....	Apportionment of FY 1975 Federal-Aid Highway Funds
FHWA N 4510.12.....	Reapportionment of Urban Extension Funds, San Antonio North Expressway
FHWA N 4510.1.....	FY 1974 Apportionment—Supplementary Funds
FHWA N 4510.13.....	Allocation of FY 1974 Pavement Marking Funds
FHWA N 4510.14.....	Supplementary Tables—FY 1975 Rail-Highway Crossing Apportionment
FHWA N 4510.15.....	FY 1975 Apportionment of Federal-Aid Highway Funds—Supplementary Tables
FHWA N 4510.20.....	Allocation of Economic Growth Center Development Highway Funds
FHWA N 5080.14.....	Fair Labor Standards Amendments of 1974
FHWA N 5180.1.....	Administration of Section 230 of the Highway Safety Act of 1975
FHWA Order 2-4.....	Clearance and Release of Public Information Material
FHWA Order H 1321.1.....	FHWA Directives System Handbook
FHWA Order 1360.1.....	Use of Modern Metric (SI) Measurements in FHWA Issuances
IM 50-5-71.....	Permits Required for Highway Work in or Adjacent to Streams
Civil Rights Manual Volume 3, Chapter V.....	Special Programs
FHWA N 5080.3.....	Fuel Conservation
FHWA N 5080.7.....	Rapid Testing Procedures
Research and Development Manual, Chapter V.....	FHWA Research and Development Contract Program

The publication of the above directives is not intended to change any policy stated in those directives.

References in the published documents to the Federal-Aid Highway Program Manual (FHPM) and the Federal Highway Administration (FHWA) Instructional Memorandums (IM's), Orders, Notices, Manuals and other directives to internal agency documents which are available for inspection and copying at those locations stated in 49 CFR Part 7, Appendix D.

Issued on November 12, 1975.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FHWA N 4510.5]

**APPORTIONMENT OF FY 1974 SAFER ROADS
DEMONSTRATION PROGRAM FUNDS**

NOVEMBER 29, 1973.

1. **Purpose.** The purpose of this Notice is to provide a copy of a letter of transmittal and the certificate of apportionment of funds authorized for FY 1974 by section 230 of the Highway Safety Act of 1973 for the Federal-Aid Safer Roads Demonstration Program.

2. **Availability.** The funds are available for programming effective November 29,

1973, by the State agency designated by the Governor as having responsibility for the funds. Obligation of the funds is subject to obligation control procedures in force at the time of obligation. For FY 1974 these procedures provide that such obligations be charged to State shares of obligation authority provided by IM 30-4-73, "Federal-Aid Highway Program—FY 1974 Obligation Authority" dated October 10, 1973.

Funds from the FY 1974 apportionment are subject to lapse on June 30, 1976, if they have not been obligated for projects for which project agreements have been executed.

To: Governors of States, The Commonwealth of Puerto Rico, The Territories of American Samoa, Guam and the Virgin Islands, and The Commissioner of the District of Columbia.

NOVEMBER 29, 1973.

The apportionment of Federal-Aid Safer Roads Demonstration Program funds authorized for the fiscal year 1974 by the Highway Safety Act of 1973 was made today. Enclosed is a copy of the certificate of apportionment.

The funds resulting from this apportionment are available for programming effective November 29, 1973, by an appropriate agency of your State to be designated by you. Obligation of the funds is subject to obligation

control procedures in force at the time of obligation. For FY 1974 these procedures provide that such obligations be charged to the State shares of obligation authority provided by Instructional Memorandum 30-4-73, dated October 10, 1973. Your State highway department is familiar with these procedures.

The funds available from this apportionment will lapse on June 30, 1976, if they have not been obligated for projects for which project agreements have been executed.

Sincerely yours,

NORBERT T. TIEMANN,
Federal Highway Administrator.

**CERTIFICATE OF APPOINTMENT OF THE SUM
OF \$50,000,000 FOR PROJECTS IN THE FEDERAL
AID SAFER ROADS DEMONSTRATION PROGRAM,
AUTHORIZED FOR THE FISCAL YEAR ENDING
JUNE 30, 1974**

To: The Secretary of the Treasury of the United States and the Governors of the States, the Commonwealth of Puerto Rico and the Territories, and the Commissioner of the District of Columbia:

Pursuant to the Act approved June 29, 1956 (70 Stat. 374), as amended and supplemented by Title II of the Act approved August 13, 1973, Pub. L. 93-87 (87 Stat. 250), hereinafter cited as the "Highway Safety Act of 1973," and Title 23, United States Code, entitled "Highways," and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify—

First, that in accordance with the provision of section 209(g) of the Highway Revenue Act of 1956 (70 Stat. 387), approved June 29, 1956, the Secretary of the Treasury has estimated that the amounts which will be available in the Highway Trust Fund will be sufficient to defray the expenditure which will be required to be made from such funds.

Second, that I have computed the apportionment among the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa of the sum of \$50,000,000 for projects for the Federal-aid safer roads demonstration program, authorized to be appropriated for the fiscal year ending June 30, 1974, by section 405(c) of Title 23, United States Code, in the manner provided by law and in accordance with the formula set forth in Subsection (c) of section 403 of Title 23, United States Code.

Third, that the sums which are hereby apportioned and made available to each State, the District of Columbia and the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa, effective November 29, 1973, are respectively as follows:

**APPORTIONMENT OF FUNDS AUTHORIZED BY THE
HIGHWAY SAFETY ACT OF 1973 FOR THE FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM FOR THE FISCAL YEAR 1974**

State:	Amount
Alabama	\$889,120
Alaska	250,000
Arizona	478,040
Arkansas	582,591
California	4,041,778
Colorado	635,361
Connecticut	595,645
Delaware	250,000
Florida	1,521,091
Georgia	1,140,167
Hawaii	250,000
Idaho	310,940
Illinois	2,384,844
Indiana	1,207,357
Iowa	873,070
Kansas	821,321
Kentucky	773,811
Louisiana	819,244
Maine	250,000

State—Continued	Amount
Maryland	773,887
Massachusetts	1,099,411
Michigan	1,945,998
Minnesota	1,076,342
Mississippi	612,546
Missouri	1,206,757
Montana	348,903
Nebraska	565,803
Nevada	250,000
New Hampshire	250,000
New Jersey	1,368,335
New Mexico	340,020
New York	3,567,503
North Carolina	1,182,519
North Dakota	390,753
Ohio	2,239,323
Oklahoma	809,482
Oregon	662,599
Pennsylvania	2,455,589
Rhode Island	250,000
South Carolina	655,413
South Dakota	359,035
Tennessee	956,411
Texas	2,840,479
Utah	335,424
Vermont	250,000
Virginia	1,022,762
Washington	854,700
West Virginia	421,819
Wisconsin	1,123,093
Wyoming	250,000
District of Columbia	250,000
Puerto Rico	498,814
Guam	250,000
American Samoa	250,000
Virgin Islands	250,000
Total	50,000,000

Done at the City of Washington this 20th day of November 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FHWA-4510.8]

APPORTIONMENT OF FY 1975 SAFER ROADS DEMONSTRATION PROGRAM FUNDS

DECEMBER 24, 1973.

1. *Purpose.* The purpose of this Notice is to provide a copy of a letter of transmittal and the certificate of apportionment of funds authorized for FY 1975 by Section 230 of the Highway Safety Act of 1973 for the Federal-Aid Safer Roads Demonstration Program.

2. *Availability.* The funds are available for programing effective December 24, 1973, by the State agency designated by the Governor as having responsibility for the funds. Obligation of the funds is subject to obligation control procedures in force at the time of obligation. For FY 1974 these procedures provide that such obligations be charged to State shares of obligation authority provided by IM 30-4-73, Federal-aid Highway Program FY 1974 Obligation Authority dated October 10, 1975.

Funds from the FY 1975 apportionment are subject to lapse on June 30, 1977, if they have not been obligated for projects for which project agreements have been executed.

NORBERT T. TIEMANN,
Federal Highway Administrator.

To: Governors of States, The Commonwealth of Puerto Rico, The Territories of American Samoa, Guam and the Virgin Islands, and The Commissioner of the District of Columbia.

DECEMBER 24, 1973.

The apportionment of Federal-Aid Safer Roads Demonstration Program funds authorized for the fiscal year 1975 by the Highway Safety Act of 1973 was made today. Enclosed is a copy of the certificate of apportionment.

The funds resulting from this apportionment are available for programing effective December 24, 1973, by an appropriate agency of your State to be designated by you. Obligation of the funds is subject to obligation control procedures in force at the time of obligation. For FY 1974 these procedures provide that such obligations be charged to the state shares of obligation authority provided by Instructional Memorandum 30-4-73, dated October 10, 1973. Your State highway department is familiar with these procedures.

The funds available from this apportionment will lapse on June 30, 1977, if they have not been obligated for projects for which project agreements have been executed.

Sincerely yours,

NORBERT T. TIEMANN,
Federal Highway Administrator.

CERTIFICATE OF APPORTIONMENT OF THE SUM OF \$100,000,000 FOR PROJECTS IN THE FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM, AUTHORIZED TO BE APPROPRIATED FOR THE FISCAL YEAR ENDING JUNE 30, 1975.

To: The Secretary of the Treasury of the United States and the Governors of the States, the Commonwealth of Puerto Rico and the Territories, and the Commissioner of the District of Columbia:

Pursuant to the Act approved June 29, 1956 (70 Stat. 374), as amended and supplemented by Title II of the Act approved August 13, 1973, Pub. L. 93-87 (87 Stat. 250), hereinafter cited as the "Highway Safety Act of 1973," and Title 23, United States Code, entitled "Highways," and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify—

First, that in accordance with the provision of section 209(g) of the Highway Revenue Act of 1956 (70 Stat. 387), approved June 29, 1956, the Secretary of the Treasury has estimated that the amounts which will be available in the Highway Trust Fund will be sufficient to defray the expenditure which will be required to be made from such funds.

Second, that I have computed the apportionment among the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa of the sum of \$100,000,000 for projects for the Federal-aid safer roads demonstration program, authorized to be appropriated for the fiscal year ending June 30, 1975, by Section 405(c) of Title 23, United States Code, in the manner provided by law and in accordance with the formula set forth in Subsection (e) of Section 402 of Title 23, United States Code.

Third, that the sums which are hereby apportioned and made available to each State, the District of Columbia and the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa, effective December 24, 1973, are respectively as follows:

APPORTIONMENT OF FUNDS AUTHORIZED BY THE HIGHWAY SAFETY ACT OF 1973 FOR THE FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM FOR THE FISCAL YEAR 1975

State:	Amount
Alabama	\$1,778,241
Alaska	500,000
Arizona	952,079
Arkansas	1,165,184
California	8,083,555
Colorado	1,270,521
Connecticut	1,191,289
Delaware	500,000
Florida	3,042,181
Georgia	2,280,333
Hawaii	500,000
Idaho	621,882
Illinois	4,769,687
Indiana	2,414,715
Iowa	1,746,141
Kansas	1,642,641
Kentucky	1,547,622
Louisiana	1,638,488
Maine	500,000
Maryland	1,547,775
Massachusetts	2,198,820
Michigan	3,891,997
Minnesota	2,152,684
Mississippi	1,225,093
Missouri	2,413,513
Montana	697,804
Nebraska	1,131,607
Nevada	500,000
New Hampshire	500,000
New Jersey	2,736,668
New Mexico	680,039
New York	7,135,006
North Carolina	2,365,038
North Dakota	781,505
Ohio	4,478,648
Oklahoma	1,618,964
Oregon	1,325,198
Pennsylvania	4,911,178
Rhode Island	500,000
South Carolina	1,310,828
South Dakota	718,017
Tennessee	1,912,821
Texas	5,608,958
Utah	670,848
Vermont	500,000
Virginia	2,045,525
Washington	1,709,401
West Virginia	843,639
Wisconsin	2,246,184
Wyoming	500,000
District of Columbia	500,000
Puerto Rico	997,629
Guam	500,000
American Samoa	500,000
Virgin Islands	500,000
Total	100,000,000

Done at the City of Washington, this 19th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FHWA N4510.9]

APPORTIONMENT OF FY 1975 SAFETY CONSTRUCTION FUNDS

DECEMBER 24, 1973.

1. *Purpose.* The purpose of this Notice is to transmit the certificate of apportionment of the following funds authorized for FY 1975 by the Highway Safety Act of 1973:

1973 Act Section	Fund
203----	Rail-Highway Crossings
209----	Projects for High Hazard Locations
210----	Elimination of Roadside Obstacles

2. *Availability.* The funds resulting from this apportionment are available for programming effective December 24, 1973, in accord with procedures prescribed for such funds. Obligation of the funds is subject to the obligation control procedures in force at the time of obligation. For FY 1974 these procedures provide that such obligations are to be charged to the State shares of obligation authority provided by IM 30-4-73, "Federal-aid Highway Program—FY 1974 Obligation Authority", dated October 10, 1973.

These FY 1975 apportionments are subject to lapse on June 30, 1977, if they have not been obligated for projects for which project agreements have been executed.

CERTIFICATE OF APPORTIONMENT OF THE SUMS OF \$75,000,000 FOR PROJECTS TO ELIMINATE HAZARDS OF RAILWAY-HIGHWAY CROSSINGS, \$75,000,000 FOR PROJECTS TO ELIMINATE OR REDUCE HIGH-HAZARD LOCATIONS, AND \$75,000,000 FOR PROJECTS TO ELIMINATE ROADSIDE OBSTACLES ON THE FEDERAL-AID HIGHWAY SYSTEMS (OTHER THAN THE INTERSTATE SYSTEM), AUTHORIZED TO BE APPROPRIATED FOR THE FISCAL YEAR ENDING JUNE 30, 1975.

TO: The Secretary of the Treasury of the United States and the State highway departments:

Pursuant to the Act approved June 29, 1956 (70 Stat. 374), as amended and supplemented by Title II of the Act approved August 13, 1973, Pub. L. 93-87 (87 Stat. 250), hereinafter cited as the "Highway Safety Act of 1973," and Title 23, United States Code, entitled "Highways," and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify—

First, that in accordance with the provision of Section 209(g) of the Highway Revenue Act of 1956 (70 Stat. 387), approved June 29, 1956, the Secretary of the Treasury has estimated that the amounts which will be available in the Highway Trust Fund will be sufficient to defray expenditures which will be required to be made from such funds.

Second, that in compliance with section 104(a) of Title 23, United States Code, I have estimated that it will be necessary, for administering the provisions of Title 23 and for highway research and studies, to deduct 2 per centum from the amount authorized to be appropriated by said Act for the fiscal year ending June 30, 1975, for projects on the Federal-aid highway systems, other than the Interstate System, and I have deducted said 2 per centum from the sum of \$75,000,000 for projects to eliminate hazards of railway-highway crossings, authorized to be appropriated for such fiscal year by section 203(b) of the Highway Safety Act of 1973.

Third, that in compliance with section 402 (c) of Title 23, United States Code, I have estimated that it will be necessary, for administering the provisions of Sections 152 and 153 of Title 23, United States Code, to deduct 2 per centum from the amounts authorized to be appropriated by said sections for the fiscal year ending June 30, 1975, for projects on the Federal-aid highway systems, other than the Interstate System, and I have

deducted said 2 per centum from the sum of \$75,000,000 for projects to eliminate or reduce high-hazard locations, authorized to be appropriated for such fiscal year by section 152 (b) of Title 23, United States Code, and from the sum of \$75,000,000 for projects to eliminate roadside obstacles, authorized to be appropriated for such fiscal year by section 153 (b) of Title 23, United States Code, on the Federal-aid highway systems, other than the Interstate System.

Fourth, that the Secretary on November 8, 1972, issued a written order setting forth his final determination that the State of Vermont has not made effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices in accordance with section 131 of Title 23, United States Code. Accordingly, in compliance with Subsections (b) and (1) of section 131 of Title 23, United States Code, I have withheld 10 per centum of the amount which would otherwise be apportioned to the said State from the sum of \$75,000,000 for projects to eliminate hazards of railway-highway crossings, authorized to be appropriated for the fiscal year ending June 30, 1975, pending final judgment in an appeal on the determination filed December 12, 1973, by the State of Vermont in the United States District Court for the District of Vermont.

Fifth, that after making said deduction and withholding, I have computed the apportionment among the several States, the District of Columbia and the Commonwealth of Puerto Rico of the remainder of said amounts authorized to be appropriated in the manner provided by law and in accordance with the formulas set forth in subsections (b) (1), (2), (3), and (6) of section 104 and subsection (c) of section 402 of Title 23, United States Code.

Sixth, that subject to the foregoing deduction and withholding the sums which are hereby apportioned and made available to each State, the District of Columbia and the Commonwealth of Puerto Rico, effective December 24, 1973, are respectively as follows:

Apportionment of funds authorized by the Highway Safety Act of 1973 for railway-highway crossings, projects for high-hazard locations, and elimination of roadside obstacles for the fiscal year 1975

State	Rail-highway crossings	High-hazard location	Elimination of roadside obstacles
Alabama.....	\$1,288,028	\$1,327,913	\$1,327,913
Alaska.....	2,114,028	367,500	367,500
Arizona.....	854,723	710,859	710,859
Arkansas.....	856,260	870,051	870,051
California.....	5,688,082	6,037,200	6,037,200
Colorado.....	1,040,118	948,727	948,727
Connecticut.....	848,135	889,731	889,731
Delaware.....	324,816	367,500	367,500
Florida.....	2,037,836	2,271,926	2,271,926
Georgia.....	1,651,305	1,702,885	1,702,885
Hawaii.....	351,997	367,500	367,500
Idaho.....	572,207	464,309	464,309
Illinois.....	3,341,620	3,562,124	3,562,124
Indiana.....	1,678,204	1,803,295	1,803,295
Iowa.....	1,238,698	1,303,846	1,303,846
Kansas.....	1,176,938	1,226,492	1,226,492
Kentucky.....	1,128,357	1,155,736	1,155,736
Louisiana.....	1,193,558	1,223,634	1,223,634
Maine.....	470,161	367,500	367,500
Maryland.....	1,110,362	1,155,973	1,155,973
Massachusetts.....	1,487,472	1,642,234	1,642,234
Michigan.....	2,705,647	2,906,608	2,906,608
Minnesota.....	1,635,770	1,607,468	1,607,468
Mississippi.....	925,373	914,819	914,819
Missouri.....	1,805,207	1,802,308	1,802,308
Montana.....	628,752	520,975	520,975
Nebraska.....	895,773	844,912	844,912
Nevada.....	555,495	367,500	367,500
New Hampshire.....	325,393	367,500	367,500
New Jersey.....	1,854,946	2,043,952	2,043,952
New Mexico.....	725,932	507,771	507,771
New York.....	5,034,416	5,328,856	5,328,856

State	Rail-highway crossings	High-hazard location	Elimination of roadside obstacles
North Carolina.....	1,682,304	1,766,195	1,766,195
North Dakota.....	622,646	633,433	633,433
Ohio.....	3,095,960	3,844,807	3,844,807
Oklahoma.....	1,153,220	1,203,871	1,203,871
Oregon.....	936,682	889,618	889,618
Pennsylvania.....	3,398,652	3,667,855	3,667,855
Rhode Island.....	357,780	367,500	367,500
South Carolina.....	853,150	878,878	878,878
South Dakota.....	670,608	636,097	636,097
Tennessee.....	1,410,924	1,423,451	1,423,451
Texas.....	4,233,080	4,183,836	4,183,836
Utah.....	654,473	600,918	600,918
Vermont.....	262,656	367,500	367,500
Virginia.....	1,545,091	1,627,629	1,627,629
Washington.....	1,207,041	1,270,524	1,270,524
West Virginia.....	630,453	630,012	630,012
Wisconsin.....	1,609,790	1,677,365	1,677,365
Wyoming.....	629,974	367,500	367,500
District of Columbia.....	189,231	367,500	367,500
Puerto Rico.....	645,606	745,122	745,122
Total.....	73,870,824	73,600,000	73,600,000

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.
[FHWA N 44510.10]

APPORTIONMENT OF FY 1975 FOREST HIGHWAY FUNDS
DECEMBER 24, 1973.

1. *Purpose.* To transmit (1) the certificate of apportionment of Forest Highway funds authorized by the Federal-Aid Highway Act of 1973, for the fiscal year 1975 and (2) a tabulation showing, by State, the 1975 apportionment, amounts of the 1975 apportionment to be held in reserve, and amounts of the 1974 apportionment available for programming.

2. *Action.* Data shown in the tabulation are to be posted promptly in the accounting records for Forest Highways.

CERTIFICATE OF APPORTIONMENT OF THE SUM OF \$33,000,000 AUTHORIZED TO BE APPROPRIATED FOR FOREST HIGHWAYS BY THE FEDERAL-AID HIGHWAY ACT OF 1973 FOR THE FISCAL YEAR ENDING JUNE 30, 1975

Pursuant to subsection (a) of section 202 of title 23, United States Code, and in accordance with the provisions of section 104 (a) (3) of the Federal-Aid Highway Act of 1973, approved August 13, 1973, Pub. L. 93-87, 87 Stat. 250, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify—

First, That I have apportioned, effective December 24, 1973, the sum of \$33,000,000 authorized to be appropriated for Forest highways for the fiscal year ending June 30, 1975, by section 104(a) (3) of the Federal-Aid Highway Act of 1973, in the same percentage as the amounts apportioned for expenditure in each State and the Commonwealth of Puerto Rico from funds authorized for Forest highways for the fiscal year ending June 30, 1958, adjusted to (1) eliminate the 0.003,243,547 percent for the State of Iowa, because of the conveyance of all National Forest lands in Iowa to the State by deed executed May 26, 1964, and (2) redistribute the above percentage formerly apportioned to the State of Iowa to the other participating States on a proportional basis.

Second, That the total of the sums which I have thus apportioned for expenditures in the several States and the Commonwealth of Puerto Rico for Forest highways are, respectively, as follows:

APPORTIONMENT OF FOREST HIGHWAY FUNDS AUTHORIZED BY SECTION 104(a) (3) OF THE FEDERAL-AID HIGHWAY ACT OF 1973

FOR FISCAL YEAR 1975

State:	Amount
Alabama	\$94,499
Alaska	2,876,562
Arizona	1,857,514
Arkansas	448,621
California	4,726,164
Colorado	2,369,913
Florida	191,703
Georgia	116,265
Idaho	3,359,992
Illinois	38,034
Indiana	22,122
Kentucky	67,837
Louisiana	76,149
Maine	12,360
Michigan	354,118
Minnesota	456,382
Mississippi	155,676
Missouri	168,664
Montana	2,630,564
Nebraska	30,606
Nevada	591,987
New Hampshire	176,347

State—Continued

New Mexico	1,322,373
North Carolina	203,323
North Dakota	117
Ohio	18,072
Oklahoma	22,759
Oregon	4,546,062
Pennsylvania	88,077
South Carolina	108,183
South Dakota	258,544
Tennessee	110,626
Texas	104,466
Utah	1,095,947
Vermont	59,046
Virginia	214,596
Washington	2,293,680
West Virginia	130,230
Wisconsin	184,550
Wyoming	1,407,757
Puerto Rico	9,307
Total	33,000,000

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Forest highways

State	Apportionment of 1975 funds (\$33,000,000)	Deduction for reserve (10 percent)	1974 reserve available for programing	Total available for programing
Alabama	\$94,499	\$9,450	\$1,639	\$88,679
Alaska	2,876,562	287,656	49,619	2,638,633
Arizona	1,857,514	185,751	32,011	1,703,694
Arkansas	448,621	44,862	7,738	411,477
California	4,726,164	472,616	81,223	4,232,071
Colorado	2,369,913	236,991	40,879	2,173,691
Florida	191,703	19,170	3,396	175,633
Georgia	116,265	11,626	2,003	108,644
Idaho	3,359,992	335,999	57,027	3,061,920
Illinois	38,034	3,803	656	34,657
Indiana	22,122	2,212	381	20,291
Kentucky	67,837	6,784	1,171	62,241
Louisiana	76,149	7,615	1,313	69,517
Maine	12,360	1,236	213	11,357
Michigan	354,118	35,412	6,109	321,515
Minnesota	456,382	45,638	7,872	418,010
Mississippi	155,676	15,568	2,680	142,794
Missouri	168,664	16,866	2,909	154,797
Montana	2,630,564	263,056	45,375	2,412,533
Nebraska	30,606	3,061	532	28,577
Nevada	591,987	59,199	10,212	543,000
New Hampshire	176,347	17,635	3,042	161,721
New Mexico	1,322,373	132,237	22,810	1,219,919
North Carolina	203,323	20,332	3,597	183,433
North Dakota	117	12	2	107
Ohio	18,072	1,807	311	16,570
Oklahoma	22,759	2,276	383	20,576
Oregon	4,546,062	454,606	78,417	4,162,875
Pennsylvania	88,077	8,808	1,519	80,783
South Carolina	108,183	10,818	1,855	99,230
South Dakota	258,544	25,854	4,459	237,149
Tennessee	110,626	11,063	1,909	101,472
Texas	104,466	10,447	1,893	93,622
Utah	1,095,947	109,595	18,605	1,005,677
Vermont	59,046	5,905	1,019	54,160
Virginia	214,596	21,460	3,796	199,638
Washington	2,293,680	229,369	39,565	2,163,882
West Virginia	130,230	13,023	2,247	119,454
Wisconsin	184,550	18,455	3,184	169,279
Wyoming	1,407,757	140,776	24,283	1,291,254
Puerto Rico	9,307	931	161	8,637
Total	33,000,000	3,300,000	509,229	29,269,229

[FNWA N 4510.11]

APPORTIONMENT OF FY 1975 FEDERAL-AID HIGHWAY FUNDS

DECEMBER 24, 1973.

1. Purpose: The purpose of this Notice is to transmit the certificate of apportionment of Federal-aid Interstate, rural primary, rural secondary, urban extension, urban system priority primary and metropolitan planning funds authorized for the fiscal year 1975 by the Federal-Aid Highway Act of 1973, and the certificate of reapportionment of lapsed FY 1971 Interstate Funds.

2. Availability. The funds resulting from this apportionment and reapportionment are available for programing effective December 24, 1973. Obligation of the funds is subject to obligation control procedures in force at the time of obligation. For FY 1974 these procedures provide that such obligations are to be charged to State shares of obligation authority provided by IM 30-4-73, "Federal-aid Highway Program—FY 1974 Obligation Authority" dated October 10, 1973.

The funds resulting from this apportionment and reapportionment are subject

to lapse on June 30, 1977, if they have not been obligated for projects for which project agreements have been executed. The reapportioned Interstate funds are not available for 1½ percent HPR projects.

CERTIFICATE OF APPOINTMENT OF THE SUMS OF \$712,259,584 FOR PROJECTS ON THE FEDERAL-AID PRIMARY HIGHWAY SYSTEM IN RURAL AREAS, \$400,000,000 FOR PROJECTS ON THE FEDERAL-AID SECONDARY HIGHWAY SYSTEM IN RURAL AREAS, \$300,000,000 FOR PROJECTS ON EXTENSIONS OF THE FEDERAL-AID PRIMARY AND SECONDARY HIGHWAY SYSTEMS IN URBAN AREAS, \$800,000,000 FOR PROJECTS ON THE FEDERAL-AID URBAN SYSTEM, \$2,000,000,000 FOR PROJECTS ON THE PRIORITY PRIMARY ROUTES ON THE FEDERAL-AID PRIMARY SYSTEM, AND \$3,041,275,933 FOR PROJECTS ON THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS, AUTHORIZED TO BE APPROPRIATED FOR THE FISCAL YEAR ENDING JUNE 30, 1975

To: The Secretary of the Treasury of the United States and the State highway departments:

Pursuant to the Act approved June 29, 1956 (70 Stat. 374), as amended and supplemented by the Act approved August 13, 1973, Pub. L. 93-87 (87 Stat. 250), hereinafter cited as the "Federal-Aid Highway Act of 1973", and Title 23, United States Code, entitled "Highways", and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify—

First, that in accordance with the provision of section 203(g) of the Highway Revenue Act of 1956 (70 Stat. 387), approved June 29, 1956, the Secretary of the Treasury has estimated the amounts which will be available in the Highway Trust Fund to defray expenditures which will be required to be made from such funds, and based on his estimate and in consultation with him, I have determined that the amount which can be apportioned for projects on the Interstate System for the fiscal year ending June 30, 1975, is \$3,000,000,000, which is 100 per centum of the amount authorized to be appropriated for the Interstate System for that fiscal year pursuant to section 108(b) of the Federal-Aid Highway Act of 1956, as amended by Section 102 of the Federal-Aid Highway Act of 1973, plus \$41,275,933 of the \$50,000,000 authorized by section 104(b) of the Federal-Aid Highway Act of 1973.

Second, that I have determined, based on advice of the States (including the District of Columbia), that no vehicles with maximum weights or widths in excess of the limitations specified in section 127 of Title 23, United States Code, may lawfully be used on the Interstate System within the boundaries of said States.

Third, that in compliance with section 104(a) of Title 23, United States Code, I have estimated that it will be necessary, for administering the provisions of Title 23 and for highway research and studies, to deduct 2 per centum from the (1) amounts other than \$12,259,584 of the \$15,000,000 authorized to be appropriated by section 111(b) of the Federal-Aid Highway Act of 1973, which were authorized to be appropriated by said Act for the fiscal year ending June 30, 1975 (which 2 per centum includes not to exceed \$10,000,000 for administering training programs as authorized by Section 140(b) of Title 23, United States Code), for projects on the Federal-aid highway systems, including the Interstate System, and I have deducted said 2 per centum from the sums of \$700,000,000 for projects on the Federal-aid primary highway system in rural areas, and \$400,000,000 for projects on the Federal-aid

secondary highway system in rural areas, authorized to be appropriated for such fiscal year by section 104(a)(1) of the Federal-Aid Highway Act of 1973, from the sums of \$300,000,000 for projects on extensions of the Federal-aid primary and secondary highway systems in urban areas, and \$800,000,000 for projects on the Federal-aid urban system, authorized to be appropriated for such fiscal year by Section 104(a)(2) of the Federal-Aid Highway Act of 1973, from the sum of \$200,000,000 for projects on priority primary routes on the Federal-aid primary system authorized to be appropriated for such fiscal year by section 147(d) of Title 23 United States Code, and from the sum of \$3,000,000,000 for projects on the National System of Interstate and Defense Highways, which is 100 per centum of the sum authorized to be appropriated for such fiscal year by Section 108(b) of the Federal-Aid Highway Act of 1956, as amended by Section 102 of the Federal-Aid Highway Act of 1973.

Fourth, that in compliance with Section 104(f)(1) of Title 23, United States Code, and after making the deduction authorized by section 104(a) of Title 23, United States Code, I have deducted one-half per centum of the remaining sums authorized to be appropriated for the fiscal year ending June 30, 1975, for projects on the Federal-aid systems.

Fifth, that in compliance with Section 145 of the Federal-Aid Highway Act of 1973, and after making the deductions authorized by section 104(a) and section 104(f)(1) of Title 23, United States Code, I have set aside \$10,000,000 of the remaining sum authorized to be appropriated for the fiscal year ending June 30, 1975, for projects on the Federal-aid urban system, for a study and high-speed bus service demonstration program from the District of Columbia to Dulles International Airport, Virginia.

Sixth, that the Secretary on November 8, 1972, issued a written order setting forth his final determination that the State of Vermont has not made effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices in accordance with Section 131 of Title 23, United States Code. Accordingly, in compliance with subsections (b) and (1) of Section 131 of Title 23, United States Code, I have withheld 10 per centum of the amounts which would otherwise be apportioned to the said State pending final judgment in an appeal on the determination filed December 12, 1972, by the State of Vermont in the United States District Court for the District of Vermont.

Seventh, that after making said deductions, set aside, and withholding, I have computed the apportionment among the several States, the District of Columbia and the Commonwealth of Puerto Rico of the remainder of said amounts authorized to be appropriated in the manner provided by law and in accordance with the formulas set forth in subsections (b)(1), (2), (3), (5), (6), and (f)(2) of section 104 and Subsection (b) of Section 147 of Title 23, United States Code.

Eighth, that subject to the foregoing deductions, set aside, and withholding the sums which are hereby apportioned and made available to each State, the District of Columbia and the Commonwealth of Puerto Rico, effective December 24, 1973, are respectively as follows:

Apportionment of Funds Authorized for the National System of Interstate and Defense Highways for the Fiscal Year 1975.

State:	Amount
Alabama	\$60,436,698
Arizona	59,471,349
Arkansas	22,203,027
California	200,500,062
Colorado	60,670,722
Connecticut	84,921,459
Delaware	14,626,500
Florida	92,351,721
Georgia	72,781,464
Hawaii	35,676,855
Idaho	14,626,500
Illinois	144,188,037
Indiana	35,366,877
Iowa	31,183,698
Kansas	35,366,877
Kentucky	43,177,428
Louisiana	88,753,602
Maine	15,416,331
Maryland	111,980,484
Massachusetts	30,276,855
Michigan	104,550,222
Minnesota	68,042,478
Mississippi	26,181,435
Missouri	58,107,254
Montana	30,072,084
Nebraska	14,626,500
Nevada	14,626,500
New Hampshire	14,626,500
New Jersey	82,522,713
New Mexico	27,146,784
New York	112,448,532
North Carolina	53,415,978
North Dakota	14,626,500
Ohio	89,865,216
Oklahoma	21,237,678
Oregon	74,185,608
Pennsylvania	143,807,748
Rhode Island	26,181,435
South Carolina	24,075,219
South Dakota	14,626,500
Tennessee	40,603,164
Texas	133,978,740
Utah	34,167,504
Vermont	13,163,850
Virginia	127,045,779
Washington	104,959,764
West Virginia	67,340,406
Wisconsin	34,138,251
Wyoming	16,557,198
District of Columbia	70,909,272
Total	2,985,113,333

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Apportionment of funds authorized for the Federal-aid primary and secondary highway systems in rural areas for the fiscal year 1975

State	Rural primary	Rural secondary
Alabama	\$15,219,506	\$3,666,861
Alaska	37,224,351	21,293,915
Arizona	9,582,809	5,475,891
Arkansas	11,969,249	6,839,571
California	29,726,333	13,273,567
Colorado	11,559,033	6,605,190
Connecticut	5,144,030	2,939,446
Delaware	3,412,850	1,959,200
Florida	13,855,867	7,917,638
Georgia	18,906,344	10,803,625
Hawaii	3,412,850	1,959,200
Idaho	8,182,900	4,675,943
Illinois	20,629,923	11,788,523
Indiana	16,350,630	9,343,217
Iowa	17,130,079	9,783,616
Kansas	15,641,864	8,933,208
Kentucky	13,714,966	7,837,123
Louisiana	11,702,960	6,687,406
Maine	6,009,324	3,433,900
Maryland	6,863,974	3,922,271

State	Rural primary	Rural secondary
Massachusetts	6,063,140	3,870,439
Michigan	20,917,189	11,652,685
Minnesota	19,343,044	11,053,188
Mississippi	13,133,063	7,604,010
Missouri	19,092,111	10,909,778
Montana	12,630,360	7,833,620
Nebraska	12,660,250	7,234,429
Nevada	7,709,276	4,405,300
New Hampshire	3,412,850	1,959,200
New Jersey	7,994,776	3,014,014
New Mexico	10,214,203	5,830,630
New York	24,590,676	12,932,063
North Carolina	21,672,631	12,827,832
North Dakota	9,228,710	5,273,651
Ohio	21,804,202	12,178,829
Oklahoma	13,945,186	7,968,678
Oregon	11,340,109	6,480,062
Pennsylvania	25,774,785	14,728,443
Rhode Island	3,412,850	1,959,200
South Carolina	11,301,224	6,457,840
South Dakota	10,153,783	5,805,022
Tennessee	16,143,263	9,227,679
Texas	39,117,628	22,352,873
Utah	7,084,993	4,048,670
Vermont	3,071,665	1,765,189
Virginia	15,494,237	8,853,859
Washington	11,465,873	6,651,927
West Virginia	8,665,901	4,894,601
Wisconsin	17,185,666	9,791,762
Wyoming	7,743,493	4,424,813
Puerto Rico	5,340,443	3,065,110
Total	694,488,299	339,844,699

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Apportionment of funds authorized for the Federal-aid urban highway system and for extensions of the Federal-aid primary and secondary highway systems in urban areas for the fiscal year 1975

State	Urban system	Urban extensions—primary and secondary system
Alabama	\$9,630,519	\$3,799,664
Alaska	3,850,400	251,811
Arizona	0,966,823	2,740,891
Arkansas	4,356,123	1,717,643
California	91,243,259	35,075,655
Colorado	8,591,213	3,337,859
Connecticut	11,745,047	4,631,213
Delaware	3,850,400	783,112
Florida	20,665,720	10,474,879
Georgia	13,025,025	6,135,639
Hawaii	3,850,400	1,216,839
Idaho	3,850,400	632,989
Illinois	45,877,060	18,083,489
Indiana	10,407,872	6,469,325
Iowa	7,493,763	2,654,654
Kansas	6,834,369	2,714,878
Kentucky	8,018,811	3,101,671
Louisiana	11,537,393	4,663,663
Maine	3,850,400	671,469
Maryland	15,224,179	9,060,659
Massachusetts	24,033,435	9,436,823
Michigan	33,430,675	12,809,499
Minnesota	12,222,040	4,819,033
Mississippi	4,488,600	1,769,852
Missouri	16,934,253	6,302,392
Montana	3,850,400	640,200
Nebraska	4,403,617	1,739,264
Nevada	3,850,400	772,882
New Hampshire	3,850,400	702,300
New Jersey	32,305,061	12,737,053
New Mexico	3,850,400	1,824,825
New York	78,472,835	30,040,429
North Carolina	10,711,377	4,223,391
North Dakota	3,850,400	637,949
Ohio	49,078,632	16,892,274
Oklahoma	8,276,293	3,028,707
Oregon	6,635,994	2,639,164
Pennsylvania	41,333,602	10,994,932
Rhode Island	4,195,705	1,054,914
South Carolina	5,648,466	2,227,083
South Dakota	3,850,400	665,891
Tennessee	11,135,454	4,399,697

State	Urban extensions— system	Urban primary and secondary system
Texas	43,740,106	17,245,927
Utah	4,174,840	1,646,063
Vermont	3,465,360	231,196
Virginia	14,616,649	5,763,157
Washington	12,127,033	4,781,483
West Virginia	3,850,400	1,232,028
Wisconsin	14,132,084	5,572,023
Wyoming	3,850,400	337,316
District of Columbia	3,891,444	1,534,326
Puerto Rico	7,356,940	2,900,707
Total	769,694,960	292,504,311

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

APPOINTMENT OF FUNDS AUTHORIZED FOR
FEDERAL-AID PRIORITY PRIMARY ROUTES FOR
FISCAL YEAR 1975

State:	Amount
Alabama	\$3,567,693
Arizona	2,498,205
Arkansas	2,397,216
California	15,749,036
Colorado	2,982,235
Connecticut	2,314,895
Delaware	751,431
Florida	5,633,828
Georgia	4,564,252
Hawaii	897,245
Idaho	1,533,294
Illinois	9,173,363
Indiana	4,608,204
Iowa	3,562,649
Kansas	3,307,478
Kentucky	3,118,939
Louisiana	3,315,425
Maine	1,218,045
Maryland	3,036,773
Massachusetts	4,067,324
Michigan	7,441,855
Minnesota	4,556,129
Mississippi	2,575,491
Missouri	4,997,047
Montana	2,325,754
Nebraska	2,538,714
Nevada	1,555,257
New Hampshire	754,527
New Jersey	5,071,554
New Mexico	2,122,164
New York	13,788,007
North Carolina	4,638,896
North Dakota	1,628,711
Ohio	8,481,182
Oklahoma	3,228,457
Oregon	2,688,155
Pennsylvania	9,308,435
Rhode Island	1,044,995
South Carolina	2,440,185
South Dakota	1,762,833
Tennessee	3,886,127
Texas	11,904,968
Utah	1,717,879
Vermont	516,700
Virginia	4,252,995
Washington	3,382,920
West Virginia	1,697,063
Wisconsin	4,448,525
Wyoming	1,392,520
District of Columbia	517,014
Total	194,962,589

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

APPORTIONMENT OF METROPOLITAN PLANNING
FUNDS AVAILABLE FROM FEDERAL-AID HIGH-
WAY FUNDS FOR FISCAL YEAR 1975

State:	Amount
Alabama	\$267,744
Alaska	132,300
Arizona	242,067
Arkansas	132,300
California	3,370,851
Colorado	297,792
Connecticut	439,502
Delaware	132,300
Florida	864,404
Georgia	393,182
Hawaii	132,300
Idaho	132,300
Illinois	1,646,570
Indiana	500,874
Iowa	176,113
Kansas	164,358
Kentucky	234,399
Louisiana	356,161
Maine	132,300
Maryland	541,399
Massachusetts	906,375
Michigan	1,183,387
Minnesota	397,715
Mississippi	132,300
Missouri	538,814
Montana	132,300
Nebraska	132,300
Nevada	132,300
New Hampshire	132,300
New Jersey	1,271,120
New Mexico	132,300
New York	2,983,709
North Carolina	243,540
North Dakota	132,300
Ohio	1,389,085
Oklahoma	219,384
Oregon	205,787
Pennsylvania	1,447,637
Rhode Island	155,845
South Carolina	135,811
South Dakota	132,300
Tennessee	311,304
Texas	1,446,668
Utah	163,324
Vermont	119,070
Virginia	501,266
Washington	301,773
West Virginia	132,300
Wisconsin	432,180
Wyoming	132,300
District of Columbia	168,203
Puerto Rico	226,704
Total	26,446,770

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

CERTIFICATE OF REAPPORTIONMENT OF THE
LAPSED SUM OF \$70,680,900.06 FROM THE
INTERSTATE APPOINTMENT TO THE DIS-
TRICT OF COLUMBIA FOR THE FISCAL YEAR
ENDING JUNE 30, 1971

To the Secretary of the Treasury of the United States and the State highway departments:

Pursuant to title 23, United States Code, entitled "Highways," and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify—

First. That in accordance with the provision of section 118(b) of title 23, United States Code, I have determined that of the sum of \$71,932,000 apportioned to the District of Columbia for projects on the National System of Interstate and Defense

Highways by the Certificate of Apportionment, effective December 15, 1969, of Federal-aid highway funds authorized to be appropriated by the Federal-Aid Highway Act of 1968, for the fiscal year ending June 30, 1971, the sum of \$70,680,903.06 in Interstate construction funds was not covered by formal project agreements on June 30, 1973, and therefore lapsed.

Second. That I have computed the reapportionment among the several States of the said amount in lapsed Interstate construction funds apportioned to the District of Columbia, in accordance with the formula set forth in subsection (b) (5) of section 104 of title 23, United States Code, and used in making the apportionment for the fiscal year ending June 30, 1975.

Third. That the sums which are reapportioned and made available to each State shall be added to and made a part of the Interstate construction account of that State, and shall be considered as if they were a part of the sum apportioned to that State from the sum apportioned, effective December 24, 1973, from the amount authorized to be appropriated for the fiscal year ending June 30, 1975, and shall be subject to all provisions of law applicable to that apportionment, except the deductions authorized by section 104(a), section 149(b), and section 307(a) (2) of title 23, United States Code.

Fourth. That the sums which are hereby reapportioned and made available to each State, effective December 24, 1973, are respectively, as follows:

REAPPORTIONMENT OF LAPSED FISCAL YEAR
1971 INTERSTATE FUNDS

State:	Amount
Alabama	\$1,496,315.99
Arizona	1,472,991.27
Arkansas	549,897.89
California	4,964,630.85
Colorado	1,502,677.27
Connecticut	2,102,758.65
Delaware	115,209.97
Florida	2,236,529.16
Georgia	1,802,364.56
Hawaii	749,925.02
Idaho	323,718.81
Illinois	3,570,095.44
Indiana	875,737.13
Iowa	772,542.93
Kansas	875,737.13
Kentucky	1,069,402.97
Louisiana	2,197,471.14
Maine	331,677.20
Maryland	2,772,614.18
Massachusetts	2,252,602.29
Michigan	2,589,043.68
Minnesota	1,635,034.16
Mississippi	648,144.43
Missouri	1,389,587.73
Montana	744,977.35
Nebraska	109,555.49
Nevada	356,232.05
New Hampshire	318,771.14
New Jersey	2,043,386.64
New Mexico	672,175.96
New York	2,784,829.94
North Carolina	1,322,440.82
North Dakota	114,503.16
Ohio	2,225,036.72
Oklahoma	525,856.37
Oregon	1,836,993.23
Pennsylvania	3,560,906.92
Rhode Island	648,144.43
South Carolina	595,840.52
South Dakota	261,519.56
Tennessee	1,005,790.10
Texas	3,317,764.41
Utah	846,051.13
Vermont	275,655.76
Virginia	3,146,009.67

State—Continued	Amount
Washington	2,598,939.01
West Virginia	1,687,363.92
Wisconsin	845,344.32
Wyoming	409,949.59
Total	730,680,963.06

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FHWA N4510.12]

REAPPORTIONMENT OF URBAN EXTENSION FUNDS, SAN ANTONIO NORTH EXPRESSWAY
DECEMBER 24, 1973.

1. *Purpose.* The purpose of this Notice is to transmit the certificate of reapportionment of urban extension funds withdrawn from projects programmed for the San Antonio North Expressway pursuant to Section 154 of the Federal-Aid Highway Act of 1973.

2. *Availability.* The funds resulting from the reapportionment are available for programming effective December 24, 1973, in accord with established procedures. Obligation of the funds is subject to the obligation control procedures in force at the time of obligation. For FY 1974 the procedures provide that such obligations are to be charged to the State shares of obligation authority provided by IM 30-4-73, "Federal-aid Highway Program—FY 1974 Obligation Authority," dated October 10, 1973.

The reapportioned funds must be covered by project agreement by June 30, 1977, to prevent lapse and are not available for 1½ percent HPR projects.

CERTIFICATE OF REAPPORTIONMENT OF THE WITHDRAWN SUM OF \$5,329,070 FROM THE APPORTIONMENT FOR PROJECTS ON EXTENSIONS OF THE FEDERAL-AID PRIMARY AND SECONDARY HIGHWAY SYSTEMS IN URBAN AREAS TO THE STATE OF TEXAS

To: The Secretary of the Treasury of the United States and the State Highway Department:

Pursuant to title 23, United States Code, entitled "Highways", the Act approved on August 13, 1973, Pub. L. 93-87 (87 Stat. 250), hereinafter cited as the "Federal-Aid Highway Act of 1973", and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, DOT Order 1100.23, I hereby certify:

First, that in compliance with the provisions of section 154(b) of the Federal-Aid Highway Act of 1973, I have determined that it will be necessary to withdraw and reapportion the sum of \$5,329,070 from the unprogrammed balance of funds apportioned to the State of Texas for projects on extensions of the Federal-aid primary and secondary highway systems in urban areas. The said \$5,329,070 which was programmed for the San Antonio North Expressway in San Antonio, Texas, (Federal-aid projects numbered U244(7), U244(10), UG244(9), U244(8), and U244(11)) and later returned to the unprogrammed balance of funds apportioned to the State of Texas for projects on extensions of the Federal-aid primary and secondary highway systems in urban areas, consisted of \$1,818,600 paid to the State of Texas and subsequently repaid to the Treasury of the United States, and \$3,510,470 the unpaid balance of the amount programmed for said projects.

Second, that I have computed the reapportionment among all the States, the Dis-

trict of Columbia and the Commonwealth of Puerto Rico of the said amount in withdrawn urban extensions construction funds apportioned to the State of Texas in accordance with the formula set forth in subsection (b) (3) of section 104 of title 23, United States Code, and used in making the apportionment for the fiscal year ending June 30, 1975.

Third, that the sums which were reapportioned and made available to each State shall be added to and made a part of the urban extensions construction account of that State, and shall be considered as if they were a part of the sum apportioned to that State from the sum apportioned, effective December 24, 1973, from the amount authorized to be appropriated for the fiscal year ending June 30, 1975, and shall be subject to all provisions of law applicable to that apportionment, except the deductions authorized by section 104(a), section 140(b), and section 307(c) (2) of title 23, United States Code.

Fourth, that the sums which are hereby reapportioned and made available to each State, the District of Columbia and the Commonwealth of Puerto Rico, effective December 24, 1973, are respectively as follows:

REAPPORTIONMENT OF FEDERAL-AID URBAN EXTENSION FUNDS PURSUANT TO SECTION 154 OF THE FEDERAL-AID HIGHWAY ACT OF 1973

State:	Amount
Alabama	\$69,216
Alaska	4,587
Arizona	50,041
Arkansas	31,289
California	655,373
Colorado	61,708
Connecticut	84,368
Delaware	14,266
Florida	190,814
Georgia	93,555
Hawaii	22,149
Idaho	11,531
Illinois	329,521
Indiana	117,853
Iowa	53,825
Kansas	49,448
Kentucky	57,597
Louisiana	83,228
Maine	15,875
Maryland	109,422
Massachusetts	172,805
Michigan	233,298
Minnesota	87,787
Mississippi	32,242
Missouri	114,810
Montana	11,663
Nebraska	31,630
Nevada	14,080
New Hampshire	14,433
New Jersey	232,044
New Mexico	24,135
New York	563,647
North Carolina	76,937
North Dakota	9,800
Ohio	287,873
Oklahoma	59,439
Oregon	48,023
Pennsylvania	297,030
Rhode Island	30,137
South Carolina	40,571
South Dakota	9,216
Tennessee	79,983
Texas	314,172
Utah	29,987
Vermont	4,680
Virginia	104,988
Washington	87,105
West Virginia	22,444
Wisconsin	101,508
Wyoming	6,145
District of Columbia	27,951
Puerto Rico	52,843
Total	5,329,070

Done at the City of Washington this 24th day of December 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FAWA 4510.1]

FISCAL YEAR 1974 APPORTIONMENT—SUPPLEMENTARY TABLES

NOVEMBER 2, 1973.

Table 1, attached, shows the total amounts of Interstate, Rural, Urban, Metropolitan Planning and Priority Primary funds apportioned for the fiscal year 1974. Table 1A shows the 1974 apportionment of Rural and Urban funds by class of fund. Succeeding supplementary tables show amounts of the 1974 apportionment that are available for specific purposes.

Table 2 shows for fiscal year 1974 the amounts of apportioned Interstate, Rural, Urban and Priority Primary funds available for preliminary engineering, right-of-way and construction after reserving the 1½ percent HPR funds required to be used for planning and research purposes. Table 2A shows amounts by class of fund for the Rural and Urban funds.

Table 3 shows the total limiting amounts available for 1½ percent highway planning and research (HPR) projects and the limiting amounts of 10 percent railway-highway funds available from the Interstate, Rural, Urban and Priority Primary funds apportioned for fiscal year 1974. Table 3A shows the limiting amounts available for 1½ percent highway planning and research (HPR) projects from the Rural and Urban funds by class of fund. Federal legislation provides that the 1½ percent HPR funds for fiscal year 1974 will be available for highway planning and research purposes only, and that not to exceed 10 percent of the combined apportionments will be available for railway-highway work at greater than normal matching ratio.

Table 4 shows the total limiting amounts of ½ percent highway planning and research (PR) funds available from the Rural, Urban and Priority Primary funds apportioned for the fiscal year 1974 when requested by the State. Table 4A shows the limiting amounts of ½ percent highway planning and research (PR) funds available from the Rural and Urban funds by class of fund. They may be authorized for such purposes upon request of the State and are not to be deducted from construction funds until programmed for planning or research projects.

Table 5 shows the total amount of 1½ percent highway planning and research (HPR) funds available from Federal-aid Interstate, Rural, Urban and Priority Primary highway funds apportioned for fiscal year 1974 and, under the column headed 4½ percent, the amount of funds from this apportionment available to each State for projects under the National Cooperative Highway Research Program.

Table 6 shows the Urban System funds attributable to urbanized areas of 200,000

or more population from Urban System funds apportioned for FY 1974. (Ref. 23 U.S.C. 150, Allocation of Urban System Funds)

Table 7 shows the percentage of Federal participation in projects financed with 1½ percent highway planning and research (UPR) funds available from Federal-aid Interstate, Rural, Urban and Priority Primary highway funds apportioned for fiscal year 1974. (Ref. PPM 50-1.1)

Table 8 shows the percentage of Federal participation in projects financed from 1½ percent highway planning and research (HPR) funds available from

Federal-aid Interstate, Rural, Urban and Priority Primary highway funds apportioned for fiscal year 1974 for States that have signed agreements pursuant to 23 U.S.C. 120(a) Clause (B).

Table 9 shows the total limiting amounts of ½ percent education and training (EGT) funds available for National Highway Institute education and training projects available from Rural, Urban and Priority Primary funds apportioned for FY 1974. Table 9A shows the limiting amounts of ½ percent education and training (EGT) funds available from the Rural and Urban funds by class of fund.

TABLE 1.—Apportionment of Federal-Aid Highway Funds authorized for fiscal year 1974

State	Rural	Urban	½ percent MLA planning	Priority primary	Subtotal	Interstate	Total
Alabama.....	\$23,026,714	\$13,055,872	\$237,529	\$1,765,643	\$38,065,758	\$51,843,977	\$89,909,735
Alaska.....	56,379,985	4,005,018	117,370	-----	60,502,373	-----	60,502,373
Arizona.....	14,498,538	9,438,880	214,750	1,236,356	25,388,524	51,015,839	76,404,363
Arkansas.....	18,109,160	5,801,825	112,370	1,186,377	25,314,732	19,044,270	44,361,000
California.....	42,540,877	123,619,354	2,093,774	7,794,166	178,048,171	171,953,591	348,943,762
Colorado.....	17,488,588	11,639,657	284,188	1,476,903	30,889,334	52,044,749	82,934,083
Connecticut.....	7,782,782	15,913,704	389,905	1,145,637	25,232,118	72,847,593	98,079,710
Delaware.....	5,163,553	4,513,369	117,370	371,822	10,165,114	12,544,650	22,712,124
Florida.....	20,963,563	35,992,107	768,910	2,788,171	60,518,751	79,721,442	139,732,193
Georgia.....	28,604,803	17,648,730	348,812	2,258,839	48,859,184	62,433,623	111,292,807
Hawaii.....	5,163,553	4,927,403	117,370	444,045	10,652,371	25,072,187	36,724,558
Idaho.....	12,380,512	4,369,727	117,370	758,824	17,626,433	12,544,650	30,173,353
Illinois.....	31,911,716	62,155,742	1,460,764	4,539,879	100,068,161	123,657,833	223,726,034
Indiana.....	24,738,074	22,229,922	444,351	2,280,591	49,692,938	30,833,625	80,526,563
Iowa.....	25,917,360	10,152,795	156,238	1,763,147	37,939,540	20,730,077	64,739,637
Kansas.....	23,665,730	9,327,157	145,808	1,636,864	34,775,559	30,833,625	65,614,684
Kentucky.....	20,750,383	10,894,147	207,947	1,543,556	33,395,033	37,033,596	70,428,629
Louisiana.....	17,706,272	15,693,865	315,063	1,640,737	35,356,922	70,134,893	111,433,796
Maine.....	9,091,950	4,597,899	117,370	602,896	14,410,027	13,224,485	27,634,512
Maryland.....	10,885,012	20,639,764	450,303	1,502,833	33,007,912	90,639,449	123,647,421
Massachusetts.....	10,235,785	32,595,222	804,091	2,012,911	45,648,009	78,042,029	123,690,038
Michigan.....	31,647,174	44,005,746	1,049,843	3,682,939	80,385,722	89,683,679	170,071,321
Minnesota.....	29,265,518	18,553,819	882,833	2,284,819	48,111,989	58,858,411	106,970,600
Mississippi.....	19,869,983	6,081,573	117,370	1,274,605	27,343,536	23,429,041	49,822,577
Missouri.....	28,885,863	21,635,997	478,096	2,473,029	53,472,986	48,180,100	101,653,086
Montana.....	19,576,912	4,370,630	117,370	1,151,011	25,234,923	25,796,629	51,031,552
Nebraska.....	19,154,627	5,980,164	117,370	1,250,494	26,542,655	12,544,650	39,087,305
Nevada.....	11,663,982	4,503,531	117,370	789,633	17,074,516	12,544,650	29,619,166
New Hampshire.....	5,163,553	4,522,160	117,370	378,414	10,178,497	12,544,650	22,723,147
New Jersey.....	10,963,452	43,793,177	1,127,075	2,800,901	58,310,505	70,789,822	129,100,327
New Mexico.....	15,453,828	5,031,631	117,370	1,060,255	21,663,134	23,287,139	44,950,273
New York.....	37,076,618	100,317,634	2,648,926	8,823,656	148,864,934	94,470,962	243,335,896
North Carolina.....	32,639,127	14,512,124	224,838	2,295,780	49,671,864	45,821,461	95,493,325
North Dakota.....	13,962,811	4,278,705	117,370	606,046	19,165,022	12,544,650	31,711,672
Ohio.....	32,282,697	54,299,842	1,282,310	4,197,320	91,962,169	77,088,461	169,050,630
Oklahoma.....	21,098,701	11,211,637	194,626	1,577,756	34,102,720	18,218,171	52,320,891
Oregon.....	17,157,288	9,083,362	182,564	1,330,363	27,753,578	63,638,130	91,391,708
Pennsylvania.....	33,996,573	54,027,078	1,284,183	4,606,726	100,914,560	123,361,612	224,276,172
Rhode Island.....	5,163,553	5,684,560	183,258	517,167	11,558,538	22,429,041	34,987,579
South Carolina.....	17,988,455	7,682,713	120,485	1,207,642	26,079,296	20,652,280	46,731,576
South Dakota.....	15,369,979	4,243,123	117,370	672,423	20,402,895	12,544,650	33,154,845
Tennessee.....	24,431,899	15,064,678	276,173	1,923,236	41,717,968	34,830,333	76,548,301
Texas.....	59,183,794	59,260,528	1,283,323	5,891,744	125,619,389	114,630,063	240,249,452
Utah.....	10,719,416	5,656,210	186,021	850,175	17,361,822	29,369,675	46,731,497
Vermont.....	4,647,198	3,608,885	105,633	555,714	8,917,430	11,222,226	19,869,656
Virginia.....	23,442,375	19,803,388	444,699	2,104,798	45,795,258	108,062,808	153,858,066
Washington.....	17,347,565	16,430,163	347,561	1,674,200	35,799,434	90,030,913	125,830,347
West Virginia.....	12,959,883	4,942,893	117,370	839,873	18,860,119	57,760,158	76,620,277
Wisconsin.....	25,925,661	19,146,610	383,409	2,201,566	47,657,248	29,284,681	76,941,929
Wyoming.....	11,715,611	4,060,830	117,370	639,155	16,532,966	14,209,148	30,742,114
District of Columbia.....	-----	5,272,256	140,350	255,809	5,668,475	60,827,614	66,496,949
Puerto Rico.....	8,089,028	9,697,423	201,121	-----	18,287,572	-----	18,287,572
Total.....	1,047,348,089	1,032,309,512	23,402,263	94,488,687	2,199,606,451	2,543,542,798	4,743,149,249

TABLE 2.—Federal-aid highway funds apportioned for the fiscal year 1974 exclusive of 1½ percent highway planning and research funds (HPR)

Table with 10 columns: State, Rural, Urban, Priority primary, Subtotal, Interstate, Total. Lists states from Alabama to Puerto Rico with corresponding funding amounts.

TABLE 1a.—Apportionment of Federal-aid rural and urban funds authorized for fiscal year 1974

Table with 7 columns: State, Primary, Secondary, Total, Extentions, System, Total. Lists states from Alabama to Puerto Rico with funding breakdowns.

TABLE 3.—Amounts available for 1½ percent highway planning and research (HPR) projects and limiting amounts available for railway-highway projects from funds apportioned for fiscal year 1974

State	1½% Highway planning and research (HPR) projects			10% Railway-Highway Projects	
	Rural	Urban	Priority	Subtotal	Total
Alabama.....	\$345,400	\$105,837	\$24,464	\$567,721	\$1,315,380
Alaska.....	845,000	60,074	15,545	905,779	88,000,722
Arizona.....	271,477	141,682	17,735	377,691	6,038,500
Arkansas.....	213,337	88,687	11,012	283,036	4,424,307
California.....	602,112	1,674,269	116,012	2,690,312	34,584,700
Colorado.....	110,741	174,694	32,138	287,573	8,261,880
Connecticut.....	77,452	228,700	17,184	323,336	9,705,580
Delaware.....	429,071	639,850	67,740	1,136,661	7,259,575
Florida.....	135,270	320,700	33,697	499,667	13,898,328
Georgia.....	471,074	73,910	0,050	545,034	8,065,718
Hawaii.....	135,476	832,305	13,882	971,663	3,065,951
Illinois.....	371,070	632,448	64,208	1,067,726	22,768,610
Indiana.....	412,070	383,800	1,729,120	4,524,890	7,068,711
Iowa.....	313,953	830,810	401,251	1,545,914	9,05,339
Kansas.....	130,573	248,062	20,447	398,682	7,780,000
Kentucky.....	130,573	248,062	20,447	398,682	7,780,000
Louisiana.....	433,082	298,018	33,282	764,382	10,811,450
Maine.....	253,318	63,640	17,203	334,161	10,111,453
Massachusetts.....	174,655	89,401	18,548	282,604	6,089,183
Michigan.....	77,452	67,802	5,601	150,855	3,312,414
Minnesota.....	163,571	650,557	37,618	821,746	5,269,007
Mississippi.....	251,808	193,351	15,733	460,490	15,237,263
Missouri.....	450,545	217,650	103,351	771,546	4,401,823
Montana.....	150,143	76,874	103,351	320,368	21,620,008
Nebraska.....	200,011	61,181	31,430	292,622	6,630,819
Nevada.....	483,483	814,350	14,090	1,311,923	3,159,466
New Hampshire.....	163,571	650,557	37,618	821,746	10,781,821
New Jersey.....	150,143	76,874	103,351	320,368	3,118,414
New Mexico.....	251,808	193,351	15,733	460,490	3,257,268
New York.....	450,545	217,650	103,351	771,546	4,601,823
North Carolina.....	200,011	61,181	31,430	292,622	21,620,008
North Dakota.....	150,143	76,874	103,351	320,368	6,630,819
Ohio.....	483,483	814,350	14,090	1,311,923	3,159,466
Oklahoma.....	217,650	135,173	19,055	371,878	3,257,268
Oregon.....	77,452	228,700	17,184	323,336	9,705,580
Pennsylvania.....	250,449	65,730	13,853	329,912	4,601,823
Rhode Island.....	300,478	83,818	23,818	408,114	3,620,819
South Carolina.....	160,701	81,819	12,352	254,872	4,153,517
Tennessee.....	69,707	54,153	3,833	127,693	1,930,485
Texas.....	230,449	65,730	13,853	329,912	4,601,823
Utah.....	160,701	81,819	12,352	254,872	3,620,819
Virginia.....	331,635	237,520	31,671	600,226	15,483,320
Washington.....	200,213	216,452	12,533	429,198	12,518,324
West Virginia.....	198,893	74,145	12,533	285,571	7,626,280
Wisconsin.....	388,884	257,108	33,033	779,025	1,145,571
Wyoming.....	176,783	01,502	10,337	188,622	3,039,474
District of Columbia.....	121,335	149,611	3,853	274,800	1,625,610
Puerto Rico.....	15,710,109	15,484,234	1,447,376	32,641,719	70,733,153
Total.....	15,710,109	15,484,234	1,447,376	32,641,719	70,733,153

TABLE 2a.—Federal-aid rural and urban funds apportioned, fiscal year 1974, exclusive of 1½ percent highway planning and research funds (HPR)

State	Rural			System	Total
	Primary	Secondary	Extensions		
Alabama.....	\$14,414,203	\$8,207,091	\$3,580,840	\$9,270,180	\$12,800,085
Alaska.....	56,222,814	20,241,247	2,287,240	3,707,094	82,458,414
Arizona.....	1,076,900	6,601,947	2,289,240	9,198,187	10,275,087
Arkansas.....	20,230,483	19,627,277	3,085,187	8,587,878	49,532,085
California.....	20,037,530	19,276,740	3,109,430	11,874,430	41,497,030
Colorado.....	9,871,870	7,000,611	3,364,000	11,310,308	15,175,088
Connecticut.....	3,222,283	2,520,319	9,871,587	3,707,094	14,445,287
Delaware.....	17,065,072	10,259,660	1,546,040	12,540,940	29,864,672
Florida.....	3,222,283	1,853,813	4,810,806	3,707,094	10,603,996
Georgia.....	7,740,070	4,444,833	17,037,032	6,170,868	34,392,803
Hawaii.....	20,227,159	17,433,812	17,037,032	16,709,454	61,233,457
Illinois.....	15,485,733	8,391,431	2,215,888	21,899,474	31,690,674
Indiana.....	10,223,784	25,628,011	2,688,160	7,721,407	40,000,000
Iowa.....	14,814,305	6,440,770	2,079,710	10,701,288	26,185,383
Kansas.....	12,080,323	8,440,770	2,305,742	11,157,641	23,643,833
Kentucky.....	11,083,706	3,204,150	6,913,317	3,707,094	20,008,267
Louisiana.....	6,600,834	3,728,414	5,600,830	14,669,252	26,830,183
Maine.....	6,878,393	10,852,240	8,030,920	23,160,376	32,104,285
Massachusetts.....	19,810,648	11,301,927	12,069,404	11,703,500	43,885,479
Michigan.....	12,438,242	7,183,638	10,471,940	1,891,646	22,985,466
Minnesota.....	18,082,011	10,370,650	5,600,990	4,392,322	33,445,973
Mississippi.....	12,264,781	7,028,478	6,600,340	3,707,094	23,600,693
Missouri.....	11,990,438	6,870,570	1,630,340	4,240,327	19,531,688
Montana.....	7,301,401	4,187,570	1,728,401	3,707,094	13,926,472
Nebraska.....	3,222,283	2,805,017	5,050,101	3,707,094	11,784,595
Nevada.....	7,874,824	5,648,214	4,740,704	81,168,030	100,371,568
New Hampshire.....	10,729,701	16,222,022	12,004,010	81,168,030	112,125,763
New Jersey.....	6,073,503	5,648,214	4,740,704	3,707,094	20,179,515
New Mexico.....	21,227,627	12,272,843	30,230,470	7,663,011	72,393,971
New York.....	30,431,484	11,718,057	30,230,470	10,314,100	141,214,114
North Carolina.....	8,740,459	5,012,011	6,000,990	3,707,094	19,460,544
North Dakota.....	20,177,067	11,072,141	13,765,570	38,592,461	63,455,316
Ohio.....	13,207,333	7,074,820	14,822,805	7,063,483	43,168,441
Oklahoma.....	10,740,142	6,169,788	3,075,020	6,438,024	26,423,174
Pennsylvania.....	3,222,283	21,411,133	30,230,470	39,820,077	95,166,672
Rhode Island.....	21,411,133	14,000,499	15,259,110	4,010,153	54,081,795
South Carolina.....	10,703,314	1,833,813	2,098,010	5,489,007	18,134,422
South Dakota.....	9,723,320	5,018,110	4,137,837	10,722,542	24,800,579
Tennessee.....	15,235,810	21,218,083	10,228,430	42,118,155	77,782,478
Texas.....	37,047,050	3,849,471	1,631,334	3,000,031	43,527,886
Utah.....	6,710,154	1,023,432	217,891	3,330,801	10,781,278
Vermont.....	2,009,059	1,416,251	5,431,492	14,074,844	19,505,196
Virginia.....	14,674,459	6,228,100	17,057,323	11,677,400	46,637,282
Washington.....	10,829,252	6,228,100	1,101,126	3,707,094	22,865,572
West Virginia.....	8,112,768	622,877	13,068,034	18,689,412	29,852,094
Wisconsin.....	45,228,080	9,307,797	5,317,553	3,707,094	64,561,724
Wyoming.....	7,333,764	4,200,124	1,446,027	3,147,140	12,126,955
District of Columbia.....	5,063,631	2,004,112	2,783,774	7,084,188	15,935,601
Puerto Rico.....	601,000,993	370,577,018	1,031,037,024	741,161,003	1,010,824,918
Total.....	601,000,993	370,577,018	1,031,037,024	741,161,003	1,010,824,918

TABLE 4.—Limiting amounts available for 1/2 percent highway planning and research (PE) projects from funds apportioned for fiscal year 1974

State	Priority primary	Rural	Urban	Total
Alabama.....	\$9,823	\$115,133	\$65,278	\$189,239
Alaska.....		281,899	20,054	301,953
Arizona.....	6,181	72,492	47,194	125,867
Arkansas.....	5,391	90,545	29,508	125,434
California.....	38,970	212,703	618,969	860,642
Colorado.....	7,379	87,442	58,198	153,019
Connecticut.....	5,728	38,913	79,568	124,209
Delaware.....	1,859	25,817	22,566	50,242
Florida.....	13,940	194,817	179,959	298,716
Georgia.....	11,234	143,023	298,333	242,550
Hawaii.....	2,220	25,817	24,630	52,470
Idaho.....	3,741	61,901	21,848	87,490
Illinois.....	22,699	159,357	310,778	493,834
Indiana.....	10,694	123,639	111,149	240,240
Iowa.....	8,815	121,586	50,783	181,184
Kansas.....	8,184	118,328	46,635	173,147
Kentucky.....	7,717	103,751	54,320	165,788
Louisiana.....	8,203	88,530	176,226	272,959
Maine.....	3,014	45,459	22,989	71,462
Maryland.....	10,094	51,924	103,198	165,216
Massachusetts.....	18,414	51,178	162,975	224,217
Michigan.....	11,274	140,327	220,028	391,629
Minnesota.....	6,373	99,349	80,408	185,130
Mississippi.....	12,285	174,423	108,279	295,987
Missouri.....	8,785	97,854	21,882	128,521
Montana.....	3,232	59,772	20,850	84,854
Nebraska.....	3,245	28,819	22,817	54,881
Nevada.....	1,807	24,516	22,910	50,233
New Hampshire.....	12,540	24,516	25,849	62,905
New Jersey.....	3,231	24,516	25,849	53,596
New Mexico.....	34,118	155,382	52,157	241,657
New York.....	4,116	163,183	21,303	188,602
North Carolina.....	20,089	169,813	21,303	211,205
North Dakota.....	4,116	155,382	21,303	211,205
Ohio.....	6,553	104,882	45,291	157,726
Oklahoma.....	2,883	185,785	20,015	188,683
Oregon.....	2,883	104,882	20,015	127,780
Pennsylvania.....	2,883	25,817	38,263	66,963
Rhode Island.....	4,392	55,491	21,240	81,123
South Carolina.....	0,000	76,849	99,016	175,865
South Dakota.....	0,000	117,211	82,150	199,361
Tennessee.....	4,250	205,018	75,433	284,701
Texas.....	23,455	53,598	28,280	105,333
Utah.....	4,250	23,235	18,044	45,529
Vermont.....	10,523	117,211	99,016	206,750
Virginia.....	4,100	86,737	82,150	171,238
West Virginia.....	4,100	64,789	21,714	91,603
Wisconsin.....	11,007	129,627	95,732	236,366
Wyoming.....	3,445	48,577	20,433	72,455
District of Columbia.....	1,279	40,444	26,361	74,084
Puerto Rico.....			49,837	49,837
Total.....	482,409	5,236,639	5,161,502	10,880,600

TABLE 3a. Amounts available for 1/2 percent highway planning and research (HPE) projects from funds apportioned for fiscal year 1974

State	Rural		Total	Urban		Total
	Primary	Secondary		Extensions	System	
Alabama.....	\$219,507	\$123,893	\$345,400	\$54,530	\$141,307	\$195,837
Alaska.....	637,454	308,245	945,699	3,613	56,491	60,104
Arizona.....	138,210	79,267	217,477	39,423	102,159	141,582
Arkansas.....	172,629	99,008	271,637	24,650	63,877	88,527
California.....	445,895	102,217	548,112	516,322	1,854,239	2,402,361
Colorado.....	166,713	95,015	261,728	48,015	125,979	173,994
Connecticut.....	74,191	45,550	119,741	66,467	172,239	238,706
Delaware.....	49,222	28,230	77,452	56,491	67,700	124,191
Florida.....	199,839	114,013	313,852	160,330	389,552	553,882
Georgia.....	272,631	156,390	429,021	73,705	204,710	278,415
Hawaii.....	49,222	23,230	72,452	17,440	73,910	91,352
Idaho.....	118,019	67,837	185,756	0,034	65,645	251,401
Illinois.....	308,027	170,647	478,674	285,006	672,720	957,394
Indiana.....	235,250	135,250	370,500	92,848	210,000	302,848
Iowa.....	247,062	141,697	388,759	42,405	109,896	152,301
Kansas.....	225,698	129,337	355,035	38,050	100,650	138,700
Kentucky.....	197,807	113,448	311,255	45,376	117,535	162,911
Louisiana.....	168,788	90,893	259,681	65,569	160,913	226,482
Maine.....	86,670	40,708	127,378	12,507	56,491	69,088
Maryland.....	98,997	56,777	155,774	86,206	223,390	309,596
Massachusetts.....	104,747	48,789	153,536	136,140	352,787	488,927
Michigan.....	301,633	173,024	474,657	183,709	476,286	660,995
Minnesota.....	278,979	160,003	438,982	99,161	170,220	248,381
Missouri.....	189,414	108,934	298,348	25,400	65,822	91,222
Mississippi.....	276,360	157,927	434,287	90,450	234,339	324,789
Montana.....	189,021	107,032	296,053	0,188	66,491	80,491
Nebraska.....	111,188	63,770	174,958	24,918	94,573	119,491
Nevada.....	49,222	28,230	77,452	11,092	56,491	67,583
New Hampshire.....	119,021	48,030	167,051	182,811	473,726	656,537
New Jersey.....	147,316	84,490	231,806	19,013	56,491	75,474
New Mexico.....	308,645	187,200	495,845	444,058	1,157,068	1,601,926
New York.....	311,139	178,447	489,586	60,012	157,068	217,080
North Carolina.....	307,204	176,225	483,429	7,220	64,181	71,401
North Dakota.....	201,127	116,352	317,479	46,827	121,346	168,173
Ohio.....	168,555	93,803	262,358	37,834	98,011	135,845
Oklahoma.....	371,743	213,205	584,948	234,009	606,397	840,406
Oregon.....	49,222	28,230	77,452	31,963	82,827	114,790
Pennsylvania.....	162,994	84,432	247,426	7,200	68,721	75,921
Rhode Island.....	146,517	84,032	230,549	63,012	163,287	226,299
South Carolina.....	232,903	133,576	366,479	247,514	641,393	908,892
South Dakota.....	664,181	323,574	987,755	23,624	100,791	1,088,446
Tennessee.....	102,185	58,006	160,191	3,318	50,815	54,133
Texas.....	44,200	25,407	69,607	3,318	50,815	54,133
Utah.....	223,469	128,166	351,635	68,713	214,337	283,050
Vermont.....	165,309	94,844	260,153	88,624	177,828	246,452
Virginia.....	123,543	70,855	194,398	17,682	56,491	74,173
West Virginia.....	247,141	141,743	388,884	79,969	207,229	287,198
Wisconsin.....	111,631	64,032	175,663	4,841	66,491	71,332
District of Columbia.....				22,020	57,063	79,083
Puerto Rico.....	77,110	44,225	121,335	41,631	107,889	149,524
Total.....	10,666,830	5,643,278	16,310,108	4,198,008	11,246,636	15,494,644

TABLE 4a.—Limiting amounts available for 1/2 percent highway planning and research (PR) projects from funds apportioned for fiscal year 1974

State	Rural			Urban		
	Primary	Secondary	Total	Extensions	System	Total
Alabama	\$73,169	\$41,964	\$115,133	\$18,176	\$47,102	\$65,278
Alaska	179,151	102,748	281,899	1,201	18,820	20,021
Arizona	46,070	26,422	72,492	13,141	34,653	47,794
Arkansas	57,543	33,002	90,545	8,210	21,292	29,502
California	143,631	64,072	212,703	172,107	445,689	617,796
Colorado	55,571	31,871	87,442	10,205	41,033	51,238
Connecticut	24,730	14,183	38,913	22,155	57,413	79,568
Delaware	16,407	9,410	25,817	3,740	18,820	22,560
Florida	66,613	38,204	104,817	50,109	129,850	179,959
Georgia	90,893	52,130	143,023	24,663	63,665	88,328
Hawaii	16,407	9,410	25,817	5,816	18,820	24,636
Idaho	39,339	22,562	61,901	3,025	18,820	21,845
Illinois	102,675	56,832	159,507	80,635	224,213	310,773
Indiana	78,606	45,053	123,659	30,019	89,200	119,219
Iowa	82,354	47,232	129,586	14,135	38,628	52,763
Kansas	75,199	45,129	118,328	12,685	33,650	46,335
Kentucky	65,935	37,816	103,751	15,125	39,185	54,310
Louisiana	96,252	52,258	148,510	21,856	78,493	100,349
Maine	23,939	16,569	40,508	4,169	18,820	22,989
Maryland	34,915	16,263	51,178	45,380	117,695	162,075
Massachusetts	100,561	57,674	158,235	61,260	158,762	220,022
Michigan	62,993	53,334	116,327	23,053	59,740	82,793
Minnesota	63,183	36,211	99,394	8,460	21,040	30,500
Mississippi	92,766	52,642	145,408	30,150	78,129	108,279
Missouri	62,207	35,677	97,884	3,062	18,820	21,882
Montana	60,855	34,907	95,762	8,300	21,624	29,924
Nebraska	37,062	21,256	58,318	3,677	18,820	22,497
Nevada	16,407	9,410	25,817	3,780	18,820	22,600
New Hampshire	39,973	14,543	54,516	60,037	157,008	217,545
New Jersey	49,105	28,163	77,268	0,337	18,820	23,157
New Mexico	122,982	62,400	185,382	148,019	383,563	531,582
New York	103,713	59,482	163,195	20,204	52,326	72,530
North Carolina	44,367	25,446	69,813	2,573	18,820	21,393
North Dakota	102,421	58,741	161,162	75,528	135,900	211,428
Ohio	67,042	38,450	105,492	15,609	40,448	56,057
Oklahoma	54,518	31,267	85,785	12,611	32,639	45,250
Oregon	123,914	71,808	195,722	78,003	202,132	273,135
Rhode Island	16,407	9,410	25,817	7,914	20,608	28,522
South Carolina	54,331	31,160	85,491	10,634	27,000	37,634
South Dakota	48,839	28,010	76,849	2,420	18,820	21,240
Tennessee	77,634	44,525	122,159	21,004	54,429	75,433
Texas	188,060	107,893	295,953	82,604	213,797	308,401
Utah	34,061	19,535	53,596	7,874	29,406	37,280
Vermont	14,766	8,469	23,235	1,106	10,633	11,739
Virginia	74,459	42,722	117,181	27,571	71,445	99,016
Washington	55,123	31,014	86,137	22,874	59,276	82,150
West Virginia	41,181	23,618	64,799	6,894	18,820	25,714
Wisconsin	82,380	47,247	129,627	20,636	63,076	83,712
Wyoming	37,227	21,350	58,577	1,013	18,820	20,433
District of Columbia				7,319	10,621	17,940
Puerto Rico	25,703	14,741	40,444	13,877	35,860	49,737
Total	3,355,614	1,881,075	5,236,689	1,399,322	3,762,180	5,161,602

State—Continued	Amount
Florida	19,209,289
Georgia	6,964,955
Hawaii	2,777,783
Illinois	36,837,626
Indiana	9,662,519
Iowa	2,247,627
Kansas	3,281,393
Kentucky	4,298,906
Louisiana	7,270,168
Maryland	13,018,718
Massachusetts	18,125,830
Michigan	24,731,913
Minnesota	8,570,913
Mississippi	44,911
Missouri	11,666,660
Nebraska	2,146,868
Nevada	2,337,827
New Hampshire	171,916
New Jersey	29,531,969
New Mexico	1,714,034
New York	69,999,670
North Carolina	1,405,553
Ohio	30,211,505
Oklahoma	4,783,671
Oregon	3,780,303
Pennsylvania	30,979,883
Rhode Island	3,667,566
South Carolina	2,364,362
Tennessee	6,527,776
Texas	26,555,163
Utah	2,410,434
Virginia	10,403,865
Washington	9,420,727
Wisconsin	7,351,311
District of Columbia	3,747,146
Puerto Rico	4,125,700
Total	526,528,602

TABLE 7.—Rates of Federal Participation in Projects Financed with 1 1/2 Percent HPR Funds Available from Federal-aid Highway Funds Apportioned For Fiscal Year 1974

State:	Percentage of cost payable by Federal Government
Alabama	80.32
Alaska	96.04
Arizona	91.25
Arkansas	77.40
California	82.85
Colorado	84.00
Connecticut	83.90
Delaware	79.85
Florida	80.15
Georgia	80.01
Hawaii	83.14
Idaho	83.22
Illinois	79.88
Indiana	76.48
Iowa	77.10
Kansas	78.11
Kentucky	79.30
Louisiana	82.56
Maine	78.37
Maryland	83.93
Massachusetts	81.50
Michigan	79.36
Minnesota	79.71
Mississippi	77.82
Missouri	78.28
Montana	81.79
Nebraska	75.40
Nevada	94.38
New Hampshire	79.85
New Jersey	79.81
New Mexico	85.22
New York	76.66
North Carolina	78.38
North Dakota	76.78
Ohio	77.96
Oklahoma	75.89
Oregon	87.49
Pennsylvania	79.81
Rhode Island	82.12
South Carolina	77.65
South Dakota	79.02

TABLE 5.—1 1/2 percent highway planning and research (HPR) funds from 1974 Federal-aid highway apportionments and from the participating States contributions to the national cooperative highway research program

State	1 1/2 percent HPR funds	
	Total amount	4 1/2 percent
Alabama	\$1,345,380	\$60,542
Alaska	905,773	40,759
Arizona	1,142,842	51,427
Arkansas	683,653	20,864
California	5,189,216	233,514
Colorado	1,239,731	55,787
Connecticut	1,465,344	65,940
Delaware	338,934	15,232
Florida	2,084,475	93,601
Georgia	1,664,157	74,887
Hawaii	547,604	24,642
Idaho	450,837	20,287
Illinois	3,334,424	150,049
Indiana	1,193,803	53,721
Iowa	968,748	43,593
Kansas	974,520	43,853
Kentucky	1,052,947	47,382
Louisiana	1,667,709	75,046
Maine	412,753	18,573
Maryland	1,928,804	86,796
Massachusetts	1,843,266	82,917
Michigan	2,555,319	114,089
Minnesota	1,596,711	71,851
Mississippi	745,274	33,337
Missouri	1,517,172	68,272
Montana	763,514	34,358
Nebraska	583,859	26,273
Nevada	442,260	10,901
New Hampshire	339,089	15,259
New Jersey	1,919,594	86,381
New Mexico	672,340	30,255

State	1 1/2 percent HPR funds	
	Total amount	4 1/2 percent
New York	3,700,180	168,508
North Carolina	1,429,023	64,300
North Dakota	473,910	21,320
Ohio	2,617,270	113,277
Oklahoma	731,670	35,185
Oregon	1,897,729	61,619
Pennsylvania	3,844,678	150,019
Rhode Island	697,391	22,881
South Carolina	632,161	31,462
South Dakota	435,660	22,300
Tennessee	1,141,079	5,143
Texas	3,688,081	161,501
Utah	678,030	31,411
Vermont	297,000	13,367
Virginia	2,314,000	104,174
Washington	1,882,300	81,704
West Virginia	1,177,611	61,643
Wisconsin		31,076
Wyoming	48,049	20,715
District of Columbia	465,000	44,700
Puerto Rico		12,183
Total	70,795,033	3,185,729

TABLE 6.—FUNDS ATTRIBUTABLE TO URBANIZED AREAS OF 200,000 OR MORE POPULATION FROM URBAN SYSTEM FUNDS APPORTIONED FOR FISCAL YEAR 1974

State:	Amount
Alabama	\$ 4,230,064
Arizona	5,820,846
Arkansas	1,119,454
California	76,875,704
Colorado	6,290,233
Connecticut	6,461,192
Delaware	3,408,801

State:	Percentage of cost payable by Federal Government	State—Continued	Percentage of cost payable by Federal Government	State—Continued	Percentage of cost payable by Federal Government
Tennessee	77.91	Arkansas	78.96	New Hampshire	81.70
Texas	78.36	California	86.98	New Jersey	79.86
Utah	90.81	Colorado	37.92	New Mexico	87.22
Vermont	80.16	Connecticut	83.90	New York	70.08
Virginia	83.03	Delaware	79.85	North Carolina	79.25
Washington	84.49	Florida	81.35	North Dakota	77.78
West Virginia	84.11	Georgia	80.40	Ohio	78.07
Wisconsin	76.50	Hawaii	83.78	Oklahoma	70.08
Wyoming	?? .??	Idaho	90.47	Oregon	90.18
District of Columbia	?? .??	Illinois	80.00	Pennsylvania	80.11
Puerto Rico	70.00	Indiana	76.64	Rhode Island	82.12
		Iowa	77.10	South Carolina	78.27
		Kansas	78.16	South Dakota	79.95
		Kentucky	79.77	Tennessee	78.66
		Louisiana	82.82	Texas	78.55
		Maine	78.45	Utah	92.74
		Maryland	83.97	Vermont	80.82
		Massachusetts	81.57	Virginia	83.87
		Michigan	80.92	Washington	87.21
		Minnesota	80.90	West Virginia	84.76
		Mississippi	78.61	Wisconsin	77.51
		Missouri	78.92	Wyoming	88.41
		Montana	85.11	District of Columbia	88.57
		Nebraska	75.61	Puerto Rico	70.38
		Nevada	95.00		

TABLE 8.—Rates of Federal participation in projects financed with 1½ percent HPR funds available from Federal-aid highway funds apportioned for Fiscal Year 1974. For States that elect to use sliding scale rates determined pursuant to Title 23, U.S.C. 120(a) clause (B)

State:	Percentage of cost payable by Federal Government
Alabama	80.64
Alaska	95.00
Arizona	93.18

TABLE 9.—Limiting amounts available for ½ percent National Highway Institute education and training (E&T) projects from funds apportioned for fiscal year 1974

State	Priority primary	Rural	Urban	Total
Alabama	\$8,828	\$115,133	\$65,278	\$189,239
Alaska		281,899	20,024	301,923
Arizona	6,181	72,492	47,194	125,867
Arkansas	5,931	90,545	29,508	125,984
California	38,970	212,703	618,096	869,769
Colorado	7,379	87,442	58,163	153,010
Connecticut	5,728	38,913	79,568	124,209
Delaware	1,859	25,817	22,566	50,242
Florida	13,940	104,817	179,959	298,716
Georgia	11,294	143,023	86,233	242,550
Hawaii	2,220	25,817	24,636	52,673
Idaho	3,794	61,001	21,848	87,543
Illinois	22,699	159,557	310,778	493,034
Indiana	11,402	123,689	111,149	246,240
Iowa	8,815	129,586	50,763	189,164
Kansas	8,184	118,328	46,635	173,147
Kentucky	7,717	103,751	54,320	165,788
Louisiana	8,203	88,630	78,493	175,226
Maine	3,014	45,459	22,089	71,462
Maryland	7,514	51,924	103,193	162,636
Massachusetts	10,064	51,178	162,075	224,217
Michigan	18,414	163,235	220,028	396,677
Minnesota	11,274	146,827	82,793	240,894
Mississippi	6,373	99,349	30,406	136,128
Missouri	12,365	144,428	108,279	265,072
Montana	5,755	97,884	21,882	125,521
Nebraska	6,282	95,772	29,830	131,884
Nevada	3,848	58,318	22,517	84,683
New Hampshire	1,867	25,817	22,610	50,294
New Jersey	12,649	54,616	218,845	285,910
New Mexico	5,251	77,268	23,167	107,670
New York	34,118	185,382	532,597	751,987
North Carolina	11,478	163,195	72,500	247,173
North Dakota	4,030	69,813	21,393	95,236
Ohio	20,986	161,162	271,438	453,616
Oklahoma	7,988	105,492	50,057	163,537
Oregon	6,651	85,785	43,291	135,727
Pennsylvania	23,033	194,982	281,135	499,150
Rhode Island	2,585	25,817	21,422	50,824
South Carolina	6,033	85,491	39,263	129,792
South Dakota	4,362	76,849	25,240	106,451
Tennessee	9,616	122,159	75,433	207,208
Texas	29,458	295,918	296,301	621,677
Utah	4,250	53,596	28,280	86,126
Vermont	1,278	23,235	19,044	42,557
Virginia	10,523	117,211	99,016	226,750
Washington	8,371	86,787	81,150	177,258
West Virginia	4,199	64,789	24,714	93,712
Wisconsin	11,007	129,627	56,732	236,366
Wyoming	3,445	58,577	20,433	82,455
District of Columbia	1,279		25,361	27,640
Puerto Rico		9,444	337	90,261
Total	482,409	5,236,689	5,161,502	10,880,600

TABLE 9a.—Limiting amounts available for 1/2 percent National Highway Institute education and training (E&T) projects from funds apportioned for fiscal year 1974.

State	Rural			Urban		
	Primary	Secondary	Total	Extensions	System	Total
Alabama	\$73,169	\$41,964	\$115,133	\$12,176	\$47,103	\$59,279
Alaska	179,151	102,743	281,894	1,204	18,820	19,994
Arizona	46,070	28,422	74,492	13,141	34,633	47,774
Arkansas	57,543	33,002	90,545	8,216	21,222	29,438
California	148,631	64,072	212,703	172,107	445,889	618,096
Colorado	55,571	31,871	87,442	16,205	41,093	57,298
Connecticut	24,730	14,153	38,883	22,155	57,413	79,568
Delaware	16,407	9,410	25,817	3,740	15,820	19,560
Florida	66,613	38,204	104,817	50,109	129,899	180,008
Georgia	90,693	52,190	142,883	24,528	63,665	88,193
Hawaii	16,407	9,410	25,817	5,816	18,820	24,636
Idaho	39,339	22,562	61,901	3,023	19,820	22,843
Illinois	102,675	56,882	159,557	20,533	22,243	42,776
Indiana	78,696	45,083	123,779	39,949	89,200	129,149
Iowa	82,554	47,232	129,786	14,133	39,623	53,756
Kansas	75,199	43,129	118,328	12,638	33,630	46,268
Kentucky	65,935	37,816	103,751	15,125	39,193	54,318
Louisiana	56,262	32,263	88,525	21,528	60,637	82,165
Maine	28,890	16,569	45,459	4,169	18,820	22,989
Maryland	32,999	18,925	51,924	28,735	74,463	103,198
Massachusetts	34,915	18,263	53,178	45,380	117,435	162,615
Michigan	100,551	57,674	158,225	61,260	138,763	200,023
Minnesota	92,993	53,334	146,327	23,633	59,740	83,373
Mississippi	63,138	38,211	101,349	8,469	21,940	30,409
Missouri	91,786	52,642	144,428	30,150	76,122	106,272
Montana	62,207	35,677	97,884	3,662	18,820	22,482
Nebraska	60,865	34,907	95,772	8,306	21,521	29,827
Nevada	37,062	21,258	58,320	3,697	18,820	22,517
New Hampshire	16,407	9,410	25,817	3,700	18,820	22,520
New Jersey	39,973	14,543	54,516	60,937	157,098	211,615
New Mexico	49,105	28,163	77,268	0,337	18,820	25,157
New York	122,982	62,400	185,382	143,019	353,553	496,572
North Carolina	103,713	59,482	163,195	20,294	62,399	82,693
North Dakota	44,267	25,446	69,713	2,573	18,820	21,393
Ohio	102,421	58,741	161,162	75,593	195,000	270,593
Oklahoma	67,042	38,450	105,492	15,609	40,443	56,052
Oregon	54,518	31,267	85,785	12,011	32,680	44,691
Pennsylvania	123,914	71,063	194,977	78,003	202,132	280,135
Rhode Island	16,407	9,410	25,817	7,014	20,508	27,522
South Carolina	54,331	31,160	85,491	10,634	27,609	38,243
South Dakota	48,839	28,010	76,849	2,420	18,820	21,240
Tennessee	77,634	44,525	122,159	21,004	54,429	75,433
Texas	188,060	107,853	295,913	82,504	213,797	306,291
Utah	34,061	19,535	53,596	7,874	20,409	28,283
Vermont	14,765	8,469	23,235	1,109	16,038	17,147
Virginia	74,489	42,722	117,211	27,571	71,445	99,016
Washington	55,123	31,014	86,137	22,874	59,276	82,150
West Virginia	41,181	23,018	64,199	5,834	18,820	24,654
Wisconsin	82,380	47,247	129,627	20,536	60,076	80,612
Wyoming	37,227	21,350	58,577	1,613	18,820	20,433
District of Columbia				7,340	19,621	26,961
Puerto Rico	25,703	14,741	40,444	13,577	33,650	47,227
Total	3,355,614	1,881,075	5,236,689	1,839,322	3,762,180	5,101,502

State:	Amount
Idaho	225,143
Illinois	666,294
Indiana	690,060
Iowa	437,536
Kansas	387,445
Kentucky	654,770
Louisiana	463,234
Maine	281,386
Maryland	372,644
Massachusetts	152,492
Michigan	702,979
Minnesota	558,459
Mississippi	399,159
Missouri	740,616
Montana	194,019
Nebraska	216,178
Nevada	99,103
New Hampshire	144,372
New Jersey	268,945
New Mexico	186,407
New York	983,689
North Carolina	1,025,089
North Dakota	164,433
Ohio	1,318,316
Oklahoma	379,093
Oregon	381,038
Pennsylvania	1,167,283
Rhode Island	27,360
South Carolina	763,537
South Dakota	225,862
Tennessee	691,730
Texas	1,705,867
Utah	149,537
Vermont	90,581
Virginia	708,561
Washington	544,377
West Virginia	239,542
Wisconsin	1,165,148
Wyoming	132,447
Puerto Rico	27,297
Total	24,250,000
Administration	750,000
Total	25,000,000

[FHWA N 4510.14]

SUPPLEMENTARY TABLE—FY 1975 RAIL-HIGHWAY CROSSINGS APPORTIONMENT

JANUARY 17, 1974.

ALLOCATION OF FISCAL YEAR 1974 PAVEMENT MARKING FUNDS

JANUARY 10, 1974.

1. Purpose. To allocate funds authorized for FY 1974 by Section 205(a) of the Highway Safety Act of 1973 for the pavement marking demonstration program. The attached table shows amounts allocated by State.

2. Basis of allocation. The funds are allocated based on the mileage of two-lane hard-surfaced roads in rural areas.

3. Availability. The funds are available for programming in accord with prescribed procedures. Obligation of the funds is subject to obligation control procedures in force for the fiscal year in which the funds are obligated. For FY 1974 these procedures require that such obligations will be charged to State shares of the obligation authority provided for FY 1974 by IM 30-4-73 "Federal-aid Highway Program—FY 1974

Obligation Authority" dated October 10, 1973.

The FY 1974 pavement marking funds are subject to lapse on June 30, 1976, if they have not been obligated for projects for which project agreements have been executed. About December 1975 funds from this allocation that have not been obligated for projects may be withdrawn for redistribution.

ALLOCATION OF FUNDS AUTHORIZED FOR THE PAVEMENT MARKING DEMONSTRATION PROGRAM FOR FY 1974:

State:	Amount
Alabama	\$774,362
Alaska	38,609
Arizona	178,154
Arkansas	269,440
California	1,194,623
Colorado	289,527
Connecticut	143,526
Delaware	82,906
Florida	727,697
Georgia	774,552
Hawaii	43,451

1. Purpose. The purpose of this Notice is to provide a table showing separately the amounts of the FY 1975 Rail-Highway Crossings funds that are available only for projects for installation of protective devices and remaining amounts available for elimination of hazards at railway-highway crossings.

2. Background. Section 203(b) of the Highway Safety Act of 1973 provides that at least half of the funds authorized and expended under the section shall be available for installation of protective devices at railway-highway crossings.

3. Availability. The attached table shows separately the half of the Rail-Highway Crossings funds apportioned for FY 1975 that are available only for installation of protective devices (FHWA appropriation code 139), and the remaining half available for elimination of hazards at railway-highway crossings including additional projects for installation of protective devices (FHWA appropriation code 138).

NOTICES

[FHWA N 4510.15]

FISCAL YEAR 1975 APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS—SUPPLEMENTARY TABLES

FEBRUARY 4, 1974.

Purpose: To provide supplementary tables related to the Fiscal Year 1975 apportionment of Federal-aid highway funds.

Table 1 shows the total amounts of Interstate, Rural, Urban, Metropolitan Planning and Priority Primary funds apportioned for the fiscal year 1975. Table 1A shows the 1975 apportionment of Rural and Urban funds by class of fund. Succeeding supplementary tables show amounts of the 1975 apportionment that are available for specific purposes.

Table 2 shows for fiscal year 1975 the amounts of apportioned Interstate, Rural, Urban and Priority Primary funds available for preliminary engineering, right-of-way and construction after reserving the 1½ percent HPR funds required to be used for planning and research purposes. Table 2A shows amounts by class of fund for the Rural and Urban funds.

Table 3 shows the total limiting amounts available for 1½ percent highway planning and research (HPR) projects and the limiting amounts of 10 percent railway-highway funds available from the Interstate, Rural, Urban and Priority Primary funds apportioned for fiscal year 1975. Table 3A shows the limiting amounts available for 1½ percent highway planning and research (HPR) projects from the Rural and Urban funds by class of fund. Federal legislation provides that the 1½ percent HPR funds for fiscal year 1975 will be available for highway planning and research purposes only, and that not to exceed 10 percent of the combined apportionments will be available for railway-highway work at greater than normal matching ratio.

Table 4 shows the total limiting amounts of ½ percent highway planning and research (PR) funds available from the Rural, Urban and Priority Primary funds apportioned for the fiscal year 1975 when requested by the State. Table 4A shows the limiting amounts of ½ percent highway planning and research

(PR) funds available from the Rural and Urban funds by class of fund. They may be authorized for such purposes upon request of the State and are not to be deducted from construction funds until programmed for planning or research projects.

Table 5 shows the total amount of 1½ percent highway planning and research (HPR) funds available from Federal-aid Interstate, Rural, Urban and Priority Primary highway funds apportioned for fiscal year 1975 and, under the column headed 4½ percent, the amount of funds from this apportionment available to each State for projects under the National Cooperative Highway Research Program.

Table 6 shows the Urban System funds attributable to urbanized areas of 200,000 or more population from Urban System funds apportioned for FY 1975. (Ref. 23 U.S.C. 150, Allocation of Urban System Funds.)

Table 7 shows the percentage of Federal participation in projects financed with 1½ percent highway planning and research (HPR) funds available from Federal-aid Interstate, Rural, Urban and Priority Primary highway funds apportioned for fiscal year 1975. (Ref. PPM 50-1.1)

Table 8 shows the percentage of Federal participation in projects financed from 1½ percent highway planning and research (HPR) funds available from Federal-aid Interstate, Rural, Urban and Priority Primary highway funds apportioned for fiscal year 1975 for States that have signed agreements pursuant to 23 U.S.C. 120(a) Clause (B).

Table 9 shows the total limiting amounts of ½ percent education and training (E&T) funds available for National Highway Institute education and training projects available from Rural, Urban and Priority Primary funds apportioned for FY 1975. Table 9A shows the limiting amounts of ½ percent education and training (E&T) funds available from the Rural and Urban funds by class of fund.

Amounts available only for projects for installation of protective devices and for other projects for elimination of hazards at railway-highway crossings from railway-highway crossing funds authorized for fiscal year 1975 by sec. 203 of the Highway Safety Act of 1973

State	Available only for installation of protective devices (FHWA Code 139)	Available for elimination of hazards ¹ (FHWA Code 133)	Total
Alabama	\$644,014	\$644,014	\$1,288,028
Alaska	1,057,014	1,057,014	2,114,028
Arizona	427,362	427,361	854,723
Arkansas	428,130	428,130	856,260
California	2,844,031	2,844,031	5,688,062
Colorado	520,059	520,059	1,040,118
Connecticut	424,008	424,007	848,015
Delaware	162,408	162,408	324,816
Florida	1,018,918	1,018,918	2,037,836
Georgia	825,653	825,652	1,651,305
Hawaii	175,999	175,998	351,997
Idaho	288,104	288,103	576,207
Illinois	1,670,810	1,670,810	3,341,620
Indiana	839,102	839,102	1,678,204
Iowa	643,349	643,349	1,286,698
Kansas	588,469	588,469	1,176,938
Kentucky	504,179	504,178	1,008,357
Louisiana	590,779	590,779	1,181,558
Maine	235,081	235,080	470,161
Maryland	555,181	555,181	1,110,362
Massachusetts	742,736	742,735	1,485,471
Michigan	1,352,824	1,352,823	2,705,647
Minnesota	817,885	817,885	1,635,770
Mississippi	462,687	462,685	925,372
Missouri	902,604	902,603	1,805,207
Montana	414,376	414,376	828,752
Nebraska	447,887	447,886	895,773
Nevada	277,747	277,747	555,495
New Hampshire	162,697	162,696	325,393
New Jersey	927,473	927,473	1,854,946
New Mexico	362,516	362,516	725,032
New York	2,517,208	2,517,208	5,034,416
North Carolina	841,182	841,182	1,682,364
North Dakota	311,273	311,273	622,546
Ohio	1,547,980	1,547,980	3,095,960
Oklahoma	576,613	576,613	1,153,226
Oregon	467,841	467,841	935,682
Pennsylvania	1,699,826	1,699,826	3,398,652
Rhode Island	193,890	193,890	387,780
South Carolina	441,568	441,568	883,136
South Dakota	335,304	335,304	670,608
Tennessee	705,462	705,462	1,410,924
Texas	2,116,545	2,116,544	4,233,089
Utah	292,237	292,236	584,473
Vermont	131,293	131,292	262,585
Virginia	772,501	772,500	1,545,001
Washington	603,521	603,520	1,207,041
West Virginia	315,229	315,229	630,458
Wisconsin	804,900	804,899	1,609,799
Wyoming	264,987	264,987	529,974
District of Columbia	94,615	94,615	189,231
Puerto Rico	322,803	322,803	645,606
Total	36,735,422	36,735,402	73,470,824

¹Including additional projects for installation of protective devices.

TABLE 1.—Apportionment of Federal-aid highway funds authorized for fiscal year 1975

State	Rural	Urban	1/2 percent MTA planning	Priority primary	Subtotal	Interstate	Total
Alabama	\$23,916,367	\$13,436,023	\$207,744	\$3,567,063	\$41,157,827	\$03,436,698	\$304,624,525
Alaska	58,558,266	4,102,211	132,300		62,792,777		62,792,777
Arizona	15,058,700	9,713,714	242,067	2,438,205	27,512,686	59,471,349	86,984,035
Arkansas	18,808,830	6,073,670	132,300	2,397,216	27,412,006	22,203,027	49,615,033
California	43,004,950	227,218,814	3,370,851	15,743,036	159,347,651	200,500,063	359,847,713
Colorado	18,164,273	11,978,572	297,702	2,632,235	33,422,872	60,670,722	94,093,594
Connecticut	9,083,476	10,377,160	439,602	2,314,835	27,215,633	54,921,459	112,136,432
Delaware	5,363,050	4,633,512	132,300	751,431	10,830,293	14,626,500	25,456,793
Florida	21,773,505	37,040,039	594,454	5,633,823	65,311,833	62,351,721	127,663,554
Georgia	23,705,563	18,166,535	333,152	4,604,232	45,327,633	72,731,464	118,059,097
Hawaii	5,363,050	5,064,229	132,300	877,245	11,437,834	30,276,855	41,714,689
Idaho	12,858,843	4,483,356	132,300	1,633,234	19,007,823	14,626,500	33,634,323
Illinois	32,418,451	63,965,540	1,040,673	9,173,363	107,203,442	144,183,637	251,387,079
Indiana	25,633,847	22,877,197	600,574	4,608,204	53,130,122	33,368,877	89,046,999
Iowa	24,918,635	10,448,417	170,113	3,662,649	41,165,874	31,183,638	72,349,512
Kansas	24,580,072	9,598,738	164,350	3,397,478	37,650,644	33,368,877	73,017,521
Kentucky	21,552,039	11,180,432	234,379	3,118,639	36,060,909	43,177,428	79,238,337
Louisiana	18,390,366	16,185,973	350,161	3,316,423	33,917,623	63,733,602	129,971,227
Maine	9,443,224	4,721,859	132,300	1,218,045	15,615,423	15,416,331	30,931,753
Maryland	10,786,245	21,240,733	541,829	3,630,773	35,633,155	111,950,434	147,585,632
Massachusetts	10,353,570	33,544,307	900,375	4,067,324	43,871,135	60,976,830	104,847,965
Michigan	32,869,834	45,287,074	1,183,337	7,441,855	86,782,500	104,530,222	191,312,722
Minnesota	30,396,212	17,040,963	337,715	4,550,129	52,391,024	63,042,478	115,433,502
Mississippi	20,637,678	6,268,663	132,300	2,676,491	29,604,121	26,131,435	55,735,556
Missouri	30,001,889	22,286,560	633,814	4,997,047	57,824,310	68,104,254	115,928,564
Montana	20,333,280	4,490,600	132,300	2,325,754	27,231,634	30,072,684	57,304,318
Nebraska	19,894,679	6,139,883	132,300	2,633,714	23,705,576	14,626,500	43,332,076
Nevada	12,114,576	4,623,232	132,300	1,655,237	18,425,415	14,626,500	33,051,915
New Hampshire	5,363,050	4,642,700	132,300	754,627	10,894,677	14,626,500	25,521,177
New Jersey	11,003,789	45,043,617	1,271,126	5,071,534	62,393,060	82,522,713	144,915,773
New Mexico	16,050,833	5,176,225	132,300	2,122,164	23,480,567	27,145,784	50,626,351
New York	37,523,578	109,413,314	2,933,709	13,733,007	153,713,663	112,443,532	276,157,195
North Carolina	33,900,163	14,934,678	233,660	4,633,896	53,727,233	53,415,973	107,143,206
North Dakota	14,502,273	4,383,348	132,300	1,623,711	20,651,632	14,623,500	35,275,132
Ohio	33,478,031	55,880,906	1,839,065	8,431,132	99,229,194	89,823,216	189,052,410
Oklahoma	21,913,894	11,533,090	219,334	3,223,457	36,899,755	21,237,673	58,137,428
Oregon	17,820,171	9,322,118	336,787	2,633,153	30,636,231	74,185,608	104,821,839
Pennsylvania	40,503,223	57,633,434	1,447,637	9,308,433	108,917,639	143,807,743	252,725,382
Rhode Island	5,363,050	5,890,079	132,300	1,044,035	12,413,669	26,131,435	38,545,104
South Carolina	17,759,066	7,875,533	135,811	2,440,155	23,210,601	24,073,219	47,283,820
South Dakota	15,963,810	4,350,291	132,300	1,762,833	22,215,234	14,626,500	36,841,734
Tennessee	25,375,842	15,523,961	311,304	3,630,127	45,699,234	40,600,164	86,300,398
Texas	61,470,401	80,930,033	1,440,563	11,604,963	133,807,970	133,978,740	267,786,710
Utah	11,133,569	5,830,933	132,300	1,717,679	18,825,674	34,167,505	52,993,179
Vermont	4,836,745	3,636,530	119,070	610,700	9,193,071	13,163,830	22,356,901
Virginia	24,348,687	20,330,000	531,256	4,232,935	49,482,834	127,045,779	176,528,613
Washington	18,017,890	16,908,671	391,773	3,332,620	38,701,064	194,959,764	233,660,828
West Virginia	13,460,702	5,682,423	132,300	1,697,063	20,372,453	67,340,406	87,712,859
Wisconsin	28,627,318	19,704,107	432,180	4,448,633	51,212,130	34,138,251	85,350,381
Wyoming	12,163,252	4,187,716	132,300	1,324,630	17,830,738	18,537,193	34,367,931
District of Columbia	5,425,770	5,425,770	132,300	617,014	6,100,967	70,908,272	77,010,239
Puerto Rico	8,401,533	10,257,647	230,704		18,689,904		18,689,904
Total	1,084,333,279	1,362,199,271	26,446,776	194,062,686	2,367,941,909	2,965,113,333	5,333,655,242

TABLE 2.—Federal-aid highway funds apportioned for the fiscal year 1975 exclusive of 1 1/2 percent highway and research funds (HPR)

Table with columns: State, Rural, Urban, Priority primary, Subtotal, Interstate, Total. Lists 50 states and Puerto Rico with corresponding funding amounts.

TABLE 1a.—Apportionment of Federal-aid rural and urban funds authorized for fiscal year 1975

Table with columns: State, Primary, Secondary, Total, Extensions, System, Urban, Total. Lists 50 states and Puerto Rico with funding amounts for primary and secondary roads.

TABLE 8.—Amounts available for 1½ percent highway planning and research (HPR) projects and limiting amounts available for railway-highway projects from funds apportioned for fiscal year 1975

State	1½ percent highway planning and research (HPR) projects			Total
	Rural	Urban	Priority primary	
Alabama.....	\$558,744	\$201,880	\$83,515	\$844,139
Alaska.....	878,373	61,583	37,473	977,429
Arizona.....	225,880	146,705	37,473	410,058
Arkansas.....	225,880	146,705	37,473	410,058
California.....	946,073	1,098,281	206,286	2,250,640
Colorado.....	274,053	179,078	44,783	497,914
Connecticut.....	121,251	246,687	34,723	402,661
Delaware.....	80,445	655,000	11,271	736,716
Florida.....	446,049	780,510	85,403	1,212,062
Georgia.....	80,445	76,993	22,468	180,906
Hawaii.....	102,682	839,482	137,000	1,029,164
Idaho.....	388,407	93,123	63,123	544,653
Illinois.....	308,780	163,725	63,494	535,999
Iowa.....	308,780	163,725	63,494	535,999
Kansas.....	308,780	163,725	63,494	535,999
Kentucky.....	242,338	40,784	46,784	289,906
Louisiana.....	141,647	318,010	18,270	477,927
Maine.....	141,647	318,010	18,270	477,927
Maryland.....	141,647	318,010	18,270	477,927
Massachusetts.....	141,647	318,010	18,270	477,927
Michigan.....	141,647	318,010	18,270	477,927
Minnesota.....	141,647	318,010	18,270	477,927
Mississippi.....	141,647	318,010	18,270	477,927
Missouri.....	141,647	318,010	18,270	477,927
Montana.....	141,647	318,010	18,270	477,927
Nebraska.....	141,647	318,010	18,270	477,927
Nevada.....	141,647	318,010	18,270	477,927
New Hampshire.....	141,647	318,010	18,270	477,927
New Jersey.....	141,647	318,010	18,270	477,927
New York.....	141,647	318,010	18,270	477,927
North Carolina.....	141,647	318,010	18,270	477,927
North Dakota.....	141,647	318,010	18,270	477,927
Oklahoma.....	141,647	318,010	18,270	477,927
Oregon.....	141,647	318,010	18,270	477,927
Rhode Island.....	141,647	318,010	18,270	477,927
South Carolina.....	141,647	318,010	18,270	477,927
South Dakota.....	141,647	318,010	18,270	477,927
Tennessee.....	141,647	318,010	18,270	477,927
Texas.....	141,647	318,010	18,270	477,927
Utah.....	141,647	318,010	18,270	477,927
Vermont.....	141,647	318,010	18,270	477,927
Virginia.....	141,647	318,010	18,270	477,927
Washington.....	141,647	318,010	18,270	477,927
West Virginia.....	141,647	318,010	18,270	477,927
Wisconsin.....	141,647	318,010	18,270	477,927
Wyoming.....	141,647	318,010	18,270	477,927
District of Columbia.....	141,647	318,010	18,270	477,927
Puerto Rico.....	141,647	318,010	18,270	477,927
Total.....	10,230,919	18,032,941	2,021,411	30,285,271

TABLE 2a.—Federal-aid rural and urban funds apportioned for the fiscal year 1975 exclusive of 1½ percent highway planning and research funds (HPR)

State	Rural		Urban		Total
	Primary	Secondary	Extensions	System	
Alabama.....	\$4,091,214	\$5,609,409	\$9,491,672	\$3,792,684	\$13,284,356
Alaska.....	36,765,380	20,974,507	3,792,684	8,862,321	66,334,892
Arizona.....	9,491,214	6,393,763	4,230,787	9,082,599	29,208,363
Arkansas.....	11,789,711	6,730,978	8,010,911	4,230,787	30,762,387
California.....	21,289,488	13,070,389	39,486,922	11,789,711	94,636,500
Colorado.....	9,491,214	6,393,763	4,230,787	9,082,599	29,208,363
Connecticut.....	3,009,870	2,885,365	11,496,248	11,496,248	28,881,731
Delaware.....	1,920,947	1,920,947	3,192,634	3,192,634	8,137,162
Florida.....	13,070,389	7,798,574	9,082,599	12,895,650	42,847,212
Georgia.....	3,009,870	2,885,365	11,496,248	11,496,248	28,881,731
Hawaii.....	3,009,870	2,885,365	11,496,248	11,496,248	28,881,731
Idaho.....	20,974,507	4,091,214	17,883,248	4,091,214	26,969,973
Illinois.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Indiana.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Iowa.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Kansas.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Kentucky.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Louisiana.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Maine.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Maryland.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Massachusetts.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Michigan.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Minnesota.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Mississippi.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Missouri.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Montana.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Nebraska.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Nevada.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
New Hampshire.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
New Jersey.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
New Mexico.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
New York.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
North Carolina.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
North Dakota.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Oklahoma.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Oregon.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Pennsylvania.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Rhode Island.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
South Carolina.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
South Dakota.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Tennessee.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Texas.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Utah.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Vermont.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Virginia.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Washington.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
West Virginia.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Wisconsin.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Wyoming.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
District of Columbia.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Puerto Rico.....	10,230,919	1,920,947	17,883,248	4,091,214	34,146,328
Total.....	634,071,002	383,927,328	1,033,038,330	288,116,775	2,340,153,435

TABLE 4.—Limiting amounts available for 1/2 percent highway planning and research (P.R.) projects from funds apportioned for fiscal year 1975

State	Rural		Priority primary	Urban		Total
	Secondary	System		System	System	
Alabama.....	\$130,452	\$144,517	\$17,338	\$119,581	\$87,170	\$204,568
Alaska.....	828,292	578,373	12,491	292,700	20,511	313,201
Arizona.....	558,065	107,562	12,491	75,263	48,568	136,366
Arkansas.....	143,742	225,880	11,986	94,013	30,367	138,362
California.....	170,538	282,131	78,745	215,023	636,063	920,861
Colorado.....	448,835	109,178	14,911	90,820	50,832	165,623
Connecticut.....	173,385	99,077	11,574	40,417	81,855	133,876
Delaware.....	77,160	94,091	3,757	26,815	23,167	53,730
Florida.....	51,192	29,233	28,169	108,867	185,109	322,235
Georgia.....	207,835	118,764	28,821	118,519	90,802	302,172
Hawaii.....	283,595	102,054	4,486	26,815	56,331	346,411
Idaho.....	51,192	29,233	7,066	64,293	22,410	91,375
Illinois.....	129,743	70,139	4,866	162,091	110,827	272,918
Indiana.....	300,448	176,837	45,800	128,469	114,335	262,804
Iowa.....	245,250	140,148	23,041	134,593	62,241	196,834
Kansas.....	256,951	146,820	17,813	122,900	47,692	170,592
Kentucky.....	234,027	134,073	15,591	107,750	179,255	313,775
Kentucky.....	205,724	117,556	16,577	80,770	80,770	186,544
Louisiana.....	175,544	100,311	6,000	47,215	23,609	175,315
Maine.....	90,130	51,503	16,183	54,930	106,202	176,315
Maryland.....	102,050	68,834	20,330	61,707	167,721	239,524
Massachusetts.....	104,747	50,556	37,209	144,348	226,434	470,991
Michigan.....	313,757	170,200	27,280	151,980	85,204	237,184
Minnesota.....	200,145	105,707	12,877	103,188	31,432	134,620
Mississippi.....	206,990	112,500	24,985	150,093	22,453	172,546
Missouri.....	286,331	163,646	11,628	101,065	30,099	134,865
Montana.....	194,000	110,008	12,093	69,473	30,099	134,865
Nebraska.....	189,003	108,518	7,770	60,572	23,116	91,688
Nevada.....	115,630	66,079	8,772	29,815	23,213	53,800
New Hampshire.....	51,192	29,233	25,357	55,043	25,217	80,260
New Jersey.....	119,021	45,210	10,010	89,234	25,870	115,104
New Mexico.....	368,048	240,763	68,940	187,642	57,009	244,651
New York.....	323,692	184,009	23,191	129,560	21,941	151,501
North Carolina.....	138,430	79,103	23,191	129,560	21,941	151,501
North Dakota.....	319,653	182,607	42,405	167,300	270,404	437,704
Ohio.....	209,177	119,530	16,112	89,510	46,809	136,319
Oklahoma.....	170,101	97,994	9,224	28,915	28,915	57,830
Oregon.....	396,621	230,929	13,440	129,560	28,915	158,475
Pennsylvania.....	51,192	29,233	8,224	28,915	28,915	57,830
Rhode Island.....	169,518	87,075	14,000	129,560	28,915	158,475
South Carolina.....	152,481	84,413	14,000	129,560	28,915	158,475
South Dakota.....	586,702	353,293	5,621	129,560	28,915	158,475
Tennessee.....	106,274	60,728	14,000	129,560	28,915	158,475
Texas.....	46,073	24,327	6,883	24,327	18,481	42,808
Utah.....	232,413	133,807	21,914	129,560	28,915	158,475
Virginia.....	171,088	93,278	16,112	89,510	46,809	136,319
Washington.....	128,488	73,422	2,912	134,633	68,530	203,163
West Virginia.....	257,033	146,870	7,662	69,841	27,138	294,171
Wisconsin.....	116,101	60,372	2,855	42,007	51,257	97,259
Wyoming.....	80,196	43,820	974,700	5,421,621	5,310,933	11,707,364
District of Columbia.....						
Puerto Rico.....						
Total.....	10,417,237	5,817,632	974,700	5,421,621	5,310,933	11,707,364

TABLE 3a.—Amounts available for 1 1/2 percent highway planning and research (HPR) projects from funds apportioned for fiscal year 1975

State	Rural		Total	Urban		Total
	Primary	Secondary		System	System	
Alabama.....	\$228,292	\$130,452	\$358,744	\$144,517	\$201,539	\$346,056
Alaska.....	558,065	310,408	868,473	578,373	145,705	724,078
Arizona.....	143,742	82,138	225,880	107,562	145,705	253,267
Arkansas.....	170,538	102,503	273,041	65,341	1,008,291	1,073,632
California.....	448,835	109,178	558,013	1,308,618	1,008,291	2,316,909
Colorado.....	173,385	99,077	272,462	128,898	215,657	344,555
Connecticut.....	77,160	94,091	171,251	176,180	69,502	245,682
Delaware.....	51,192	29,233	80,445	338,385	555,000	635,445
Florida.....	207,835	118,764	326,600	102,054	272,407	599,007
Georgia.....	283,595	102,054	385,649	192,975	75,093	268,068
Hawaii.....	51,192	29,233	80,445	57,750	75,262	133,012
Idaho.....	129,743	70,139	199,882	9,494	67,250	167,132
Illinois.....	300,448	176,837	477,285	688,155	950,482	1,438,637
Indiana.....	245,250	140,148	385,398	112,400	313,157	698,555
Iowa.....	256,951	146,820	403,771	156,725	143,080	300,805
Kansas.....	234,027	134,073	368,100	103,295	143,080	246,375
Kentucky.....	205,724	117,556	323,280	47,425	187,707	215,127
Louisiana.....	175,544	100,311	275,855	173,800	212,338	386,138
Maine.....	90,130	51,503	141,633	57,750	67,859	125,609
Maryland.....	102,050	68,834	170,884	228,512	318,610	487,122
Massachusetts.....	104,747	50,556	155,303	360,877	503,194	658,501
Michigan.....	313,757	170,200	483,957	487,208	670,305	1,158,513
Minnesota.....	200,145	105,707	305,852	183,830	235,013	418,843
Mississippi.....	206,990	112,500	319,490	67,332	93,870	161,202
Missouri.....	286,331	163,646	450,007	230,775	334,297	565,072
Montana.....	194,000	110,008	304,008	57,750	67,359	125,109
Nebraska.....	189,003	108,518	297,521	64,051	92,097	156,148
Nevada.....	115,630	66,079	181,718	57,750	69,340	127,090
New Hampshire.....	51,192	29,233	80,445	57,750	67,563	125,308
New Jersey.....	119,021	45,210	164,231	101,094	69,640	170,734
New Mexico.....	368,048	240,763	608,811	10,872	675,653	686,525
New York.....	323,692	184,009	507,701	177,093	1,611,199	1,788,292
North Carolina.....	138,430	79,103	217,533	160,870	221,019	381,889
North Dakota.....	319,653	182,607	502,260	694,179	838,213	1,342,392
Ohio.....	209,177	119,530	328,707	694,179	173,070	867,249
Oklahoma.....	170,101	97,994	268,095	37,750	65,825	103,575
Oregon.....	396,621	230,929	627,550	134,129	173,070	307,199
Pennsylvania.....	51,192	29,233	80,445	62,936	84,375	147,311
Rhode Island.....	169,518	87,075	256,593	100,239	139,831	240,070
South Carolina.....	152,481	84,413	236,894	62,936	84,375	147,311
South Dakota.....	586,702	353,293	939,995	118,132	118,132	1,058,127
Tennessee.....	106,274	60,728	167,002	57,750	67,563	125,308
Texas.....	46,073	24,327	70,400	3,407	305,600	311,007
Utah.....	232,413	133,807	366,220	219,352	233,638	452,990
Virginia.....	171,088	93,278	264,366	80,417	103,638	184,055
Washington.....	128,488	73,422	201,910	18,480	73,638	158,118
West Virginia.....	257,033	146,870	403,903	21,934	245,491	267,425
Wisconsin.....	116,101	60,372	176,473	3,053	62,815	139,288
Wyoming.....	80,196	43,820	124,016	48,371	81,335	129,511
District of Columbia.....						
Puerto Rico.....						
Total.....	10,417,237	5,817,632	16,234,869	4,387,536	11,545,405	15,932,941

TABLE 4a.—Limiting amounts available for 1/2 percent highway planning and research (PR) projects from funds apportioned for fiscal year 1975

State	Rural			Urban		
	Primary	Secondary	Total	Extensions	System	Total
Alabama	\$76,097	\$43,454	\$110,581	\$18,977	\$43,182	\$67,179
Alaska	186,321	106,469	292,790	1,229	19,232	20,611
Arizona	47,914	27,379	75,293	13,784	34,831	48,663
Arkansas	59,846	34,197	94,043	8,657	21,760	30,367
California	148,631	66,392	215,023	179,877	426,216	606,093
Colorado	57,795	33,025	90,820	10,936	42,636	53,572
Connecticut	25,720	14,637	40,417	23,150	58,729	81,883
Delaware	17,064	9,751	26,815	3,915	19,232	23,167
Florida	69,279	39,538	108,867	52,371	132,823	185,199
Georgia	94,531	54,018	148,549	25,077	65,125	90,802
Hawaii	17,064	9,751	26,815	6,079	19,232	25,331
Idaho	40,914	23,379	64,293	3,164	19,232	22,416
Illinois	103,149	58,942	162,091	90,442	239,385	319,827
Indiana	81,753	46,710	128,463	32,346	82,030	114,383
Iowa	85,650	48,943	134,593	14,773	37,468	52,241
Kansas	78,209	44,691	122,900	13,571	31,421	47,692
Kentucky	68,574	39,185	107,759	16,898	49,094	65,992
Louisiana	58,514	33,487	92,001	22,843	57,639	80,482
Maine	30,046	17,169	47,215	4,357	19,232	23,600
Maryland	34,319	19,611	53,930	39,032	79,170	108,202
Massachusetts	34,915	16,852	51,767	47,429	120,292	167,721
Michigan	104,555	59,763	164,348	49,032	162,492	206,431
Minnesota	96,715	55,265	151,980	24,094	61,110	85,204
Mississippi	65,665	37,523	103,188	8,840	22,444	31,233
Missouri	95,460	54,548	150,008	31,511	79,291	111,432
Montana	61,696	36,960	101,855	3,201	19,232	22,433
Nebraska	63,301	36,172	99,473	8,631	22,018	30,649
Nevada	38,546	22,026	60,572	3,584	19,232	23,110
New Hampshire	17,064	9,751	26,815	3,901	19,232	23,213
New Jersey	39,973	15,070	55,043	63,688	161,529	225,217
New Mexico	51,071	29,183	80,254	6,624	19,232	25,876
New York	122,982	64,669	187,642	154,702	372,294	547,066
North Carolina	107,864	61,636	169,500	21,116	53,556	74,672
North Dakota	46,143	26,367	72,510	2,689	19,232	21,941
Ohio	106,521	60,869	167,390	79,011	200,323	279,494
Oklahoma	69,725	39,843	109,568	16,313	41,376	57,689
Oregon	56,700	32,400	89,100	13,169	33,429	46,600
Pennsylvania	128,873	73,612	202,515	81,524	209,767	289,291
Rhode Island	17,064	9,751	26,815	8,271	30,078	38,249
South Carolina	56,506	32,289	88,795	11,135	28,242	39,377
South Dakota	50,793	29,025	79,818	2,829	19,232	21,781
Tennessee	80,741	46,137	126,878	21,372	55,677	77,029
Texas	195,557	111,764	307,321	88,229	218,700	304,929
Utah	35,424	20,242	55,666	8,239	20,874	29,104
Vermont	15,357	8,775	24,132	1,155	17,336	18,491
Virginia	77,471	44,269	121,740	23,815	73,081	101,899
Washington	57,329	32,739	90,068	23,997	69,635	93,632
West Virginia	42,829	24,474	67,303	6,169	19,232	25,401
Wisconsin	55,677	48,938	104,615	27,869	70,666	98,535
Wyoming	38,717	22,124	60,841	1,639	19,232	20,871
District of Columbia			60,841	7,671	19,474	27,145
Puerto Rico	26,732	15,275	42,007	14,593	33,784	48,377
Total	3,472,416	1,949,205	5,421,621	1,462,406	3,848,477	5,310,833

State—Continued	Amount
Delaware	3,486,968
Florida	19,649,781
Georgia	7,124,670
Hawaii	2,841,481
Illinois	37,682,357
Indiana	9,884,092
Iowa	2,299,168
Kansas	3,356,639
Kentucky	4,397,485
Louisiana	7,436,881
Maryland	13,317,253
Massachusetts	18,541,539
Michigan	25,299,034
Minnesota	8,767,455
Mississippi	45,941
Missouri	11,934,190
Nebraska	2,196,099
Nevada	2,391,436
New Hampshire	175,858
New Jersey	30,198,943
New Mexico	1,753,339
New York	71,604,846
North Carolina	1,437,886
Ohio	30,904,291
Oklahoma	4,893,366
Oregon	3,866,990
Pennsylvania	31,689,982
Rhode Island	3,751,668
South Carolina	2,418,579
Tennessee	6,677,466
Texas	27,164,104
Utah	2,465,708
Virginia	10,642,438
Washington	9,636,756
Wisconsin	7,499,427
District of Columbia	3,833,073
Puerto Rico	4,220,307
Total	538,602,533

TABLE 7.—RATES OF FEDERAL PARTICIPATION IN PROJECTS FINANCED WITH 1 1/2 PERCENT HPR FUNDS AVAILABLE FROM FEDERAL-AID HIGHWAY FUNDS APPORTIONED FOR FISCAL YEAR 1975

State:	Percentage of cost payable by Federal Government
Alabama	80.69
Alaska	96.04
Arizona	91.39
Arkansas	77.75
California	83.19
Colorado	84.31
Connecticut	84.23
Delaware	80.28
Florida	80.54
Georgia	80.38
Hawaii	83.50
Idaho	83.49
Illinois	80.30
Indiana	76.82
Iowa	77.44
Kansas	78.46
Kentucky	79.67
Louisiana	82.92
Maine	78.76
Maryland	84.26
Massachusetts	81.92
Michigan	79.74
Minnesota	80.09
Mississippi	78.17
Missouri	78.65
Montana	82.11
Nebraska	75.70
Nevada	94.40
New Hampshire	80.28
New Jersey	80.24
New Mexico	85.47
New York	77.05
North Carolina	78.74
North Dakota	77.13
Ohio	78.33
Oklahoma	76.21
Oregon	87.72
Pennsylvania	80.20
Rhode Island	82.48
South Carolina	78.00
South Dakota	79.33

TABLE 5.—1 1/2 percent highway planning and research (HPR) funds from 1975 Federal-aid highway apportionments and from the participating States contributions to the national cooperative highway research program

State	1 1/2 percent HPR funds	
	Total amount	4 1/2 percent
Alabama	\$1,520,348	\$68,415
Alaska	989,906	42,205
Arizona	1,301,128	58,539
Arkansas	742,238	33,400
California	5,797,089	260,869
Colorado	1,406,934	63,312
Connecticut	1,675,452	75,335
Delaware	380,615	17,127
Florida	2,351,884	105,839
Georgia	1,878,240	84,829
Hawaii	624,048	28,082
Idaho	502,528	22,613
Illinois	3,740,177	168,577
Indiana	1,328,190	59,768
Iowa	1,081,699	48,676
Kansas	1,092,795	49,175
Kentucky	1,185,432	53,344
Louisiana	1,899,228	85,465
Maine	461,088	20,789
Maryland	2,205,661	99,234
Massachusetts	2,064,128	93,785
Michigan	2,852,232	128,350
Minnesota	1,800,533	81,023
Mississippi	634,797	37,565
Missouri	1,700,887	76,539
Montana	388,324	38,624
Nebraska	647,993	29,159
Nevada	493,792	22,220
New Hampshire	380,799	17,135
New Jersey	2,154,697	96,961
New Mexico	757,424	34,084

State	1 1/2 percent HPR funds	
	Total amount	4 1/2 percent
New York	4,097,674	194,333
North Carolina	1,693,342	72,150
North Dakota	427,185	23,723
Ohio	2,815,978	129,761
Oklahoma	858,763	39,094
Oregon	1,569,238	79,210
Pennsylvania	3,769,161	169,612
Rhode Island	576,529	25,946
South Carolina	782,247	35,291
South Dakota	559,659	24,778
Tennessee	1,259,862	57,638
Texas	4,025,099	191,129
Utah	792,591	35,666
Vermont	333,051	14,057
Virginia	2,649,329	118,817
Washington	2,149,633	99,706
West Virginia	1,313,707	29,110
Wisconsin	1,278,270	57,822
Wyoming	514,582	23,156
District of Columbia	1,132,770	51,675
Puerto Rico	279,830	12,491
Total	79,698,976	3,431,920

TABLE 6.—FUNDS ATTRIBUTABLE TO URBANIZED AREAS OF 200,000 OR MORE POPULATION FROM URBAN SYSTEM FUNDS APPORTIONED FOR FISCAL YEAR 1975

State:	Amount
Alabama	\$ 4,327,064
Arizona	5,954,325
Arkansas	1,145,124
California	78,638,556
Colorado	6,440,613
Connecticut	6,609,355

State—Continued

Tennessee	78.27
Texas	78.74
Utah	90.96
Vermont	80.62
Virginia	83.26
Washington	84.30
West Virginia	84.43
Wisconsin	76.34
Wyoming	85.36
District of Columbia	88.05
Puerto Rico	70.00

State—Continued

Iowa	77.44
Kansas	78.52
Kentucky	80.13
Louisiana	83.16
Maine	78.84
Maryland	84.30
Massachusetts	81.09
Michigan	81.26
Minnesota	81.23
Mississippi	78.95
Missouri	79.28
Montana	85.32
Nebraska	75.90
Nevada	95.00
New Hampshire	82.15
New Jersey	80.29
New Mexico	87.41
New York	77.06
North Carolina	79.60
North Dakota	78.12
Ohio	78.44
Oklahoma	76.98
Oregon	90.29
Pennsylvania	80.49
Rhode Island	82.48
South Carolina	78.61
South Dakota	80.24
Tennessee	78.90
Texas	78.92
Utah	92.80
Vermont	81.26
Virginia	84.17
Washington	87.38
West Virginia	85.03
Wisconsin	77.82
Wyoming	88.55
District of Columbia	88.67
Puerto Rico	70.38

TABLE 8.—RATES OF FEDERAL PARTICIPATION IN PROJECTS FINANCED WITH 1½ PERCENT HPR FUNDS AVAILABLE FROM FEDERAL-AID HIGHWAY FUNDS APPORTIONED FOR FISCAL YEAR 1975 FOR STATES THAT ELECT TO USE SLIDING SCALE RATES DETERMINED PURSUANT TO TITLE 23, U.S.C. 120(a) CLAUSE (B)

State:	Percentage of cost payable by Federal Government
Alabama	81.01
Alaska	95.00
Arizona	93.23
Arkansas	79.27
California	87.17
Colorado	87.20
Connecticut	84.23
Delaware	80.28
Florida	81.70
Georgia	80.76
Hawaii	84.11
Idaho	90.53
Illinois	80.42
Indiana	76.98

TABLE 9.—Limiting amounts available for ½ percent National Highway Institute education and training (E&T) projects from funds apportioned for fiscal year 1975

State	Priority primary	Rural	Urban	Total
Alabama	\$17,838	\$110,581	\$67,179	\$204,598
Alaska		292,790	20,511	313,301
Arizona	12,491	75,293	48,568	136,352
Arkansas	11,980	94,043	30,367	136,390
California	78,745	213,023	630,093	921,861
Colorado	11,911	90,820	53,592	156,323
Connecticut	11,374	40,417	61,885	113,676
Delaware	3,757	26,815	23,167	53,739
Florida	23,169	108,867	185,109	322,235
Georgia	22,821	148,549	60,502	262,172
Hawaii	4,456	26,815	25,331	56,632
Idaho	7,666	64,293	22,416	94,375
Illinois	45,866	162,091	310,827	527,784
Indiana	23,041	128,469	114,385	265,895
Iowa	17,813	134,593	52,211	204,617
Kansas	16,537	122,900	47,092	187,429
Kentucky	15,594	107,759	55,902	179,255
Louisiana	16,577	91,951	80,770	189,307
Maine	6,090	47,215	23,609	76,914
Maryland	15,153	53,930	106,202	175,315
Massachusetts	20,336	51,767	167,721	239,824
Michigan	37,209	164,348	226,434	427,991
Minnesota	22,780	151,980	85,204	259,964
Mississippi	12,877	103,188	31,293	147,358
Missouri	24,985	150,008	111,432	286,425
Montana	11,628	101,665	22,453	135,746
Nebraska	12,693	99,473	30,639	142,805
Nevada	7,776	60,572	23,116	91,464
New Hampshire	3,772	26,815	23,213	53,800
New Jersey	25,357	55,013	225,217	305,617
New Mexico	10,610	80,254	25,876	116,740
New York	68,940	187,642	547,006	803,618
North Carolina	23,194	169,500	74,672	267,366
North Dakota	8,143	72,510	21,941	102,594
Ohio	42,405	167,399	279,404	489,199
Oklahoma	16,142	109,563	57,639	183,344
Oregon	13,440	89,100	46,609	149,149
Pennsylvania	46,542	202,515	288,201	537,258
Rhode Island	5,224	26,815	29,249	61,288
South Carolina	12,200	88,795	89,377	140,372
South Dakota	8,814	79,818	21,781	110,413
Tennessee	19,430	126,878	77,629	223,937
Texas	59,524	307,351	304,929	671,804
Utah	8,589	55,666	29,104	93,359
Vermont	2,533	24,132	18,481	45,196
Virginia	21,264	121,740	101,899	244,903
Washington	16,914	90,088	84,542	191,544
West Virginia	8,485	67,303	25,412	101,200
Wisconsin	22,242	134,635	98,520	255,397
Wyoming	6,962	60,841	20,638	88,441
District of Columbia	2,535		27,128	29,713
Puerto Rico		42,007	51,237	93,244
Total	974,790	5,421,621	5,310,953	11,707,364

TABLE 9a.—Limiting amounts available for 1½ percent National Highway Institute education and training (Ed&T) projects from funds apportioned for fiscal year 1975

State	Rural			Urban		
	Primary	Secondary	Total	Extensions	System	Total
Alabama	\$76,097	\$43,494	\$119,591	\$18,097	\$48,182	\$66,279
Alaska	186,321	106,469	292,790	1,229	19,232	20,461
Arizona	47,914	27,379	75,293	13,734	34,834	48,568
Arkansas	59,846	34,197	94,043	8,587	21,780	30,367
California	148,631	60,822	219,453	179,877	450,216	629,093
Colorado	57,735	33,025	90,760	10,630	42,656	53,286
Connecticut	25,720	14,697	40,417	23,156	28,729	51,885
Delaware	17,064	9,751	26,815	3,915	19,232	23,147
Florida	69,279	39,588	108,867	22,371	132,853	155,224
Georgia	94,521	54,018	148,539	23,677	65,125	88,802
Hawaii	17,064	9,751	26,815	6,079	19,232	25,311
Idaho	40,914	23,679	64,593	3,164	19,232	22,396
Illinois	103,149	53,942	157,091	90,442	229,335	319,777
Indiana	81,753	46,716	128,469	32,348	82,033	114,381
Iowa	85,630	48,943	134,573	14,773	37,458	52,231
Kansas	78,209	44,631	122,840	13,571	34,421	48,092
Kentucky	68,574	39,185	107,759	15,808	40,094	55,902
Louisiana	58,514	33,437	91,951	22,843	47,633	70,476
Maine	30,046	17,169	47,215	4,327	19,232	23,559
Maryland	34,319	19,611	53,930	33,032	100,202	133,134
Massachusetts	34,915	16,852	51,767	47,429	120,292	167,721
Michigan	104,585	52,763	157,348	61,032	162,462	219,494
Minnesota	98,715	55,265	153,980	24,094	61,110	85,204
Mississippi	65,665	37,823	103,488	8,849	22,444	31,293
Missouri	95,460	54,548	150,008	31,511	79,021	110,532
Montana	64,696	39,969	104,665	3,201	19,232	22,433
Nebraska	63,301	39,172	102,473	8,681	22,018	30,699
Nevada	38,546	22,026	60,572	3,664	19,232	22,896
New Hampshire	17,064	9,751	26,815	3,661	19,232	22,893
New Jersey	39,973	15,070	55,043	63,688	101,329	156,372
New Mexico	51,071	29,183	80,254	6,624	19,232	25,856
New York	122,082	64,660	186,742	154,702	332,364	487,066
North Carolina	107,864	61,636	169,500	21,116	63,556	84,672
North Dakota	46,143	26,367	72,510	2,689	19,232	21,921
Ohio	106,521	60,869	167,390	79,011	200,333	279,344
Oklahoma	69,725	39,843	109,568	16,313	41,376	57,689
Oregon	56,700	32,400	89,100	13,180	33,429	46,609
Pennsylvania	128,873	73,642	202,515	81,524	206,767	288,291
Rhode Island	17,064	9,751	26,815	8,271	29,978	38,249
South Carolina	56,506	32,289	88,795	11,135	28,242	39,377
South Dakota	50,793	29,025	79,818	2,522	19,232	21,754
Tennessee	80,741	46,137	126,878	21,022	55,677	76,699
Texas	195,587	111,764	307,351	89,223	218,700	307,923
Utah	35,424	20,242	55,666	8,233	29,874	38,107
Vermont	15,357	8,775	24,132	1,155	17,355	18,510
Virginia	77,471	44,259	121,730	23,815	73,684	97,499
Washington	57,329	32,759	90,088	33,907	69,635	103,542
West Virginia	42,829	24,474	67,303	6,169	19,232	25,401
Wisconsin	85,677	48,353	134,030	27,630	70,650	98,280
Wyoming	83,717	22,124	105,841	7,674	19,232	26,906
District of Columbia			60,841	7,674	19,232	26,906
Puerto Rico	23,732	15,275	39,007	14,703	23,781	38,484
Total	3,472,416	1,949,205	5,421,621	1,462,496	3,848,457	5,310,953

[FHWA N 4510.20]

ALLOCATION OF ECONOMIC GROWTH CENTER DEVELOPMENT HIGHWAY FUNDS

AUGUST 19, 1974.

1. *Purpose.* The purpose of this Notice is to provide the allocation of funds authorized for fiscal years 1974 and 1975 for the Economic Growth Center Development Highway Program.

2. *Allocation.* The attached table shows amounts allocated to each State. The allocation is based on the ratio of non-urbanized population in each State to total non-urbanized population in all States, adjusted to provide a minimum share of ½ percent.

Seventy-five percent of the total FY 1974 and FY 1975 authorizations have been allocated, after deducting a small administrative reserve. This allocation consists of \$48.5 million of FY 1974 authorizations and \$43.0 million of the \$75 million authorized for FY 1975. The remainder of the FY 1975 authorization will be held in reserve for possible allocation later in FY 1975. Funds authorized for FY 1976 will not be allocated during FY 1975.

Economic growth center funds authorized for FY 1974 and FY 1975 must be obligated on projects for which project agreements have been executed by June 30, 1976 and June 30, 1977, respectively, to prevent lapse. In this connection, any of the funds allocated by this Notice may be withdrawn for redistribution if not obligated by December 31, 1975.

3. *Availability.* The funds are available for programming in accord with the provisions of Section 2, Chapter 8, Volume 4, of the Federal-Aid Highway Program Manual, which will be issued shortly. Pending issuance, States may program projects serving existing approved economic growth centers.

Obligations of economic growth center funds are chargeable to the obligation authority limitation in force at the time of obligation. During FY 1975, obligations will be charged to obligation authority made available by FHWA Notice N 4520.16, dated July 24, 1974.

4. *Action.* Division Engineers are to request State highway departments to send copies of these allocations to the Governors in order to keep them informed.

Allocation of economic growth center development highway funds authorized for fiscal years 1974 and 1975

State	[Thousands of dollars]		
	Fiscal year 1974 funds	Fiscal year 1975 funds	Total
Alabama	1,159	1,028	2,187
Alaska	243	215	458
Arizona	349	310	659
Arkansas	877	777	1,654
California	2,694	1,848	4,542
Colorado	445	334	779
Connecticut	443	328	771
Delaware	243	215	458
Florida	1,168	1,036	2,204
Georgia	1,538	1,363	2,901
Hawaii	243	215	458
Idaho	356	316	672
Illinois	1,784	1,582	3,366
Indiana	1,583	1,428	3,011
Iowa	1,125	958	2,083
Kansas	767	736	1,503
Kentucky	1,191	1,056	2,247
Louisiana	1,037	937	1,974
Maine	466	414	880
Maryland	757	671	1,428
Massachusetts	702	632	1,334
Michigan	1,781	1,579	3,360
Minnesota	1,031	931	1,962
Mississippi	1,075	954	2,029
Missouri	1,122	1,037	2,159
Montana	313	278	591
Nebraska	508	451	959
Nevada	213	215	428
New Hampshire	330	234	564
New Jersey	419	348	767
New Mexico	468	322	790
New York	2,155	1,611	3,766
North Carolina	2,106	1,869	3,975
North Dakota	320	234	554
Ohio	2,272	2,014	4,286
Oklahoma	536	760	1,296
Oregon	633	537	1,170
Pennsylvania	2,729	2,419	5,148
Rhode Island	243	215	458
South Carolina	1,060	940	2,000
South Dakota	335	237	572
Tennessee	1,345	1,152	2,497
Texas	2,837	2,116	4,953
Utah	243	215	458
Vermont	232	224	456
Virginia	1,226	1,131	2,357
Washington	734	704	1,438
West Virginia	734	677	1,411
Wisconsin	1,331	1,153	2,484
Wyoming	243	215	458
Puerto Rico	324	319	643
Total	48,500	43,000	91,500
Reserve		30,500	30,500
Administration	1,500	1,500	3,000
Total	50,000	75,000	125,000

[FHWA N5030.14]

FAIR LABOR STANDARDS AMENDMENTS OF 1974

MAY 1, 1974.

1. *Purpose.* To advise FHWA personnel and State highway departments regarding wage impact of the Fair Labor Standards Amendments of 1974.

2. *Background.* Neither FHWA nor State highway departments have any direct responsibility for enforcement of minimum wages required to be paid by contractors and subcontractors pursuant to the Fair Labor Standards Act. See sections 203-1 and 203-3 of the Labor Compliance Manual, Third Edition. There is an indirect duty, however, as explained in subsection 203-3.1.

3. *Information.* Minimum wages payable by highway contractors and subcontractors under the Fair Labor Standards Act will increase from the present \$1.60 hourly as follows:

May 1, 1974	Jan. 1, 1975	Jan. 1, 1976
\$2.00	\$2.10	\$2.30

It is expected that wage determinations pursuant to the Davis-Bacon Act and 23 U.S.C. 113 will be modified for any changes necessary, from time to time, to conform to the schedule of increases.

The Fair Labor Standards Amendments of 1974 apply for the first time to individuals¹ employed by a State, political subdivision of a State, or an Interstate government agency. The following minimums apply:

May 1, 1974	Jan. 1, 1975	Jan. 1, 1976	Jan. 1, 1977
\$1.90	\$2.00	\$2.20	\$2.30

Workmen on highway force account or maintenance projects will be subject to the minimum wages. Time and one-half payment is mandatory for all hours worked in excess of 40 hours in a workweek.

[FHWA N 5180.1]

ADMINISTRATION OF SECTION 230 OF THE HIGHWAY SAFETY ACT OF 1973—FEDERAL-AID SAFER ROADS DEMONSTRATION PROGRAM

JANUARY 10, 1974.

1. *Purpose.* To provide instructions for administering funds provided for in Section 230 of the Highway Safety Act of 1973.

2. *Background.* The notification of apportionment dated November 29 for Section 230 funds—Federal-Aid Safer Roads Demonstration Program was addressed to the Governors of each State. The notification letter further indicated that the Governor was to designate an appropriate agency of the State to administer the expenditure of these funds.

3. *Action.* When the Governors of the States in your region have indicated which State agency will be responsible for the administration of these funds, the division engineer should meet with the designated agency to discuss and review their proposed method of handling this program. The review should include an evaluation of the size and types of staff assigned to the function. It should also evaluate extent of liaison with local agencies.

Projects for correcting identified safety hazards under the Safer Roads Demonstration Program shall comply with the provisions of Chapter I of Title 23

¹ Coverage does not apply to any individual who is not subject to the civil service laws of the State, political subdivision or agency which employs him; and who:

- Holds a public elective office of that State, political subdivision, or agency which employs him,
- Is selected by the holder of such an office to be a member of his personal staff,
- Is appointed by such an officeholder to serve on a policymaking level, or
- Is an immediate adviser to such an officeholder with respect to the constitutional or legal powers of his office.

relating to the obligations, period of availability and expenditure for Federal-aid primary highway funds.

[FHWA ORDER 2-4]

CLEARANCE AND RELEASE OF PUBLIC INFORMATION MATERIAL

FEBRUARY 7, 1972.

Par.

- Purpose.
- General.
- Procedures.

1. *Purpose.* To prescribe Federal Highway Administration (FHWA) policies and procedures for the clearance and release of all public information materials including press releases, speeches, technical papers, magazine articles, brochures, exhibits, films, radio and television copy, film strips and slide presentations prepared for public release.

2. *General—*a. *Review, Clearance and Release of Written, Oral, or Visual Public Information Material.* The Director, Office of Public Affairs, FHWA, acting for the Federal Highway Administrator, is responsible for overseeing the review, clearance, and release of written, oral, or visual public information material in a timely and accurate manner, in conformance with Department of Transportation (DOT) and FHWA policies, and so as to develop and enhance public interest in and understanding of DOT and FHWA policies and programs. Such clearance shall also include editorial review from the standpoint of writing style and content.

b. *References.* (1) DOT Order 1210.3, REVIEW OF DOT PUBLIC RELATIONS ACTIVITIES, February 8, 1971.

(2) DOT Order 1210.4, RELEASE OF INFORMATION, February 24, 1971.

c. *Other Provisions Which Take Precedence Over This Order.* This order is subject to the provisions of the Freedom of Information Act and the FHWA Administrative Manual, Volume 34, Chapter X, "Public Availability of Records" and does not supersede the requirements of that law and regulation.

3. *Procedures—*a. *Functions of the Director, Office of Public Affairs, FHWA.* The Director, Office of Public Affairs FHWA, shall:

(1) Be responsible for overseeing the review and clearance of FHWA public information material and shall coordinate with appropriate Office of the Secretary of Transportation (OST) offices for the release of such public information material as required by applicable OST directives;

(2) Serve as the FHWA control point for the review and coordination of newly proposed public information activities prior to the submission of such proposals to the DOT Public Relations Review Board; and

(3) Assure that the Federal Highway Administrator, his immediate staff, and appropriate OST offices are kept informed of any event involving DOT programs or personnel which has potential public information significance.

b. *Material Requiring Review and Clearance by the Director, Office of Pub-*

lic Affairs, FHWA. FHWA headquarters office public information material requiring review and clearance by the Director, Office of Public Affairs, FHWA are:

(1) All public information material having policy-making implications or substantial public information significance;

(2) All press releases, except for releases on Federal Court convictions and settlements of civil forfeiture claims for Motor Carrier Safety violations which shall be issued by the Director, Bureau of Motor Carrier Safety, or the appropriate FHWA Regional Administrator in conformance with procedures established by the Director, Office of Public Affairs, FHWA;

(3) All grants and grants-in-aid, except for formula grants;

(4) All contracts of \$50,000 and over except for:

(a) Contracts awarded by regional offices, and

(b) Contracts for "off-the-shelf" commodities;

(5) All speeches and magazine articles given or signed by Headquarters office personnel and having substantial public information significance;

(6) All motion pictures, slide and film strip presentations, and radio and television copy;

(7) All other public information material issued under the imprint of the FHWA or funded with FHWA monies.

c. *Material to be Reviewed and Cleared by an Associate Administrator or Staff Office Director.* Speech and magazine material prepared for delivery by or signature of FHWA headquarters personnel other than Associate Administrators and Staff Office Directors and not having policy-making implications or public information significance shall be reviewed and cleared by the appropriate Associate Administrator or Staff Office Director.

d. *Review, Clearance, and Coordination of Material Originated by Field Personnel.* Regional Federal Highway Administrators shall be responsible for the review and clearance of all public information type materials originated by field personnel and for coordinating with the Director, Office of Public Affairs, FHWA, on all materials having policy-making implications. Copies of all field office press releases shall be furnished to the Director, Office of Public Affairs, FHWA, and appropriate Washington Headquarters offices.

e. *Clearance of Informal Presentations or Panel Participation Discussions.* Informal presentations or panel participation discussions for which written texts are not utilized shall be cleared through the submission of an outline of major points to be covered. Should a formal text be prepared later for publication in the form of a technical paper, proceedings, etc., normal review and clearance procedures shall be followed.

f. *Use of Material Previously Cleared.* Materials previously cleared may be used for subsequent presentations without further clearances.

g. *Advance Notifications and Deadlines for Submission of Material.* Advance notifications and deadlines for submission of material to the Director, Office of Public Affairs, FHWA, are as follows:

(1) Offers for contracts, grants and grant-in-aid awards shall be submitted at least seven working days prior to the proposed award date;

(2) Press release materials shall be submitted at least five working days prior to the proposed release date;

(3) Magazine articles, brochures, and publications shall be submitted at least five working days prior to the time they are due in the print shop. Requests for brochures and publications must be accompanied by Form FHWA-1113, Clearance Request for Publication, Film, Exhibit, or Visual Presentation.

(4) Speech material shall be submitted at least four working days prior to release or departure of the speaker; and

(5) Motion picture scripts, slide and film strip presentations, radio-TV copy, exhibits, and newly proposed publications shall be submitted as early in the conceptual process as possible to facilitate initial clearance within FHWA and, where applicable, by OST. All such requests shall be accompanied by Form FHWA-1113, which shall bear the signature of the appropriate Associate Administrator or Staff Office Director and the Chief, Publications and Visual Aids Branch, Office of General Services.

[FHWA ORDER H 1321.1]

FHWA DIRECTIVES SYSTEM

OCTOBER 1, 1973.

- Par. 1 Purpose.
2 Existing issuance affected.
3 Scope.
4 Background.
5 Effective date.

1. *Purpose.* This Order establishes a new Federal Highway Administration Directives System and transmits a handbook containing policies, procedures, and responsibilities for developing and issuing FHWA directives and regulations.

2. *Existing Issuances Affected.* The following FHWA issuances are hereby cancelled:

a. FHWA Order 2-1, FHWA Directives System, dated 4/20/67;

b. FHWA Order 2-1.1, FHWA Directives Clearinghouse, dated 1/6/71;

c. BMCS Order 3-1, BMCS Directives System, dated 8/28/67;

d. Administrative Memorandum 2-1, Public Roads Directives, dated 2/5/69; and

e. Volume 34, Chapter VI, Directives Management, of the FHWA Administrative Manual.

3. *Scope.* The provisions of this Order are applicable to all elements of the Federal Highway Administration headquarters responsible for developing and issuing directives and regulations.

4. *Background.* Over the past several months a number of Notices have been issued concerning plans for the conversion of FHWA's Directives System and the publishing of regulatory material

contained in our directives in the Code of Federal Regulations. The provisions of the attached handbook incorporate these plans. The most significant features of the new Directives System provide for (a) the establishment of a Federal-Aid Highway Program Manual which will contain all FHWA policy and procedural directives affecting State highway departments and other concerned organizations; and (b) the publication of all FHWA regulatory material in the Code of Federal Regulations.

5. *Effective date.* The provisions of this Order are effective immediately.

FHWA DIRECTIVES SYSTEM HANDBOOK

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CHAPTER 1—INTRODUCTION

1. *Purpose.* This Order establishes a FHWA directives systems; issues the FHWA Directives System Handbook; and prescribes policies and procedures for implementation of the system. Specifically, the Handbook covers such areas as (a) responsibilities; (b) authorities; (c) authorized issuances; (d) subject classification system; (e) clearance requirements and (f) FHWA Regulations.

2. *Applicability.* This Order is applicable to all FHWA Headquarters elements which originate, supplement, or use FHWA directives.

3. *Policy.* The FHWA directives system will be the primary means of issuing policy instructions and procedures.

a. *Material Covered.* All written FHWA communications and issuances shall be issued as directives when the material prescribes or establishes policy, organization, methods, procedures, or delegations of authority.

b. *Excluded Materials.* The following are examples of types of written communications and issuances excluded from the directives system:

(1) Informational publications issued primarily to and for the use of the general public or technical publications (e.g., AASHO design standards and construction specifications) adopted for use by FHWA.

(2) Interagency agreements and technical reports.

(3) Emergency communications and reports when extreme conditions do not permit use of the directives system.

4. *Objectives.* The objectives of the FHWA directives system are:

a. To provide FHWA personnel, State highway officials and collaborating organizations with authoritative instructions that are current, complete, easily understood, and readily accessible.

b. To clarify and improve organizational relationships by coordinating instructions in order to eliminate conflicts and duplications.

c. To monitor and control all issuances assuring that only essential guidance is issued and that there is no unnecessary delay in the drafting, coordination, approval, printing, and distribution of directives.

d. To provide guidelines and standards for reference, writing, maintenance, reproduction, and distribution of directives.

e. To provide a subject classification system for all FHWA issuances so that everything published on a single subject or program area may be found at the same location within the numerical series assigned to that subject.

f. To simplify and upgrade existing program directives and to codify the regulatory material contained in these directives in the Code of Federal Regulations as soon as practicable.

CHAPTER 2—MINIMIZATION OF RED TAPE AND SIMPLIFICATION OF PROGRAM DIRECTIVES

1. *Background.* The Federal Highway Administration in cooperation with State highway departments through the American Association of State Highway Officials (AASHO) for many years have been jointly attacking the problem of reducing or eliminating red tape and simplifying program directives associated with the Federal-Aid Highway Program. While this is a continuing process and much has been accomplished in the past, we must seize every opportunity in the future to achieve further improvements wherever possible. Through the years there has been increasing Congressional interest in the matter of red tape which has resulted in the establishment of a national policy in the recently enacted Federal-Aid Highway Act of 1973.

2. *National policy on minimization of red tape.* Section 108 of the Federal-Aid Highway Act of 1973, which amends section 101 of Title 23, U.S.C., states:

It is the national policy that to the maximum extent possible, the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the substantial minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of Government.

3. *FHWA policy.* In our continuing efforts to improve the effective administration of the highway program and carry out the full intent of the Congress with respect to the minimization of red tape, it is the policy of the Federal Highway Administration to aggressively seek out and reduce or eliminate, wherever possible, unnecessary procedures, require-

ments, paperwork, and delays in the execution of our program responsibilities.

4. *Guidelines.* To carry out the policy stated above, this paragraph sets forth general guidelines to be followed by all responsible FHWA officials when: (a) Developing new program directives to implement the provisions of recently enacted highway legislation; and (b) revising or modifying existing program directives. In the development of these directives, wherever possible, every effort should be made to:

a. Minimize imposing additional requirements not contained or envisioned in the law.

b. Clearly and succinctly set forth our policy and procedures.

c. Curtail length and excessive detail in our instructions.

d. Simplify procedures and requirements which will provide for greater flexibility and discretion on the part of our field elements and the States.

e. Eliminate unnecessary paperwork.

f. Decentralize program responsibilities and related delegations of authority:

5. *Eliminating red tape in existing directives.* In order to comply with the policy and guidelines provided above, existing directives when revised or modified should be reviewed in their entirety. If we are to make any significant impact on eliminating red tape from the large number of existing directives, it will be necessary for all responsible program officials to establish realistic plans and schedules for the review and upgrading of those directives under their jurisdiction.

CHAPTER 3—AUTHORITIES AND AUTHORIZED ISSUANCES

1. *Approval authorities.* a. The Administrator, Deputy Administrator, or Executive Director shall approve and issue directives which:

(1) Create or significantly change FHWA missions, objectives, basic organization, or policies.

(2) Delegate or change delegations of the Administrator's authority.

b. Associate Administrators and Staff Office Directors may approve and issue directives which establish procedure but do not change policy, and are within the authority specifically delegated to them by the Administrator.

c. Office Directors and Division Chiefs may approve and issue directives consistent with their delegated authority.

d. *Changing or Canceling Directives.* A change to or a cancellation of a directive may normally only be approved and issued by the official who approved the original directive, or by a higher official. Guidelines for changing or canceling FHWA directives are listed below:

(1) Orders, Manuals, and Handbooks will be changed by issuing a complete replacement or by issuing selected revised pages as substitutes for existing pages.

(2) Notices and Bulletins which require changes must be reissued.

(3) A Cancellation paragraph will be used in new or revised directives to cancel one or more directives or to cancel reports or forms.

(4) The Canceled Section of the Master Index or Checklist is normally used to cancel those directives which are being eliminated rather than superseded.

In those emergency situations requiring the immediate termination of a directive, a FHWA Revocation Notice may be issued.

2. *Authorized FHWA Issuances.* The following types of issuances are authorized for use by FHWA:

a. Federal Highway Administration Regulations are issued by the Administrator or his delegate, as necessary, to implement and carry out the provisions of Title 23 U.S.C. relating to the administration of Federal-aid for highways, direct Federal, and State and Community Highway Safety; Title 32A relating to FHWA Emergency Regulations; and Title 49 USC relating to motor carrier safety; and other applicable laws and programs under his jurisdiction.

b. Notices are temporary issuances transmitting one-time or short-term instructions or information which is expected to remain in effect for less than 90 days or for a predetermined period of time normally not to exceed one year. Notices will be printed on blue paper when they are intended for internal FHWA distribution and on white paper when they are intended for the states as well as FHWA. Permanent material may be issued by a Notice, but only on an emergency basis, and must be converted to a permanent issuance as soon as possible.

c. Orders are directives limited in volume and containing permanent or long-lasting policy, instructions and procedures. They are the basic element in the FHWA Directives System and each is identified by a subject classification code number. FHWA Orders are to be used primarily as an internal FHWA directive. Permanent directives impacting on State highway departments, with respect to the Federal-aid Highway Program, will be issued as part of the newly established Federal-aid Highway Program Manual.

d. Bulletins are temporary informational issuances used for one-time announcements, such as: Telephone number and room number changes, appointments of individuals, and Combined Federal Campaign and Savings Bond Drive materials, etc. They will not be identified by a subject classification code number, should not be filed for longer than 30 days, and should be destroyed after they have served their purpose.

e. *Joint Interagency Orders and Notices* are used by FHWA and the National Highway Traffic Safety Administration (NHTSA) to issue joint policies, procedures, and information pertaining to the joint administration of the State and Community Highway Safety Program. Guidelines for preparing, clearing, approving, and distribution of these directives are contained in a joint order entitled Joint FHWA/NHTSA Communications (NHTSA 132-15, FHWA 2-1.2) Chapter 5, Figure 4-4.

f. Manuals are generally designed for use in issuing permanent or long lasting detailed policy and procedure. Each

manual will normally be identified with a subject classification code number. Manuals are orders published in book form because of their detailed content, number of pages, and use. They are organized by volume, chapter, section, subsection, and paragraph, as appropriate, and will contain tables of content and may contain an index. Some of the major manuals recognized by the Directives System follow:

(1) The Federal-Aid Highway Program Manual has been established to assemble and organize program material of the type previously contained in the Policy and Procedure and Instructional Memorandums. In addition to containing those program directives impacting on State highway departments, this manual also contains those program directives concerned with FHWA's Direct Federal Program.

This manual consists of several books. Each major functional program area is identified as a volume, with the material contained therein organized into chapters, sections, subsections, and paragraphs as appropriate. Regulatory material will be printed in italics. Nonregulatory or procedural material will be printed in delegate type. Each volume and chapter will contain a table of contents.

(2) The Administrative Manual covers all internal FHWA administrative support functions and is organized similar to the Federal-Aid Highway Program Manual.

(3) The Highway Planning Program Manual covers the methods and procedures necessary to conduct the highway planning function.

(4) The Research and Development Manual series entitled, "The Federally Coordinated Program of Research and Development in Highway Transportation" describes the FHWA Research and Development program.

(5) The External Audit Manual provides guidance to FHWA auditors in their review of State programs and processes.

(6) The Civil Right and Equal Opportunity Manual provides guidance to FHWA and State Civil Rights and Equal Employment Opportunity Officers and their designates in the performance of their responsibilities.

(7) The BMCS Operations Manual provides program guidance for all field employees assigned to the motor carrier safety program.

(8) The Highway Safety Program Manual, issued jointly by FHWA and NHTSA, contains volumes for each of the Highway Safety Program Standards, and several other volumes relating to the joint administration of the program.

g. Handbooks are internal operating instructions published in book form where, because of the program area covered, it is desirable to provide greater detail of administrative and technical instructions. Changes (additions, deletions, and page replacements) are issued by Transmittals. Handbooks will be organized in the same manner as manuals, i.e., volumes, chapters, and sec-

tions. They will contain a table of contents and an index.

h. Transmittals identify and explain the original issuance or page change, provide background information, and provide filing instructions for insertion of new pages and/or removal of changed pages.

(1) A transmittal will be used for FHWA orders only when a page change is made to an order. Otherwise, all FHWA orders will be self transmitting.

(2) A transmittal will also be used to transmit changes to manuals and handbooks.

i. FHWA News is an official publication of FHWA (not a directive) published by and for its employees. Information of significant and continuing interest to all employees, e.g., recreation, retirement matters, etc., should be included in this type of publication rather than in one of the elements of the directives system described above.

CHAPTER 4.—RESPONSIBILITIES

1. *Associate Administrators and staff office directors.* These officials shall:

a. Ensure that directives governing their assigned functions and program responsibilities are planned, developed, issued, periodically reviewed, and revised or canceled as appropriate.

b. Ensure that all directives developed in their organization meet standards and requirements of the directives system.

2. *Originating Office.* Individuals initiating an issuance shall:

a. Determine whether to write a new directive, revise an old directive, or make page changes.

b. Identify the audience for whom the directive is intended, write for that audience, and develop the directive material in accordance with the requirements of this handbook.

c. Be fully responsible for developing the directive in accordance with their assigned responsibilities and determine what constitutes regulatory material.

d. In cooperation with the Office of Chief Counsel:

(1) Determine what constitutes regulatory material,

(2) Draft the regulatory portion of the directive.

e. Underline the regulatory material in the draft.

f. Limit planned distribution to those who have a need-to-know.

g. Initiate the development of required forms and reports.

h. Provide for clearance of the directive.

1. Consult with the Directives Control Point (DCP) to determine if clearance will be required by region, division, and/or Directives Clearinghouse (see paragraph 5 below).

j. Obtain clearance of draft by Directives Management Officer and head of the Office of Primary Interest on Record of Coordination and Approval as a part of the formal coordination.

3. *Chief Counsel.* The Chief Counsel shall:

a. Assign an attorney to the originating office during the early development of a directive to assist: (1) In determining whether the directive will contain regulatory material which must be published in the Code of Federal Regulations (CFR); and (2) if appropriate, in the drafting of the regulatory portion of the directive.

b. Assign an attorney to represent Chief Counsel's Office on the Directives Clearinghouse Committee to assist in determining, if necessary, external clearance requirements with the American Association of State Highway Officials (AASHO) and the Advisory Commission on Intergovernmental Relations (ACIR).

c. Review all program directives to assure compliance with current legislative and other legal requirements and references.

d. Review and sign off on all major program directives and those directives containing regulatory material, prior to final submission of the directive to the Administrator or other approving official.

e. After approval by the Administrator or his delegate of any regulatory material, arrange for the publication of such material in the Federal Register.

f. Serve as liaison between the FHWA Directives Control Point and the Office of Federal Register, National Archives and Records Service, General Services Administration.

4. *Directives control point.* The Directives Control Point (DCP) in the Office of Management Systems shall:

a. Administer the directives system and provide technical assistance for all program offices.

b. Implement system requirements and standards governing all FHWA directives operations and activities.

c. Provide both a preliminary and final review of each directive proposed for issuance which shall include: content, duplication or conflict in policy and procedure, format, adequacy of coordination, and accuracy of references.

d. Assure adequate external clearance of program issuances in accordance with Directives Clearinghouse responsibility.

e. Approve the Duplicating Requests (DOT F 1700.8) received from DMO's and arrange for printing and distribution.

f. Maintain the master directives file containing photocopy of the directives and transmittals, Records of Coordination and Approval, and all comments.

g. Coordinate the preparation of, and issue directives checklists and indexes as required.

5. *Directives clearinghouse committee.* The DCH, when appropriate, will convene a committee comprised of a representative from the Office of Management Systems, Office of Chief Counsel, the originating office, and other affected offices. This Committee shall insure that significant new or revised program directives are effectively coordinated prior to issuance with appropriate external organizations such as the American Association of State Highway Officials (AASHO), the Advisory Commission on In-

tergovernmental Relations (ACIR), DOT, DOD, Interior, Agriculture, or other affected organizations. When appropriate this Committee will consider the advisability of utilizing the Notice of Proposed Rulemaking procedure to solicit comments from the public and make appropriate recommendations to the Administrator.

6. *Directives Management Officers (DMO's).* Associate Administrators and Staff Office Directors will designate their Program Coordinator, or Administrative Officer as their Directives Management Officer. The DMO's shall:

a. Implement the application of directives system requirements and act as directives liaison within their organization and with the Directives Control Point.

b. Coordinate all directives activities within their organization.

c. Assist writers in planning, developing, consolidating, and coordinating directives.

d. Ensure that adequate "lead-time" is provided to implement the requirements of the directive.

e. Review distribution to assure that it is compatible with the requirements set forth in Chapter 10, "Distribution," of the Handbook and to designate the appropriate originating element as the Office of Primary Interest.

f. When notified that the directive reorder point has been reached, review directives to determine whether reprinting, rewriting, renumbering, or cancellation is appropriate, and to take appropriate action.

7. *Publications Branch, Office of Management Systems.* The Publications Branch of the Operations and Services Division shall:

a. Ensure that each directive submitted for printing has been cleared by the Directives Control Point.

b. Arrange for printing, obtain an issuance date, and follow-up on printing requests with the DOT Printing Branch, as necessary, to assure prompt service.

CHAPTER 5—FORMAT STANDARDS

1. *General.* a. Initially all orders and Federal-Aid Highway Program Manual issuances will be typed in final format by the Office of Management Systems. Delegate type face will be used for nonregulatory material and italics for regulatory material. Originators need only submit double-spaced draft directives for final processing and approval with regulatory material underlined.

b. FHWA Bulletins, Notices and Transmittals to Orders and Manual issuances will be prepared in final form by the originator in accordance with examples shown in this Chapter.

2. *Examples of FHWA Directives Format.* Until such time as detailed format standards are issued, the responsible office shall use as a guide the sample directive formats listed below and illustrated on the following pages:

a. Notice (See Figure 5-1).

b. Order (See Figure 5-2).

c. Bulletin (See Figure 5-3).

d. Joint Interagency Order (See Figure 5-4).

e. Transmittal (See Figure 5-5).

f. Federal-Aid Highway Program Manual (See Figure 5-6).¹

The new FHWA directives mastheads shown in the examples shall be used at such time as this Directives Handbook becomes effective. Stocks of the new mastheads will be available through normal supply channels. Mastheads and formats of existing manuals which differ from the Federal-Aid Highway Program Manual format example will be allowed to continue without change. Mastheads and formats established subsequent to the effective date of this handbook will be required to conform.

CHAPTER 6—CLEARANCE REQUIREMENTS

1. *General.* Clearance is that aspect of complete staff work that seeks to coordinate viewpoints and identify and resolve differences, procedural conflicts, or duplications before a directive is submitted for final approval.

2. *Priority Review.* Offices requested to review a proposed directive should give priority to processing the directive promptly. Since delays in clearance delay staff action and create unnecessary workloads, the office responsible for coordinating a proposed directive will in every case provide a deadline date for completing the review on the Record of Coordination and Approval form. The amount of time provided for review will, of course, vary with each directive but normally should not exceed 30 days for field clearances and 15 days for Headquarters clearances.

3. *Record of coordination and approval form (DOT F 1320.3)* is to be used to clear all FHWA directives (Figure 6-1).²

4. *Clearance criteria—*a. *Internal Clearance.* Clearances should be selective but include all headquarters and field organizations which are:

- (1) Responsible for standards, criteria, or procedures included or discussed.
- (2) Affected by the proposed issuance.
- (3) Responsible for programs or activities that would be materially affected (functional activities such as reports and forms management should not be neglected).
- (4) Administratively or legally responsible for making a review of the proposed issuance.
- (5) Required to take action or modify activities as a result of the proposed issuance.

b. *External clearances—*(1) *Originating Offices.* Offices originating significant new or revised program directives, which make major changes to existing FHWA programs, policies, and procedures that affect external organizations, shall con-

¹ Figures 1 through 6 . . . are not published pursuant to 1 CFR 18.11. The forms are available for inspection and copying at those locations specified in 49 CFR, Part 7, Appendices D and H.

² Figure 6-1 is a form which is not published pursuant to 1 CFR 18.11. The form is available for inspection and copying at those locations specified in CFR, Part 7, Appendixes D and H.

currently coordinate such directives with the Directives Clearinghouse (DCH).

(2) *Directives Clearinghouse Coordination.* When the DCH determines that a directive should be coordinated with AASHO or other external organizations, the DCH will forward the directive to the affected organizations, request a prompt reply, and indicate that no response within 30 days shall imply concurrence. Deadlines shall be strictly observed.

(3) *DCH Reconciliation of Comments.* When significant modifications to a directive are required, based on the comments from external organizations, the DCH in cooperation with the originating office must obtain FHWA internal clearance on the proposed modification before they are incorporated in the directive and the package is submitted to the DCP for final clearance and transmittal to the approving office.

(4) *Joint FHWA/AASHO Resolution of Conflicts.* Where the subject matter is highly controversial, joint ad hoc committees may be formed at the election of the affected organizations to resolve the issues and make recommendations to the Administrator.

(5) *Acknowledgement of Comments.* Where appropriate and feasible, significant comments will be selectively acknowledged and their disposition indicated by the originating office.

CHAPTER 7—PROCEDURES FOR PREPARING, CLEARING AND APPROVING DIRECTIVES

1. *General.* This section lists the sequential procedures which are to be followed in processing directives from origination to publication. This descriptive step-by-step outline must necessarily repeat some of the basic material contained elsewhere; however, it was felt that this chronology of events and the included checklists would prove helpful to those responsible for originating and moving proposed directives through the system.

2. *The Development and Coordination Process.* a. The originator in close coordination with his DMO will:

(1) Determine the type of directive which is most appropriate to the kind of material to be issued, the audience to whom the directive is being addressed and the distribution which should be made, and select a tentative subject classification code.

(2) Write and edit proposed directive in draft. Identify regulatory material in draft directive by underlining (final directive using italics for regulatory material will be typed by Office of Management Systems).

(3) Confer with counsel to assure that regulatory material has been properly identified, and to resolve any legal questions and seek the advice of the Office of Management Systems for any management considerations.

(4) Clear proposed forms and reports contained in the directives.

(5) Determine which organizations have a substantive interest in the proposed directive and recommend for or against external clearance; complete the Record of Coordination and Approval form and clear the package with the

DCP, prior to formal coordination, which should eliminate future delays.

(6) Conduct formal clearance concurrently with Headquarters, regions, divisions, and the Directives Clearinghouse, as appropriate.

(7) Resolve significant issues and accommodate those comments which are appropriate.

(8) Type final copy of all directives, except the Federal-Aid Highway Program Manual. The transmittal for this Manual will also be prepared in final.

(9) Assemble a package for the approving official utilizing the Executive Correspondence folder (Form FHWA-221). Follow the instructions provided in the inside cover of the folder. The specific arrangement will be as follows:

(a) Concurrence tab (Form FHWA-222B). Place the yellow official coordination and file copy of the directive or transmittal order, and a copy of the material being transmitted under this tab. Only signatures required in the final approval process will be indicated on the yellow.

(b) Incoming tab (Form FHWA-220). This tab will be included, but nothing will be filed under it by the originator. When the directive is being sent to the Administrator, the Briefing Memorandum prepared by the originating office will be inserted here in the final submission to the Administrator for approval.

(c) Background tab (Form FHWA-222A). Place summary of FHWA coordination (Record of Coordination and Approval form) and actual comments under this tab. Where AASHO, other external comments, or other background materials are included, prepare a separate tab for each category.

(d) The Original of a Directive submitted for approval will be placed on the right side of the folder and a signature tab attached indicating where the approving official is to sign. Where a draft copy of material (e.g. Federal-Aid Highway Program Manual) is being issued, it will be included directly under the original of the transmittal. Where changes are being made to an existing directive, a marked copy of that directive indicating the parts being changed will be included under a tab identifying the directive immediately following the above.

(e) Duplicating Request, DOT Form 1700.8 (Figure 7-1), will be prepared, signed in the "Requisitioned By" block, and placed on top of the Concurrence Tab.

(f) Prepare a Briefing Memorandum addressed to the approving official, attention: Office of Management Systems, summarizing the purpose of the directive and explaining any comments which could not be accommodated or reconciled. If there was no need for clearance with the field, States or other external organization, the Briefing Memorandum should so state and provide reasons therefore.

b. The Directives Control Point will: (1) Prior to coordination, review the draft directive and Record of Coordination and Approval to assure that:

- (a) Format is correct.
 - (b) Subject classification code is appropriate.
 - (c) Cited references are current and complete.
 - (d) Forms and reports have been cleared internally.
 - (e) Directive does not duplicate or conflict with another.
 - (f) The proposed distribution is minimal and based on a need-to-know.
 - (g) All offices having a substantive interest will receive copies for clearance and that necessary external clearances have been identified, or a statement included which recommends that no such clearance is necessary.
- (2) Make any necessary comments on the draft directive and Record of Coordination and Approval, and return them to the originating office with a preclearance approval.

3. Final Review and Approval. a. Directives Management Officer (DMO). Prior to submission of the proposed directive package to the DCP for final review and clearance, the appropriate DMO will sign the yellow copy of the directive or transmittal and sign the Duplicating Request as the Approving Office. His signature on the yellow will indicate that he has reviewed the directive package and has found it to be satisfactory in:

- (1) Presenting the subject matter clearly and concisely.
- (2) Expressing policies and proper authority accurately.
- (3) Resolving conflicts or duplications with other directives.
- (4) Including background documents, letters, memorandums, and briefing statements and explanation of any unresolved issues.
- (5) Providing required coordination and complying with the prescribed issuance standards.

b. Final Review by Directives Control Point (DCP). The DCP will thoroughly review the directive package to assure that it is complete; that all coordination, format, and other requirements of the directive system have been met, and that the package is ready for approval. The DCP will sign the yellow copy to indicate that the package reflects completed staff work and will prepare a Briefing Memorandum summarizing the purposes, issues, extent of coordination, and recommending approval. The DCP then submits the package through the Associate Administrator for Administration to the approving official.

c. Final Review by Chief Counsel. The DCP will assure final review by the Chief Counsel of all FHWA directives containing regulatory material and other major directives before submission to final approval authority.

d. Approval. Officials authorized to approve directives indicate their approval by signing the directive or transmittal as indicated. The directives package will then be returned to the Office of Management Systems (DCP) for final processing.

4. Final processing. a. The Directives Control Point. (1) Receives the approved package, forwards original and duplicat-

ing request to the Publications Branch for printing arrangements, requests issuance date, and notifies DMO of scheduled issue date.

(2) Follows up, as necessary, on printing requests to assure prompt service from the DOT Printing Branch.

(3) Files appropriate background ma-

terial in master directives file and establishes suspense file for follow-up of promised issue date.

(4) After directive is printed and distribution is made, files copy of printed directives in the DCP master set of directives, and files camera copy in master directives file.

CHAP. 7
FIGURE 7-1

FHWA ORDER H 1321.1
Oct. 1, 1973

DUPLICATING REQUEST		REGISTRATION NO.	
ADMINISTRATION	DATE OF REGISTRATION	DUE DATE	
REQUISITIONED BY (NAME)	REQUISITION SYMBOL	BUILDING	ROOM NO.
DUPLICATING INSTRUCTIONS		NO. OF PAGES	QUANTITY
PAPER	Test G.V. Writing 40 lb. Cover Vellum 100 lb.	COLOR	SIZE <input type="checkbox"/> 8 x 10 1/2 <input type="checkbox"/>
PRINT—INK—BLACK	<input type="checkbox"/> One side only <input type="checkbox"/> Head to head <input type="checkbox"/> Head-to-foot <input type="checkbox"/> Head to left		
GATHER	<input type="checkbox"/> As paged <input type="checkbox"/> Other (Specify)		
STITCH	NO. OF STAPLES <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> Side <input type="checkbox"/> Upper left <input type="checkbox"/> Top		
DRILL	NO. OF HOLES <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	INCHES Cr. to Cr.	POSITION <input type="checkbox"/> Left <input type="checkbox"/> Top
DISPOSITION	<input type="checkbox"/> Pickup <input type="checkbox"/> Mail messenger		
SPECIAL INSTRUCTIONS		SIGNATURE (Approving Office) _____ Date _____	

Received by _____ (Signature) _____ (Date)

Figure 7-1

CHAPTER 8—FEDERAL-AID HIGHWAY PROGRAM MANUAL

1. Purpose. The major reasons for establishing a Federal-Aid Highway Program Manual are to: (a) Simplify the directives system; (b) eliminate proliferation and supplementation of basic program directives; and (c) consolidate for ease of reference all FHWA directives containing policies, procedures, standards, and guides relating to the administration of the Federal-Aid Highway Program.

2. Scope. This Manual will contain all FHWA program directives impacting on State highway departments which were formerly issued as Policy and Procedure Memorandums (PPM's) Instructional Memorandums (IM's) Notices, Orders, etc. In addition, this Manual will contain all program directives relative to administration of the Direct Federal Construction Program.

3. Manual Structure. The Manual is basically organized along program or functional lines with a separate volume provided for each functional area. The Manual contains a separate volume for each of the following areas: (a) Payment Procedures; (b) Civil Rights; (c) National Highway Institute; (d) Planning; (e) Research and Development; (f) Engineering and Traffic Operations; and (g) Right-of-Way and Environment.

Each of the volumes are subdivided into chapters which are subfunctional areas of the overall function, i.e., the Right-of-Way Environment volume is divided into the following chapters: Right-of-Way, Real Property Acquisition, Real Property Appraisals, Real Property Management, Relocation Assistance, Scenic Enhancement, and Environment.

Each of the chapters in a volume are further divided into sections or subsections. Depending upon the particular volume of the Manual we are concerned with, the program directive will be issued in the new format as either a section or subsection of the Manual. In effect, program directives formerly issued as a PPM or an IM will appear in the Manual as either a section or subsection in the new format described in paragraph 4 below and illustrated in Chapter 5.

The volumes that make up the Manual will be filed in specially prepared three ring binders. The binders will be numbered sequentially as Book I, Book II, Book III, etc., similar to the Administrative Manual. Several volumes may be fitted in any one book.

The overall Manual, as well as each volume and chapter, will contain a table of contents for ease of reference. In order to facilitate the transition from the old system to the new system, the table of contents depicting the sections or subsections will be keyed to the current PPM number, IM number, etc.

See Appendix A for detailed outline of Manual volumes and chapters.

4. *New Directives Format.* The new directives format, an example of which is shown in Chapter 5 for the Secondary Road Plan, differentiates between regulatory material and nonregulatory material by use of italics type for the regulations portion of the directive. The regulatory portion of the directive will be published in the Code of Federal Regulations (CFR) after the directive has been approved by the Administrator, or his delegate, and distributed to all FHWA elements and State highway departments.

5. *Manual Issuances.* All program directives that are to be published for inclusion in the Manual will be issued by a formal transmittal signed by either the Administrator or his delegate (See Chapter 5 for sample transmittal).

6. *Manual changes.* a. *General.* All changes to program directives included in the Manual will normally be accomplished through the page change method issued by a formal transmittal signed by the Administrator or his delegate.

b. *Exceptions.* Under certain conditions, changes to the Manual may be accomplished through the issuance of a FHWA Notice keyed to the appropriate volume, chapter, and section. The FHWA Notice may be used under the following conditions: (1) In emergency situations where it would be expeditious to issue a Notice; and (2) when a particular change to a directive is prevalent throughout the document and would require a complete revision of the directive and time is of the essence.

7. *Transition from present system to the manual.* The newly established Federal-Aid Highway Program Manual, including the new program directives format, will go into effect immediately after distribution of the Manual binders, appropriate tabs, and tables of contents. Distribution of the Manuals and related materials to all FHWA elements and State highway departments is scheduled

for October, 1973. The Manual, when distributed, will contain a table of contents with each section or subsection keyed to all current directives for ease of reference and will contain reprints of all directives listed. At such time as a directive is revised, the new directive will be inserted in the appropriate section of the Manual and the old directive removed. Filing instructions will be provided in the transmittal to the directive. The Office of Management Systems will assemble and distribute complete sets of Manuals to Associate Administrators, Staff Office Directors, Regional Administrators, and Division Engineers. Copies will be made available for distribution to State Highway Departments.

8. *Manual distribution.* The following is a list of the approximate number of Manuals contemplated for distribution:

a. Associate Administrator.....	12
b. Staff Office Director.....	3
c. Regional Office.....	10
d. Division Office.....	5
e. State Highway Department.....	3

In addition to the number of Manuals provided to the above organizational elements, additional copies of the program directives will be distributed similar to the current distribution.

CHAPTER 9—FHWA REGULATIONS

1. *FHWA regulations.* The FHWA Regulations include the regulatory materials of the following program areas: (a) Federal-aid; (b) direct Federal; (c) special highway programs; (d) National Defense (Emergency Regulations); (e) motor carrier safety; (f) State and Community highway safety; (g) bridge tolls; and (h) other programs.

2. *Temporary regulations.* Within the FHWA regulations, temporary regulations may be issued when the effective period is not more than six months, and under certain other circumstances.

3. *Emergency regulations.* FHWA files Emergency Regulations with the Office of the Federal Register to be incorporated in Chapter IX of Title 324, the National Defense Appendix. These are "standby" regulations maintained for issuance when a National Emergency is declared by the President.

4. *Issuing authority.* FHWA regulatory materials are issued by the Administrator, or his delegates, to implement and carry out the provisions of the Federal law relating to the administration of Federal-aid for highways, motor carrier safety, and other programs under his jurisdiction.

5. *Content of FHWA regulations.*—a. *Federal-Aid Program Regulations.* Federal-Aid program regulations contain policies, procedures, delegations of authority, and other regulatory materials applicable to Federal agencies, State highway departments and the public. Normally, regulations will not contain detailed procedures for carrying out specified actions, unless such procedures can affect the substantive rights of the public. Details, to the extent feasible, will be published in FHWA Program Manuals related to the regulation.

b. *Federal Motor Carrier Safety Regulations.* Federal Motor Carrier Safety Regulations contain mandatory requirements applicable to motor carriers, their employees and agents and others in the motor carrier industry. They are explicit and detailed.

c. *Guidelines for determining material which must be codified.*—(1) *Rules of inclusion.* (a) The mandatory requirements a State, other government agency, the public or members of a class (i.e., utilities, railroad, etc.) must follow to qualify the work in question for Federal participation. This means that noncompliance with the requirement will:

1 Disqualify the project or item of work from Federal participation; or

2 Require a formal waiver in order to permit Federal participation in the work.

(b) Statements of policy or statutory interpretations generally applicable, as opposed to statements on specific projects or approvals.

(c) Material which confers a right, benefit, or imposes an obligation on the general public for members of a class relative to participation in FHWA programs.

(2) *Rules of exclusion.* (a) Rules on, or instructions to FHWA personnel which do not affect a right to Federal-aid.

(b) Housekeeping details.

(c) Restatements of statutory or codified requirements that set forth no new duties or benefits.

(d) Examples and lists illustrating a general principle.

(e) Statements of what may be desirable in contrast to what must be done.

(f) Paperwork requirements such as the prescription of forms and instructions on how and when they should be filled out and distributed.

(g) Criteria and procedures which are not mandatory and do not preclude Federal participation.

6. *Publication.*—a. *Federal Register.* FHWA regulations are published in the Federal Register. Temporary regulations are published in the notices section of the Federal Register. FHWA regulations are prepared for publication in the Federal Register in conformance with the provisions of 1 CFR 16 and CFR 17.

b. *Code of Federal Regulations (CFR).* The FHWA Regulations are published in accumulated form in the CFR under Titles 23 and 49. The Office of the Federal Register, National Archives and Records Service, prepares and publishes the CFR from the material originally prepared and submitted for publication in the Federal Register. See Appendix B, FHWA Classification Outline, Code of Federal Regulations.

7. *Developing regulations.* a. In cooperation with Chief Counsel, the Associate Administrators, in their respective areas of responsibility, have primary responsibility for the development of program directives including regulatory material contained therein.

b. When developing program directives which affect the States, other Federal agencies, or the public, the originator shall:

(1) Determine, with the advice and assistance of the Office of Chief Counsel, what material should be considered regulatory.

(2) Identify by underlining in the draft, the material in the proposed directive that meets the criteria for regulations in paragraph 4 of this Chapter and would require publication in the FEDERAL REGISTER. (Final draft directive using italics will be typed by the Office of Management Systems).

8. *Separation of regulatory and non-regulatory material.* For ease of cross-referencing regulations to directives and in order to simplify the process of extracting regulatory material (italics) from approved program directives for publication in the FEDERAL REGISTER, every effort should be made, when developing the directive, not to intermingle regulatory with nonregulatory material in the same paragraph. To the extent feasible, the nonregulatory material should be: (a) Included as a separate paragraph immediately following the paragraph or paragraphs containing regulatory material; or (b) inserted at the end of the paragraph containing regulatory material. The use of a separate paragraph for the nonregulatory material is most preferable because the regulatory material should be able to stand by itself when published in the FEDERAL REGISTER and codified in the CFR.

9. *Coordination.* The originator will coordinate the proposed directive including the regulatory material with all organizations which have a substantive interest, including FHWA Headquarters, regions, divisions, and Directives Clearinghouse, in accordance with the provisions of this Handbook.

10. *Final processing.* a. Following the coordination process, the originating office will reconcile all comments and submit final package to the DCP for processing to the Administrator.

b. The DCP will clear the final package with the Chief Counsel and submit it to the Administrator for approval.

c. After approval of the directive by the Administrator, or his delegate, the following actions will be generated:

(1) The directive will be forwarded by the DCP for printing and distribution.

(2) The Chief Counsel will: (a) Extract the regulatory material from the approved directive; (b) prepare the regulation in proper format for publication in the FEDERAL REGISTER; (c) coordinate the final draft of the regulation with the responsible program office and the DCP; and (d) arrange with the FEDERAL REGISTER (NARS) for publication of the regulation.

11. *Rulemaking.* Where required by law or otherwise considered appropriate, "Notices of Proposed Rulemaking" will be developed for publication in the FEDERAL REGISTER.

a. The originator will develop the draft notice, initiate appropriate coordination, and reconcile comments.

b. Chief Counsel will:

(1) Prepare the Notice of Proposed Rulemaking in final format, coordinate

it with the DCP, and submit it to the Administrator for approval.

(2) Submit approved Notice to NARS for publication and send copies to DCP.

(3) Assist program offices in reconciling comments resulting from the Notice and develop the final regulation.

(4) Submit the regulation to the Administrator for approval and then to NARS for publication in the FEDERAL REGISTER as an FHWA regulation.

12. *Effective date.* The effective date should allow sufficient time for affected organizations to develop implementing instructions, and language must be provided (a saving or grandfather clause) which will validate all of the work that is underway or has been accomplished prior to the effective date of the new regulation, so that no work will have to be redone merely to comply with a modified or new requirement.

CHAPTER 10.—STANDARD SUBJECT CLASSIFICATION SYSTEM

1. *Basic use of system.* The FHWA Standard Subject Classification System provides for classifying all FHWA directives by subject and number. The classification system applies to all directives approved and issued by FHWA. Appendix C to this Handbook provides (a) a series of primary subjects and their classification numbers; and (b) the subject classification table which provides the numerical series followed by their subjects. The system will be used in identifying and referencing FHWA directives.

2. *Identification.—a. General.* Issuances are normally identified by a subject and a classification code. The proper identification of subjects and the assignment of a subject classification code provides for a uniform, systematic method of identifying and finding directives and results in the collocation of all directives pertaining to a specific subject or subject area.

b. *Description of the System.* The classification system is organized into primary subject groupings which cover general subject areas such as Personnel and related activities, Legal, Budgeting, etc., and major program groupings such as Planning, Research and Development, Right-of-Way and Environment, and Engineering and Traffic Operations.

c. *Complete Identification.* The complete identification of an FHWA directive consists of the subject classification number, sequential number, and when appropriate, revision and/or change identification.

3. *Selecting the subject and classification code.* In selecting the subject and code, consideration should be given to such factors as user preference, previous practice, and ease of retrieval and indexing. The following guidelines will help originators and DMO's in making the proper tentative selection:

a. The subject would be a brief descriptive title for the directive. Utilize the key words found in the topical index where possible. Try to limit the subject to one line using two lines only when it is essential for clarity.

b. Only one code may normally be assigned to a directive (Joint directives are the exception). In instances where more than one code appears appropriate for a single issuance, the code most closely related to the principle purpose or category of users should be selected.

c. All directives on the same subject should carry the same subject classification code.

d. Originators of directives should avoid selecting codes which place emphasis on their own functions, responsibilities, or organizational location rather than on the subject or purposes of the directive. The content of the directives is the guiding factor.

e. Whenever possible, a specific subject code should be selected rather than using the general category provided within each primary subject group.

4. *Assignment of codes.* The final determination for the assignment of codes is made by the Directives Control Point (DCP) in cooperation with the Directives Management Officer (DMO) and the originator.

5. *Letter prefixes to subject codes.*

a. The following letter prefixes will be used to distinguish between different types of issuances:

- (1) M for Manuals.
- (2) H for Handbooks.
- (3) N for Notices.

b. Orders require no prefix.

6. *Sequential numbers.—a. Definition.* Sequential numbers (1, 2, etc.) are consecutive numbers given to identify documents and their order of issuance. For example, FHWA Order 1322.1 would be the identification assigned to the first order classified in the subject area of "FORMS MANAGEMENT."

b. *Assignment Responsibility.* The Headquarters DCP is responsible for the assignment of sequential numbers to FHWA directives. Sequential numbers are assigned to and typed on FHWA directives after signature.

7. *Expansion and revision of subject codes.* a. The subject classification system and numerical codes in Appendix C will be selected and used on the basis of the subject content of the directive. Blocks of code numbers are not assigned to individual organizations for exclusive use. The subject matter rather than the issuing organization will determine the code number to be assigned to an issuance for identification.

b. Requests for subject code revisions will be submitted to the DCP. All requests will be evaluated on the basis of:

- (1) User needs for referencing; and
- (2) Conformity to system design and formal requirements.

8. *Numbering combined orders.* A revision order which combines, supersedes, and cancels two or more existing orders in the same subject classification series is to be assigned the lowest consecutive number of the group, followed by the alphabetical revision designation (See par. 9) of the new order. For example: 1321.1A would be assigned to an order combining and cancelling 1321.1, 1321.2 and 1321.8.

9. *Revision designation.* A complete revision of an order is assigned the same classification and consecutive number as the original order and has added thereto a capital letter to designate the revision as the first, second, third, etc. For example:

Basic Order—1321.1
First revision—1321.1A
Second revision—1321.1B
Third revision—1321.1C

10. *Page change revision.* Page changes to orders shall be accomplished by use of a Transmittal which will indicate the scope of the change and the appropriate pages to be inserted and deleted.

CHAPTER 11—DISTRIBUTION

1. *General—*a. *The governing principle* in determining the audience for a directive is "who needs to know?" The time that the writer may take in selecting the audience for the basic distribution is nothing when compared to the costs for printing unneeded copies, for distributing them, and for mailing them—as well as the costs for reading, filing, updating and disposing of them.

b. *"Information only."* Keep "information only" distribution to an ABSOLUTE minimum. Recipients are not required to file "information only" copies and the directive WILL NOT appear in the recipients directives checklist.

c. *When directives require immediate action* and the time requirements for printing will compromise response time, check with the DCP. Expedited printing or duplicating service can be arranged. If you know that a directive will need implementing instructions, send advance copies to each Headquarters or field element following approval and before the directive is sent to the printer.

2. *Distribution system.* a. All FHWA directives will be distributed in accordance with the current standard and special distribution lists. Distribution should be indicated as "Headquarters, Regions, Divisions, or all FHWA Employees." Special or limited distributions may be noted within each of these categories. The FHWA Executive Secretariat will automatically be provided copies of all directives.

b. If a directive is to receive special distribution, the originating office is responsible for so indicating on DOT Form 1700.8, Duplicating Request, under "Special Instructions" or attaching Form FHWA-1090, Distribution Guide. Otherwise, standard distribution will be made.

c. Regional Federal Highway Administrators shall determine the quantities of the various types of directives to be distributed to the field offices and State highway departments within their region. Such quantities shall be reported to the Directives Control Point for approval and establishment of distribution schedules.

d. Normal distribution patterns are reflected below:

- (1) All Employees, Headquarters.
- (2) All Employees, Headquarters, Regions, Divisions.
- (3) Headquarters.
- (4) Headquarters, Regions.
- (5) Headquarters, Regions, Divisions.

e. Distribution of directives to State highway departments will be made through our division offices.

f. Distribution of appropriate directives to State highway departments is not to be made in sufficient quantity to provide copies for direct use as instruction to subordinate employees of the State. Instead, State highway departments are expected to convert such directives to their internal directive systems for that purpose.

g. Private firms and organizations shall not be furnished complete sets of directives, nor shall they be placed on mailing lists to receive them on a continuing basis. However, an individual issuance may be supplied as appropriate.

h. While it is necessary for employees to be kept well informed about FHWA policy and procedure, official office files shall be used as the basic reference source rather than maintaining complete individual files of such materials.

CHAPTER 12—INDEXES

1. *General.* Indexes of current directives will be issued as an attachment to an FHWA Notice. The attachment will contain:

(a) A numerical listing of current directives;

(b) A subject or topical listing of current directives; and

(c) A listing of directives that have been canceled during the preceding six month period.

The topical index will include the material of the type previously issued by the "Red Tape Committee" as the FHWA Index of Applicable Policy and Informational Directives.

2. *Directives.* The DCP will issue semi-annual listings of directives current as of June 30 and December 31, each year and a listing of directives canceled during these periods.

3. *Technical issuances.* Technical issuances (construction specifications, AASHO Standards, etc.) will be listed, separately in the attachments to the notice. These listings will include those technical publications used by FHWA employees in the operation or implementation of FHWA programs.

APPENDIX A—FEDERAL AID HIGHWAY PROGRAM MANUAL OUTLINE.—VOLUMES AND CHAPTERS

VOLUME 1—PAYMENT PROCEDURES

Chapter

- 1 Apportionment or allocation.
- 2 Obligations.
- 3 Advance of funds.
- 4 Reimbursement.
- 5 Funds.
- 6 State fiscal procedures and reports.
- 7 Third party contracts.
- 8 Direct federal.

VOLUME 2—CIVIL RIGHTS

- 1 External programs.

VOLUME 3—NATIONAL HIGHWAY INSTITUTE

- 1 State education and training programs.

VOLUME 4—PLANNING

- 1 Program management and coordination.
- 2 National programs.
- 3 Rural and statewide planning.
- 4 Urban transportation planning.
- 5 Highway statistics.
- 6 Highway systems.

- 7 Emergency planning.
- 8 Special programs.

VOLUME 5—RESEARCH AND DEVELOPMENT

- 1 Research and development.
- 2 Contract research.
- 3 Federally coordinated program.
- 4 Research studies—general.
- 5 Structures and applied mechanics.
- 6 Materials testing.
- 7 Traffic systems.
- 8 Environmental design and control.
- 9 R & D implementation.
- 10 R & D demonstration.
- 11 National Cooperative Highway Research Program.

VOLUME 6—ENGINEERING AND TRAFFIC OPERATIONS

- 1 Engineering.
- 2 Standards and design.
- 3 Preconstruction procedures.
- 4 Construction and maintenance.
- 5 Certification acceptance.
- 6 Railroads and utilities.
- 7 Bridge and roadway structures.
- 8 Traffic operations.
- 9 Special programs.

VOLUME 7—RIGHT-OF-WAY AND ENVIRONMENT

- 1 Right-of-way.
- 2 Acquisition—real property.
- 3 Appraisals—real property.
- 4 Property management—real property.
- 5 Relocation assistance.
- 6 Scenic enhancement.
- 7 Environment.

APPENDIX B—FHWA CLASSIFICATION OUTLINE—CODE OF FEDERAL REGULATIONS

TITLE 23—HIGHWAYS

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION

Part

- 1 General
- 2 Organization, authorities, functions, and internal relationships.
- 3 External relationships.
- 4 Management systems and standards.
- 5 Travel and transportation.
- 6 Investigation and security.
- 7 Administrative support.
- 8 Emergency preparedness.
- 9 Legal.
- 10 General financial management.
- 11 Accounting.
- 12 Auditing.
- 13 Personnel management.
- 14 Budget.
- 15 Logistics management, general.
Subpart A—Real property management.
Subpart B—Personal property management.
Subpart C—Procurement and contracting.

SUBCHAPTER B—PAYMENT PROCEDURES

Part

- 100 General.
- 110 Apportionment or allocation.
- 120 Obligations.
- 130 Advance of funds.
- 140 Reimbursement.
- 150 Funds.
- 160 State fiscal procedures and reports.
- 170 Third party contracts.
- 180 Direct federal.

SUBCHAPTER C—CIVIL RIGHTS

Part

- 200 General.
- 210 Internal programs.
- 230 External programs.

SUBCHAPTER D—NATIONAL HIGHWAY INSTITUTE

- 250 General.
- 260 State education and training programs.

SUBCHAPTER E—PLANNING

- 500 General.
- 520 Program management and coordination.
- 530 National programs.
- 540 Rural and Statewide planning.
- 550 Urban transportation planning.
- 560 Highway statistics.
- 570 Highway systems.
- 580 Emergency planning.
- 590 Special problems.

SUBCHAPTER F—RESEARCH AND DEVELOPMENT

- 600 General.
- 620 Research and development.
- 625 Contract research.
- 630 Federally coordinated program.
- 635 Research studies, general.
- 640 Structures and applied mechanics.
- 645 Materials testing.
- 650 Traffic systems.
- 655 Environmental design and control.
- 660 R & D implementation.
- 665 R & D demonstration.
- 670 National cooperative highway research program.

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

- Part
- 400 General.
- 420 Engineering.
- 425 Standards and design.
- 430 Preconstruction procedures.
- 435 Construction and maintenance.
- 440 Certification acceptance.
- 445 Railroads and utilities.
- 450 Bridge and roadway structures.
- 455 Traffic operations.
- 460 Special programs.

SUBCHAPTER H—RIGHT-OF-WAY AND ENVIRONMENT

- 700 General.
- 710 Right-of-way.
- 720 Acquisition, real property.
- 730 Appraisals, real property.
- 740 Property management, real property.
- 750 Relocation assistance.
- 760 Scenic enhancement.
- 770 Environment.

NOTE: State and community highway safety standards will be reflected in chapter II, title 23, CFR.

FHWA CLASSIFICATION OUTLINE CODE OF FEDERAL REGULATIONS

TITLE 49, TRANSPORTATION

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION

SUBCHAPTER A—GENERAL REGULATIONS

Part 310—Bridge Toll Procedural Rules

- Sec.
- 310.1 Scope of rules in this part.
- 310.2 Definitions.
- 310.3 Commencement of proceedings.
- 310.4 Response to the complaint.
- 310.5 Bridge toll investigation.
- 310.6 Informal conferences.
- 310.7 Initial determination.
- 310.8 Prehearing procedure.
- 310.9 Intervention.
- 310.10 Hearings, powers of hearing examiner.
- 310.11 Proposed findings of fact, conclusions of law, and briefs.
- 310.12 Recommended decision.
- 310.13 Administrator's decision.
- 310.14 Reconsideration.

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

PART 385—COLLECTION AND COMPROMISE OF CLAIMS FOR FORFEITURES UNDER SECTION 222 (h) OF THE INTERSTATE COMMERCE ACT

- 385.1 Scope of the rules in this part; exclusions.
- 385.2 Delegation of authority.
- 385.3 Notice of claim.
- 385.4 Contents of notice of claim.
- 385.5 Response to notice of claim.
- 385.6 Settlement agreement.

PART 386—RULES OF PRACTICE FOR MOTOR CARRIER SAFETY PROCEEDINGS UNDER SECTION 204(c) OF THE INTERSTATE COMMERCE ACT

SUBPART A—SCOPE OF RULES; DEFINITIONS

- Sec.
- 386.1 Scope of rules in this part.
- 386.2 Definitions.
- SUBPART B—PLEADINGS
- 386.11 Commencement of proceedings.
- 386.12 Complaint.
- 386.13 Reply to notice of investigation.
- 386.14 Intervention.
- 386.15 Filing and service of pleadings and other papers.

SUBPART C—CONSENT ORDER PROCEDURE

- 386.21 Consent order.
- 386.22 Content of consent order.

SUBPART D—HEARING EXAMINERS; PREHEARING CONFERENCES; HEARINGS

- 386.31 Hearing examiner.
- 386.32 Prehearing conference.
- 386.33 Hearings.
- 386.34 Proposed findings of fact, conclusions of law, and orders.

SUBPART E—DECISION

- 386.41 Initial decision.
- 386.42 Review of initial decision.
- 386.43 Decision of review.
- 386.44 Reconsideration.

PART 388—COOPERATIVE AGREEMENTS WITH STATES

- 388.1 Eligibility.
- 388.2 Extent of acceptance.
- 388.3 Cancellation.
- 388.4 Exchange of information.
- 388.5 Requests for assistance.
- 388.6 Joint investigation, inspection, or examination.
- 377.7 Joint administrative activities related to enforcement of safety and hazardous materials laws and regulations.
- 388.8 Supplemental agreements.

PART 389—RULEMAKING PROCEDURES—MOTOR CARRIER SAFETY REGULATIONS

SUBPART A—GENERAL

- 389.1 Applicability.
- 389.3 Definitions.
- 389.4 Delegation of authority.
- 389.5 Regulatory docket.
- 389.7 Records.
- SUBPART B—PROCEDURES FOR ADOPTION OF RULES
- 389.11 General.
- 389.13 Initiation of rulemaking.
- 389.15 Contents of notices of proposed rule making.
- 389.17 Participation by interested persons.
- 389.19 Petitions for extension of time to comment.

- 389.21 Contents of written comments.
- 389.23 Consideration of comments received.
- 389.25 Additional rule making proceedings.
- 389.27 Hearings.
- 389.29 Adoption of final rules.
- 389.31 Petitions for rule making.
- 389.33 Processing of petition.
- 389.35 Petitions for reconsideration.
- 389.37 Proceedings on petitions for reconsideration.
- 389.38 Saving provision.

PART 390—MOTOR CARRIER SAFETY REGULATIONS: GENERAL

SUBPART A—DEFINITIONS

- 390.1 Motor Vehicle.
- 390.2 Vehicle.
- 390.3 Bus.
- 390.4 Truck.
- 390.5 Truck tractor.
- 390.6 Semitrailer.
- 390.7 Full trailer.
- 390.8 Pole trailer.
- 390.9 Driveway-towaway operation.
- 390.10 Gross weight.
- 390.11 Driver.
- 390.12 Business district.
- 390.13 Residence district.
- 390.15 Motor carrier.
- 390.16 Exempt intracity operation.

SUBPART B—GENERAL

- 390.28 Other terms.
- 390.30 State and local laws, effect on.
- 390.31 Vehicles used for purposes other than as defined.
- 390.32 Motor carrier to require observance of driver regulations.
- 390.33 Applicability of regulations.
- 390.40 Accident reports.

PART 391—QUALIFICATIONS OF DRIVERS

SUBPART A—GENERAL

- 391.1 Scope of the rules in this part; additional qualifications; duties of carrier-drivers.
- 391.2 General exemptions.
- 391.3 Definitions.
- 391.5 Familiarity with rules.
- 391.7 Aiding or abetting violations.

SUBPART B—QUALIFICATION AND DISQUALIFICATION OF DRIVERS

- 391.11 Qualifications of drivers.
- 391.15 Disqualification of drivers.

SUBPART C—BACKGROUND AND CHARACTER

- 391.21 Application for employment.
- 391.23 Investigation and inquiries.
- 391.25 Annual review of driving record.
- 391.27 Record of violations.

SUBPART D—EXAMINATION AND TESTS

- 391.31 Road test.
- 391.33 Equivalent of road test.
- 391.35 Written examination.
- 391.37 Equivalent of written examination.

SUBPART E—PHYSICAL QUALIFICATIONS AND EXAMINATIONS

- 391.41 Physical Qualifications for drivers.
- 391.43 Medical examination; certificate of physical examination.
- 391.45 Persons who must be medically examined and certified.
- 391.47 Conflict of medical evaluations.
- 391.49 Waiver of certain physical defects.

SUBPART F—FILES AND RECORDS

- 391.51 Driver qualification files.

SUBPART G—LIMITED EXEMPTIONS		392.67 Heater, flame-producing; on vehicle in motion.	393.78 Windshield wipers.
391.61 Drivers who were regularly employed before January 1, 1971.		392.68 Motive power not to be disengaged.	393.79 Defrosting device.
391.62 Drivers of certain lightweight vehicles; minimum age.		PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION	393.80 Rear-vision mirrors.
391.63 Intermittent, casual, or occasional drivers.		SUBPART A—GENERAL	393.81 Horn.
391.65 Drivers furnished by other motor carriers.		393.1 Compliance.	393.82 Speedometer.
391.67 Drivers of articulated (combination) farm vehicles.		393.2 Additional equipment and accessories.	393.83 Exhaust system location.
PART 392—DRIVING OF MOTOR VEHICLES			393.84 Floors.
SUBPART A—GENERAL			393.85 Protection against shifting or falling cargo.
392.1 Compliance required.		SUBPART B—LIGHTING DEVICES, REFLECTORS, AND ELECTRICAL EQUIPMENT	APPENDIX C—FHWA DIRECTIVES SUBJECT CLASSIFICATION SYSTEM
392.2 Applicable operating rules.		393.11 Lamps and reflectors, small buses and trucks.	Primary Subjects
392.3 Ill or fatigued operator.		393.12 Lamps and reflectors, large buses and trucks.	Accounting
392.4 Narcotics, amphetamine, and other dangerous substances.		393.13 Lamps and reflectors, truck tractors.	Administrative Support.....
392.5 Intoxicating liquor.		393.14 Lamps and reflectors, large semi-trailers and full trailers.	Attendance and Leave.....
392.6 Schedules to conform with speed limits.		393.15 Lamps and reflectors, small semi-trailers and full trailers.	Auditing
392.7 Equipment, inspection and use.		393.16 Lamps and reflectors, pole trailers.	Budget
392.8 Emergency equipment, inspection and use.		393.17 Lamps and reflectors, combinations in driveway-towaway operations.	Civil Rights.....
392.9 Safe loading.		393.18 Lamps on motor vehicles with projecting loads.	Civil Service Commission.....
392.9a Corrective lenses to be worn.		393.19 Requirements for turn signaling systems.	Emergency Preparedness.....
392.9b Hearing aid to be worn.		393.20 Clearance lamps to indicate extreme width and height.	Employee Performance and Utilization
SUBPART B—DRIVING OF VEHICLES		393.22 Combination of lighting devices and reflectors.	Employment
392.10 Railroad grade crossings; stopping required.		393.23 Lighting devices to be electric.	Engineering and Traffic Operations
392.11 Railroad grade crossings; slowing down required.		393.24 Requirements for head lamps and auxiliary road lighting lamps.	External Relationships.....
392.12 Drawbridges; stopping of buses.		393.25 Requirements for lamps other than head lamps.	General Financial Management.....
392.13 Drawbridges; slowing down of other vehicles.		393.26 Requirements for reflectors.	General Management and Administration
392.14 Hazardous conditions; extreme caution.		393.27 Wiring specifications.	General Personnel Provisions.....
392.15 Required and prohibited use of turn signals.		393.28 Wiring to be protected.	Investigations and Security Programs
392.16 Use of seat belts.		393.29 Grounds.	Legal
SUBPART C—STOPPED VEHICLES		393.30 Battery installation.	Logistics Management, General.....
392.20 Unattended vehicles; precautions.		393.31 Overload protective devices.	Management Systems and Standards
392.21 Stopped vehicles not to interfere with other traffic.		393.32 Detachable electrical connections.	Motor Carrier Safety.....
392.22 Emergency signals; disabled vehicles.		393.33 Wiring, installation.	National Highway Institute.....
392.23 Emergency signals; stopped or parked vehicles.		SUBPART C—BRAKES	
392.24 Emergency signals; flame-producing.		393.40 Required brake systems.	Organization, Authorities, Functions, and Internal Relationships
392.25 Emergency signals; dangerous cargoes.		393.41 Parking brake system.	Payment Procedures.....
392.26 Red flags; stopped vehicles.		393.42 Brakes required on all wheels.	Personal Property Management.....
SUBPART D—USE OF LIGHTED LAMPS AND REFLECTORS		393.43 Breakaway and emergency braking.	Personnel Management.....
392.30 Lighted lamps; moving vehicles.		393.44 Front brake lines, protection.	Personnel Relations and Services.....
392.31 Lighted lamps; stopped or parked vehicles.		393.45 Brake tubing and hose, adequacy.	Planning
392.32 Upper and lower head-lamp beams.		393.46 Brake tubing and hose connections.	Position Classification, Pay, and Allowances
392.33 Obscured lamps or reflectors.		393.47 Brake lining.	Procurement and Contracting (Non-Federal-Aid)
SUBPART E—ACCIDENTS AND LICENSE REVOCATIONS; DUTIES OF DRIVER		393.48 Brakes to be operative.	Real Property Management.....
392.40 All accidents.		393.49 Single valve to operate all brakes.	Research and Development.....
392.41 Striking unattended vehicle.		393.50 Reservoirs required.	Retirement and Insurance.....
392.42 Notification of license revocation.		393.51 Warning devices and gauges.	Right-of-Way and Environment.....
SUBPART F—FUELING PRECAUTIONS		393.52 Brake performance.	Special Personnel Programs and Activities
392.50 Ignition of fuel; prevention.		SUBPART D—GLAZING AND WINDOW CONSTRUCTION	
392.51 Reserve fuel.		393.60 Glazing in specified openings.	State and Community Highway Safety
392.52 Buses; fueling.		393.61 Window construction.	Travel and Transportation.....
SUBPART G—PROHIBITED PRACTICES		393.62 Window obstructions.	1000-4499 GENERAL MANAGEMENT AND ADMINISTRATION
Sec.		393.63 Windows, markings.	1000 General.
392.60 Unauthorized persons not to be transported.		SUBPART E—FUEL SYSTEMS	
392.61 Driving by unauthorized person.		393.65 All fuel systems.	1100-1199 ORGANIZATION, AUTHORITIES, FUNCTIONS AND INTERNAL RELATIONSHIPS
392.62 Bus driver; distraction.		393.67 Liquid fuel tanks.	1100 Organization, authorities, functions, and internal relationships.
392.63 Towing or pushing loaded buses.		393.69 Liquefied petroleum gas systems.	1120 Committees and conferences.
392.64 Riding within closed vehicles without proper exits.		SUBPART F—COUPLING DEVICES AND TOWING METHODS	
392.65 Sleeper berth; transfer to or from.		393.70 Coupling devices and towing methods, except for driveway-towaway operations.	1130 Field activities.
392.66 Carbon monoxide; use of vehicle when detected.		393.71 Coupling devices and towing methods, driveway-towaway operations.	1200-1299 EXTERNAL RELATIONSHIPS
		SUBPART G—MISCELLANEOUS PARTS AND ACCESSORIES	
		393.75 Tires.	1200 General.
		393.76 Sleeper berths.	1210 Public relations.
		393.77 Heaters.	1220 Congressional relations.
			1230 Government relations.
			1240 International relations.
			1250 Industry/Labor relations.
			1300-1399 MANAGEMENT SYSTEMS AND STANDARDS
			1300 General.
			1310 Management analysis, value engineering.
			1320 Paperwork management.
			1321 Directives management.
			1322 Forms management.

1323 Reports management.
1324 Records management.
1325 Correspondence (procedures & control).
1340 Management information systems.
1360 Publishing and audio visuals management.
1370 Data processing management.
1390 Appraisal and evaluation systems.

1500-1599 TRAVEL AND TRANSPORTATION

1500 General.
PROGRAMS
1600 General.
1620 General investigations.
1630 Personnel security.
1640 Information security.
1660 Property protection.
1680 Identification media.

1700-1799 ADMINISTRATIVE SUPPORT

1700 General.
1710 Publishing, photography and graphics services.
1720 Library services.
1730 Office services.
1740 Communications.
1750 Files.
1760 Mail.

1900-1999 EMERGENCY PREPAREDNESS

1900 General.
1910 Operational plans.
1920 Chemical, biological, and radiological defense.
1930 Emergency resource management.
1940 Reports, tests, exercises.
1950 Emergency standby procedures.

2000-2499 LEGAL

2000 General.
2100 Opinions.
2200 Legislation.
2300 Rules, regulations, and orders.
2400 Claims and litigation.

2500-2599 GENERAL FINANCIAL MANAGEMENT

2500 General.

2700-2799 ACCOUNTING

2700 General.
2710 General financial reports.
2730 Payroll, leave and allowances.
2750 Voucher examination and certification.
2770 Collection, safekeeping, deposit, and distribution of funds.

2900-2999 AUDITING

2900 General.
2910 Audit reporting.
2930 Internal auditing.
2950 External auditing.
2970 General accounting office audits.
2980 Program review studies.

3000-3099 PERSONNEL MANAGEMENT

3000 General.

3100-3199 CIVIL SERVICE COMMISSION

3100 General.

3200-3299 GENERAL PERSONNEL PROVISIONS

3200 General.
3210 Personnel concepts and definitions.
3211 Veterans preference.
3212 Competitive service and status.
3213 Excepted service.
3240 Military personnel.
3250 Personnel program control and direction.
3253 Personnel program inspections, surveys, and audits.
3290 Personnel records and document processing.
3291 Personnel reports.
3293 Personnel records and files.
3295 Processing personnel actions.

3300-3399 EMPLOYMENT

3300 General.
3305 Executive personnel.
3330 Recruitment, selection, and placement.
3335 Promotion and internal placement.
3350 Job retention.
3351 Reduction-in-force.
3352 Reemployment rights.
3353 Restoration after military duties.

3400-3499 EMPLOYEE PERFORMANCE AND UTILIZATION

3400 General.
3410 Employee training and development.
3412 Management training and development.
3430 Performance evaluation.
3450 Incentive awards and employee recognition.

3500-3599 POSITION CLASSIFICATION, PAY, AND ALLOWANCES

3500 General.
3510 Position classification and job evaluation.
3530 Pay rates and systems.
3550 Pay Administration.
3590 Allowances and differentials.

3600-3699 ATTENDANCE AND LEAVE

3600 General.

3700-3799 PERSONNEL RELATIONS AND SERVICES

3700 General.
3710 Labor/Management relations.
3730 Employee responsibilities and conduct.
3731 Suitability.
3733 Political activity.
3750 Employee discipline.
3770 Grievances, appeals, and hearings.
3790 Services to employees.

3800-3899 RETIREMENT AND INSURANCE

3800 General.
3830 Retirement.
3870 Group insurance.

3900-3999 SPECIAL PERSONNEL PROGRAMS AND ACTIVITIES

3900 General.
3910 Health service program.
3902 Safety program.
3960 Employee recreation and welfare activities.
3970 Fund raising campaigns.
4000-4099 Budget
4000 General.
4010 Budget formulation.
4020 Budget execution.
4100-4199 LOGISTICS MANAGEMENT, GENERAL
4100 General.

4200-4299 REAL PROPERTY MANAGEMENT

4200 General.
4210 Authorities, responsibilities, regulations.
4220 Facilities planning.
4230 Facilities management (includes space).
4240 Services.
4300-4399 PERSONAL PROPERTY MANAGEMENT
4300 General.
4310 Authorities / responsibilities / regulations.
4320 Supply/Inventory management.
4330 Property in-use management.
4340 Vehicle management.

4400-4499 PROCUREMENT AND CONTRACTING (NON FEDERAL-AID)

4400 General.
4410 Authorities, responsibilities, regulations.
4420 Contracting procedures.
4430 Small purchasing.
4440 Requisitioning/ordering.
4450 Personal services.
4460 Procurement procedures.
4470 Contract administration.

4500-4699 PAYMENT PROCEDURES

4500 General.
4510 Apportionment or allocation.
4520 Obligations.
4530 Advance of funds.
4540 Reimbursement.
4550 Funds.
4560 State fiscal procedures and reports.
4570 Third party contracts.
4580 Direct federal.

4700-4899 CIVIL RIGHTS

4700 General.
4710 Internal programs.
4720 External programs.

4900-4999 NATIONAL HIGHWAY INSTITUTE

4900 General.
4910 State education and training programs.

5000-5499 ENGINEERING AND TRAFFIC OPERATIONS

5000 General.
5020 Engineering.
5040 Standards and design.
5060 Preconstruction procedures.
5080 Construction and maintenance.
5100 Certification acceptance.
5120 Railroads and utilities.
5140 Bridges.
5160 Traffic operations.
5180 Special programs.

5500-5999 PLANNING

5500 General.
5520 Program management and coordination.
5540 National programs.
5560 Rural and statewide planning.
5580 Urban transportation planning.
5600 Highway statistics.
5620 Highway systems.
5640 Emergency planning.
5660 Special programs.

6000-6499 RESEARCH AND DEVELOPMENT

6000 General.
6020 Research and development.
6040 Contract research.
6060 Federally coordinated program.
6080 Research studies—General.
6100 Structures and applied mechanics.
6120 Materials testing.
6140 Traffic systems.
6160 Environmental design & control.
6180 R & D implementation.
6200 R & D demonstration.
6220 National Cooperative Highway Research Program.

6500-6999 RIGHT-OF-WAY AND ENVIRONMENT

6500 General.
6520 Right-of-way.
6540 Acquisition—Real property.
6560 Appraisals—Real property.
6580 Property management—Real property.
6600 Relocation assistance.
6620 Scenic Enhancement.
6640 Environment.

7000-7499 MOTOR CARRIER SAFETY

7000 General.
7010 Collection and compromise of claims for civil forfeitures.
7020 Rules of practice for motor carrier safety proceedings.
7030 Cooperative agreements with States.
7050 Rulemaking procedures.
7060 Motor carrier safety regulations—General.
7070 Qualifications of drivers.
7080 Driving of motor vehicles.
7090 Parts and accessories.
7100 Recording and reporting of accidents.
7110 Hours of service of drivers.
7120 Inspection and maintenance.

7130 Transportation of explosives and other dangerous articles.
 7140 Transportation of migrant workers.
 7150 Motor carrier safety program operations.
 7160 Cargo security.
 7170 Safety education information.
 7180 Motor carrier safety inspections.
 7190 Carriers.
 7200 Shippers.
 7210 Drivers.
 7220 Vehicles.
 7230 Equipment.
 7240 Containers.

7500-7999 STATE AND COMMUNITY
 HIGHWAY SAFETY

7500 General.
 7510 Program planning and administration.
 7520 Fiscal management.
 7530 Cost reimbursement principles.
 7540 Comprehensive plan.
 7550 Annual work program.
 7560 FHWA highway safety program management.
 7570 NHTSA highway safety program management.
 7580 Highway safety program standards.
 7590 Incentives program.
 7600 Manpower development and research.
 7610 Federal agency program.

[DOT 000.1B]

STANDARD SUBJECT CLASSIFICATION SYSTEM OF THE OFFICE OF THE SECRETARY

1. *Purpose.* This order establishes the Office of the Secretary (OST) Standard Subject Classification System for classifying documents and records by subject, including correspondence, directives, publications, forms, and reports. The system applies to (a) correspondence and other records being maintained in subject files within OST and (b) all directives, publications, and forms to be approved and issued by OST.

2. *Cancellation.* DOT 0000.1A, STANDARD SUBJECT CLASSIFICATION SYSTEM OF THE OFFICE OF THE SECRETARY (OST), of 6-18-70.

3. *References.* The following directives prescribe procedures and establish control points for processing directives, forms, publications, and requirements for reports from the public:

a. DOT 1320.2A, DOT Directives System, of 5-20-67.

b. OST 1320.3, Forms Services for the Office of the Secretary, of 11-12-68.

c. DOT 1710.1, Control of Publications Issued by the Office of the Secretary, of 6-18-70.

d. DOT 1320.13, Clearance of Plans and Report Forms Under the Federal Reports Act of 1942, of 11-13-70.

4. *General.* The attachments provide a series of numbers designed to meet the needs of OST for a single, standard subject classification system.

a. The system will be used to identify all directives, publications, or forms which are approved and issued by OST.

b. The system is intended for use throughout OST in numbering, referencing, and filing the various types of Department documents which are maintained in subject files. (Documents maintained in case or project files need not be so identified, but case or project files may be filed as a part of a subject file.)

c. The system may be used as a guide by other elements of DOT in developing similar systems, but it is not intended to affect existing classification systems.

5. *Letter prefixes to subject codes.* a. When subject codes are assigned to directives (Orders or Notices), publications, or forms, they will always be prefixed as follows:

(1) By the letters OST only when the document affects, or is intended for use in, OST; or

(2) By the letters DOT only when the document affects, or is intended for use in, OST and one or more of the other elements of the Department; or

(3) By letters assigned to each major organizational element (office symbols) within OST only when the document affects, or is intended for use in, one OST office.

b. After the organizational prefix, the following letter prefixes will be used to distinguish between different types of documents:

(1) F for forms.

(2) P for publications not issued as directives.

(3) N for self-canceling, temporary directives (Notices).

c. Directives that remain in effect until specifically cancelled (Orders) require no prefix other than the appropriate organizational letters.

d. Correspondence and other records which are being marked for filing within OST require no alphabetical prefixes.

6. *Sequential numbers.* Sequential numbers (1, 2) are assigned by control points to directives, publications, and forms after approval. These are consecutive numbers given to identify documents and their order of issuance. For

example, OST F 0000.1 would be the identification assigned to the first form approved for use solely within OST in the subject area of "Classification Codes, Checklists, and Indexes." The directives referenced in paragraph 3 designate control points and provide procedures for assigning identifying numbers.

7. *Expansion and revision of subject codes.* a. Using offices may add alphabetical or numerical suffixes to meet specialized filing requirements.

b. The subject classifications and numerical codes in the attachments will be added to, revised, or eliminated only on the basis of demonstrated need. This classification system is based on subject matter alone. Blocks of code numbers are not assigned to individual organizations for exclusive use. Sub-breakdowns of existing subject areas will not be added to the OST standard system when used only by a few offices for specialized filing purposes.

c. Submit requests for subject code revisions to the Office of Management Systems, OST. All requests will be evaluated on the basis of:

(1) User needs for finding and referencing;

(2) Projected use for subject classification;

(3) Lack of current subject code on same subject; and

(4) Conformity to system design and format.

8. *Conversion.* The subject classification codes listed in the attachments expand, and in some instances change, the coding established by DOT 000.1A. The following procedures will facilitate the use of these codes.

a. The revised subject classification codes will be used on directives, forms, and publications issued after approval of this order. Published items will not be revised merely to use the revised codes; but when an item is revised for other reasons, or reprinted, the revised codes will be used.

b. The old classification codes may be used for current files. Documents in files for earlier periods should not be recorded. When establishing new subject files, and in setting up new blocks of subject files at the next regularly scheduled files "break," apply the new codes.

For the Secretary of Transportation.

[SEAL] WILLIAM S. HEFFELFINGER,
 Assistant Secretary, Administration.

ALPHABETICAL LISTING SUBJECT CLASSIFICATION CODES	
A	Accounting 2700 Administration-General 1000 Administrative Support 1700 Air Transportation 6000 Attendance 3600 Auditing 2900 Authorities 1100 Budgeting 5100
B	
C	
D	Leave 3600 Legal 2000 Logistics Management - General 4000
E	Certification Programs 6400 Checklists 0000 Classification Codes 0000 Commercial Activities 4500 Emergency Preparedness 1900 Employee Performance and Utilization 3400 Employment 3300 Environmental Quality 5600 External Relationships 1200
F	
G	Facilitation, Transportation 5500 Financial Management - General 2300 Functions 1100 Grant Management 4600
H	Highway Transportation 6100
I	Impact, Environmental 5600 Indexes 0000 Industrial Activities 4500 Insurance 3800 Internal Relationships 1100 Investigations 1600
J	
K	
L	
M	Management - General 1000 Management Systems 1300 Manpower Management 5200 Marine Transportation 6200
N	
O	Organization 1100
P	Pay and Allowances 3500 Personal Property Management 4400 Personnel Activities 3900 Personnel Management 3000 Personnel Programs 3900 Personnel Provisions - General 3200 Personnel Relations 3700 Personnel Services 3700

SUMMARY OF SUBJECT CLASSIFICATION CODES	
0000	Classification Codes, Checklists, and Indexes
3800	Retirement and Insurance
3900	Special Personnel Programs and Activities
4000	Logistics Management - General
4200	Procurement
4300	Real Property Management
4400	Personal Property Management
4500	Commercial/Industrial Activities
4600	Grant Management
5000	Program Planning and Management
5100	Planning, Programming and Budgeting
5200	Manpower Management
5300	Transportation Programs and Policies - General
5400	Telecommunications
5500	Transportation Facilitation
5600	Environmental Quality and Impact
5800	Transportation Safety
6000	Air Transportation
6100	Highway Transportation
6200	Marine Transportation
6300	Railroad Transportation
6400	Certification Programs
6500	Urban Transportation
7000	Transportation Research and Technology
1000	Management and Administration - General
1100	Organization, Authorities, Functions, and Internal Relationships
1200	External Relationships
1300	Management Systems & Standards
1500	Travel and Transportation
1600	Investigations and Security Programs
1700	Administrative Support
1900	Emergency Preparedness
2000	Legal
2100	Rules and Regulations
2300	Financial Management - General
2700	Accounting
2900	Auditing
3000	Personnel Management
3200	Personnel Provisions - General
3300	Employment
3400	Employee Performance and Utilization
3500	Position Classification, Pay and Allowances
3600	Attendance and Leave
3700	Personnel Relations & Services

DETAILED SUBJECT CLASSIFICATION CODES	
0000	1300
CLASSIFICATION CODES, CHECKLISTS AND INDEXES	MANAGEMENT SYSTEMS AND STANDARDS
1000	1310
MANAGEMENT AND ADMINISTRATION - GENERAL	Management Analysis, Surveys, Industrial Engineering, and Value Engineering
- 1050 Civil Rights	- 1320 Paperwork Management
- 1090 Determination and Transfer Orders	- 1321 Directives Management
1100	- 1322 Forms Management
ORGANIZATION, AUTHORITIES, FUNCTIONS, AND INTERNAL RELATIONSHIPS	- 1323 Reports Management
- 1120 Committees & Conferences	- 1324 Records Management
- 1130 Field Facilities	- 1325 Correspondence and Mail Management
1200	- 1340 Management Information Systems
EXTERNAL RELATIONSHIPS	- 1360 Publishing and Audio-Visuals Management
- 1210 Public Relations	- 1370 Data Processing Management
- 1220 Congressional Relations	- 1390 Appraisal and Evaluation Systems
- 1230 Government Relations	1500
- 1240 International Relations	TRAVEL AND TRANSPORTATION (Persons and Personal Effects)
- 1250 Transportation Education Programs	1600
- 1270 Industry/Labor Relations	INVESTIGATIONS AND SECURITY PROGRAMS
	- 1610 CONSEC and EKSEC Issuances
	- 1620 General Investigations
	- 1630 Personnel Security

- Railroad	6300
- Research and Technology	7000
- Safety	5800
- Urban	6500
Travel and Transportation	1500
U	
Urban Transportation	6500
Q	
Quality, Environmental	5600
R	
Railroad Transportation	6300
Real Property Management	4300
Relations - Relationships	1200
- External	1100
- Internal	3700
- Personnel	7000
Research and Technology	3800
Retirement	2100
Rules and Regulations	
S	
Safety, Transportation	5800
Security	1600
Support, Administrative	1700
T	
Technology, Transportation	7000
Telecommunications	5400
Transportation	6000
- Air	5500
- Facilitation	6100
- Highway	6200
- Marine	5300
- Programs and Policies	

<ul style="list-style-type: none"> - 1640 Information Security - 1650 Property Protection - 1680 Identification Media 	<p style="text-align: center;">2100</p> <p>RULES AND REGULATIONS</p> <ul style="list-style-type: none"> - 2150 Claims and Litigation
<p>ADMINISTRATIVE SUPPORT</p> <ul style="list-style-type: none"> - 1710 Publishing, Photography, and Graphics Services - 1720 Library Services - 1730 Office Services - 1740 Communications 	<p style="text-align: center;">2300</p> <p>FINANCIAL MANAGEMENT -- GENERAL</p> <p style="text-align: center;">2700</p> <p>ACCOUNTING</p> <ul style="list-style-type: none"> - 2710 General Financial Reports - 2730 Payroll, Leave, and Allowances - 2750 Voucher Examination and Certification - 2770 Collection, Safekeeping, Deposit, and Disbursement of Funds
<p>EMERGENCY PREPAREDNESS</p> <ul style="list-style-type: none"> - 1910 Operational Plans - 1930 Chemical, Biological, and Radiological Defense - 1940 Emergency Resources Management - 1950 Reports, Tests, and Exercises 	<p style="text-align: center;">2900</p> <p>AUDITING</p> <ul style="list-style-type: none"> - 2910 Audit Reporting - 2920 Internal Auditing - 2930 External Auditing - 2960 General Accounting Office Audits
<p>LEGAL</p> <ul style="list-style-type: none"> - 2010 Opinions - 2050 Legislation 	<p style="text-align: center;">3000</p> <p>PERSONNEL MANAGEMENT</p>

<p style="text-align: center;">3200</p> <p>PERSONNEL PROVISIONS -- GENERAL</p> <ul style="list-style-type: none"> - 3210 Personnel Concepts and Definitions - 3211 Veteran Preference - 3212 Competitive Service and Status - 3213 Excepted Service - 3240 Military Personnel - 3250 Personnel Program Control and Direction 	<p style="text-align: center;">3400</p> <p>EMPLOYEE PERFORMANCE AND UTILIZATION</p> <ul style="list-style-type: none"> - 3410 Employee Training and Development - 3412 Management Training and Development - 3430 Performance Evaluation - 3450 Incentive Awards and Employee Recognition
<ul style="list-style-type: none"> - 3253 Personnel Program Inspections, Surveys, and Audits - 3290 Personnel Records and Document Processing - 3291 Personnel Reports - 3293 Personnel Records and Files - 3295 Processing Personnel Actions 	<p style="text-align: center;">3500</p> <p>POSITION CLASSIFICATION, PAY, AND ALLOWANCES</p> <ul style="list-style-type: none"> - 3510 Position Classification and Job Evaluation - 3530 Pay Rates and Systems - 3550 Pay Administration - 3590 Allowances and Differentials
<p style="text-align: center;">3300</p> <p>EMPLOYMENT</p> <ul style="list-style-type: none"> - 3305 Executive Personnel - 3330 Recruitment, Selection, and Placement - 3335 Promotion and Internal Placement - 3350 Job Retention - 3351 Reduction-in-Force - 3352 Reemployment Rights - 3353 Restoration after Military Duty 	<p style="text-align: center;">3600</p> <p>ATTENDANCE AND LEAVE</p> <p style="text-align: center;">3700</p> <p>PERSONNEL RELATIONS AND SERVICES</p> <ul style="list-style-type: none"> - 3710 Labor/Management Relations - 3730 Employee Responsibilities and Conduct - 3731 Suitability - 3733 Political Activity - 3750 Employee Discipline

<ul style="list-style-type: none"> - 3770 Grievances, Appeals, and Hearings - 3790 Services to Employees 	<p style="text-align: center;">4300</p> <p>REAL PROPERTY MANAGEMENT</p> <ul style="list-style-type: none"> - 4310 Authorities/Responsibilities/Regulations - 4320 Facilities Planning - 4330 Facilities Management (Includes Space) - 4340 Services
<p style="text-align: center;">3800</p> <p>RETIREMENT AND INSURANCE</p> <ul style="list-style-type: none"> - 3830 Retirement - 3870 Insurance 	<p style="text-align: center;">4400</p> <p>PERSONAL PROPERTY MANAGEMENT</p> <ul style="list-style-type: none"> - 4410 Authorities/Responsibilities/Regulations - 4420 Supply/Inventory Management - 4430 Property in Use Management - 4440 Vehicle Management
<p style="text-align: center;">3900</p> <p>SPECIAL PERSONNEL PROGRAMS & ACTIVITIES</p> <ul style="list-style-type: none"> - 3901 Health Service Program - 3902 Safety Program - 3960 Employee Recreation and Welfare Activities - 3970 Fund-Raising Campaigns 	<p style="text-align: center;">4500</p> <p>COMMERCIAL/INDUSTRIAL ACTIVITIES</p> <ul style="list-style-type: none"> - 4510 Authorities/Responsibilities/Regulations - 4520 Commercial Including Commissary, Messing, Laundry, Housekeeping - 4530 Industrial - 4540 Public Services
<p style="text-align: center;">4000</p> <p>LOGISTICS MANAGEMENT - GENERAL</p>	<p style="text-align: center;">4600</p> <p>GRANT MANAGEMENT</p> <ul style="list-style-type: none"> - 4610 Authorities/Responsibilities/Regulations
<p style="text-align: center;">4200</p> <p>PROCUREMENT</p> <ul style="list-style-type: none"> - 4210 Authorities/Responsibilities/Regulations - 4220 Contracting - 4230 Small Purchasing - 4240 Requisitioning/Ordering - 4250 Personal Services 	

<ul style="list-style-type: none"> - 4620 Grants - 4630 Grants-in-Aid 	<ul style="list-style-type: none"> - 5135 Secretarial Review - 5137 Internal DOT Appeals - 5140 Program Memoranda - 5142 Program and Financial Plan - 5150 Budget Submissions-DOT Review - 5160 Budget Submissions-OMB Review - 5170 Budget Submissions-Congressional Review - 5180 Budget Execution - 5190 Budget Reports
<p style="text-align: center;">5000</p> <p>PROGRAM PLANNING AND MANAGEMENT</p> <ul style="list-style-type: none"> - 5010 Economic Affairs (Includes Economic Analysis, Model Development, Forecasting) - 5020 Program Coordination and Evaluation (Includes Federal, State, Local, Industry, Intermodal) - 5030 Policy Development and Coordination - 5040 Program Financing Methods (Includes Loan Guarantees, Taxes, User Charges - See 4600 for Grant Management) - 5050 Regional Transportation Systems - 5060 International Transportation Program Coordination and Evaluation (Includes International Cooperation and Technical Assistance) 	<p style="text-align: center;">5200</p> <p>MANPOWER MANAGEMENT</p> <p style="text-align: center;">5300</p> <p>TRANSPORTATION PROGRAMS & POLICIES - GENERAL</p> <ul style="list-style-type: none"> - 5320 Containerization - 5340 Documentation and Procedures - 5360 Transport Systems
<p style="text-align: center;">5100</p> <p>PLANNING, PROGRAMMING, & BUDGETING</p> <ul style="list-style-type: none"> - 5110 Special Studies - 5120 Program Proposals - 5122 Program Data Summaries - 5130 Departmental Review 	<p style="text-align: center;">5400</p> <p>TELECOMMUNICATIONS</p> <ul style="list-style-type: none"> - 5410 Data/Computer - 5420 Radio Frequency Management - 5430 Landline (Telephone, Telegraph) - 5440 Space/Satellites

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[FHWA Order 1360.1]

USE OF MODERN METRIC (SI) MEASUREMENTS IN FHWA ISSUANCES

SEPTEMBER 4, 1974.

Par.

- 1 Purpose.
- 2 Background.
- 3 Action.

SEPTEMBER 4, 1974.

1. *Purpose.* To establish a policy of introducing the metric system of measurement in Federal Highway Administration (FHWA) technical publications, reports, and specifications.

2. *Background.*—a. *Système International d'Unités.* In 1960, the International Bureau of Weights and Measures to which the United States is a signatory, adopted an extensive revision and simplification of the metric system and the name *Système International d'Unités* (abbreviated as SI) for the modernized metric system. The movement to the international use of the modern metric system is well under way.

b. *Worldwide Trend in Metrication.* There is a worldwide trend in metrication, using the SI units of measurement. The United Kingdom, Australia, and Canada have officially adopted 10-year conversion programs and are in the process of effecting the changeover. In recognition of the fact that the United States is the only major industrial country in the world that has not officially established a national policy for metrication, the Congress has been considering legislation to establish a national board to plan for the voluntary conversion to the metric system of measurement in this country.

c. *Steps Taken to Facilitate Changeover.* In anticipation of metrication in the United States, many professional societies, industrial firms, and governmental agencies at various levels have voluntarily taken steps to facilitate the changeover. Many multinational corporations and industrial organizations have already made firm commitments and are in process of transition to the metric system of measurements. The American National Standards Institute (ANSI) has organized the American National Metric Council (ANMC) to coordinate activities for the private sector. Some States have legislation pending or have already enacted legislation for some aspects of metrication.

d. *Standard "Metric Practice Guide."* In order to better serve commerce and industry, the American Society for Testing and Materials (ASTM) has issued a standard "Metric Practice Guide," containing guidelines for the use of SI units and the conversion factors. This ASTM standard conforms with the basic standards adopted by the International Standards Organization (ISO). The standard Metric Practice Guide is widely recognized in the United States and it has been given the ASTM designation E 380-72. The last two digits of the designation indicate the year of the latest revision.

e. *Use of Dual Measurements in Publications.* The American Society of Civil Engineers, the American Society of

Photogrammetry, the Institute of Traffic Engineers, the Transportation Research Board, and several organizational elements in the FHWA have established policies of using dual measurements in their publications, in which measurements of linear dimensions, temperature, etc., in conventional U.S. units are accompanied by the SI equivalents in parentheses.

f. *Metrication in Geodetic Surveys.* The National Geodetic Survey in the U.S. Department of Commerce makes all geodetic control surveys in metric units. When conversions are required from meters to feet, the survey foot unit is used.

g. *AASHTO Endorsement of Metrication.* In the field of highway and traffic engineering, the American Association of State Highway and Transportation Officials (AASHTO), in 1970 officially endorsed adoption of the metric system in the United States, recommending a 5 to 10 year transition plan. During the past several years AASHTO has gradually introduced SI units of measurement into its technical publications. The ASTM E 380 Metric Practice Guide has been adopted as the standard for this purpose and has been given the AASHTO designation R 1. This guide appears in its entirety in the latter part of the hard cover volume "Standard Specifications for Highway Materials," Part 1, Specifications, published by AASHTO. A revised edition of the standard specifications has recently been approved by AASHTO, and is currently being printed. The revised specifications include the Standard Metric Practice Guide, designated R 1-74 by AASHTO, and SI units are used extensively throughout the specifications.

h. *FHWA Publication Containing Metric Conversion Factors and Tables.* To provide technical highway personnel with a readily available reference source for converting to the metric system of measurements, and to aid in better understanding of SI units, in the latter part of 1973 the FHWA published a booklet titled "The International System of Units—Conversion Factors and Table Equivalents." Some of the Tables in this booklet will be augmented and revised in subsequent issues, as necessary.

3. *Action.* a. *Preparation for National Metrication.* In recognition of the trend toward universal SI metrication practice, and in consonance with the policy of AASHTO, FHWA considers it important to prepare for national metrication. By increasing the usage of SI units, familiarization with these units of measurement can be increased. This should be helpful in achieving an orderly transition.

b. *Use of Dual Measurement Units in Technical Publications, Reports, and Specifications.* To the extent practicable, dual measurement units should henceforth be used in technical publications, reports, and specifications, for which the FHWA is responsible. Values in customary U.S. units should be followed by the equivalent values expressed in SI units enclosed in parentheses. The Associate Administrator or Regional Administrator

having primary responsibility for the issuance shall determine the practicability of dualization.

c. *Complete Dualization May Not Be Practicable At This Time.* Until such time as industry standardizes certain items and products in SI units, complete dualization may not be practicable. For example, for the immediate future it appears that reinforcing steel, structural steel, and pipe sizes will continue to be identified and produced in feet, inches and fractions of the inch.

d. *Determination of SI Equivalents for Customary U.S. Units.* In determining the SI equivalents for customary U.S. units, the guidelines, terminology, conversion factors, and rules for rounding, in the Standard Metric Practice Guide, AASHTO R 1 (or ASTM E 380) shall be used by the FHWA. For measurements of land and distances associated with surveying, where a high degree of accuracy is required, the relationship of the meter and the foot are expressed in terms of the survey foot, in which 1200/3937 of a meter comprises 1 foot, or 0.30480060960 meter is equivalent to 1 foot.

e. *Exclusions.* Dual measurement units need not be introduced in pending FHWA technical publications, reports, or specifications initiated prior to the date of this Order. Correspondence such as letters, memorandums, and telegrams are excluded from dualization unless such practice is desirable in special circumstances.

NORBERT T. TIEMANY,
Federal Highway Administrator.

[Instructional Memorandum 50-5-71]

PERMITS REQUIRED FOR HIGHWAY WORK IN OR ADJACENT TO STREAMS

JUNE 17, 1971.

Recently, several requests for clarification of the permit requirements for highway and bridge construction in and adjacent to streams, navigable or otherwise, have been received in this office. Accordingly, this brief explanation of those requirements is furnished for your information. The explanation contained herein has been coordinated with the Corps of Engineers and the Coast Guard.

Prior to the establishment of the Department of Transportation, the Corps of Engineers under the authority of Section 10 of the Rivers and Harbors Act of 1899, subsequent amendments thereto, and related acts issued all permits for the work in navigable streams. This included the construction of bridges or other overhead crossings of navigable streams, the construction of tunnels under navigable streams, the building of highways adjacent to navigable streams that encroached on the stream, and the alteration of navigable stream channels.

The Department of Transportation Act transferred the authority over the construction of bridges over navigable streams to the Coast Guard. This authority is interpreted to include the bridge, the bridge approaches, and construction falsework and cofferdams necessary under the Coast Guard permit. The Coast Guard District Office can pro-

vide advice regarding the necessity for a permit at a particular location. Such permits should be obtained prior to the detailed design of the facility.

The Corps of Engineers, however, retains authority over any other encroachments on navigable streams. A Corps of Engineers' permit is therefore required for a tunnel under a navigable stream and for a highway parallel to the stream that encroaches on a navigable stream (no stream crossing involved). Permits for highway encroachments on navigable streams should, of course, be obtained by the State highway department prior to the detailed design of the facility. The Corps of Engineers District Office involved can provide advice regarding the necessity for the obtaining of such permits at a specific location.

A contractor is required to obtain an additional permit from the Corps of Engineers if, during construction, he desires to construct haul roads or borrow pits which affect navigable waters and which are not specifically covered in the basic permit issued by the Coast Guard or Corps of Engineers for the facility. (See Mr. Bartelsmeyer's memorandum of June 17, 1970.) If the State highway department involved foresees the need for such an action prior to the letting of the contract for the construction, the State highway department may request a permit for this work from the Corps of Engineers and include the permit in the contract as a special provision. If this is not done, the contract documents should advise the bidders of the necessity of obtaining a permit for such work prior to the initiation of the work. The obtaining of the permit by the contractor may delay the project particularly if a separate environmental statement or a public hearing is necessary before the permit can be issued.

In addition, the Corps of Engineers has recently initiated (see the FEDERAL REGISTER, Vol. 36, No. 67, Page 6564) a strict enforcement program in regard to Section 13 of the Rivers and Harbors Act of 1899. Section 13 is known as the Refuse Act and prohibits discharges, except from public streets and sewers in liquid form, into the navigable waters of the United States or their tributaries without a permit from the Corps of Engineers. This program is construed to cover any stream however small. Permits for highway bridges, culverts, etc., are not required under this program since such installations merely carry the stream and any material already contained therein under the highway and do not discharge additional matter into the stream.

ROSS W. KRUSER,
Acting Associate Administrator
for Engineering and Traffic
Operations.

CIVIL RIGHTS—EQUAL OPPORTUNITY
MANUAL

EXTERNAL PUBLIC PROGRAMS—SPECIFIC
SYSTEMS AND PROCEDURES

CHAPTER V—SPECIAL PROGRAMS

OCTOBER 4, 1971.

Par.

- 1 [Reserved]
- 2 [Reserved]
- 3 [Reserved]
- 4 [Reserved]
- 5 [Reserved]
- 6 [Reserved]

All paragraphs reserved FHWA External Youth Opportunity Program.

a. *Purpose.* The purpose of this program is to actively promote employment opportunity for minority and disadvantaged youth by the State highway departments, contractors and subcontractors.

b. *General.* (1) Responsibility and concern toward the aspirations and welfare of the youth of our country is a continuing process.

(2) Our concern, however, is particularly generated during the late spring and early summer since this coincides with the traditional time of the year when school lets out and many of our young start thinking about utilizing some, if not all, of this school "vacation" period toward gainful employment.

(3) Some students have an economic need for this direction; others are inclined in this direction hoping to find an occupational interest for the future, after completion of their educational pursuits.

(4) In either event, the Federal Highway Administration strongly endorses all efforts toward providing the impact necessary to further the efforts of the Youth Opportunity Program. States, contractors and subcontractors can equally benefit from such involvement.

c. *Authority.* The authority to administer this program is drawn from DOT memorandums issued by the Secretary of the Department of Transportation. Preceding the DOT memorandums are Bureau of Public Roads and Federal Highway Administration youth opportunity program memorandums of 1967, 1968, 1969, 1970 and 1971. The genesis for implementing policy issuances and instructional memorandums at the highest level of the Government is the Executive Order 11330 issued in 1967 by the President which establishes the President's Council on Youth Opportunity.

Memorandum No. 96 issued by the Solicitor of Labor refers to summer employment of youth on federally-financed and federally-assisted construction projects and provides that the Department of Labor will take no exception to the practice of paying summer employees be-

low the predetermined journeyman's rate pursuant to a bona fide youth opportunity program.

d. *Responsibility for overall direction and coordination.* The responsibility for the direction and coordination of the youth opportunity program is placed with the Director of Civil Rights, FHWA. He or his designee will serve as the responsible FHWA headquarters official for full implementation of DOT and other orders, directives, memorandums, etc.

e. *Implementation.* Field implementation of the youth opportunity program with the State highway department is the responsibility of the Regional Federal Highway Administrator and Division Engineer.

f. *Contractor Participation.* The coordinated efforts of the Division Engineer and the State highway department might best achieve maximum participation of contractors and subcontractors in the employment of minority and disadvantaged youths in a wide variety of job assignments.

The American Road Builders' Association and the Associated General Contractors of America have provided leadership in marshaling support among contractors for this program. Without this help, this program would not receive the fine cooperation of contractors in the private sector.

g. *Reporting requirements.* (1) The purpose of establishing a reporting procedure for the youth opportunity program is to collect necessary, relevant data to evaluate the achievements of this program. Furthermore, the information after being analyzed is prepared into a final report to be submitted to the Secretary of Transportation.

(2) The need to secure statistics from the State highway departments and contractors is based on Executive Order 11246, the Civil Rights Act of 1964 and Federal-Aid Highway Acts of 1968 and 1970. It is also part and parcel of the affirmative action program of the States and contractors to do everything possible to advance the policy and practice of equal opportunity. Responsibility for coordinating the collection of reports rests with each Regional Federal Highway Administrator. He or his designee shall establish appropriate time schedules in which reports from the Divisions and the State highway departments in his region can be assembled and verified and annotated with pertinent comments before submitting them as consolidated regional reports to the Washington office.

(3) It is requested that the statistical findings of the youth opportunity program be reported by the States on Form DOT F3300.10 (6-70). (See Exhibit 1.) OMB Approval 04-R5609 applies.

(4) Three reporting dates are stipulated. They are April 15, July 15 and September 15.

(a) The reports are to be in the Washington headquarters Office of Civil Rights by each of the designated dates. The April report is to provide information as to the contacts which were established by the States, primarily in the minority community in disseminating information about the State and contractor youth opportunity programs. In addition, this report should indicate projected figures as to the number of jobs pledged by the employers, public and private.

(b) The July 15 report should provide numbers of hires actually made. This information can be obtained from payroll data available through personnel and fiscal departments.

In addition, the July report should provide information as to the kinds of jobs in which youth are assigned: the orientation and training provided; and the supervisory evaluation of the quality of the work performed by the youths.

(c) The September 15 report will be the final or wrap-up report. This report, in addition to the statistical findings, should also include a narrative description of this year's efforts. Supporting documents such as newspaper clippings from local newspaper, trade journals and other publications publicizing the youth opportunity program should be submitted. Clear, black and white photographs, size 8" x 10" suitable for reproduction in a final published report depicting a work situation, if available, should be included in the report.

h. Funding of the External Youth Opportunity Program. (1) Youth opportunity job slots within the highway departments are financed by the States in appropriations made available by the State legislature.

(2) Jobs with the contractors, subcontractors, and suppliers are financed by the contractors who may or may not be working on Federal-aid projects.

(3) Some State highway departments provide jobs for disadvantaged youths referred to them from the Neighborhood Youth Corps. These jobs (NYC) are funded by the U.S. Department of Labor Manpower Administration. Referrals are

¹ Exhibit 1 is a form not published pursuant to 1 CFR 18.11. The forms are available for inspection and copying at those locations specified in 49 CFR, Part 7, Appendixes D and H.

are made through the State Employment Security Offices. Rate of pay is \$1.60 per hour for 20-25 hours of work per week. Department of Labor income guides used in determining eligibility for manpower programs aimed at improving employability of poor persons under this program is attached as Appendix A.

(4) In many of the States, the youth opportunity program is coordinated by the Governor's Committee on Youth bringing together the diverse components of the State and local governments in the promotion of the youth opportunity program in a variety of activities involving the youth.

Vol. 3, Chap. V
Exhibit 1

Transmittal 1
October 4, 1971

Department of Transportation Washington, D. C. 20590		Form Approved Budget Bureau No. 04-15609		Date: September 14, 1970		Period Covered: Final Report - 1970			
Secretary's Youth Opportunity External Employment Report		Geographic Location: Region 3 - Federal Highway Administration		Disadvantaged Youths					
Organizations	Summary	Transportation Provided By	Location of Employment	Employer	Negro	Spanish American	American Indian	Other	Total
Total Jobs All Youths					839	2	1	1	2455
3217	State Highway Dept.				1298	12	19	1	2701
3290	Contractors				2137	14	20	2	5156
6507									

Transmittal 1
October 4, 1971

Volume 3 Chap. V
Appendix A

USDL -- 71-011
Manpower Administration
TEL. (202) 961-2011

FOR RELEASE: A.H. Editions
Friday, January 22, 1971

LABOR DEPARTMENT RAISES INCOME LEVEL DEFINING "POOR"

The Labor Department has raised the income guides it uses in determining eligibility for manpower programs aimed at improving employability of poor persons. They are effective immediately.

The new levels are approximately \$200 higher than those in use last year.

The change was made by the Manpower Administration to conform with a recent revision in the poverty income guidelines established by the Office of Economic Opportunity.

For purposes of program eligibility, a person is considered to be poor if he or his family receives welfare payments or if annual net income does not exceed the following limits:

Family Size	Continental U.S.		Hawaii		Alaska	
	Non-Farm	Farm	Non-Farm	Farm	Non-Farm	Farm
1	\$1,900	\$1,600	\$2,250	\$1,875	\$2,100	\$2,000
2	2,500	2,000	2,900	2,400	2,750	2,625
3	3,100	2,500	3,550	2,950	3,400	3,275
4	3,800	3,200	4,250	3,550	4,150	3,975
5	4,400	3,700	4,900	4,075	4,800	4,600
6	5,000	4,200	5,550	4,600	5,450	5,225
7	5,600	4,700	6,200	5,125	6,100	5,850

Income limits for families larger than seven persons can be determined by adding for the non-farm and farm levels these amounts for each additional person: \$600 and \$500 for Continental U.S., \$650 and \$525 for Hawaii, and \$750 and \$625 for Alaska.

Hawaii and Alaska have such high cost-of-living indices and wages in proportion that separate guidelines have to be set for them.

###

these projects is relatively high per gallon of fuel consumed.

(3) Grading and drainage construction projects are the highest users of fuel and manpower. Paving construction of both types uses significantly lesser amounts of fuel and manpower. Scheduling of deferred paving contracts and reducing the amounts of grading and drainage projects may be feasible. In some situations deferment of grading and drainage projects could adversely affect employment. Use of penetration grade asphalts for paving mixes does not affect the amount of fuels available since penetration grade asphalts are a residue of the refining process.

DESIGN CONSIDERATIONS

b. Fuel consumption on construction projects is directly related to the design features utilized. The relationship is indicated in part by the following observations:

(1) Continued construction of continuously reinforced concrete pavements should be reconsidered in light of the amount of fuel required to manufacture the steel reinforcement and the general shortage of reinforcing steel.

(2) In the design of surfacing projects, consideration should be given to the substitution of emulsions for cut-back asphalts and road oils to the extent feasible for mixes, primes, seals, and stabilized bases. Use of fewer but thicker lifts of bituminous paving in construction of black bases and surface courses should be encouraged.

(3) An evaluation of soils characteristics may indicate thicker lift construction could be specified for embankments or varying density requirements may be feasible within embankments, i.e., lower density in lower levels with higher density in upper portions.

(4) Special consideration should be given to specific types of projects that will result in the significant conservation of fuel to the road user after construction as well as requiring less fuel per million dollars to build. Examples consist of the following: TOPICS projects, urban projects, safety improvement projects, and exclusive bus lane projects.

STAGE CONSTRUCTION

c. Stage construction is encouraged since it provides a means to balance the types of projects in the highway program to achieve fuel conservation while maintaining employment levels. It also assists the current problem of trying to bid intelligently on work that is to be performed considerably later. The information contained in Table 1 should be utilized in establishing project priorities.

3. Action. The division offices should review with each State its total Federal-aid highway construction program for the next year to determine project priorities that will conserve fuel while maintaining employment levels based on consideration of the criteria outlined herein. FHWA personnel responsible for

[FHWA H5080.3]

FUEL CONSUMPTION FOR VARIOUS TYPES OF CONSTRUCTION

FUEL CONSERVATION—FEDERAL-AID HIGHWAY CONSTRUCTION PROGRAM—DIRECT FEDERAL HIGHWAY CONSTRUCTION PROGRAM

DECEMBER 27, 1973.

1. Purpose. The purpose of this Notice is to provide guidelines for methods of conserving fuel on highway construction projects while maintaining the continuity of the highway construction program and avoiding serious adverse effects on employment, highway construction industry stability, traffic flow and safety.

2. Background. Table 1 shows fuel and employment usage factors for a variety of types of highway construction projects. The figures shown are for the total Federal-aid program and should be representative of typical conditions.

a. An evaluation of the data in Table 1 results in the following observations:

(1) Fuel consumption per million dollars on rural construction is approximately twice that of urban construction. Manhours per million dollars is approximately equal for both types of construction. The amount of mileage completed per million dollars is less for urban projects than for rural projects. When scheduling work it should be remembered that urban projects in general require less fuel than rural projects while employing about the same manpower.

(2) Fuel consumption for construction of landscaping, TOPICS, safety improvement, signing and structures projects is relatively low while manpower needs on

direct Federal highway construction should also review their next year's program with cooperating agencies to accomplish these same purposes.

Effective cooperative project scheduling by size, type, and location may avoid the necessity for an undesirable program slow-down in the future.

TABLE 1.—Nationwide data on fuel consumption and employment, Federal-aid highway construction projects

Type of construction	Onsite fuel gallons per million dollars	Employment onsite per million dollars	Employment offsite per million dollars	Employment induced per million dollars	Total employment per million dollars
Miscellaneous (signing, signals, lighting, rest areas, guardrails and fencing).....	26,107	39,429	51,258	133,000	223,687
Grade and drain.....	193,977	76,308	99,200	257,078	442,585
A.C. paving (including base).....	125,119	45,644	69,337	159,754	244,734
P.C.C. paving (including base).....	95,610	38,396	49,915	134,336	222,697
Structures.....	24,771	58,011	75,414	205,040	339,485
Urban (all types).....	62,235	54,112	70,366	189,332	313,350
Rural (all types).....	134,232	53,534	76,159	205,040	339,763
Average all types.....	107,000	57,000	74,100	199,500	330,600

¹ These figures are for fuel only. They do not include petroleum products in the mix itself.

[FHWA N 5080.7]

RAPID TESTING PROCEDURES—RT-11
RAPID TEST METHOD FOR EARTEWORK
COMPACTION CONTROL

FEBRUARY 5, 1974.

1. *Purpose.* To bring to the attention of FHWA and State Materials Testing Engineers less widely known but more rapid methods for control and acceptance testing of construction materials used in the Federal-aid highway program. The attached New York test is one such improved method.

2. *Background.* This notice is one of a series published under the Joint FHWA Rapid Testing Program described in the July 10, 1970, Circular Memorandum.

3. *Comments.* a. The attached test procedure was prepared by the Region One Soils Section of the New York State Department of Transportation. The test has been tried and evaluated for several years by New York. A November 13, 1973, letter to FHWA from Mr. William Hofmann, Deputy Chief Engineer, reported that during the past year thirty rapid compaction test kits were issued to the ten New York Department regions for trial use on construction projects. The method was endorsed by project engineers and the contractors because of its time saving ability in addition to being valid and practical. Mr. Hofmann further stated that the Department had decided to make the test a standard. Following is an excerpt from Mr. Hofmann's report:

We have analyzed both the rapid test method and our present procedure to determine the maximum theoretical error involved with equipment tolerances and rounding off weights and moisture contents. The magnitude of this error in the two methods is similar. However, the old method introduces additional sources of errors that cannot be readily evaluated, such as greater number of computations involved, variation of sand density with humidity and temperature, and calibration of sand by lot. The principal operation error in the new rapid method was found to be caused by not following the test instructions for filling the volumeter with sand.

4. *Action.* a. States are encouraged to make trial use of the New York test

where appropriate and evaluate its potential for time savings and accuracy as compared to presently used compaction control tests.

b. Please note that the Field Wet Density Calculator slide rule has not been furnished with the attached procedure. We have been advised, however, that the slide rules may be obtained from:

The Bradford Company
 Post Office Box 5051
 Albany, New York 12205

c. Each Region is being provided two copies of the attachment and each Division eight copies (including six copies for each State).

[Transmittal 5]

RESEARCH AND DEVELOPMENT PROGRAM
 MANUAL

CHAPTER III—RESEARCH AND DEVELOPMENT
 WITH FEDERAL-AID FUNDS

APRIL 17, 1972.

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1. *Purpose.* This chapter outlines program management and coordination procedures for conducting research and development with Federal-aid funds. It is intended to supplement Policy and Procedure Memorandums 50-1.1, 50-1.2, and 20-6.3.

2. *Authority.* United States Code, Title 23, Section 307(c), is the authority under which highway research and development are undertaken with Federal-aid funds (HP&R). It states as follows:

(1) Not to exceed 1½ per centum of the sums apportioned for each fiscal year prior to

fiscal year 1964 to any State under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations; for the planning of future highway programs and the financing thereof; for studies of the economy, safety and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for the research and development necessary in connection with the planning, design, construction and maintenance of highways and highway systems, and the regulation and taxation of their use.

(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with fiscal year 1964 under paragraphs (1), (2), and (3), of section 104(b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection, including demonstration projects in connection with such purposes.

(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

3. Definitions and usage of terms.—a. DOT Definitions. These terms were developed and are now employed by the Department of Transportation.

(1) *Research.* This phase includes analytical and experimental activities which primarily seek to increase the understanding of fundamental phenomena. The end product is usually a report, although experimental hardware may be involved. Research can be basic or applied. Basic research involves the study of phenomena whose application has not been specifically identified. Applied research involves the study of phenomena relating to a specific, known need in connection with the functional characteristics of a system.

(2) *Exploratory Development.* Exploratory development includes post-research efforts directed to the solution of specific problems short of full development. It includes the conduct of detailed studies and investigations necessary to delineate a development effort, the use of computer simulation techniques, and the construction of breadboard (test or experimental) hardware and software to prove the practicability of design concepts. It includes concept formulation and analyses aimed at evaluating the feasibility of proposed solutions for specific functional problem areas, including modeling and exploratory calculations to form conceptual definitions of system characteristics.

It includes the creation of a preliminary design which converts rough concepts to specifications from which operational breadboard hardware or simulation software can be built for the pur-

pose of testing components. It includes test and evaluation activities to verify analytical predictions and the technical feasibility of the systems. These may involve investigating, evaluating, and quantitatively testing a total system concept. The end product of this phase is generally test hardware, software, and data.

(3) *Advanced Development.* The advanced development phase includes activities which are aimed at implementation of a specific system or solving a specific problem in an existing system which requires a new major effort. Advanced development includes activities required to define the system, such as developing functional requirements and specifications, and generating designs, drawings, plans, forecasts, functional analyses, and software for preoperational or prototype use, e.g., the fabrication of test hardware and simulation software in order to demonstrate that the system is functionally satisfactory. It may involve the development of any related equipment items needed to assure satisfactory system operation in its intended environment. It includes tests of a system to demonstrate that the elements of the system will function as designed and work properly in a real environment. The results of this phase typically included a documented evaluation of system performance, as well as the information required to make decisions about, and provide a basis for, possible prototype design and development.

(4) *Prototype Development.* This phase includes development of a prototype system and its test and evaluation to determine system performance, technical feasibility, practicability, operational performance, and suitability for operational deployment. It includes complete system design and integration, including the detailed drawings and specifications necessary to fabricate a prototype which is capable of demonstrating both the overall technical feasibility of the system and whether it satisfies established operational criteria. Engineering design during this phase includes the specification of the operational criteria which must be met in order to demonstrate that the prototype satisfies operational requirements. Prototype development includes fabrication of the prototype system and its testing to assure that all system elements function properly together. It includes determining the operational qualifications and criteria to guide the development of new installations, and the identification of these systems which are sufficiently new to require further test and evaluation. Sustaining engineering required during this phase is that effort necessary to analyze and support the prototype testing, the evaluation of alternative criteria, and the developmental support of such functions. Such engineering includes those activities, other than routine maintenance, necessary to keep a system functioning or to improve its capability, such as correcting faults, making modifications to increase capacity, or otherwise

improving the basic function of the system without the major development of new capabilities.

(5) *Preliminary Operational Deployment and Demonstration.* This phase includes engineering activities associated with supporting an initial system operational capability, the detecting of faults and installation problems, and making any improvements required. It includes integration of the system with the real operating environment, and the evaluation of reliability, maintainability, and operational readiness of system concepts and procedures within such operational environment.

b. *FHWA Equivalent Categories.* In connection with the coding of HP&R studies for items such as management information systems and proposal evaluation, the following FHWA equivalents have been assigned to the DOT categories:

DOT Category	FHWA Category
Research:	Research:
Basic.	Theoretical.
Applied.	Applied.
Development:	Development:
Exploratory.	—
Advanced.	—
Prototype development.	Test and evaluation.
Preliminary operational deployment and demonstration.	Demonstration.

c. *FHWA R&D Definitions.* These definitions were developed and are employed by the Offices of Research and Development.

(1) *Research.* The search for more complete knowledge of the basic characteristics of the geometry, traffic flow and safety, structural capabilities, material usage, economics, financing and administration of highway systems, and their effectiveness within the total transportation system. *Theoretical (basic) research* is considered a systematic investigation having as its principal objective a fuller knowledge of natural or socio-economic phenomena related to highway transport. *Applied research* is considered a systematic investigation having as its principal objective new knowledge for a practical solution to a specific problem in highway transport.

(2) *Development.* The translation of research results into materials, devices, or techniques for the practical solution of a specific problem in highway transport. Exploratory development is considered the preliminary analysis, design, and testing toward that solution. Advanced development is considered the final analysis, design, and testing to arrive at a practical solution suitable for implementation.

(3) *Test and Evaluation (Prototype Development).* The testing and evaluation of a new development or an experimental feature under simulated or actual operating conditions.

(4) *Demonstration (Preliminary Operational Deployment and Demonstration).* The demonstrating of new materials, devices, or techniques, and the correcting of any minor problems which might remain.

(5) *Federally Coordinated Program (FCP)*. A program involving projects of national significance, which is administered by the Offices of Research and Development that closely reflects the research and development needs of practicing engineers.

(6) *FCP Project*. A coordinated research and development effort for which specific technical objectives have been defined as a project in the Federally Coordinated Program.

(7) *Task*. A major phase or segment of an FCP project involving a group of studies needed to achieve a project objective as defined in the project statement.

(8) *Study*. An individual investigation having the limited aim of supplying or confirming a specific theory, design, or data as part of a task. The study is the smallest work unit of a program. Type A study (see paragraph 5b); Type B study (see paragraph 5c).

(9) *Work Program, Part II*. The research and development portion of each State's annual Federal-aid highway planning and research program.

(10) *Proposal*. An outline of specific research to be conducted which includes such items as description of the objectives, work plan, and manpower and budget estimate.

(11) *Work Plan*. The section of the proposal which contains the detailed description of the procedures which will be used to conduct the research.

(12) *Standard Contract*. A standard form of contract meeting all FHWA and State requirements and used by a State highway department in contracting for research and development studies.

(13) *Field Technical Coordinator (FTC)*. An individual in an FHWA field office who has been assigned technical surveillance responsibility for a study or group of studies.

(14) *Field Project Adviser (FPA)*. An individual in an FHWA regional office designated to monitor and coordinate an FCP project on a regional basis.

(15) *Federal Project Manager (FPM)*. The individual charged with the technical responsibility for planning, organizing, and directing the research and development activities of an FCP project.

(16) *Experimental Coordinator*. An individual in the regional or division office responsible for monitoring and coordinating the experimental construction program of his State(s).

4. *Research Advisory Councils and Committees*—a. *General*. Many States have established research advisory councils and committees with members from State and local highway departments, universities, FHWA offices, other competent research and development organizations, and other users of the research results.

Group of this type have proven exceedingly effective in evolving an active research and development program.

b. *Establishment of Council*. Establishment of research councils in each State should be encouraged. The Associate Administrator for Research and Development (RD-3) should be kept informed of

the development of groups, and of the relationship of the FHWA to the organization.

Upon request, the Associate Administrator for Research and Development will provide regional and division offices with information on the general program, other State efforts, etc., for use in establishment and operation of such councils.

c. *Organization and Functions of Councils*—(1) *Organization*. Though research councils and committees in existence vary in structure and scope of activity, membership generally includes a broad representation of operating agencies. An indication of this representation is shown in appendix A, which reports the status of such groups.

In general, FHWA representatives on the local councils should come from the regional or division offices, preferably the latter. Normally these representatives should be nonvoting members.

(2) *Functions*. To derive the greatest benefits from a research council or committee, it is essential that the group be assigned appropriate functions. In general, the functions assigned may include:

(a) Determination of areas of greatest need for research and development;

(b) Recommendations on priorities, schedules, and funding for each study in a State's R&D program consistent with need and funds available;

(c) Recommendations on the desirability of termination or continuation of individual research studies;

(d) Recommendations on how the results of research should best be applied; and,

(e) Keeping informed on the content and progress of the FCP in order to exploit implementable outputs and to recognize opportunities for State participation.

—Excerpts of functional statements for groups in existence in several States are shown in Appendix B below.

5. *Initiating New Research and Development Studies*—a. *General*. States may initiate new research and development studies at any time during the work program period. Requests for approval of new studies should be submitted on an individual basis, independent of the work program submission.

The State's total work program for planning and research activities is separated into two parts:

Part I—Planning activities, and

Part II—Research and Development activities.

The criteria for differentiating whether a study should be included in Part I or Part II of a State's program will be based on which component in FHWA has the functional responsibility for the proposed work. In connection with proposed socio-economic research (which may fall in a gray area), generally studies concerned with matters such as the broad socio-economic impact of the highway on the neighborhood or community will be considered planning. Proposed studies which concern socio-economic matters directly related to the physical highway plant

(within or immediately adjacent to the right-of-way), or to providing solutions to physical problems of the environment such as noise or air pollution resulting from the highway usage within the right-of-way limits, will be considered research.

Final decision on the appropriate identification of a study which appears to be in the gray area will be a joint determination of the Offices of Highway Planning and Research.

Part II studies should be classified as Type A or Type B: the major considerations being objective, duration, and total cost. The initial determination of study type shall be made by the State in accordance with criteria outlined for Type A and Type B studies as defined in the following sections.

b. *Type A Studies*. (1) All Type A studies require an initial submission to the Washington Headquarters (except for Implementation Studies) prior to approval and authorization to the State to proceed with the work on a study. Generally, the total cost exceeds \$25,000 and/or the time required to complete the study exceeds 24 calendar months. The approval procedure for Implementation Studies is included in paragraph 10, Research Implementation.

(2) A State may initiate a Type A study by submitting four copies of the study proposal (including work plan) to the appropriate FHWA division office. The proposal should be responsive to the requirements set forth in paragraph 9, Study Proposals.

(3) Upon receipt of the State's request, the division office should designate, if available, a field technical coordinator (FTC) and forward his name, along with review comments on the proposal, to the regional office. Form FHWA-1396 (see paragraph 13) may be helpful in making this review. The regional office should review the submission and transmit its recommendations, along with the division office comments, to the Associate Administrator for Research and Development (RD-3) for review.

(4) The Washington Headquarters will review the submission: to determine if the study should be included in the Federally Coordinated Program of Research and Development in Highway Transportation (FCP); to determine whether the proposed work is unwarranted duplication of work in progress or work completed previously; and, to provide comments on the technical adequacy of the proposal. Generally, this action will be completed within 30 days after receipt of the submission from the region.

(a) If it is determined that the proposed study is related to an FCP project and is satisfactory for inclusion in the Part II work program, then the Washington Headquarters will prepare the initial approval and authorization memorandum, and furnish it to the regional office for action. The memorandum will suggest that the regional office appoint a Field Project Adviser (FPA) for the FCP project (unless one has previously been appointed), and will indicate the Washington Headquarters FCP Project Man-

ager. If the region appoints an FPA, the region then has the full authority (except for major changes in study scope) for administering the study and any modifications thereto. This authority includes approval of items such as major cost changes, interim and final study reports, and other items necessary to effectively discharge this responsibility (see appendix E). The FPA is responsible for all technical coordination matters required for the study. The Planning and Research Division (Regional Research Engineer or equivalent) is responsible for administrative coordination.

If an FPA is not appointed, field approval authority will be in accordance with the procedures for FCP studies without an FPA which are covered in this manual under the appropriate section for the individual action (see appendix E).

(b) It is determined that a proposed study is not a part of the FCP, the Regional Federal Highway Administrator will be notified accordingly, and is delegated the full authority to approve and administer the study (see appendix E). In addition, if no notification on the FCP status of a study is received from Washington Headquarters within 30 days, the Regional Federal Highway Administrator may assume the study is not considered a part of the FCP and may exercise the authority for non-FCP studies.

Two copies of all field approval actions should be sent to Washington Headquarters (RD-3). The Washington Headquarters, as necessary, will furnish comments with respect to duplication of effort and the technical adequacy of the proposed work to the region within 30 days of submission. In addition, Washington Headquarters personnel will be available to provide limited technical assistance while the study is in progress.

c. *Type B Studies.* (1) Type B studies require the approval of the Regional Federal Highway Administrator prior to authorizing the State to proceed with the research on a study. This may be delegated to Division Engineers except as specified in paragraph 5c(2). These studies include research and development of the following types:

(a) *Short-term, low-cost studies.* These have a well-defined, limited objective generally related to either local or regional problems.

(b) *Evaluation studies of new materials, techniques, and processes.* These may be preliminary to or directly concerned with experimental construction or operational projects. Excluded from Federal-aid participation are field or laboratory evaluations of competitive materials, on a regular or recurring basis, for the purpose of periodically preparing or revising purchase specifications.

(c) *Exploratory, survey, or feasibility studies.* These may be short-term preliminary investigations of the applicability of a new material, concept, or procedure to highway transportation which may subsequently lead to larger-scale (Type A) studies.

(2) *Limitations on a Type B Study.*

(a) The estimated total cost of a single

Type B study shall not exceed \$25,000 or require more than 24 months to complete. However, if unanticipated costs develop or delays considered reasonable are incurred in conducting the work, Type B studies may be extended or funding increased beyond these limitations with the prior approval of the Regional Federal Highway Administrator (also see paragraph 6b for work program limits on Type B studies).

Exceptions to the cost and time limitations are long-range, performance-evaluation-type studies for construction materials or processes. For such studies, after the initial research tests associated with installation or construction have been completed, performance evaluation may continue at an annual cost of not more than \$5,000 until such time as it becomes evident that additional information of experimental value is unlikely to develop, or for a maximum not to exceed 8 years, whichever is lesser. If a State groups these studies under one line item in the work program, these provisions will apply to the individual studies within the item rather than the line item itself.

(b) The estimated total expenditure for nonexpendable special equipment purchased or rented for use on a Type B study should not exceed 20 percent of the total cost of the study. The estimated salvage value of the equipment may be considered in this determination. If expenditures proposed for equipment are to exceed this limitation, adequate justification in support of the State's request should be provided to the regional office for its review and approval.

(3) States may initiate a Type 2 study by submitting four copies of the proposal for the study to the Division Engineer. The division office should review the State's submission to determine that the research is needed; the study meets the criteria for Type B studies; and, the work plan is adequate. Form FHWA-1396 (see paragraph 13a) may be used in making this review in accordance with regional office policies. If the division has been delegated the authority to approve Type B studies, it should take approval action and forward three copies of the action package to the regional office.

If approval authority has not been delegated, the division shall make appropriate recommendations, and forward three copies to the regional office for approval. The regional office will review the division office's submission, and, if satisfactory, approve the study for inclusion in the Part II work program, subject to the availability of funds.

The region will:

(a) Advise the Division Engineer of this approval who, in turn, will authorize the State to proceed with the research, and

(b) Forward two copies of the total approval action to the Associate Administrator for Research and Development (RD-3.)

The Washington Headquarters will designate a specialist to provide requested technical assistance for the study and supply the regional office with the name of the individual.

d. *Studies Conducted Under Contract.* For Type A and Type B studies which will be conducted under contract, submission of two copies of a proposed contract for the review and approval of the regional office is required as part of the State's submission, except for standard contracts previously approved in accordance with paragraph 11b. One copy of the executed contract shall be forwarded to the Washington Headquarters (RD-3). The approval of contracts with nonprofit-making organizations may be delegated to the Division Engineer.

e. *Studies Associated With Federal-Aid Experimental Construction Projects.* For procedures involved with Type A and Type B studies in this category, see paragraph 18, Experimental Projects. The words "Experimental—Category 1" shall be included in the correspondence subject heading for all HP&R studies associated with Federal-aid experimental construction projects.

6. *Part II Annual Work Program—General.* Policy and Procedure Memorandum 50-1.1 prescribes policies and procedures for the programming and authorization of projects undertaken with Federal-aid funds (designated as "Highway Planning and Research Funds") under 23 U.S.C. 307(c), as amended. All studies approved for federal-aid financing with HP&R funds must be identified as planning, Part I, or research and development, Part II.

The criteria for differentiating which studies should be included in Part I or Part II of a State's program are specified in paragraph 5a.

b. *Limitations for Type B Studies—*
(1) *Total Cost.* The total amount allocated for all "Type B" studies in any State during any work program year shall not exceed \$50,000 or 30 percent, whichever is greater, of the total Federal and State funds allocated to Part II of the HP&R work program.

(2) *Individual Studies.* Limitations concerning individual Type B studies are described in paragraph 5c(2).

c. *Preparation.* The State is responsible for preparing the proposed annual Part II work program.

d. *Elements Comprising Part II of the Annual Work Program* (1) A summary tabulation shall be prepared listing the Type A and Type B studies in accordance with the formal illustrated by exhibit 1 (no larger than 8½ by 14 inches). An approved study should continue to be listed on this tabulation until the final report has been accepted as fulfilling the technical requirements, or the study has been terminated.

(2) Each Type A and Type B study listed as a line item in the summary tabulation shall be described on a separate page(s) assembled in the same order as the summary tabulation, and should include the following information:

(a) Study identification, including the organization performing the research and the date of the latest work plan approval;

(b) A brief narrative statement of the work proposed during the work program period;

(c) A breakdown of study costs which will include salaries, materials, equipment, and travel for the program year;

(d) An up-to-date financial statement of the total funding (as estimated in latest approved proposal) and accumulated expenditures on the study for work completed; and,

(e) A statement of study accomplishments to date in terms of:

1. Research findings and implementation results (see paragraph 19), and

2. Reports prepared or under preparation.

(3) Individual line items for "Administration" and "Contingencies and Proposed Studies" should be included in each State's Part II work program, in addition to the line items for Type A and Type B studies.

(a) Administration. This line item will generally cover the cost of administering the State's research and development program. This may also include HRB Correlation Service, preparation of research problem statements, proposals, and work plans by State forces for proposed studies; the monitoring of individual studies by State technical coordinators; incidental and miscellaneous expenses which occur during the course of the year which are pertinent to the overall research, development, and implementation efforts; and, travel by State personnel to technical meetings on pooled fund studies.

(b) Contingencies and Proposed Studies. This item would be used primarily for reserving funds for:

1. proposed studies which may be initiated and added to the work program during the year; and

2. supplying additional funds required for approved overruns necessary for ongoing research studies.

Studies which have not been approved prior to submission of the work program should be shown as part of the item "Contingencies and Proposed Studies." After the work plan for such a study is approved, the proposed study will be removed from this item and included as a separate line item in the State's Part II work program.

e. Submission. (1) States should submit four complete copies of the proposed Part II work program, including transmittal memorandums, correspondence, etc., to the division office of FHWA at least 60 days in advance of the program period.

(2) Requests for the approval of new studies, if any, which are submitted concurrently with the work program will be reviewed independently of the work program itself. Approval action will be by separate memorandum in accordance with the procedures in paragraph 5, Initiating New Research and Development Studies.

(3) Requests for approval of major modifications in scope for previously approved continuing studies, if any, will be reviewed independently of the work program and will be handled as noted for new studies. For those studies where it is critical to obtain approval prior to

the start of the new work program period, the submission to the decision office should be made at least 90 days in advance of the new work program period to assure the desired action.

f. FHWA Actions—(1) Division Office.

(a) Upon receipt of a State's Part II work program submission, reviews it for completeness; for compliance with PPM's 50-1.1 and 50-1.2; and, other directives, such as this manual.

(b) Prepares a concise administrative evaluation and critique of the State's research, development, and implementation program.

(c) The Division Engineer may grant conditional approval of the work program and authorize the State to proceed with the work on all continuing Type B studies which do not exceed the limitations of total cost, and those continuing Type A studies which meet the following conditions:

1. Are proceeding according to approved plan,

2. Have progress reports which are current, and

3. Are not under a stop order.

The Division Engineer will advise the State that his authorization is subject to the approval of the Regional Federal Highway Administrator, and concurrently, submit three copies, together with his comments and recommendations, to the Regional Federal Highway Administrator for review and approval.

(2) Regional Office. (a) Following receipt of the work program submission from the division office, reviews the work program for final approval action.

The Regional Federal Highway Administrator has the approval authority for all line items in a State's Part II work program, but shall not authorize work to proceed on:

1. New Type A proposals which have not been previously reviewed in the Washington Headquarters, and

2. Studies which are under a stop order issued by the Washington Headquarters.

(b) After completing approval action, the regional office will concurrently:

1. Advise the Division Engineer of its approval with such requests for modifications as found necessary, and

2. Furnish two copies of the approved Part II work program and related correspondence to the Associate Administrator for Research and Development (RD-3).

(c) Upon receipt of Part II approval action from the Regional Federal Highway Administrator, the Division Engineer will complete the processing of the formal approval and authorization action with the State, and furnish a minimum of three copies of this correspondence to the region (two copies for the Washington Headquarters (RD-3)).

(3) Washington Headquarters. (a) Will conduct a review of the approved Part II work program and furnish the region such comments as may be appropriate.

(b) The Part II summary tabulation will be edited to reflect correct Washington Headquarters contacts and returned to the regional office.

(c) The Associate Administrator for Research and Development (RD-3) will furnish one copy of all the correspondence related to the Part II work program approval to the Associate Administrator for Planning.

7. National Pooled Fund Studies—*a. General.* When widespread national or regional interest is shown in the solution of a significant problem, research studies of major importance may be cooperatively sponsored by two or more States.

Generally, these projects will be initiated by a State highway department, an FHWA field office, or the Washington Headquarters.

b. Studies Initiated by the Washington Headquarters.—(1) When a Washington Headquarters office is initiating the request, the approval of the Federal Highway Administrator will be obtained. Further, a memorandum will be sent to the Regional Federal Highway Administrator soliciting the participation of the State highway departments in the pooled fund project. The memorandum will indicate that, after commitments have been obtained from a number of States, a project advisory committee comprised of representatives from each participating State will be established to provide overall project direction. As an attachment to this memorandum, a draft of the prospectus, which will be used in soliciting proposals (Request for Proposal, RFP) to select a contractor to perform the work, will be submitted for review and comment by interested States. After the States' responses have been received, the prospectus will be revised, as appropriate, to reflect their comments and then returned through normal channels to those States who have indicated a positive interest in participating in the project. In addition to the revised prospectus, the transmittal will include:

(a) The Federal Highway Administrator's program approval for the pooled fund project, including the assigned project number in the HPR-2(—) series.

(b) A request that each State desiring to participate submit a letter addressed to the Federal Highway Administrator through the Division Engineer, requesting the use of 100 percent Federal highway planning and research funds (see sample letter, exhibit 2) and designating the State's representative and alternate to the advisory committee.

(2) Concurrent with submission of the State's letter, the appropriate fiscal documents obligating the State's portion of Federal funds allocated to project costs should be executed and forwarded by the Division Engineer to the Program Analysis Division, Office of Fiscal Services (FS-30).

One copy of the State's letter requesting the use of HP&R funds on a non-matching basis, together with the executed project agreement (PR-2), should be transmitted by the regional office to the Associate Administrator for Research and Development (RD-3).

(3) Upon receipt of the executed documents, appropriate procedures will be un-

dertaken by FHWA to initiate the contract award process.

In the contract award process, a representative of the Washington Headquarters R&D staff will be designated as contract manager, and State representatives will be asked to serve (at a location most convenient to the majority) on a Technical Proposal Evaluation Panel for about 2 days to select the contractor for the project. This convening of State representatives will be the first meeting of the project advisory committee and can serve as a multipurpose session in initiating the project. In addition, if more than one contractor is found to be within the competitive range, participating State highway department personnel who served on the Proposal Evaluation Panel will be requested by mail to prepare questions for transmittal through FHWA to these prospective contractors. After a contractor has been selected, and all executed fiscal documents have been received by the Washington Headquarters, appropriate steps will be taken to award the contract and start work on the project.

c. Studies Initiated by States or FHWA Field Offices. When a State highway department or FHWA field office wishes to initiate a request for a 100-percent pooled fund project, two copies of the proposal and request should be sent through normal channels to the Associate Administrator for Research and Development (RD-3). The request should also indicate which other States have been solicited (if any), and indicate the willingness of these States to cooperate and the levels of funding they intend to commit for the pooled fund effort. Procedures for initiating the project will then be similar to that described above under paragraph 7b.

If approval cannot be obtained for 100 percent Federal financing, a memorandum will be prepared for transmittal to the initiating State or FHWA field office which will outline the reasons for this determination. This memorandum will be transmitted through normal channels.

8. Intra-regional cooperative studies (IRCS)—a. General. When solution to a significant problem is one of such importance and interest within the region that a number of States within that region are willing to cooperate in undertaking the study, a jointly funded arrangement with one State assuming the role as fiscal agent for the other States may be conducted. Studies of this type are appropriate when time is critical and/or a State does not have sufficient HP&R funds available to attack the problem on its own.

b. Procedures. For IRCS, the administrative and contracting procedures for Type A HP&R studies apply. When anticipated results from the study are considered of national interest and are of sufficient urgency, a justification may be submitted for presentation to the Federal Highway Administrator for approval to finance the study without matching funds. If 100 percent Federal-aid funding is approved, a letter similar to exhibit 2

will be needed from each participating State.

To initiate an IRCS, the sponsoring State should obtain statements from other interested States within a region of their willingness to cooperate in financing the study. The sponsoring State should then submit through normal channels four copies of a proposal for a Type A HP&R study for review. The proposed financing plan should be indicated in the submission.

If the proposal is considered satisfactory, the approval will be given in accordance with the normal procedures for Type A studies. The regional office, in cooperation with the originating State, will then finalize the commitments from the interested States within the region, and take the necessary actions to conduct the study.

Each IRCS should be set up as a separate HP&R project using the HPR-3 (—) series in numerical sequence commencing with number (1). The regional office, the division offices, and the States involved will then make the necessary arrangements for funding the host State, which will act as the fiscal agent for all other States on the project. The regional office will be responsible for administering the study in accordance with the normal procedures for Type A HP&R studies.

If the proposal is not approved by the Washington Headquarters, a memorandum will be prepared and sent to the regional office outlining the reasons for the determination.

9. Study Proposals (Including Work Plans)—a. General. A research study proposal should be a well thought-out document which establishes the necessity for a research undertaking, clearly defines the objective, provides a detailed work plan for achieving the objective, and indicates how the research findings are expected to be used. This should not be construed to eliminate basic research which will provide a basis for subsequent applied research.

The proposal also serves additional purposes, such as:

(1) To provide sufficient information to determine need and justification for the study and to assess probability of success of a proposed plan of approach;

(2) To focus a researcher's attention on the overall study objectives, as well as its details, specifications, etc.;

(3) To be useful to the State as a basis for assignment of priorities for allocation of manpower and funds for a research program;

(4) To provide a yardstick by which to measure potential uses and benefits;

(5) To identify potential areas of application of the products of research, and thus indicate consequent action required;

(6) To provide research administrators with a realistic basis for measuring progress and results; and,

(7) To set forth an entire research study as an entity. This will permit correlation with work by others in the same field, and will also establish starting and completion dates.

b. Proposal Content. Proposals for research and development studies should contain, but are not limited to, the following essentials:

(1) **Identification.** A title sheet or equivalent which includes a concise (not to exceed 140 characters) title for the proposed study; name and business address of the organization that will conduct the work; and, name, title, and mailing address of the principal investigator who is to bear scientific responsibility.

(2) **Problem Statement.** A clear and concise statement of the problem to be solved by the proposed research.

(3) **Objectives of the Study.** These are the technical objectives upon which the research staff is to focus attention and upon which research efforts are to converge. The objectives should be phrased in positive terms (e.g., "to develop," "to determine," "to measure," etc., rather than broad generalities, such as "to investigate," "to study," etc.). The objective should clearly and concisely identify (in about 25 words) the products of research being sought.

(4) **Background and Significance of Work.** Should provide a statement:

(a) Describing the findings of a literature search (complete or partial) or furnish other indications of existing technology;

(b) Indicating understanding of the underlying principles involved;

(c) Tracing the relationship of prior research to that now proposed; and,

(d) Supporting the researcher's approach and why he believes it is best.

(5) **Benefits.** Benefits anticipated from the research findings should be enumerated. These might be advantages gained by the traveling public in terms of savings in time and money, increased safety, better service, or improved esthetic quality. Reduction in initial cost and improved and more lasting product are extremely important benefits.

(6) **Implementation (Application).** The HP&R Part II program should ordinarily direct its primary research effort to the solution of operational problems. Most of the research performed under this program other than theoretical studies is undertaken with the expectation that the findings can be translated into immediate practice (see paragraph 19).

The proposal should indicate an assessment of the specific areas of potential application of the research findings, such as changes in specifications, standards, and practices, and its role in ultimate solution of problems. Preparation of this portion of the proposal may be facilitated if the researcher(s) and appropriate State highway department operating personnel discuss the problem to be studied. For studies which are expected to provide immediate, implementable results, the proposal should indicate:

(a) The form in which the finding might be reported (mathematical model or formula, laboratory test procedure, design techniques, etc.);

(b) The organization logically responsible for application of the results, e.g., State highway department, American

Association of State Highway Officials, Federal Highway Administration, etc.;

(c) The specific medium of practice that would be changed by the findings, e.g., State Highway Department Standard Specifications, AASHO Standard Specifications, etc.;

(d) The means by which the research findings might best be conveyed to operational people for utilization or application (research digest, personal contact between State highway department research and operating engineers, etc.); and

(e) Any specific efforts planned within the study for implementation.

If the findings of a study will not be suitable for immediate application in practice; the research proposal should set forth additional steps which are expected to be required before application (e.g., additional research, field testing, etc.).

(7) *Work Plan.* The work plan should fully describe the plan or approach intended and specify how the study will be structured to meet each study objective. To the extent possible, it should identify major operational phases and relate the phases to manpower requirements, time schedules, and cost estimates. The work plan should generally contain the following information for each of the four types of research and development activities as appropriate:

(a) *Theoretical Research (concept oriented).* 1. The basic approach to the development of the theory,

2. Specific hypotheses derived from the theory,

3. Theoretical framework (experimental design) for study,

4. Significant variables to be tested,

5. Instrumentation and/or library facilities, and

6. Data analysis and statistical procedures.

(b) *Applied Research (problem oriented).* 1. Principles or theories to be used in the solution,

2. Possible solutions of the problem,

3. Critical experiments to test the applicability of the theory.

4. The kind and range of variables to be tested,

5. Experimental facilities available, and

6. Data analysis and statistical procedures.

(c) *Development.* 1. The device, process, material, or system to be developed,

2. The applied research upon which the development is to be based,

3. Method(s) to solve problem,

4. The work plan to complete the development,

5. The kind and range of variables considered in the development,

6. Facilities available for the development, and

7. Data analysis procedures.

(d) *Test and evaluation.* 1. Item to be evaluated or measured,

2. The extent of the development of the item,

3. Criteria for evaluation,

4. Testing procedures.

5. Conditions under which evaluation will be made,

6. Control to be used, and

7. Data analysis procedures.

(8) *Manpower and Budget Estimate.*—

A summary tabulation showing the staffing plan, estimated manpower requirements, and cost for the full term of the study broken down by each work program period. The estimate should include salaries for professional and support personnel; overhead and indirect costs; travel; computer time; equipment (purchase and/or rental); expendable materials and supplies; report printing; and, special services (where applicable). Where financing includes more than HP&R and matching State funds, a supplementary tabulation should show the total cost by sources of funds.

(9) *Facilities Available.* Should describe the general facilities at the researcher's disposal which are important to the conduct of his work.

(10) *Work Time Schedule.* A bar chart, CPM diagram, or other type of flow chart should be provided in the research proposal to illustrate the interrelationship and scheduling of the major operational phases of the study.

(11) *Supporting Data.*—Should show the principal researcher's experience, capability, and past performance on related research work. For contracts with other organizations, the information should be related to the organization, as well as to the individuals.

10. *Termination.* States may terminate a previously approved study prior to fulfillment of its objectives when it has been concluded that further research will be unproductive and/or unwarranted. To terminate a study under these circumstances, the State should submit four copies of a formal request for termination to the FHWA Division Engineer. This request should be accompanied by a detailed report of the work completed on the study, or refer to previous reports documenting the work completed which were produced for the study. The total funds expended on the study should be reported so that a determination may be made as to the extent of Federal participation.

The approval of termination requests for Type A studies in the FCP is the responsibility of the Associate Administrator for Research and Development.

Approval action on termination of non-FCP studies is a responsibility of the Regional Federal Highway Administrator. Termination of Type B studies may be delegated to the Division Engineers. The Washington Headquarters shall be notified of all field actions on termination of studies approved by the field.

Termination correspondence for studies involved with experimental construction projects should be sent to the Office of Highway Operations (four copies) for Washington Headquarters processing as described in paragraph 18b.

11. *Contracts.*—a. *Types of Contracts.*

The three types of contracts commonly used in R&D work are: (1) Cost-reimbursement, (2) cost-plus-a-fixed-fee, and (3) fixed-price contracts. These types are described in paragraph 4 of PPM 50-1.2. The Regional Federal Highway Administrator has the authority to

approve all contracts for the conduct of R&D studies. This may be delegated to the Division Engineers for contracts with nonprofit-making organizations. One copy of all executed contracts shall be forwarded to the Washington Headquarters (RD-3).

b. *Standard Contracts.* The States are encouraged to develop a standard form of contract and supplemental contract for use in contracting with universities, colleges, and other nonprofit-making organizations.

The advantages of a standard form are twofold. It provides all parties concerned with a uniform document which meets all FHWA and State requirements for contracts. More importantly, it substantially reduces the time required to initiate a study since it allows FHWA to review research proposals and to authorize execution of contracts without a detailed review of each contract document. This is especially pertinent in the case of Type B studies.

No particular format is prescribed for these contracts, as it is recognized that legal requirements vary from State to State. All contracts must conform to the provisions of PPM 50-1.2, paragraph 5, *ITEMS TO BE INCLUDED IN CONTRACTS*, as well as any additional State requirements. Upon request, the Washington Headquarters (RD-3) will furnish copies of typical standard contracts and supplements thereto for use by a State in developing a standard contract.

Any State interested in adopting a standard contract for research studies should submit through normal channels a document which meets all FHWA and State requirements for approval of the Regional Federal Highway Administrator. This may be delegated to the Division Engineers for nonprofit-making organizations. One copy of the approved standard contract and any modifications thereto should be furnished to the Washington Headquarters (RD-3).

12. *Technical Coordination.*—a. *Purpose and Objective.* The purposes of technical coordination are to obtain an integrated program; to provide assistance and guidance in meeting the objectives of individual studies; to establish and maintain continuing communication between technical personnel in the FHWA, State highway departments, universities, and other research agencies; to evaluate and determine the technical adequacy of proposed studies; and, to recognize and recommend implementation of appropriate findings. Technical coordination for the FHWA Federally Coordinated Program (FCP) is provided by Federal project managers (FPM's) at the Washington Headquarters level, field project advisers (FPA's) at the regional level, and field technical coordinators (FTC's) at the division office level.

b. *FCP Federal Project Manager (FPM).* An individual from a technical division in the Office of Research or the Office of Development will be assigned as FPM for each of the projects in the FCP.

While basic responsibility for overall administration and policy guidelines for FCP projects remains with the appropriate

ate research or development technical division chief, the responsibility for the technical supervision of each project is delegated to the FPM who will be responsible for planning, organizing, and directing the research and development activities of his FCP project. An individual generally will be assigned the FPM responsibility for only one project in the FCP.

The FPM is responsible for developing a comprehensive work schedule aimed at accomplishing the objectives of the FCP project; promoting the studies required, and supervising the preparation of reports involving completed tasks or sub-tasks. He is expected to keep himself informed in other areas which are likely to bear on the successful accomplishment of his project and on the implementation of results. In developing the proposed work schedule, he will be responsible for examining all available research resources to carry out specific work efforts. The FPM will also recommend the preferred medium such as FHWA contracts, NCHRP, and HP&R studies, as well as in-house FHWA staff and facilities most suitable for carrying out the separate tasks or studies and relate these by appropriate flow diagrams. The FPM will also prepare technical prospectuses for each type of study or contract required for his FCP project and direct technical surveillance of these activities when activated. In some cases, such surveillance may be delegated to other technical personnel under his supervision or to field project advisers.

Within the area defined by the FCP project plan, the FPM will coordinate, on a national basis, all the ongoing activities related to his project whether in-house, contract, HP&R, NCHRP, or other. He will assist in preparing and presenting material related to his project for budget or other management presentations. In this connection, he is responsible for the planning and scheduling of FCP project review meetings (generally annually) which will involve interested FHWA operating personnel and regional field project advisers. In addition, the FPM will be responsible for the preparation of semiannual technical progress reports on his project. These progress reports will be disseminated to field project advisers and include information on start of new studies which are initiated in his FCP project.

c. FCP Field Project Adviser (FPA)—
(1) *General.* The FHWA regional field organization contains specialists in each of the major functional operating areas in the Federal-aid highway program. These specialists are highly qualified in their fields, and it is essential that they have an opportunity to contribute to the maximum extent possible within the limits of staff availability in coordinating the technical aspects of FCP projects. A major consideration in selecting regional staff specialists as field project advisers (FPA's) is their interest to be involved in research within their specific technical area and their desire to actively participate in the coordination of FCP projects.

Some of the benefits which may be expected when regional staff personnel are assigned as FPA's are that FHWA review of work plans, reports, and other technical decisions will be greatly expedited; and more efficient, rapid, and effective implementation of research and development results become more probable.

(2) *Designation and Authority.* Field project advisers will be designated for FCP projects within a region at the option of the regional office. Normally, only one FCP project should be assigned to each individual.

The FPA shall have the prime responsibility and authority to commit FHWA on all technical aspects of assigned HP&R studies (and specific FHWA contracts, where the contract manager authority has been delegated by the Washington Headquarters) in his FCP project within the limits of field authority in his region. The FPA should coordinate his activities with the Regional Planning and Research Division which has the authority for approval of administrative matters. The FPA's are encouraged to contact FPM's by telephone as necessary to obtain needed technical assistance relating to their FCP project. The duties and responsibilities of FPA's are indicated in appendix C.

d. Field Technical Coordinator (FTC). The FHWA division office field organization provides the closest point of contact with practicing engineers of the State highway departments. This organization, therefore, offers the greatest opportunity and potential for face-to-face implementation of usable research findings and the essential necessary liaison between researchers, and State and FHWA practicing engineers. Accordingly, it is highly desirable that appropriate division office personnel be given opportunities to the extent possible within limits of staff availability to participate in HP&R R&D program activities. A major consideration in designating technical coordinators is the interest of the candidate in specific technical areas and the desire to be actively involved in specific research studies. Individuals appointed as FTC's are provided with the opportunity to broaden their background, experience, and outlook. In addition, by becoming more knowledgeable about innovations in highway engineering practices, they serve to enhance the implementation of research results through personal contact with appropriate State personnel.

Division Engineers are authorized to designate division office FTC's for R&D studies in their State's Part II work program. When an FTC is not available in a division office, the regional office may wish to appoint a regional representative to perform this function.

The technical duties and responsibilities of FTC's are oriented to individual studies rather than to FCP projects as previously described for FPA's. The primary emphasis of FTC activities should be directed to providing practical engineering input to enhance the potential

implementation of R&D results. The FTC should coordinate his activities with the appropriate planning and research staff. Appendix C, Duties and Responsibilities of FPA's, illustrates the general range of activities an FTC may be required to perform in connection with his assignment. The detailed functions performed by FTC's shall be in accordance with the policies of the appropriate regional office.

13. Evaluation Forms—a. *Proposal Evaluation Form, FHWA-1936.* This evaluation form (exhibit 3) is intended to provide a systematic means of evaluating research and development proposals in accordance with technical and management criteria. If the proposal for a study does not meet these criteria, it generally will require redirection or revision to obtain FHWA approval.

(1) *General Technical Criteria.* These are criteria listed on the form which relate to the character and significance of the proposed work. This class of criteria provides a basis for judging the overall significance of the work to highway transport.

(2) *Specific Technical Criteria.* If a study proposal is judged acceptable on the basis of the general criteria (all "yes" answers), the form provides specific technical criteria for evaluating the technical adequacy of the proposal. These criteria are related to the recommended minimum proposal requirements under paragraph 9b, Proposal Content.

(3) *Management Criteria.* The successful conclusion of any study depends upon the technical and management competence brought to bear by the performing organization.

(4) *Preparation of Form.* The Washington Headquarters will complete this form when evaluating Type A FCP related studies. On an optional basis, the Washington Headquarters will complete this form for Type A non-FCP studies.

In accordance with regional policy, the form may be completed by field personnel in the review of proposals for Type A and Type B studies.

This form is not appropriate for implementation studies.

b. Report Abstract Form, DOT F 1700.7. This abstract form (exhibit 4) should be completed by the field in accordance with regional policies for interim and final study reports. The copies should be sent to the Washington Headquarters (RD-3). Instructions for completing the form are contained in exhibit 4. If the completed Form DOT F 1700.7 has been included in a report as encouraged by DOT Order 1700.18, subject: Format for Scientific and Technical Reports (appendix F), the preparation or reproduction of a separate form will not be required.

It is not necessary to complete this form for reports which are termed "Interim Reports," but actually are elaborate progress reports which do not contain significant scientific findings. Significance should be considered in terms of early disclosure of usable research findings in advance of a phase report or final study report to accelerate their application in standard practice. The re-

gional office is responsible for determining when the form is required in the above situation.

14. *Travel*—a. *Responsibilities of the State.* (1) The chief executive officer of the State highway department, or his designee, shall determine the essentiality of and approve travel, foreseen and unforeseen, in connection with any research or development study financed with HP&R funds whether by State personnel, or by personnel of an organization under contract to the State. Travel should appear in the study budget if any is anticipated.

(2) Those States which have established research councils or committees may authorize members of the same to travel in connection with scheduled committee or council meetings. Such travel as is authorized by the State is eligible for participation with HP&R funds and may be charged to the item of "Research Administration" in Part II of the work program.

b. *Responsibilities of FHWA.* Washington Headquarters staff traveling in performance of their coordination duties shall provide ample prior notification to the appropriate FHWA regional offices of all contemplated travel, so that suitable arrangements may be made for field representation.

15. *Reports*—a. *Purpose.* Reporting procedures for HP&R studies have been designed to:

(1) Assure establishment and maintenance of an adequately documented official record of all research and development studies;

(2) Ensure that work progress on a study is proceeding in accordance with the terms of a contract or agreement;

(3) Provide for early disclosure of significant scientific and technical breakthroughs or the solution of problems;

(4) Provide for final documentation and dissemination of technical findings; and,

(5) Promote the implementation of study results.

Interim Reports, Final Reports, Executive Summary Reports, Film Reports, Papers and Articles, and Quarterly Progress Reports are covered in this section of the manual.

b. *Uniform Provisions.* All of the following items apply to Interim and Final Reports prepared for publication and distribution. Individual items may also apply to other reports and papers as specified.

(1) Include an abstract prepared by the researchers which can be used to disseminate the research report through information storage and retrieval systems. The definitive gains in the specific area of the research, together with the findings of the study, should be outlined so that other researchers and users may readily identify significant research results or confirm those of other studies. Key words should be provided with the abstract for information storage and retrieval purposes.

(2) It is mandatory that reports for R&D studies be written in language which will be readily understood by those

who will apply the study findings. For example, if additional research is needed, the language should be such that the researchers who will continue the work can readily assimilate and use the findings of the work completed. If the results are suitable for immediate implementation, the report should be prepared in language that can be easily followed by the practicing engineers.

(3) Adherence to DOT Order 1700.18, subject: Format for Scientific and Technical Reports (appendix F) is encouraged in the preparation of all research and development reports. Preparation of reports larger than 8½ by 11 inches should be avoided to facilitate use and storage of the report.

(4) Include a credit reference to FHWA such as, "Prepared in cooperation with the U.S. Department of Transportation, Federal Highway Administration."

(5) Include a disclaimer statement similar to the following:

The contents of this report reflect the views of the author(s) who is (are) responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the (State or the) Federal Highway Administration. This report does not constitute a standard, specification, or regulation.

(6) After a report has been accepted by FHWA and published, the material contained therein is to be regarded as information in the public domain, and its further use does not require FHWA approval.

Both oral and written releases are construed to be within the context of publication.

(7) Unless otherwise instructed, 10 copies of a published report (12 copies for a study involved with an experimental construction project) should be submitted to the Chief, Program Control (RD-3), as soon as possible (preferably within 90 days after acceptance).

(8) Since published reports are placed in the National Technical Information Service and may be obtained in either hard copy or microfiche, Federal participation in publication of reports is limited to not over 250 copies in excess of those required for FHWA use unless authorized otherwise by the Washington Headquarters for special cases.

(9) The published version of a report shall not be copyrighted or contain other restrictions which prohibit distribution and reproduction of the report by the Federal Government and the several State highway departments.

c. *Interim Reports.* Interim reports are to be submitted when major phases of a study are completed as stipulated in the approved work plan, or when significant scientific breakthroughs are realized.

In addition to the uniform provisions specified in paragraph 15b, it is desirable to provide a "highlight" summary (preferably one page) consisting of a clear, concise, popular statement of any significant developments, discoveries, breakthroughs, or other events, together with its meaning, and its potential application and subsequent benefit to the State highway departments and high-

way transportation. This "sales" summary should be prepared in popular language (refrain from complicated scientific terminology) so that busy executives will not be required to spend excessive time reading it. When the subject matter is appropriate, it might be supplemented by photographs, movies, or other communication techniques to aid interested parties.

A minimum of four draft copies of interim reports should be submitted by the State to the division office for review and acceptance by the appropriate FHWA office prior to publication as follows:

Study category	Approval authority
Type A, FCP project without FPA.....	Washington headquarters.
Type A, FCP project with FPA.....	Region.
Other Type A.....	Do.
Type B.....	Do.

Regional approvals for non-FCP studies may be delegated to the division offices. For R&D studies involved with experimental construction projects, four copies of the interim report submission shall be sent to the Office of Highway Operations (HO-31) for Washington Headquarters processing, as described in paragraph 18b.

Note: Annual progress reports which are given higher editorial treatment to meet the requirements of some States, particularly in contracts with universities, should not be regarded as interim reports, unless they meet the criteria for early disclosure of significant scientific breakthroughs or solution of problems on a study. If neither of these criteria are present, these reports should be processed in the same manner as quarterly progress reports. The regional office is responsible for determining the difference between interim reports and progress reports.

d. *Final Reports.* Final reports are required upon completion of all R&D studies. They shall completely document all data gathered, analyses performed, and the results achieved. For studies where a number of interim reports have been published, a summary type of final report is satisfactory provided adequate detailed documentation of the work completed has been published previously.

In addition to the uniform provisions specified in paragraph 15b, each final report should contain a summary statement on research implementation. This statement should point out practical applications of research findings, give recommended procedures for implementation, expected benefits and/or recommendations for additional work needed to achieve implementation. The statement should be prepared cooperatively by the researcher and State operations personnel in the area of concern. If significant implementation is proposed which could be profitably shared and an Implementation Package (Appendix H) is going to be prepared, it should be indicated here.

(1) The implementation statement should answer such inquiries as: Do the findings warrant or aid:

The application of new procedures?

The issuance of new specifications, standards, or designs?

The use of new materials?

The development of new equipment?

The rejection of proposed new procedures?

A determination that no problem existed?

An implementation for other positive benefits?

A justification of other research needed, and why?

(2) The report should indicate the proposed means and mechanisms for translating the research product into applicable form for use by operating personnel.

(3) The potential benefits to be derived from implementing the research findings should be in terms of savings in time, money, and lives, increased safety, better service, improved esthetics, enhanced capability of solving transportation problems that may accrue to the highway engineering profession, other user and nonuser benefits. Where dollars are involved, an effort should be made to estimate the first year savings, and the expected subsequent average annual savings anticipated from application of the research results.

(4) If the findings were positive, but not suitable for immediate application, indicate the extent of additional work needed to produce results suitable for implementation, e.g., additional research or development, or field testing.

A minimum of five draft copies of the final report should be sent by the State to the division office for review and acceptance by FHWA prior to publication as follows:

Study category	Approval authority
Type A, FCP project without FPA.	Washington headquarters
Type A, FCP project with FPA.	Region.
Other Type A-----	Do.
Type B-----	Do.

Regional approvals for non-FCP studies may be delegated to the division offices.

For R&D studies involved with experimental construction projects, five copies of the final report submission shall be sent to the Office of Highway Operations (HO-31) for Washington Headquarters processing, as described in paragraph 18b.

e. *Executive Summary Report.* On an optional basis it may be desirable to prepare an executive summary or briefing type report. This report is a highly condensed version of an interim or final report and is oriented to the highway administrator responsible for setting policies, procedures, and engineering practices. The report should present the study's technical aspects, conclusions, and recommendations clearly and concisely so that the significance of the completed work can be quickly assimilated and provide a basis for management decision. Concepts should be presented in plain language with study details omitted or briefly summarized. The FHWA

approval of executive summary reports is not required since the subject matter contained in these reports has been accepted previously by FHWA. The provisions of paragraphs 15b(4), (5), and (7) apply to executive summary reports. The following type of format may be used:

(1) Introduction—A brief statement of the problem and study objectives.

(2) Conclusions and Recommendations—A clear statement of study findings and their meaning to the highway administrators.

(3) Summarization of work performed.

(4) Implementation Guidelines—A practical statement of the innovations in policies, procedures, and engineering practices which will implement the findings, and the expected benefits of such innovations.

(5) Demonstration Proposals—Experimental or demonstration type projects which may be undertaken before the innovations are adopted as standard practice.

(6) References—Other study reports and available implementation packages (see appendix E).

f. *Film Reports.* Where motion pictures, film clips, or sets of slides are produced in connection with a study, a minimum of one reproducible copy of the film or slide documentation is required for Washington Headquarters. Additional copies may be requested on an individual basis. The master copy of any film produced should be available for subsequent use of FHWA as necessary. The provisions of paragraphs 15b(4), (5), (6), and (9) apply to film reports.

Motion pictures, which cost more than \$1,000 to produce and are not specified in the approved proposal for the study, require the prior approval of the appropriate regional office. This may be delegated to the division offices.

g. *Presentation or Publication of Papers and Articles.* (1) Papers (articles and bulletins) which contain significant technical findings previously undisclosed from a study shall not be presented publicly or published without prior approval by the regional office, except as specified in paragraph 5g(4). For non-FCP studies, this may be delegated to the division offices.

(2) For technical papers sent to professional or technical organizations such as Highway Research Board, researchers should make a concurrent submission through normal channels to the State and FHWA at the same time they submit their draft papers to the appropriate organization. This will allow sufficient lead time to satisfy the requirement for prior FHWA review and approval.

(3) All papers should contain the credit reference and disclaimer statement specified in paragraph 15b.

(4) In unusual cases when the scheduled time for the preparation of a paper containing previously undisclosed findings does not permit time for formal review and acceptance, an abstract and notification of intent to present the paper should be submitted through normal channels for FHWA concurrence. To

protect the interests of the sponsoring agencies, such presentations should contain (a) a statement that the sponsoring agencies have not reviewed the paper, (b) the disclaimer statement, and (c) the credit reference specified in paragraph 15b. Draft copies of these papers should be submitted to FHWA for review and acceptance as soon as completed.

(5) Papers containing subject matter and technical findings substantially similar to that covered in a report which has been previously approved for publication do not require any further FHWA review but should include the disclaimer statement and credit reference specified in paragraph 15b.

h. *Quarterly Progress Reports.* For all studies in an approved work program, quarterly progress reports shall be submitted for each calendar quarter. When the study is conducted jointly by two agencies (e.g., State and university), the progress for each agency should be reported. The first report is due at the end of the first calendar quarter in which a study has been in an approved status for over 60 days. States shall submit four copies of the progress reports through regular FHWA channels of which two shall be sent directly to the appropriate technical division chief in the Washington Headquarters, except as required (six copies) for R&D studies associated with Federal-aid experimental construction projects as indicated in paragraph 18b.

These reports shall contain sufficient information to enable technical coordinators in the field and Washington offices to evaluate the progress and possible future course of a study. The following should be included in each report:—

(1) Study Identification—State, State study number, and title.

(2) Date work started and date of report.

(3) Research agency—State or other.

(4) Progress—Identify whether work is ahead of or behind schedule. Summarize work accomplished, specify items completed during quarter ahead of schedule and those behind schedule.

(5) Problems—Changes in principal investigators, anticipated or accomplished; technical problems, including requests for FHWA assistance or comments; indications of insufficient funds.

(6) Describe work planned for next quarter. Indicate as appropriate the approximate date of the next interim or final report. Detail any proposed major modifications of the work plan, and advise when formal request for approval will be made.

(7) Research Implementation—Identify and describe briefly the potential application (if any) of significant technical information developed during the quarter. Describe steps being planned, recommended, or taken to implement these findings.

(8) Finances—Total Estimated Study Cost -----; Total Accumulated Expenditures from Inception to Date -----; Budgeted Cost for Current Work Program -----; Current Work Program Expenditures to Date -----

Large studies involving a team effort of several disciplines may require periodic conferences in addition to quarterly reports. A complete record of such meetings shall be made and copies furnished for FHWA.

16. *Change Orders and Modifications*—
a. *Work Program*. Changes in cost estimates for line items in the Part II work program may be approved by the regional office. This may be delegated to the division offices. Two copies of the correspondence should be sent to the Washington Headquarters (RD-3).

b. *Type A Studies*—(1) *Major Cost Changes*. A major change in the cost of a study is one that increases the total cost initially approved for a study by \$25,000 or more. Changes of this magnitude must be justified by the researchers and forwarded by the State through regular FHWA channels for approval by the regional office. For studies in the FCP which do not have field project advisers, Washington Headquarters approval is required. The incoming correspondence from the division office should clearly indicate the cost change for the current work program (FY, CY) period and the new total estimated study cost (from \$_____ to \$_____). Two copies of the field approval action should be sent to Program Control (RD-3) for information.

(2) *Minor Cost Changes*. A minor change in the cost of a study is one in which the total cost of the study is increased by less than \$25,000. Minor changes may be approved in the field (division or regional office, as appropriate) in accordance with the normal operating procedures of the regional office. Two copies of the field approval action should be sent to Program Control (RD-3) for information.

(3) *Time Extension*. All requests for time extensions which do not require additional funds are to be considered "minor changes." They may be approved in the field (region or division office) in accordance with normal operating procedures of the appropriate regional office. Two copies of the field approval action should be forwarded to Program Control (RD-3). The approval action should clearly indicate the extended time period (years and/or months), and the beginning and ending dates of the time extension.

Requests for extensions of time and increased funds will be judged minor or major on the basis of increase of funds as set forth in sections (1) or (2) above.

(4) *Major Personnel Changes*. Changes in the principal investigator(s) of any study are to be submitted to the regional office for approval. This may be delegated to division offices. Two copies of the correspondence should be sent to Program Control (RD-3) for information.

Such requests should be accompanied by a brief description of the capabilities of the principal investigator(s) recommended as replacement(s).

(5) *Minor Personnel Changes*. Changes in support personnel, graduate students, support and/or clerical

help may be made by the State without prior approval of the FHWA.

(6) *Changes in Objective, Scope, or Work Plan*. Major changes in the objective, scope, or work plan of a study, which may have a significant bearing on the research, shall be fully documented and submitted through normal channels for approval by the Washington Headquarters for FOP-related studies (two copies), and the regional office for non-FOP-related studies. Minor changes may be approved in the field (region or division office) in accordance with normal operating procedures of the appropriate regional office. Two copies of the approval correspondence should be sent to Program Control (RD-3) for information and record.

c. *Type B Studies*—For Type B studies, all change orders and modifications shall be approved in the field in accordance with the normal operating procedures of the appropriate regional office. This may be delegated to the division offices, except as noted in paragraph 5c(2). Two information copies of all actions should be forwarded to Program Control (RD-3).

17. *Special Equipment, Instruments, and Space*—a. *General Criteria*. The determination of eligibility for participation in equipment and instrumentation is to be based on the need with respect to the State's research and development program. For equipment to be eligible for purchase with HP&R funds, the following conditions should exist:

(1) The item is not normally used in the regular operations of the highway department or, if applicable, a contractor;

(2) The item is required for and will be used primarily on work incident to a research and development study;

(3) The cost is considered reasonable; and,

(4) The State requires certification that items of equipment included as direct costs have been excluded from the indirect costs when the research is conducted by other than State forces.

b. *Specialized equipment*. (1) Specialized equipment eligible for Federal participation is that which is not normally found in a State highway department or research laboratory.

(2) As a rule, purchase of equipment which is in the category of normal equipment (i.e., standard laboratory and office equipment, such as testing machines, typewriters, tables, etc.) in an adequately organized and equipped highway department or research laboratory will not be eligible for Federal participation. Participation in special equipment approved for purchase on research studies will be limited to the amount of depreciation during the period of use on the study.

c. *Purchase of equipment or specialized instrumentation*. (1) When the items of equipment or instrumentation required to conduct a research and development study are specified in the approved proposal for a study, no further approvals are required by FHWA for the items listed.

(2) If no cost item for such equipment is in the proposal:

(a) Prior approval by FHWA is not required for individual special equipment items needed in connection with a research study as long as the total accumulated cost of all such equipment does not exceed \$1,000. For these purchases, when the cost is \$1,000 or less, the justification for purchases rests with the State.

(b) The regional office is responsible for approving equipment purchases after the total accumulated cost exceeds \$1,000. This may be delegated to the division offices, except as specified in paragraph 5c(2) for Type D studies.

d. *Rental of equipment and other service hires*. (1) Equipment listed in a proposal may be rented at the rates specified without further FHWA approval.

(2) If no cost item for equipment rental is in the proposal:

(a) Prior approval by FHWA is not required for rental or individual special equipment items as long as the total accumulated cost of all such equipment does not exceed \$1,000. For these rentals, when the cost is \$1,000 or less, the justification for rentals rests with the State.

(b) The regional office is responsible for approving equipment rentals after the total accumulated cost exceeds \$1,000. This may be delegated to the division offices.

(3) It is recognized that in cases of highly specialized expensive equipment, field office personnel may have very limited information to guide them in establishing rental rates or services hires for the equipment. They are encouraged to solicit assistance from Washington Headquarters technical personnel who are familiar with the equipment on the establishment of satisfactory rental rates and/or service hires.

(4) When the State purchases equipment for a study which will also be used on other work, a rental rate should be established for the equipment to charge its use on nonconnected study work (either to the HP&R study or State work). The sum total of these charges should be credited to the HP&R study under which the purchase was made.

The region or division office should assure that the established rental rates are reasonable and equitable and that all users pay the same rate. It has been found that the most desirable arrangement, when equipment will be used on more than one study, is for the State to purchase the equipment outright and then charge rental for usage on a study-by-study basis.

e. *Nonexpendable equipment*. For research and development studies, nonexpendable equipment is equipment that would have some residual value upon the completion of the study.

(1) If equipment has residual value after use in the specific study for which it was purchased, or after use in other studies, and there are no apparent reasons to keep it for future highway planning and research and development work, arrangements for its disposal by

sale or transfer, mutually agreeable to the State and FHWA Division Engineer, should be made. The residual value should be credited to the appropriate research and development study. If requested, the Washington Headquarters will provide assistance in determining residual value.

(2) When the final report on any study conducted with HP&R participation is submitted, a statement must be submitted by the State to the division office indicating the proposed disposition of equipment purchased or constructed for use on the study. This statement shall include the salvage credit to the study for this equipment, where applicable.

f. *Inventory.* (1) The States are required to maintain an inventory record for each piece of nonexpendable equipment purchased or built with HP&R participation. The inventory should also include equipment acquired and/or constructed for use on research work at any of the universities doing cooperative research financed with HP&R funds.

(2) The record for each piece of equipment is to include the date acquired, total cost, serial and model identification (on purchased equipment), and any other information necessary to identify the property. It is also desirable for the record to include the location, project, or section to which the piece of equipment is permanently assigned. This information establishes the point of responsibility for the equipment.

(3) The Division Engineer is responsible for assuring that the State's inventory record will permit control of the property and will also provide a means of assuring proper credit to the applicable fund when any equipment is disposed of because of obsolescence, is no longer required on the work, or is worn out.

g. *Rental of Space and Facilities.* Rental of space not owned or controlled by a State highway department or a research contractor may be eligible for Federal participation, if (a) provided for in the approved proposal or contract, (b) the need therefor is justified, and (c) the rates are found to be reasonable. Needed facilities not provided for in the proposal may be approved by the regional office. This may be delegated to the division offices for non-FCP studies.

18. *Experimental Projects—*a. *General.* A major phase in the sequence of translation of research findings into engineering practice is the field test and evaluation of those findings through experimental construction projects. Experimental highway construction is construction in which one or more experimental features have been incorporated or utilized regardless of whether the incorporation or utilization of the experimental feature is primary or secondary consideration in undertaking the project. The Federal-aid experimental construction program is administered by the Office of Highway Operations, Associate Administrator for Engineering and Traffic Operations, in cooperation with the Offices of Research and Development and the Research and Develop-

ment Demonstration Project Program of Region 15. Paragraph 18 of this manual is intended to supplement PPM 20-6.3 for experimental construction projects which include research and development studies financed with HP&R funds (Category 1 studies).

b. *Procedures for Category 1 Studies.* The following operating procedures will apply for Type A and Type B research and development studies which are associated with Category 1 experimental construction projects.

(1) Policy and Procedure Memorandum 20-6.3 requires submission to the Office of Highway Operations (HO-31) of four copies of all correspondence relating to experimental features proposed for incorporation into Federal-aid construction projects for Category 1 projects. This requirement also applies to correspondence for HP&R research and development studies related to experimental features on Federal-aid construction projects. In addition, all correspondence to the Washington Headquarters for these studies shall include the words "Experimental—Category 1" in its subject heading.

(a) Submissions relating to the initial approval of Type A research and development studies involving experimental features shall be forwarded (four copies) through the Office of Highway Operations (HO-31) to R&D for appropriate action. The R&D review and subsequent field administration of the proposed R&D study will be in accordance with the normal procedures for Type A FCP or non-FCP studies. All R&D replies will be furnished through the Office of Highway Operations (HO-31) to the region within 30 days after regional transmittal.

Field requests for R&D technical assistance should be transmitted through the Office of Highway Operations (HO-31) which will be responsible for Washington Headquarters coordination. In turn, all replies from the Offices of Research and Development to these requests will be transmitted through the Office of Highway Operations (HO-31) to the initiating region.

(b) For Type B studies involving experimental features on Federal-aid construction projects, approval action and subsequent administration of the research and development study should be taken in accordance with the normal operating procedures for Type B studies. No further action will be required by the Offices of Research and Development on Type B studies unless requested by the region.

Four copies of Type B approval actions shall be forwarded to the Office of Highway Operations (HO-31) for appropriate action by that office in accordance with PPM 20-6.3 and for distribution of copies to R&D for information and record.

(2) Four copies of all quarterly reports for HP&R research studies associated with experimental construction projects should be submitted to the Office of Highway Operations (HO-31) which, in turn, will provide two copies to the Office of Development (DV-20).

(3) Submissions for HP&R studies associated with experimental features relating to (a) acceptance of interim and final reports and (b) termination, which require Washington Headquarters action, shall be forwarded through the Office of Highway Operations (HO-31) to the appropriate R&D office (see appendix D). The R&D action, in turn, will be processed through the Office of Highway Operations (HO-31) to the region. Where the field has R&D approval authority, copies of the correspondence and other material shall be furnished to the Office of Highway Operations (HO-31) which, in turn, will provide copies to appropriate R&D technical division (see appendix D). For these approvals, no Washington R&D action is required unless requested by the regions. After acceptance, 12 copies of the published version of the interim and final reports should be submitted to Program Control (RD-3), unless otherwise directed in the memorandum accepting the individual reports. Program Control will be responsible for internal Washington Headquarters distribution.

19. *Research Implementation—*a. *General—*(1) *Purpose.* This section deals with the functions and procedures involved in obtaining broader application of research results in operating practice, otherwise referred to as research implementation. Broad-scale achievements in this area can increase many times the benefits derived from research and development expenditures.

(2) *Scope.* Implementation should not be thought of as something that occurs only after the research is completed. Rather, implementation should be a paramount consideration, beginning with the problem selection and work plan development, and continuing through conduct of the research, quarterly, interim, and final reporting. Finally, after the research results are implemented, the details of implementation should be documented for use by others.

Preceding portions of this manual give guidance on implementation matters that should be considered in the early and ongoing stages of the R&D process. If this guidance is followed, the R&D process should yield implementable results. The specific steps covered in this section should be followed to maximize the payoff of R&D once implementable results are achieved.

b. *Background—*(1) *Reasons for Implementation Emphases—*In recent years there has been a growing concern that highway research should:

(a) Be more responsive to operational needs,

(b) Be cost-effective, and

(c) Be implemented, not only by the sponsor but by all potential beneficiaries.

Since Part 11 of the HP&R work program is a significant portion of the highway research and development effort, the stressing of these points along with other aspects of implementation potential should generate far-reaching benefits to highway transportation.

(2) *AASHTO FHWA Approach to Implementation—*(a) *Early Efforts.* In 1967

the AASHO Special Committee on Utilization of Research Findings (the Stevens Committee) studied ways to close the gap between highway research and highway practice. Since then a number of steps have been taken by various organizations to carry out that committee's recommendations. Among these have been:

1. FHWA Headquarters staff assignments for implementation functions.
2. Formation of FHWA regional office implementation committees.
3. State highway department assignment of liaison personnel for research implementation and coordination.

(b) *Current Efforts.* More recently, increased emphasis is reflected by the reorganization of the Washington Headquarters to provide an Office of Development with an Implementation Division. One of the principal functions of this division is to formulate and carry out a continuing program to increase research responsiveness to needs and to multiply the payoff of the R&D program. As a part of the program, initial plans and procedures were issued and field tested. The specific plan and procedures contained herein are a refinement of the initial plan, and reflect feedback from the field testing.

c. *Research Implementation Plans and Procedures—(1) General.* In order to make the entire highway community aware of the success achieved by individual States, certain basic information must be provided to facilitate to compilation on a national scale:

(a) Evidence that the product of the research has been effectively applied within the State,

(b) Estimates of the monetary benefits, or other positive values, achieved by such implementation, and

(c) Sufficient information on the application of the research so that another State can decide whether or not to look into the matter in more depth for possible use in that State.

A three-step process has been developed to provide this basic information. Detailed guidance for carrying out this process is provided in the remainder of this section.

(2) *The Three-Step Process.* Following successful completion of an HP&R study producing implementable results, a three-step process should be initiated. The process is designed to foster the widest possible implementation of HP&R findings among States and as a by-product it will produce a national summary of research accomplishments. The start-up

of this process will vary among regions and possibly among States within a given region, but in time the attractiveness of the end products should stimulate uniformity of reporting. The steps in the process are:

Step I—Identification of all completed projects in which research findings have provided implementable results;

Step II—Documentation of implementation accomplished; the steps, processes, and procedures used; and the benefits resulting from utilization by the operations unit of the sponsoring agency; and,

Step III—Preparation of an "implementation package" which gives all necessary information required by a prospective user; such as procedural manual revisions or additions, drawings, detailed specifications, and other explanatory information.

Reporting formats for the three-step process are as follows:

For step	Use	Found in appendix
I.....	Part A, R. & D. Implementation data sheet.	G
II.....	Parts B and C, R. & D. Implementation data sheet.	G
III.....	The implementation package.	H

The three-step process is elaborated upon in the following sections.

(a) *Step I, Identification.* Step I should be carried out by the State, preferably in cooperation with a division office representative. Part A of the data sheet (research identification, dates and costs) provides information necessary for maintaining a record of completed research studies regardless of implementation status. The record should be maintained by the State. For specific research studies, Part A of the data sheet should be submitted with the draft final report; if decisions have been made on implementation, include Part B as provided below.

(b) *Step II, Documentation.* Step II should also be carried out by the State to report implementation activities accomplished, underway, or planned, and to report benefits therefrom. Parts B and C of the data sheet should be used for this purpose. Part B should be included with Part A in Step I if implementation has begun or is planned. However, if complete information for Part B is not available, it may be submitted later. In such cases, Part B may accompany Part C.

Generally, Parts A and B will be completed a short time after a State has

made a decision to implement a specific research study. Part C will normally come some time later, after implementation has been underway for a period of time, or when reporting cumulative benefits on an annual basis.

It is of paramount importance that Parts B and C of the data sheet reflect the views of the user rather than those of the researcher. With respect to this, the researcher may not always be the most logical person to prepare the form. Some alternatives might be: 1 preparation by the researcher with a careful review by the highway department operations personnel or "users"; 2 joint preparation, with the researcher supplying facts about the research and the user reporting on implementation; and, 3 preparation by the user with a review by the researcher. The division office should, in any case, screen the report and verify that collaboration between researcher and user has been sufficient to assure adequate facts and realistic judgments. This is especially encouraged when appropriate staff specialists are available in the division office. Otherwise, this screening should be done by the regional office staff specialists or as a part of the functions of the regional implementation committee.

(c) *Step III, Implementation Package.* In Step III the State which has successfully implemented a given research effort should be encouraged to prepare an "implementation package" for use by the other States. This element of the implementation process is the most important step needed to close the gap between highway research and highway practice. Often it will involve extra work beyond that required under past HP&R procedures, but the means for accomplishing more of this important work are discussed in paragraph 19c(3) below. Details of what is meant by an "implementation package" are contained in appendix H. The concept of the implementation package will become clearer as more packages are prepared and circulated among the States.

(3) *Implementation Line Item—(a) Administrative Considerations.* This section presents a valuable approach, recently authorized and initiated, to foster wider implementation of the results of research through the use of HP&R funds.

States should be strongly encouraged to include a line item in their Part II work program with the general title "Implementation of Research Findings." Under this general line item, a State may

conduct a number of activities to enhance adoption of research findings. Since there are a variety of methods and actions the State may want to consider using to promote implementation, it is logical that the scope of activities allowed be quite flexible at least for a trial period.

The implementation line item should be listed under Type A studies. Individual implementation efforts (substudies) submitted under this line item may be approved by the region or delegated to the Division Engineer.

Implementation packages prepared under this (or other) line item should be forwarded through channels to the Implementation Division (DV-20). Three copies will be required in order to coordinate the review process between the Implementation Division, appropriate research division, and affected operations or engineering division.

When material other than a complete implementation package is prepared under this authority, such as audio/visual training materials, etc., one reproducible copy of such material should be forwarded to the Implementation Division (DV-20) to be reviewed for possible wider dissemination.

(b) *Sample Format for Line Item in Work Program.*

1. *Title.* IMPLEMENTATION OF RESEARCH FINDINGS.

2. *Purpose.* The use of special efforts to ensure that results of research and development projects are brought into operating practice.

3. *Scope.* Depending upon the individual research result being implemented, this effort could include:

- a. Preparation of implementation packages,
- b. Performing syntheses or consolidation efforts,
- c. Preparation of training material,
- d. Conducting workshops,
- e. Conducting demonstrations, and
- f. Other mechanisms which may be desirable in the research implementation process, etc.

4. *Statement of work.* A description of proposed procedures for implementing specific research findings would be submitted on a study-by-study basis. Each submission will generally set forth the implementation to be accomplished, description of techniques to be used, personnel to be used, cost, and approximate time schedule for the effort.

5. *Cost.* Indicate total cost proposed for this line item for entire fiscal year.

6. *Reporting.* An annual report summarizing the individual efforts and accomplishments under this line item should be prepared. At the completion of each study a brief report outlining the individual implementation effort and its results should also be prepared. When feasible, copies of special implementation material developed should be forwarded to the Washington Headquarters, Implementation Division (DV-20), with each study report.

¹ Exhibits 1 through 4 are not published pursuant to 1 CFR 18.11. The forms/exhibits are available for inspection and copying at those locations specified in 49 CFR, part 7, Appendixes D and H.

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April 17, 1972

Chapter III
Appendix A

STATUS OF STATE RESEARCH ADVISORY ORGANIZATIONS
AS OF JANUARY 1, 1972

State	Does Com. Exist?		No. of Members Representing			FIMA	Total	Year Organized	Meetings Per Year	Official Title
	Yes	No	State	Local	Univ.					
REGION 1										
Connecticut	X		5		4		9	1959 1970 1962	** 4 ** 4 **	Executive Research Board Research Liaison Committee Joint Highway Research Advisory Council
Maine		X	10				10	1967	2 **	Research Review Committee
Massachusetts	X		14				14	1969	4 **	Research Advisory Committee
New Hampshire	X		5				5	1969	12	Working Committee
New Jersey	X		7				8	1968	12	Transportation Research Council
New York	X								**	Joint Research
Puerto Rico	X						6	1963		
Rhode Island	X									
Virginia	X		6				7	1968	2 **	Research Coordinating Committee
REGION 3										
Delaware	X		3	1	2		11	1951	4 **	Delaware Highway Research Council
Dist. of Col.	X		7				8	1963	4 **	Research Committee
Maryland	X									
Pennsylvania	X		X					1969	2-3 **	No Formal Title
Virginia	X		X					1966	2 **	Virginia Highway Research Advisory Committee
West Virginia	X		X						**	No Formal Organization

STATUS OF STATE RESEARCH ADVISORY ORGANIZATIONS
AS OF JANUARY 1, 1972

State	Does Comm. Exist?	No. of Members Representing			FIMA	Total	Year Organized	Meetings Per Year	Official Title
		SDD	Local	Univ. Other					
REGION 4									
Alabama	x	9			1	10	1963	4 **	Research Advisory Committee
Florida	x	7		3	3	13	1962	4	Florida Department of Transportation Research Committee
Georgia	x	14			2	16	1965	4 **	Research Advisory Committee
Kentucky	x	35		2	1	38	1963	1 **	Kentucky Highway Research Committee
Mississippi	x	20			2	22	1963	**	Research Advisory Committee
North Carolina	x	6		1	2	15	1958	4 **	Highway Research Steering Committee
South Carolina *	x	82		2		84	1970	**	Research and Research Implementation Committee
Tennessee	x	14		2		16	1970	1	Advisory Group
		6		1	1	8	1969	**	Research Advisory Committee
REGION 5									
Illinois	x	3	5	3	1	14	1951	2 **	Illinois Highway Research Council
Indiana	x	5			1	6	1964	12	Joint Highway Research Advisory Board
Michigan	x	7				7	1959	6	Planning and Research Policy Committee
Minnesota	x	3	6	1		10	1960	2	Local Road Research Board
Ohio	x	12			1	13	1963	2 **	Research and Development Advisory Board
Wisconsin	x	11				11	1963	12	Engineering Research Advisory Committee

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Chapter III
Appendix A

STATUS OF STATE RESEARCH ADVISORY ORGANIZATIONS
AS OF JANUARY 1, 1972

State	Does Comm. Exist?	No. of Members Representing			Filings	Total	Year Organized	Meetings Per Year	Official Title
		SHD	Local	Univ. Other					
REGION 6									
Arkansas	X	3		1		4	1962	**	Highway Research Executive Board
Louisiana	X	7		5	2	14	1962	1 **	Ark. Highway Research Committee
New Mexico	X	8		4	1	13	1962	1 **	Advisory Research Council
Oklahoma	X	6		2	1	9	1965	1 **	Research Advisory Council
Texas	X	6				6	1953	**	Research Committee
REGION 7									
Iowa	X	3	8	2		13	1950	12 **	Iowa Highway Research Board
Kansas	X	5				5	1966	**	Research Advisory Committee
Missouri	X	7				7	1969	4 **	Research Advisory Committee
Nebraska	X								
REGION 8									
Colorado	X	12			1	13	1965	1	Colorado Research Council
Illinois	X	6			1	7	1968	1 **	Research Committee
North Dakota	X	4		4	1	9	1967	2-4 **	North Dakota Highway Research Board
South Dakota	X	28				28	1965	4 **	South Dakota Highway Research Review Board
Utah	X	5		8	7	21	1968	6	Utah Highway Research Council
Wyoming	X	10			1	11	1970	**	Research Utilization Coordinating Committee
Wyoming	X	11				11	1969	**	Research Advisory Committee

STATUS OF STATE RESEARCH ADVISORY ORGANIZATIONS
AS OF JANUARY 1, 1972

State	Does Comm. Exist?		No. of Members Representing				Total	Year Organized	Meetings Per Year	Official Title
	Yes	No	State	Local	Univ.	Other				
REGION 9										
Arizona	x				1	5	7	1962	1	California Highway and Transportation Research Council
California		x					7	1964	4	Division of Highways Research Committee
Hawaii	x					1	10	1970	4	Highway Research Committee
Nevada		x								
REGION 10										
Alaska		x					1	1969	1 **	The Alaska Highway Research Board
Idaho		x			1		8	1969	2 **	Research Committee
Oregon		x								
Washington		x					9	1969	4 **	Research Advisory Committee

* States having a subcommittee organization for special research areas; the number of subcommittees in these States are:

Pennsylvania - six standing committees.
Virginia - nine standing committees, and interim committees are established when applicable.
South Carolina - 12 standing committees.

** Meetings held as needed or at Chairman's call.

Total number of States having formal research groups 43

Total number of States not having formal research groups 9

52

State Research Advisory Organizations having FIMA representatives: 24

Example 1

1. To stimulate interest in highway research and encourage the use of research information.
2. To stimulate and encourage research on problems which the committee feels should be investigated.
3. To receive, study, and approve project proposals submitted through the Bureau of Research and Development by any group or individual of the highway department, county, or other agency and recommend to the highway department the amount to be budgeted for support thereof.
4. To review on the site, if desired, the progress of each project toward obtaining the objective as established in the approved proposal covering the particular problem, and to advise with the engineer of the Bureau of Research and Development to facilitate attaining the desired objectives.
5. To recommend or approve changes in project proposals if appropriate to reach the stated objectives.
6. To review annual progress reports and final reports for each project and submit these reports to the highway director with recommendations as to publication.
7. To approve extension, continuation, or cancellation of current projects.
8. To approve for acceptance the scope of the research and development program annually.
9. To suggest methods and procedures for dissemination and use of pertinent information.
10. To encourage the preparation of bibliographies and reviews of the activities of other agencies carrying on research investigations pertaining to highway problems, and to help to disseminate this information within the highway department and develop its use.
11. To approve, on recommendation of the Bureau of Research and Development, the final acceptance for research projects.
12. To set regulations for the use of research data and developments for publication or patents.

Example 2

1. Be cognizant of principal kinds of newly developing knowledge and sources thereof, so as to shorten the gap between development of new information and methods and the useful application thereof.
2. Be cognizant of existing and potential resources for research so as to be able to readily find competent sources for the development of a variety of needed information.
3. Discern the need for information pertinent to upcoming problems before situations become critical. See that research is stimulated, somewhere, to underwrite the continuous long-range planning for transport needs in the State.
4. Recommend needed research undertaking to appropriate sponsoring, conducting, or authorizing agencies.
5. Recommend to appropriate officials where research should be undertaken.
6. Recommend financial support and nature of expenditures for research.

Example 3

To assist the State highway department in developing an efficient, coordinated research program, its duties are to:

1. Receive and consider all suggestions for highway research projects pertaining to either primary or secondary roads and to develop an orderly, efficient, coordinated highway research program.

2. Recommend to the department those highway research projects which the board deems meritorious and most urgently needed.

3. Recommend to the department an agency (e.g., a university) which the board deems appropriate for the conduct and execution of each research project recommended by the board.

4. Keep in touch with the progress being made on each active highway research project, and bring the work on such projects to a conclusion as promptly as may be practicable.

5. Receive, consider, and act upon all reports on highway research projects.

6. Disseminate information on highway research.

Example 4

1. Establish annual and continuous 5-year Planning and Research program budgets.

2. Select projects on which Planning and Research will be considered and which may be included in the work program.

3. Assign approved projects for supervision and operation to the appropriate office or division of the highway department.

4. Review progress and data obtained, take necessary action to obtain anticipated results within determined time schedules.

Example 5

1. Determine and evaluate the overall departmental objectives in broad areas of research and development.

2. Propose projects to implement objectives.

3. Review projects which are proposed for recommended action.

4. Determine order of priorities for projects.

5. Determine who will perform the projects.

6. Determine how results will be applied in preparation of manuals, application of new methods, materials, and equipment in departmental operations and controls.

Example 6

To coordinate all requests and suggestions to prevent repetition or duplication of research and investigation throughout the organization, and to recommend to the State Highway Engineer grants or funds that might be necessary to carry on worthwhile research and investigation, whether in the department laboratories, on the roads of the State, in the colleges, or other places. It shall be the further duty of the committee to maintain records on all authorized research projects and to cause to be published for the benefit of the department progress and final reports on each project that may be undertaken.

APPENDIX C—DUTIES AND RESPONSIBILITIES OF THE FIELD PROJECT ADVISER (FPA)

1. Have a working knowledge of the basic documents (Research and Development Program Manual, PPM's 50-1.1, 50-1.2, and 20-6.3) pertaining to the administration of the HP&R program.

2. Be thoroughly familiar with his FCP project and related studies including work plan and all other documents.

3. In cooperation with the regional planning and research engineer, establish and maintain contact through normal channels and, as appropriate, with personnel concerned with the technical aspects of the studies.

4. Provide technical assistance as required in order to resolve technical problems during the conduct of studies within his FCP project. Telephone contact with the Washington Headquarters project manager is encouraged.

5. Suggest modifications which may further enhance the end results of the research contemplated, or underway, as appropriate, for studies in his FCP project.

6. Evaluate continuing studies as part of the work program review and make appropriate recommendations.

7. Make field visits concerning individual research and development studies as appropriate.

8. Review interim and final reports, prepare report abstract form, as appropriate, and recommend action on:

a. The acceptance and publication of such reports.

b. For final reports, acceptance of the work completed as satisfactory conduct and documentation of the research for reimbursement purposes.

9. Review the progress of assigned studies to determine:

a. Whether the work plan is being followed; the study is proceeding on schedule; the funding is adequate.

b. If any research accomplishments or difficulties have been encountered.

c. Compliance with the terms of contract where applicable.

d. Accuracy and timeliness of quarterly and other reports.

10. In cooperation with the States, prepare individual or special brief reports on early identification or disclosures of positive research achievement which have been implemented or show promise of being implemented. These reports can take the form of the "R&D Implementation Data Sheet" (see paragraph 19).

11. Authority of FPA. FPA's have the authority (within the limits of field authority delegated by the Regional Federal Highway Administrator) to commit the FHWA on all technical aspects of assigned studies. Administrative matters relating to their activities shall be referred to the regional planning and research engineer.

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April 17, 1972

Chapter III
Appendix D

R&D SUBMISSION SUMMARY

Submission	Minimum Number of FHWA Copies				Washington Headquarters Addressee*	Paragraph Reference
	DO	RO	WII	Total		
Part II Work Program	1	1	2	4	RD-3	.6e
Study Proposal and Approval Correspondence	1	1	2	4	RD-3	5b and c
Contracts	1	1	1	3	RD-3	1fa and b
Pooled Fund Proposals	1	1	2	4	RD-3	7c
IRCS Proposals	1	1	2	4	RD-3	8b
Terminations	1	1	2	4	RD-3	10
DOT F 1700.7	1	1	2	4	RD-3	13b
Quarterly Progress Reports	1	1	2	4	Designated Tech. Div.	15h
Draft Reports						
Interim	1	1	2	4	RD-3	15c
Final	1	1	3	5	RD-3	15d
Published Reports	1	1	10	12	RD-3	15b
Film Reports	--	--	1	1	RD-3	15f
Change Orders, Modifications, Etc.	1	1	2	4	RD-3	16
R&D Implementation Data Sheet	1	1	2	4	DV-20	19

For Studies Associated With Experimental Construction Projects

Study Proposals	1	1	4	6	HO-31	5 and 13
Quarterly Progress Reports	1	1	4	6	HO-31	15h and 13
Terminations, Draft Reports	1	1	4	6	HO-31	10 and 13
Interim	1	1	4	6	HO-31	15c and 13
Final	1	1	5	7	HO-31	15d and 13
Published Reports	1	1	12	14	RD-3	15b and 13

*Through Normal FHWA Channels

Transmittal 5
April 17, 1972

Chapter III
Appendix E

HP&R--Part II Approval Authority					
Type of Action	FCP--Type A Study		Non-FCP Study		Paragraph Reference
	Without RFPA	With RFPA	Type A	Type B	
1. Contracts					
a. For Profit	RO	RO	RO	RO	11
b. For Nonprofit	RO*	RO*	RO*	RO*	11
2. Proposals (After WH Determinations of FCP Status)	WH	WH	RO	RO*	5
3. National Pooled Fund Study or 100 Percent IRCS	WH	WH	--	--	7 and 8
4. Reports	WH	RO	RO*	RO*	15
5. Papers for Presentation	RO	RO	RO*	RO*	15g
6. Termination	WH	WH	RO	RO*	10
7. Change in Objective, Scope, or Work Plan					
a. Major	WH	WH	RO	RO*	16b and c
b. Minor	RO*	RO*	RO*	RO*	16b and c
8. Cost Increases					
a. Major (>\$25,000)	WH	RO	RO	--	16b
b. Minor (<\$25,000)	RO*	RO*	RO*	RO*	16b and c
c. Type B Study	--	--	--	RO	5c
>\$25,000 Total					
9. Time Extensions					
a. Type A Study	RO*	RO*	RO*	--	16b
b. Type B Study	--	--	--	RO*	16c
<24 Months Total					
c. Type B Study	--	--	--	RO	5c
>24 Months Total					
10. Personnel Changes					
a. Major	RO*	RO*	RO*	RO*	16b and c
b. Minor	State	State	State	State	16b and c
11. Films and Equipment Purchase or Rental (Item Not Specified in Proposal)					
a. <\$1,000 Accumulated Total	State	State	State	State	15f and 17
b. >\$1,000 Accumulated Total	RO*	RO*	RO*	RO*	15f and 17
12. Equipment Costs Exceeding 20 Percent of Study Cost.	--	--	--	RO	15c
13. Disposal of Equipment	DO	DO	DO	DO	17e
14. Rental of Space (Not Included in Proposal)	RO*	RO*	RO*	RO*	17g
15. Travel	State	State	State	State	14a
16. FPM	WH	WH	--	--	12b
17. FPA	--	RO	--	--	12c
18. FTC	DO	DO	DO	DO	12d
Work Programs					
a. Conditional Approval	DIVISION OFFICE				6f
b. Final Approval	REGIONAL OFFICE				6f
c. Changes in Cost Estimates	REGIONAL OFFICE*				16a

*Approval authority may be delegated to the division office.

[DOT 1700.18]

APPENDIX F

APPENDIX F—FORMAT FOR SCIENTIFIC AND TECHNICAL REPORTS

1. Purpose. This order:

a. transmits the GUIDELINES TO FORMAT STANDARDS FOR SCIENTIFIC AND TECHNICAL REPORTS PREPARED BY OR FOR THE FEDERAL GOVERNMENT, commonly referred to as a COSATI publication (see Attachment 1), and requires compliance with these Guidelines.

b. provides supplemental instructions (see Attachment 2).

2. Scope. a. This order applies to the Office of the Secretary (OST) and the operating administrations. In addition, pursuant to delegation by the National Transportation Safety Board (NTSB) under Section 5(m) of the DOT Act, this order is applicable as a general

guideline to NTSB. NTSB accident reports and other studies, however, are not included within the scope of these guidelines.

b. The guidelines apply to all scientific and technical reports produced by or for DOT (see Attachment 1, Paragraph 1.3).

3. Background. a. The guidelines are a product of the Federal Council for Science and Technology, Committee on Scientific and Technical Information (COSATI). COSATI's Panel on Operational Techniques and Systems developed the guidelines based on the consensus of government agencies.

b. The guidelines are intended to simplify the preparation, dissemination, and utilization of scientific and technical reports and provide the Federal Government with better reports at less cost.

4. Proposals, contracts, and grants. a. Procurement organizations will require compliance with the Guidelines of all contractors under contracts solicited after the date of

this order, and which require the preparation of scientific and technical reports.

b. Grantees performing work under DOT sponsorship will be encouraged to adhere to these report procedures.

c. The guidelines will not generally be applied to existing contracts and grants.

5. Implementing instructions. a. Operating administrations and NTSB may prepare internal supplemental instructions in the implementation of this order.

b. Internal procedures of operating administrations and MTSB will be coordinated with the Assistant Secretary for Research and Technology.

[Attachment 1]

GUIDELINES TO FORMAT STANDARDS FOR SCIENTIFIC AND TECHNICAL REPORTS PREPARED BY OR FOR THE FEDERAL GOVERNMENT

COMMITTEE ON SCIENTIFIC AND TECHNICAL INFORMATION, FEDERAL COUNCIL FOR SCIENCE AND TECHNOLOGY, WASHINGTON, D.C. 20506

DECEMBER 1968.

SPECIAL NOTICE

The format of this document follows, in general, specification rather than technical report practice. The document itself, therefore, does not constitute a model of the technical report format it prescribes.

PREFACE

These guidelines are the result of continuing efforts of the Committee on Scientific and Technical Information of the Federal Council for Science and Technology to coordinate standardized operating procedures among the agencies. They provide, within the scope encompassed, standards for the preparation of scientific and technical reports produced by or for the Federal government. They are prepared in a form which can be used without change as a contract or grant specification.

It is recognized that many agencies will find it necessary to supplement these standards with special instructions providing for security and other special circumstances beyond the scope of this document. It is also anticipated that individual government agencies may provide the standard title page format and instructions as an issuance of their organizations, as is the present practice with the resume form for ongoing R&D effort; e.g. DoD Form 1498, FAA Form 1750.1, Department of Commerce Form 228, etc. Such issuances will, as in the case of ongoing work resumes, be identical one to another insofar as common data elements are concerned. Copies of such supplements and issuances will be provided to COSATI.

It is hoped that these standards will improve both the speed and the effectiveness with which scientific and technical information on Federal projects is communicated. Comments or recommendations should be directed to the Committee on Scientific and Technical Information, Federal Council for Science and Technology, Washington, D.C. 20506.

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1. SCOPE	

1.1 *General.* This standard establishes format requirements for scientific and technical reports prepared by or for the Federal government. Its purposes are to aid the interchange of scientific and technical information and to reduce the costs of preparing, storing, retrieving, reproducing, and distributing such reports.

1.2 *Forms of Reports.* This standard applies to reports furnished in the following forms:

Manuscript: Original text and illustrations suitably assembled for review and editing.

Reproducible copy: A set of text and illustration pages that has been corrected, laid out, and made ready for reproduction.

Reproduced copy: Reports that have been duplicated or printed and are ready for distribution.

Microform: Reports photographed in miniature on film.

1.3 *Excluded Documents.* This standard does not apply to letter reports, technical or training manuals, catalogs, administrative or fiscal reports, or journal article manuscripts, preprints, or reprints submitted as technical reports.

2. REFERENCES

U.S. Congress Joint Committee on Printing. *Current Government Printing and Binding Regulations.* Available from the Joint Committee on Printing, U.S. Congress, Committee Room S-151, U.S. Capitol, Washington, D.C. 20510.

U.S. Government Printing Office. *Style Manual* (latest edition). Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Price: \$3.00 (1967 edition).

Federal Council for Science and Technology, Committee on Scientific and Technical Information. *Federal Microfiche Standards*, PB 167 630, August 1965, and *Standard for Descriptive Cataloging of Government Scientific and Technical Reports*, PE 173 314, October 1966. Available from Clearinghouse for Federal Scientific and Technical Information, Springfield, Virginia 22151. Price: \$3.00 each.

Other references shall be as specified by the sponsoring agency.

3. REQUIREMENTS

Scientific and technical reports shall conform to the requirements of this standard, the references cited in (2) above, security regulations, and the further specifications of the sponsoring agency.

4. FORMAT

4.1 *Order of Elements*
Elements included in a report shall be in the following order:¹

- Front matter.....
- Front cover
- Technical Report Standard Title Page
- Preface
- Table of contents
- List of illustrations
- List of tables
- List of abbreviations and symbols

¹These are not necessarily headings that must appear in reports, nor should it be inferred that all reports must include all of the list of elements.

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- Body of report.....
- Introduction
- Main text
- Conclusions
- Recommendations
- Reference material
- Appendixes
- Glossary of terms
- References
- Bibliography
- Index

4.2 *Front Cover*
4.2.1 *Outside Front Cover.* Either self covers (of the same paper as the text) or separate covers (of different paper than the text) are required for all reports except those furnished in manuscript form. Include on the cover the information shown in figure 1, plus special markings (such as security classification and distribution limitations) specified by the sponsoring agency. Group related items as follows:

Group I

1. Report Number. Each report shall carry a unique alphanumeric designation. Select one of the following types:

(a) an alphanumeric designation provided by the sponsoring agency (for example, FAL-RD-68-100); or, if none has been assigned.

Attachment 1
Page 7

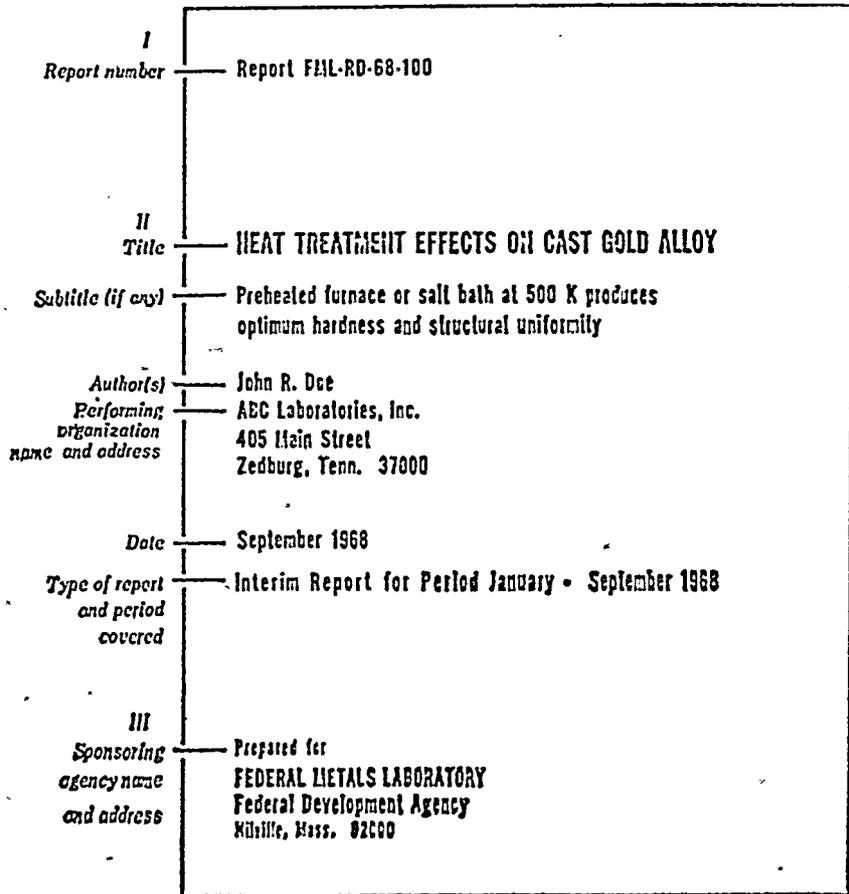


Figure 1. Sample report cover (reduced in size). Other layouts and type faces may be used if related items are grouped in the manner indicated.

(b) An alphanumeric designation established by the performing organization (for example, ORNL-8737); or, if none has been established,

(c) An alphanumeric designation derived from the contract or grant number (for example, N00014-66-C-0234-1).

Group II

1. **Title and Subtitle.** Display the title prominently and make it indicate clearly and briefly the subject coverage of the report. Set subtitle, if used, in smaller type or otherwise subordinate it to the main title. When a report is prepared in more than one volume, repeat the primary title and have subtitle identify that specific volume; for example, Volume 1, Volume 2.

2. **Author(s).** Give the name(s) of the author(s) in conventional order (for example, John R. Doe or, if author prefers, J. Robert Doe).

3. **Performing Organization Name and Address.** Give name, street, city, state, and zip code. List no more than two levels of an organizational hierarchy.

4. **Date.** Each report shall carry a date. The sponsoring agency may specify the basis for dating. If it does not, the author will provide a date and indicate the basis on which it was selected (for example, date of issue, date of approval, date of preparation, etc.).

5. **Type of Report and Period Covered.** Indicate interim, final, etc., and, if applicable, dates covered.

Group III

1. **Sponsoring Agency's Name and Address (including zip code).**

4.2.2 **Inside Front Cover.** Special notices may be included on the inside front cover as required by the sponsoring agency. These notices pertain to such matters as reproduction limitations, espionage, legal and super-secure information, safety precautions, sponsor's disclaimers, statements of compliance with special regulations, and disposition instructions.

4.3 Front Matter

4.3.1 **Technical Report Standard Title Page.** Include one completed Technical Report Standard Title Page (fig. 2A) as the first right-hand page after the cover in each report.¹

4.3.2 **Preface.** Among possible purposes of a preface are to show the relation of the work reported to associated efforts, to give credit for the use of copyrighted material, and to acknowledge significant assistance received.

4.3.3 **Table of Contents.** In the table of contents (not suggested for a report of less than 10 pages) list principal headings as they appear in the report together with the page numbers on which the headings occur. Do not list items from the front matter. Start the table of contents on a new page.

4.3.4 **List of Illustrations.** Furnish this list only if it is considered essential. List figure number, legend, and page number of each illustration. Abbreviate lengthy legends.

4.3.5 **List of Tables.** Furnish this list only if it is considered essential. List table number, caption, and page number of each table. Abbreviate lengthy captions.

4.3.6 **List of Abbreviations and Symbols.** If symbols and abbreviations are numerous, separate lists with definitions are suggested. If few, symbols and abbreviations should be defined where first introduced in the text.

4.4 Body of Report.

4.4.1 **General.** The contents and organization of the body of a report shall be determined by the nature of the work. Start the first section on a new page. This section

usually provides background information and work objectives. Succeeding sections describe work procedures, apparatus involved, tests performed, results achieved, and related matters, as appropriate. The terminal sections usually present conclusion and recommendations.

4.4.2 **Headings.** Headings should stand out from the text. The degree of subordination must be apparent. Typical heading styles are illustrated in figure 3.

4.4.3 **Numbering Systems.** Number headings and paragraphs only when the numbers are needed for clarity.

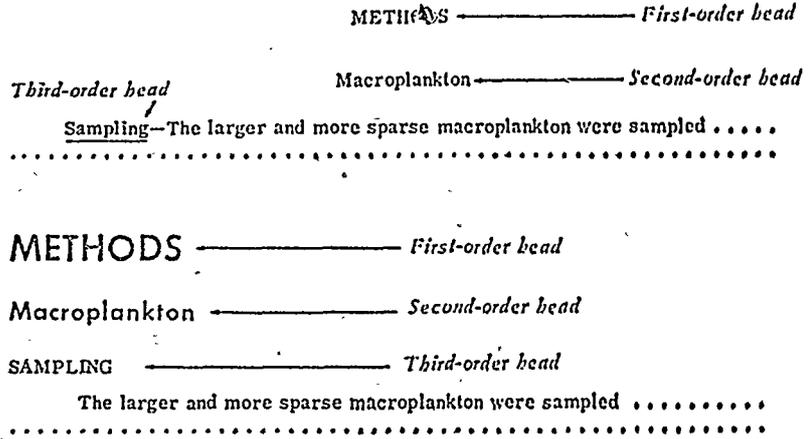


Figure 3. Two samples of headings. Top example shows standard typewriter headings; bottom example shows headings prepared on composing equipment. Other type styles may be used as long as the headings stand out and relative importance is apparent.

4.5 Reference Material

4.5.1 **Appendices.** When more than one appendix is used, designate them Appendix A, Appendix B, etc. Each should be titled. When only one appendix is used, omit the letter designation. Start the first appendix on a new page.

4.5.2 **Glossary of Terms.** When many unusual technical terms are used, list them in alphabetical order with definitions in a glossary. When only a few such terms appear, define them the first time they are used in the text.

4.5.3 **References and Bibliography.** List documents cited in the text under "References." Arrange bibliographic entries not cited in the text but furnished as supplementary information under "Bibliography." Present entries in the reference list and bibliography in a uniform style which includes authors, titles, sources, identifying numbers, and dates.

4.6 Illustrations

4.6.1 **General.** Treat illustrations consistently throughout a report. Prepare them so that details and callouts (labels) will be clearly legible after final reproduction. Crop or mask photographs to eliminate insignificant detail. Do not add border frames to

outline illustrations or use background tones in line drawings unless they contribute substantially to clarity. For reproducible copy, submit only clean tone or line art and only original photographs (or other types of tone art) rather than screened (halftone) reproductions. NOTE: It should not be inferred that this prevents use of halftone prints in composite reproducible copy to avoid the necessity of composite negatives.

4.6.2 **Placement.** Locate illustrations near the first text reference made to them except in special situations, such as when a report contains only a few text pages and many illustrations. In such cases, place the illustrations in numerical sequence in the back of the report. It is preferable that illustrations be placed so that they may be viewed without turning the page sideways. If an illustration has to be located sideways on a page, orient it so that the page is turned to the right for normal viewing.

4.6.3 **Callouts (Labels).** So far as practicable, place callouts horizontally, unboxed, and near the item called out, as shown in figure 4. Make callouts consistent in size and typeface throughout a report. Use lettering of at least 6 point or 1/12-inch high in the final reproduced size. Strive for high contrast and readability.

¹ Figure 2A is a form which is not published pursuant to 1 CFR 18.11. The forms are available for inspection and copying at those locations specified in 49 CFR, Part 7, Appendixes D and H.

4.6.5. *Fold-ins.* Wherever possible, avoid the use of oversize illustrations that must be folded. Often a large illustration can be divided to appear on facing pages. Make fold-ins or gate folds begin on a right-hand page and run the reverse of the sheet blank.

4.6.6. *Numbering.* Number illustrations to which reference is made in the text consecutively in Arabic numerals, preceded by the word "Figure"; for example, Figure 1, Figure 2, or Figure 1-1, Figure 1-2, Figure 2-1, etc.

4.6.7. *Legends.* Accompany each illustration, except for self-explanatory sketches, by a descriptive legend. The legend is ordinarily

placed under the illustration and follows the figure number.

4.7 TABLES

4.7.1. *General.* Tables should be as simple as possible so that the reader can easily grasp the meaning of the data. Use letters and numbers in tables that will be at least 6 point or 1/12-inch high in the final reproduced report. Prepare printout sheets from which electronically tabulated data are directly reproduced so that letters and numbers are sharp and unbroken. A sample table is shown in figure 6.

5.1.3. *Margins.* Use margins of at least 1 inch on all sides of text pages.

5.1.4. *Columns.* Prepare text pages with a single column, not justified on the right margin, unless the sponsoring agency authorizes justification or use of more than one column. Use black ribbon to type reproducible copy.

5.1.5. *Page Numbering.* Wherever practicable, number all pages throughout a report consecutively at the bottom with Arabic numerals. In special cases, number by section or chapter (1-1, 1-2, 2-1, etc.) Odd-numbered pages are right-hand pages and even-numbered pages are left-hand pages.

5.2. *Duplication vs. Printing.* Contractors or grantees shall not become prime sources of printing for departments or agencies unless so authorized by the Joint Committee on Printing. See paragraphs 37 and 38, *Government Printing and Binding regulations* (listed in 2. "References"). Duplicating shall conform to paragraph 2 of those Regulations. Printing shall not be a preplanned contractual requirement.

5.3. *Workmanship.* Filled-in or broken letters, illegible text or illustrations (including lettering), or similar imperfections are not acceptable. Only reproduced reports that will be legible in microform are acceptable.

5.4. *Cover size, Stock, and Ink.* Reproduced reports may have separate covers or self covers cut to page size. Use 110-pound index (Government Specification JCP K10); 50-pound antique (JCP L20); 44-pound white ledger (JCP J10); or similar commercial weight paper for separate covers. Ink color is optional for separate covers. Use black ink for self covers. Do not use covers with windows.

5.5. *Page Size, Stock, and Ink.* Reproduced reports shall be approximately 8 by 10½ inches or 8½ by 11 inches in size. Use black ink on opaque white paper. Use both sides of the sheet to the maximum extent practicable.

5.6. *Binding.* Use side-stitching, saddle-stitching, or glueback binding. Other types of binding require the approval of the sponsoring agency.

5.7. *Decorative Features and Advertising.* Simple organizational symbols or logos are permissible on covers. Do not use advertising display.

6. REVIEW AND APPROVAL

Report review, approval, and acceptance procedures shall be as specified by the sponsoring agency.

ATTACHMENT 2

SUPPLEMENT TO GUIDELINES TO FORMAT STANDARDS FOR SCIENTIFIC AND TECHNICAL REPORTS PREPARED BY OR FOR THE FEDERAL GOVERNMENT

This supplement forms a part of the "Guidelines to Format Standards for Scientific and Technical Reports Prepared by or for the Federal Government." The following paragraphs relate to and supplement the same numbered paragraphs in the guidelines:

2. References.

2.1 Definitions.

2.1.1. *Sponsoring Agency.* Is the organizational element having program responsibility for scientific or technical effort. For example: The Aircraft Development Service has program responsibility for the FAA Aircraft Development Activity

2.1.2. *Performing Organization.* The DOT element, either Headquarters, field or laboratory or the contractor or grantee reporting specific scientific or technical research findings resulting from investigation, tests or experiments.

4. Format.

4.2 Front cover.

TABLE 1. - SHORT-TIME XXXXXXXXXXXXXXXXXXXXXXXX — Caption

Temperature, K	Specimen type (a)	Ultimate tensile strength, N/m ²	Elongation between buttonheads, cm	Reduction of area, percent
Footnote reference		Tungsten		
1700	1	2200 x 10 ³	1.57	95
1900	1	1312	1.60	75
2060	1	987	.69	36
2260	1	674	.51	25
Molybdenum				
1650	2	9301 x 10 ³	0.95	96
1922	2	4068 ^a	1.55	99
2255	2	1472	1.75	99

^a Recrystallized at 2370 K for 1/2 hour in vacuum. — Footnote

Figure 6. Typical table layout. For more complete information on tables, see the *Government Printing Office Style Manual*.

4.7.2. *Placement.* Locate tables near the first text reference made to them, except in special situations, such as when a report contains only a few text pages and many tables. In such cases place the tables in numerical sequence in the back of the report. It is preferable that tables be placed so that they may be viewed without turning the page sideways. If a table has to be located sideways on a page, orient it so that the page is turned to the right for normal viewing.

4.7.3. *Headings and Columns.* Give applicable units of measure or degree in the column headings of tables. Do not repeat in the columns. When tables continue on two or more pages, note the continuation and repeat the column headings and rules on each page.

4.7.4. *Numbering.* Number tables to which reference is made in the text consecutively in Arabic numerals, preceded by the word "Table"; for example, Table 1, Table 2, or Table 1-1, Table 1-2, Table 2-1, etc.

4.7.5. *Captions.* Give each table, except short ones run in with the text, a descriptive caption following the table number. Place caption above the table.

4.8 Equations

4.8.1. *General.* Prepare mathematical matter with extreme care. Use machine or transfer-type composition when available. Identify symbols after first use or in a separate list. Make opening and closing parentheses, brackets, and braces the same height as the tallest expression they enclose. Separate the numerator from the denominator with a

line as long as the longer of the two. Center both numerator and denominator on the line.

4.8.2. *Placement.* Indent or center a displayed equation in the line immediately following the first text reference made to it. Break equations before an equal, plus, or multiplication sign. Aline a group of separate but related equations by the equal signs and indent or center the group as a whole. Short equations not part of a series may be placed in the text rather than displayed.

4.8.3. *Numbering.* Number equations which are part of a series or which are referred to in the text consecutively in Arabic numerals; for example, 1, 2, or 1-1, 1-2, 2-1, etc. Enclose each number in parentheses at the right margin on the last line of the equation to which it refers. Aline the equation numbers.

4.9 Distribution List

Include a distribution list in the published report only if one is required by the sponsoring agency.

5. PRODUCTION

5.1 Composition

5.1.1. *Type Size.* Use type size for the main text of the reproduced report of at least 8 point or equivalent.

5.1.2. *Line Spacing.* Use single or 1½ spacing for reports prepared by typewriter for reproduction, except when extra spacing between lines is necessary to assure clarity of run-in equations, symbols, etc. Use 1½ or double-spacing for manuscripts.

4.2.1 *Outside Front Cover.* Figure 1 of this attachment shows a sample front cover—reports. Place the DOT insignia on all reports—by or for the DOT. Each DOT element shall assign the availability/limitation category, which is printed on front cover above sponsoring agency, as the advance (draft) report is reviewed. Use one of the following, as appropriate:

a. Availability is unlimited. Document may be released to the Clearinghouse for Federal Scientific and Technical Information, Springfield, Virginia 22151, for sale to the public.

b. Approved for U.S. Government only. Transmittal of this document by the U.S. Government must have prior approval of the (fill in DOT sponsoring element.)

any case, the author's name shall be subordinated in appropriately smaller size than the title.

4.2.2 *Inside Front Cover.* Place the following disclaimer (Figure 2 of this attachment) on the inside front cover of all DOT reports (no border required):

FIGURE 2. DISCLAIMER

The contents of this report reflect the views of the (fill in performing organization) which is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policy of the Department of Transportation. This report does not constitute a standard, specification or regulation.

4.3.1 *Technical Report Standard Title Page.* Insert work unit number, item 10, only when a research and technology résumé form (FAA Form 1750.1 or equivalent) is at hand.

4.9 Distribution list.

Do not include a distribution list in published DOT reports.

a. *Government Distribution.* Required number of report copies in excess of those needed by the performing organization for internal use shall be forwarded to the DOT sponsoring element or distributed in accordance with a list furnished by such element. DOT sponsoring elements should include in the distribution list 35 copies of each report to the Headquarters library and 3 copies to each field library of the DOT sponsoring administration concerned.

b. *Contractor and Grantee Distribution.* No distribution of report copies is required by contractors or grantees (see paragraph 5.2a, below).

5.2 Duplication vs. printing.

a. *Number of Copies to be Provided.* Contractors and grantees will furnish one reproducible copy of the report within 15 days from receipt of the DOT sponsoring element's approval of the advance (draft) report.

b. *Reproduction.* DOT sponsoring element will requisition reproduction copies of reports through the Publishing and Graphics Division (TAD-48) or other departmental printing organizations.

5.4 Cover Size, Stock and Ink.

Where self covers are used, use black ink in white stock. Use of self covers on reports containing 32 pages or less, and separate covers on reports of more than 32 pages is recommended.

6. Review and Approval.

a. *Review.* Within 30 days after completion of the technical work related to a contract, grant or project phase, the performing organization shall submit a minimum of 10 advance (draft) copies of the report with a letter of transmittal to the concerned element of the DOT sponsoring organization for review and approval. The performing organization shall mark the front covers of such copies: **ADVANCE COPY, FOR REVIEW ONLY.**

b. *Approval.* Approval of interim and final reports prepared by DOT elements will be provided performing organizations in writing by the DOT sponsoring organization concerned. For contractor-prepared reports, approval will be provided in writing by the Contracting Officer concerned. Such approval is for the purpose of assuring that the report is in compliance with the project assignment or contract and in conformity with the format guidelines established by this order.

APPENDIX G—R&D IMPLEMENTATION DATA SHEET AND INSTRUCTIONS

1. *Purpose.*—The R&D Implementation Data Sheet form has two basic missions: (a) to aid the systematic identification of implementable highway research findings, and (b) to provide the capability for computerized prep-

Attachment 2
Page_2

DOT 1700.18
7/25/69

Report No. FAA-RD-69-1

EFFECTS OF
SNOW AND ICE ON RUNWAYS

Title

Subtitle (if any)

Author(s)

Performing organization name and address

John R. Doe
ABC Laboratories, Inc.
405 Main Street
Zedburg, Tenn. 37000



Date

APRIL 1969

Type of report

FINAL REPORT

Availability is unlimited. Document may be released to the Clearinghouse for Federal Scientific and Technical Information, Springfield, Virginia 22151, for sale to the public.

Prepared for

DOT
Operating administration
DOT
headquarters element
and address

FEDERAL AVIATION ADMINISTRATION
Systems Research & Development Service
Washington D. C. 20590

Figure 1. Sample Front Cover

c. Approved for (fill in DOT sponsoring element) only. Transmittal of this document outside the (fill in sponsoring element) of the Department of Transportation must have prior approval of the (fill in responsible office.)

Group I

1. Report Number. Each DOT sponsoring element shall assign alphanumeric report numbers by calendar year (Example: FAA-RD-69-1).

Group II

2. Author(s). Place the author's name on the front cover only if he is a professionally recognized scientist or engineer and the report was written by him to describe specific scientific or technical research findings resulting from investigations, tests or experiments which he conducted. There are no restrictions to printing the author's name on a self cover or the backstrip (spine) of a report. If a name is printed on the spine, it may not be printed on the front cover. In

NOTICES

aration of a national report on research accomplishments and benefits.

2. **General**—Use of this form is intended to be equally as easy as reporting on a simple questionnaire form, and at the same time entail a minimum of additional effort in computer filing the data. Every entry has been kept as nearly self-explanatory as possible. The first card column in each data box serves as a reference for instructions concerning the complete entry. For example, card column 9 is used to reference the box for recording "State project number." The following is a listing of *Do's and Don'ts* having general application as guidelines for filling out the form:

a. Entries, either typed or printed, should be clearly legible, with only one entry per card column as provided for on the form. Letters should be all CAPS.

b. The digit zero should be entered as 0 to clearly distinguish it from the letter "O."

c. Where spaces for card column entries relate to data or information not applicable to the subject project, the spaces may be left blank.

d. Where data entries, such as dollars for example, do not occupy all of the spaces provided for the entry, 0's should be prefixed to occupy these spaces.

e. Several items on the form may require additional explanation. These explanations should be prepared on a separate plain sheet with appropriate reference, including State name, project number, and "date this report," and attached as a supplement to the form.

3. Specific Coding Instructions a. Part A.

Column 1, State. Enter the two-digit code from table 1 (page G-8) identifying the State or other sponsoring organization whose research project number appears starting in column 9. Enter the reporting (implementing) State name in the blank space provided above the project number.

The column 1-2 entry merits SPECIAL ATTENTION where the research project effort was not sponsored and funded by the reporting (implementing) State coded in columns 55 and 56. If necessary, attach supplemental sheet explaining the project identification. The key criterion is who sponsored the research. Usually, if an organization provides the funding, it is the sponsor even though the work is performed by a university, institute, foundation, or other contractor.

If none of the listed criteria or codes in table 1 apply, use code 99.

Columns 3 thru 7. Leave blank. Will be coded by the Washington Headquarters.

Column 8, Card Number. Entry already complete.

Column 9, State Project Number. Enter the State (or other agency) project number, beginning with column 9, using as many of the eight spaces as are needed to record the number, which can be either plain numeric or alphanumeric. Where the subject number normally incorporates spaces, parentheses, and/or dashes, these can be allowed in the code entry if the eight-space limit permits. Where the eight-space limit would be exceeded, omission of all or part of these spaces will be necessary. **IMPORTANT—DO IT THE SAME WAY IN ANY UPDATED REPORTS SUBMITTED LATER FOR SAME PROJECT.**

Column 17, FCP Code. This seven digit code will be entered, where applicable, by the Washington Headquarters.

Column 24, (AP) Agency Performing the Research Work. Enter the code for the applicable identification listed below:

Code:	Type of Performing Organization
1-----	State Highway Department or Comparable State Organization.
2-----	University (Including non-profit institutes, foundations, etc., allied with university).
3-----	Contractor (other than those included in 2).
4-----	Federal (non-FHWA).
5-----	FHWA.
6-----	Other.

Column 25, Funding (Fnd). Enter the code for the type of funding used to support the R&D effort:

Code:	Type of Funding
1-----	HP&R participating activities, involving HP&R (1½ percent) and PR (½ percent) funds provided under Section 307c of the FA Highway Acts (included pooled fund studies).
2-----	State funded—100 percent.
3-----	NCHRP research activities under the National Cooperative Highway Research Program.
4-----	State and Federal-air construction funds.
5-----	FHWA-funded staff in-house R&D.
6-----	FHWA-funded administrative contract.
7-----	Grant—R&D support by grant funds.
8-----	Interagency transfer of FHWA funds to a Federal Government organization external to the FHWA.
9-----	Other—Funding arrangements other than the above categories, including combinations of the above.

Column 26, Project Starting Date. Enter the conventional six-digit identification of the date when the research project study began. Example—May 12, 1970, would constitute a six-digit entry as follows: 051270.

Column 32, Project Completion Date. Enter the conventional six-digit identification of the date when the final report for research study was accepted by FHWA. If this is an interim report on a continuing study, leave this space blank.

Column 38, Date of This Report. Enter the conventional six-digit identification of the current date showing when this information data form was filled out.

Column 44, Study Cost to Date. Enter the dollar cost rounded to the nearest \$1,000. (For example, \$95,000 would be entered as 0095.) For completed projects, this should reflect the cumulative total expenditures chargeable against the project. For interim reports on continuing projects, enter the cumulative total cost chargeable as of the cutoff date for the benefit period being reported. (See column 57.) If this report concerns implementation of research funded and performed by a State other than the reporting State, leave columns 44-47 blank.

b. Part B.

Column 48, (IS) Implementation Status. Circle the applicable code indicating the implementation status of this project and enter it in the space for card column 48.

Column 49, (IO) Implementable by Others. Circle the applicable code indicating your opinion regarding the extent that study findings are considered suitable for implementation by others, and enter it in the space for card column 49.

Column 50, (IP) Implementation Plans. Circle the applicable code, if findings have not been implemented or underway, but are implementable—and enter the applicable code in the space for card column 50. If column 50 is not applicable, leave blank.

Column 51, (IA) Implementation Action Needed. If use of this column is applicable, circle the code indicating the needed action, and enter it in the space for card column 51. Circle two or more codes if appropriate but enter the principal one. Otherwise, this column will remain blank.

Column 52, (TA) Training Aids Used, Planned, or Needed. Circle the applicable code indicating type of aid used or recommended, and enter it in the space for card column 52. Circle two or more codes if appropriate but enter the principal one. Otherwise, this column will remain blank.

Column 53, (RU) Results Potentially Useful. If no implementation is planned but the results of this study are potentially useful, circle the applicable code and enter it in the space for card column 53. Otherwise, this column will remain blank.

Column 54, (NI) Not Implementable. If the findings of this study are not implementable, and are not potentially useful, circle the applicable code and enter it in the space for card column 54. Otherwise, this column will remain blank.

c. Part C.

Column 55, State Reporting Implementation. If the State is reporting on implementation of its own research findings, the State code entered in columns 55 and 56 will be the same as that entered previously in columns 1 and 2. However, if State B is reporting on the benefits realized from implementation of research accomplishments funded and performed, for example, by State A or any other sponsoring agency, the applicable State or agency code identifying the source of the research findings would be entered in columns 1 and 2 (with no costs shown in columns 44-47), and State B would be coded in columns 55 and 56, and its name shown as the reporting State at the top of the form.

Column 57, Benefit Ending Date. Enter the conventional six-digit identification of the date for the cutoff point of the benefits period, regardless of the date of this report.

Column 63, Number of Months. Enter the number of months (rounded) in the time period for which the savings and benefits are reported.

Column 65, (SB) Type of Savings or Benefits. Circle the applicable code indicating the type of savings or benefits realized, and enter it in the space for card column 65. If dollar savings are being realized by both the highway department (agency) and the highway user, circle both codes but enter the combination code (6) shown below. Where safety and/or esthetics are improved as a supplemental bonus to dollar savings, circle each of the codes involved but enter the applicable combination code shown below.

Code:	Combination
6-----	Codes 1 and 2 combined.
7-----	Codes 1 and/or 2 plus 4.
8-----	Codes 1 and/or 2 plus 4 and 5.
9-----	Codes 1 and/or 2 plus 5.
0-----	Codes 4 and 5 combined.

If there were no benefits, this column will remain blank.

Column 66, Accidents Prevented. Enter in columns 66 and 67 the estimated number of accidents prevented during the benefit period reported, as a result of the safety aspects of improvements realized from the research accomplishments covered by this report.

Column 68, Lives Saved. Enter in columns 68 and 69 the estimated number of lives saved during the benefit period reported, as a result of the safety aspects of improvements realized from the research accomplishments covered by this report.

Column 70, Cash Dollars Saved by the Highway Department (Best Estimate of Dollar Savings Thru Implementation). Enter in columns 70 thru 73 the estimated amount of cash dollar savings to the highway department (or agency), rounded to the nearest \$1,000, for the benefit period indicated in columns 57 thru 64 (e.g., \$9,500,000 would be entered as 9500). This estimate should not be viewed as having (or needing) the justification of an "engineering estimate" on bid items up for contract bidding. If you are convinced that the research paid off, demonstrate with the best information at hand that the benefits are clearly of a magnitude justifying the research investment. These figures are essential to obtaining favorable consideration at budget hearings on research funding.

Column 74, Highway User Dollars Saved (Best Estimate of Dollar Savings Thru Implementation). In a manner similar to that applying to column 70, enter in columns 74 thru 77, the estimated amount of dollar savings to the highway user for the benefit period indicated in columns 57 thru 64. Again, the guiding consideration is to show, where these benefits clearly exist, that the benefits are definitely of a magnitude justifying the research investment.

Column 78, Benefit/Cost (Ratio). Enter in this two-digit box, columns 78 and 79 only the rounded whole number of the numerator for B/C ratio using a base of one (1). For example, if the B/C ratio comes out \$10.70/\$1, this becomes 11/1 when rounded off, and only the numerator 11 is entered in columns 78 and 79. Likewise, a 9/1 ratio would be entered 09. The ratio should reflect total dollar benefits of both agency and highway user, as shown in columns 70 thru 77. Omit B/C ratio if the research implemented was not sponsored and funded by the reporting State.

Column 80, Did Research Pay Off? Self-Explanatory. No entry is needed here if the B/C ratio has been entered in the preceding box. (If column 80 is coded with a yes entry, every effort should be made to enter a benefit-cost ratio instead, in the adjoining column.)

d. Entering Narrative Information About the Project. See questionnaire form lines identified as card B, card C, etc. Provisions have been allowed for entering, for each project, a limited amount of typed narrative descriptive information under the headings of Study Title, Study Objectives, Study Findings, and Implementation—How Done. Each line requires one card. Each card, for a given project, will contain the same unique identification information in columns 1 thru 6, as is contained in these columns on the project "master card" A (i.e., it contains the letter A in card column 8). Each card with other than the letter "A" in column 8 can accommodate a maximum of 72 characters including punctuation and spacing. Thus, each narrative information line on the form provides space for a maximum of 72 spaces of typing with a standard typewriter of 12 spaces per inch (such as Elite type). Do not split a word at the end of a line.

*Forms in this appendix consist of those which are not published pursuant to 1 CFR 18.11. The forms are available for inspection and copying at those locations specified in 49 CFR, Part 7, Appendixes D and H.

The form itself contains space for typed wording, approximately as follows:

Heading	Number of lines	Approximate number of words
Study title.....	3	33
Study objectives.....	4	41
Study findings.....	6	60
Implementation—how done.....	9	100

If words exceeding the available space are clearly needed to provide satisfactory information, the additional description should be continued on a plain attached supplemental sheet. Every effort should be made to phrase the statements crisply, and concisely, using minimum of adjectives and nonessential words, thus making maximum use of the space available.

TABLE 1. STATE NUMERICAL CODES INCLUDING DISTRICT OF COLUMBIA, PUERTO RICO, AND OTHERS

Code:	State
01.....	Alabama.
02.....	Arizona.
03.....	Arkansas.
04.....	California.
05.....	Colorado.
06.....	Connecticut.
07.....	Delaware.
08.....	Florida.
09.....	Georgia.
10.....	Idaho.
11.....	Illinois.
12.....	Indiana.
13.....	Iowa.
14.....	Kansas.
15.....	Kentucky.
16.....	Louisiana.
17.....	Maine.
18.....	Maryland.
19.....	Massachusetts.
20.....	Michigan.
21.....	Minnesota.
22.....	Mississippi.
23.....	Missouri.
24.....	Montana.
25.....	Nebraska.
26.....	Nevada.
27.....	New Hampshire.
28.....	New Jersey.
29.....	New Mexico.
30.....	New York.
31.....	North Carolina.
32.....	North Dakota.
33.....	Ohio.
34.....	Oklahoma.
35.....	Oregon.
36.....	Pennsylvania.
37.....	Rhode Island.
38.....	South Carolina.
39.....	South Dakota.
40.....	Tennessee.
41.....	Texas.
42.....	Utah.
43.....	Vermont.
44.....	Virginia.
45.....	Washington.
46.....	West Virginia.
47.....	Wisconsin.
48.....	Wyoming.
49.....	Alaska.
50.....	Hawaii.
51.....	District of Columbia.
52.....	Puerto Rico.
60.....	Pooled Fund (HP&R).
61.....	NCHRP.
62.....	FHWA.
99.....	Other.

APPENDIX H—THE IMPLEMENTATION PACKAGE

1. *The Missing Link.* Some have referred to the much discussed weakness in the im-

plementation process as "the missing link." The concept of the "implementation package" should provide the basic procedures needed for closing the gap. Since the concept will require flexibility in order to meet the needs of individual implementation efforts, it will be discussed in some detail.

2. *Why There Is a Missing Link.* A number of States report the local research accomplishments are implemented routinely with a minimum of fanfare and, generally, without any documentation that can be readily passed on to others. This reported case of within-State implementation of locally generated research can be attributed to two apparent and logical reasons: (a) There was a mutually recognized problem that needed researching to provide solutions, and (b) operations people concerned with the problem either monitored the study progress or were active participants in the research effort. Consequently the beneficiary was completely familiar with the research progress and was ready to implement as soon as usable results became available. Often the results in such cases are implemented before the final report is finished. After implementation, the operations beneficiary turns to other pressing matters and the researcher becomes absorbed in his next research problem.

This seemingly smooth transition in getting on with the next task seems an attribute of efficient management, and the original beneficiary may consider the documentation of accomplished implementation a wasted effort. But there is a deceptive aspect: the lack of documentation, and the omission of an "implementation package," leaves an information void for someone not familiar with the details of the study and the need it was intended to meet. This information gap leaves unanswered questions as to the value of the research, perpetuates duplication of effort and delays or thwarts broadscale implementation—often indefinitely.

3. *The Nature of the Missing Link.* Much has been said about the missing link, the bridging of the gap between the researcher and the operations man who ultimately must implement the research. Basically, the need is to provide the kind of communication that will give the potential user familiarity with the research findings, confidence in them, and an awareness of their significance, together with an appreciation of any adaptation or procedures required to accomplish implementation.

The communication problem is most acute when research accomplishments are developed and implemented in one State and the results are recommended for use in other States. The total lack of familiarity with the research and its merits by all those who did not participate in the remote research effort must be overcome by developing research report "translations" that facilitate implementation by the operations engineers in other States. Such translations should usually be prepared by engineers who understand the viewpoint of the operations unit which is expected to use the product and who are close enough to the research to be able to bridge the gap.

4. *Closing the Gap.* Inserting the missing link described above is the major challenge of the implementation efforts described in this manual. Due to the wide variation in the scope and depth of research studies and because of the vast differences in the subject matter of highway research, it is difficult to formulate the exact components of implementation packages.

5. *Implementation Package Ingredients.* Basically, a synthesis of essential ingredients is needed to answer the logical questions that

the prospective implementer would ask so that he can make his own evaluation and proceed with confidence. Experience has shown that other States will be more inclined to pay heed if the implementation package includes:

a. Evidence that the product of the research has been effectively applied within the producing State.

b. Estimates of the monetary benefits, or other positive values, achieved by such implementation.

c. Sufficient information on the research presented in a clear, concise manner so that a prospective operations user can decide whether or not to look into the matter in more depth for possible use in his State. Such information should include, but not be limited to:

(1) Concise but brief syntheses of the research problem and objectives, the nature of the accomplishments and their significance

as to why their adoption and use represent an improvement over existing practices. Also, an indication of what changes are called for in new or modified equipment or methods, materials, and quality control techniques, etc.

(2) Guidelines or examples, if needed, for revising:

Design criteria, procedures, and practices. Specifications.

Construction procedures and practices.

6. *Other Necessary Steps.* In addition to the ingredients mentioned above, other steps will be needed from time to time to communicate the knowledge and understanding needed by the operations engineer, the user of research accomplishments, if he is to implement research findings readily and confidently. Some of these steps may involve the following:

a. Demonstration project.

b. Experimental project.

c. Workshop.

d. Training course.

e. Movie or narrated film strip.

f. Manuals.

g. Drawings, etc.

These additional steps with their commitment to increased budget resources and manpower are logically reserved for situations in which higher benefit returns warrant the expenditure and effort involved. They are typical of the kind of effort envisioned under the line item for implementation of research findings. This kind of effort is often used by a State to implement research results among its districts, etc. What is needed is a report which contains the basic ingredients outlined in paragraph 5 above, together with the extra elements such as those mentioned in this paragraph, all produced and reported for the benefit of users throughout the transportation field.

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federal register

THURSDAY, NOVEMBER 20, 1975



PART IV:

ENVIRONMENTAL PROTECTION AGENCY



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

**Concentrated Animal Feeding
Operations**

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Parts 124, 125]

[FRL 454-4]

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND STATE PROGRAM ELEMENTS NECESSARY FOR PARTICIPATION

Concentrated Animal Feeding Operations

On December 22, 1972, regulations were promulgated and published in the FEDERAL REGISTER (37 FR 28290) establishing a new Part 124, Guidelines for State Program Elements Necessary for Participation in the National Pollutant Discharge Elimination System (NPDES), the national water discharge permit program. Comments received in response to these regulations and to proposed NPDES application forms, proposed in the FEDERAL REGISTER on December 5, 1972, (37 FR 25898) indicated a need to consider the desirability of attempting to extend the permit system to all point sources conceivably covered by the broad definitional framework established by the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq (FWPCA). EPA's intent to consider (1) further comments with respect to the NPDES application form for agricultural dischargers, Short Form B, and (2) exclusions from the permit system, particularly for agricultural and silvicultural sources, was noticed in the FEDERAL REGISTER on December 29, 1972 (37 FR 28765).

On May 3, 1973, EPA proposed a revised Short Form B for agricultural dischargers (38 FR 10960) and proposed classes and categories of silvicultural and agricultural activities which would not be subject to NPDES permit requirements.

On May 22, 1973, regulations establishing policies and procedures for issuance of NPDES permits by the Federal government were promulgated and published (38 FR 13528) at Part 125. In the May 22 publication, § 125.4, entitled Exclusions, provided that NPDES permits were not required for discharges from separate storm sewers composed entirely of storm runoff uncontaminated by industrial or commercial activity.

Subsequently, on July 5, 1973, after receiving information, statistics, and advice from other Federal agencies, State officials, and agricultural and environmental groups in response to the May 3, 1973, proposal, EPA issued notice of the availability of the final agricultural application Short Form B and published an amendment to § 125.4 (38 FR 18000). This amendment provided for an expansion of the exclusions in that section, eliminating categories of small concentrated animal feeding operations and certain agricultural and silvicultural activities from the permit requirement. On that date EPA also amended Part 124 by adding a new § 124.11, Exclusions. This section authorized the States to make the same exclusions as provided for in the amended Part 125 regulations. These exclusions did not operate, however, to exempt point sources within the excluded

categories from compliance with applicable effluent limitations or other standards established under the FWPCA (38 FR 18001-02). In addition, the EPA Regional Administrator or the Director of a State water pollution control agency could override the exclusions by identifying individual sources as significant contributors of pollution. Once so identified, significant contributors of pollution were required to apply for and comply with NPDES permits. 40 CFR 124.11(h) (5), 125.4(h) (5) (1975).

In promulgating the July 5 regulations, EPA stated its belief that while some point sources within the excluded categories may be significant contributors of pollution which should be regulated consistent with the purposes of the FWPCA, it would be administratively difficult if not impossible, given Federal and State resource levels, to issue individual permits to all such point sources. In addition, the Agency stated that regulation through the use of site-specific NPDES permits was not appropriate for most of the small sources covered by the exemptions. Essentially, these regulations providing for exemptions were based upon EPA's view (a view which it continues to maintain is correct) that most sources within the exempted categories present runoff-related problems not susceptible to the conventional NPDES permit program, including effluent limitations. EPA's position was and continues to be that most rainfall runoff is more properly regulated under section 208 of the FWPCA, whether or not the rainfall happens to collect before flowing into navigable waters. Agricultural and silvicultural runoff, as well as runoff from city streets, frequently flows into ditches or is collected in pipes before discharging to a stream. EPA contends that most of these sources are nonpoint in nature and should not be covered by the NPDES permit program.

In this way exercise of limited administrative discretion in excluding these basically nonpoint sources from the permit program is the best means for achieving the Congressional intent consistent with the language of the FWPCA. Even if these runoff sources were considered to be point sources, the FWPCA does not unambiguously require that all point sources obtain an NPDES permit. Section 301 states that the discharge by any person from a point source is unlawful "except as in compliance with" section 402. Section 402 states that "the Administrator may * * * issue a permit for the discharge of any pollutant [from a point source]." This language requires every point source discharger to comply with the permit program (including any necessary administrative exclusions) established by the administrator under section 402; but this language does not require the Administrator to establish a program under which permits will be issued to every point source, including point sources which collect runoff pollution.

The Natural Resources Defense Council (NRDC) challenged this exercise of the Administrator's discretion in a law-

suit filed in the Federal District Court for the District of Columbia. The District Court ruled in favor of NRDC ["NRDC v. Train", 396 F. Supp. 1393, 7 ERC 1881 (D.D.C. 1975)] and on June 10, 1975, issued a final order requiring EPA to propose and promulgate regulations "extending the NPDES permit system to include all point sources" in the concentrated animal feeding operation, separate storm sewer, agricultural and silvicultural categories. Under the terms of the order EPA must propose regulations relating to storm sewers and concentrated animal feeding operations by November 10, 1975, and promulgate such regulations by March 10, 1976. Similarly, regulations extending the permit system to point source discharges in the agriculture and silviculture categories must be proposed by February 10, 1976 and promulgated by June 10, 1976.

As part of the effort to carry out the requirements of the court order EPA solicited and received information, statistics and advice from other Federal agencies, State and local officials, trade associations, agricultural and environmental groups and interested members of the public. Six public meetings were held in Washington, Boston, Chicago, Omaha and Dallas to consider the storm sewer and concentrated animal feeding operation categories. At each of these meetings, significant opposition was voiced to the development of an expanded permit system within the NPDES program as it has been administered to date. Such opposition came from persons representing both potential permittees and permit issuing agencies. In general, these individuals and organizations stated that expansion of the NPDES program to the previously excluded categories of point sources must not be carried out so as to require the issuance of individual permits to all affected dischargers. Many commenters pointed out that such a program would require a massive commitment of resources, both by the dischargers and by the issuing agencies, which would not be commensurate with the modest pollution reduction gained from the program. They also emphasized that numerical effluent limitations are inappropriate for pollution abatement from most of these point sources, and they urged EPA to consider alternative pollution control processes and methods as a basis for any proposed permit system. Finally, several commenters strongly recommended that EPA reconsider the explicit legislative history of the FWPCA concerning agricultural nonpoint sources and adapt the proposed regulations to the language from that history.

Taking these comments, as well as the legislative history, the statutory language, the "NRDC v. Train" decision, and the technical data available on feedlots into consideration, the Agency has explored several regulatory approaches for developing a permit program for concentrated animal feeding operations. The programs investigated included a comprehensive, all encompassing individual permit program, a

program of permit by regulation, and a program of permit by registration. In each of these programs, the costs, the benefits, the complexity of administration, and the economic impact have been weighed, as well as the effectiveness of the program in abating pollution from animal feeding operations. In proposing these regulations today the Agency has selected a regulatory approach which EPA considers the most appropriate and which has the most support in the legislative history.

EPA realizes that because of multiple variables of numbers and types of animals confined, and local geographical, topological and meteorological data, ideally most animal feeding operations should be considered individually to determine whether or not each such operation is concentrated and therefore requires a permit. However, given present State and Federal resource levels, such site-specific determinations of animal feeding operations would be impractical, if not impossible. In addition, such site-specific determinations would create considerable uncertainty in the agricultural community as to who should apply for a permit. Thus, EPA is following the express guidance of the Court in "NRDC v. Train" and the legislative history of the FWPCA ("A Legislative History of the Water Pollution Control Act Amendments of 1972", January 1972, pp. 1298-99) in proposing these regulations to minimize site-specific determinations.

The proposed regulations delineate the scope of the NPDES permit program by carefully defining the term "concentrated animal feeding operation." Any facility falling within the definition of "concentrated animal feeding operation" is a point source pursuant to these regulations and must apply for and obtain an NPDES permit.

This proposed regulation is based on the "NRDC v. Train" decision in which the court provided guidance for this approach. The court specifically directed the Agency "to refine and elaborate on terms such as 'concentrated animal feeding operation.' The very nature of this term requires that Agency discretion be exercised to determine what is encompassed within its scope." 396 F. Supp. 1393, 1401 (1975). This discussion recognizes that section 502(14) of the FWPCA includes "concentrated animal feeding operation" within the definition of point source, but does not define the term "concentrated animal feeding operation." When such a term is left undefined, the Administrator within his discretion may define it based on all facts and information available to him.

In the Agency's effort to reach a sound definition of concentrated animal feeding operation it became evident that numerous factors are relevant to whether a facility in which animals are stabled and fed should fall within the scope of that term: (1) The proximity of the feeding operation to a navigable water; (2) the numbers and types of animals confined in the operation; (3) the means of conveyance of the animal wastes and process waste waters into the navigable

waters; (4) the slope of the land on which the operation is located; (5) the amount of vegetation sustained within the confines of the feeding operation; (6) the amount of rainfall in the geographic area in which the operation is located; (7) the time period during which the animals are stabled or confined and fed; and (8) other similar factors relative to the likelihood or frequency of discharge of pollutants into navigable waters.

The most precise regulatory system might be based on a formula in which each of the above factors was assigned particular weight. On a case-by-case basis, the characteristics of each animal feeding operation would be computed into that formula for a determination whether the facility was "concentrated" and therefore subject to the NPDES permit program. At this time, however, the data is not available to the Agency with which such a precise formula can be constructed. Even if such a formula could be constructed it would be so complex that permitting authorities, whether State or regional, as well as feedlot operators would find it difficult to apply.

Therefore, the Administrator has determined that the need for a basic national standard and a practical administrative approach calls for the establishment of definite criteria for the term "concentrated animal feeding operation." In setting the criteria, using the discretion recognized by the court in "NRDC v. Train," the Administrator has relied greatly upon the intent of Congress with respect to agricultural sources. In discussing the intent of Congress with regard to the concept of "point source" as it related to concentrated animal feeding operations, Senator Edmund Muskie, Chairman of the then Air and Water Pollution Subcommittee of the Senate Committee on Public Works, set forth the following guidance:

First. If a man-made drainage ditch, flushing system or other such device is involved and if measurable waste results and is discharged into water, it is considered a 'point source.'

Second. Natural runoff from confined livestock and poultry operations are not considered a 'point source' unless the following concentrations of animals are exceeded: 1,000 beef cattle; 700 dairy cows; 200,000 broiler chickens; 180,000 laying hens; 55,000 turkeys; 4,500 slaughter hogs; 35,000 feeder pigs; 12,000 sheep or lambs; 145,000 ducks.

Third. Any feedlot operation which results in the direct discharge of wastes into a stream which traverses the feedlot are considered point sources without regard to the number of animals involved.

Leg. Hist. pp. 1298-1299.

Thus, the proposed regulations define "concentrated animal feeding operation" in terms of three criteria: the number of animals confined in the operation (obviously a determinant of the amount of pollutants produced); the location of the operation relative to a water body; or the presence of a man-made drainage ditch, flushing system, or other man-made device which discharges wastes directly into a stream. If any one of these three criteria apply to a particular animal feeding operation, the facility will

be required to apply for and obtain a permit. A permit, however, is not required even for those feeding operations which have more than the number of animals specified if the only time a discharge of pollutants into navigable waters occurs is during a 25 year, 24 hour rainfall event.

There is, in addition, one further provision in the proposed regulations which may be invoked by the permitting authority to require the owner or operator of an animal feeding operation to obtain a permit. Even if the feeding operation meets none of the three generally-applicable criteria for defining a "concentrated animal feeding operation" the facility may have to apply for a permit upon a specific determination that it is a concentrated animal feeding operation. This provision is incorporated into the proposed regulations to assure that where one or more of the many factors discussed above, but not specified as generally-applicable in the regulations, is significant, a permit may be required regardless of the numbers of animals, the distance from stream or the lack of a man-made ditch or flushing system. In other words, this provision is a mechanism for a case-by-case determination that particular animal feeding operations are concentrated and therefore point sources subject to regulation.

These regulations are presented in proposed form so that further information, data, and discussion may be received before final adoption. Although the Administrator has made a preliminary determination that the numbers represent a rational cut-off level and one strongly supported by Senator Muskie's statement of Congress' intent, the numbers were originally proposed approximately four years ago. Further information since that time has not suggested that these numbers are inappropriate, but the Agency is seeking any data which might supply information as to whether other numbers might be more representative of an appropriate cut-off level for assessing which feeding operations are "concentrated" facilities.

It must be emphasized that these regulations do not automatically require applications for permits from every owner or operator of a concentrated animal feeding operation point source. Before a permit is required there must be a "discharge of a pollutant" from the point source into "navigable waters." If there is no discharge from a particular operation which is a point source, there is no need for a permit. As stated above, the proposed regulations provide that no permit is required for any concentrated animal feeding operation which discharges pollutants only in the event of a 25 year, 24 hour rainfall event. In addition, although there may be a discharge of a pollutant from a point source, no permit is required if such a discharge does not reach navigable waters. The term "navigable waters" is broadly defined in the FWPCA and is interpreted in detail by the NPDES regulations at 40 CFR 125.1(p).

The effect of these regulations following promulgation and final publication,

upon State NPDES programs will be that those NPDES States which have enacted legislation or adopted regulations embodying the earlier exclusions will be required to amend their statutes or regulations so as to be consistent with Federal law and the decision of the District Court.

As noted above, in addition to proposing these regulations for concentrated animal feeding operations, EPA is also proposing regulations relating to storm sewers and will in the future propose regulations concerning the application of the permit system to agricultural and silvicultural activities, as required by the court order. Because EPA believes that many point sources within these previously excluded categories are not susceptible to regulation by effluent limitations and are not appropriate subjects for Federal regulation, EPA is seeking relief in the courts. Therefore, EPA has urged the Department of Justice to appeal the decision of the District Court in "NRDC v. Train."

The basic provisions of the proposed regulations, as well as the implementation strategy for the proposed permit system, are described below.

PROPOSED REGULATIONS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS

CONTENT OF REGULATIONS

(1) The exclusion of small concentrated animal feeding operations from the NPDES permit program is deleted from §§ 124.11 and 125.4.

(2) The definition of the term "animal confinement facility" is deleted from §§ 124.1 and 125.1.

(3) Provisions for the issuance of permits for pollution control from concentrated animal feeding operations are found in an amended Subpart I of Part 124 and a new Subpart F of Part 125, both Subparts entitled "Special Programs."

(4) New sections, §§ 124.82 and 125.51, Concentrated Animal Feeding Operations, are added. These sections would establish a permit system substantially similar to that currently being administered under the NPDES. This program is developed from the guidance provided by Senator Edmund Muskie, Chairman of the then Air and Water Pollution Subcommittee of the Senate Committee on Public Works, during the Senate debate on the FWPCA. Senator Muskie was asked by Senator Dole from Kansas, a major agricultural State, to clarify the "terms 'point source' and 'non-point source'—especially as related to agriculture." Senator Muskie responded by stating the "present policy with respect to the identification of agricultural point sources," and listed three factors to determine the definition of a point source. These three factors—(1) presence of a man-made drainage ditch, flushing system, or other similar device, (2) presence of certain numbers and types of animals, and (3) presence of navigable waters within the confined area—are included in the definition of "concentrated animal feeding operation" in this program. (Legislative History, pp. 1298 and 1299). Ex-

cept for those operations which have discharges of pollutants only as a result of a 25 year, 24 hour rainfall event, concentrated animal feeding operations within this definition would be required to apply for a permit. The required permit application would be NPDES Short Form — (to be added) which must be submitted by March 10, 1977. In addition, permit applications would be required from those owners or operators of animal feeding operations designated by the permit issuing agencies as concentrated animal feeding operations, taking several factors into consideration to make such designation. Finally, the administrative procedures of this alternative would be the same as the permit system established pursuant to Subparts A through K of Part 124 and Subparts A through E of Part 125.

STRATEGY OF REGULATIONS

This proposed regulation conforms with the express guidance stated by Senator Muskie, which is the most explicit statement of Congressional intent on the issue of agricultural point sources. Senator Muskie's response to Senator Dole's concern that "(m)ost sources of agricultural pollution are generally considered to be non-point sources," indicates that he was in agreement with Senator Dole. Thus, this program incorporates the Senators' intent and establishes a permit program similar to that currently administered. Permits for those operations within the definition of concentrated animal feeding operation would be issued on an individual basis, including individual notice, opportunity for a public hearing, and individual responsibility for compliance. Because this permit program closely parallels the permit program established pursuant to Parts 124 and 125, the administration of this approach would require no new procedures. Permits would be based upon effluent guidelines.

By using Senator Muskie's identification of point sources, those concentrated animal feeding operations below the cut-offs and outside the definition suggested by the Senator are excluded from EPA's jurisdiction over point sources except in the case where the Regional Administrator or the Director of a State water pollution control agency designates an animal feeding operation as a concentrated animal feeding operation. Thus, this program should enable EPA and NPDES States to regulate all appropriate sources in the concentrated animal feeding operation category which were identified as point sources by the Senate debate.

REQUEST FOR COMMENTS

Interested persons may participate in this rule-making by submitting written comments to Legal Branch, Water Enforcement Division, Office of Water Enforcement, EN-338, Environmental Protection Agency, Washington, D.C. 20460. Comments upon all aspects of the proposed regulation are solicited; in particular comments are desired concerning the technical definition of "concentrated animal feeding operation" and other definitions; the scope of the regulations;

the purpose of the regulations, including the water quality benefits to be gained as contrasted with the costs to the affected owners and operators; the technical numbers used in defining the terms, setting procedural limitations, and requiring pollution control; the administrative procedures for issuing individual permits; and the resource implications of imposing requirements upon both permittees and permit issuing agencies.

In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing this regulation, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the requirements of the court order.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2922, Rear Library-Mall, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying. All comments received on or before January 5, 1976 will be considered.

(Secs. 304, 402, 501 Federal Water Pollution Control Act Amendments of 1972. (86 Stat. 816 et seq., Pub. L. 92-500 33 U.S.C. 1261 et seq.)

Dated: November 13, 1975.

JOHN QUARLES,
Acting Administrator.

PART 124—STATE PROGRAM ELEMENTS NECESSARY FOR PARTICIPATION IN THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Part 124 of Title 40 of the Code of Federal Regulations, setting forth State program elements necessary for participation in the National Pollutant Discharge Elimination System, is proposed to be amended as follows:

Subpart A—General

§ 124.1 [Amended]

1. Section 124.1 is amended by deleting paragraph (u) and by relettering paragraph (v) to (u).

Subpart B—Prohibition of Discharges of Pollutants

§ 124.11 [Amended]

2. Paragraph (h) of § 124.11 is amended by deleting subparagraphs (1) and (2); by redesignating subparagraphs (3), (4), and (5) to (2), (3), and (4) respectively; and by adding a new subparagraph (1) as follows: "(1) Discharges from concentrated animal feeding operations."

Subpart I—Special Programs

§ 124.80 [Redesignated]

3. Subpart I of Part 124 is amended by deleting the title "Disposal of Pollutants

into Wells" and by adding a new title to read as set forth above and by redesignating § 124.80 as 124.81.

4. Subpart I of Part 124 is amended by adding a new § 124.82, *Concentrated animal feeding operations*, as follows:

§ 124.82 Concentrated animal feeding operations.

(a) *Definitions.* For the purpose of this subpart:

(1) The term "animal feeding operation" means a lot or facility (other than an aquatic animal production facility) within which animals have been or will be stabled or confined and fed or maintained for an aggregate of 45 days or more at any time in any 12-month period, and crops, vegetation or forage growth are not sustained in the area of confinement.

(2) The term "concentrated animal feeding operations," other than as provided in paragraph (c) of this section, means only those animal feeding operations where:

(i) Without regard to the numbers and types of animals confined, measurable wastes are discharged into navigable waters through a man-made drainage ditch, flushing system or other similar man-made device; or

(ii) Without regard to the numbers and types of animals confined, measurable wastes are discharged directly into navigable waters which originate outside of and traverse the operation; or

(iii) More than the following numbers and types of animals are confined:

- (A) 1,000 slaughter and feeder cattle,
- (B) 700 mature dairy cattle (whether milked or dry cows),
- (C) 4,500 slaughter hogs,
- (D) 35,000 feeder pigs,
- (E) 12,000 sheep or lambs,
- (F) 55,000 turkeys,
- (G) 180,000 laying hens, or
- (H) 290,000 broiler chickens, and

Provided, however, That no animal feeding operation identified in this paragraph (a)(2)(iii) of this section is a concentrated animal feeding operation if it only discharges pollutants into navigable waters in the event of a 25 year, 24 hour rainfall event, as defined by the National Weather Service in Technical Paper Number 40 "Rainfall Frequency Atlas of the United States," May 1961, and subsequent amendments, or equivalent Regional or State rainfall probability information developed therefrom.

COMMENT.—The legislative history of the FWPCA indicates that those agricultural sources not within the above definition are presumptively nonpoint sources and therefore are not under the jurisdiction of the permit program. Thus, those animal feeding operations without measurable wastes discharged from a man-made drainage ditch, flushing system or other similar device; without a direct discharge into navigable waters traversing the operation; and with fewer than the cutoff numbers enumerated above are nonpoint sources, unless otherwise designated by the Director pursuant to § 124.82(c) as proposed below.

(3) The term "man-made" means constructed by man for the purpose of transporting wastes.

(b) *Application for a permit.* (1) Any person discharging or proposing to discharge pollutants from a concentrated animal feeding operation shall file an application with the Director by March 10, 1977.

(2)(i) Each application must be filed on a Short Form—(to be added) and completed in accordance with the instructions provided with such form.

(ii) In addition to the information required in the Short Form—(to be added) the Director may require any applicant to submit such other information as the Director deems necessary to proceed with the issuance of the permit.

(c) *Case-by-case designation of concentrated animal feeding operations.* Notwithstanding any other provision of this section, the Director or the Regional Administrator may designate as a concentrated animal feeding operation any animal feeding operation not otherwise falling within the definition provided in paragraph (a)(2) of this section. In making such designation the Director or the Regional Administrator shall consider the following factors:

(1) The size of the animal feeding operation and the amount of wastes reaching navigable waters;

(2) The location of the animal feeding operation relative to navigable waters;

(3) The means of conveyance of animal wastes and process waste waters into navigable waters;

(4) The slope, vegetation, rainfall, and other factors relative to the likelihood or frequency of discharge of animal wastes and process waste waters into navigable waters; and

(5) Other such factors relative to the significance of the pollution problem sought to be regulated.

COMMENT.—See 40 CFR 412.11(c) for the definition of "process waste water."

PART 125—NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Part 125 of Title 40 of the Code of Federal Regulations, setting forth policies and procedures for the Environmental Protection Agency's administration of its role in the National Pollutant Discharge Elimination System, is proposed to be amended as follows:

Subpart A—General

§ 125.1 [Amended]

1. Section 125.1 is amended by deleting paragraph (ii) and by redesignating paragraph (jj) as (ii).

§ 125.4 [Amended]

2. Paragraph (j) of § 125.4 is amended by deleting subparagraphs (1) and (2); by redesignating subparagraphs (3), (4) and (5) as (2), (3) and (4) respectively; and by adding a new subparagraph (1) as follows: (1) Discharges from concentrated animal feeding operations.

Subpart F—Special Programs

3. Part 125 is amended by adding a new Subpart F, Special Programs, consisting of § 125.51 to read as follows:

§ 125.51 Concentrated animal feeding operations.

(a) *Definitions.* For the purpose of this subpart:

(1) The term "animal feeding operation" means a lot or facility (other than an aquatic animal production facility) within which animals have been or will be stabled or confined and fed or maintained for an aggregate of 45 days or more at any time in any 12 month period, and crops, vegetation or forage growth are not sustained in the area of confinement.

(2) The term "concentrated animal feeding operations," other than as provided in paragraph (c) of this section, means only those animal feeding operations where:

(i) Without regard to the numbers and types of animals confined, measurable wastes are discharged into navigable waters through a man-made drainage ditch, flushing system or other similar man-made device; or

(ii) Without regard to the numbers and types of animals confined, measurable wastes are discharged directly into navigable waters which originate outside of and traverse the operation; or

(iii) More than the following numbers and types of animals are confined:

- (A) 1,000 slaughter and feeder cattle,
- (B) 700 mature dairy cattle (whether milked or dry cows),
- (C) 4,500 slaughter hogs,
- (D) 35,000 feeder pigs,
- (E) 12,000 sheep or lambs,
- (F) 55,000 turkeys,
- (G) 180,000 laying hens, or
- (H) 290,000 broiler chickens, and

Provided, however, That no animal feeding operation identified in this paragraph (a)(2)(iii) of this section is a concentrated animal feeding operation if it only discharges wastes into navigable waters in the event of a 25 year, 24 hour rainfall event, as defined by the National Weather Service in Technical Paper Number 40 "Rainfall Frequency Atlas of the United States," May 1961, and subsequent amendments, or equivalent Regional or State rainfall probability information developed therefrom.

COMMENT.—The legislative history of the FWPCA indicates that those agricultural sources not within the above definition are presumptively nonpoint sources and therefore are not under the jurisdiction of the permit program. Thus, those animal feeding operations without measurable wastes discharged from a man-made drainage ditch, flushing system or other similar device; without a direct discharge into navigable waters traversing the operation; and with fewer than the cutoff numbers enumerated above are nonpoint sources, unless otherwise designated by the Regional Administrator pursuant to § 125.51(c) as proposed below.

(3) The term "man-made" means constructed by man for the purpose of transporting wastes.

(b) *Application for permit.* (1) Any person discharging or proposing to discharge pollutants from a concentrated animal feeding operation shall file an application with the Regional Administrator by March 10, 1977.

PROPOSED RULES

(2) (i) Each application must be filed on a Short Form—(to be added) and completed in accordance with the instructions provided with such form.

(ii) In addition to the information required in the Short Form—(to be added) the Regional Administrator may require any applicant to submit such information as the Regional Administrator deems necessary to proceed with the issuance of the permit.

(c) *Case-by-case designation of concentrated animal feeding operations.*

Notwithstanding any other provision of this section, the Regional Administrator may designate as a concentrated animal feeding operation any feeding operation not otherwise falling within the definition provided in paragraph (a) (2) of this section. In making such designation the Regional Administrator shall consider the following factors:

(1) The size of the animal feeding operation and the amount of wastes reaching navigable waters;

(2) The location of the animal feeding operation relative to navigable waters;

(3) The means of conveyance of animal wastes and process waste waters into navigable waters;

(4) The slope, vegetation, rainfall, and other factors relative to the likelihood or frequency of discharge of animal wastes and process waste waters into navigable waters; and

(5) Other such factors relative to the significance of the pollution problem sought to be regulated.

COMMENT.—See 40 CFR 412.11(c) for the definition of "process waste water."

[FR Doc.75-31314 Filed 11-19-75;8:45 am]

federal register

THURSDAY, NOVEMBER 20, 1975



PART V:

DEPARTMENT OF TRANSPORTATION

**Federal Aviation
Administration**



OPERATIONS REVIEW PROGRAM

Rotorcraft External-Load Operations

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 91, 133]

[Docket No. 15176; Notice No. 75-38; Notice No. 1]

OPERATIONS REVIEW PROGRAM

Rotorcraft External-Load Operations

The Federal Aviation Administration is considering amending Parts 91 and 133 of the Federal Aviation Regulations to (1) require that rotorcraft external-load operations, currently conducted under Part 91, be conducted under Part 133 regardless of whether they are conducted for compensation or hire; (2) prescribe appropriate operating limitations for restricted category rotorcraft external-load operations under that Part; (3) provide that Operator Certificates issued under Part 133 be effective for 24 months; and, (4) except rotorcraft external-load operations from the requirement in § 91.39 which prohibits the operation of restricted category civil aircraft carrying persons or property for compensation or hire.

This is the first in a series of notices of proposed rulemaking to be issued as a part of the First Biennial Operations Review Program.

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments relating to any significant environmental or economic impact that might result because of the adoption of the proposals contained herein may also be submitted. Comments should identify the regulatory docket or notice number (Docket No. Notice No. 75-) and be submitted in duplicate to: Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before February 18, 1976, will be considered by the Administrator before taking action on the proposed rules. However, interested persons are urged to submit their comments as early as possible to facilitate rapid resolution of any issues raised. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons.

On February 12, 1974, the FAA issued an invitation to all interested persons to submit proposals for consideration during the First Biennial Airworthiness Review (see Notice 74-5, 39 FR 5785, February 15, 1974). Two proposals were received from the Aerial Crane Operators Committee (ACOC) recommending that restricted category rotorcraft external-load operations be conducted under the provisions of Part 133, and that Part 91 be amended to permit those operations to be conducted for compensation or hire. The proposals of the ACOC were deferred for consideration during the Operations Review in conjunction with

those proposals appearing in the Operations Review Compilation that concerned rotorcraft external-load operations.

On June 4, 1975, the FAA, by Notice 75-9A (40 FR 24041), published a Compilation of the proposals that would be considered as possible agenda items for the Operations Review Conference (December 1-5, 1975). Included in the Compilation were proposals to bring restricted category rotorcraft external-load operations under the applicability of Part 133; to prescribe appropriate operating limitations for those restricted category rotorcraft; and, to limit the duration of Operator Certificates issued or renewed under Part 133 to 24 months.

The proposals contained in this notice are based on the FAA's evaluation of the following proposals in the First Airworthiness and First Operations Reviews:

Proposal No.	Review	FAR section	Proponent
495	Airworthiness (committee I).	91.39	ACOC
540	do	133.19	ACOC
218	Operations	91.39	FAA
219	do	91.39	FAA
697	do	133.1	FAA
698	do	133.11	FAA
699	do	133.13	FAA
700	do	133.17	FAA
701	do	133.19	FAA
703	do	133.32	FAA

Part 133 of the Federal Aviation Regulations, "Rotorcraft External-Load Operations", was adopted January 17, 1964, to establish certification and operating rules governing nonpassenger-carrying external-load operations, conducted for compensation or hire within the United States, by persons other than air carriers or other than those authorized to conduct operations under Part 375 of the Regulations of the Civil Aeronautics Board, and to govern persons engaged in such operations.

Part 133 does not apply to rotorcraft external-load operations that are not conducted for compensation or hire, regardless of the airworthiness category in which the rotorcraft is type certificated. These operations are conducted under Part 91. As such, they are not subject to the more stringent flight crewmember qualifications and operating rules and limitations imposed by Part 133. At present, restricted category rotorcraft are excluded from operations under Part 133, and the operating limitations for these rotorcraft are generally established on an "aircraft-by-aircraft" basis under §§ 21.15 and 21.185 of Part 21, and to some extent, under § 91.39. This approach to the imposition of operating limitations was sufficient so long as there were only a few restricted category rotorcraft certificated for the special purpose of external-load operations, and only a few such operations being conducted. However, given the increase in recent years in both the number of restricted category rotorcraft external-load operations, and the number of rotorcraft certificated for such operations, the FAA believes that they should be subject to

more stringent operating rules and limitations. Furthermore, the carriage of loads suspended beneath a rotorcraft is a demanding flight operation. The danger of accidental or intentional jettisoning is always present, and the pilot of the rotorcraft often must divert his attention from the cockpit to nearby obstructions or a signalman on the ground. These conditions are present regardless of the type certification of the rotorcraft.

Consequently, the FAA sees no reason to distinguish between rotorcraft external-load operations currently conducted under Part 91 and those conducted under Part 133. Therefore, it is proposed to amend Part 133 to require that all persons conducting rotorcraft external-load operations hold a Rotorcraft External-Load Operator Certificate issued under the more comprehensive safety requirements of Part 133, regardless of whether or not the operations are conducted for compensation or hire, and regardless of the airworthiness category in which the rotorcraft is type certificated.

The proposed amendment would result in the regulation of all civil rotorcraft external-load operations in a uniform manner under general safety requirements which have proven to be effective. However, it is recognized that restricted category rotorcraft are type certificated to airworthiness standards that are generally less stringent than those applicable to standard category rotorcraft. Therefore, the FAA believes that additional operating limitations (beyond those set forth in Part 133) should be imposed on restricted category rotorcraft operating under Part 133.

Accordingly, the FAA proposes to amend Part 133 by removing existing restrictions on the use of restricted category rotorcraft for operation under Part 133, and by adding appropriate operating limitations for such operations. To implement this change, § 91.39(b) would be amended by excepting rotorcraft external-load operations from the requirement prohibiting the operation of restricted category civil aircraft carrying persons or property for compensation or hire. Also, paragraph (d) of § 91.39 would be amended to except rotorcraft external-load operation conducted under Part 133 from the operating limitations prescribed in that paragraph. This change would be necessary to accommodate the change to § 133.45 cited below which would add operating limitations applicable to the use of restricted category rotorcraft in Part 133 operations. The adoption of the operating limitations in § 133.45 would make it necessary to except rotorcraft operated under Part 133 from the limitation in § 91.79(c) against operating within 500 feet of any person, vessel, vehicle, or structure in sparsely populated areas or over water.

In addition, the FAA proposes to: Amend § 133.1(b) by striking the words "conducting such an operation for compensation or hire", and amend § 133.11 by striking the words "for compensation or hire". Part 133 would then govern all rotorcraft external-load operations.

Amend § 133.11 further by allowing a grace period of 120 days after the effective date of this amendment to enable operators currently using a rotorcraft in external-load operations under Part 91 to apply for and be issued a Rotorcraft External-Load Operator Certificate under Part 133. The FAA believes that this 120-day period should provide sufficient time to complete the certification process without imposing an unreasonable burden on the affected operators.

Amend § 133.19 by providing for the use of restricted category rotorcraft type certificated under § 21.25 of Part 21 for the purpose of conducting external-load operations.

Amend § 133.43(c) (1) and (2) to provide for the applicability of Part 133 to restricted category rotorcraft with respect to weight, center of gravity, and external-load attachment requirements. It should be noted that Notice 75-10 (40 FR 10802; March 7, 1975) proposes to transfer these requirements to Parts 27 and 29. Their applicability to rotorcraft operated under Part 133 would be retained by appropriate reference in § 133.43.

Amend § 133.45 by incorporating additional operating limitations applicable to restricted category rotorcraft.

Amend § 133.51 to confine its applicability to standard category rotorcraft. A separate airworthiness certificate is not necessary for rotorcraft certificated in the restricted category for the purpose of carrying external loads since a restricted category airworthiness certificate is issued for the special purpose of external-load operations.

In addition to the above proposals, the FAA proposes to amend § 133.13 to provide that unless sooner surrendered, suspended, or revoked, a Rotorcraft External-Load Operator Certificate expires at the end of the twenty-fourth month after the month in which it is issued or renewed. The FAA believes that by limiting the duration of Part 133 certificates to twenty-four months with attendant renewal requirements, it would be possible for the responsible FAA field offices to exercise more control over operations conducted in accordance with these certificates. In this connection, provision would be made in § 133.13 to permit a certificate issued or renewed before the effective date of this amendment (which under current rules bears no expiration date) to remain in effect for two years after the effective date of the amendment.

These amendments are proposed under the authority of (sections 307(c), 313(a), 601, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421 and 1427), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Parts 91 and 133 of the Federal Aviation Regulations as follows:

§ 91.39 [Amended]

1. By amending § 91.39(b) by inserting after the comma following the word "spraying" the words "rotorcraft external-load operations under Part 133 of this chapter," and by amending § 91.39 (d) as follows:

(d) Except when operating in accordance with the terms and conditions of a Rotorcraft External-Load Operator Certificate issued under Part 133 of this chapter or a certificate of waiver or special operating limitations issued by the Administrator, no person may operate a restricted category civil aircraft within the United States—

2. By revising the second sentence of § 91.79(c) to read as follows:

§ 91.79 Minimum safe altitudes; general.

(c) * * * Except for operations conducted under Part 133 of this chapter, no aircraft may, while operating over open water or sparsely populated areas, operate closer than 500 feet to any person, vessel, vehicle, or structure.

3. By amending § 133.1(b) to read as follows:

§ 133.1 Applicability.

(b) Operating and certification rules governing the conduct of non-passenger-carrying civil rotorcraft external-load operations in the United States by any person (other than as an air carrier). However, this part does not apply to operations conducted under Part 375 of this title.

4. By amending § 133.11 to read as follows:

§ 133.11 Certificate required.

No person subject to this part may conduct rotorcraft external-load operations within the United States without, or in violation of the terms of a Rotorcraft External-Load Operator Certificate issued by the Administrator under § 133.17. However, persons who do not hold a Rotorcraft External-Load Operator Certificate (on the effective date of this amendment) may conduct rotorcraft external-load operations not for compensation or hire under Part 91 of this chapter until (a date 120 days after the effective date of this amendment).

5. By revising § 133.13 to read as follows:

§ 133.13 Duration of certificate.

Unless sooner surrendered, suspended, or revoked, a Rotorcraft External-Load Operator Certificate expires at the end of the twenty-fourth month after the month in which it is issued or renewed, except that a certificate issued or renewed before (the effective date of this amendment) expires (a date two years after the effective date of this amendment).

6. By revising § 133.19(a) (1) to read as follows:

§ 133.19 Rotorcraft.

(a) An applicant for a Rotorcraft External-Load Operator Certificate must have the exclusive use of at least one civil rotorcraft that—

(1) Was type certificated under, and meets the requirements of Part 27 or 29 of this chapter (but not necessarily with external-load carrying attaching means installed), or of § 21.25 of Part 21 of this chapter for the special purpose of rotorcraft external-load operations; and

§ 133.43 [Amended]

7. By inserting in §§ 133.43(c) (1) and (2), between the words "certification" and "under" the words "in the restricted category under Part 21, or".

8. By amending § 133.45 by adding a new paragraph (e) to read as follows:

§ 133.45 Operating limitations.

(e) No external-load operation may be conducted with a rotorcraft type certificated in the restricted category under Part 21 of this chapter over a point on the surface that is less than 100 feet from any person, vessel, vehicle, or structure, unless that person, vessel, vehicle, or structure is directly associated with and necessary for the conduct of the operation.

9. By amending § 133.51 to read as follows:

§ 133.51 Airworthiness certification.

A rotorcraft external-load operator certificate is a current and valid airworthiness certificate for each rotorcraft (fitted with external-load attaching means) type certificated under Parts 27 or 29 of this chapter and listed in that certificate, when the rotorcraft is being used in operations under this part or in operations incidental to those operations.

Issued in Washington, D.C., on November 17, 1975.

RICHARD P. SKULLY,
Director,
Flight Standards Service.

[FR Doc.75-31410 Filed 11-19-75;8:45 am]

federal register

THURSDAY, NOVEMBER 20, 1975



PART VI:

OFFICE OF MANAGEMENT AND BUDGET

■

SUMMARY OF PROPOSED RESCISSIONS AND DEFERRALS

OFFICE OF MANAGEMENT AND BUDGET

SUMMARY OF PROPOSED RESCISSIONS AND DEFERRALS

TO THE CONGRESS OF THE UNITED STATES:

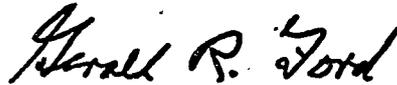
In accordance with the Impoundment Control Act of 1974, I herewith propose six new rescissions totalling \$1,289.1 million in budget authority. In addition, I am reporting three new deferrals totalling \$15.2 million in budget authority and two supplementary reports to deferrals previously transmitted that increase the amount deferred by \$4 million.

The six proposed rescissions are for education programs of the Department of Health, Education, and Welfare. The rescissions would reduce Federal spending for programs that are responsibilities of State and local jurisdictions, fail to effectively focus on the persons in need of assistance, or are not justifiable on programmatic grounds.

Approval of the rescissions will reduce spending by \$182 million this year, by \$61 million in the transition quarter, by \$839 million in 1977, and by \$208 million in later years. I reiterate my firm belief that the American people want to avoid excessive Federal spending. Agreement by the Congress with these rescission proposals is an important step in avoiding unnecessary increases in Federal expenditures.

The deferrals reported are all routine in nature. Two of the deferrals are for programs of the Department of Health, Education, and Welfare. Another deferral is for a program of the Department of State. Two more deferrals concern administration of the general revenue sharing program in the Department of the Treasury.

The details of each rescission proposal and deferral are contained in the attached reports.



THE WHITE HOUSE,

Dated: November 18, 1975.

SUMMARY OF PROPOSED RESCISSIONS
AND DEFERRALS

(In thousands of dollars)

<u>Rescission #</u>	<u>Item</u>	<u>Budget Authority</u>
	Health, Education and Welfare:	
	Office of Education	
R76-9	Elementary and secondary education...	220,404
R76-10	School assistance in federally affected areas.....	220,968
R76-11	Education for the handicapped.....	36,375
R76-12	Occupational, vocational, and adult education.....	14,241
R76-13	Higher education.....	768,140
R76-14	Library resources.....	28,975
	Subtotal, rescissions.....	1,289,103
<u>Deferral #</u>		
	Health, Education, and Welfare:	
	Office of Assistant Secretary for health	
D76-65	Assistant Secretary for health.....	753
	Special institutions	
D76-10A	Howard University.....	12,225
	State	
D76-66	International Center.....	2,572
	Treasury	
	Office of the Secretary	
D76-67	State and local government fiscal assistance trust fund.....	11,833 *
D76-25C	State and local government fiscal assistance trust fund.....	75,856 *
	Subtotal, deferrals.....	103,239
	Total, rescissions and deferrals.....	1,304,653 (Budget Authority)
		87,689 (Outlays)

* Deferral of outlays only.

NOTICES

SUMMARY OF SPECIAL MESSAGES
FOR FY 1976
 (Amounts in thousands of dollars)

	<u>Rescissions</u>	<u>Deferrals</u>
Seventh special message:		
New items.....	1,289,103	15,158
Changes to amounts previously submitted.....	<u> ---</u>	<u> 4,051</u>
Effect of seventh special message.....	1,289,103	19,209
Previous special messages.....	<u> 213,888</u>	<u> 3,559,217</u>
Total amount proposed in special messages to date.....	1,502,991	3,578,426
	(in 14 res- cission proposals)	(in 67 deferrals)

Rescission Proposal No: R76-9

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Dept. of Health, Education & Welfare	New budget authority \$2,425,791
Bureau Office of Education	(P.L. 94-94) _____ Other budgetary resources _____
Appropriation title & symbol Elementary and Secondary Education 7560279 756/70279 75X0279	Total budgetary resources <u>2,425,791</u> Amount proposed for rescission \$ <u>220,403</u>
OMB identification code: 09-40-0279-0-1-501	Legal authority*(in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other _____
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of account or fund: <input checked="" type="checkbox"/> Annual (\$178,770,000) 7/1/76- <input checked="" type="checkbox"/> Advance (\$2,234,521,852) 9/30/77 (expiration date) <input checked="" type="checkbox"/> No-year (\$12,500,000)	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

PROGRAMS AND ACTIVITIES AFFECTED BY PROPOSED RESCISSIONS

<u>Program/Activity</u>	<u>Total Budgetary Resources</u>	<u>Amount Proposed for Rescission</u>
Grants for the disadvantaged		
Advance for transition quarter and 1977.....	\$2,050,000,000	\$150,000,000
Support and innovation grants		
Advance for transition quarter and 1977.....	184,521,852	11,633,852
Bilingual education.....	97,770,000	27,770,000
Right to read.....	17,000,000	5,000,000
Follow through.....	59,000,000	17,500,000
Environmental education.....	3,000,000	3,000,000
Educational broadcasting.....	12,500,000	5,500,000
 Total Affected by Rescission Proposals.....	 2,423,791,852	 220,403,852
Total Budgetary Resources Not Affected by Rescission Proposals.....	 2,000,000	 —
 Total.....	 2,425,791,852	 220,403,852

JUSTIFICATION AND ESTIMATED EFFECTSGrants for the disadvantaged (Advance for 1977)

Even with the proposed rescission of \$150,000,000, the program would be funded at the 1976 level. Latest reports from the Office of Education indicate that the States have not yet spent nearly \$1,000,000,000 in funds obligated from prior year appropriations for this program. These unexpended funds and growing State efforts for the disadvantaged indicate that a constant level of Federal support will not adversely affect these activities.

If the rescission is approved, grants to local educational agencies for programs to meet the special needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families will be changed from about \$1,727,770,000 to approximately \$1,579,271,000. Allocations to some 13,200 local school districts will be changed proportionately, as required by the formula, by marginal amounts, but no school district will receive less than 85 percent of its prior year allocation, the minimum authorized by statute. The number of children served will remain at 4,725,000, although the amount spent per child will be reduced by \$31, from \$365 to \$334. The remaining change of about \$1,500,000, will be made in the State administration portion of the program.

Support and innovation grants (Advance for 1977)

The 1976 budget proposed an amount of \$172,888,000 for this newly consolidated program. The Congress provided an additional amount of \$11,633,852 and a "hold harmless" provision to insure that no State would receive less from this program in 1977 than it had in 1974 from the individual programs comprising the consolidation. The proposed rescission would mean that the new formula approved by Congress in the 1974 Education Amendments, which is based on shifts in the recipient population, would be followed. Thus, funds would be available for the intended services, but they would not be available merely to maintain former levels of payment. It would delete the "hold harmless" provision and rescind the additional amount appropriated. As a result, 32 States would receive less money in 1977 than they received in 1976 for this program and 29 States would receive less money in 1977 than they received in 1974.

Bilingual education

If approved, this rescission would establish a level for this program that recognizes State and local primary responsibility to provide support for these programs. The Federal Government's role is one of demonstration and "capacity building" by funding activities such as training, curriculum development, and advisory councils.

The \$27,770,000, proposed for rescission would be distributed as follows: (1) A reduction of \$15,600,000, would be made in demonstration activities. This would reduce the number of projects which would be supported from 383 to

289. Of these projects, the number of anticipated new starts would be reduced from about 185 to about 90. (2) A reduction of \$9,370,000, would be made for training activities ranging from inservice training associated with demonstrations to graduate level training of teacher trainers. This would reduce the number of training participants from 21,700 to 15,000. Aid will not be terminated as a result of this rescission for anyone currently receiving assistance. (3) A reduction of \$2,800,000, would be made for bilingual-vocational training, thus terminating support for this activity. At the appropriation level, about 20 new bilingual-vocational training projects would be supported.

Right to read

An effective demonstration program can be carried out at the \$12 million level. Other programs (e.g., title I of the Elementary and Secondary Education Act) provide large sums for other reading programs. Thus, rescission of the \$5 million increase over the 1975 level is proposed.

The proposed rescission level would affect three of four different components of the Right to read program. The number of Part A reading improvement demonstration projects would be reduced by 75, from 225 to 150. The number of reading academies funded would be reduced by about 23, from 80 to 57. The amount of Right to read funds contributed to the annual evaluation would be reduced by \$50,000, from \$170,000, to \$120,000.

Follow through

Follow through is an experimental compensatory education program designed to test and validate effective approaches to the education of disadvantaged children in early primary grades (kindergarten through grade 3). The 1976 budget reflects plans proposed in 1974 to phase out this program upon successful completion of experimental objectives and in coordination with an extensive evaluation to identify the most successful approaches. The proposed rescission of \$17.5 million would begin the phase out of the Federal program. Successful approaches can be incorporated in regular State and locally-funded programs.

If the rescission is approved, no new entering class will be supported in school year 1976-77. This will result in a saving of \$12,000,000. In addition, 20 of the 169 existing sites will be terminated, resulting in a saving of \$5,500,000. It is anticipated that these 20 sites will either not reapply for or may not warrant continued support. Under the appropriation, enrollment of 78,000 children would be funded by the Federal Government. Under the proposed level after the rescission, 55,000 enrollments would be funded.

Environmental education

The 1976 budget requested no funds for this program in 1976. The Congress added \$3 million which would fund about 90 new projects. No continuation projects were requested or funded.

The proposed rescission of \$3 million would terminate the program. The objectives of this program, to alert the public to environmental issues and to stimulate non-Federal efforts in this area, have been achieved. School districts that wish to continue a program for environmental education may do so out of other Federal or non-Federal funds.

Educational broadcasting facilities

Rescission of the proposed \$5.5 million would result in a funding level of \$7 million for the 1976 program. At this level, about 81 percent of the U.S. population would receive educational television coverage and about 68 percent of the population would receive public radio coverage. An additional \$5.5 million--an increase of nearly 80 percent--would extend both ETV and public radio coverage to less than one percent more of the population.

The proposed rescission of \$5.5 million for this program would mean that an estimated 35 new projects could be supported, as compared to about 58 new projects at the \$12.5 million appropriated level. The rescission would defer efforts provide public radio and television broadcasting services in about 15 communities. The upgrading of noncommercial broadcasting facilities in 21 communities would also be deferred.

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976.....	\$2,193.4
2. Outlay savings, if any, included in the budget outlay estimate.....	---

Current Outlay Estimates for 1976:

3. Without rescission.....	2,295.9
4. With rescission.....	2,290.4
5. Current outlay savings (line 3 - line 4).....	5.5

Outlay Savings for the Transition Quarter.....	15.8
Outlay Savings for 1977.....	115.3

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of Education
ELEMENTARY AND SECONDARY EDUCATION

Appropriations under this head for the fiscal year 1976 are rescinded-
in the following amounts:

\$150,000,000 for title I, part A and \$11,633,852 for title IV,
part C of the Elementary and Secondary Education Act, which was
to become available for obligation on July 1, 1976; \$24,970,000
for title VII of the Elementary and Secondary Education Act;
\$5,000,000 for title VII of the Education Amendments of 1974;
\$17,500,000 for part B of the Head Start-Follow Through Act;
\$3,000,000 for the Environmental Education Act; \$5,500,000 for
part IV of title III of the Communications Act of 1934; \$2,800,000
for part J of the Vocational Education Act.

The last proviso under this heading in P.L. 94-94 is deleted.

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Dept. of Health, Education & Welfare</u>	New budget authority (P.L. <u>94-94</u>)	\$ <u>680,000,00</u>
Bureau <u>Office of Education</u>	Other budgetary resources	<u>1,430,92</u>
Appropriation title & symbol <u>School Assistance in Federally Affected Areas</u>	Total budgetary resources	<u>681,430,92</u>
<u>7560280</u> <u>75X0280</u>	Amount proposed for rescission	\$ <u>220,968,45</u>
OMB identification code: <u>09-40-0280-0-1-501</u>	Legal authority*(in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act	
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____	
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> Multiple-year _____ (expiration date)	<input type="checkbox"/> Contract authority	
<input checked="" type="checkbox"/> No-year (\$20 million for construction)	<input type="checkbox"/> Other _____	

PROGRAMS AND ACTIVITIES AFFECTED BY PROPOSED RESCISSIONS

<u>Program/Activity</u>	<u>Total Budgetary Resources</u>	<u>Amount Proposed for Rescission</u>
Maintenance and Operations:		
(a) Payments for "a" children.....	\$ 248,737,758	\$ 14,683,083
(b) Payments for "b" children.....	341,597,262	180,693,671
(c) Special provisions.....	12,664,980	4,591,698
(d) Savings provisions.....	11,000,000	11,000,000
Construction.....	<u>20,000,000</u>	<u>10,000,000</u>
Total Affected by Rescission Proposals.....	634,000,000	220,968,452
Total Not Affected by Rescission Proposals...	<u>47,430,922</u>	<u>0</u>
Total.....	\$ 681,430,922	\$ 220,968,452

Rescission of appropriations under Section 1012 of the Impoundment Control Act (P.L. 93-344) will eliminate inequities in existing payment structures while providing funds for payments to school districts that are truly adversely impacted by the presence of Federal facilities and personnel. In order to fund the program in this manner, the attached rescission and resulting availability language is proposed.

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JUSTIFICATION AND ESTIMATED EFFECTSPayments for "a" children

Of the \$14,683,083 proposed for rescission, \$13,202,219 reflects the difference between Administration estimates and higher Congressional estimates used to determine the required funding levels for Tiers I and II. This portion of the proposed rescission does not reflect a reduction in commitment levels and no programmatic impact is anticipated.

The remaining \$1,480,864 proposed for rescission would, under the appropriation, provide payments for children residing in low rent public housing whose parents are employed on Federal property or are serving in the uniformed services. Although these children have been counted for entitlement purposes in the past, payments have never been made for them. The Administration proposes to continue nonpayment for this category, believing that low-rent public housing provisions change the nature of the program to that of a partially categorical program, thus deviating from the intent of P.L. 81-874. Furthermore, many children eligible under public housing provisions are also eligible for Federal assistance under Title I of the Elementary and Secondary Education Act, resulting in further inequities in a program already characterized by substantial inequity. If the proposed rescission is enacted, these children will continue to qualify for eligibility purposes, but no payments will be made on their account.

Payments for "b" children

The parents of "b" children live in the community while working on Federal property thus, paying property taxes which support local schools. In addition, their presence is generally an economic asset to the community. For these reasons the Administration proposes that State and local governments assume a greater responsibility for "b" children and that \$98,137,394 be rescinded. If the rescission is approved, payments to school districts for "b" children would continue at a normal rate of 50 percent of entitlement until January 1, 1976. For the remainder of fiscal year 1976, payments would be based on 50 percent of entitlement less an amount equal to 2-1/2 percent of the school district's total operating expenses in the prior year. After January 1, 1976, approximately 4300 school districts would receive reduced payments for "b" children. However, no school district would lose more than 2-1/2 percent of its total operating budget for the previous school year.

Another \$26,213,790 proposed for rescission reflects the difference between Administration estimates and higher Congressional estimates used to determine the required funding levels for Tiers I and II. This portion of the rescission does not reflect a reduction in commitment levels and no programmatic impact is anticipated.

The remaining \$56,342,487 proposed for rescission would, under the appropriation, provide payments for children residing in low rent public housing or for children whose parents are employed on such projects. Although these children have been counted for entitlement purposes in the past, they have never received

payment. The Administration proposes to continue nonpayment for this category believing that low-rent public housing provisions change the nature of the program thus deviating from the intent of P.L. 81-874. Furthermore, many children eligible under public housing provisions are also eligible for Federal assistance under Title I of the Elementary and Secondary Education Act, resulting in further inequities in a program already characterized by substantial inequity. If the proposed rescission is enacted, these children will continue to qualify for eligibility purposes, but no payments would be made on their account.

Special Provisions

Of the \$4,591,698 proposed for rescission, \$91,698 reflects the difference between Administration estimates and higher Congressional estimates used to determine the required funding levels for Tiers I and II. This portion of the rescission does not reflect a change in the intent of the appropriation, and no programmatic impact is anticipated.

The remaining \$4,500,000 proposed for rescission would leave a program level that would allow payments to school districts to be based on 50 percent of entitlement less an amount equal to 2-1/2 percent of total operating expenses in the prior year.

An undetermined number of school districts would receive the reduced payments. However, no school district would lose more than 2-1/2 percent of their total operating budget for the previous school year.

Savings Provisions

The proposed \$11 million rescission would eliminate "hold harmless" payments to school districts who no longer qualify for their previous payment levels due to (1) the closing of military installations or (2) the elimination in P.L. 93-380 of out-of-State and out-of-country "a" children from the entitlement base used to determine payments. These payments are inequitable because they are not based on the entitlement criteria that apply to all other payments. The payments provide aid to school districts for children who are not using the school district's services.

Construction

This program provides assistance for construction of school facilities in school districts affected by Federal activity. The proposed rescission level would maintain the 1976 request level of \$10 million. This amount would provide funding to cover the areas of critical need.

The amount proposed for rescission would provide up to \$4 million in repairs and maintenance to school facilities on Federal property, \$2,850,000 for construction assistance to local education agencies, and \$3,150,000 for schools constructed on Indian land.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimates for 1976.....	\$349.3
2. Outlay savings, if any, included in the budget outlay estimate.....	---

Current Outlay Estimates for 1976:

3. Without rescission.....	657.5
4. With rescission.....	502.0

5. Current outlay savings (line 3 - line 4).....	155.5
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Outlay Savings for Transition Quarter.....	9.8
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Outlay Savings for 1977.....	38.9
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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of education
SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

Appropriations under this heading for the fiscal year 1976 are rescinded and revised in the following amounts:

Rescinded are \$210,968,452 for sections 2, 3, and 4 to title I of the Act of September 30, 1950, as amended (20 U.S.C., ch.13), and \$10,000,000 for the Act of September 23, 1950, as amended (20 U.S.C., ch.19). Of the \$449,031,548 remaining under this heading for carrying out title I of the Act of September 30, 1950, \$46,000,000 shall be available for payments under section 6 of title I of the Act of September 30, 1950. The remainder of such amount shall be available for payments to local educational agencies on the basis of entitlements under sections 2, 3, and 4 of that title:

Provided, that notwithstanding the provisions of section 5(c) of that title--

(1) none of the funds available under this heading shall be available for payments with respect to that part of any entitlement determined under section 5(e)(1) of that title for any portion of the period beginning July 1, 1975, and ending September 30, 1976;

(2) fifty per centum of the total amount of those payments to local educational agencies based on entitlements under sections 2, 3(b), 3(e) and 4 of that title (exclusive of any part of such entitlements determined under section 5(e)(1) of that title) shall be reduced by an amount equal to 2.5 per centum of the current expenditures (as defined in section 403(5) of the Act of September 30, 1950) for such agency during the fiscal year ending June 30, 1975; and

(3) None of the funds remaining available under this heading shall be

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available for payments under subparagraphs (B) and (C) of section 305(b)(2) of the Education Amendments of 1974 for any portion of the period beginning July 1, 1975 and ending September 30, 1976.

Of the \$10,000,000 remaining under this heading for carrying out the Act of September 23, 1950, \$1,000,000 shall be available for repairs for facilities constructed under section 10 of that Act and none of the remaining funds shall be available for payments under any other section of that Act until payment has been made of 100 per centum of the amounts payable under section 5, 14(a), and 14(b) of that Act.

Rescission Proposal No: R76-11

PROPOSED RESCISSION OF BUDGET AUTHORITY
 Report Pursuant to Section 1012 of P.L. 93-344

Agency Dept. of Health, Education and Welfare	New budget authority (P.L. <u>94-94</u>)	\$236,375,000
Bureau Office of Education	Other budgetary resources	---
Appropriation title & symbol Education for the Handicapped	Total budgetary resources	<u>236,375,000</u>
7560282 756/70282	Amount proposed for rescission	\$ <u>36,375,000</u>
OMB identification code: 09-40-0282-0-1-501	Legal authority*(in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act	
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____	
Type of account or fund: <input checked="" type="checkbox"/> Annual (\$126,375,000) <input checked="" type="checkbox"/> Advance (\$110,000,000) 7/1/76-9/30/77 (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____	

PROGRAMS AND ACTIVITIES AFFECTED BY PROPOSED RESCISSIONS

<u>Program/Activity</u>	<u>Total Budgetary Resources</u>	<u>Amount Proposed for Rescission</u>
State grant program:		
Advance for TQ and 1977.....	\$ 110,000,000	\$ 35,000,000
Specific learning disabilities.....	5,000,000	750,000
Special education manpower development.....	<u>40,375,000</u>	<u>625,000</u>
Total Affected by Rescission Proposals.....	155,375,000	36,375,000
Total Budgetary Resources Not Affected by Rescission Proposals.....	<u>81,000,000</u>	
Total.....	236,375,000	

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JUSTIFICATION AND ESTIMATED EFFECTSState grant program

That the primary responsibility for basic educational services to handicapped children rests with State and local governments rather than with the Federal Government is illustrated by funding levels. State and local governments now spend more than \$2 billion annually on such services. The 1977 level of Federal funding would be \$75 million if the proposed rescission is enacted. Without the rescission, the 1977 level of funding of \$110 million would be more than 5 percent of current State and local funding. With the rescission, it would be nearly 4 percent. The program level after rescission is sufficient to fulfill a Federal role of improving the capacity of the educational system to serve handicapped children through demonstration, research, and training activities. The proposed resulting level after rescission accepts \$25 million of the increase of \$60 million to the 1976 budget. The appropriated level of funding would provide services to 407,000 children. The proposed level would provide services to 285,000.

Specific learning disabilities

The proposed rescission of \$750,000 would result in a funding level for 1976 of \$4,250,000, an increase of nearly 30 percent over the 1975 appropriation. This level would allow funding 34 projects, four more than were funded in 1975 and only six less than would be funded by the \$750,000.

Special education manpower development

The proposed rescission of \$625,000 would result in a 1976 funding level of \$39,750,000, an increase of \$2,050,000 over the 1975 appropriated level. This level would allow funding 10 new projects serving approximately 35,123 persons. The appropriated level would have funded service to 195 additional people.

Outlay Effect: (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976.....	\$138.0
2. Outlay savings, if any, included in the budget outlay estimate.....	-0-

Current Outlay Estimates for 1976:

3. Without rescission.....	206.0
4. With rescission.....	206.0
5. Current outlay savings (line 3 - line 4).....	-0-

Outlay Savings for the Transition Quarter.....	4.4
Outlay Savings for 1977.....	18.9

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education
EDUCATION FOR THE HANDICAPPED

Appropriations under this head for fiscal year 1976 are rescinded in the following amounts:

\$35,000,000 for part B of the Education for the Handicapped Act which was to be available from July 1, 1976, through September 30, 1977; \$750,000 for Specific learning disabilities; and \$625,000 for Special education manpower development.

Rescission Proposal No: R76-12

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority \$ 669,650,100 (P.L. 94-94)
Bureau Office of Education	Other budgetary resources <u>8,213,297</u> ¹
Appropriation title & symbol Occupational, Vocational, and Adult Education 7560273 756/70273 75X0273	Total budgetary resources <u>677,863,397</u>
OMB identification code: 09-40-0273-0-1-501	Amount proposed for rescission \$ <u>14,240,950</u>
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Legal authority*(in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input checked="" type="checkbox"/> Advance <u>7/1/76 - 9/30/77</u> (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

PROGRAMS AND ACTIVITIES AFFECTED BY PROPOSED RESCISSIONS

<u>Program/Activity</u>	<u>Total Budgetary Resources</u>	<u>Amount Proposed for Rescission</u>
Vocational personnel training (Education Professions Development Act, Part F).....	\$10,000,000	\$9,990,950
Elementary and secondary training (Education Professions Development Act, Part D).....	5,462,000	250,000
Adult education: Advance for TQ and 1977.....	<u>71,500,000</u>	<u>4,000,000</u>
Total Affected by Rescission Proposals.....	86,962,000	14,240,950
Total Budgetary Resources Not Affected by Rescission Proposals.....	<u>590,901,397</u>	
Total.....	677,863,397	

1/ Includes carryover of \$1,051,842 and \$7,161,455 for permanent appropriations.

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JUSTIFICATION AND ESTIMATED EFFECTS - -Vocational Personnel Training (Education Professions Development Act, Part F)

This categorical program provides support to assist States and local education agencies and institutions of higher education in their efforts to recruit and train individuals in the areas of career and vocation education. An amount of \$9,050 has already been obligated during FY 1976. The proposed rescission of \$9,990,950 would terminate further Federal support, which would, under the appropriation, have gone to approximately 30 institutions and, through them, to approximately 55,000 individuals. The rescission is proposed because other Federal sources of support are available to the institutions and the individuals. Institutions are eligible for alternate funding through vocational education basic grants. General support is available under the Higher Education student assistance programs for those who wish to pursue careers in vocational education.

Elementary and Secondary Training (Education Professions Development Act, Part D)

The proposed rescission of \$250,000 will maintain the program for training Indian teachers at the level of \$5,212,000 proposed in the 1976 budget. There are alternate sources of funding for training the 200 additional teachers (or three to five additional projects) that could have been funded by the amount proposed for rescission. Additional financial assistance for the training of Indian teachers is available through general student support under the Higher education and Indian education programs.

Adult Education

The proposed rescission of \$4 million would maintain, at the 1975 level, a basic level of support by the Federal Government for programs aimed at ending illiteracy among U.S. adults. This basic level could be augmented by the States as they deemed necessary. The appropriated level would either increase support levels from \$76 to \$81 per participant or would expand Federal support to cover as many as 41,900 additional participants.

Outlay Effect: (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976.....	\$646.4
2. Outlay savings, if any, included in the budget outlay estimate.....	--

Current Outlay Estimates for 1976:

3. Without rescission.....	671.5
4. With rescission.....	<u>671.5</u>
5. Current outlay savings (line 3 - line 4).....	--

Outlay Savings for the Transition Quarter.....	3.1
Outlay Savings for 1977.....	9.6

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education
OCCUPATIONAL, VOCATIONAL, AND ADULT EDUCATION

Appropriations under this head for fiscal year 1976 are rescinded in the following amounts:

\$250,000 for part D and \$9,990,950 for part F of the Education Professions Development Act and \$4,000,000 for the Adult Education Act which was to be available from July 1, 1976 through September 30, 1977.

Rescission Proposal No: R76-13

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority \$ 2,439,309 (P.L. 94-94)
Bureau Office of Education	Other budgetary resources 90,814
Appropriation title & symbol Higher Education	Total budgetary resources 2,530,123
7560293 756/70293 75X0293	Amount proposed for rescission \$ 768,139
OMB identification code: 09-40-0293-0-1-502	Legal authority*(in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year 9/30/77 (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

PROGRAMS AND ACTIVITIES AFFECTED BY PROPOSED RESCISSIONS

<u>Program/Activity</u>	<u>Total Budgetary Resources</u>	<u>Amount Proposed For Rescission</u>
Student assistance		
Supplemental educational opportunity grants	240,093,000	240,093,000
Work-study.....	390,000,000	140,000,000
Direct loans.....	331,960,000	322,500,000
Institutional assistance		
Language training and area studies.....	16,000,000	6,000,000
University community services.....	12,125,000	11,525,000
Aid to land-grant colleges.....	9,500,000	9,500,000
State postsecondary education commissions..	3,500,000	3,250,000
Veterans cost of instructions.....	23,750,000	23,721,840
Cooperative education.....	10,750,000	2,750,000
Personnel development		
Public service fellowships.....	4,000,000	4,000,000
Mining fellowships.....	3,000,000	3,000,000
Ethnic heritage.....	1,800,000	1,800,000
Total affected by rescission proposals.....	1,046,478,000	768,139,840
Total not affected by rescission proposals...	1,483,645,925	
Total.....	2,530,123,925	

JUSTIFICATION AND ESTIMATED EFFECTSSupplemental educational opportunity grants

This program provides--to students of exceptional financial need--grants which must be matched by higher education institutions. The proposed rescission would terminate funding of this program. The proposal has two bases. First, significant scholarship support is being provided under the Basic opportunity grant program which provides a more equitable basis for assisting needy students. Second, additional Federal support has increased scholarship assistance available at the State level through the State student incentive grant program. The amount proposed for rescission would provide 242,000 new awards and 203,000 continuing awards.

Work-study

This Federal program supplements that of the private sector which provides more than \$5 billion per year in student employment. It pays eighty percent towards the earnings of needy students employed at eligible jobs. The proposed rescission of \$140 million would balance the funding for this program in relation to other components of an integrated Federal approach to student assistance. After the proposed rescission of \$140,000,000, \$250,000,000 would remain available to support Work-study employment. This amount would provide jobs during academic year 1976-1977 averaging \$525 for 574,000 students as compared to 895,000 students under the full appropriation, a reduction of 321,000 jobs.

Direct loans

This program provides long-term, low-interest loans to needy students through Federal capital contributions to institutional student loan revolving funds. It is estimated that approximately \$3 billion in student loans are now in institutional revolving funds of which approximately \$228 million will be available for re-lending without additional Federal capital contributions. These funds would provide average loans of \$690 to 456,000 students. Further, the 1976 budget estimates that \$1.6 billion in private student loans will be generated by the Guaranteed student loan program. Because of the availability of these other student loan resources, a rescission of the \$322,500,000 in additional Federal capital contributions and loans to institutions is proposed. This program has artificially low interest rates, compared to the Guaranteed student loan program. Further, there is no national needs test to determine eligibility for these highly subsidized loans.

The proposed rescission would eliminate appropriations for further funding of Federal capital contributions to institutional revolving funds and eliminate \$1,500,000 in loans to institutions. This would be more than offset by the \$1.6 billion in private student loans generated by the Guaranteed student loan program. The rescission would forestall loans averaging \$690 to an additional 378,000 students. Funds appropriated for teacher cancellations (\$8,960,000) and \$500,000 already obligated for loans to institutions are not proposed for rescission.

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Language training and area studies

Over the past 17 years, the language training program has helped establish more than 100 foreign language and area studies centers. Today, more than 90 percent of the funding for the centers comes from universities and external sources. The proposed rescission of \$4,660,000 is based on a diminished need for Federal support. It is estimated that training centers receiving Federal funds would number 50 rather than 76 at the appropriated level. Also, the number of research and exemplary projects would be 48, rather than 80 and the number of fellowships would be 600 rather than 798.

The Fulbright-Hays program would also be reduced from the appropriated level of \$2,700,000 to \$1,360,000. At the level remaining after rescission, 114 fellowships could be supported, rather than 180 at the appropriated level; 5 group projects, rather than 25; and 12 foreign curriculum consultants, rather than 20.

University community services

This program provides grants to States to aid college and university programs which assist in the solution of community problems. This program has not proved to be effective. The rescission proposal would terminate it. The marginal activities that would be supported by the funds proposed for rescission are more properly a matter of State and local concern. The \$600,000 remaining available after the rescission would provide half-year administrative support to State agencies administering the program. These agencies would, thereby, have sufficient time to either find alternative funding in order to continue the program or to redeploy their personnel to other State functions.

Aid to land-grant colleges

The proposed rescission of \$9.5 million would terminate this program. The Bankhead-Jones program is no longer needed: it funds only a very small percentage of operating costs of the recipient colleges and universities, among them some of the strongest and most prestigious institutions of higher education in the country. The smaller and poorer land-grant institutions will continue to be aided by the Developing Institutions Program. The rescinded amount would have provided—to 72 land-grant institutions in 54 jurisdictions—grants ranging from \$200,000 to \$383,900 per institution.

State postsecondary education commissions

This program provides grants for State comprehensive planning of postsecondary education and for State administration of equipment and facilities programs authorized under Titles VI and VII of the Higher Education Act. The planning activities supported by this program relate to occupational education and community college programs. The Federal role of demonstrating the advantages of these activities has been performed. It is anticipated that many States will continue to support these activities from State resources.

The proposed rescission of \$3,250,000 would terminate Federal support for the program by eliminating grants to the States and Territories, but would leave \$250,000 to support State agencies administering the program. These agencies would, thereby, have sufficient time to either find alternative funding in order to continue the program or to redeploy their personnel to other State functions.

Veterans cost-of-instruction

The proposed rescission of \$23,721,840 would terminate this program. Its activities duplicate those funded through the Office of Education's special programs for the disadvantaged and through the Veterans Administration. Further, this program which supplies funds directly to institutions is a far less effective form of Federal support to higher education than student assistance programs which expand the opportunities of individuals to select the education of their choice.

The proposed rescission would not affect a grant of \$28,160 made under authority of the 1976 continuing resolution. The appropriated level would fund another 1,206 grants (estimated) to institutions to establish and operate special programs for an estimated 900,000 veterans.

Cooperative education

These grants are provided to educational institutions for establishing programs which alternate periods of full time study and employment. The rescission of \$2,750,000 is being proposed to maintain the program at the level of the budget request. Funds amounting to \$8 million would remain available to fund cooperative education projects. If the rescission is approved, the number of new awards for FY 1976 will be 100 (the same as in 1975) and the number of continuations will be 130. This compares to 136 new awards and 139 continuations that could be made if the rescission was not approved. Also, 14 training programs and three research projects would not be funded at the \$8 million level.

Public service fellowships

This program of grants to students who are preparing for careers in public service is a less effective form of Federal support to higher education than is support, provided directly to students, that allows them to determine--without special inducements--the institution and area of study that will best meet their individual needs. The program is proposed for termination through rescission of \$4 million. If the rescission is approved, grants in the following amounts will not be made in FY 1976: \$1,600,000 in competing continuation grants to 40 institutions to improve public service education, \$1,365,000 to support 210 non-competing continuation fellowships at 52 institutions, \$650,000 for 100 new fellowships at 10 institutions, and \$385,000 to support new grants to 10 institutions to improve public service education.

Mining fellowships

This program of grants to students who are preparing for careers in mining and related fields is a less effective form of Federal support to higher education than is support, provided directly to students, that allows them to determine--without special inducements--the institution and area of study that will best meet their individual needs. The program is proposed for termination through rescission of \$3 million. If approved, there will be no Federal support for an estimated 180 competing continuation fellowships at 40 institutions and an estimated 180 new fellowships at 55 institutions.

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Ethnic heritage studies

This program provides grants to organizations and institutions to plan, develop, and operate ethnic heritage programs. The primary reason for requesting rescission of the \$1.8 million provided for this program is that there is additional authority for ethnic heritage studies within other programs in the Office of Education and in the National Institute of Education. These existing bilingual-bicultural programs benefit several ethnic groups. Therefore, it is not necessary to fund this small categorical program. The funds proposed for rescission would provide for approximately 50 grants to organizations and institutions throughout the United States.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976.....	\$2,050.4
2. Outlay savings, if any, included in the budget outlay estimate.....	-0-

Current Outlay Estimates for 1976:

3. Without rescission.....	2,450.0
4. With rescission.....	<u>2,431.3</u>
5. Current outlay savings (line 3 - line 4).....	18.7
Outlay Savings for the Transition Quarter.....	<u>21.0</u>
Outlay Savings for 1977.....	\$ 645.8

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of Education
Higher Education

Appropriations under this head for fiscal year 1976 are rescinded in the amount of \$768,139,840 of which \$240,093,000 is from the appropriation for supplemental educational opportunity grants and \$23,721,840 is from the appropriation for veterans cost-of-instruction.

Notwithstanding the provisions of title IV Section 411(b)(4) of Higher Education Act of 1965, payments may be made under Subpart 1 of Part A of Title IV out of the amount appropriated for that Subpart for the fiscal year ending June 30, 1976.

Rescission Proposal No: R76-14

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. <u>94-94</u>)	\$ <u>218,054,00</u>
Bureau Office of Education	Other budgetary resources	---
Appropriation title & symbol Library Resources 7560212	Total budgetary resources	<u>218,054,00</u>
OMB identification code: <u>09-04-0212-0-1-503</u>	Amount proposed for rescission	\$ <u>28,975,0</u>
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other _____	
Type of account or fund: <input checked="" type="checkbox"/> Annual <input checked="" type="checkbox"/> Advance <u>7-1-76 to 9-30-77</u> (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____	

PROGRAMS AND ACTIVITIES AFFECTED BY PROPOSED RESCISSIONS

<u>Program/Activity</u>	<u>Total Budgetary Resources</u>	<u>Amount Proposed for Rescission</u>
Libraries and instructional resources		
Advance for TQ and 1977.....	147,330,000	10,000,000
College library resources.....	9,975,000	9,975,000
Training and demonstrations.....	1,500,000	1,500,000
Undergraduate instructional resources.....	<u>7,500,000</u>	<u>7,500,000</u>
Total affected by rescission proposals...	\$166,305,000	\$28,975,000

JUSTIFICATION AND ESTIMATED EFFECTSLibraries and instructional resources (advance for the TQ and 1977)

The \$10 million proposed for rescission would maintain this program at the 1975 level of Federal support for these activities. The appropriated level would expand the program by approximately seven percent. The rescission proposal would maintain a basic level of Federal support but leave expansion to be decided and funded at the State and local level.

College library resources

The proposed rescission of \$9,975,000 would terminate this program. The program should be terminated because it inefficiently spreads marginal amounts (\$3,700 per grant) of grant funds to almost every (over 2,700) institution of higher learning in the country, including the wealthiest institutions. The program does not apply resources where they are most needed. This program is a far less effective form of Federal support to higher education than student assistance programs which expand the opportunities of individuals to select the education of their choice.

Training and demonstrations

The proposed rescission of \$1.5 million would terminate these two programs. The proposal to rescind funds and terminate the training program is consistent with efforts to move away from specialized manpower training programs in favor of general student assistance programs which allow individuals to receive training in the area of their choice, including library training. The appropriated level for the training program would provide 33 fellowships/traineeships and training or retraining for 80 institute participants.

Library demonstrations programs can be carried out more effectively under proposed new public library legislation. The appropriated level for the demonstrations program would have supported about 19 research and demonstration programs.

Undergraduate instructional equipment

The proposed rescission of \$7.5 million would terminate this program. The program should be terminated so that instructional equipment can compete with other claims on education funds, and thus be associated with the variables which determine the real need for equipment--curriculum, class size, physical plant, and other related concerns. The appropriated level would provide 650 grants for instructional equipment, materials, and associated minor remodeling and 250 grants for closed-circuit television equipment, materials, and installation remodeling. This program is a far less effective form of Federal support to higher education than student assistance programs which expand the opportunities of individuals to select the education of their choice.

OUTLAY EFFECT (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlays estimate for 1976.....	\$125.0
2. Outlay savings, if any, included in the budget outlay estimate.....	—

Current Outlay Estimates for 1976:

3. Without rescission.....	121.9
4. With rescission.....	<u>119.9</u>

5. Current outlay savings (line 3 - line 4).....	2.0
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Outlay Savings for the Transition Quarter.....	7.0
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Outlay Savings for 1977.....	10.2
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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

LIBRARY RESOURCES

Appropriations under this head for the fiscal years 1976 and 1977 are rescinded in the following amounts:

\$9,975,000 for part A of title II, \$1,500,000 for part B of title II and \$7,500,000 for part A of title VI of the Higher Education Act; and \$10,000,000 for part B of title IV of the Elementary and Secondary Education Act from funds available July 1, 1976, through September 30, 1977.

Deferral No: D76-65

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency. Department of Health, Education, and Welfare	New budget authority <u>\$ 6,802,000</u> (P.L. <u>94-41</u>)
Bureau Office of Assist. Secretary for Health	Other budgetary resources _____
Appropriation title & symbol Assistant Secretary for Health 7561101 (Program Direction and Support Services)	Total budgetary resources <u>6,802,000</u>
	Amount to be deferred: Part of year <u>\$ 753,000</u>
	Entire year _____
CMB identification code: <u>09-37-1101-0-1-554</u>	Legal authority (in addition to sec. 1013): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year _____ (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other _____

Justification

The funding level authorized for this program by the continuing resolution exceeds the Senate allowance for this program in the 1976 Labor-HEW Appropriations Bill. This deferral of funds is proposed to keep second quarter spending under the continuing resolution at the Senate allowance level.

Estimated Effects

This deferral of funds will result in postponing the recruitment for 25 existing vacancies in permanent positions. Although this additional manpower would assist in the effective management of the Public Health Service, there will be no significant, long-range effect.

Outlay Effect (In millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976 (program direction line).....	\$12.5
2. Outlay savings, if any, included in the budget outlay estimate.....	-0-
Current Outlay Estimates for 1976:	
3. Without deferral.....	12.5
4. With deferral.....	12.5
5. Current outlay savings.....	-0-
Outlay Savings for the Transition Quarter.....	-0-
Outlay Savings for 1977.....	-0-

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SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(C) of P.L. 93-344

This report revises Deferral No. D76-10 transmitted in the special message of July 1, 1975, and printed as House Document NO. 94-206.

This revision reflects an increase of \$4,050,558, in the amount deferred through June 30, 1976, for Howard University. The total amount deferred is now \$12,225,040.

More funds are being deferred due to the lags in the General Services Administration construction schedules. The funds deferred will be apportioned when required by the construction timetable.

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Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976.....	\$84.1
2. Outlay savings, if any, included in the budget outlay estimate.....	0

Current Outlay Estimates for 1976:

3. Without deferral.....	84.1
4. With deferral.....	84.1
5. Current outlay savings.....	0

Outlay savings for transition quarter.....	0
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Outlay savings for 1977.....	0
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Deferral No: D76-66

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of State	New budget authority \$ _____ (P.L. _____)
Bureau N/A	Other budgetary resources <u>3,952,599</u>
Appropriation title & symbol	Total budgetary resources <u>3,952,599</u>
International Center, Washington, D.C. 19x5151	Amount to be deferred: Part of year \$ _____ Entire year <u>2,571,783</u>
OMB identification code: 14-25-5151-0-2-152	Legal authority (in addition to sec. 1013): <input checked="" type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other _____
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input checked="" type="checkbox"/> Other <u>P.L. 90-553</u>
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	

Justification

Public Law 90-553, approved October 8, 1968, provided "That in order to facilitate the conduct of foreign relations by the Department of State in Washington, District of Columbia, through the creation of a more propitious atmosphere for the establishment of foreign government and international organization offices and other facilities, the Secretary of State is authorized to sell or lease to foreign governments and international organizations property owned by the United States in the Northwest section of the District of Columbia bounded by Connecticut Avenue, Van Ness Street, Reno Road, and Tilden Street." It also authorized certain design and site preparation activities in the described area to be undertaken by the Secretary, in coordination with the Administrator of General Services and the government of the District of Columbia, and specified that the costs of the activities authorized be funded from proceeds of the sale or lease of property to foreign governments and international organizations.

Public Law 93-40, approved June 12, 1973, amended the 1968 Act to authorize the appropriation, without fiscal year limitation, of not to exceed \$2,200,000 to fund the design and site preparation costs, provided that sums appropriated be reimbursed to the Treasury from proceeds of the sale or lease of property to foreign governments and international organizations.

The Department of State Appropriation Act, 1974 (Title I, Public Law 93-162), approved November 27, 1973, appropriated \$2,200,000, to remain available until expended, for

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payment to a special account with the Secretary of Treasury from which the design and site preparation costs would be administered by the Secretary of State.

The full amount which can be utilized (for necessary design and site preparation) in the current fiscal year, \$1,380,816, has been apportioned from the special account for obligation in 1976. The balance of \$2,571,783, consisting of \$675,346 remaining in the special account and anticipated receipts of \$1,896,437, has been reserved to achieve the most economical use of appropriations and to provide for contingencies. It is anticipated that the reserve will be apportioned for use in the transition quarter and 1977 as needed.

Estimated Effects

None. The amount deferred could not be obligated this year.

Outlay Effect (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976	3.0
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral7
4. With deferral7
5. Current outlay savings (line 3 - line 4)	-0-
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-0-

Deferral No: D76-67

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-504

Agency Department of the Treasury	New budget authority (P.L. 92-512)	\$6,354,780,000
Bureau Office of the Secretary	Other budgetary resources	20,554,230,000
Appropriation title & symbol State and Local Government Fiscal Assistance Trust Fund 20X811	Total budgetary resources	26,909,010,000
	Amount to be deferred: Part of year	\$1/ 11,833,495
	Entire year	None
CMB identification code: 15-70-8111-0-7-851	Legal authority (in addition to sec. 1013): <input type="checkbox"/> Antideficiency Act Sec. 121 & <input checked="" type="checkbox"/> Other Sec. 123, P.L. 92-512	
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of account or fund: <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year <u>12/31/76</u> (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____	

Justification

On October 3, 1975, the Secretary of the Treasury deferred general revenue sharing payments of \$11.8 million to more than 3,000 local jurisdictions. Twenty-five deferrals resulted from jurisdictional changes (e.g., mergers, disincorporations and annexations) in process. The remaining local governments were not sent checks because they failed to file one or both of two reports that are required by revenue sharing law. The two reports are (1) the Sixth Entitlement Period Planned Use Report, on which all eligible governments were to have reported their plans for uses of sixth entitlement period funds and (2) the Fiscal Year 1975 Actual Use Reports, on which expenditures and other obligations of revenue sharing funds between July 1, 1974, and June 30, 1975, were to have been reported. The Planned Use Report was sent to all units of general-purpose government in April 1975 and was to have been returned in June. The Actual Use Report form was distributed in June and had a due date of September 1. Treasury's Office of Revenue Sharing gave several notices to governments that had not returned the reports by September 1. Of more than 5,000 governments whose reports were delinquent at that time, approximately 2,000 responded to the reminders in time to receive their October checks on schedule.

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Estimated Effects

Of the more than 3,000 local governments that did not receive payments on October 3, 1975, 1,741 met the requirements in time to receive their delayed payments on October 31, 1975. The majority of the remaining 1,600 local governments are expected to meet requirements in time to receive delayed payments in January of 1976. Those local governments that fail to submit the required reports and/or assurances of compliance with provisions of law will lose their payments and, as specified by the State and Local Fiscal Assistance Act, the funds will go instead to higher levels of government. Thus, total outlays for 1976 will not be affected.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:

1. Budget outlay estimate for 1976.....	\$6,301.0
2. Outlay savings, if any, included in the budget outlay estimate.....	0

Current Outlay Estimates for 1976:

3. Without deferral.....	6,358.4
4. With deferral.....	6,358.4
5. Difference (line 3 - line 4).....	0

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014 (c) of P.L. 93-344

This supplementary report modifies Deferral No. D76-25B transmitted in the special message of October 20, 1975, and printed in House Document No. 94-282.

This report indicates that no outlay savings are anticipated from deferring general revenue sharing payments to the city of Chicago. The previous report indicated an outlay savings in 1976 of \$75.9 million. Since the nondiscrimination requirements issue is expected to be resolved in fiscal year 1976, these savings are not now anticipated.

Current Outlay Estimates for 1976:

3. Without deferral.....	\$6,358.4
4. With deferral.....	6,358.4
5. Difference (line 3 - line 4).....	0
Outlay Savings for the Transition Quarter.....	0
Outlay Savings for 1977.....	0

[FR Doc.75-31616 Filed 11-19-75;11:01 am]