

Federal Register

TUESDAY, MARCH 8, 1977



highlights

HOW TO USE THE FEDERAL REGISTER

Seattle, Washington workshops on March 30 and 31, 1977. Reservations required: Dorothy Clegg, 206-442-5556.

(Details: 42 FR 11933, March 1, 1977)

RURAL TELEPHONE PROGRAM

USDA/REA proposes new specifications for two and three electrode gas tube protectors and for spring action type bonding connectors with buried plant housings (3 documents); comments by 4-7-77..... 13024, 13025

NATIONAL ENERGY POLICY

FEA announces Citizen Town Hall meetings, designed to obtain ideas for formulation of long-range and short-term plans, 3-14 thru 3-21-77..... 13046

DOMESTIC CRUDE OIL

FEA extends current ceiling price freeze and adjusts downward the upper tier ceiling price by an additional 45 cents a barrel for period between March and July 1977; effective 3-1-77..... 13013

NEW ANIMAL DRUGS

HEW/FDA approves safe use of bunamidicine hydrochloride tablets for dogs and cats; effective 3-8-77..... 13018

INCOME TAXES

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JOB CORPS

Labor/ETA announces experimental home leave project; effective 4-13 through 10-12-77..... 13080

DRUGS

HEW/FDA rules on expanded use of National Drug Code number; effective 4-7-77..... 13017

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GOVERNMENT IN THE SUNSHINE

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reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

NOTE: There were no items eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

List of Public Laws

This is a continuing numerical listing of public bills which have become law, together

with the law number, the title, the date of approval, and the U.S. Statutes citation. The list is kept current in the FEDERAL REGISTER and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 3753.....Pub. L. 95-8

To bring certain governing international fishery agreements within the purview of the Fishery Conservation Zone Transition Act. (Mar. 3, 1977; 91 Stat. 18).

Price: \$.35

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/NHTSA	USDA/FNS		DOT/NHTSA	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/OHMO	CSC		DOT/OHMO	CSC
DOT/OPSO	LABOR		DOT/OPSO	LABOR
	HEW/FDA			HEW/FDA

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

federal register

Phone 523-5240

Area Code 202



Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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INFORMATION AND ASSISTANCE

Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing **202-523-5240**.

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rules and regulations

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

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

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION PART 295—PUBLIC OBSERVATION OF COMMISSION MEETINGS

AGENCY: Civil Service Commission.

ACTION: Final regulations.

SUMMARY: These regulations are designed to implement the "Government in the Sunshine Act", Pub. L. 94-409 in the U.S. Civil Service Commission. In addition to a statement of policy, they contain procedures governing decisions about meetings, the conduct of meetings, and maintenance of meeting records. They also contain the requirements for administrative and judicial review.

EFFECTIVE DATE: March 12, 1977.

FOR FURTHER INFORMATION CONTACT:

James C. Spry, Executive Assistant to the Commissioners, Room 5H09, U.S. Civil Service Commission, Washington, D.C. 20415. 202-632-5556.)

SUPPLEMENTARY INFORMATION: In complying with the "Government in the Sunshine Act" the Civil Service Commission developed proposed regulations to implement the act and published them in the FEDERAL REGISTER on December 21, 1976, for public comment.

During the 30 day period for public comment, the Civil Service Commission received comments from only one source. In addition, one source commented after the public notice period. The major comments were concerned with the adequacy of the proposed procedures for public notice of meetings and the amount of advance public notice given.

ADEQUACY OF NOTICE

The commenter suggested that, "at a minimum, provision should be made" for "accompanying press releases to be distributed to the media, including the press, at least one week in advance of the scheduled meeting."

The regulations implementing the act provide for the public announcement of meetings and the publication of the notice in the FEDERAL REGISTER. In addition, the regulations provide the opportunity for individuals and/or organizations having a special interest in Commission activities to be placed on a mailing list for receipt of public notices. The Commission has, in addition, adopted an internal procedure under which the Director, Office of Public Affairs, will review each public notice and determine whether the meeting is likely to generate substantial public interest and make the

issuance of a press release desirable. Any time that there is significant public interest in a meeting, the Commission intends to issue press releases publicizing the meeting.

The regulations fully comply with the public notice requirements of the act and are designed to abide by the spirit of the act. If, after a period of time, the Commission finds that it is apparent that the proposed public notice procedures do not fulfill the intent of the act, consideration will again be given to revising the regulations.

ADVANCE NOTICE OF MEETINGS

The commenter recommended that the regulations require the publication of notices in the FEDERAL REGISTER one week in advance of the respective meeting.

The regulations prescribe that the notice of each meeting be forwarded for publication in the FEDERAL REGISTER immediately after the public announcement of the meeting—at least one week before the scheduled meeting. The Commission believes that it should retain the flexibility of providing notice within the time frame provided for by law. However, the Commission recognizes that more notice may be helpful to some interested parties and intends to give as much advance notice as practical. This is consistent with the regulations as written.

Accordingly, 5 CFR is amended by adding Part 295:

Subpart A—General Provisions

- Sec.
- 295.101 Purpose.
 - 295.102 Definitions.
 - 295.103 Applicability and scope.
 - 295.104 Open meeting policy.

Subpart B—Procedures Governing Decisions About Meetings

- 295.201 Decision to hold meeting.
- 295.202 Provisions under which a meeting may be closed.
- 295.203 Decision to close meeting.
- 295.204 Public availability of recorded vote to close meeting.
- 295.205 Public announcement of meeting.
- 295.206 Providing information to the public.
- 295.207 Change in meeting plans after public announcement.
- 295.208 Meetings for extraordinary agency business.
- 295.209 Notice of meeting in FEDERAL REGISTER.

Subpart C—Conduct of Meetings

- 295.301 Meeting place.
- 295.302 Role of observers.

Subpart D—Maintenance of Meeting Records

- 295.401 Requirements for maintaining records of closed meetings.
- 295.402 Availability of records to the public.
- 295.403 Requests for records under Freedom of Information and Privacy Acts.
- 295.404 Copying and transcription charges.

Subpart E—Administrative Review

- Sec.
- 295.501 Procedures for objections.

Subpart F—Judicial Review

- 295.601 Filing an action in court.

AUTHORITY: 5 U.S.C. 552(b).

Subpart A—General Provisions

§ 295.101 Purpose.

This part sets forth the regulations under which the Commission shall engage in public decisionmaking processes, make public announcement of meetings at which a quorum of or all Commission members consider and determine official Commission actions, and inform the public of which meetings they are entitled to observe.

§ 295.102 Definitions.

In this part:

(a) "Meeting" means the deliberations of at least two Commission members where such deliberations determine or result in the joint conduct of official Commission business.

(b) "Member" means one of the Commissioners of the Civil Service Commission who is appointed to that position by the President with the advice and consent of the Senate.

§ 295.103 Applicability and scope.

This part applies to deliberations of at least two Commission members. Excluded from coverage of this part are deliberations of interagency committees whose composition includes Commission members and deliberations of Commission officials who are not members.

§ 295.104 Open meeting policy.

The public is entitled to the fullest practicable information regarding the decisionmaking processes of the Commission. Commission meetings involving deliberations which determine or result in the joint conduct or disposition of official Commission business are presumptively open to the public. It is the intent of these regulations to open such meetings to public observation while protecting individuals' rights and the Commission's ability to carry out its responsibilities. Meetings or portions of meetings may be closed to public observation only if closure can be justified under one of the provisions set forth in § 295.202 of this part.

Subpart B—Procedures Governing Decisions About Meetings

§ 295.201 Decision to hold meeting.

When Commission members make a decision to hold a meeting, the proposed meeting will ordinarily be scheduled for

a date no earlier than seven days after the decision to allow sufficient time to give appropriate public notice. At the time a decision is made to hold a meeting, the time, place, and subject matter of the meeting will be determined, as well as whether the meeting is to be open or closed to the public.

§ 295.202 Provisions under which a meeting may be closed.¹

(a) A meeting or portion thereof may be closed to public observation, and information pertaining to such meeting may be withheld from the public, where the Commission determines that such portion or portions of its meeting or disclosure of such information is likely to:

(1) Disclose matters that are (i) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (ii) in fact properly classified pursuant to such Executive order;

(2) Relate solely to the internal personnel rules and practices of an agency;

(3) Disclose matters specifically exempted from disclosure by statute (other than section 552 of this title), provided that such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) Involve accusing any person of a crime, or formally censuring any person;

(6) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(7) Disclose investigatory records compiled for law enforcement purposes, or information which if written would be contained in such records, but only to the extent that the production of such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) constitute an unwarranted invasion of personal privacy, (iv) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (v) disclose investigative techniques and procedures, or (vi) endanger the life or physical safety of law enforcement personnel;

(8) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions;

(9) Disclose information the premature disclosure of which would—

(i) In the case of an agency which regulates currencies, securities, commodities, or financial institutions, be likely to (A) lead to significant financial speculation in currencies, securities, or commodities, or (B) significantly endanger the stability of any financial institution; or

(ii) In the case of any agency, be likely to significantly frustrate implementation of a proposed agency action.

except that paragraph (a)(9)(ii) shall not apply in any instance where the agency has already disclosed to the public the content or nature of its proposed action, or where the agency is required by law to make such disclosure on its own initiative prior to taking final agency action on such proposal; or

(10) Specifically concern the agency's issuance of a subpoena, or the agency's participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the agency of a particular case of formal agency adjudication pursuant to the procedures in section 554 of this title or otherwise involving a determination on the record after opportunity for a hearing.

(b) The Commission may exercise its authority to open to public observation a meeting which could be closed under one of the provisions of § 295.202(a), if it would be in the public interest to do so.

§ 295.203 Decision to close meeting.

(a) Commission members may decide to close to public observation a meeting or a portion or portions thereof, or to withhold information pertaining to such meeting, only if at least two members vote on the record to take such action. No proxy votes shall be allowed. A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to be closed to the public, or with respect to any information concerning such series of meetings, so long as each meeting in such series involves the same particular matters and is scheduled to be held no more than thirty days after the initial meeting in such series. If a decision is made to close a portion or portions of a meeting or a series of meetings, the Commission shall prepare a full written explanation of the closure action together with a list naming all persons expected to attend the meeting and identifying their affiliation.

(b) For every meeting or portion thereof which Commission members have voted to close, the General Counsel of the Civil Service Commission shall publicly certify that, in his or her opinion, the meeting may properly be closed to the public. In addition, the General Counsel shall state each relevant exemptive provision as set forth in § 295.202 (a). A copy of the General Counsel's certification, together with a statement from the presiding officer of the meeting setting forth the time and place of the meeting and listing the persons present, shall be retained by the Commission.

(c) Whenever any person whose interests may be directly affected by a portion of a meeting requests that the Commission close such portion to the public for any of the reasons referred to in § 295.202(a)(5), (6), or (7), the Commission members, upon request of any of the Commissioners, shall decide by recorded vote whether to close such portion. If a closure decision is made, the Commission shall prepare a full written explanation of the closure action together with a list naming all persons expected to attend the meeting and identifying their affiliation.

§ 295.204 Public availability of recorded vote to close meeting.

Within one day of any vote taken on a proposal to close a meeting, the Commission shall make publicly available a record reflecting the vote of each member on the question. In addition, within one day of any vote which closes a portion or portions of a meeting to the public, the Commission shall make publicly available a full written explanation of its closure action together with a list naming all persons expected to attend and identifying their affiliation, unless such disclosure would reveal the information that the meeting itself was closed to protect.

§ 295.205 Public announcement of meeting.

(a) Except as provided in §§ 295.207 and 295.208, the Commission shall make a public announcement at least one week before the scheduled meeting, to include the following:

(1) Time, place, and subject matter of the meeting;

(2) Whether the meeting is to be open or closed; and

(3) Name and telephone number of agency official who will respond to requests for information about the meeting.

(b) If announcement of the subject matter of a closed meeting would reveal the information that the meeting itself was closed to protect, the subject matter shall not be announced.

§ 295.206 Providing information to the public.

Information available to the public in accordance with §§ 295.204 and 295.205 shall be posted in the lobby of the Civil Service Commission Building, 1900 E Street, N.W., Washington, D.C. Individuals or organizations interested in obtaining copies of information available under § 295.204 may request same under provisions set forth in §§ 295.402 and 295.404. Individuals or organizations having a special interest in activities of the Commission may request the Executive Assistant to the Commissioners to place them on a mailing list for receipt of information available under § 295.205.

§ 295.207 Change in meeting plans after public announcement.

(a) Following public announcement of a meeting, the time or place of a meeting may be changed only if the change is announced publicly at the earliest practicable time.

¹ Text of § 295.202 taken directly from Pub. L. 94-409.

(b) Following public announcement of a meeting, the subject matter of a meeting or the determination to open or close a meeting may be changed only if both of the following conditions are met:

(1) There must be a majority, recorded vote of the Commission members that Commission business requires the change and that no earlier announcement of such changes was possible; and

(2) There must be a public announcement of the change and of the individual Commission members' votes at the earliest practicable time.

§ 295.208 Meetings for extraordinary agency business.

Where agency business so requires, Commission members may decide by majority, recorded vote to schedule a meeting for a date earlier than eight days after the decision. Such a decision would obviate the general requirement for a public announcement at least one week before the scheduled meeting. At the earliest practicable time, however, the Commission will announce publicly the time, place, and subject matter of the meeting, whether the meeting is to be open or closed, and the name and telephone number of an agency official who will respond to requests for information about the meeting.

§ 295.209 Notice of meeting in Federal Register.

Immediately following each public announcement required by this subpart, the following information, as applicable, shall be submitted for publication in the FEDERAL REGISTER:

(a) Notice of the time, place, and subject matter of a meeting;

(b) Whether the meeting is open or closed;

(c) Any change in one of the preceding; and

(d) The name and telephone number of an agency official who will respond to requests for information about the meeting.

Subpart C—Conduct of Meetings

§ 295.301 Meeting place.

Meetings will be held in meeting rooms designated in the public announcement. Whenever the number of observers is greater than can be accommodated in the meeting room designated, alternative facilities will be made available.

§ 295.302 Role of observers.

The public may attend open meetings for the sole purpose of observation. Observers may not participate in meetings unless expressly invited or create distractions to interfere with the conduct and disposition of Commission business. When meetings are partially closed, observers will leave the meeting room upon request so that discussion of matters exempt under provisions of § 295.202 may take place.

Subpart D—Maintenance of Meeting Records

§ 295.401 Requirements for maintaining records of closed meetings.

(a) A record of each meeting or portion thereof which is closed to the public

must be made and retained for two years or for one year after the conclusion of the Commission proceeding involved in the meeting. The record of any portion of a meeting closed to the public shall be a verbatim transcript or electronic recording. In lieu of a transcript or recording, a comprehensive set of minutes may be produced if the closure decision was made pursuant to § 295.202(a) (8), (9) (i), or (10).

(b) If minutes are produced, such minutes shall fully and clearly describe all matters discussed, provide a full and accurate summary of any actions taken and the reasons expressed therefor, and include a description of each of the views expressed on any item. The minutes must also reflect the vote of each member on any roll call vote taken during the proceedings and identify all documents produced at the meeting.

(c) The following documents produced under provisions of § 295.203(b) shall be retained by the agency as part of the transcript, recording, or minutes of the meeting:

(1) Certification by the General Counsel that the meeting may properly be closed; and

(2) Statement from the presiding officer of the meeting setting forth the date, time, and place of the meeting and listing the persons present.

§ 295.402 Availability of records to the public.

(a) The Commission shall make promptly available to the public the transcript, electronic recording, or minutes maintained as a record of a closed meeting, except for such information as may be withheld under one of the provisions of § 295.202(a). Copies of such transcript, minutes, or transcription of an electronic recording, disclosing the identity of each speaker, shall be furnished to any person at the actual cost of duplication or transcription.

(b) The nonexempt parts of transcripts, minutes, and electronic recordings shall be in the official custody of the Executive Assistant to the Commissioners. Appropriate facilities and equipment will be made available to any person who makes a request to review these records.

(c) Requests for copies of nonexempt parts of transcripts, minutes, or transcriptions of electronic recordings shall be directed to the Executive Assistant to the Commissioners. Such requests shall identify the records being sought and include a statement that whatever costs are involved in furnishing the records will be acceptable or, alternatively, that costs will be acceptable up to a specified amount.

§ 295.403 Requests for records under Freedom of Information and Privacy Acts.

Requests to review or obtain copies of records other than transcripts, electronic recordings or minutes of a meeting will be processed under the Freedom of Information Act (5 U.S.C. 552) or, where applicable, the Privacy Act (5 U.S.C. 552a).

§ 295.404 Copying and transcription charges.

(a) The Commission will charge fees for furnishing records at the rate of ten cents per page for photocopies and at the actual cost of transcription. When the anticipated charges exceed \$50, a deposit of 20 percent of the amount anticipated must be made within 30 days. Requested information will not be released until the deposit is received. Fees shall be paid by check or money order made payable to the United States Civil Service Commission.

(b) The Executive Assistant to the Commissioners has the discretion to waive charges whenever release of the copies is determined to be in the public interest.

Subpart E—Administrative Review

§ 295.501 Procedures for objections.

Any person who believes a Commission action governed by this part to be contrary to the provisions of this part may file an objection in writing with the Executive Assistant to the Commissioners. Wherever possible, the Executive Assistant will respond within two working days to objections concerning decisions to close meetings or portions thereof. Responses to objections concerning matters other than closed meetings will be made within ten working days.

Subpart F—Judicial Review

§ 295.601 Filing an action in court.

Any person may bring an action in a United States District Court to challenge or enforce the provisions of this part or the manner of their implementation. Such action may be brought prior to or within 60 days after the meeting in question, except that if proper public announcement of the meeting is not made, the action may be instituted at any time within 60 days after such announcement is made. An action may be brought where the Commission meeting was or is to be held or in the District of Columbia.

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

[FR Doc. 72-6949 Filed 3-7-77; 8:45 am]

Title 7—Agriculture

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

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

Expenses and Rate of Assessment for the 1976-77 Fiscal Year

This document authorizes expenses of \$487,000 of the Navel Orange Administrative Committee, under Marketing Order No. 907, for the 1976-77 fiscal year, and fixes a rate of assessment of \$0.013 per carton of oranges handled during such year to be paid to the committee by

each first handler as his pro rata share of such expenses.

On February 11, 1977, notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 8662) regarding proposed expenses and related rate of assessment for the period November 1, 1976, through October 31, 1977, pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California. This notice allowed interested persons 17 days to submit written data, views, or arguments pertaining to these proposals. None were submitted. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the committee, established pursuant to said marketing agreement and order, it is hereby found and determined that:

§ 907.214 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Navel Orange Administrative Committee, during the period November 1, 1976, through October 31, 1977, will amount to \$487,000.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 907.41, is fixed at \$0.013 per carton of Navel oranges.

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 (7 U.S.C. 553) in that (1) shipments of oranges have already begun, (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 orange handled during the 1976-77 fiscal year; and (3) such year began on November 1, 1976, and the rate of assessment herein fixed will automatically apply to all assessable oranges beginning with such date.

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

Dated: March 3, 1977.

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

[FR Doc.77-6888 Filed 3-7-77;8:45 am]

[Lemon Reg. 81, Amdt.]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period February 27-March 5, 1977. The quantity that may be

shipped is increased due to improved market conditions for California-Arizona lemons. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910.

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

(2) The need for an increase in the quantity of lemons available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lemon Regulation 81 (42 FR 10996). The marketing picture now indicates that there is a greater demand for lemons than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of lemons to fill the current market demand thereby making a greater quantity of lemons available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

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

(b) *Order, as amended.* Paragraph (b) (1) of § 910.381 Lemon Regulation 81 (42 FR 10996) is hereby amended to read as follows: "The quantity of lemons grown in California and Arizona which may be handled during the period February 27, 1977 through March 5, 1977, is hereby fixed at 220,000 cartons."

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

Dated: March 3, 1977.

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

[FR Doc.77-6750 Filed 3-7-77;8:45 am]

Title 9—Animals and Animal Products

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

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

Areas Quarantined

This amendment quarantines portions of San Diego County in California because of the existence of exotic Newcastle disease. Therefore, the restrictions pertaining to the interstate movement of poultry, mynah, and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles, from quarantined areas, as contained in 9 CFR Part 82, as amended, will apply to the quarantined areas.

Accordingly, Part 82, Title 9, Code of Federal Regulations, is hereby amended in the following respect:

In § 82.3, the introductory portion of paragraph (a) is amended by adding thereto the name of the State of California before the reference to "Virginia" and a new paragraph (a) (3) relating to the State of California is added to read:

§ 82.3 Areas quarantined.

(a) * * *

(3) *California.* (i) That portion of San Diego County comprised of secs. 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36, T. 15 S., Range 2 E.

(ii) That portion of San Diego County comprised of secs. 1, 2, 3, 4, and 5, T. 16 S., Range 2 E.

(iii) That portion of San Diego County comprised of secs. 18, 19, 30, and 31, T. 15 S., Range 3 E.

(iv) That portion of San Diego County comprised of sec. 6, T. 16 S., Range 3 E.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1, 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; (21 U.S.C. 111-113, 115, 117, 120, 123-126, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141.)

Effective date: The foregoing amendment shall become effective on March 3, 1977.

The amendment imposes certain restrictions necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry, and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and

good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Done at Washington, D.C., this 3rd day of March 1977.

G. V. PEACOCK,
Acting Deputy Administrator,
Veterinary Services.

[FR Doc. 77-6767 Filed 3-7-77; 8:45 am]

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

PART 331—SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES; AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGER PUBLIC HEALTH AND FOR SUCH DESIGNATED ESTABLISHMENTS

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Designation of the State of Ohio

AGENCY: Department of Agriculture, Animal and Plant Health Inspection Service, Meat and Poultry Inspection.

ACTION: Final Rule.

SUMMARY: In a document published on March 3, 1977, in the FEDERAL REGISTER (42 FR 12177), the State of Ohio was designated, effective March 3, 1977, under section 301(c)(3) of the Federal Meat Inspection Act and section 5(c)(3) of the Poultry Products Inspection Act; and April 3, 1977, was specified as the "Effective date of application of Federal provisions". This document changes the effective date of designation of Ohio under both Acts from March 3, 1977, to March 10, 1977, and changes the "Effective date of application of Federal provisions" from April 3, 1977, to April 10, 1977.

EFFECTIVE DATE: March 10, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. James K. Payne, Director, Federal-State Relations, Field Operations, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202/447-6313).

SUPPLEMENTARY INFORMATION: The document published in the FEDERAL REGISTER on March 3, 1977, referred to above, provided that the State of Ohio would cease administering its State meat and poultry inspection programs on March 31, 1977. The provisions of the Federal Acts become applicable by law to intrastate operations and transactions

in the State of Ohio upon expiration of 30 days after publication of the notice of designation in the FEDERAL REGISTER. Therefore, under the provisions of the said document, the "Effective date of application of Federal provisions" would be April 3, 1977. In order to prevent a gap in the inspection coverage of intrastate meat and poultry operations and transaction in the State of Ohio, representatives of the Governor of Ohio have advised this Department that the State of Ohio will continue to administer its State meat and poultry inspection programs through April 9, 1977, and will not administer such programs thereafter. Therefore, the effective date of designation under the Federal Meat Inspection Act and the Poultry Products Inspection Act is changed from March 3, 1977, to March 10, 1977, and the effective date of application of Federal provisions is changed from April 3, 1977, to April 10, 1977.

Accordingly, the table in § 331.2 of the Federal meat inspection regulations (9 CFR 331.2) is amended as follows:

§ 331.2 [Amended]

In the "Effective date of application of Federal provisions" column, on the line with "Ohio", the reference to "April 3, 1977" is changed to "April 10, 1977". (Secs. 21 and 301(c), 34 Stat. 1260, as amended; 21 U.S.C. 621, 661(c); 37 FR 28464, 28477.)

§ 381.221 [Amended]

Further, the table in § 381.221 of the poultry products inspection regulations (9 CFR 381.221) is amended as follows:

In the "Effective date of application of Federal provisions" column, on the line with "Ohio", the reference to "April 3, 1977" is changed to "April 10, 1977". (Secs. 5(c) and 14, 71 Stat. 441, as amended; 21 U.S.C. 454(c), 463; 37 FR 28464, 28477.)

These amendments of the Federal meat inspection regulations and the poultry products inspection regulations are necessary to reflect the determinations of the Secretary of Agriculture under section 301(c) of the Federal Meat Inspection Act and section 5(c) of the Poultry Products Inspection Act. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Secretary. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such public procedure is impracticable and unnecessary.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Done at Washington, D.C., on March 3, 1977.

T. G. DARLING,
Acting Administrator, Animal and
Plant Health Inspection Service.

[FR Doc. 77-6880 Filed 3-7-77; 8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 212—MANDATORY PETROLEUM PRICE REGULATIONS

Crude Oil Prices; Miscellaneous Actions

A. SUMMARY

FEA is today amending the domestic crude oil price regulations to provide for a continuation of the current freeze on monthly crude oil ceiling price adjustments and to adjust downward the upper tier ceiling price by an additional 45 cents per barrel for the months of March through July, 1977. These actions are taken to achieve compliance with the limitations on domestic crude oil prices prescribed by section 8 of the Emergency Petroleum Allocation Act of 1973, as amended ("EPAA"). Upper tier crude oil accounts for about 36 percent of domestic crude oil production and about 20 percent of all crude oil processed in United States refineries.

Under section 8 of the EPAA, the weighted average first sale ("statutory composite") price for domestic crude oil is set at \$7.66 per barrel, subject to a ten percent annual price increase to reflect the effects of inflation and to provide production incentives. Under FEA regulations, the statutory composite price is approximated by weight-averaging the average lower tier price (currently about \$5.17 per barrel) with the average upper tier price (about \$11.62 per barrel). A third category, exempt stripper well crude oil, is given an imputed value near the upper tier price. If the actual composite price exceeds the statutory composite price, FEA is required to take compensating actions to the extent necessary to achieve compliance with statutory pricing limitations.

B. BACKGROUND

On November 16, 1976, the FEA issued a notice of proposed rulemaking and public hearing (41 FR 50960, November 18, 1976) in order to consider what steps FEA should take to comply with the requirement in section 8(c) of the EPAA, to make adjustments in crude oil price levels to compensate for actual weighted average first sale prices of domestic crude oil which have exceeded the statutory maximum weighted average first sale price limitations. In its notice of proposed rulemaking, FEA noted that the amounts in excess of the statutory limits appeared to have increased significantly in recent months, due primarily to recent statutory and regulatory amendments relating to qualification for stripper well status and the definition of "property," even though upper and lower tier crude oil price ceilings had remained since July 1, 1976, at the maximum levels permissible for June, 1976.

Alternative proposals upon which comments were requested were: (1) a rollback of upper tier price levels by an estimated \$1.40 to \$1.60 per barrel during December, 1976, and January, 1977,

in order to compensate fully by January 31, 1977, for cumulative pricing overages since February which, as of September (preliminary data), totalled nearly \$200 million; (2) a continuation of the limitation on crude oil ceiling prices at their June, 1976, levels through December, 1976, in order to obtain more complete data, followed by appropriate compensatory action extending over a seven-month period (January to July, 1977) in order to compensate fully by July 31, 1977, for cumulative pricing overages through December, 1976, while also minimizing disruptive effects on domestic production which might result from option (1); and (3) depending upon the results of data for December, 1976, under alternative (2), further continue the price freeze pending consideration by Congress of an energy action to be submitted by FEA pursuant to section 8(e) of the EPAA, under which a one-time increase in the statutory composite price for January, 1977, sufficient to compensate for total cumulative receipts projected to exist at that time, would be proposed.

FEA noted that, if preliminary results for September, 1976, were confirmed by available data in December, 1976, a continuation of the present freeze on crude oil price ceilings until July 31, 1977, would be sufficient to correct fully for all crude oil pricing overages which have occurred or which shall have occurred since February, 1976. FEA also stated, however, that later data might indicate that this course of action would not be sufficient, and in such event FEA would, under the proposed regulation amendments, be able to reduce upper tier ceiling price levels to the extent necessary to reduce cumulative excess revenues to zero by July 31, 1977.

Following receipt of written comment and public hearings on these matters, FEA on November 30, 1976, issued regulation amendments which (1) extended the ceiling price freeze until December 31, 1976, in order to obtain more complete data before taking further corrective action to compensate for pricing overages, and (2) provided FEA with authority to require price reductions should such action become necessary (41 FR 53333, December 6, 1976). In addition, the rulemaking proceedings were expressly continued with respect to a final decision on the appropriate action to be taken with respect to crude oil ceiling prices during the period January 1977-July 1977 to achieve compliance with the composite price constraints.

Based on preliminary data for October, 1976, and other information indicating a further decline in the percentage of lower tier crude oil (which automatically increases the actual composite price for crude oil), FEA issued regulation amendments on December 31, 1976, which (1) reduced the upper tier price ceilings by 20 cents per barrel, applicable to crude oil produced and sold in January, February, and March, 1977, and (2) continued the freeze on monthly price adjustments, with respect to both lower tier ceiling price levels and the reduced upper tier price ceilings, through March, 1977.

C. BASIS FOR TODAY'S ACTION

In its notice of proposed rulemaking in this matter, FEA presented the follow-

ing table indicating the extent to which actual composite prices had exceeded the statutory composite price based on preliminary data for September, 1976:

TABLE 1

Month	Lower tier percent	Lower tier price	Upper tier price	Statutory composite price	Actual composite price	Cumulative excess receipts
(in thousands)						
February.....	56.12	\$5.05	\$11.48	\$7.65	\$7.87	\$49
March.....	56.93	5.07	11.39	7.72	7.79	67
April.....	56.69	5.07	11.32	7.78	7.85	85
May.....	57.04	5.13	11.55	7.84	7.89	97
June.....	55.92	5.15	11.60	7.88	7.99	123
July.....	55.58	5.19	11.60	7.93	8.04	152
August ¹	55.68	5.18	11.62	7.98	8.03	164
September ²	53.40	5.16	11.65	8.04	8.18	197

¹ Reduced from original projected figures (see table D) of \$7.91 for June, \$7.97 for July, \$8.03 for August, and \$8.09 for September, due to reduction in annual rate of increase from 9.5 to 6.5 pct (reflecting decline in rate of inflation from 6.5 to 5.5 pct) applicable to June, July, and Aug. 1-13. Pursuant to sec. 122 and 124 of the ECPA, a full 10 pct annual rate of increase is used for Aug. 14-31 and the month of September. The average rate of increase for August is 8.52 pct.

² Preliminary.

³ Includes prices for stripper well crude oil production at an imputed value of \$11.63/bbl in accordance with sec. 121 of the ECPA.

In commenting on this table, FEA indicated that the decline of about 2.28 percentage points in the percentage of lower tier crude oil between August and September, 1976, contributed to a 15 cent-per-barrel increase in the actual composite price between August and September and a \$33 million increase in excess revenues for September. (The decline of about 2.28 percentage points in one month contrasts with the monthly decline of about 0.38 percentage points used for projection purposes in developing FEA's first crude oil price adjustment schedule, based on an estimated national average decline in the volume of lower tier crude oil of eight percent annually.) FEA attributed this unusual decline in the percentage of lower tier crude oil largely to the change in the definition of "property" and the change in the terms of qualification for the

stripper well exemption, both of which became effective September 1, 1976.

In its December 31, 1976, regulation amendment providing for a 20 cents per barrel reduction in the upper tier ceiling price, FEA noted that a further abrupt decline in the percentage of lower tier crude oil appeared to have occurred based on preliminary data for October, 1976, and that another unusual decline could be anticipated for November, 1976. Based on data available in December, 1976, FEA projected that cumulative excess receipts would climb from almost \$200 million by the end of September, 1976, to about \$270 million by the end of December, 1976.

FEA now has final data for all months through November and preliminary data for December, 1976. Data for the last five months show the following developments and trends:

TABLE 2

Month (1976)	Lower tier percent	Lower tier price	Upper tier price	Statutory composite price	Actual composite price ¹	Cumulative excess receipts (in thousands)
August.....	55.69	5.18	11.62	7.98	8.03	164
September.....	53.41	5.17	11.65	8.04	8.19	198
October.....	52.39	5.15	11.62	8.11	8.28	227
November.....	49.94	5.17	11.62	8.17	8.40	262
December ²	50.07	5.17	11.64	8.24	8.40	320

¹ Includes prices for stripper well crude oil production at values imputed in accordance with sec. 121 of the ECPA.

² Preliminary.

Table 2 shows an abrupt decline in the percentage of lower tier crude oil between October and November which was similar in proportions to the decline between August and September, previously noted. In November, 1976, for the first time, the percentage of lower tier crude oil dropped below 50 percent of total domestic production. FEA attributes the decline for November, in the main, to a second, and probably the final significant round, of effects on the ratio of lower to upper tier crude oil resulting from the redefinition of "property" and the change in the period of qualification for the stripper well exemption. Although the change in the definition of "property" can have effects in future months, the

slight resurgence in the percentage of lower tier crude oil for December (preliminary), which brought lower tier production just above the 50 percent mark, supports FEA's view that most of the effects of the regulatory changes effective September 1, 1976, have now been felt.

Since total cumulative excess receipts in December appear to be \$320 million, or about \$50 million in excess of the \$270 million projected for December at the time of the upper tier price rollback effective January 1, 1977, it appears that further corrective action is necessary in order to achieve compliance with statutory requirements for fully compensating action by the end of the six-month period ending July 31, 1977. In ad-

dition, because the prior forecasts by FEA have tended to underestimate the effects on the percentage of lower tier crude oil of regulatory changes such as the change in the definition of "property," FEA believes that it is appropriate to set price levels beginning March 1, 1977, such that reduction of cumulative excess receipts to zero is projected to occur by the end of June, 1977, rather than by the end of July, 1977. This will provide a reasonable margin of "deficit receipts" to accommodate any further unanticipated data trends and the like over the next few months.

In accordance with the foregoing, and based on data available to date, FEA has determined that a further reduction in the upper tier ceiling price level of 45 cents per barrel, effective March 1, 1977, coupled with a continuation of the freeze on lower tier price ceilings, until July 31, 1977, is necessary to achieve full compliance with statutory requirements relating to crude oil price adjustments. This decision is implemented by issuance today of Price Schedule No. 6, which supersedes the most recently issued price schedule effective March 1, 1977. Schedule No. 6 is issued pursuant to § 212.77 as an appendix to 10 CFR Part 212, Subpart D.

FEA plans to monitor on a month-to-month basis the extent to which the "curve" of declining cumulative excess receipts matches the FEA projected decline of excess receipts to zero by June, 1977. If actual performance closely matches the projection over the next few months, and if there are no new factors present which might disrupt the orderly progress of corrective action, FEA plans to resume monthly price increases (consistent with statutory authority as it exists at that time) in gradual steps rather than in one large increment compensating for prices which have been held in check through freeze and roll-back actions. This approach is designed to (1) discourage withholding of production in anticipation of a large price increase, and (2) provide FEA with a "bank" of deficit receipts which will be useful in compensating for any future miscalculations in connection with compliance with statutory composite price requirements in future periods.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-89, Pub. L. 94-183, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended, Pub. L. 94-385; Energy Policy and Conservation Act, Pub. L. 94-163, as amended, Pub. L. 94-385; E.O. 11790, 39 FR 23185.)

In consideration of the foregoing, Part 212 of Chapter II, Title 10 of the Code of Federal Regulations is amended as set forth below, effective March 1, 1977.

Issued in Washington, D.C., March 1, 1977.

ERIC J. FYCI,
Acting General Counsel,
Federal Energy Administration.

1. Subpart D of Part 212 is amended to add an Appendix to read as follows:

APPENDIX.—Schedule No. 6 of monthly price adjustments. Effective Mar. 1, 1977

Month	Lower tier, May 15, 1973, posted price ¹ (plus)	Upper tier, Sept. 30, 1975, posted price ² (less)
1976		
February.....	1.35	1.32
March.....	1.38	1.25
April.....	1.41	1.18
May.....	1.45	1.11
June.....	1.48	1.05
July.....	1.48	1.05
August.....	1.48	1.05
September.....	1.48	1.05
October.....	1.48	1.05
November.....	1.48	1.05
December.....	1.48	1.05
1977		
January.....	1.48	1.25
February.....	1.48	1.25
March.....	1.48	1.70
April.....	1.48	1.70
May.....	1.48	1.70
June.....	1.48	1.70
July.....	1.48	1.70

¹ The price referred to in 10 CFR 212.73(b)(1) or in 212.73(c)(1), 212.73(c)(3), and 212.73(c)(4).

² The price referred to in 10 CFR 212.74(b)(1).

This schedule of monthly price adjustments was issued by the Federal Energy Administration on March 1, 1977, pursuant to 10 CFR 212.77. It restates without change the lower and upper tier price ceilings applicable to crude oil produced and sold in the months of February 1976 through February 1977, as determined under 10 CFR 212.73, 212.74, and 212.77, and continues to hold the lower tier price ceilings applicable to crude oil to be produced and sold in the months of March through July 1977, at the ceiling price level for the month of June 1976. In addition, upper tier ceiling prices, which were reduced under Schedule No. 5 effective January 1, 1977, are further reduced effective March 1, 1977, as indicated in this schedule.

This schedule is effective only through July 31, 1977. Price ceilings for subsequent months will be provided by Schedule No. 7, to be issued on or about July 31, 1977. This schedule may, however, be superseded prior to July 31, 1977, by early issuance of Schedule No. 7 to reflect further ceiling price adjustments based on unanticipated trends in actual composite price levels.

[FR Doc. 77-6593 Filed 3-2-77; 9:32 am]

Title 12—Banks and Banking

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 720—DESCRIPTION OF OFFICE, DISCLOSURE OF OFFICIAL RECORDS—AVAILABILITY OF INFORMATION, PROMULGATION OF REGULATIONS

Privacy Act of 1974; Specific Exemptions of Systems of Records

On page 4430 of the October 8, 1976, edition of the FEDERAL REGISTER, the National Credit Union Administration (NCUA) set forth a proposal to revise 12 CFR 720.35, in order to specifically identify (1) those systems of records for which exemptions from the Privacy Act are claimed and (2) the provisions of the Privacy Act from which those systems are exempted.

Interested persons were given until November 12, 1976, to submit written data, views or arguments on the proposal. All comments received recommended adoption of the proposal without change.

Accordingly, as set forth below, the October 8, 1976, proposal is adopted without change, effective immediately.

C. AUSTIN MONTGOMERY,
Administrator.

FEBRUARY 22, 1977.

AUTHORITY: Sec. 120, 73 Stat. 635 (12 U.S.C. 1766; sec. 209, 84 Stat. 1014 (12 U.S.C. 1789)).

§ 720.35 Exemptions.

(a) The Administration maintains three systems of records which are exempted from some of the provisions of the Privacy Act of 1974. In paragraphs (b) and (c) of this section, those systems of records are identified (by System Name and System Number as stated in the Administration's "Notice of Systems of Records," published in the FEDERAL REGISTER) and the provisions from which each system is exempted and the reasons therefor are set forth.

(b) System NCUA-2, entitled "Federal Employee Security Investigations Containing Adverse Information," consists of adverse information about Administration employees which has been obtained as a result of routine Civil Service Commission security investigations. System NCUA-17, entitled "Security Clearance Records Concerning NCUA Personnel Who Occupy Critical Sensitive Positions," consists of records obtained as a result of investigations conducted by the Civil Service Commission and/or the Federal Bureau of Investigation to determine qualifications of NCUA officials for security clearances. To the extent that the Administration maintains records in either of these systems pursuant to Civil Service Commission guidelines which require or may require retrieval of information by use of individual identifiers, those records are encompassed by and included in the Civil Service Commission's Government Wide System of Records Number 4, entitled "Personnel Investigations Records," and thus are subject to the applicable specific exemptions promulgated by the Commission at 5 C.F.R. 297.117. Additionally, in order to ensure the protection of properly confidential sources, particularly as to those records which are not maintained pursuant to such Civil Service Commission requirements, the records in these systems of records are exempted, pursuant to section k(5) of the Act (5 U.S.C. 552a(k)(5)), from section (d) of the Act (5 U.S.C. 552a(d)). As a result, to the extent that disclosure of a record would reveal the identity of a confidential source the Administration need not grant access to that record by its subject. Information which would reveal a confidential source shall, however, whenever possible, be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(c) System NCUA-4, entitled "Investigative Reports Involving Possible

Felonies and/or Violations of the Federal Credit Union Act," consists of a limited number of records about individuals suspected of involvement in felonies or infractions under the Federal Credit Union Act (12 U.S.C. 1751, et seq.). These records are maintained in an overall context of general investigative information concerning crimes against credit unions, the bulk of which does not pertain to and is not identifiable to individual persons. To the extent that individually identifiable information is maintained, however, for purposes of protecting the security of any investigations by appropriate law enforcement authorities and promoting the successful prosecution of all actual criminal activity, the records in this system are exempted, pursuant to section k (2) of the Act (5 U.S.C. 552a(k)(2)), from sections (c)(3) and (d) of the Act (5 U.S.C. 552a(c)(3), (d)). As a result, the Administration need not make an accounting of previous disclosures of a record in this system of records available to its subject, and the Administration need not grant access to any records in this system of records by their subject. Further, whenever an individual requests records about himself and maintained in this system of records, the Administration shall, to the extent necessary to realize the above stated purposes, neither confirm nor deny the existence of that record but shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified. However, should a review of the information reveal that it has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under Federal law, the individual shall be advised of the existence of the information and shall be provided the information except to the extent it would identify a confidential source. Information which would identify a confidential source shall, if possible, be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(d) For the purposes of this section, a "confidential source" means a source who furnished information to the Government under an express promise that the identity of the source would remain confidential, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

[FR Doc.77-6723 Filed 3-7-77;8:45 am]

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-988, Amdt. 1]

PART 221a—FARE SUMMARIES

Notice of Approval by Comptroller General

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., March 1, 1977.

In Regulation ER-979, 41 FR 55865, December 23, 1976, 42 FR 1220, January 6, 1977 (Docket 27769), the Board is-

sued a new Part 221a, Fare Summaries, which contained the following note:

NOTE.—The Civil Aeronautics Board has decided to submit this rule to the Comptroller General for such review as may be appropriate under the Federal Reports Act, U.S.C. 3512. The effective date of this rule accordingly reflects inclusion of the 45-day period which that statute allows for such review. 44 U.S.C. 3512(c)(2).

This is to serve notice that Regulation ER-979 has been approved by the Comptroller General, under Number B-180226 (R0434), and that its effective date remains unchanged: June 1, 1977.

Moreover, in order to reflect such review and approval by the Comptroller General, said note is hereby amended to read as follows:

§ 221a.3 Filing with the Board.

NOTE.—The reporting requirement contained in Part 221a has been approved by the U.S. General Accounting Office under Number B-180226 (R0434).

(Sec. 204 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324.)

Effective: March 1, 1977.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-6895 Filed 3-7-77;8:45 am]

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-110, Amdt. 56]

PART 385—DELEGATION AND REVIEW OF ACTION UNDER DELEGATION: NON-HEARING MATTERS

Delegation of Authority to Secretary

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., March 1, 1977.

Some rules adopted by the Board contain provisions that may require clearance by the Comptroller General under the Federal Reports Act 44, U.S.C. 3512, and the Comptroller General is allowed 45 days in which to conduct such review (44 U.S.C. 3512(c)(2)).

Under its recently adopted practice, with respect to the issuance and effectiveness of rules that it adopts containing provisions submitted to the Comptroller General for clearance, the Board issues and publishes in the FEDERAL REGISTER such rules upon adoption, and appends a note thereto advising the public that the rule is being submitted to the Comptroller General for clearance and that the effective date of the rule reflects inclusion of the 45-day period which the statute allows for such review.

Under this practice, it therefore is necessary for the Board to further advise the public when such clearance has been received, by issuance of an appropriate note that supersedes the note originally published, as aforesaid.

Since the issuance of the superseding note is a purely ministerial function the Board has decided to delegate to its Secretary the authority to issue these purely informative amendments, and to specif-

ically authorize the Secretary's action to become immediately effective.

Since this is a rule of agency organization, and imposes no burden on anyone, the Board has determined that notice and public procedure are unnecessary and that this rule may become effective upon adoption.

Accordingly, Part 385 of the Board's Organization Regulations is hereby amended as follows:

Amend § 385.24 by redesignating the existing delegation of authority as paragraph (a) and adding a paragraph (b) to include the new delegation of authority, the section as revised to read as follows:

§ 385.24 Delegation to the Secretary.

The Board hereby delegates to the Secretary the authority to:

(a) Receive and determine pursuant to the Privacy Act of 1974, Pub. L. 93-579, section 552a, 5 U.S.C. 552a and Part 310a of the Board's Procedural Regulations, requests for notification, accounting of disclosure, inspection and amendment of records contained in a system of records of which the Board has published notice other than the system of records entitled "Employee payroll and leave and attendance records and files—CAB."

(b) Issue appropriate amendments to any of the Board's regulations that are necessary to reflect the fact that such regulation has been approved by the Comptroller General and that the effective date of such regulation remains unchanged. Action taken by the Secretary under this delegation shall become effective immediately.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324. Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 FR 5989; 49 U.S.C. 1324 (note).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-6896 Filed 3-7-77;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 77-77]

PART 159—COUNTERVAILING DUTIES

Float Glass From Italy

On January 7, 1976, Treasury Decision 76-9 was published in the FEDERAL REGISTER (41 FR 1274). That Treasury Decision stated that it had been determined that imports of float glass from Italy produced by Societa' Italiana Vetro, S.p.A. (SVI) and Fabbrica Pisana, S.p.A. (Pisana) benefit from the payment or bestowal of bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303), "by reason of various incentive programs including investment grants, special tax reductions, low-interest rate financing and the reduction of the contribution to state welfare organizations by the float glass manufacturers." It was also stated that float glass produced by Verrara di

Verrante, S.p.A., did not benefit from the payment or bestowal of bounties or grants.

Because SIV and Pisana declined to provide any detailed information prior to the aforementioned determination regarding the benefits each received, the determination was based on the best information available, and the net amount of the bounties or grants was estimated at 10 percent ad valorem for float glass produced by both companies. Effective on January 7, 1976, liquidation was suspended of all entries for consumption or withdrawals from warehouse for consumption of such dutiable float glass produced by SIV and Pisana imported directly or indirectly from Italy which benefits from such bounties or grants.

Information has now been received with respect to SIV which permits a more complete analysis of the alleged bounties and grants. Under various regional development programs administered by the Government of Italy, it now appears that an investment grant, preferential financing and a reduction in the required contribution to the state welfare organization have been given to SIV. No special tax reductions have been utilized by SIV. The Italian Government has advised the Treasury Department that the benefits received by SIV have the effect of offsetting disadvantages which would discourage SIV from moving to and expanding in less prosperous regions. Inasmuch as SIV sells a preponderance of its production in the European Community—more than 97 percent in 1975—the level of its exports outside the European Community is a small percentage of its production, and the amount of assistance provided by the government programs to SIV totaled less than three percent of the value of float glass it produced, those benefits are not regarded as bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

For the reasons stated above, it is hereby determined that no bounty or grant is being, or has been, paid or bestowed directly or indirectly, upon the manufacture, production, or exportation of float glass from Italy produced by Societa' Italiana Vetro, S.p.A. within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), and T.D. 76-9 is hereby modified so as to exclude float glass from Italy produced by SIV.

Accordingly, it has been ascertained, determined or estimated and hereby declared, that the net amount of the bounty or grant paid or bestowed upon the subject merchandise produced by SIV is 0 percent ad valorem, and no countervailing duties will be collected upon the liquidation of entries of the subject merchandise for consumption or withdrawals from warehouse for consumption for the period January 7, 1976, through the date of publication of this notice in the FEDERAL REGISTER. Furthermore, the order to suspend liquidation of all entries for consumption or withdrawals from warehouse for consumption of the subject merchandise produced by SIV, is hereby revoked.

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by deleting in the last entry for Italy under the column headed "Commodity", which now reads "Float glass manufactured by Societa' Italiana Vetro S.p.A. and Fabbrica Pisana S.p.A.", the words "Societa' Italiana Vetro S.p.A. and"; inserting in the column headed "Treasury Decision" the number of this Treasury Decision; and inserting the words "Bounty declared-rate; Modified as to float glass manufactured by Societa' Italiana Vetro S.p.A." in the column headed "Action".

(R.S. 251, as amended secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2051, 2052 (10 U.S.C. 65, 1303, as amended, 1624))

VERNON D. ACREE,
Commissioner of Customs.

Approved: March 2, 1977.

JOHN H. HARPER,
Acting Assistant Secretary
of the Treasury.

[FR Doc. 77-6739 Filed 3-7-77; 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. 76P-0104]

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

Expanded Use of National Drug Code (NDC) Number

The Food and Drug Administration (FDA) is permitting the National Drug Code (NDC) number to appear on the label of any drug product as part of and contiguous to any bar-code symbol that is used, provided the bar-code has a format for including the numeric characters of the NDC number. This regulation is effective April 7, 1977.

The Commissioner of Food and Drugs proposed, in the FEDERAL REGISTER of July 19, 1976 (41 FR 29709), to revise § 207.35(b)(3)(i) (21 CFR 207.35(b)(3)(i)) to permit the NDC number to appear as part of and contiguous to the Universal Product Code (UPC) symbol on all drug products. The proposal was issued in response to a petition by Parke, Davis & Co., Detroit, MI. Interested persons were invited to comment until September 17, 1976.

Comments were received from two manufacturers, a trade association, an individual, and an organization concerned with blood-bank automation. A summary of the significant comments and the Commissioner's conclusions are as follows:

1. One comment objected to permitting the use of the UPC bar code on prescription drugs because other bar codes might be better suited for hospitals, particularly for patient identification and physician order verification. The comment also suggested that the proposal would amount to FDA setting a bar-code standard.

The Commissioner did not intend to establish the UPC symbol as a bar-code standard. The Universal Product Code was developed by the retail industry several years ago for application to all products, including drug products, sold by participating retailers to ease price totaling and inventory control. At the outset, drug manufacturers requested that the NDC system be made compatible with the UPC system and that FDA permit the NDC number, which is printed as part of the UPC symbol on consumer packages, to be accepted as meeting the FDA labeling provisions for printing the NDC number on such consumer packages. Members of the industry and FDA agreed on procedures to achieve compatibility of the two systems, and the NDC number was permitted to appear as part of and contiguous to the UPC symbol for OTC drugs. (See the FEDERAL REGISTER of November 7, 1975 (40 FR 52000).) The purpose of the July 19, 1976 proposal was to permit the use of the NDC number as an integral part of the UPC symbol for prescription drug products.

The Food and Drug Administration encourages the use of the NDC number on drug product labels and labeling, including the label of any prescription drug container furnished to a consumer. The Commissioner recognizes that there are bar-code systems other than the UPC system that may be useful for the control or marketing of drug products or in patient identification. The final regulation is therefore revised to permit the NDC number to appear as part of and contiguous to any bar-code symbol for any drug product, provided such symbol is compatible with the NDC number, i.e., the symbol provides a format capable of encoding the numeric characters of an NDC number.

2. Another comment requested that human blood and blood products be exempt from the requirement to use the UPC.

The Commissioner advises that the amendment to § 207.35(b)(3)(i) merely permits, and does not require, the use of the UPC or other code on any drug product. An exemption from the regulation for human blood and blood products is therefore not required.

3. One comment objected to the requirement that the NDC number appear in the top third of the principal display panel of the label. The comment stated that the top third of the front panel has traditionally been reserved for the brand name, generic name, and function of the drug and that any prominent placement of the NDC number would serve the function of having a unique code for every drug without restricting package design. The comment stated further that the proposal would allow the NDC number to be placed anywhere on the label, except the natural bottom, if the NDC number is part of and contiguous to a bar-code and that this is unfair to manufacturers who do not use a bar-code symbol.

The Commissioner advises that although use of the NDC number is en-

couraged, the regulations do not require its use. But when the NDC number is used, the requirement that it appear in the top third of the principal display panel is necessary to assure that the NDC number is prominently displayed on the label and readily discernible from other graphic and printed matter on the label. A bar-code symbol itself is readily discernible from other graphic and printed matter on the label. The Commissioner concludes that an NDC number that is part of and contiguous to a bar-code symbol will continue to assure prominent placement of the NDC number and will continue to make it readily discernible from other graphic and printed matter on the label.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201, 502, 505, 506, 507, 510, 512, 701(a), 704, 52 Stat. 1040-1042 as amended, 1050-1053 as amended, 1055, 55 Stat. 851, 59 Stat. 463 as amended, 67 Stat. 477 as amended, 76 Stat. 794-795 as amended, 82 Stat. 343-351 (21 U.S.C. 321, 352, 355, 356, 357, 360, 360b, 371(a), 374)); the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)); and the Drug Listing Act of 1972 (Pub. L. 92-387 (86 Stat. 559-562)) and under authority delegated to him (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), the Commissioner is amending Part 207 by revising § 207.35(b)(3)(i) to read as follows:

§ 207.35 Notification of registrant; drug establishment registration number and drug listing number.

(b) * * *

(3) * * *

(i) The NDC number shall be placed prominently in the top third of the principal display panel of the label of the immediate container and of any outside container or wrapper. In lieu of placement of the NDC number in the top third of the label, the NDC number may appear as part of and contiguous to any bar-code symbol for any drug product if such symbol appears prominently on the immediate container and any outside container or wrapper and in a conspicuous location, but in no event on the natural bottom of a container or wrapper: *Provided*, That such bar-code symbol is compatible with the NDC, i.e., the symbol provides a format capable of encoding the numeric characters of an NDC number. The term "principal display panel," as used in this paragraph, means that part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display to the consumer (for over-the-counter drug products) or to the dispenser (for prescription drug products).

Effective date: This regulation shall become effective on April 7, 1977.

(Secs. 201, 502, 505, 506, 507, 510, 512, 701(a), 704, 52 Stat. 1040-1042 as amended, 1050-1053 as amended, 1055, 55 Stat. 851, 59 Stat. 463 as amended, 67 Stat. 477 as amended, 76 Stat. 794-795 as amended, 82 Stat. 343-351 (21 U.S.C. 321, 352, 355, 356, 357, 360, 360b, 371(a), 374); (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)); (Pub. L. 92-387, 86 Stat. 559-562).)

Dated: March 2, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6737 Filed 3-7-77; 8:45 am]

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Bunamidine Hydrochloride

The Food and Drug Administration has evaluated two supplemental new animal drug applications to NADA No. 35-016V filed by Burroughs Wellcome Co., 3030 Cornwallis Rd., Research Triangle Park, N.C. 27709, proposing the safe and effective use of bunamidine hydrochloride tablets for dogs for the treatment of *Echinococcus granulosus* infections in addition to its other approved uses, and to indicate that Burroughs Wellcome Co. is now the sponsor of this application. The supplemental applications are approved, effective March 8, 1977.

The Commissioner of Food and Drugs is amending Part 520 (21 CFR Part 520) to reflect this approval.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, Md. 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 5.1), Part 520 is amended in § 520.222 by revising paragraphs (b), (c), and (d) (1) to read as follows:

§ 520.222 Bunamidine hydrochloride.

(b) *Specifications.* The drug is an oral tablet containing 100, 200, or 400 milligrams of bunamidine hydrochloride.

(c) *Sponsor.* See No. 000081 in § 510.600(c) of this chapter.

(d) *Conditions of use.* (1) The drug is intended for oral administration to dogs for the treatment of the tapeworms *Dipylidium caninum*, *Taenia plisiformis*, and *Echinococcus granulosus*, and to cats for the treatment of the tapeworms *Dipylidium caninum* and *Taenia taeniaeformis*.

Effective date. This amendment becomes effective March 8, 1977.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))).

Dated: March 3, 1977.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc. 77-6911 Filed 3-7-77; 8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER A—INCOME TAX

[T.D. 7470]

PART 1—INCOME TAX: TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Change of Annual Accounting Period for Foreign Corporations

Correction

In FR Doc. 77-6443, appearing in the issue of Thursday, March 3, 1977, on page 12178, the T.D. number now reading "[T.D. 14791]" should read "[T.D. 7470]" as set forth above.

Title 32—National Defense

CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE

PART 243—INTERGOVERNMENTAL COORDINATION OF DOD LAND AND FACILITY PLANS AND PROJECTS

A notice of proposed rulemaking was published in the FEDERAL REGISTER on March 3, 1976 (41 FR 43) for addition to Part 32 (CFR Part 243 entitled "Intergovernmental Coordination of DoD Land and Facility Plans and Projects"). This addition establishes policies, responsibilities and procedures for an intergovernmental process to facilitate the coordination of appropriate DoD land and facilities plans and projects in the United States with State, areawide, local government and other Federal agencies. Interested persons were given until April 5, 1976 to submit written comments. Several comments were received from the public, other Federal agencies and from DoD components. In consideration of comments received, 32 CFR 243 is issued as follows:

Sec.

- 243.1 Purpose.
- 243.2 Applicability and scope.
- 243.3 Policy.
- 243.4 Responsibilities.
- 243.5 Procedures.
- 243.6 Examples of other agency plans and programs which may require DoD component review and/or input.
- 243.7 Examples of A-95 coordinating agencies.
- 243.8 DoD Federal Regional Council liaison representatives for A-95 matters.
- 243.9 Effective date.

AUTHORITY: OMB Circular Number A-95 of January 13, 1976.

§ 243.1 Purpose.

This part:

(a) Establishes Department of Defense policies, responsibilities, and procedures for an intergovernmental co-

ordination process pursuant to Title IV of the Intergovernmental Cooperation Act of 1968 (42 USC 4231) to facilitate coordination of appropriate DoD land and facility plans and projects in the United States with State, areawide, local government and other Federal agencies.

(b) Provides policy, responsibilities and procedures for a DoD review process which encourages State, areawide, local government and other Federal agencies to submit to DoD components for review and evaluation, plans and projects of DoD activities in the United States.

(c) Implements Office of Management and Budget Circular A-95 with specific reference to portions of Part II thereof which are not otherwise implemented by DoD issuances.

§ 243.2 Applicability and scope.

(a) The provisions of this part apply to the Office of the Secretary of Defense, the Military Departments (excluding the Civil Works function of the Corps of Engineers and the functions under Part I and Part III of Office of Management and Budget Circular Number A-95 of the Defense Civil Preparedness Agency), and the Defense Agencies (hereinafter referred to collectively as "DoD Components").

(b) This part encompasses: (1) all plans and projects developed by DoD Components for construction (regardless of funding source), acquisition of real property, withdrawals of Federal land for military use, substantial changes in existing utilization of military installations and real property, and disposal of real property which may affect State, areawide, local government or other Federal agencies (hereinafter referred to collectively as "Domestic Agencies") community development plans and programs and conversely (2) plans and programs developed and implemented by Domestic Agencies which may affect the land and facility plans and projects of DoD activities. A representative listing of such non-DoD agency plans and programs is contained in § 243.6. An illustrative list of Domestic Agencies involved in such plans and programs is contained in § 243.7.

(c) The policies, responsibilities and procedures discussed in this part do not substitute for or limit compliance with existing laws, executive orders and applicable Federal regulations applying to requirements such as contained in the National Environmental Policy Act (NEPA) of 1969 (Pub. L. 91-190) as implemented by DoD Directive 6050.1¹ (32 CFR 214); Federal Water Pollution Control Act; Executive Order 11512, Planning, Acquisition and Management of Federal Space, and the Coastal Zone Management Act as implemented by DoD Instruction 4165.59, or with existing cooperative agreements between DoD Components and State, areawide, local governments or other Federal agencies on other than A-95 matters such as conservation, etc.

§ 243.3 Policy.

(a) DoD Components shall establish and maintain an intergovernmental coordination management process to achieve full consultation with required State and area-wide clearinghouses, other Federal Agencies and other appropriate elected and appointed officials at the earliest appropriate stage of planning for construction, acquisition of real property, substantial changes in the utilization of military installations and real property, and disposal of real property that may affect Domestic Agencies' community development plans and programs.

(b) DoD Components, which conduct activities or operate installations which may be affected by the plans or programs of Domestic Agencies, shall actively engage in the community planning process by providing information, policy and position statements on these plans and programs to the appropriate agencies.

(c) Implementation of this part is intended to assure maximum feasible consistency of plans and projects of the DoD with Domestic Agencies' plans and programs; to identify those plans and projects that may be duplicative or in conflict; and to provide a management process to facilitate resolving any such differences.

(d) To the extent practicable, individual DoD Components shall make every effort to ensure that their plans and projects of other DoD Components in the area and with the development plans and programs of Domestic Agencies and shall encourage reciprocal actions by these agencies with regard to their plans and programs.

(e) DoD Components will provide clearinghouses with required information, standards and criteria as contained in DoD Instruction 4270.1,² and similar Military Department publications, and positions in regard to the review process which are consistent with applicable DoD policies and guidance. To the extent practicable, DoD Components shall make every reasonable effort to ensure that conflicting information is not provided. Should a significant dichotomy of policy or criteria develop among DoD Components, expeditious action will be taken by the cognizant DoD Components to present the problem to the Office of the Deputy Assistant Secretary of Defense (Installations and Housing) for resolution.

(f) The requirements established in this part must be weighed in consideration of possible significant public interest in determining whether notification as prescribed by existing DoD procedures on provisions of information to the Congress and the public should be accomplished prior to submission of required information to State and areawide clearinghouses and other Federal Agencies as provided for in this part.

§ 243.4 Responsibilities.

(a) The Assistant Secretary of Defense (Installations and Logistics) (ASD

(I&L)) shall designate the Deputy Assistant Secretary of Defense (Installations and Housing) (DASD (I&H)) to:

(1) Serve as the Secretary of Defense's responsible official for Office of Management and Budget Circular Number A-95 and to act as the focal point for all matters pertaining thereto.

(2) Ensure that DoD directives, instructions and other major DoD issuances are reviewed for their effect on intergovernmental coordination in accordance with the policies and procedures contained in this part.

(3) Maintain liaison with the Office of Management and Budget and other Federal Agencies with respect to intergovernmental relationships encompassed in Office of Management and Budget Circular Number A-95.

(4) Evaluate significant applicable events and experiences; resolve problem areas provided by DoD Components, DoD Federal Regional Council (FRC) Liaison Officers, and clearinghouse activities; and provide the necessary guidance to all required organizations.

(5) Assign a lead DoD Component to effect the coordination stipulated in this Directive where a required review of plans and programs of a non-DoD agency involves more than one DoD Component.

(b) The General Counsel shall:

(1) Advise the ASD (I&L) of all new legislation which has or may have a potential impact on the activities, policies and procedures contained in this part, as well as other new laws which should be implemented by this part.

(2) Apprise the ASD (I&L) of litigation which interprets, modifies and/or clarifies the enactments referenced in this part.

(c) The DoD Components shall:

(1) Establish and maintain an intergovernmental coordination management process concerning their land and facility plans and projects as prescribed in this part.

(2) Develop and publish documents for the implementation of the policies, responsibilities and procedures contained in this part.

(3) Monitor the application of policies, responsibilities and procedures contained in this part within their subordinate elements.

(4) Designate a single headquarters point of contact for A-95 matters covered by this part and identify to the DASD (I&H) the designated individual or office, together with any subsequent changes.

(5) Develop procedures which will ensure that copies of clearinghouse comments, reviews, determinations, and recommendations together with the current status of DoD plans and projects are properly available and retained.

(6) Establish appropriate procedures to ensure that planned actions within the Hudson River Basin are not initiated prior to final clearance by the Department of the Interior. The Secretary of the Interior is the U.S. official designated to negotiate a compact among the States involved to assure the development, preservation and restoration of the natural,

¹ See footnotes at end of document.

scenic history and recreational resources of the Hudson River Basin, and is responsible for consulting with, and reviewing all plans, programs, projects and grants of all Federal Agencies within, or affecting the basin.

(7) Designate, as an additional duty, a knowledgeable and qualified person, in accordance with § 243.8 for each of the 10 Federal regions to serve as the DoD Federal Regional Council (FRC) Liaison Officer for the DASD (I&H) for all DoD A-95 matters within the cognizance of the Region. The identification of each DoD FRC Liaison Officer will be provided to the DASD (I&H) who will ensure the widest possible dissemination of these designations, and any subsequent changes.

(d) The State and areawide A-95 clearinghouses and applicable Federal Agencies, pursuant to Office of Management and Budget Circular Number A-95:

(1) Shall be provided the necessary information and data by the DoD Components for those plans and projects covered by this part.

(2) May review, evaluate, and provide comments and recommendations, as appropriate, within the specified time frame, on the plans and projects submitted by DoD Components. Comments and recommendations are to be forwarded to the DoD Components making the submission and the single response should normally contain those of all interested State and areawide clearinghouse activities.

(3) Shall be encouraged to provide to DoD Components for review and evaluation, information on applicable plans and programs proposed by Domestic Agencies that may affect DoD Component plans and projects.

§ 243.5 Procedures.

(a) *General.* (1) DoD Components should utilize cooperative agreements in the form of memoranda of understanding to establish the information and data to be submitted to clearinghouses and the time frames in which the submittals will be made, within the guidelines contained in this part. DoD Components shall coordinate with DoD FRC Liaison Officers to determine those specific clearinghouses and/or Federal activities with whom DoD Components shall establish such memoranda. When a determination is made by a DoD Component that a cooperative agreement with a particular clearinghouse or Federal Agency is desirable and possible, all DoD Components which have installations within the clearinghouse geographical area should become parties to the agreement to the extent practical. When such agreements are used, the application and content shall be uniform and shall be consistent with the policies and procedures contained in this part. However, cooperative agreements which predate this part may continue in force until revision is required, and should be used as the basis for any new agreements to be concluded by other DoD Components in the affected area, if appropriate.

See footnotes at end of document.

(2) DoD Components will maintain, as part of the records of each review, the comments received from the clearinghouse or Federal Agency together with the current status of the review.

(3) The specific information and data to be provided to clearinghouses or Federal Agencies depends upon the particular plan or project and must be determined by each DoD Component element. However, such information as is normally available for construction projects such as site location, scope of work, type of construction, description of work, etc.; together with necessary site plans should be provided to the clearinghouse activities. Normally, justification or rationale for the project is not to be provided. In general, sufficient information and data necessary to review and evaluate the plan or project in question is to be provided.

(4) Requests from clearinghouse activities or Federal Agencies for additional information and data should be handled in accordance with the provisions of DoD Directive 5400.7¹ and 5400.10¹ (32 CFR 286 and 297). In the case of a negative response to a clearinghouse or Federal Agency request for information, the DoD Component shall so advise the clearinghouse or Federal Agency in writing, with appropriate explanation, and ensure that this response is a part of the record maintained for that particular review.

(5) Classified data on DoD Component plans or projects is not to be provided to any non-DoD agency which does not have the necessary authority to receive such data and the necessary procedures and facilities to safeguard it.

(6) A period of 30-45 days, or as otherwise mutually agreed upon by the DoD Component and the appropriate clearinghouse in a cooperative agreement shall be allowed to permit a thorough review, prepare staff comments, if appropriate, and consolidate and transmit clearinghouse activities' comments to the DoD Component. Cooperative agreements should also contain provisions for procedures to shorten or extend the time allowed for performance of clearinghouse functions in case such need arises. A statement for the record shall be prepared if no comments or recommendations are received from the clearinghouse and/or Federal Agency within the agreed period. These shall constitute State and areawide clearinghouse and/or Federal Agency concurrence in the proposed DoD Component plan or project.

(7) DoD Components shall make every reasonable effort to accommodate, modify or otherwise change their plans or projects as to be consistent to the extent practicable with clearinghouse and Federal Agency comments. If DoD Components determine that recommendations made by the clearinghouse or other Federal Agency cannot be made, DoD Components will advise the clearinghouse or Federal Agency in writing, with appropriate explanation, and this response will be made a part of the

permanent record maintained for that particular review.

(8) Applicable DoD Components will have complied with the intergovernmental coordination requirements pursuant to OMB Circular A-95 Part II, for those plans and projects covered by this part by submission of the applicable plans and projects required by the provisions of this part to appropriate A-95 clearinghouses and/or applicable Federal Agencies. DoD Components are cautioned, however, that compliance with the provisions of this part does not constitute compliance with the requirements of such laws, executive orders, the Federal regulations which govern NEPA, Federal Water Pollution Control Act, etc., because these require special considerations which are covered in other publications. DoD Components should also be aware that there are other appropriate local government activities not covered by the clearinghouse procedures which may have an interest in the plans and projects under consideration. Such additional coordination should be considered on the same basis as are the official clearinghouses and shall be consistent with the security, sensitivity and other considerations involved.

(9) DoD Components responsible for land and facility plans and projects covered by this part in the National Capital Region (as defined in section 1 (b) of the National Capital Planning Act of 1952, as amended) shall coordinate with the National Capital Planning Commission in accordance with existing DoD procedures, except as provided for under the provisions of section 610, Pub. L. 93-166.

(b) *DoD component plans and projects.* (1) There are no minimum quantitative levels that can be utilized to determine whether a specific planned action or project shall be coordinated with State and areawide clearinghouses or other Federal Agencies. However, as a general rule repair, maintenance and rehabilitation projects are excluded from the provisions of this part unless they result in substantially increased capacity or change in primary functions of facilities which could affect non-DoD utility services and systems, road networks or other such facilities in the surrounding area or region. Similarly, urgent minor construction projects accomplished under the provisions of 10 USC 2674 and military contingency projects involving national security would normally be excluded from the provisions of this part. Such exclusions should be negotiated and included in cooperative agreements with clearinghouses, if used. In general, the following type of plans and projects are to be considered for submission to State and areawide clearinghouses:

(i) Military Department Approved Installation Master Plans developed in accordance with the provisions of DoD Instruction 4270.1.¹

(ii) Major Military Construction and/or Family Housing Projects included in the budget fiscal year DoD Military Construction and Family Housing Program

which may affect community development, plans or programs of Domestic Agencies, especially as regards utility systems, road networks, schools, transportation systems, etc.

(iii) Real Property Acquisition Projects approved by the appropriate Military Department or included in the current fiscal year DoD Military Construction and Family Housing Program which may affect community development plans or programs of Domestic Agencies.

(iv) Military Department approved plans and projects which substantially change the utilization of military installations and real property and may affect community development plans or programs of Domestic Agencies.

(v) Real Property Disposal Projects which may affect community development plans or programs of Domestic Agencies.

(2) Any of the aforementioned DoD Component plans or projects may or may not affect community development plans and programs depending on the evaluation of the specific plans or projects under consideration. Whether or not a particular plan or project is to be coordinated with the appropriate clearinghouse activities depends upon the judgement of the DoD Component element involved and should be based upon an evaluation of the impact of the plan or project on the locally and surrounding area where the planned action is to take place.

(3) The procedures discussed above will be considered in addition to compliance with the requirements of the NEPA, Federal Water Pollution Control Act, Coastal Zone Management Act, etc., since these require special considerations which are covered in other publications.

(e) Subject to such other provisions as may be required by the implementing guidelines of the National Environmental Policy Act of 1969, Coastal Zone Management (DoD Instruction 4165.59¹) and other similar statutory and regulatory requirements, DoD Components should submit their plans and projects to State and areawide clearinghouses and applicable Federal Agencies for review at the stage of the planning process indicated below.

(1) The Military Installation Master Plan as described in DoD Instruction 4270.1² should be submitted upon approval by the appropriate Military Department. Similarly, significant changes to the installation master plan should be submitted for review. Review of an installation's master plan will enable the clearinghouse activities or applicable Federal Agency to better understand and evaluate the impact of land use and facility development proposed by the military installation in question. It will also facilitate the review of subsequent annual construction, acquisition and disposal of real property projects which may result from the continued implementation of the master plan.

(2) Information on appropriate major Military Construction and Family Housing projects should be submitted no later than after approval of a design directive for project development to be accom-

plished either in-house or by contract. With regard to the latter, the information should normally be provided upon initiation of architect-engineer (AE) selection for project development as announced in the Commerce Business Daily. However, DoD Component elements should evaluate any substantive changes in project development subsequent to completion of a review, for possible additional review. Since based on the foregoing, project information could be provided prior to transmission of a project in the Military Construction Program to the Congress, care must be exercised to ensure that no project data which indicates the year of funding or estimated cost of the project is provided to clearinghouses. Upon verification that a project is included in the budget fiscal year DoD Military Construction Program which has been submitted to the Congress, additional information and documentation on the project, as appropriate, (e.g. DD Forms 1391) may be provided for review provided it is consistent with the information submitted to the Congress. Proposed major military construction projects included in the Five Year Defense Plan will not be submitted to the clearinghouses or other Federal Agencies individually or collectively except as provided for above. The requirements of the National Health Planning and Resources Development Act of 1975 do not basically change the review process specified in DoD Directive 6015.17³ for military health and medical facility projects. Accordingly, DoD Component elements will continue to comply with the provisions of this reference for military health and medical facility projects. Each document (DD Form 1391) for projects subject to the provisions of this part which is forwarded to the Office of the Secretary of Defense for review and approval pursuant to DoD Instruction 7040.4⁴ will include a statement explaining the status of the clearinghouse and/or other Federal Agency review.

(3) Appropriate Real Property Acquisition Projects will be submitted only upon verification that the project has been approved by the competent authority of the concerned Military Department, or, if Congressional approval is required, only after the Congress has been officially notified of the plan or action by the responsible DoD Component authority. However, for exceptional cases, this procedure may be waived by the DASD (I&H). In addition, in cases where real property acquisition is part of a major Military Construction or Family Housing project, the real property acquisition may be coordinated as part of that project even though the above events may not have occurred.

(4) Appropriate plans and projects which may substantially change the utilization of military installations and real property and therefore could affect non-DoD facilities, services activities, etc., will be submitted only after approval by the competent authority of the concerned DoD Component and, if Congressional notification of the plan or action is required to be made by existing DoD policy, only after the Congress has

been officially notified of the plan or action by the responsible DoD Component authority.

(5) Appropriate real property disposal projects which require prior DoD approval in accordance with the provisions of DoD Instruction 4165.12¹ will be submitted only after all required DoD screening has been completed and the disposal report required by 10 USC 2662 has been cleared by the Congress. For exceptional cases, this procedure may be waived by the DASD (I&H) to enable submission to clearinghouses at the time the disposal report required by 10 USC 2662 is submitted to the Congress.

(d) DoD Federal Regional Council (FRC) Liaison Officers:

(1) Will serve as the DASD (I&H) local representatives.

(2) Shall establish and maintain liaison with State and Areawide clearinghouses in their assigned regions to determine any special requirements which may exist and to effect necessary coordination.

(3) Shall keep all appropriate DoD Component elements within their assigned regions of responsibility informed of significant A-95 FRC and clearinghouse activities.

(4) Shall, to the extent possible, through the use of the DoD Component designated A-95 point of contact, if necessary, resolve issues and problems between DoD Components and/or clearinghouse activities and other Federal Agencies in regard to A-95 matters. In the event resolution is not achieved at these levels, the matter will be expeditiously forwarded to the DASD (I&H) for resolution.

(5) Shall ensure that within their assigned regions, reviews of plans and projects among DoD Components and between DoD components and clearinghouse activities are uniform and consistent with the policies and procedures contained in this part.

(6) Shall inform the DASD (I&H) of those events, experiences and problem areas which can be used to improve the DoD A-95 review process, so that these can be evaluated and disseminated to the other FRC Liaison Officers and interested personnel and activities.

§ 243.6 Examples of other agency plans and programs which may require DoD Component review and/or input.

- Environmental Impact Assessments and Statements.
- Noise Abatement and Control Plans and Programs.
- Coastal Zone Management Plans and Programs.
- HUD 701 Comprehensive Plans and Programs.
- EPA Section 208 Areawide Waste Treatment Management Plans and Programs.
- Recreation Plans and Programs.
- Fish and Wildlife Conservation Plans and Programs.
- Air Quality Plans and Programs.
- Flood Control Plans and Programs.
- State and Regional Transportation Plans and Programs.
- State and Regional Land Use Plans and Programs.
- Energy Facility Siting Plans and Programs.
- FHA Mortgage Insurance Plans and Programs.

See footnotes at end of document.

VA Mortgage Insurance Plans and Programs.
Primitive Area Plans and Programs.
Wilderness Area Plans and Programs.
Historic and Scenic Trails Plans and Programs.

§ 243.7 Examples of A-95 Coordinating Agencies.²

Federal Agencies

Environmental Protection Agency (EPA).
Federal Aviation Administration (FAA of DOT).
Department of Housing and Urban Development (HUD).
Veterans Administration (VA).
Federal Energy Administration (FEA).
Department of Health, Education, and Welfare (HEW).
Department of the Interior: Outdoor Recreation, Land Management, Fish and Wildlife.
U.S. Forest Service (USFS of DOA).
Soil Conservation Service (SCS of DOA).
U.S. Army Corps of Engineers.
Federal Highway Administration (DOT).

State Agencies or Activities

Planning and Community Affairs.
Economic Development.
Transportation (Highway, Aeronautics).
Recreation Activities.
Natural Resources Activities.
Fish and Wildlife Activities.
Land Agencies.
Water Resources Agencies.
Air Quality Agencies.
Environment of Ecology Activities.
Conservation Activities.
Coastal Zone Management Activities.

§ 243.8 DoD Federal Regional Council liaison representatives for A-95 matters.²

Standard Federal Regions

Number	Address of Federal Regional Council Office	DoD Federal Regional Council liaison representative
I	Region I, Federal Regional Council Office, JFK Federal Bldg., Room E431, Boston, Mass. 02203.	Air Force
II	Region II, Federal Regional Council Office, 26 Federal Plaza, Room 3543A, New York, N.Y. 10007.	Army
III	Region III, Federal Regional Council Office, 4450 Federal Bldg., 600 Arch St., Philadelphia, Pa. 19106.	Navy
IV	Region IV, Federal Regional Council Office, 1371 Peachtree St. N.E., Atlanta, Ga. 30309.	Do.
V	Region V, Federal Regional Council Office, 300 South Wacker Dr., 18th Floor, Chicago, Ill. 60605.	Air Force
VI	Region VI, Federal Regional Council Office, 1100 Commerce St., Room 9C28, Dallas, Tex. 75202.	Do.
VII	Region VII, Federal Regional Council Office, 610 East 12th St., Kansas, Mo. 64106.	Army
VIII	Region VIII, Federal Regional Council Office, Federal Bldg., Room 14041, 1961 Stout St., Denver, Colo. 80202.	Air Force
IX	Region IX, Federal Regional Council Office, 450 Golden Gate Ave., P.O. Box 36098, San Francisco, Calif. 94102.	Navy
X	Region X, Federal Regional Council Office, 1321 2d Ave., Seattle, Wash. 98101.	Army

§ 243.9 Effective date.

This part shall become effective immediately.

MAURICE W. ROCHE,
Director, Correspondence and Directives OAS (Comptroller).

MARCH 3, 1977.

FOOTNOTES

¹ Copies available Naval Forms and Publications Center, 5801 Tabor Avenue, Philadelphia, Pa. 19120 Code: 300.

² This example of coordinating agencies for A-95 purposes, is not a complete list. The actual coordinating agencies for which this DoD implementation of A-95 applies will depend upon State and areawide clearinghouse activity requirements and the circumstances of the plan or project to be reviewed and evaluated. Moreover, it is most important that DoD Components coordinating plans and projects do not consider the above list of agencies as complete as regards the compliance requirements of the National Environmental Policy Act of 1969 and the implementing guidelines of the Council on Environmental Quality; Federal Water Pollution Control Act and other such laws, Executive Orders and Federal regulations. Compliance with such requirements require special considerations which are contained in other publications.

³ Military Department responsible for designating ODASD (I&H) representative.

[FR Doc.77-6747 Filed 3-7-77;8:45 am]

PART 256—AIR INSTALLATIONS
COMPATIBLE USE ZONES

Runway Classification by Aircraft Type;
Correction

In FR Doc 77-132 appearing at page 773 in the FEDERAL REGISTER of January 4, 1977, the following § 256.6 was inadvertently omitted and should be inserted immediately after the last paragraph on page 776 and before § 256.7 on page 777:

§ 256.6 Runway Classification by Aircraft Type.

Class A runways

S-2, VC-6, C-1, C-2, TC-4C, U-10, U-11, LU-16, TU-16, HU-16, C-7, C-8, C-12, C-47, C-117, U-21, QU-22, E-1, E-2, O-1, U-1, U-3, U-6, U-8, U-9, O-2, OV-1, OV-10, T-28, T-34, T-41, T-42.

Class B runways

A-1, A-3, A-4, A-5, A-6, F-106, F-5, F-15, F-18, S-3, C-121, EC-121, WC-121, C-123, C-130, A-7, A-38, AV-8, P-2, P-3, T-29, T-33, T-37, T-39, T-1, HC-130B, C-131, C-140, C-5A, KC-97, F-9, F-14, F-4, F-8, F-111, T-2, T-38, B-52, B-57, B-57F, C-124, EC-130E, HC-130, C-135, VC-137, YF-12, SR-71, F-100, F-101, F-102, B-66, C-9, C-54, C-97, C-118, C-141, KC-135, EC-135, RC-135, U-2, F-104, F-105, C-119.

MAURICE W. ROCHE,
Director, Correspondence and Directives, Office of the Secretary of Defense (Comptroller).

MARCH 3, 1977.

[FR Doc.77-6885 Filed 3-7-77;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 105—GENERAL SERVICES ADMINISTRATION

[ADM 7900.2 Chge. 7]

PART 105-61—PUBLIC USE OF RECORDS, DONATED HISTORICAL MATERIALS, AND FACILITIES IN THE NATIONAL ARCHIVES AND RECORDS SERVICE

Miscellaneous Amendments

Part 105-61 is amended to make NARS-issued researcher identification cards valid for a longer period, to update the hours of operation and addresses of certain Federal records centers and Federal archives and records centers, and to make minor editorial changes.

1. Section 105-61.001-6 is revised to read as follows:

§ 105-61.001-6 Researcher.

"Researcher" means a person who has applied for access to records or donated historical materials, in accordance with § 105-61.101-3, and who has been issued a researcher identification card.

Subpart 105-61.1—Public Use of Archives and FRC Records

2. Paragraph (d) of § 105-61.101-1 is revised to read as follows:

§ 105-61.101-1 General.

(d) A director may require that researchers under the age of 16 years be accompanied by an adult researcher who agrees in writing to be present when the records are used and to be responsible for compliance with the research room rules set forth in § 105-61.102.

3. Paragraph (c) of § 105-61.101-2 is revised to read as follows:

§ 105-61.101-2 Location of records and hours of use.

(c) Except for Federal holidays and other times specified by the Archivist or other authorized GSA officials, records will be made available according to the schedule set forth in § 105-61.5101.

4. Section 105-61.101-4 is revised to read as follows:

§ 105-61.101-4 Researcher identification card.

A researcher identification card will be issued to each person whose application is approved. The card will be valid for the use of records at only the depository where it was issued, and for a period of not more than 2 years, but it may be renewed upon application. Cards are not transferable and shall be produced when requested by a guard or research room attendant.

5. Section 105-61.102-5 is revised to read as follows:

§ 105-61.102-5 Conduct.

Researchers are subject to the provisions of Subpart 101-20.3, Conduct on Federal Property. Eating in a research room is prohibited. Smoking is prohibited except in designated smoking areas. Loud talking and other activities likely to disturb other researchers are also prohibited. Persons desiring to use typewriters, sound recording devices, or photocopying equipment shall work in areas designated by the research room attendant.

Subpart 105-61.3—Public Use of Facilities of the National Archives and Records Service

6. Section 105-61.307 is revised to read as follows:

§ 105-61.307 General conditions governing use of all facilities.

All persons using the facilities in the National Archives Building, Presidential libraries, and Federal records centers are subject to the regulations applicable to conduct on Federal property, as specified in Subpart 101-20.3.

Subpart 105-61.51—Location of Records and Hours of Use

7. Paragraph (b) of § 105-61.5101-6 is revised to read as follows:

§ 105-61.5101-6 Federal records centers.

(b) 3150 Bertwynn Drive, Dayton, OH 45439. Hours: 7:30 a.m. to 4 p.m., Monday through Friday.

8. Paragraphs (c) and (d) of § 105-61.5101-7 are revised to read as follows:

§ 105-61.5101-7 Federal archives and records centers.

(c) 5000 Wissahickon Avenue, Philadelphia, PA 19144. Hours: 7:30 a.m. to 4 p.m., Monday through Friday.

(d) 1557 St. Joseph Avenue, East Point, GA 30344. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

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

Effective date: This regulation is effective on March 8, 1977.

The General Services Administration has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Dated: February 25, 1977.

ROBERT T. GRIFFIN,
Acting Administrator of
General Services.

[FR Doc.77-6727 Filed 3-7-77;8:45 am]

Title 46—Shipping

CHAPTER II—MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 75, 2nd Revision, Amdt. 35]

PART 308—WAR RISK INSURANCE

Interim Binders and Renewal Procedures; Standard Forms

The authority of the Secretary to provide insurance and reinsurance under Title XII, War Risk Insurance, of the Merchant Marine Act, 1936, as amended, (46 U.S.C. 1281-1293) expired on September 7, 1975, and was reinstated by section 5 of Public Law 94-523, approved October 17, 1976, for a period which expires September 30, 1979.

The purpose of this amendment to Part 308 is to provide the terms and conditions upon which war risk insurance binders on United States-flag vessels will be reinstated and to change the expiration date of the binder forms. Section 1 of Public Law 94-523 amended section 1203(a) of the Merchant Marine Act, 1936, 46 U.S.C. 1283(a), by inserting new criteria for considering the eligibility of foreign-flag vessels for war risk insurance binders. Until such time as new regulations can be established and published, interim binders for foreign-flag vessels in effect prior to midnight, September 7, 1975, G.m.t., will remain cancelled and applications for binders will not be accepted for foreign-flag vessels until further notice.

In FR Doc. 75-4465 (Amendment 34), appearing in the FEDERAL REGISTER issue of February 19, 1975, (40 FR 7097), Part 308 was amended to reflect the following changes:

Amend §§ 308.6 Period of interim binders and renewal procedure; 308.106 Standard form of war risk hull insurance interim binder and optional disbursements insurance endorsement; 308.206 Standard form of war risk protection and indemnity insurance interim binder, and 308.305 Standard form of Second Seamen's war risk insurance interim binder, by changing the expiration dates contained therein to read "midnight, September 7, 1975, G.m.t."

Effective on March 8, 1977, Part 308 is amended to reflect the following changes:

1. Section 308.6 is revised to read as follows:

§ 308.6 Period of interim binders and renewal procedure.

(a) All interim binders on United States-flag vessels under § 308.1(a) issued in accordance with Subparts B, C, and D of this part and which expired at midnight, September 7, 1975, are reinstated from the date of publication of this notice until September 30, 1979, provided that on or before May 9, 1977 the assureds under interim binders on United

States-flag vessels comply with the regulations as set forth in paragraph (b) of this section. Failure to comply with the requirements stipulated in paragraph (b) of this section within the prescribed period will result in automatic termination of the binders.

(b) Assureds under interim binders on United States-flag vessels reinstated under paragraph (a) above must file a statement, in triplicate, on the letterhead of the assured, setting forth the former binder numbers, the vessel name and official number (unless the vessel is undocumented), and a list of all documents previously submitted, with a certification as to their completeness and accuracy as of the date of filing for reinstatement. In the event any previously submitted documents are no longer complete and accurate, as required, corrected documents and any required documents not previously submitted must be attached to the certification and accompany the binder fees as prescribed in §§ 308.102, 308.202 and/or 308.302. Checks should be made payable to "Maritime Adm. Commerce" and be sent with the other required documents to the American War Risk Agency, 14 Wall Street, New York, New York 10005, within the prescribed 60 day period.

(c) New applications for interim binders on United States-flag vessels, with necessary attachments (as specified in § 308.3) and check for the binding fees prescribed, should be filed with the American War Risk Agency at its offices at 14 Wall Street, New York, New York 10005. All interim binders on United States-flag vessels shall become effective as of the date of determination of eligibility by the Maritime Administration (as required).

(d) The binders as set forth in §§ 308.106, 308.206 and 308.305 may be terminated by the assured on written request as of the date of receipt of such request by the Maritime Administration, Office of Marine Insurance, Washington, D.C. 20230, provided insurance has not attached.

§§ 308.106, 308.206, 308.305 [Amended]

2. As amended by Amendment 34, §§ 308.106, 308.206, and 308.305 are hereby further amended by changing the expiration dates contained therein to read, "midnight, September 30, 1979, G.m.t."

(Sec. 204, 49 Stat. 1987, as amended: 46 U.S.C. 1114.)

Dated: March 2, 1977.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.77-6816 Filed 3-7-77;8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 1126, 1071, 1073, 1097, 1102, 1104, 1106, 1108, 1120, 1132, 1138]

[Docket Nos. AO-231-A45, etc.]

MILK IN THE TEXAS AND CERTAIN OTHER MARKETING AREAS

Rescheduling of Hearing on Proposed Amendments to Tentative Marketing Agreements and to Orders

7 CFR parts	Marketing area	Docket No.
1126	Texas	AO-231-A45
1071	Neosho Valley	AO-227-A34
1073	Wichita, Kans.	AO-178-A35
1097	Memphis, Tenn.	AO-219-A34-R01
1102	Fort Smith, Ark.	AO-237-A28-R01
1104	Red River Valley	AO-238-A28
1106	Oklahoma metropolitan	AO-210-A41
	fan.	
1108	Central Arkansas	AO-243-A32-R01
1120	Lubbock-Plainview, Tex.	AO-328-A21
1132	Texas Panhandle	AO-262-A30
1138	Rio Grande Valley	AO-335-A26

A notice was issued on February 11, 1977 (42 FR 9674) giving notice of a public hearing to be held March 15, 1977, with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the Texas and certain other marketing areas.

Notice is hereby given, pursuant to the rules of practice applicable to these proceedings (7 CFR PART 900) that the said hearing is rescheduled to be held at Holiday Inn—D.F.W. North, Highway 114 and Esters Road (Northeast corner of Regional Airport), Irving, Texas, beginning at 9:30 a.m., local time, April 5, 1977.

Signed at Washington, D.C., on March 3, 1977.

WILLIAM T. MANLEY,
Deputy Administrator,
Program Operations.

[FR Doc.77-6751 Filed 3-7-77;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL TELEPHONE PROGRAM

Proposed Revised Pages of REA Specification PE-56 for Three-Electrode Gas Tube Protectors

AGENCY: Rural Electrification Administration, USDA.

ACTION: Proposed Rule.

SUMMARY: Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to revise REA Bulletin 345-71 to announce revised pages 3, 5, 6,

7, and 8 of REA Specification PE-56 for Three-Electrode Gas Tube Protectors. On issuance of REA Bulletin 345-71, Appendix A to Part 1701 will be modified accordingly.

DATE: Comments on or before April 7, 1977.

ADDRESS: Persons interested in the revised pages of the specification may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Mr. Claude F. Buster, Jr., Chief, Station Equipment and Protection Branch, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1347, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202-447-3173.

SUPPLEMENTARY INFORMATION: A copy of the proposed revised pages of REA Specification PE-56 may be secured in person or by written request from the Director, Telephone Operations and Standards Division. The text of the revised REA Bulletin 345-71 announcing the issuance of the revised pages of PE-56 is as follows:

SUPPLEMENT TO REA BULLETIN 345-71

REVISED PAGES OF REA SPECIFICATION PE-56

It has been considered mandatory at this time to upgrade the life test requirements for three-electrode gas tube arresters in view of reports from high lightning areas indicating that some arresters have reached the end of their useful life in only a few years. Lower maintenance expense can be achieved through the use of arresters having much longer service life. The determination of longer life can be achieved through the ability of these arresters to meet the more rigorous test requirements described in the enclosed revised pages 3, 5, 6, 7, and 8.

Each of the revised pages 3, 5, 6, 7, and 8 bear a revision date of March 1977 and will become effective June 1, 1977. All three-electrode gas tube arresters supplied and installed on REA borrowers' systems after June 1, 1977, must comply with the requirements contained in the enclosed revised pages. The revised pages 3, 5, 6, 7, and 8 are to replace pages 3, 5, 6, 7, and 8 of the existing issue of REA Specification PE-56 dated August 1974.

Copies of the revised pages of REA Specification PE-56 will be furnished by REA upon request. Questions concern-

ing these changes may be referred to the Chief, Station Equipment and Protection Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202-447-3173.

Dated: March 1, 1977.

C. R. BALLARD,
Assistant Administrator—Telephone.

[FR Doc.77-6641 Filed 3-7-77;8:45 am]

[7 CFR Part 1701]

RURAL TELEPHONE PROGRAM

Proposed Revised Pages of REA Specification PE-55 for Two-Electrode Gas Tube Protectors

AGENCY: Rural Electrification Administration, USDA.

ACTION: Proposed Rule.

SUMMARY: Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to revise REA Bulletin 345-68 to announce revised pages 5, 6, and 7 of REA Specification PE-55 for Two-Electrode Gas Tube Protectors. On issuance of REA Bulletin 345-68, Appendix A to Part 1701 will be modified accordingly.

DATE: Comments on or before April 7, 1977.

ADDRESS: Persons interested in the revised pages of the specification may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Mr. Claude F. Buster, Jr., Chief, Station Equipment and Protection Branch, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1347, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202-447-3173.

SUPPLEMENTARY INFORMATION: A copy of the proposed revised pages of REA Specification PE-55 may be secured in person or by written request from the Director, Telephone Operations and Standards Division. The text of the revised REA Bulletin 345-68 announcing

the issuance of the revised pages of PE-55 is as follows:

SUPPLEMENT TO REA BULLETIN 345-68

REVISED PAGES OF REA SPECIFICATION PE-55

It has been considered mandatory at this time to upgrade the life test requirements for two-electrode gas tube arresters in view of reports from high lighting areas indicating that some arresters have reached the end of their useful life in only a few years. Lower maintenance expense can be achieved through the use of arresters having much longer service life. The determination of longer life can be achieved through the ability of these arresters to meet the more rigorous test requirements described in the enclosed revised pages 5, 6, and 7.

Each of the revised pages 5, 6, and 7 bear a revision date of March 1977 and will become effective June 1, 1977. All two-electrode gas tube arresters supplied and installed on REA borrowers' systems after June 1, 1977, must comply with the requirements contained in the enclosed revised pages. The revised pages 5, 6, and 7 are to replace pages 5, 6, 7, and 8 of the existing issue of REA Specification PE-55 dated March 1973.

Copies of the revised pages of REA Specification PE-55 will be furnished by REA upon request. Questions concerning these changes may be referred to the Chief, Station Equipment and Protection Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202-447-3173.

Dated: March 1, 1977.

C. R. BALLARD,
Assistant Administrator—Telephone.

[FR Doc. 77-6642 Filed 3-7-77; 8:45 am]

[7 CFR Part 1701]

RURAL TELEPHONE PROGRAM

Proposed New Specification for Spring Action Type Bonding Connectors Within Buried Plant Housings

AGENCY: Rural Electrification Administration, USDA.

ACTION: Proposed Rule.

SUMMARY: Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to issue REA Bulletin 345-76 to announce a new REA Specification PE-57 for Spring Action Type Bonding Connectors Within Buried Plant Housings. On issuance of REA Bulletin 345-76, Appendix A to Part 1701 will be modified accordingly.

DATE: Comments on or before April 7, 1977.

ADDRESS: Persons interested in the new specification may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Mr. Warner T. Smith, Chief, Outside Plant Branch, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1342, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202-447-3827.

SUPPLEMENTARY INFORMATION: A copy of the proposed new REA Specification PE-57 may be secured in person or by written request from the Office of the Director, Telephone Operations and Standards Division. The text of the proposed new REA Bulletin 45-76 announcing the issuance of the new specification is as follows:

REA BULLETIN 345-76

Subject: REA Specification for Spring Action Type Bonding Connectors Within Buried Plant Housings.

I. Purpose: To announce the issuance of a new REA Specification PE-57 for Spring Action Type Bonding Connectors Within Buried Plant Housings.

II. General: REA Specification PE-57 has been developed to cover requirements for spring action type bonding connectors that will be used within buried plant housings. The connectors produced to meet these requirements are expected to provide shield bonding connections of greater reliability with accompanying reduction in maintenance expense. This new specification will become effective upon issuance.

III. Availability of Specification: Copies of the new PE-57 will be furnished by REA upon request. Questions concerning the new specification may be referred to the Chief, Outside Plant Branch, Telephone Operations and Standards Division, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202-447-3827.

Dated: March 1, 1977.

C. R. BALLARD,
Assistant Administrator—Telephone.

[FR Doc. 77-6643 Filed 3-7-77; 8:45 am]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

ASSIGNMENT OR ALIENATION OF BENEFITS

Public Hearing on Proposed Regulations

Proposed regulations under section 401 (a) (13) of the Internal Revenue Code of 1954, relating to the assignment or alienation of benefits appear in the FEDERAL REGISTER for December 28, 1976 (41 FR 56334).

A public hearing on the provisions of such proposed regulations will be held on April 15, 1977, beginning at 10 a.m. in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Ave. NW., Washington, D.C. 20224.

Internal Revenue Code section 401(a) (13), under which the regulations were proposed, was enacted by the Employee Retirement Income Security Act of 1974 (Pub. L. 93-406). Title I of that Act also enacted into law a substantially identical provision to be administered by the Department of Labor. For this reason, the Internal Revenue Service has invited

representatives of the Department of Labor to be present at the scheduled hearing, and these representatives may address questions to persons making oral presentations at the hearing.

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to such public hearing. Copies of these rules may be obtained by a request directed to the Commissioner of Internal Revenue, Attention:CC:LR:T, Washington, D.C. 20224, or by telephoning (Washington, D.C.) 202-566-3935. Under such § 601.601(a)(3) persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and who desire to present oral comments at the hearing on such proposed regulations, should submit an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by April 6, 1977. Such outlines should be submitted to the Commissioner of Internal Revenue, Attention:CC:LR:T, Washington, D.C. 20224. Under § 601.601(a)(3) (26 CFR Part 601) each speaker will be limited to 10 minutes for an oral presentation exclusive of time consumed by questions from the panel for the Government and answers thereto.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers, and copies of the agenda will be available free of charge at the hearing. Further information with respect to the hearing may be obtained from Mr. George H. Bradley who may be contacted by telephone at (Washington, D.C.) 202-566-3935, or by mail as follows: Chief, Technical Section (CC:LR:T), 1111 Constitution Avenue NW., Room 4317, Washington, D.C. 20224.

ROBERT A. BLEY,
Acting Director, Legislation and Regulations Division.

[FR Doc. 77-6900 Filed 3-7-77; 8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

[Docket No. H-004]

EXPOSURE TO LEAD

Proposed Standard; Additional Locations for Informal Public Hearings

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Notice of additional locations for informal hearings.

SUMMARY: This notice schedules two regional hearings concerning the proposed standard for occupational exposure to lead, in addition to the previously announced Washington hearing which will begin on March 15, 1977.

The purpose of holding these regional hearings is to permit persons who are unable to attend the Washington hearing, particularly small businesses and individual employees, the opportunity to orally present their views to the Agency.

All persons who want to make a presentation at either of the regional hearings should file a notice of intention to appear no later than April 11, 1977, in accordance with the requirements set forth below.

DATES: All notices of intention to appear at these two hearings must be filed by April 11, 1977.

Dates on which regional hearings will begin, locations and times are as follows:

April 26, 1977: 9:30 a.m.—Bel Air Hilton, 333 Washington Avenue, St. Louis, Missouri 63102.

May 3, 1977: 9:30 a.m.—The Holiday Inn, Golden Gate Way, Van Ness Avenue at California St., San Francisco, California 94109.

Notices of intention to appear and requests for further information should be addressed to:

Clarence Page, OSHA Office of Committee Management, Docket No. H-004, Room N-3633, U.S. Department of Labor, 3rd and Constitution Avenue, NW., Washington, D.C. 20210. (202-523-8024.)

SUPPLEMENTARY INFORMATION:

On October 3, 1975, OSHA published in the FEDERAL REGISTER (40 FR 45934) a proposed standard for occupational exposure to lead. On January 4, 1977, OSHA scheduled an informal rulemaking hearing on all relevant issues relating to the lead proposal (42 FR 808). The hearing will begin on March 15, 1977, at 9:30 a.m. in the Departmental Auditorium on Constitution Avenue between 12th and 14th Streets, NW., Washington, D.C. On February 15, 1977, the availability of the Economic Impact Study for lead was announced (42 FR 9190). The requirements for filing proper notices of intention to appear at the Washington hearing are set forth in the January 4 and February 15, 1977, notices. The notice of proposed rulemaking and the January 4 and February 15 notices discuss the issues that are involved in these proceedings.

PUBLIC PARTICIPATION AT REGIONAL HEARINGS

OSHA is scheduling two regional hearings on the lead proposal, at the times and places stated above, to provide interested persons who are unable to attend the Washington hearing the opportunity to make brief oral presentations to the Agency on any of the issues involved in these proceedings. These hearings are particularly designed to provide an opportunity for small businesses and employees who may not have the resources to appear at the hearing in Washington to more fully participate in the lead rulemaking proceeding. In order to allow as many people as possible to participate in these informal hearings, presentations will generally be limited to 15 minutes. We will attempt, however, within the time available, to accommodate any requests for additional time which are made necessary by special circumstances.

In view of the brief duration of these regional hearings, OSHA requests interested persons who are able to attend the Washington hearing to present their tes-

timony in Washington. OSHA will make its presentation and will be available for questioning only at the beginning of the hearing in Washington. In addition, the expert witnesses who have been asked by OSHA to testify are scheduled to appear only in Washington.

All persons who want to participate in either of these informal regional hearings should file a notice of intention to appear, postmarked on or before April 11, 1977, with Clarence Page at the above address. The notice must contain the following information:

(1) The hearing location—St. Louis or San Francisco—at which you wish to testify;

(2) The name, address, and telephone number of each person to appear;

(3) The organization, if any, which the person represents;

(4) The issues that will be addressed and a brief statement of your views; and

(5) Complete copies of any studies, scientific or economic data, or any other documentary materials which you will be presenting for the record or discussing at the hearing.

All persons giving advance notice as above will have time reserved for oral presentation. Persons wishing to testify who have not submitted advance notice, will be allowed to make oral presentations if time permits; however, priority will be given to those who have submitted notices of appearance.

All written submissions will become part of the record of this proceeding and will be available for inspection and copying at the above address.

Any person who has already filed a notice of intention to appear, or who intends to file a timely notice of intention to appear at any of the hearing locations may ask appropriate questions of any other participant at any of the hearing locations. In addition, any person who has filed a notice of intention to appear at the Washington hearing, but now wishes to make a brief presentation of the type permitted at one of the regional hearings, rather than Washington, may do so by notifying Clarence Page at the above address as soon as possible.

CONDUCT OF HEARING

The hearing will be conducted in accordance with 29 CFR Part 1911, and will commence with the resolution of any procedural matters. It will be presided over by an Administrative Law Judge who will have all the powers necessary or appropriate to conduct a full and fair informal hearing, including the powers:

(1) To regulate the course of the proceedings;

(2) To dispose of procedural requests, objections, and comparable matters;

(3) To confine the presentations to matters pertinent to the proposed standard;

(4) To regulate the conduct of those present at the hearing by appropriate means;

(5) In the judge's discretion, to question and permit questioning of any witness; and

(6) In the judge's discretion, to keep the record open for a reasonable, stated time to receive written information and additional data, views and arguments from any person who has participated in the oral proceedings.

Following the close of the hearing, the presiding Administrative Law Judge will certify the record thereof to the Assistant Secretary of Labor for Occupational Safety and Health. The proposal will be reviewed in light of all oral and written submissions received as part of the record, and a final standard will be issued based on the entire record in this proceeding.

(Sec. 6, 84 Stat. 1593 (29 U.S.C. 655); 29 CFR Part 1911.)

Signed at Washington, D.C., this 3d day of March 1977.

JOSEPH KIRK,
Acting Deputy Assistant
Secretary of Labor.

[FR Doc.77-6983 Filed 3-7-77; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[PRL 695-1]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Arizona

INTRODUCTION

The Regional Administrator hereby issues this notice proposing approval of revisions to the Arizona State Implementation Plan (SIP) and advising the public that comments may be submitted on the proposed approval.

BACKGROUND

On January 28, 1972, pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the State of Arizona submitted to EPA an implementation plan for the attainment and maintenance of the National Ambient Air Quality Standards. The plan included the Rules and Regulations of the Pima County Air Pollution Control District. On May 31, 1972 (37 FR 10842), the Administrator approved the plan with specific exceptions. Since then, Arizona has submitted to EPA numerous proposed revisions to the SIP correcting deficiencies originally identified by EPA and including new and amended regulations adopted by the State and local governments.

On February 20, 1975, the Arizona Department of Health Services submitted to EPA amendments of the Rules and Regulations of the Pima County Air Pollution Control District. The amendments include: Regulation I, Rule 2—Definitions; Regulation I, Rule 4D—Operating Permits; Regulation I, Rule 4E—Permit Fees; Regulation I, Rule 4J—Racing Event Site Operating Permits and Unpaved Parking Lot Operating Permits; Regulation I, Rule 8G—Permit Revocation Fees; Regulation I, Rule 16C—Conditional Permit Fees; Regulation I, Rule 29—Fees for various types of permits; and Regulation I, Rule 30—Equipment Fee Schedules.

DISCUSSION OF ACTION

Adoption of the amendments was in conformance with the procedural requirements of 40 CFR 51.4 for a thirty-day notice by prominent advertisement of the public hearing on the proposed amendments, that the proposed amendments were made available for public inspection, and that the Regional Administrator, the Arizona Department of Health Services and the appropriate local air pollution control agencies were notified at least thirty days prior to the date of the hearing.

EPA has reviewed the amendments and determined that they do not conflict with any of the requirements of the Clean Air Act and 40 CFR Part 51. Therefore, the Regional Administrator proposes approval of the amendments as submitted.

PUBLIC INVOLVEMENT

Interested persons are invited to submit comments concerning the proposed approval to the Regional Administrator, Attention: Air and Hazardous Materials Division, Air Programs Branch, 100 California Street, San Francisco, California 94111. Relevant comments received on or before April 7, 1977 will be considered. Comments received will be available for inspection during normal working hours at the EPA-Region IX office and the EPA Public Information Reference Unit.

Copies of the proposed revision are available for public inspection during normal business hours at the following locations:

Pima County Health Department, 151 West Congress Street, Tucson AZ 85701.
Arizona Department of Health Services, Bureau of Air Pollution Control, 1740 West Adams Street, Phoenix AZ 85007.
Environmental Protection Agency, Region IX, 100 California Street, San Francisco CA 94111.
Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street, SW., Washington, D.C. 20460.

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

Dated: February 25, 1977.

PAUL DE FALCO, JR.,
Regional Administrator.

[FR Doc. 77-6715 Filed 3-7-77; 8:45 am]

NATIONAL FOUNDATION ON THE
ARTS AND THE HUMANITIES

[45 CFR Part 1115]

PRIVACY ACT REGULATIONS

Proposed Modifications

On October 21, 1975, final regulations concerning implementation of the Privacy Act of 1974 (Pub. L. 93-579) by the National Foundation on the Arts and the Humanities were published in the FEDERAL REGISTER (40 FR 49286). Notice is hereby given that the Foundation proposes to revise these regulations to reflect the comments and suggestions of the Ad Hoc Interagency Task Force on Privacy Act Implementation and OMB.

Changes include: Modification of former § 1115.4 in order to keep at a minimum requirements with respect to verifi-

cation of identity accompanying requests for records; addition of a new § 1115.5 to provide for an appeal procedure when access to records has been denied; addition of a new paragraph (f) to § 1115.6 to provide procedures for sending a copy of an individual's record, with disputed portions clearly noted, to prior recipients of the record; addition of a new § 1115.7 to provide an individual with the right to request an accounting of disclosures made of his or her record, and clarification of former § 1115.7 relating to exemptions claimed pursuant to 5 U.S.C. 552 (a) (k) (5).

Interested persons are invited to submit written comments on these proposed revisions to the Office of the General Counsel, National Endowment for the Arts, 2401 E Street NW., Washington, D.C. 20506 or the Office of the General Counsel, National Endowment for the Humanities, 806 15th Street NW., Washington, D.C. 20506. All written comments received on or before April 7, 1977, will be considered by the Foundation before adoption of final revised regulations.

PART 1115—PRIVACY ACT
REGULATIONS

- | | |
|--------|-----------------------------------------------------------------------------------------------------|
| Sec. | |
| 1115.1 | Purpose and scope. |
| 1115.2 | Definitions. |
| 1115.3 | Procedures for notification of existence of records pertaining to individuals. |
| 1115.4 | Procedures for requests for access to or disclosure of records pertaining to individuals. |
| 1115.5 | Appeals from denials of access. |
| 1115.6 | Correction of records. |
| 1115.7 | Requests for accounting of record disclosures. |
| 1115.8 | Disclosure of records to agencies or persons other than the individual to whom the record pertains. |
| 1115.9 | Exemptions. |

AUTHORITY: 5 U.S.C. 552a(f).

§ 1115.1 Purpose and scope.

This part sets forth the National Foundation on the Arts and the Humanities' procedures under the Privacy Act of 1974 as required by 5 U.S.C. 552a(f). Internal guidance for Foundation staff and other regulations implementing the Privacy Act are contained or will be contained in Foundation circulars.

§ 1115.2 Definitions.

For purposes of this part:

(a) "Foundation" means the National Foundation on the Arts and the Humanities.

(b) "Act" means the Privacy Act of 1974 (Pub. L. 93-579).

(c) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(d) "Maintain", used with reference to a record means to collect, to use, to disseminate, to have control over and responsibility for such record.

(e) "Record" means any item, collection or grouping of information about an individual that is maintained by the Foundation and that is retrievable by his or her name or an identifying particular, such as a number, symbol, fingerprint, or photograph of the individual. Information maintained by the Foundation includes, but is not limited to, educa-

tion, financial transactions, medical history, employment history and criminal history.

(f) "Routine use" means, with respect to the disclosure of a record, the use of such a record for a purpose which is compatible with the purpose for which it was collected. The routine uses of record systems maintained by the Foundation were established pursuant to notice in the FEDERAL REGISTER.

(g) "System of records" means a group of any records under the control of the Foundation from which information about an individual is retrievable by his or her name or by some identifying particular.

§ 1115.3 Procedures for notification of records pertaining to individuals.

(a) The systems of records, as defined in the Privacy Act of 1974, maintained by the National Foundation on the Arts and the Humanities are listed annually in the FEDERAL REGISTER as required by that Act. Any person who wishes to know whether a system of records contains a record pertaining to him may appear in Person at the National Endowment for the Arts, Room 1338, 2401 E Street N.W., Washington, D.C. 20506 or the National Endowment for the Humanities, Room 1000, 806 15th Street, N.W., Washington, D.C. 20506, on work days between the hours of 9:00 a.m. and 5:30 p.m. or by writing to the Office of the General Counsel, National Endowment for the Arts or National Endowment for the Humanities, Washington, D.C. 20506. It is recommended that requests be made in writing, since in many cases it will take several days to ascertain whether a record exists.

(b) Requests for notification of the existence of a record should specifically identify the system of records involved and should state, if the requester is other than the individual to whom the record pertains, the relationship of the requester to that individual. (Note that requests will not be honored by the Foundation pursuant to the Privacy Act unless made (1) by the individual to whom the record pertains, (2) by such individual's parent if the individual is a minor, or (3) by such individual's legal guardian if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction.)

(c) The Foundation will attempt to respond to a request as to whether a record exists within 10 working days from the time it receives the request or from the time any required identification is established, whichever is later.

§ 1115.4 Procedures for requests for access to or disclosure of records pertaining to an individual.

(a) Any person may request review of records pertaining to him by appearing at the National Endowment for the Arts, Room 1338, 2401 E Street NW., Washington, D.C. 20506, or the National Endowment for the Humanities, Room 1000, 806 15th Street NW., Washington, D.C. 20506 on work days between the hours of 9:00 a.m. and 5:30 p.m., or by writing

to the Office of the General Counsel, National Endowment for the Arts, or National Endowment for the Humanities, Washington, D.C. 20506. (See paragraphs (b) and (c) of this section for identification requirements.) The request should specifically identify the systems or records involved. The Foundation will strive either to make the record available within 15 working days of the request or to inform the requestor of the need for additional identification or the tendering of fees (as specified in paragraph (d) of this section) within 15 working days.

(b) In the case of persons making requests by appearing at the Foundation, the amount of personal identification required will of necessity vary with the sensitivity of the record involved. Except as indicated below, reasonable identification such as employment identification cards, drivers licenses, and credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary. Records in the following systems of records, however, are considered to contain relatively sensitive and/or detailed personal information.

Grant Applications—NEA
Grant Applications—NEH
Grants to Individuals—NEA
Grants to Individuals and Institutions—NEH
Equal Employment Opportunity Case File—NFAH NEA/NEH
Employee Payroll—NFAH
Personnel Records—NFAH

Accordingly, with respect to requests for records in these systems the Foundation reserves the rights to require sufficient identification to identify positively the individual making the request. This might involve independent verification by the Foundation as by phone calls to determine whether an individual has made a request, personal identification by Foundation employees who know the individual, or such other means as are considered appropriate under the circumstances.

(c) A written request for records contained in any of the systems of records listed in paragraph (b) of this section will be honored only if it contains the following certification before a duly commissioned notary public of any state or territory (or similar official if the request is made outside the United States):

I, _____ do hereby
(Printed name)
certify that I am the individual about whom the record requested in this letter pertains or that I am within the class of persons authorized to act on his behalf in accordance with 5 U.S.C. 552a(h).

(Signature)

(Date)

In the County of _____
State of _____ On this
_____ day of _____

(Name of individual)
who is personally known to me, did appear before me and sign the above certificate.

(Signature)

(Date)

(s) My Commission expires _____

(d) Charges for copies of records will be at the rate of \$0.10 per photograph of each page. Where records are not susceptible to photo-copying, e.g., punch cards, magnetic tapes or oversize materials, the amount charged will be actual cost as determined on a case-by-case basis. Only one copy of each record requested will be supplied. No charge will be made unless the charge as computed above would exceed \$3.00 for each request or related series of requests. If a fee in excess of \$25.00 would be required, the requestor shall be notified and the fee must be tendered before the records will be copied.

§ 1115.5 Appeals from denials of access.

An individual who has been denied access to records concerning him may appeal that decision to the Assistant Chairman/Management, National Endowment for the Arts, or the Chairman, National Endowment for the Humanities by filing a written appeal within 30 working days of the receipt of the denial. The appeal shall be marked on its face and on the face of the envelope "Privacy Appeal—Denial of Access," and shall be addressed to the Assistant Chairman/Management, National Endowment for the Arts, 2401 E Street NW., Washington, D.C. 20506, or the Chairman, National Endowment for the Humanities, 806 15th Street NW., Washington, D.C. 20506. Appeals shall be determined in thirty working days unless the appropriate official, by notice to the individual, extends that period for an additional thirty working days because of the volume of records requested, the scattered location of records, the need to consult other agencies, or the difficulty of the legal issues involved, or other administrative difficulty.

§ 1115.6 Correction of records.

(a) Any individual is entitled to request amendments of records pertaining to him pursuant to 5 U.S.C. 552a(d)(2). Such a request shall be made in writing and addressed to the Office of the General Counsel, National Endowment for the Arts or National Endowment for the Humanities, Washington, D.C. 20506.

(b) The request should specify the record and systems of records involved, and should specify the exact correction desired and state that the request is made pursuant to the Privacy Act. An edited copy of the record showing the desired correction is desirable. Within 10 working days of the receipt of a properly addressed request (or within 10 working days of the time the General Counsel, National Endowment for the Arts or the General Counsel, National Endowment for the Humanities becomes aware that a particular communication not addressed as prescribed above is a request for correction of a record under the Privacy Act), the General Counsel's office shall acknowledge receipt of the request.

(c) The General Counsel's office upon receipt of such a request shall promptly confer with the office within the Foundation responsible for the record. In the event it is felt that correction is not warranted in whole or in part, the mat-

ter shall be brought to the attention of the Deputy Chairman of the Endowment involved. If, after review by the Deputy Chairman of the involved Endowment and discussion with the requestor, if deemed helpful, it is determined that correction as requested is not warranted, a letter shall be sent by the Deputy Chairman's office to the requestor denying his request and/or explaining what correction might be made if agreeable to the requestor. This letter shall set forth the reasons for the refusal to honor the request for correction. It shall also inform him of his right to appeal this decision and include a description of the appeals procedure set forth in paragraph (d) of this section.

(d) An appeal may be taken from an adverse determination under paragraph (c) of this section to the Assistant Chairman/Management, National Endowment for the Arts or the Chairman, National Endowment for the Humanities. Such appeal must be made in writing and should clearly indicate that it is an appeal. The basis for the appeal should be included, and it should be mailed to the same address as listed in paragraph (a) of this section. A hearing at the Foundation may be requested. Such hearing will be informal, and shall be before the Assistant Chairman/Management, National Endowment for the Arts, the Chairman, National Endowment for the Humanities, or an appointed designee. If no hearing is requested, the request for appeal should include the basis for the appeal. Where no hearing is requested the Assistant Chairman or Chairman before whom the appeal is taken shall render his decision within thirty working days after receipt of the written appeal at the Foundation, unless the Assistant Chairman or Chairman before whom the appeal is taken, for good cause shown, extends the 30-day period and the appellant is advised in writing of such extension. If a hearing is requested, the Foundation will attempt to contact the appellant within five working days and arrange a suitable time for the hearing. In such cases the decision of the Assistant Chairman or Chairman shall be made within 30 working days after the hearing unless the time is extended and the appellant is advised in writing of such extension.

(e) The final decision of the Assistant Chairman or Chairman in an appeal shall be in writing, and, if adverse to the appellant, set forth the reasons for the refusal to amend the record and advise him of this right to appeal the decision under 5 U.S.C. 552a(g)(1)(A). The individual shall also be notified that he has the right to file with the Foundation a concise statement setting forth the reasons for his disagreement with the refusal of the Foundation to amend his record.

(f) Notices of correction or disagreement. When a record has been corrected the system manager shall, within thirty working days thereof, advise all prior recipients of the record whose identity can be determined pursuant to the accounting required by the Privacy Act

or any other accounting previously made, of the correction. Any dissemination of a record after the filing of a statement of disagreement shall be accompanied by a copy of that statement. Any statement of the agency giving reasons for refusing to correct shall be included in the file.

§ 1115.7 Requests for accounting of record disclosures.

At the time of his request for access or correction or at any other time, an individual may request an accounting of disclosures made of his record outside the Foundation. Requests for accounting shall be directed to the system manager or other person specified in the "Notice of Records Systems." Any available accounting, whether kept in accordance with the requirements of the Privacy Act or under procedures established prior to September 27, 1975 shall be made available to the individual except that an accounting need not be made available if it relates to: (a) Records with respect to which no accounting need be kept; (b) A disclosure made to a law enforcement agency pursuant to 5 U.S.C. 552a(b)(7); (c) An accounting which has been exempted from disclosure pursuant to 5 U.S.C. 552a(j) or (k).

§ 1115.8 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

Records subject to the Privacy Act that are requested by any person other than the individual to whom they pertain will not be made available except under the following circumstances:

(a) Records required to be made available by the Freedom of Information Act will be released in response to a request formulated in accordance with Foundation regulations found at Part 1100 of this chapter.

(b) Records not required by the Freedom of Information Act to be released may be released, at the discretion of the Foundation, if the written consent of the individual to whom they pertain has been obtained or if such release would be authorized under 5 U.S.C. 552a(b)(1) or (3)-(11).

§ 1115.9 Exemptions.

(a) *Fellowships and grants.* Pursuant to 5 U.S.C. 552a(k)(5), the Foundation hereby exempts from the application of section 552a(d) any materials which would disclose the identity of references for fellowship or grant applicants contained in the systems of records named in this paragraph:

Grant Applications—NFAH/NEA-5
Grant Applications—NFAH/NEH-6
Grants to Individuals—NFAH/NEA-7
Grants to Individuals and Institutions—NFAH/NEH-8
Reviewer File—NFAH/NEH-10

The disclosure of these materials would reveal the identity of sources who furnished information to the Government under an express promise that the identity of the sources would be held in confidence.

(b) *Applicants for employment.* Pursuant to 5 U.S.C. 552a(k)(5), the Foundation hereby exempts from the application of 5 U.S.C. 552(d) any materials which would disclose the identity of references of applicants for employment at the Foundation contained in the systems of records entitled "Official Personnel Folders." The disclosure of these materials would reveal the identity of sources who furnished information to the Government under an express promise that the identity of the sources would be held in confidence.

NANCY HANKS,
Chairman, National Endowment
for the Arts.

ROBERT KINGSTON,
Acting Chairman, National
Endowment for the Humanities.

[FR Doc. 77-6773 Filed 3-7-77; 8:45 am]

**FEDERAL COMMUNICATIONS
COMMISSION**

[47 CFR Part 64]

[Docket No. 20828; FCC 77-151]

COMPUTER INQUIRY

**Supplemental Notice of Inquiry and
Enlargement of Proposed Rulemaking**

Adopted: March 1, 1977.

Released: March 8, 1977.

Notice of intent to participate to be filed with FCC by March 25, 1977.

In the matter of amendment of § 64.702 of the Commission's rules and regulations (Computer Inquiry).

1. On August 9, 1976 the Commission issued a Notice of Inquiry and Proposed Rulemaking¹ (Notice) suggesting a new definitional structure of data processing as set forth in § 64.702² of our rules and regulation. This section of our rules embodies the policies which were developed as a result of our original Computer Inquiry in 1971 and has provided the framework for Commission determinations as to the nature of various service offerings by common carriers.

2. Technological and market developments since our decision in the original Computer Inquiry³ are such that § 64.702, as set forth in the original Computer Inquiry, appears to be an inadequate regulatory device for coping with certain current service offerings. Our recent decision⁴ regarding American Telephone and Telegraph Company's (AT&T) Dataspeed 40/4 tariff revision (Transmittal No. 12449) illuminated the limited applicability of the present § 64.702. The

¹ Notice of Inquiry and Proposed Rulemaking, released August 9, 1976, 61 FCC 2d 103 (Docket No. 20828). See 41 FR 33563, Aug. 10, 1976; Extension of time at 41 FR 44057, Oct. 6, 1976.

² 47 CFR § 64.702.

³ 28 FCC 2d 291 (1970); 28 FCC 2d 267 (1971); Aff'd in part sub. nom. *GTE Service Corp. v. FCC*, 474 F.2d 724 (2d Cir., 1973).

⁴ Memorandum Opinion and Order, released January 5, 1977 (FCC 76-1199). Appeal pending 2d Cir. Case Nos. 77-4005, 77-4020.

Dataspeed 40.4 offering represented an advancement in the evolution of communications terminal devices used to interact, via a common carrier communications network, with a host computer. Recognizing the limited applicability of § 64.702, we proposed that our rules be reexamined in light of the issues raised by such offerings.

3. The potential inadequacy of the present § 64.702 is evident when viewed in the context of its original adoption. The immediate issue before the Commission at the time of the original Computer Inquiry concerned the various applications which might be made of central computers, and the proper role and regulation of common carriers with respect to these different uses. The regulatory guidelines which were incorporated into § 64.702 were addressed primarily to situations wherein a carrier might be using a host computer, in conjunction with a remote, "unintelligent" communications terminal, to provide a data processing service. The original Computer Inquiry did not address the question of data processing elements being removed from the central computer and distributed throughout the total information processing and transmission system. The "smart" remote access device capable of both traditional communications functions and certain data processing functions was not then a practical reality—hence no specific guidelines applicable to these devices were offered.

4. Rapid advancements in data handling technology have taken place since then. In our new Computer Inquiry, we noted that peripheral devices are now capable of duplicating many of the data-manipulative capabilities which were previously available only at centralized locations housing large scale general purpose computers. The applications of modern solid state technology to the fabrication of microprocessors and minicomputers has led to the development of new types of devices—which may be viewed as ranging from "smart" remote access devices to "distributed" data processing devices and systems. The new devices are capable of executing local processing operations, thus alleviating a remote host computer of a processing burden which would otherwise be implemented in its central processing unit (CPU).⁵ They are also capable of performing message addressing and routing operations, which again, could otherwise be implemented in a host CPU. In either application these devices would be equipped with relatively inexpensive solid state random access memory arrays which may be used for the storage

⁵ *Ibid.* paragraph 32.

⁶ These applications include, inter alia: (a) arithmetic operations upon raw data by a CPU located in the remote access device prior to further computations to be carried out by a remote host computer CPU, (b) the editing of originating text prior to transmission to a host or to another remote access device, (c) the generation of displays of hard copy data (printed) and soft copy (video).

and retrieval of data formerly stored in the host computer's memory unit.

5. The modern "smart" remote access devices, which incorporate microprocessor technology in conjunction with the new solid state mass memories, are capable of duplicating many of the capabilities of the general purpose digital computers which were on the market in 1971.⁷ Microprocessors can be combined with a variety of input/output devices and mass memories⁸ to function as powerful stand-alone processing installations. A stand-alone installation can be converted to a full fledged communications device (or host computer) with but a relatively minimal amount of additional electronic circuitry.

6. Processing can be performed by such devices—either in the stand-alone mode or when connected to a communications line. The scope of the processing capability is, of course, quantitatively limited by constraints in the processing speed of the terminal microprocessor or in the amount of mass memory which can be made available to the device. But these devices are qualitatively capable of performing all of the data processing activities cited under the broad categories in Paragraph 20 of our original Notice.⁹ Similarly, all of the processing activities listed under the categories cited in Paragraph 21 are possible.¹⁰ In

⁷ Miniaturization has imposed some compromises in the microcomputer system architecture—e.g., shorter word lengths, microcoding and serial computations. These compromises have resulted primarily in slower computational speeds. On the other hand, some microprocessor systems are also capable of being programmed in popular programming languages such as FORTRAN and BASIC.

⁸ Typical input/output devices would be: electric typewriters, various keyboard/CRT combinations, high speed line printers. Memory options include: solid state random access arrays, magnetic tape cassettes and disc files.

⁹ The categories are: "arithmetic processing," "word processing," and "process control."

¹⁰ These categories are: "network control and routing" and "input/output processing."

Arithmetic processing. General commercial accounting, payroll, inventory control, banking and point-of-sale processing, financial and econometric modeling, scientific calculations, etc.

Word processing. A rapidly developing application resulting from advances in mass memory technology and word processing software. Applications include: interactive information retrieval systems, management information systems, text editing, translation, typesetting, etc.

Process control. The increased reliability and availability of computers is leading to an expansion of applications where a computer is used to monitor and control some process which is occurring continuously—such as a nuclear-powered generating station, an electric power distribution grid, an automatic machine tool, or a fire detection and control system.

Network control and routing. Applications include: pulse format conversion, error detection and correction, analog to digital and digital to analog conversion, signal processing and time division multiplexing.

fact, merely by inserting a new program, which can be incorporated into a wired-in read-only memory, a manufacturer can radically change the nature of the processing activity performed by the terminal device and market it as, inter alia, any of the following: text editor, information storage and retrieval system, inventory control system, payroll system, scientific calculator, network controller, message switch or code converter.

7. The new technology has clearly made it possible for terminals to automatically perform many processing operations which they previously performed poorly or not at all—by employing techniques previously limited to central computers. The new technology may also have rendered meaningless any real distinction between "terminals" and computers. We are now seeing the development of the so-called distributed network—one in which data processing and communications processing capabilities are distributed, to varying degrees, among a number of processing units. Greater flexibility is afforded in designing a system wherein computer power, and just the right amount of it, can be placed wherever in a system it makes economic sense to do so. Data manipulation requirements control the extent to which this distribution of processing takes place. To the extent one is able to distribute computing power and a centralized data base, a reduced dependence on the processing capabilities of the host CPU is possible. From a technical point of view, processing can be placed anywhere—within the network or outside the network interface—giving one greater flexibility in designing equipment and structuring various service offerings.

8. Processing activities are characteristically involved in the provision of both communication and data processing services. Since § 64.702 only addressed the processing activities which take place within a central computer, we propose to enlarge the scope of § 64.702 to include all processing activities, whether performed at a central location, at the customer's premises, or at intermediate locations within or interconnected with a telecommunications network. An appropriately modified definition of data processing must be set forth to take into account the fact that processing activities are not confined solely to a central computer and to render Section 64.702 applicable to determinations as to the nature of a carrier's processing activities—regardless of location or system structure. We therefore propose to amend § 64.702(a) and to modify the definition of data processing as proposed in our original Notice as follows:

Input/output processing. This category comprises the uses of a computer capability resident in a carrier network facility for the purpose of making disparate computers and terminals compatible with each other. Typical functions are the formatting, editing and buffering of data to make it compatible with the electrical characteristics of different transmission media.

See, however, paragraph 10, *infra*.

"Data processing" is the electronically automated processing of information wherein: (a) the information content, or meaning, of the input information is in any way transformed, or

(b) where the output information constitutes a programmed¹¹ response to input information.¹²

9. Processing activities which would constitute data processing under this new definition would include, inter alia:

Arithmetic processing. Applications include: general commercial accounting, inventory control, banking and point-of-sale processing, financial and econometric modeling, scientific calculations, etc.

Word processing. Applications include: interactive information retrieval systems, management information systems, text editing, translation, typesetting, etc.

Process control. Applications include the use of electronic equipment to monitor and control some process which is occurring on a continuing basis—such as nuclear-powered generating stations, an electric power distribution grid, an automatic machine tool, or a fire detection and control system.

Given our new definition, these processing activities would be considered data processing and could not be offered by a carrier except under the maximum separation conditions of § 64.702.

10. The revision of our proposed definition also necessitates a modification of the processing categories listed in Paragraph 21 of our Notice. Two categories were set forth therein as not being within the ambit of our definition of data processing—"network control and routing" and "input/output processing". For purposes of clarification and in order to conform with our new proposed definition, a restatement of these categories is now called for:

Network control and routing. Applications include: message and circuit switching,¹³ speed and code conversion, pulse format conversion, transmission error detection and correction, analog to digital and digital to analog conversion, signal processing,¹⁴ and time division multiplexing.

¹¹ "Programmed", as used herein, constitutes the means of preordaining a response to given input or stimulus regardless of whether that means is achieved through the use of software, hardware, firmware or fundamental equipment design.

¹² The second condition (b) brings services such as process control and proprietary information retrieval within the ambit of the definition of data processing. In the process control case, a message or other stimulus results in a change of state in the process which is being controlled. In the proprietary information retrieval case, the arrival of an input message or stimulus—the information request—is operated upon by the processing device and results in an output which is the specific information requested.

¹³ The categories are meant to include packet switching (and its variations) and time-division circuit switching. We also would consider permissible those processing activities utilized in the provision of ancillary network services such as automatic call-forwarding, abbreviated dialing, and special announcements.

¹⁴ Signal processing comprises the use of processing operations in applications which maintain the information content of an electrical signal. These include signal detection and regeneration and the adaptive equalization of transmission channels.

Input/output processing. This category comprises the uses of processing capability resident in a carrier network facility for the purpose of making disparate information sources and receptors compatible with the transmission system and with each other. Such processing activities include those necessary for formatting, editing, and buffering of information to make it compatible with the electrical characteristics of different transmission media.

Since these processing activities would not constitute data processing, they could be incorporated into a carrier's communications offering without evoking the constraints imposed by the maximum separation requirements. Moreover, the utilization of these processing activities in the course of providing either a communications or a data processing service would not necessarily, in of itself, change the nature of that service.

11. Subsequent to stating our intention to expand the scope of the Computer Inquiry, the Computer and Business Equipment Manufacturers Association (CBEMA) filed a motion with the Commission to enlarge the issues in this proceeding. CBEMA asserts that there are issues raised by the Commission's Resale decision¹² (Docket No. 20097) and the Bell System's recent intrastate offering of Transaction Network Service (TNS) which should be addressed within the context of the Computer Inquiry. It further contends that the Commission's determination in the Resale decision to consider waivers of the maximum separation requirements of § 64.702 for entities providing resale services had not been adequately addressed in the record of that proceeding. Docket No. 20097, however, did not adopt any changes in § 64.702,¹³ and we do not believe this proceeding is the proper forum to further address resale related issues. Specific issues raised by items (b) and (c) of footnote 15, therefore, should properly have been

¹² Regulatory Policies Concerning Resale and Shared Use of Common Carrier Services (Docket No. 20097) Report and Order 60 FCC 2d 261 (1976). CBEMA asserts that because the issues in Docket No. 20097 did not relate with particularity to the data processing services and equipment fields, the recently initiated Computer Inquiry should address:

(a) Whether communications services involving elements of both data processing and communications should be provided through unregulated entities;

(b) Whether the characteristics of communications resellers dictate regulation (e.g., "Is there any reason to think that resale is a natural monopoly?");

(c) Would regulation impede resale activities both domestically and internationally?

(d) Whether there are natural monopoly characteristics associated with "computer communications" which indicate a need for legislation.

¹³ *Ibid.* In acting on the various petitions for reconsideration, Memorandum Opinion and Order, released January 12, 1977 the Commission, in paragraph 19, stated that the Report and Order made no changes with respect to Section 64.702. The Commission merely indicated that the policy considerations set forth in the Report and Order would be a factor in determining whether the public interest might be served by a waiver of the maximum separation rule in individual cases.

raised in Docket No. 20097. However, to the extent that item (a) can be addressed within the context of our proposed definition and its applications, it is a proper subject for comment, and item (d) may be addressed within the context of paragraph 17, *infra*. Moreover, the nature of individual service offerings, such as TNS, should not specifically be addressed in the new Computer Inquiry, since we are dealing herein with policies and rules of general applicability. To the extent that the scope of this inquiry has been enlarged to include issues which might arise regarding the provision of TNS, or any other carrier provided service, these issues will be addressed on a general level and will not address the merits of a particular service offering. This does not mean that an existing or future service to which the proposed definition might apply should not be brought to the Commission's attention. Comments directed toward such a service should focus on the proposed definition and possible deficiencies in the definition with respect to the particular service, and not in terms of whether the Commission should find a particular service to constitute communications or data processing.

12. AT&T and Telenet Communications Corporation (TELENET) filed comments on CBEMA's motion. AT&T opposed CBEMA's motion and TELENET, while opposing the inclusion of items (b) and (c) of footnote 15, proposed, instead, two groups of issues for inclusion in this proceeding which distinguish between carrier provided communication services and the provision of data terminal equipment by a carrier on a tariffed basis as part of a communications package, or through unregulated sale or lease. TELENET also suggests that consideration should be given to the manner in which monopoly carriers should be permitted to compete in the competitive data communications market. While we consider such broad-ranging issues to be beyond both the useful and contemplated scope of this proceeding and will therefore deny TELENET's specific suggestions, part of the broad issue sought to be addressed by TELENET is subsumed in issue (c) of paragraph 18, which we are adding. Having considered TELENET's request, we conclude that it would be more appropriate to structure this proceeding in the manner set forth herein.

13. In commenting on CBEMA's motion TELENET also states its concern over the multiple interpretations that are possible regarding the proposed amendment to § 64.702 as contained in our original Notice. With the proposed elimination of the hybrid concept, TELENET states that it appears that the net effect of the proposed amendment would be "to render not subject to regulation any communications service which contained within it a non-separable data processing function."¹⁴ On the other hand, it states that when the proposed

¹⁴ Comments, p. 7.

amendment of § 64.702 is read in conjunction with Paragraph 22 of the Notice, it appears that the Commission "intends to preclude any hybrid services—to require that carriers eliminate any data processing functions from their current communications offerings, and to prevent data processing service entities from including within their offerings even incidental communications functions."¹⁵ TELENET suggests that any ambiguity be removed with respect to whether hybrid services could be offered under our proposed definition.

14. In our Notice we proposed to delete the hybrid concept as a method of classifying services under the present structure of § 64.702. Further elaboration may be called for to the extent that uncertainty may exist as to what is being proposed in its place. As § 64.702 is currently structured, the processing functions of storing, retrieving, merging, and calculating establish the criteria for determining whether a particular offering constitutes data processing. Recognizing that these processing functions can be employed in the provision of either data processing or communications services, the new definition is structured in a manner so as to focus on processing activities.¹⁶ In addition to proposing a definition for data processing, we have set forth certain processing activities which by their nature would constitute data processing within the meaning of the proposed definition.¹⁷ Examples of processing activities which would not fit within the ambit of the data processing definitions, and which, therefore, might be utilized in the provision of either data processing or communications have also been put forth.¹⁸ Under this proposed standard it would be inconsistent to talk in terms of a communications service having non-separable data processing functions, since communications and data processing now would be considered mutually exclusive activities.¹⁹ The nature of the processing employed would determine whether communications processing or data processing is being engaged in. To the extent that a carrier is offering a communications service, data processing could not be offered as part of that service except if offered in accordance with the requirements imposed by our maximum separation policy. With the elimination of the hybrid concept, however, ad hoc determinations may still be necessary, but the specific

¹⁵ Comments, p. 8.

¹⁶ A function is a separable specific operation, such as storing, merging, etc., whereas an activity is the aggregate end result of a combination of operations, no matter where performed.

¹⁷ Paragraph 9, *supra*.

¹⁸ Paragraph 10, *supra*.

¹⁹ Inherent in this structure is a rejection of the functional approach as a means of classifying common carrier offerings, wherein the determination as to the data processing or communications nature of a particular offering is based on the extent to which such functions as storing, retrieving, merging, and calculating are utilized in the offering.

determination to be made becomes whether the processing activity under consideration constitutes a data processing activity. To the extent that the processing performed is data processing under our definition, a carrier's offering would be subject to our maximum separation requirements.

15. Under the new definition the determination as to whether a communications or data processing service is being offered would depend on the nature of the processing activity involved. While the processing activities listed in paragraph 9 are applicable in making this determination, the activities listed should not be considered exhaustive of all possible processing activities. To the extent that they are helpful in determining the nature of a given service or activity, they can provide direction to the various carriers in structuring future service offerings—especially in terms of whether the requirements of our maximum separation policy must be complied with.

16. Our proposed expanded application of § 64.702 is based on the assumption that it is possible to classify processing activities as either communications or data processing based on the nature of the processing performed. To the extent that our assumption is valid, it is hoped that this Inquiry will provide a more definitive basis upon which such determinations can be made. The confluence of data processing and communications may be such, however, that it is no longer practical or possible, from a regulatory point of view, to classify these activities in the manner proposed herein. This may be particularly applicable to carrier equipment offerings, especially in view of the potential that exists for changing the nature of an offering through the utilization of interchangeable software programs in a given device. Accordingly, we invite comments as to whether the offering of customer-premises equipment which performs any information processing activity, other than basic media conversion, should be considered a communications common carrier activity, and the proper institutional arrangements, terms, conditions, and regulations under which communications common carriers should be permitted to make such offerings. We recognize the possible relevance of the 1956 consent decree²³ and we therefore specifically invite comments on the 1956 consent decree and its applicability to the offering of customer-premises equipment by AT&T.

17. We have attempted to address the confluence of data processing and communications within the confines of our statutory mandate as set forth in the Communications Act of 1934, as amended. In commenting on the matters raised in this proceeding, however, we also seek comments on the need for, or desirability of, more definitive legislation in this area. In particular, comments are sought regarding: (a) possible inade-

quancies of the Communications Act in addressing the convergence of data processing and communications, and (b) specific legislative recommendations or proposals directed at resolving any such inadequacies.

18. In view of the foregoing we seek to obtain information, views, and recommendations from the public in order to assist the Commission in resolving the regulatory and policy questions presented by the technological advancements being made in the communications and information processing fields. In addition to those items contained in the August 9, 1976 Notice of Inquiry and Proposed Rulemaking, we invite comments on the proposed amendment to § 64.702 of our rules, as discussed herein, and request that the following items of inquiry be addressed:

(a) Whether the proposed definition of "data processing" correctly divides "communications" and "data processing" when applied to a carrier's processing activities, regardless of location within a service offering; and whether the proposed § 64.702 will be administratively enforceable and in the public interest;

(b) Whether the proposed amendment of § 64.702 will afford flexibility in the structuring of service offerings, and, at the same time, be conducive to innovation in the communications and data processing fields;

(c) Whether the offering of customer-premises equipment which performs any information processing activity, other than basic media conversion, should be considered a communications common carrier activity; and the proper institutional arrangements, terms, conditions, and regulations under which communications common carriers should be permitted to make such offerings.

(d) Specific legislative proposals or recommendations directed at remedying any inadequacies of the Communications Act of 1934, as amended, in dealing with the confluence of data processing and communications.

19. Accordingly, pursuant to sections 4(i), 4(j), 403 and 404 of the Communications Act of 1934, it is ordered, that this Supplemental Notice of Inquiry and Enlargement of Proposed Rulemaking be incorporated and be made part of our August 9, 1976 Notice of Inquiry and Proposed Rulemaking in this proceeding (Docket No. 20828).²⁴

²³ It should be pointed out that in our Notice of August 9, 1976 we failed to mention that § 64.702(c) was being amended by deletion of the introductory phrase "(E)xcept for companies of the Bell System". This amendment is without substantive effect since the American Telephone and Telegraph Company (AT&T) is prohibited by the terms of the 1956 consent decree from engaging in anything other than regulated common carrier services and activities incidental thereto. If AT&T, consistent with the decree or consistent with any future modification or judicial interpretation of that decree, engages in data processing activities, then § 64.702 would be applicable to AT&T in the same fashion as applicable to any other regulated communications common carrier.

20. It is further ordered that the requests to enlarge the issues in Docket No. 20828 filed by CBEMA and TELENET are denied, except as otherwise indicated herein.

21. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's Rules, interested persons may file comments on or before May 16, 1977, and reply comments on or before June 30, 1977. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

22. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 5 copies of all statements, briefs or comments shall be furnished to the Commission. All comments received in response to this Notice will be available for public inspection in the Docket Reference Room in the Commission's Offices in Washington, D.C.

23. Pursuant to our Memorandum Opinion and Order, released October 4, 1976, a service list, which is attached hereto, has been compiled for the convenience of the parties to this proceeding.²⁵ In view of the enlargement of Docket No. 20828, additional parties may be interested in participating in this proceeding. In the event that a party not listed should desire to participate, notice of such intent should be filed with the Commission by March 25, 1977 stating the name and address of the party on whom pleadings in this proceeding are to be served.

24. It is further ordered, that the proceeding herein shall be subject to further order by the Commission.

FEDERAL COMMUNICATIONS
COMMISSION,²⁶
VINCENT J. MULLINS,
Secretary.

ATTACHMENT A

Jeremiah Courtney, Esq., Ad Hoc Telecommunications Committee, 2120 L Street NW., Washington, D.C. 20037.

Charles R. Cutler, Esq., Kirkland, Ellis and Rowe, 1776 K Street NW., Washington, D.C. 20006, Counsel for Aeronautical Radio, Inc.

Gerald M. Lowrie, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

Victor J. Toth, Esq., Cohn and Marks, 1920 L Street NW., Suite 700, Washington, D.C. 20036, Counsel for American Facsimile Systems, Inc.

Aloysius B. McCabe, Esq., Michael Yourshaw, Esq., Kirkland, Ellis and Rowe, 1776 K Street NW., Washington, D.C. 20006, Counsel for American Newspaper Publishers Association, Associated Press.

Michael D. Campbell, Esq., Stuart G. Meister, Esq., American Satellite Corporation, 20301 Century Blvd., Germantown, Maryland 20767.

²⁵ Parties filing comments should serve at least one copy per party on those firms representing more than one party.

²⁶ See attached statement of Commissioner Washburn.

²³ *United States v. Western Electric Company, Inc. and AT&T*, 13 R.R. 2143, 1956 Trade Cases 71, 134; Consent Judgment filed January 24, 1956 (D.C.N.J.).

- Alfred A. Green, Esq., Cornelia McDougald, Esq., H. John Hokenson, Esq., Edgar Mayfield, Esq., American Telephone and Telegraph Company, 32 Avenue of the Americas, New York, New York 10013.
- Carol A. Cohen, Esq., Applied Data Research, Inc., Route 206 Center, Princeton, N.J. 08540.
- Herbert E. Marks, Esq., Stephen R. Bell, Esq., Richard P. Carr, Esq., Wilkinson, Cragun and Barker, 1735 New York Avenue NW., Washington, D.C. 20006, Counsel for Remote Processing Services Section (RPSS) of the Association of Data Processing Service Organizations; Independent Data Communications Manufacturers, Assoc., Inc.
- Ben Harty, Esq., Vice President, Boeing Computer Services, Inc., P.O. Box 708, Dover, N.J. 07801.
- Arthur Scheiner, Esq., Michael H. Rosenbloom, Esq., Wilner and Scheiner, 2021 L Street NW., Washington, D.C. 20036, Counsel for Boeing Computer Services, Inc.
- Paul S. Hoffman, Vice President, Bowne and Company, Inc., 345 Hudson Street, New York, New York 10014.
- Charles E. Carlson, Jr., Esq., Bunker Ramo Corporation, Trumbull Industrial Park, 35 Nutmeg Drive, Trumbull, Connecticut 06609.
- Tedson J. Meyers, Esq., Michael W. Faber, Esq., Peabody, Rivlin, Lambert and Meyers, Connecticut Building, 12th floor, 1150 Connecticut Avenue, Washington, D.C. 20036, Counsel for Citicorp.
- Joseph M. Kittner, Esq., Peter M. Anderson, Esq., McKenna, Wilkinson and Kittner, 1150 17th Street NW., Washington, D.C. 20036, Counsel for the Computer and Business Equipment Manufacturers Association; McDonnell Douglas Corporation.
- John S. Voorhees, Esq., Howrey and Simon, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006, Counsel for the Computer and Business Equipment Manufacturers Association.
- Robert P. Bigelow, Editor, Computer Law and Tax Report, 28 State Street, Suite 2200, Boston, Massachusetts 02109.
- James T. Roche, Esq., COMSAT General Corporation, 950 L'Enfant Plaza SW., Washington, D.C. 20024.
- Terry G. Mahn, Esq., Computer and Communications Industry Association, 1911 N. Fort Myer Drive, Rosslyn, Virginia 22209.
- Philip C. Onstad, Manager Telecommunications Policies, Control Data Corporation, 500 West Putnam Avenue, Greenwich, Connecticut 06830.
- David Sherman, Esq., General Electric Company, 401 N. Washington Street, Rockville, Maryland 20850.
- Richard A. Fazzone, Esq., General Electric Company, 2500 Cambridge Road, Schenectady, New York 12304.
- Edward P. Taptich, Esq., McKenna, Wilkinson and Kittner, 1150 17th Street NW., Washington, D.C. 20036, Counsel for General Electric Company.
- James M. Baisley, Esq., 400 North Wolf Road, Northlake, Illinois 60614, Counsel for GTE Automatic Electric, Inc.
- Allen R. Frischkorn, Jr., Esq., 1120 Connecticut Avenue NW., Suite 900, Washington, D.C. 20036, Counsel for GTE Automatic Electric, Inc.; GTE Data Services, Inc.
- James V. Carideo, Esq., P.O. Box 1548, Tampa, Florida 33601, Counsel for GTE Data Services, Inc.
- Richard Cahill, Esq., Richard McKenna, Esq., One Stamford Forum, Stamford, Connecticut 06904, Counsel for GTE Domestic Telephone Operating Companies.
- Ruth L. Prokop, Esq., 1120 Connecticut Avenue NW., Washington, D.C. 20036, Counsel for GTE Domestic Telephone Operating Companies.
- David R. Anderson, Esq., Wilmer, Cutler and Pickering, 1666 K Street NW., Washington, D.C. 20006, Counsel for International Business Machines Corporation.
- J. Gordon Walter, Esq., Senior Attorney, IBM Corporation, Old Orchard Road, Armonk, New York 10504.
- Agatha M. Modugno, Esq., Legal Department, ITT Domestic Transmission Systems, Inc., 67 Broad Street, New York, New York 10004.
- Gerald A. Poch, ITT-North American Telecommunications Group, 320 Park Avenue, New York, New York.
- Joseph J. Jacobs, Esq., Vice President and General Attorney, ITT World Communications, Inc., 67 Broad Street, New York, New York 10004.
- David McCabe, 618 A Street SE., Apartment 4, Washington, D.C. 20003.
- Michael H. Bader, Esq., Kenneth A. Cox, Esq., William J. Byrnes, Esq., 1730 M Street NW., Washington, D.C. 20036, Counsel for MCI Telecommunications Corporation; Microwave Communications, Inc. and N-Triple-C, Inc.
- Eugene Strange, President, National Communications Services, 107 St. Andrews Drive, Vienna, Virginia 22180.
- William B. Moriarty, II, National Data Corporation, One National Data Plaza, Atlanta, Georgia 30329.
- Ralph W. Christy, Esq., Alston, Miller and Gaines, 1800 M Street NW., Suite 1000, Washington, D.C. 20036, Counsel for National Data Corporation.
- General Counsel, Executive Office of the President, Office of Telecommunications Policy, 1800 G Street NW., Washington, D.C. 20504.
- Raymond Panko, 808 Coleman Avenue, Apartment 12, Menlo Park, California 94025.
- David R. Ellis, Esq., RCA American Communications, Inc., 201 Centennial Avenue, Piscataway, New Jersey 08854.
- Donald J. Elardo, Esq., RCA Global Communications, Inc., 60 Broad Street, New York, New York 10004.
- F. Sherwood Lewis, Esq., Assistant Corporate Counsel, Sander Associates, Inc., Daniel Webster Highway South, Nashua, New Hampshire 03061.
- P. Thomas Tuttle, Esq., Counsel—Regulatory Matters, Satellite Business Systems, 1750 K Street NW., Washington, D.C. 20006.
- Philip S. Abrams, Vice President, Scientific Time Sharing Corporation, 7316 Wisconsin Avenue, Suite 207, Bethesda, Maryland 20014.
- David B. Goldstein, Esq., Davis, Wright, Todd, Riese and Jones, 4200 Seattle—First National Bank Building, Seattle, Washington 98154, Counsel for Seattle—First National Bank.
- John L. Bartlett, Esq., Kirkland, Ellis and Rowe, 1776 K Street NW., Washington, D.C. 20006, Counsel for Securities Industry Automation Corporation.
- John V. Kenney, Esq., 1620 Eye Street N.W., Suite 615, Washington, D.C. 20006, Counsel for Southern Pacific Communications Company.
- Frank M. Leshner, Esq., Sperry Univac Division, Sperry Rand Corporation, P.O. Box 500, Blue Bell, Pennsylvania 19422.
- Philip M. Walker, Esq., Telenet Communications Corporation, 1050 17th Street NW., Washington, D.C. 20036.
- Donald E. Ward, Esq., 1050 17th Street NW., Suite 840, Washington, D.C. 20036, Counsel for Telenet Communications Corporation.
- Fred W. Morris, President, Tele-Sciences Corporation, 9315 Hollyoak Court, Washington, D.C. 20034.
- Roderick A. Mette, Esq., 1747 Pennsylvania Avenue NW., Washington, D.C. 20006, Counsel for TRT Telecommunications Corporation.
- William M. Combs, President, Tymnet, Inc., 10261 Bubb Road, Cupertino, California 95014.
- John O. Somers, Esq., P.O. Box 11315, Kansas City, Missouri 64112, Counsel for United Computing Systems, Inc.
- Thomas J. O'Reilly, Esq., Chadbourne, Park, Whiteside and Wolff, 1150 17th Street NW., Washington, D.C. 20036, Counsel for United States Independent Telephone Association.
- John M. Lothschuetz, Esq., Carolyn C. Hill, Esq., 1800 K Street NW., Suite 1102, Washington, D.C. 20006, Counsel for United Systems Service, Inc., on behalf of the member companies of the United Telephone Systems.
- Warren E. Baker, Esq., P.O. Box 11315, Kansas City, Missouri 64112, Counsel for United Systems Service, Inc., on behalf of the member companies of the United Telephone System.
- Charles M. Meehan, Esq., Keller and Heckman, 1150 17th Street N.W., Suite 1000, Washington, D.C. 20036, Counsel for Utilities Telecommunications Council.
- Stephen C. Weingarten, Esq., Western Union International, Inc., One WUI Plaza, New York, New York 10004.
- Joel Yohalem, Esq., Robert N. Green, Esq., Western Union Telegraph Company, 1828 L Street N.W., Washington, D.C. 20036.
- James H. Carlisle, The Annenberg School of Communications, University of Southern California, University Park, Los Angeles, California 90007.
- William K. Coulter, Esq., Communications Satellite Corporation, 950 L'Enfant Plaza S.W., Washington, D.C. 20024.
- David J. Cook, Esq., Nixon, Hargrave, Devans & Doyle, Lincoln First Tower, Rochester, New York 14603, Counsel for Rochester Telephone Corporation.

CONCURRING STATEMENT OF COMMISSIONER ABBOT WASHBURN ON ENLARGEMENT OF COMPUTER INQUIRY (DOCKET 20828)

The Commission is confronted with the difficult interface between communications, a regulated activity, and data processing, a non-regulated activity. The situation is further complicated by a continually evolving technology which tends to blur the distinctions between the two.

With this Supplemental Notice of Inquiry the Commission attempts to address the problem by establishing manageable definitions for communications and data processing. I fully agree that a manageable approach is needed. But it should be one that does not hamper development and improved service to the public; and I am not sure that the approach outlined in the combined initial Notice of Inquiry and this Supplement (Docket 20828) will accomplish this objective.

I would encourage those who respond to this Inquiry to carefully consider the effect of the approach and the definitions set forth here, and to respond with their most candid and informal appraisals. In particular, I hope that respondents will feel free to propose any other approaches which might provide this Commission with a sound, manageable, and objective basis on which to make future judgments in this complex area.

[FR Doc. 77-6882 Filed 3-7-77; 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 AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A447]

GEORGIA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following Georgia Counties as a result of drought July 6 through August 27, 1976, freeze October 28, 1976, and excessive rain November 5 through December 15, 1976, in Burke County; drought April 1 through August 30, 1976, in Jefferson County; and extreme dry hot weather July 7 through September 14, 1976, freeze October 29, and extreme wet and cold weather November 1 through December 31, 1976, in Washington County.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 94-68, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor George Busbee that such designation be made.

Applications for emergency loans must be received by this Department no later than April 19, 1977, for physical losses and November 17, 1977, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 1st day of March 1977.

FRANK W. NAYLOR, Jr.,
Acting Administrator,
Farmers Home Administration.

[FR Doc.77-6748 Filed 3-7-77; 8:45 am]

Forest Service

FLATHEAD WILD AND SCENIC RIVER PROPOSAL

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 for the Flathead Wild and Scenic River Proposal, USDA-FS-FES(Leg) 74-30.

The environmental statement concerns a proposal to include 219 miles of the Flathead River in the National Wild and Scenic Rivers System. The river flows through Flathead and Powell Counties, Montana. The proposal provides the means to preserve and enhance the river in its free-flowing status and to minimize adverse environmental effects to the river and adjacent lands. The impacts of development and increased recreation use will be controlled on the basis of the capability of the river and its environment to support these uses and activities rather than on projected trends and demands.

This final environmental statement was filed with CEQ on March 2, 1977.

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

USDA, Forest Service, So. Agriculture Bldg., Rm. 3210, 12th St. and Independence Ave., SW, Washington, DC 20013.

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

USDA, Forest Service, Flathead National Forest, 290 North Main, Kalispell, Montana 59901.

Copies are also available at the six ranger districts on the Flathead National Forest.

A limited number of single copies are available upon request to the Forest Supervisor, Flathead National Forest, 290 North Main, Kalispell, Montana 59901.

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

R. MAX PETERSON,
Deputy Chief Forest Service.

MARCH 2, 1977:

[FR Doc.77-6749 Filed 3-7-77; 8:45 am]

Rural Electrification Administration UNITED POWER ASSOCIATION, ELK RIVER, MINNESOTA Proposed Loan Guarantee

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 (Guarantee of Loans for Bulk Power Supply Facilities), notice is hereby given that the Administrator of REA will consider (a) providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of \$25,396,000 to United Power Association

of Elk River, Minnesota and (b) supplementing such a loan with an insured REA loan at 5 percent interest in the approximate amount of \$10,000,000 to this cooperative. These loan funds will be used to finance a project consisting of 124 miles of transmission line, 20 substations, pollution control equipment, an energy control center, additional computer facilities, and miscellaneous system improvements.

Legally organized lending agencies capable of making, holding and servicing the loan 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 borrower of the guaranteed loan funds from Mr. Phillip Martin, Manager, United Power Association, Elk River, Minnesota 55330.

In order to be considered, proposals must be submitted on or before April 7, 1977, to Mr. Martin. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as United Power Association 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 the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington D.C., this 28th day of February 1977.

DAVID H. ASKEGAARD,
Acting Administrator, Rural
Electrification Administration.

[FR Doc.77-6644 Filed 3-7-77; 8:45 am]

ALLEGHENY ELECTRIC COOPERATIVE, INC., HARRISBURG, PENNSYLVANIA Proposed Loan Guarantee

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 (Guarantee of Loans for Bulk Power Supply Facilities), 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 a loan in the approximate amount of \$260,000,000 to Allegheny Electric Cooperative, Inc., of Harrisburg, Pennsylvania. These loan funds will be used to finance the purchase of 10.00 percent of Pennsylvania

Power and Light Company's Susquehanna nuclear powered 2100 MW generating unit and to construct approximately 42.3 miles of 500 kV transmission line.

Legally organized lending agencies capable of making, holding and servicing the loan 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 borrower of the guaranteed loan funds from Mr. William Matson, Executive Vice President and General Manager, Allegheny Electric Cooperative, Inc., 2929 North Front Street, Harrisburg, Pennsylvania 17110.

In order to be considered, proposals must be submitted on or before April 7, 1977 to Mr. Matson. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as Allegheny Electric Cooperative, Inc., 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 the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 1st day of March, 1977.

DAVID H. ASKEGAARD,
Acting Administrator, Rural
Electrification Administration.

[FR Doc. 77-6708 Filed 3-7-77; 8:45 am]

CIVIL AERONAUTICS BOARD

[Dockets 30079, 30149, 30197; Order 77-3-14]

VARIOUS CARRIERS

Domestic Passenger-Fare Increase; Order Denying Petitions for Reconsideration

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2nd day of March, 1977.

By Order 77-1-93, January 14, 1977, the Board dismissed complaints and permitted various carriers to increase 48-state passenger fares by two percent. The Board's Office of the Consumer Advocate (OCA) and the National Passenger Traffic Association (NPTA) seek reconsideration of that portion of the order which indicates that the Board will consider, under certain circumstances, the implementation of a general fare increase on less than the 30-day statutory notice, and intends to publish by press release each quarter the industry's adjusted return on investment (ROI) based upon the most current information available.¹

¹ OCA accompanied its petition with a motion for leave to file an otherwise unauthorized document since it was not a party to Dockets 30079, 30149, and 30197, and therefore is not entitled under the Board's Regulations to petition for reconsideration. We will grant OCA's motion.

OCA alleges that the Board's decision with respect to the short-notice procedure was made without affording the public a fair opportunity to comment on its merits and/or faults; and that the Board failed to provide a comprehensive discussion in its order on the question of "regulatory lag," or to address just how the short-notice procedure would narrow the shortfall in revenues that may occur under current procedures. It is further alleged that the Board's decision undermines the complaint procedure, and that good cause has not been shown for severely reducing the public's time and therefore ability to file complaints against a proposed general fare increase. OCA strongly objects to the "obvious implication" that the Board places less importance on the views of complainants than it does on the alleged needs of the carriers. Finally, OCA contends that the Board's decision will lead to greater instability in fares, consumer, and travel agent confusion as to the appropriate fare to be charged, and greater administrative burden and cost for the carriers.

NPTA argues that the industry can, and is, in fact, becoming economically viable without need for the short-notice procedure now suggested. It further contends that this new approach is ill-advised, and contrary to the intent of Congress expressed in section 403 of the Federal Aviation Act of 1958 (the Act), which contemplates a 30-day notice requirement of a proposed change in fares, so as to provide the public adequate time in which to analyze the proposal, its impact, and to file complaints seeking suspension and investigation as appropriate.

American Airlines, Inc. (American), and Eastern Air Lines, Inc. (Eastern) have answered the petitions contending, *inter alia*, that the procedure established by the Board in Order 77-1-93 does not constitute new "policy" since the Board's ratemaking policy was established in the Domestic Passenger-Fare Investigation (DPFI), and is not at issue here. If anything, the policy established in the DPFI requires the Board to resolve the cost-lag in its fare methodology and to implement procedures to resolve it; this is precisely what the Board has done. The respondents allege that OCA and NPTA have misread the Board's statement on short-notice filings and, contrary to their assertion that opportunity for public comment will be eliminated, the Board carefully emphasized that such filings would be considered only in instances where the carriers have proposed even greater increases on statutory notice with full opportunity for complaints and answers.² The carriers also disagree with OCA's characterization of "chaos and confusion" resulting from the short-

² American notes that the Board's short-notice procedure will not be available in the far more likely instances when later cost data justifies a larger increase than that proposed by the carriers.

notice procedure, noting that new fares are normally either not assessed for two or more weeks after the tariff is filed or in any event not until the Board acts on the proposal and, if a carrier does charge the higher fare, the process of making refunds to passengers will be exactly the same whether the Board suspends the increase or permits a lesser increase on short notice.

Upon review of the petitions, the answers thereto, and all other relevant matters, the Board concludes that the petitions do not establish error in the Board's decision or otherwise warrant rescission of the Board's announced policy with respect to short-notice filings as detailed in Order 77-1-93.

In that order, the Board emphasized that it would consider the filing of a general fare increase on short notice only in instances where the carriers had previously proposed a greater increase on statutory notice, which provides full opportunity for complaints and answers. Implicit in the petitions is the rationale that there are potential complainants who would remain silent were, for example, a three-percent increase filed on statutory notice, but who would object if the Board, on the basis of the most current data, found a lesser increase reasonable. We simply do not see the reasonableness of such an assumption. The Board clearly has no intention of precluding potential complainants from expressing their views on proposed fare increases, and is convinced that its announced policy with respect to short-notice filings will in no way vitiate this basic right. The Board's short-notice policy is merely aimed at facilitating the processing of requests for a general fare increase after it has reviewed the matter and applied all of its established rate-making standards. For the Board to remain silent and "keep the carriers guessing," once it has determined the level of the increase which is warranted under its criteria, would create "bureaucratic" cost and paperwork which is unnecessary to the dispatch of the Board's business.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered That: (1) The motion of the Civil Aeronautics Board's Office of the Consumer Advocate for leave to file an otherwise unauthorized document in Dockets 30149, 30079, and 30197 is granted;

(2) The petitions for reconsideration filed by the Board's Office of the Consumer Advocate and the National Passenger Traffic Association, Inc. in Dockets 30149, 30079, and 30197 are denied; and

(3) Copies of this order be served upon all certificated scheduled carriers operating between points within the 48-contiguous states and the District of Columbia, the Civil Aeronautics Board's Office of the Consumer Advocate, and the National Passenger Traffic Association, Inc.

This order will be published in the
FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 77-6894 Filed 3-7-77; 8:45 am]

[Docket 29727]

**CARAIBISCHE LUCHT TRANSPORT
MAATSCHAPPIJ, N.V.**

**Statement of Tentative Findings and
Conclusions and Order To Show Cause**

Adopted by the Civil Aeronautics Board
at its office in Washington, D.C. on the
1st day of March 1977.

Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.) (CLTM) is the holder of a foreign air carrier permit¹ authorizing: (a) nonscheduled foreign air transportation of property and mail between a point or points in the Netherlands Antilles and the terminal point Miami, Florida; and between a point or points in the Netherlands Antilles and the terminal point San Juan, Puerto Rico; and (b) the performance of charter trips of property in foreign air transportation pursuant to Part 212 of the Board's Economic Regulations.

By application filed on September 1, 1976, as amended on January 21, 1977,² CLTM requests an amendment of its permit so as to authorize it to engage in scheduled foreign air transportation with respect to property only: (a) between a point or points in the Netherlands Antilles, the intermediate points Santo Domingo, Dominican Republic, Port au Prince, Haiti, and Kingston and Montego Bay, Jamaica, and the terminal point Miami, Florida; and (b) between a point or points in the Netherlands Antilles, and the terminal point San Juan, Puerto Rico.

The points to which CLTM seeks to provide scheduled cargo service are contained in two routes set forth in paragraphs 2 (d) and (f) of the Schedule to the Air Transport Services Agreement, as amended on November 25, 1969, between the United States of America and the Kingdom of the Netherlands. The Government of the Kingdom of the Netherlands has officially designated³ CLTM to operate the routes set forth in paragraphs 2 (d) and (f) of the Schedule to the bilateral Agreement.

In Order 76-7-95 the Board found in its Opinion that CLTM was substantially owned and effectively controlled by citizens of the Netherlands Antilles. The information provided in the instant application for amendment continues to support this finding. Accordingly, it is tentatively found from the foregoing that

¹ Issued pursuant to Order 76-7-95, approved July 23, 1976.

² A copy of the application, as amended, has been transmitted to the President of the United States in accordance with the requirements of section 801 of the Act.

³ By diplomatic note date July 20, 1976, from the Embassy of the Kingdom of the Netherlands.

CLTM is owned and controlled by citizens of the Netherlands Antilles.

It is also tentatively found that CLTM is fit, willing, and able to provide the scheduled cargo service for which authority is sought. In Order 76-7-95 the Board previously found that CLTM met the nonscheduled cargo service being provided was in the public interest. CLTM has no history of formal violations of Board regulations.

On the basis of the record before us, CLTM has demonstrated that the amendment of its foreign air carrier permit is in the public interest, and that it possesses the necessary fitness, willingness, and ability to provide the proposed services and to conform to the provisions and requirements of the Act and the Board's regulations.

In view of the foregoing and all the facts of record, the Board tentatively finds:

1. That Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.) is substantially owned and effectively controlled by nationals of the Netherlands Antilles;

2. That it is in the public interest to amend the foreign air carrier permit of Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.) so as to authorize the carrier: (a) to engage in foreign air transportation with respect to property only between a point or points in the Netherlands Antilles, the intermediate points Santo Domingo, Dominican Republic, Port au Prince, Haiti, and Kingston and Montego Bay, Jamaica, and the terminal point Miami, Florida; and between a point or points in the Netherlands Antilles, and the terminal point San Juan, Puerto Rico; and (b) to engage in charter trips of property in foreign air transportation subject to the terms, conditions, and limitations prescribed by Part 212 of the Board's Economic Regulations;⁴

3. That the public interest requires that the exercise of the privileges granted by said permit shall be subject to the terms, conditions, and limitations contained in the specimen form of permit attached to this order, and to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board;

4. That Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.) is fit, willing, and able properly to perform the above-described foreign air transportation, and

⁴ The authority to perform off-route charters pursuant to Part 212 of the Board's Economic Regulations extends only to the class of traffic authorized in the permit for on-route foreign air transportation, i.e., property. See Sociedad Aeronautica de Medellin Consolidada, S.A. SAM, 41 CAB 27, 28, n. 4 (1964); Americana de Aviacion, C.A., 48 CAB 489, 490, n. 3 (1968); Aerotransportes Entre Rios S.R.L., Order 72-4-184, n. 2; Caribwest Airways Ltd., Order 73-5-49, n. 5; Servicio Aero de Transportes Comerciales (SATCO), Order 73-5-141, n. 4; Compania de Aviacion "Faucett," S.A., Order 73-7-150, n. 1; Argo, S.A., Order 73-8-90, n. 1; and Turks Air Limited, Order 74-6-12, n. 8.

to conform to the provisions of the Act and the rules, regulations, and requirements of the Board thereunder;

5. That an evidentiary hearing is not required in the public interest; and

6. That the amendment of Carabische Lucht Transport Maatschappij, N.V.'s (Caribbean Air Transport Company, Inc.) foreign air carrier permit is not a "major federal action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Quality Act of 1969.⁵

Accordingly, it is ordered, that:

1. All interested persons be and they hereby are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, and why an amended foreign air carrier permit substantially in the form attached to this order should not, subject to the approval of the President pursuant to section 801 of the Act, be issued to Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.);

2. Any interested person having objection to the issuance, without hearing, of an order making final the tentative findings and conclusions stated herein shall file a statement of objections supported by evidence within 21 days after the adoption of this order. If an evidentiary hearing is requested the objection should state in detail why such hearing is considered necessary and what relevant and material facts would be expected to be established through such hearing which cannot be established in written pleadings;

3. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues raised by the objections before action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. Copies of this order shall be served upon Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.), American Airlines, Inc., Eastern Air Lines, Inc., Pan American World Airways, Inc., and the Ambassador of the Kingdom of the Netherlands in Washington, D.C.

This order will be published in the FEDERAL REGISTER and will be transmitted to the President.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR,
Secretary.

⁵ Our tentative finding herein is based upon the fact that the amendment of CLTM's permit will not result in a significant increase in operations in view of the limited nature of CLTM's proposed scheduled operations in lieu of the nonscheduled service presently being offered by the carrier.

⁶ Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

Specimen Permit

UNITED STATES OF AMERICA, CIVIL AERONAUTICS BOARD, WASHINGTON, D.C.

PERMIT TO FOREIGN AIR CARRIER (AS AMENDED)

Carabische Lucht Transport Maatschappij, N.V. (Caribbean Air Transport Company, Inc.), is hereby authorized, subject to the provisions hereinafter set forth, the provisions of the Federal Aviation Act of 1958, and the order, rules, and regulations issued thereunder, to engage in foreign air transportation with respect to property as follows:

1. Between a point or points in the Netherlands Antilles, the intermediate points Santo Domingo, Dominican Republic, Port au Prince, Haiti, and Kingston and Montego Bay, Jamaica; and the terminal point Miami, Florida.

2. Between a point or points in the Netherlands Antilles; and the terminal point San Juan, Puerto Rico.

The holder shall be authorized to engage in charter trips of property in foreign air transportation, subject to the terms, conditions, and limitations prescribed by Part 212 of the Board's Economic Regulations.

The holder shall conform to the airworthiness and air man competency requirements prescribed by the Government of the Netherlands Antilles, a constituent part of the Kingdom of the Netherlands, for international air service of the Kingdom of the Netherlands.

This permit shall be subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the Kingdom of the Netherlands shall be parties.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966, and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board and to which the holder becomes a party.

The holder shall not provide foreign air transportation under this permit unless (1) there is in effect third-party liability insurance in the amount of \$1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, (2) there is in effect minimum liability insurance coverage for bodily injury to or death of cargo handlers in the amount of \$75,000 per cargo handler, and (3) there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the insurance provided under (1) and (2) above. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.

The holder shall not commence any service authorized herein, except pursuant to an initial tariff setting forth rates, fares, and charges no lower than the lowest rates, fares, or charges that are then in effect for any U.S. air carrier engaged in the same foreign air transportation.

By accepting this permit the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The exercise of the privileges granted hereby shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This permit shall be effective on _____ Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention, or agreement, this permit shall terminate (1) upon the effective date of any treaty, convention, or agreement, or amendment thereto, which shall have the effect of eliminating the routes hereby authorized from the routes which may be operated by airlines designated by the Government of the Netherlands (or in the event of the elimination of any part of a route or routes hereby authorized, the authority granted shall terminate to the extent of such elimination), or (2) upon the effective date of any permit granted by the Board to any other carrier designated by the Government of the Netherlands in lieu of the holder hereof, or (3) upon the termination or expiration of the Air Transport Agreement between the Government of the United States and the Government of the Netherlands, effective April 3, 1957, as last amended by an exchange of notes dated November 25, 1969: *Provided, however,* That clause (3) of this paragraph shall not apply if, prior to the occurrence of the event specified in clause (3), the operation of the foreign air transportation herein authorized becomes the subject of any treaty, convention or agreement to which the United States and the Netherlands are or shall become parties.

In witness whereof, the Civil Aeronautics Board has caused this permit to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the

Secretary.

Issuance of this permit to the holder approved by the President of the United States on _____ in _____

[FR Doc.77-6891 Filed 3-7-77; 8:45 am]

[Docket 30070]

NORTH CENTRAL AIRLINES, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2nd day of March, 1977.

On November 17, 1976, North Central filed a motion for an order to show cause why its certificate of public convenience and necessity for Route 86 should not be amended so as to authorize one-stop services between Milwaukee and Denver.¹

In support of its motion, North Central alleges, *inter alia*, that in 1969 it was awarded Twin Cities-Denver authority;² that under ordinary circumstances the award of that route would have permitted the tacking of its pre-existing Milwaukee-Twin Cities authority to permit single-plane service between Milwaukee and Denver; that a procedurally inspired pretrial restriction in the Twin Cities-Denver case, however, prohibits the operations of this service; that on

¹North Central is currently prohibited from operating single-plane service in this market.

²Order 69-4-20, April 2, 1969.

four previous occasions both before and after the Twin Cities-Denver award, North Central has sought immediate consideration of its pending application for Milwaukee-Denver nonstop authority which the Board has denied; and that in its most recent rejection of North Central's request,³ the Board indicated that it would be receptive to a motion by North Central for the issuance of a show cause order requesting modification of the current single-plane restriction to that of one-stop authority between Denver and Milwaukee. Pursuant to that statement of intent by the Board, North Central states that it is now requesting Milwaukee-Denver one-stop authority by show cause procedures.

In addition, North Central states that it currently operates five daily nonstop round trips between Milwaukee and Twin Cities and three daily nonstop round trips between Twin Cities and Denver; that if the authority requested is granted, some of these flights would be linked up to provide Milwaukee-Denver one-stop service; that the grant of its request does not involve any significant diversion from United as long as that carrier provides reasonably adequate nonstop service in the market; and that since no additional direct operating expenses would be incurred, any additional traffic would more than pay for the servicing expense related to the new service.

No answers to North Central's motion have been received.

Upon consideration of the foregoing and all of the relevant facts, we have tentatively concluded that the public convenience and necessity require the modification of North Central's single-plane restriction in the Milwaukee-Denver market to a one-stop restriction; that the application presents no questions of fact or law which require a hearing; and that all interested persons should be directed to show cause why the Board's tentative findings and conclusions herein should not be made final.⁴

In support of our ultimate determination, we make the following tentative findings and conclusions. The principal benefit which will derive from the grant of improved authority to North Central will be the provision of additional and alternative service between Milwaukee and Denver. As we noted in Order 76-10-34, p. 5, while this market⁵ is not currently worthy of an immediate hearing in relation to other more significant applications pending in the Board's crowded docket, there are certain schedule and peak period load factors deficiencies with United's service that could be

³Order 76-10-34, October 7, 1976.

⁴We further find that North Central is a citizen of the United States within the meaning of the Act and is fit, willing, and able properly to perform the transportation proposed herein and to conform to the provisions of the Act and the Board's rules, regulations, and requirements, thereunder.

⁵The Milwaukee-Denver market exchanged 67,380 O&D plus connecting passengers in 1974. C.A.B. O&D survey.

remedied by the grant of North Central's application.*

We further find that the amendment proposed herein is consistent with the Board's often reiterated general policy of eliminating or modifying certificate restrictions, the retention of which have been placed in issue, absent an affirmative showing that their continuance is required.⁷ The authority requested involves no new stations or equipment for North Central and will permit the carrier more scheduling and operating flexibility.

Finally, we tentatively find that there will be little or no adverse impact on the incumbent carrier in the Milwaukee-Denver market. United holds unrestricted nonstop authority in the market and currently offers five nonstop round trips. Thus, the limited one-stop service proposed by North Central will have a *de minimis* diversionary impact on United's system revenues and is more than outweighed by the carrier and public benefits—improved scheduling and equipment flexibility which should flow from the proposed action.⁸

Interested persons will be given 30 days from the date of the adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. Answers thereto shall be due 15 days thereafter. We expect such persons to set forth their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent and/or detailed economic analysis. If an evidentiary hearing is requested, the objector should state; in detail why a hearing is considered necessary and what relevant and material facts he would expect to establish through a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered that:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending the certificate of public convenience and necessity of North Central Airlines, Inc. for Route 86 so as to modify its current single-plane restriction to a one-stop restriction on flights operated between Milwaukee and Denver;

*In that order, we noted that United did not provide early morning eastbound service and that some of its peak period load factors were relatively high.

⁷ See e.g., Orders 75-7-15, July 2, 1975; 74-7-63, July 16, 1974; 69-6-87, June 17, 1969.

⁸ North Central has indicated that its proposal will not result in any increase in air carrier operations. Consequently, we also tentatively find and conclude that the Board action sought by the applicant will not result in a major federal action significantly affecting the environment within the meaning of the National Environmental Protection Act of 1969.

2. Any interested person have objections to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments set forth herein, shall, within 30 days after the date of the adoption of this order, file with the Board and serve upon all persons listed in Paragraph 5, a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections. Answers thereto shall be filed within 15 days thereafter;

3. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;⁹

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. A copy of this order will be served upon North Central Airlines, Inc., United Air Lines, Inc., Ozark Air Lines, Inc., the Governors of Colorado and Wisconsin, and the mayors of the cities of Denver and Milwaukee.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:¹⁰

PHYLLIS T. KAYLOR,
Secretary.

MINETTI AND WEST, MEMBERS, CONCURRING
IN THE RESULT:

We continue to believe that the issue of deleting altogether North Central's restriction in the Milwaukee-Denver market is fully worthy of being set for hearing on a priority basis, in light of recent Board decisions to set for hearing, and to delete similar restrictions in, markets of comparable size and not notably inferior existing service. See our dissent in Order 76-10-34, October 7, 1976.¹¹ We remain unable to discern any pattern of logic or consistency—related either to the fundamental public-interest factors which the Congress in section 102 of the Federal Aviation Act has mandated the Board to consider or to the Board's own announced standards for route hearing priorities which are contained in Section 399.60 of the Board's Policy Statements—in the majority's recent decisions setting or refusing to set applications for hearing.

Nevertheless, we welcome the present order as making at least a start on the process of ridding North Central of this oppressive and wasteful restriction. It now appears that this restriction—like Eastern's long-haul restriction in the Pittsburgh-Atlanta market, for example—is fated to be whittled away in a series of proceedings, where it could have been decisively addressed in a single hearing. The waste of the Board's scarce manpower resources involved in nibbling away at obsolete certificate restrictions bit by bit would

⁹ Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

¹⁰ Minetti and West, members, filed the attached concurrence.

¹¹ And see also Member Minetti's earlier dissents in Orders 71-6-7, June 1, 1971, and 73-7-129, July 25, 1973.

appear to be obvious, but this evidently is not the decisive consideration.¹² In any event, it is better to do something than nothing at all, so we join in the present order.

G. JOSEPH MINETTI,
LEE R. WEST.

[FR Doc. 77-6890 Filed 3-7-77; 8:45 am]

[Docket 29773]

**PAN AMERICAN WORLD AIRWAYS, INC.
AND TRANS WORLD AIRLINES, INC.
North Atlantic Charter Transfer Rules;
Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on April 5, 1977, at 10:00 a.m. (local time) in Room 1003, Hearing Room D, Universal Building North, 1875 Connecticut Avenue, NW., Washington, D.C., before the undersigned Administrative Law Judge.

For details of the issues involved in this proceeding, interested persons are referred to the Prehearing Conference Report, served on February 1, 1977, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., March 2, 1977.

WILLIAM H. DAPPER,
Administrative Law Judge.

[FR Doc. 77-6892 Filed 3-7-77; 8:45 am]

[Docket 30569]

**NOVO AIRFREIGHT CORP.
Nonacceptance of Furs; Order of
Suspension and Investigation**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2nd day of March, 1977.

By tariff revision¹ issued February 4 and marked to become effective March 6, 1977, Novo Airfreight Corporation (Novo), an air freight forwarder, proposes to add a rule providing for the nonacceptance of furs in domestic shipments.

In support of the proposal, Novo asserts that its insurance company does not cover furs under its current policy; that Novo is not currently handling any fur shipments; that the proposed rule revision will remove the possibility of accepting this freight in the future; and that Novo's proposed rule is similar to that published by Airborne Freight Corporation (Airborne), another freight forwarder, in its currently effective rules tariff.

Upon consideration of all relevant factors, the Board finds that the proposed rule revision may be unjust, un-

¹ The time frittered away since 1971 on North Central's successive applications for relief from its restriction in the Milwaukee-Denver market would undoubtedly have sufficed to complete a hearing long ago.

² Revision to Rule No. 105(A), Tariff C.A.B. No. 4 issued by Novo Airfreight Corporation.

reasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposal should be suspended pending investigation.

The forwarder's proposed nonacceptance of furs would result in a significant derogation of its common-carrier responsibilities to provide service for which no adequate justification has been submitted. The Board has traditionally suspended, on these grounds, proposals by both direct and indirect carriers to limit their acceptance of traffic. Among those we have suspended were numerous proposals which refused acceptance of watches, live animals, snakes and other poisonous creatures, shipments with excess declared values, etc.²

Although the forwarder cites lack of current insurance coverage for such shipments, Novo has not stated why it could not obtain coverage from another insurance company in order to accommodate fur shipments in the future. Other forwarders and all direct carriers apparently have not encountered an insurance problem and are accepting fur shipments.³

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered that:

1. An investigation is instituted to determine whether the provisions in Rule No. 105(A) relating to the nonacceptance of shipments of Furs on 10th Revised Page 9 of Novo Airfreight Corporation's C.A.B. No. 4, and rules, regulations, or practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations, and practices affecting such provisions;

2. Pending hearing and decision by the Board, the provisions which read "Furs" in Rule No. 105(A) on 10th Revised Page 9 of Novo Airfreight Corporation's C.A.B. No. 4 are suspended and their use deferred to and including June 3, 1977, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein designated Docket 30569, be assigned for hearing before an administrative law judge of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariff and served upon Novo Air-

² See Orders 75-11-118, 75-2-31, 74-12-86, 74-4-156, 73-11-112, 72-11-10 and 72-8-55. These involve live animals, watches, certain precious metals, stamps and bonds, certain other articles of extraordinary value, and shipments with a declared value in excess of \$50 per pound or \$50, whichever is greater.

³ In its justification, Novo states that Airborne, another forwarder, currently has a rule precluding the acceptance of shipments of furs. Numerous other forwarders, however, as well as all direct carriers do accept such shipments.

freight Corporation, which is hereby made a party to Docket 30569.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-6893 Filed 3-7-77;8:45 am]

COMMISSION ON CIVIL RIGHTS

IOWA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a factfinding meeting of the Iowa Advisory Committee (SAC) of the Commission will convene at 9 a.m. and end at 3 p.m. on April 15, 1977, at the Federal Building, Room 430, 8th Street and 2nd Avenue South, Fort Dodge, Iowa 50501.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Central States Regional Office of the Commission, Old Federal Office Bldg., Room 3103, 911 Walnut Street, Kansas City, Missouri 64106.

The purpose of this meeting is to receive current information on affirmative action hiring from city and county agencies that have resulted from the Fort Dodge SAC report recommendations.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., March 2, 1977.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.77-6774 Filed 3-7-77;8:45 am]

NEBRASKA ADVISORY COMMITTEE

Change of Meeting Date

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Nebraska Advisory Committee (SAC) of the Commission previously published in the FEDERAL REGISTER Monday, February 28, 1977, (FR Doc. 77-5874) on page 11256 is hereby amended to show change of meeting date. The meeting was scheduled for March 14, 1977, and is changed to March 23, 1977.

Dated at Washington, D.C., March 2, 1977.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.77-6775 Filed 3-7-77;8:45 am]

OHIO ADVISORY COMMITTEE

Meeting Cancellation

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights that a planning meeting of the Ohio Advisory Committee (SAC) of the Commission

previously published in the FEDERAL REGISTER on Friday, February 18, 1977, (FR Doc. 77-5152) on page 10023 is hereby cancelled.

Dated at Washington, D.C., March 2, 1977.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.77-6776 Filed 3-7-77;8:45 am]

TENNESSEE ADVISORY COMMITTEE

Meeting Cancellation

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Tennessee Advisory Committee (SAC) of the Commission a notice previously published in the FEDERAL REGISTER on Monday, February 8, 1977, (FR Doc. 77-5878) on page 11257 is hereby cancelled.

Dated at Washington, D.C., March 2, 1977.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.77-6777 Filed 3-7-77;8:45 am]

WYOMING ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Wyoming Advisory Committee (SAC) of the Commission will convene at 10:00 a.m. and end at 3:00 p.m. on March 26, 1977, at the Job Services Center Conference Room, 506 W. 17th Street, Cheyenne, Wyoming 82001.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Mountain States Regional Office of the Commission, Executive Tower Inn, Suite 1700, 1405 Curtis Street, Denver, Colorado 80202.

The purpose of this meeting is to discuss progress of abortion services project and to finalize plans for education project in Carbon, Goshen and Laramie counties.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., March 2, 1977.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.77-6778 Filed 3-7-77;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 non-career executive assignment in the ex-

cepted service the position of Deputy Director (Command and Control), Officer of the Director, Telecommunications and Command and Control Systems, Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to
the Commissioners.*

[FR Doc.77-6607 Filed 3-7-77;8:45 am]

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 Principal Deputy Director Telecommunications and Command and Control Systems, Office of the Director, Telecommunications and Command and Control Systems, Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to
the Commissioners.*

[FR Doc.77-6608 Filed 3-7-77;8:45 am]

DEPARTMENT OF JUSTICE

Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Attorney General, Office of Legal Counsel.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant
to the Commissioners.*

[FR Doc.77-6609 Filed 3-2-77;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

CENSUS ADVISORY COMMITTEE ON POPULATION STATISTICS

Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix I (1974)), notice is hereby given that the Census Advisory Committee on Population Statistics will convene on April 1, 1977 at 9:30 a.m. The Committee will meet in Room 2424, Federal Building 3, at the Bureau of the Census in Suitland, Maryland.

The Census Advisory Committee on Population Statistics advises the Director, Bureau of the Census, on current programs and on plans for the decennial census of population.

The Committee is composed of five members appointed by the Secretary of Commerce, and ten members designated by the President of the Population Association of America from the membership of that Association.

The agenda for the meeting is: (1) Developments since the last meeting; (2) current status of 1980 census planning; (3) results of 1980 census pretests—field procedures and coverage aspects, and subject content; (4) content of the Oakland, California pretest; (5) income data from Survey of Income and Education vs. Current Population Survey; (6) use of income data from complete count and 20 percent sample in the 1980 census; (7) initial proposals for presenting 1980 data—tabulations, publications, tape files, monographs, etc.; and (8) Committee recommendations.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting or who wish to submit written statements may contact the Committee Control Officer, Dr. Paul C. Glick, Senior Demographer, Population Division, Bureau of the Census, Room 2011, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, D.C. 20233). Telephone (301) 763-7030.

Dated: March 2, 1977.

ROBERT L. HAGEN,
*Acting Director,
Bureau of the Census.*

[FR Doc.77-6769 Filed 3-7-77;8:45 am]

Domestic and International Business Administration

MANAGEMENT-LABOR TEXTILE ADVISORY COMMITTEE

Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975), notice is hereby given that a meeting of the Management-Labor Textile Advisory Committee will be held on April 20, 1977 at 1:30 p.m. in Room 4830, Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

The Committee, which is comprised of 33 members, was established by the Secretary of Commerce on April 23, 1962 to advise U.S. Government officials on problems and conditions in the textile and apparel industry and furnish information on world trade in textiles and apparel.

The agenda for the meeting will be as follows:

1. Review of import trends.
2. Implementation of textile agreements.
3. Report on conditions in the domestic market.
4. Other business.

A limited number of seats will be available to the public on a first-come basis. The public may file written statements with the Committee before or after each meeting. Oral statements may be presented at the end of the meeting to the extent time is available.

Copies of the minutes of the meeting will be made available on written request addressed to the DIBA Freedom of Information Officer, Freedom of Information Control Desk, Room 3012, U.S. Department of Commerce, Washington, D.C. 20230.

Further information concerning the Committee may be obtained from Arthur Garel, Director, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230, telephone 202-377-5078.

ROBERT E. SHEPHERD,
Acting Deputy Assistant Secretary for Resources and Trade Assistance.

MARCH 2, 1977.

[FR Doc.77-6738 Filed 3-7-77;8:45 am]

Economic Development Administration

MUSHROOM INDUSTRY

Study of Producing Firms

SUMMARY

The Department of Commerce has conducted a study of the firms growing and processing mushrooms pursuant to section 264 of the Trade Act of 1974. Such a study is required whenever the U.S. International Trade Commission makes an industry investigation under section 201 of the Act. The Department published a section 264 report of the mushroom industry last year on April 13.

In its report of January 10, 1977, the Commission determined (by a 4 to 1 vote, with one abstention) that increased mushroom imports are causing or threatening to cause serious injury to the domestic industry. Three of the five participating Commissioners recommended to the President the imposition of a tariff rate quota as import relief for the U.S. mushroom industry, while two Commissioners recommended adjustment assistance as the appropriate remedy. According to section 202 of the Trade Act, the President shall determine whether to provide import relief and what method and amount of import relief will be provided. Mushrooms in their natural state are found in the rich, damp organic humus of shaded forest floors. Commercial mushroom cultivation in sheds or other enclosures basically duplicates the natural environment but achieves greater output per unit of area by controlled organic soil enrichment, temperature, shade and dampness. Mushrooms, used primarily to garnish meats and other foods, are also eaten separately or served in gravies, sauces, relishes, salads and soups. Fresh mushrooms are highly perishable and must be marketed within a few days after harvesting even though properly refrigerated. The canned product forms the vast bulk of preserved mushrooms entering the U.S. market

from domestic and foreign processors. Canned mushrooms are usually packed in a light brine solution and used like fresh mushrooms. Most of the imported canned mushrooms are of the same species as those grown in the United States and are comparable in flavor and appearance.

The domestic mushroom industry is generally considered as consisting of two integral parts, namely the growers and the canners. In practice, however, both the growing and the processing of mushrooms may be carried out by the same firm, and some domestic firms even import canned mushrooms for sales to the U.S. market. In 1976, there were approximately 500 commercial mushroom growers, about 30 percent fewer than a decade ago. The decline in the number of growers, however, has been accompanied by an increase in area cultivated and in average yield. Commercial production is concentrated in Pennsylvania, although mushrooms are also grown near many of the large urban areas.

In 1976, there were 27 mushroom canneries in the United States, compared to 35 in 1972. Over one-half of the canneries are in Pennsylvania; the remainder are in California, Ohio, Michigan and Washington. Processors package mushrooms in cans ranging in size from 4-ounce and 8-ounce cans for the retail trade to larger institutional sizes up to 64 ounces. Canned mushrooms are marketed either as whole, including buttons, as sliced, or as stems and pieces.

Approximately 90 percent of the imports of mushrooms come from Taiwan and South Korea; lesser quantities come from Japan, Latin America and France. The total quantity of U.S. imports of canned, dried and frozen mushrooms, on a fresh weight basis, increased from 53 million to 100 million pounds between 1970 and 1976. Canned mushrooms accounted for 88 percent of the imports in 1976; the balance was mostly dried mushrooms. Imported mushrooms are now equivalent to 32 percent of domestic production compared with 26 percent five years ago.

To be certified eligible to apply for trade adjustment assistance, a firm must petition the Department of Commerce and demonstrate that increased imports of articles like or directly competitive with those produced by the firm contributed importantly to declines in sales or production, or both, and to the separation, or threat of separation, of a significant number or proportion of the firm's workers. A trade-impacted producing firm may petition the Department for a certification at any time regardless of a prospective Commission finding or its results. For firms in the mushroom industry that are considering petitioning for certification, the first requirement of the qualifying criteria has been met, since U.S. imports of mushrooms have increased dramatically in recent years.

As of the date of this report, 8 petitions have been filed by members of the mushroom industry seeking certification to apply for adjustment assistance. Six of the petitioners, including a mushroom

processing cooperative, three growers and two processor-growers, have been certified; petitions by two other firms growing and processing mushrooms were rejected as incomplete. The likelihood of other firms in the industry being able to meet the qualifying criteria for certification would depend on a number of unknown factors which could vary considerably in individual cases. Most of the mushroom growers probably would not be able to qualify for certification, since the producing segment of the industry as a whole shows rising trends in employment and production. The mushroom canners, however, have had declines in production and employment. It is estimated that approximately a dozen of the mushroom processors may be able to qualify for certification if they should decide to petition the Department, and a few growers may also be certifiable. Each case would have to be judged on its own merits and on the basis of whatever evidence the petitioning firm may adduce concerning its own operations and market situation.

Under the program of adjustment assistance for firms authorized by the Trade Act and administered by the Economic Development Administration ("EDA") in the Department of Commerce, financial assistance to certified firms may take the form of direct loans and loan guarantees, and technical assistance, to enable a firm to establish a competitive position in the same or a different industry. Financial assistance may be used for the acquisition, construction, installation, modernization, expansion or conversion of fixed assets, or for working capital necessary for a firm to implement its adjustment plan. Technical assistance may be used for management and operational assistance, feasibility studies and related research to aid in developing and implementing a firm's recovery plan.

The Trade Act also provides for certification of communities located in trade-impacted areas or in areas where a firm or subdivision has transferred to a foreign country. Certified communities are eligible for public works grants, loans, and loan guarantees—all of which can be directed towards assisting affected firms. Under the Public Works and Economic Development Act of 1965 ("PWEDA"), as amended, direct and indirect assistance to firms is available without Trade Act certification. Firms located in EDA-designated "redevelopment areas" and "economic development centers" can benefit indirectly from grants to the designated places and related entities for financing public works and directly from business development loans and guarantees. Under PWEDA, neither loans nor guarantees can be used to assist firms in industries found to have long-term overcapacity. However, PWEDA does authorize technical assistance to firms regardless of location and grants of loanable funds to communities with actual or threatened unemployment.

The Farmers Home Administration ("FmHA") of the Department of Agriculture has programs of both farm own-

ership loans and farm operating loans that could benefit mushroom growers which operate family farms. Mushroom canners may be able to participate in a program of loan guarantees to businesses located in areas other than cities of over 50,000 population. As with EDA business loans, however, these guarantees are not available to firms in industries characterized by long-term overcapacity. FmHA also can make grants and loans to public bodies, such as local governments and development organizations, in areas other than cities of over 10,000 population. These funds can be used for public projects, such as utility extensions and access roads, that would benefit industry.

The Small Business Administration ("SBA") administers three programs of potential assistance to small processors: a management assistance program for small business; a loan program for local development companies; and a business loan program of direct, participating, and guaranteed loans. Eligibility is limited to independently owned and operated firms that are not dominant in their field and do not have over 500 average employment. The amount of the guaranteed loan, however, cannot exceed \$500,000, and participating and direct loans have even lower limits.

Additional information about the adjustment assistance program and copies of the report "Prospects for Firms in the Mushroom Industry," are available from the Office of Public Affairs, Economic Development Administration, Room 7019, U.S. Department of Commerce, Washington, D.C. 20230 (telephone 202/377-5113).

JACK W. OSBURN, JR.,
Chief, Trade Act Certification
Division, Office of Planning
and Program Support.

[FR Doc. 77-6817 Filed 3-7-77; 8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS PHILIPPINES

Import Restraint Level Established for
Certain Cotton Coats in Category 49

MARCH 3, 1977.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: To augment the import restraint level established for certain cotton coats in Category 49 from the Philippines during the year which began on October 1, 1976.

SUMMARY: Paragraph 9(b) of the Bilateral Cotton, Wool of Man-Made Fiber Textile Agreement of October 15, 1975 between the Governments of the United States and the Republic of the Philippines provides that under certain specified conditions shortfalls in category ceilings during one agreement year may be carried forward and applied to ceilings in the succeeding agreement year. Pursuant to this provision of the bilateral agreement, the level for Category 49 is being raised by 4,708 dozen to a limit of 47,508 dozen for the twelve-month period

which began on October 1, 1976 and extends through September 30, 1977.

EFFECTIVE DATE: March 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Edmond Callahan, International Trade Specialist, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230. (202-377-5423).

SUPPLEMENTARY INFORMATION:

On September 27, 1976, a letter was published in the FEDERAL REGISTER (41 F.R. 42234) from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established the levels of restraint applicable to certain specified categories of cotton and man-made fiber textile products under the terms of the bilateral agreement, which have been produced or manufactured in the Philippines and exported to the United States during the twelve-month period which began on October 1, 1976. In the letter of March 3, 1977, published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to permit entry of cotton textile products in Category 49 from the Philippines at a level of 47,508 dozen during the agreement year which began on October 1, 1976.

ROBERT E. SHEPHERD,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance, United States Department of Commerce.

COMMITTEE FOR THE IMPLEMENTATION OF
TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

MARCH 3, 1977.

DEAR MR. COMMISSIONER: On September 22, 1976, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning October 1, 1976 and extending through September 30, 1977, of cotton and man-made fiber textile products in certain specified categories, produced or manufactured in the Republic of the Philippines, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹

¹The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of October 15, 1975 between the Governments of the United States and the Republic of the Philippines which provide, in part, that: (1) Within the aggregate and applicable group limits, specific levels of restraint may be exceeded by specified percentages; (2) these levels may be increased for carryover and carryforward up to 11 percent of the applicable category limit; (3) consultation levels may be increased within the aggregate and applicable group limits upon agreement between the two governments; and (4) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to paragraph 9(b) of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of October 15, 1975, between the Governments of the United States and the Republic of the Philippines, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective on March 3, 1977, to amend the level of restraint established for cotton textile products in Category 49 to 47,508 dozen.²

The action taken with respect to the Government of the Republic of the Philippines and with respect to imports of cotton textile products from the Philippines has been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ROBERT E. SHEPHERD,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance, United States Department of Commerce.

[FR Doc. 77-6879 Filed 3-7-77; 8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

ADVISORY COMMITTEES

Invitation for Membership Application

The purpose of this notice is to invite application for membership on three advisory committees of the Consumer Product Safety Commission for vacancies that will occur in June 1977. The advisory committees are (1) the Product Safety Advisory Council, (2) the National Advisory Committee for the Flammable Fabrics Act, and (3) the Technical Advisory Committee on Poison Prevention Packaging. This notice contains information on the functions and composition of the advisory committees and the number and representational category of the vacancies occurring on each committee in June 1977. Also included in this notice is information about the representational categories and expertise of members remaining on the committees, general criteria for selection of members on Consumer Product Safety Commission advisory committees, and procedures for making application or nomination of applicants.

PRODUCT SAFETY ADVISORY COUNCIL

Section 28 of the Consumer Product Safety Act (15 U.S.C. 2077) provides that the Commission shall establish a 15-member Product Safety Advisory Council to be composed of:

- (1) Five members selected from governmental agencies including, Federal, State, and local governments;
- (2) Five members selected from consumer product industries including at

²The level of restraint has not been adjusted to reflect any entries made after September 30, 1976.

least one representative of small business; and

(3) Five members selected from among consumer organizations, community organizations, and recognized consumer leaders.

Upon request of the Commission the Council provides safety rules or other actions under the Consumer Product Safety Act. The Council may also propose safety rules for the Commission's consideration. The Commission, in establishing the Advisory Council, envisioned that this diversely-composed Council would assist it in its decision-making process by providing advice on proposed major policies as well as approaches to particular issues and problems.

The Commission anticipates ten (10) vacancies in June 1977; three (3) in the consumer category, three (3) in the industry category, and four (4) in the government category.

The seven (7) members remaining on the Product Safety Advisory Council include: in the consumer category, an attorney with the Minnesota Public Interest Group with specific expertise in antitrust and product liability matters; and a member of the Waterbury, Connecticut Welfare Association involved in community information and out-reach work in Model Cities Programs; in the industry category, a deputy member of the Risk and Insurance Management Society's Legislative Policy Committee, New York, with responsibility for consumer product safety; and the Chairman of the Board of Directors of Frank R. Jellef, Inc. (retailer of women's apparel), Virginia; in the government category, the Deputy Commissioner, Bureau of Electrical Inspection, Department of Buildings, City of Chicago.

NATIONAL ADVISORY COMMITTEE FOR THE FLAMMABLE FABRICS ACT

The National Advisory Committee for the Flammable Fabrics Act was first established in 1968 by the Department of Commerce under section 17 of the Flammable Fabrics Act, as amended (Pub. L. 83-88, 15 U.S.C. 1204). Functions under the Act, including administration of the National Advisory Committee, were transferred, effective May 14, 1973, to the Commission by section 30(b) of the Consumer Product Safety Act (15 U.S.C. 2079(b)).

The Commission consults with the National Advisory Committee for opinions, advice, and recommendations before prescribing flammability standards or other regulations under the Act.

The National Advisory Committee for the Flammable Fabrics Act is composed of 20 members, ten (10) of whom are representatives of manufacturers and distributors, with manufacturers to include the natural fiber producing industry, the man-made fiber producing industry, and manufacturers of fabrics, related materials, apparel or interior furnishings.

Eleven (11) vacancies are anticipated in June 1977 on the National Advisory Committee—five in the consumer cate-

gory and six (6) in the industry representational category.

The nine (9) members remaining on the National Advisory Committee include among the consumer representatives four academicians: a professor of textiles and consumer economics at the University of Maryland; a professor of law at George Washington University, Washington, D.C.; a professor in environmental medicine at Mt. Sinai School of Medicine in New York; and a professor in consumer and business studies, State University College, Buffalo, New York. The other consumer member is a chemist with the Boston, Massachusetts, Fire Department. Among the remaining industry members on the National Advisory Committee are two manufacturers/distributors of fabrics and textiles from Washington, D.C., and New York; a manufacturer of children's apparel, Massachusetts; and a manufacturer/distributor of household laundry products, California.

TECHNICAL ADVISORY COMMITTEE ON POISON PREVENTION PACKAGING

The Technical Advisory Committee on Poison Prevention Packaging was first established in 1971 by the Department of Health, Education, and Welfare under the Poison Prevention Packaging Act of 1970 (Pub. L. 91-601; 15 U.S.C. 1471, et seq.). Functions under this Act including administration of the Technical Advisory Committee on Poison Prevention Packaging, were transferred, effective May 14, 1973, to the Commission by section 30(a) of the Consumer Product Safety Act (15 U.S.C. 2079(a)).

The Technical Advisory Committee provides advice and recommendations to the Commission on the establishment of packaging standards to protect children from injury or illness resulting from handling, using or ingesting household substances.

The Technical Advisory Committee is composed of 18 members, including one representative each from the Department of Health, Education, and Welfare (DHEW) and the Department of Commerce (DOC), with the remaining 16 members equally divided among consumers and industry interests. Within the industry category, representation is provided for manufacturers of household substances subject to the Poison Prevention Packaging Act and for manufacturers of packages and closures for household substances. Scientists with expertise related to the Act and licensed medical practitioners may be included in either the consumer or industry category depending upon their employment affiliation.

The Commission anticipates eight (8) vacancies on the Technical Advisory Committee: Five representatives of the consuming public; and three representatives of industry interests.

The eight (8) members remaining on the committee, in addition to the representatives from DHEW and DOC, include three academicians representing the consumer interests: A family ecologist from Colorado State University on sabbatical doing graduate work at the Michigan

State University, an assistant dean at the University of Kentucky College of Pharmacy, and a professor of pediatrics at Duke University Medical Center in North Carolina. Among the industry members remaining on the Technical Advisory Committee are five representatives of manufacturers of packaging and closures: Owens-Illinois, Inc., Illinois; Alcoa Laboratories, Indiana; Kerr Glass Manufacturing Corp., Pennsylvania; Rexham Corp., North Carolina; and Desoto, Inc. (packager for household substances) Illinois.

MEMBERSHIP SELECTION AND APPLICATION PROCEDURE

The membership of the Commission's advisory committees shall be, insofar as practicable, fairly balanced in terms of geographic location, age, sex, and minorities. Further, within the representational categories specifically mandated by law, the Commission seeks in the selection of individual members to ensure an advisory committee of the widest possible diversity of experience, expertise, background, and interests. Examples of such diversity are provided below for each of the advisory committees.

Product Safety Advisory Council.—Among consumer representatives such diversity would include past or current involvement in the areas of consumer protection and consumer information; activities directed to the special needs of children, the handicapped, minorities, low-income, elderly, etc., teaching and/or research in safety of consumer products, public interest law, and educational programs for consumers. Diversity among industry representatives would include occupational responsibilities such as quality control, product testing, product engineering and design, marketing experience, voluntary standards development, trade associations, policy level corporate executives, import/export of products, etc. Among government representatives, such diversity would include involvement in activities at the Federal, State, or local level related to product safety regulatory activities, community groups and/or programs, product-related research and/or testing, etc.

National Advisory Committee for the Flammable Fabrics Act.—Among consumers on this committee, such diversity would include past or current involvement in burn treatment programs, fire prevention programs, teaching and/or research relating to textiles and home furnishings, consumer organization or local citizen group activities relating to flammability, public interest law, home-making, etc. Diversity among industry representatives within the basic categories provided for by law would include past or current activities related to voluntary standards development in the area of fabric/textile flammability, fire-prevention programs, trade associations, research and/or teaching, occupational responsibilities such as quality control, product testing, product engineering, export/import of consumer products, etc.

Technical Advisory Committee on Poison Prevention Packaging.—Diver-

sity among consumer representatives would include past or current involvement in activities related to poison control centers, data gathering research and analysis of incidents of poisoning in children, pediatrics, public interest law, home accident prevention efforts, teaching and/or research relating to household substances and drugs, home-making, childrearing, etc. Diversity among industry representatives within the basic categories provided for by law would relate to specific types of products dealt with, past and current occupational responsibilities such as quality control, product testing, product engineering and design, marketing, voluntary standards development, practicing pharmacists, medical practitioners and scientists with industry employment affiliation, etc.

An application form designed to assist potential candidates in submitting information on which committee applications will be evaluated is available from the Commission and should be used by persons interested in making application for the advisory committee vacancies announced in this notice. Persons wishing to nominate another individual to serve on an advisory committee also should use the application form and should include a statement that the person nominated has agreed to serve if selected by the Commission. Application forms are available from and should be submitted not later than April 15, 1977, to the Committee Management Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207; telephone 202-634-7700.

Dated: March 3, 1977.

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

[FR Doc. 77-6820 Filed 3-7-77; 8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

CHEMICAL PROPULSION ADVISORY COMMITTEE PROPULSION SYSTEMS COST WORKING GROUP

Closed Meeting

Pursuant to the provisions of section 10 of Pub. L. 920463, the Federal Advisory Committee Act, notice is hereby given that a meeting of the Department of Defense Chemical Propulsion Advisory Committee (Propulsion Systems Cost Working Group) will be held on Tuesday, Wednesday and Thursday, March 29-31, 1977 at 8:30 a.m. in Building 7, Room 257, Johns Hopkins University Applied Physics Laboratory, Johns Hopkins Road, Laurel, Maryland.

The Committee's primary responsibilities are to provide technical advice to the Joint Army, Navy, NASA, Air Force (JANNAP) Interagency Propulsion Committee and to promote the exchange of technical information in the field of propulsion. At this meeting, the Committee will exchange technical information on reduction of life-cycle costs and de-

velopment of cost-estimating techniques for chemical propulsion systems.

Under the provision of section 10(d) of Pub. L. 92-463, the Federal Advisory Committee Act, meetings may be closed to the public when they are concerned with matters listed in section 552(b) of Title 5, United States Code. One of the matters so listed is that specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy.

Accordingly, this meeting will be closed to the public because the matters concerned are related to the design, development and production of classified rocket motors (5 U.S.C. 552(b)(1)). However, those individuals who possess a personal security clearance of at least confidential and a certified need-to-know in the area of chemical rocket propulsion may attend, provided they have notified the Advisory Committee Chairman in writing at least five (5) days prior to the meeting.

Members of the public who may wish to do so are invited to submit material in writing to the Chairman concerning matters believed to be deserving of the Committee's attention. All communications regarding this Advisory Committee should be addressed to the Chairman, Mr. Sidney E. Solomon, Johns Hopkins University Applied Physics Laboratory, CPIA, Johns Hopkins Road, Laurel, MD 20810.

JAMES L. KOURY,
AFRPL/MKMB, Edwards, CA.

Office of the Secretary

BOARD OF VISITORS OF DEFENSE
SYSTEMS MANAGEMENT COLLEGE

Meeting

A meeting of the Board of Visitors of the Defense Systems Management College will be held in Building 202, Fort Belvoir, VA, on Wednesday, April 20, 1977, from 8:30 a.m. until 5:00 p.m. The agenda will include a review of the course offerings and discussion of DSMC operations, educational policies, and plans. The meeting is open to the public; however, because of limitations on space available, allocations of seating will be made on a first-come, first-served basis. Persons desiring to attend should call the DSMC Director, Department of Administration, Operations & Support (703-664-1314) to reserve a seat as far in advance as possible.

MAURICE W. ROCHE,
Director, Correspondence and
Directives, Office of the Assistant
Secretary of Defense
(Comptroller).

MARCH 3, 1977.

[FR Doc.77-6746 Filed 3-7-77;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

ENHANCED OIL RECOVERY WORKSHOPS

The Oil, Gas and Shale Technology Division of ERDA—Fossil Energy will hold three workshops on the implementation of an enhanced oil recovery (EOR) program. The first workshop will be in Los Angeles, California, on March 29 and 30 and will discuss steam injection methods. The next workshop will take place in Bartlesville, Oklahoma, on April 5 and 6. This workshop will consider three topics: the micellar-polymer flooding process; residual oil, and technology transfer of EOR information. The third workshop will be in Houston, Texas, on April 12 and 13 and will examine the carbon dioxide miscible process.

Each workshop is designed to help identify specific field efforts and laboratory work required for implementation of ERDA's EOR program. The workshops are open to the public; however, notification prior to attendance is requested to assist ERDA in its planning.

For further information, please contact Dr. John Vlahakis, (202) 376-4841, or George Stosur (202) 376-4690 at ERDA Headquarters in Washington, D.C.

Dated: March 3, 1977.

S. WILLIAM GOUSE,
Deputy Assistant Administrator
for Fossil Energy.

[FR Doc.77-7022 Filed 3-7-77;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-00044]

ADMINISTRATOR'S PESTICIDE POLICY ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

Name: Administrator's Pesticide Policy Advisory Committee.

Date: Wednesday, March 23, 1977.

Place: Environmental Protection Agency (EPA), 401 M St. SW., Washington, D.C., Room 2117-2123, Mall. Seating capacity of the conference room is limited.

Time: 9:30 a.m.-4 p.m. (approximately).

Proposed Agenda: The purpose of this meeting is to review in-depth proposals put forth by EPA and other interested parties for legislative changes to be made during the present session of Congress in the amended Federal Insecticide, Fungicide, and Rodenticide Act, and to receive public comments on these proposals.

The Committee meeting is open to the public. All communications regarding this meeting should be telephoned to Mr. P. H. Gray, Jr., Acting Executive Secretary, Administrator's Pesticide

Policy Advisory Committee, (202) 755-7014.

Dated: March 4, 1977.

ANDREW W. BREIDENBACK,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.77-7033 Filed 3-7-77;9:45 am]

[FRL 695-5]

AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Amendment to Equivalent Method for SO₂

Notice is hereby given that EPA, in accordance with 40 CFR Part 53 (40 FR 7044, February 18, 1975), has approved three additional options to SO₂ equivalent method number EQSA-1275-005 (FEDERAL REGISTER, Vol. 41, page 3893, January 27, 1976). Accordingly, the method identification is amended to read as follows:

EQSA-1275-005, Lear Siegler Model "SM1000 SO₂ Ambient Monitor," operated on the 0-0.5 ppm range, at a wavelength of 299.5 nm, with the "slow" (300 second) response time, with or without any of the following options:

- SM-1 Internal zero/span.
- SM-2 Span timer card.
- SM-3 0-01 volt output.
- SM-4 0-5 volt output.
- SM-5 Alternate sample pump.

This method is available from Lear Siegler, Inc., Environmental Technology Division, 74 Inverness Drive East, Englewood, Colorado 80110.

This change is made in accordance with 40 CFR 53.14 and is based on additional information and test data submitted by the applicant subsequent to the original designation (41 FR 3893, January 27, 1976). The new information will be kept on file at the address shown below and will be available for inspection to the extent consistent with 40 CFR Part 2 (EPA's regulations implementing the Freedom of Information Act).

As an equivalent method, this method is acceptable for use by States and other control agencies for purposes of section 51.17(a) of 40 CFR Part 51 ("Requirements for Preparation, Adoption, and Submittal of Implementation Plans") as amended on February 18, 1975 (40 FR 7042). For such use, the method must be used in strict accordance with the operation of instruction manual provided with the method and subject of any limitations (e.g., operating range) specified in the application designation (see description of method above). Modifications of a designated method used for purposes of § 51.17(a) are permitted only with the prior approval of EPA. Provisions for vendor modification are given in 40 CFR 53.14, and provisions for user modifications are given in 40 CFR 51.17a(f) (promulgated on March 17, 1976; 41 FR 11255).

Additional information concerning the use of this designated method may be obtained from the original Notice of Designation (41 FR 3893, January 27, 1976) or by writing to: Director, Environmental Monitoring and Subpart Laboratory, Department E (MD-76), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. Technical questions concerning the method should be directed to the manufacturer.

WILSON K. TALLEY,
Assistant Administrator
for Research and Development.

MARCH 2, 1977.

[FR Doc.77-6716 Filed 3-7-77;8:45 am]

[FRL 695-2; OPP-50278]

DOW CHEMICAL U.S.A.

Issuance of Experimental Use Permits

Pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.), experimental use permits have been issued to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172; Part 172 was published in the FEDERAL REGISTER on April 30, 1975 (40 FR 18780), and defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 464-EUP-49. Dow Chemical U.S.A., Midland, Michigan 48840. This experimental use permit allows the use of 4,000 pounds of the insecticide chlorpyrifos on cotton to evaluate control of thrips, fleahoppers, and plant bugs. A total of 3,600 acres is involved; the program is authorized only in the States of Alabama, Arkansas, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, and Texas. The experimental use permit is effective from February 4, 1977, to February 4, 1978. A permanent tolerance for residues of the active ingredient in or on cottonseed has been established (40 CFR 180.342).

No. 464-EUP-50. Dow Chemical U.S.A., Midland, Michigan 48840. This experimental use permit allows the use of 6,000 pounds of the insecticide chlorpyrifos on cotton to evaluate control of the pink bollworm and other bollworms. A total of 600 acres is involved; the program is authorized only in the States of Arizona and California. The experimental use permit is effective from February 4, 1977, to February 4, 1978. A permanent tolerance for residues of the active ingredient in or on cottonseed has been established (40 CFR 180.342).

Interested parties wishing to review the experimental use permits are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St., S.W., Washington, D.C. 20460. It is suggested that such interested persons call 202/755-4851 before visiting the EPA Headquarters Office, so that the appropriate permits may be made conveniently available for review purposes. These files will be available for inspection

from 8:30 a.m. to 4:00 p.m., Monday through Friday.

Dated: February 28, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc.77-6718 Filed 3-7-77;8:45 am]

[FRL 695-4; PF65]

ICI UNITED STATES, INC.

Pesticide Programs; Filing of Pesticide Petition

ICI United States, Inc., Concord Pike & New Murphy Rd., Wilmington, DE 19897, has submitted a petition (PP 7F1915) to the Environmental Protection Agency which proposes that 40 CFR 180.365 be amended by establishing a tolerance for combined residues of the insecticide 2-(dimethylamino)-5,6-dimethyl-4-pyrimidinyl dimethylcarbamate and its metabolites 5,6-dimethyl-2-(formylmethylamino)-4-pyrimidinyl dimethylcarbamate and 5,6-dimethyl-2-(methylamino)-4-pyrimidinyl dimethylcarbamate (both calculated as parent) in or on the raw agricultural commodities broccoli and lettuce at 1.0 part per million (ppm); brussels sprouts, cabbage, cauliflower and bell peppers at 0.5 ppm; and chili peppers 2.0 ppm. The proposed analytical method for determining residues is a gas chromatographic procedure using a rebidum bromide thermionic detector. Notice of this submission is given pursuant to the provisions of section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on this petition to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Rm. 401, East Tower, 401 M St. SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and of others interested in inspecting them. Inquiries concerning this petition may be directed to Product Manager (PM) 16, Registration Division (WH-567), Office of Pesticide Programs, at the above address, or by telephone at 202/426-9425. Written comments should bear a notation indicating the petition number. Comments may be made at any time while a petition is pending before the Agency. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: March 1, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc.77-6717 Filed 3-7-77;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

1979 WORLD ADMINISTRATIVE RADIO CONFERENCE

Schedule of Meeting

MARCH 3, 1977.

Pursuant to Public Law 92-463, notice is hereby given of the following meeting.

WARC-79 SATELLITE BROADCASTING SERVICE GROUP

Wednesday, March 23, 1977, 9:30 am to 12:00 Noon, Room 6331, 2025 "M" Street NW., Washington, D.C.

Chairman: Edward E. Reinhart.
FCC Liaison: Charles H. Breig.

The Agenda will be as follows:

1. Call to Order by the Chairman.
2. Approval of Minutes of Previous Meeting.
3. Discussion of Third Notice of Inquiry, Docket 20271.
4. Reports from Task Groups.
5. Further Discussion.
6. Next Meeting Date and Adjournment.

The above meeting is open to broadcast industry representatives and interested members of the general public.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.77-6680 Filed 3-7-77;8:45 am]

[Docket No. 21114]

LYCURGUS G. TSIMPIDES

Application for Amateur Radio Station and Technician Class Operator Licenses

Adopted: February 10, 1977.

Released: March 1, 1977.

The Chief, Safety and Special Radio Services Bureau, has under consideration the above-entitled application for an Amateur radio station license and an Amateur radio operator (Technician Class) license filed by Lycurgus G. Tsimpides, 545 Durham Drive, Homewood, Alabama 35209, on June 23, 1976.

The applicant's license for Citizens radio station KCQ-6091 was revoked, effective August 13, 1973, in Docket No. 19406, Lycurgus G. Tsimpides, 48 FCC 2d 248, following a hearing held December 5, 1972. In an Initial Decision issued June 22, 1973, the presiding Administrative Law Judge found and concluded, inter alia, that Tsimpides had operated his radio station in violation of various Commission Rules and that he had made misrepresentations of material facts, which continued throughout the hearing process. No exceptions were filed to the Initial Decision and it became final on August 13, 1973, (FCC 73 R-326, released September 18, 1973).

In an Order released on January 8, 1974, Tsimpides was directed to cease

and desist from further operation of an unlicensed Citizens radio station (SS-194-74). The Cease and Desist Order was predicated on Tsimpides' having operated radio transmitting apparatus without authorization on September 4, 1973.

By an Order released January 8, 1975, a previous application by Tsimpides for Amateur radio station and operator licenses was designated for hearing. When Tsimpides failed to file an appearance, that application was dismissed with prejudice by an Order of the presiding judge released March 7, 1975.

Notwithstanding the Order to Cease and Desist from further unlicensed operations on Citizen Band radio frequencies, Tsimpides apparently so operated on January 18, 1974; October 28, 1974; and April 9 and 10, 1976. In the April 1976 transmissions, it appears that Tsimpides identified as "HF 85," indicating membership in HF International, an organized scheme to operate radio transmitting apparatus illegally and avoid detection.¹

In view of the Findings and Conclusions of the Initial Decision (48 FCC 2d 248) and the Order to Cease and Desist (SS-194-74), and his apparently unlicensed operation subsequent thereto, it cannot be determined that a grant of Tsimpides' application would serve the public interest, convenience and necessity. Therefore, the Commission must designate the application for hearing. The findings and conclusions of the Initial Decision and the Order to Cease and Desist shall be res judicata as to the applicant and shall not be relitigated in this proceeding.

Accordingly, it is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.973(b) of the Commission's Rules, that the captioned application is designated for hearing, at a time and place to be specified by subsequent Order, upon the following issues:

1. To determine the effect of the facts and conclusions contained in the Initial Decision (48 FCC 2d 248) and Order to Cease and Desist (SS-194-74) upon the applicant's requisite qualifications to be a licensee of the Commission.
2. To determine whether the applicant engaged in unlicensed operation subsequent to the release of the Order to Cease and Desist.
3. To determine, in light of the evidence adduced under the foregoing issues, whether the applicant has the requisite qualifications to be a licensee of the Commission.
4. To determine whether a grant of the subject application for Amateur radio

¹ In the proceeding in Docket No. 19406, Lycurgus G. Tsimpides, 48 FCC 2d 248, the presiding judge found and concluded that Tsimpides had been a member of a group of radio operators, who, in order to evade detection, used "Charlie Charlie" numbers for identification. The presiding judge also found that Tsimpides encouraged participation in the group and assigned "Charlie Charlie" numbers to new participants.

station and operator (Technician) licenses would serve the public interest, convenience, and necessity.

It is further ordered, That, to avail himself of the opportunity to be heard, the applicant herein, pursuant to Section 1.221(c) of the Commission's Rules, in person or by attorney, shall within 20 days of the mailing of this Order file with the Commission, in triplicate, a written appearance stating an intent to appear on the date fixed for hearing and to present evidence on the issues specified on this Order.

Chief, Safety and Special Radio Services Bureau.

GERALD M. ZUCKERMAN,
Chief, Legal, Advisory
and Enforcement Division.

[FR Doc. 77-6881 Filed 3-7-77; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

VOLUNTARY AGREEMENT AND PLAN OF ACTION TO IMPLEMENT THE INTER- NATIONAL ENERGY PROGRAM

Meeting

In accordance with section 252(c) (1) (A) (i) of the Energy Policy and Conservation Act (Pub. L. 94-163) notice is hereby provided of a meeting of the Industry Working Part (IWP) to the International Energy Agency (IEA) to be held on March 16, 17 and 18, 1977, at the Grande Hotel, Via Victorio Emannelle Orlando, Rome, Italy, beginning at 10:00 a.m. on March 16. The agenda is as follows:

1. Status of the Standing Group on the Oil Market (SOM) and Industry Working Party (IWP) activities and outstanding questions dealing with IWP work procedures.
2. Discussion of possible areas of improvement in the existing crude oil and petroleum product price and cost reporting systems.
3. Discussion of data systems for the reporting of historical financial information.
4. Discussion of the reporting of IWP recommendations to the SOM and arrangements for meeting with the SOM and its ad hoc groups as necessary.

As provided in section 252(c) (1) (A) (ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Issued in Washington, D.C., March 3, 1977.

ERIC J. FYGI,
Acting General Counsel,
Federal Energy Administration.

[FR Doc. 77-6897 Filed 3-7-77; 8:45 am]

NATIONAL ENERGY POLICY Announcement of Citizen Town Hall Meetings

As part of the President's effort to obtain the comments and recommendations of individual citizens about appropriate goals and actions for inclusion in

a comprehensive national energy plan scheduled for release on April 20, 1977, the Federal Energy Administration will hold a series of ten Citizen Town Hall Meetings on National Energy Policy. These meetings will be held between March 14 and March 21, 1977 at locations set forth below. This invitation requests assistance from the public in the formulation of a comprehensive, workable and equitable program to meet short and long-term energy needs of the United States.

The Nation's current experiences with natural gas supplies in a severe winter and the oil embargo of 1973 have provided sharp and unpleasant evidence of the country's heavy dependence on certain non-renewable energy resources. However, the Nation still lacks a coherent and balanced set of energy goals, programs and actions. Having built an economy and a way of life based on cheap and abundant energy resources, the Nation has yet to adjust to the real and growing cost of energy and the depletion of many low price resources. Inadequate information on and understanding of the problems, conflicts among competing and legitimate goals, pricing and regulatory practices that no longer make sense, and institutions which have been poorly structured or failed to respond have all contributed to the current problems. Whatever these shortcomings have been, however, the United States need now to set itself firmly on a course that:

Places appropriate priority on conservation as a key element in energy policy. Minimizes the harmful impact of possible supply disruptions and adverse weather conditions.

Takes account of the relative availability and provides for the proper use of our non-renewable resources—coal, gas and oil.

Assesses realistically the technical and economic potential of new energy technology together with its availability and safety.

Provides for proper protection of the environment.

Makes sure that the burdens of any national energy policy are shared fairly among all citizens, and

Initiates firm measures toward energy utilization that makes social and economic sense with due regard for timing needed to prevent serious dislocations and consequences.

Toward this end, all interested individuals are invited to present their views and recommendations on appropriate goals and actions to achieve those goals and resolve important policy issues. While the following are neither a complete list of issues nor intended in any way to limit the scope of responses, comments are particularly solicited on:

Conservation: The United States per capita energy consumption and growth rate exceeds that of many other industrial nations. Opportunities for significant conservation or improvements in the energy efficiency of homes and offices, in industry, and in transportation have been identified such as better insulation, better industrial practices, and more

fuel efficient cars and trucks. How should these and other possibilities for improvements be vigorously pursued?

Voluntary means?

Financial incentives (benefits or taxes?)

Mandatory standards/or other direct government action?

Imported energy: How should the United States seek to reduce vulnerability to supply disruption?

Should a substantial reserve stockpile be built and, if so, how large?

Should the country count on voluntary measures during a crisis?

Other measures?

Supply development: What emphasis should be given to the development and use of coal, oil, gas, nuclear power, hydroelectric, synthetic fuels, solar power, geothermal and other energy sources?

Which one or group of resources should be given highest priority?

Which of these resources can be developed with minimum environmental damage?

What should be the Federal role in research and development?

How deeply should the Federal Government become involved in financing supply development?

Environment: What new approaches or improved processes, if any, should be used to insure proper consideration of air, water and land use impacts and achieve appropriate reclamation in surface mining? Should any sacrifices be made in environmental quality in order to develop new energy resources?

Federal regulation: What is the appropriate Federal role and approach in regulation of oil, natural gas, leasing of public lands and outer continental shelf, nuclear power plant, electric utilities and fuels allocation?

What new approaches should be taken or stimulated?

For each area, should policy move toward greater controls over prices and other matters or toward greater reliance on market forces?

What kinds and types of regulatory protections should be adopted to protect consumers?

Intergovernmental relationships: What is the appropriate division of responsibilities and roles among Federal, State and local governments in all dimensions of the development and implementation of energy policies?

Citizen participation: How can the public, and various organizations and interested groups best participate in the continuing evolution and implementation of energy policies?

Hardships: How can the economic hardships of a severe weather or an unanticipated sharp rise in energy prices best be alleviated?

All interested persons are invited to present their comments and recommendations, with any supporting data and analyses, at any of the Citizen Town Hall Meetings, which will be held in the following cities:

MONDAY, MARCH 14

Dallas, Tex., Baker Hotel—Terrace Room, 1400 Commerce St., 9 a.m. to 10 p.m. Information: 214-749-7714.

Seattle, Wash., Seattle Center—Center House, 3d and Harrison Sts., 9 a.m. to 10 p.m. Information: 206-442-7285.

TUESDAY, MARCH 15

San Francisco, Calif., PSA Hotel San Francisco, 1231 Market St., 9 a.m. to 10 p.m. Information: 415-566-7130.

New York, N.Y., Federal Bldg.—room 305, 26 Federal Plaza, 9 a.m. to 10 p.m. Information: 212-264-0520.

WEDNESDAY, MARCH 16

Philadelphia, Pa., Drexel University—Stein Auditorium, 33d and Market Sts., 9 a.m. to 10 p.m. Information: 215-597-3680.

THURSDAY, MARCH 17

Boston, Mass., John W. McCormack Post Office and Court House, Post Office Square, 9 a.m. to 10 p.m. Information: 617-223-0504.

Atlanta, Ga., Atlanta Civic Center, 395 Piedmont Ave. NE., 9 a.m. to 10 p.m. Information: 404-275-2696.

FRIDAY, MARCH 18

Kansas City, Mo., Federal Bldg.—room 140, 601 East 12th St., 9 a.m. to 10 p.m. Information: 816-374-3720.

MONDAY, MARCH 21

Chicago, Ill., Illinois Institute of Technology, Hermann Hall, 3300 South Federal St., 9 a.m. to 10 p.m. Information: 312-886-5173.

Denver, Colo., United States Post Office, 19th and Stout Sts., 9 a.m. to 10 p.m. Information: 303-234-2449.

All comments and suggestions will be heard by a panel of persons from Federal energy offices and agencies. They will be noted, summarized and transmitted to Washington for consideration in the formulations of the April 20, 1977, National energy plan. All persons wishing to make presentations will be heard on a first come, first served basis, and time limits on presentations may be imposed to enable all interested persons to be heard. If there are persons present who have not had an opportunity to speak at a meeting's scheduled conclusion time, the meeting will remain open until they have spoken.

Interested persons who cannot attend a meeting have been invited by the President to submit written comments and recommendations, together with any supporting data and analyses, to Post Office Box 2709, Washington, D.C. 20013. Submissions should be identified on the outside of the envelope in which they are transmitted with the designation "National Energy Policy Recommendations." No material submitted in response to this notice can be returned. All written submissions must be received on or before March 21, 1977, if they are to be read and considered in formulating the President's proposed National energy policy which is scheduled for April 20, 1977.

Any information or data considered by the person furnishing it to be confidential must be so identified and be sub-

mitted in writing, one copy only. The Federal Government reserves the right to determine the confidential status of the information or data and treat it according to its determination.

Issued at Washington, D.C., on March 3, 1977.

JOHN F. O'LEARY,
Administrator,
Federal Energy Administration.

[FR Doc. 77-6906 Filed 3-4-77; 9:27 am]

FEDERAL MARITIME COMMISSION

AMERICAN EXPORT LINES ET AL.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. on or before March 28, 1977. 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:

Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C., Suite 300, 2033 K Street, N.W., Washington, D.C. 20006.

In the matter of American Export Lines, American President Lines, Atlantica S.p.A., Black Sea Shipping Company, Costa Line, Italia, S.p.A., Jugolnija, Sea-Land Service Inc., Turkish Cargo Lines, Zim Israel Navigation Co., Ltd.

Agreement No. 10286, among the above named carriers who are now, or will become members of WINAC creates the Italy-U.S.A. North Atlantic Pool Agreement, which is a cargo and revenue pooling agreement in the Italy/U.S. North Atlantic trade, whereby the parties agree to abide by certain basic pool

shares as set forth therein. The agreement also sets forth in detail the administrative and housekeeping functions which will be maintained.

By Order of the Federal Maritime Commission.

Dated: March 3, 1977.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc. 77-6883 Filed 3-7-77; 8:45 am]

MEDITERRANEAN 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, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and 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, by March 28, 1977. 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:

Howard A. Levy, Esquire, Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 9972-5, among the members of the Mediterranean Discussion Agreement, is an application to extend the term of approval of the agreement from March 29, 1977, through March 29, 1979.

By Order of the Federal Maritime Commission.

Dated: March 3, 1977.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc. 77-6884 Filed 3-7-77; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RM77-13]

NATIONAL RATES FOR JURISDICTIONAL SALES OF NATURAL GAS FROM WELLS COMMENCED ON OR AFTER JANUARY 1, 1977, FOR PERIOD JANUARY 1, 1977 TO DECEMBER 31, 1978

Order Instituting National Rate Proceeding MARCH 1, 1977.

Pursuant to the Administrative Procedure Act¹ and sections 4, 5, 7, 8, 10, 14, 15 and 16 of the Natural Gas Act,² proceedings are hereby instituted to prescribe rules and regulations establishing just and reasonable rate for jurisdictional sales of natural gas from wells commenced on or after January 1, 1977, for the two year period from January 1, 1977 to and including December 31, 1978, and otherwise regulating such jurisdictional sales by natural gas producers on a nationwide basis. Such rates will be exclusive of production, severance, or similar taxes, and subject to adjustment for these taxes, Btu content, gathering, and onshore delivery by the producer.

The Commission has previously established national rates in Docket Nos. R-389-B,³ R-478,⁴ and RM75-14.⁵ In accordance with § 2.56a(m)⁶ of the Commission's Regulations, the Commission will reexamine the rate prescribed in Docket No. RM75-14, for the 1975-1976 biennium, and will consider any changes in the rate structure established therein as may be required in the public interest.

We do not propose, at this time any specific rates for the two year period, 1977-1978, or specific revisions to the rules prescribed in § 2.56a.⁷ Instead, we will rely upon all information gathered by the Commission and the comments and responses thereto filed in this proceeding as the basis for establishing new rates. Although reserve and drilling cost data from FPC Form Nos. 40 and 64 are not presently available for Commission analysis due to the Court action staying

or remanding Commission orders,⁸ to the extent that such data becomes available during the new biennium we intend to give full consideration to it along with other available data in determining the cost based portion of the new rates established in this proceeding.

In addition to Form Nos. 40 and 64, certain industry sponsored data should become available by mid-1977, specifically the Independent Petroleum Association of America (IPAA) drilling cost index for 1976, the Joint Association Survey (JAS) actual drilling costs and exploration and development expenditures for 1975, and the American Gas Association (AGA) reserve additions for 1976.

With this information, respondents to this order will be capable of formulating a projected cost presentation for the 1977-1978 period, and evaluate whether there is a need for a change in the rate set in Opinion No. 770-A for the 1975-1976 biennium. Accordingly, on or before August 1, 1977, any party to the proceeding, including Staff, may file with the Commission a proposed rate structure and cost study for both the 1975-1976 and 1977-1978 periods, together with a written explanation of the components of the rate and the support therefor. In such filing a party may also address such additional issues or matters as it may deem appropriate.

The Commission in Opinion Nos. 699-H and 770-A deferred making some rate allowance for drilling efforts to depths below 15,000 feet and/or in water depths greater than 250 feet. In the first opinion, the deferral was based on procedural grounds and in the second was based on the absence of a sufficient factual basis for determining a proper allowance.

The Commission, therefore, provided that sellers may petition for special relief for these sales based on a showing that the cost of producing the gas exceeds the national rate. Since the issuance of Op. 770-A there has not been a sufficient number of filings to provide an adequate data base for a general determination of rate treatment for these deep drilling or deep water sales. It is, therefore, appropriate that the parties in their comments direct specific discussion and provide supporting data on these issues.

In addition, the parties are also requested to direct specific comments to the general questions of continuing the Commission's Optional Procedures, 18 CFR 2.75.

Any party that desires to comment on the filed rate structure and cost study of another party shall do so on or before October 1, 1977.

In order to assure the effective resolution of this proceeding, all natural gas

¹ See, *Union Oil Company of California, et al. v. F.P.C.* (9th Cir.), Nos. 75-3891, et al., and *Superior Oil Co. v. F.P.C.* (5th Cir.), No. 76-3113; *Mitchell Energy Corporation v. F.P.C.* (5th Cir.), No. 76-2248.

¹ 60 Stat. 237, 918, 993 (1946); 61 Stat. 37, 201 (1947); 62 Stat. 99 (1948); 80 Stat. 250 (1966); 5 U.S.C. 551, et seq. (1970).

² 52 Stat. 822, 823, 824, 825, 829, 830 (1938); 56 Stat. 83, 84 (1948); 61 Stat. 459 (1947); 76 Stat. 72 (1962); 15 U.S.C. 717c, 717d, 717f, 717g, 717n, 717o (1970).

³ See, Opinion No. 699-H, 52 FPC 1604 (December 4, 1974).

⁴ See, Opinion No. 749, FPC (December 31, 1975).

⁵ See, Opinion No. 770-A, FPC (November 5, 1976).

⁶ 18 CFR 2.56a(m) (Opinion No. 770-A at 195), which states:

Prior to January 1, 1977, the Commission shall initiate such proceedings as shall be necessary to establish a just and reasonable rate to be effective from the date of establishment of rates by order of the Commission through December 31, 1978, for the sales described in subsection (a) and for all wells commenced on or after January 1, 1977, and prior to January 1, 1979.

⁷ 18 CFR 2.56a.

producers,⁹ whether or not affiliated with an interstate pipeline company, and all interstate companies will be made respondents to this proceeding.

A list of such persons is attached as Appendix A to this order.

All interested persons, including those persons named as respondents, desiring to participate in this proceeding shall file with the Secretary of the Commission on or before April 1, 1977, a notice of intention to participate. Those parties who have common interests shall combine in a group, where practicable and desirable. The Secretary, on or before April 22, 1977, will prepare, publish, and serve upon all persons who filed a notice of intention to participate a list of all participants, including groups of participants.

The Commission orders. (A) Proceedings are hereby instituted, pursuant to sections 4, 5, 7, 8, 10, 14, 15, and 16 of the Natural Gas Act of 1938, as amended, to prescribe rules and regulations establishing just and reasonable rates for jurisdictional sales of natural gas from wells commenced on or after January 1, 1977 for the two year period from January 1, 1977, to and including December 31, 1978, and otherwise regulating such jurisdictional sales on a nationwide basis. Such rates shall be exclusive of all State or Federal production, severance, or similar taxes, and shall be subject to adjustment for Btu content, gathering taxes, and onshore delivery by the producer. The Commission will also undertake to review the rate set in Opinion No. 770-A for the period January 1, 1975 to December 31, 1976.

(B) The proceedings instituted by Ordering Paragraph (A), supra, shall encompass an investigation of the facts, conditions, practices, and any other relevant matters pertaining to the sale of natural gas in interstate commerce. Included within such investigation shall be a determination of the cost of finding and producing new supplies of natural gas for sale in interstate commerce for resale.

(C) All persons named in Appendix A below are hereby made respondents to this proceeding.

(D) All persons, including the persons named in Appendix A below and the Commission Staff, desiring to participate in this proceeding shall file with the Secretary of the Commission on or before April 1, 1977, a notice of intent to participate in this proceeding setting forth the name of the person desiring to participate in the proceeding and the name, title, mailing address, and telephone number of the person or persons to

⁹The term "natural gas producer" is used to refer to all persons producing natural gas including pipeline companies having exploration and production departments. An "affiliated producer" is a natural gas producer that is affiliated with an interstate pipeline company. An "independent producer" is a natural gas producer "who is engaged in the production or gathering of natural gas in interstate commerce for resale, but who is not engaged in the transportation of natural gas (other than gathering) by pipeline in interstate commerce." 18 CFR 154.91(a).

whom communications concerning this proceeding should be addressed; and such notices shall be submitted on letter size paper (8"×10½" or 8½"×11") and single spaced. The Secretary will prepare, publish, and serve upon all persons who filed a notice of intention to participate, on or before April 22, 1977, a list of all persons filing a notice of intention to participate including groups of participants.

(E) Any party to the proceeding may file with the Secretary of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before August 1, 1977, with respect to all matters set forth in Ordering Paragraph (B), supra, a proposed rate structure and cost study and an explanation of the components thereof. Comments on these submittals shall be filed with the Commission on or before October 1, 1977. All such written comments shall state the name, title, mailing address, and telephone number of the person or persons to whom communications concerning this rulemaking proceeding should be addressed. The written submittals shall be single spaced and submitted on letter size paper (8"×10½" or 8½"×11"). An original and fourteen (14) conformed copies of each such response shall be filed with the Commission, and copies of all written submittals will be placed in the Commission's public files and will be available for inspection in the Commission's Office of Public Information at 825 North Capitol Street, NE., Washington, D.C. 20426, during regular business hours. All statements and submittals in response to this notice shall be under oath, acknowledged by a notary public or comparable official, as follows:

-----, being
(Name)
duly sworn, deposes and says that he is

(Title and organization, if filing in a
representative capacity)

that he is authorized to verify and file this document, that he has examined the statements contained in the submittal or response, and that all such statements are true and correct to the best of his knowledge, information, and belief.

(F) Upon considerations of all written comments and responses to be filed in this rulemaking proceeding by the participants, the Commission will prescribe such amendments or modifications to the existing rate structure as it may find to be in the public interest.

(G) The Secretary of the Commission shall cause prompt publication of this order and the accompanying Appendix A in the FEDERAL REGISTER and shall serve this order and accompanying Appendix A below upon all persons named in Appendix A below, all State Commissions, all other Federal agencies and departments.

By the Commission.

KENNETH F. PLUMS,
Secretary.

APPENDIX A
NATURAL GAS PRODUCERS
I
Independent Producers

Amerada Hess Corporation
American Petrofina Co. of Texas
Amoco Production Company
Ashland Oil, Inc.
The Atlantic Richfield Company
Austral Oil Co., Inc.
Astec Oil and Gas Company
Bass Enterprises Production Company
Perry R. Bass
Belco Petroleum Corporation
Beta Development Company
Cabot Corporation
California Company, a Division of Chevron Oil Company
Champlin Petroleum Company
Chevron Oil Co., Western Division
Clinton Oil Company
Coastal States Gas Producing Company
Coltco Corporation
Continental Oil Company
Cox, Edwin L.
Diamond Shamrock Corporation
Dorchester Gas Production Company
Exchange Oil and Gas Company
Exxon Corporation
Felmont Oil Corporation
Forest Oil Corporation
General American Oil Co. of Texas
Getty Oil Company
Gulf Oil Corporation
Helmerich & Payne, Inc.
J. M. Huber Corporation
Hassie Hunt Trust
Hunt Oil Company
Imperial American Management Company
The Jupiter Corporation
Kerr-McGee Corporation
King Resources Company
LVO Corporation
Louisiana Land and Exploration Company
McCulloch Gas Processing Corporation
McCulloch Oil Corporation
McCulloch Oil Corporation of California
McCulloch Oil Corporation of Texas
MAPCO Inc.
Marathon Oil Company
George Mitchell and Associates
Mobil Oil Corporation
Monsanto Company
Murphy Oil Corporation
Natural Gas & Oil Company
North East Blanco Development Corp.
Ocean Drilling & Exploration Company
Oklahoma Natural Gas Gathering Corporation
Petroleum Inc.
Phillips Petroleum Company
Pioneer Production Corporation
Placid Oil Company
Pubco Petroleum Corp.
River Corporation
The Rodman Corporation
Shell Oil and Gas Company
Signal Oil and Gas Company
Skelly Oil Company
Sohio Petroleum Company
The South Coast Corporation
Southern Union Gathering Company
Southern Union Production Company
Stephens Production Company
Sun Oil Company
Suburban Propane Gas Company
Superior Oil Company
Tennessee Gas Company
Terra Resources, Inc.
Texaco Inc.
Texas Oil and Gas Corporation
Texas Pacific Oil Company, Inc.
Transocean Oil, Inc.
Union Oil Company of California
Union Texas Petroleum, Division of Allied Chemical

Warren Petroleum Corporation, a Division of Gulf Oil Corp.

AFFILIATED PRODUCERS

Anadarko Production Company
 CIG Exploration, Inc.
 Cities Service Oil Company
 Colorado Oil and Gas Company
 Columbia Fuel Corporation
 Columbia Gas Development Company
 El Paso Products Company
 La Gloria Oil and Gas Company
 Lone Star Gathering Company
 Lone Star Producing Company
 NAPECO Inc.
 Northern Natural Gas Producing Company
 Northwest Production Corporation
 Odessa Natural Gasoline Company
 Pan Eastern Exploration Company
 Pennzoil Company
 Pennzoil Producing Company
 Pennzoil Offshore Gas Operators
 Pennzoil Louisiana and Texas Offshore
 The Preston Oil Company
 Southern Natural Gas Company Joint Venture
 Tenneco Oil Company
 Texas Gas Exploration Corporation
 Texoma Production Company

PIPELINE PRODUCERS

Arkansas Louisiana Gas Company
 Arkansas Oklahoma Gas Corporation
 Carnegie Natural Gas Company
 Colorado Interstate Gas Corporation
 Columbia Gas Transmission Corporation
 Consolidated Gas Supply Corporation
 El Paso Natural Gas Company
 Equitable Gas Company
 Inland Gas Company, Inc., The
 Iroquois Gas Corporation
 Kentucky West Virginia Gas Company
 Lake Shore Pipe Line Company
 Michigan Wisconsin Pipe Line Company
 Mid Louisiana Gas Company
 Mississippi River Transmission Corporation
 Montana-Dakota Utilities Company
 Mountain Fuel Supply Company
 Natural Gas Pipeline Company of America
 North Penn. Gas Company
 Northern Natural Gas Company
 Northern Utilities, Inc.
 Panhandle Eastern Pipe Line Company
 Pennsylvania Gas Company
 Southern Natural Gas Corporation
 Sylvania Corporation
 Tenneco Inc.
 Texas Eastern Transmission Corp.
 Texas Gas Transmission Corporation
 Trunkline Gas Company
 United Natural Gas Company
 Western Gas Interstate

PIPELINE RESPONDENTS

Alabama-Tennessee Natural Gas Company
 Algonquin Gas Transmission Company
 Arkansas Louisiana Gas Company
 Arkansas-Missouri Power Company
 Arkansas Oklahoma Gas Corporation
 Black Marlin Pipeline Company
 Blue Dolphin Pipe Line Company
 Bluebonnet Gas Corporation
 Bluefield Gas Company
 Caprock Pipeline Company
 Carnegie Natural Gas Company
 Cascade Natural Gas Company
 C.B. Gas Gathering Inc.
 Chandeleur Pipe Line Company
 Cimarron Transmission Company
 Cities Service Gas Company
 Colorado Interstate Gas Co., a Division of Colorado Interstate Corporation
 Columbia Gas Transmission Corporation

Columbia Gulf Transmission Company
 Commercial Pipeline Company, Inc.
 Consolidated Gas Supply Corporation
 Consolidated System LNG Co.
 Delta Gas, Inc.

East Tennessee Natural Gas Company
 Eastern Shore Natural Gas Company
 El Paso Natural Gas Company
 Equitable Gas Company
 Farmland Industries Inc.
 Florida Gas Transmission Company
 Gas Transport, Inc.
 Grand Gas Corporation
 Grand Valley Transmission Company
 Granite State Gas Transmission, Inc.
 Great Lakes Gas Transmission Company
 Gulf Energy and Development Company
 Hampshire Gas Company
 Horner and Smith
 Industrial Gas Corporation
 Inland Gas Company, Inc.
 Inter-City Minnesota Pipeline Ltd., Inc.
 Iroquois Gas Corporation
 Kansas-Nebraska Natural Gas Company
 Kentucky-West Virginia Gas Company
 Lake Shore Pipeline Co.
 Lawrenceburg Gas Transmission Corporation
 Lone Star Gas Co.
 Louisiana-Nevada Transit Company
 McCulloch Interstate Gas Corporation
 Marengo Corporation
 Michigan Gas Storage Company
 Michigan Wisconsin Pipe Line Company
 Mid Louisiana Gas Company
 Midwestern Gas Transmission Company
 Mississippi River Transmission Corporation
 Montana-Dakota Utilities Company
 Mountain Fuel Supply Company
 Mountain Gas Co.
 National Fuel Gas Supply Corporation
 Natural Gas Pipeline Company of America
 North Penn. Gas Company
 Northern Natural Gas Company
 Northern States Power Company (Wisconsin)
 Northern Utilities, Inc. (Wyoming)
 Northwest Pipeline Corporation
 Ohio River Pipeline Corporation
 Oklahoma Natural Gas Gathering Corporation
 Orange and Rockland Utilities, Inc.
 Pacific Gas Transmission Company
 Panhandle Eastern Pipe Line Company
 Penn-Jersey Pipe Line Company
 Pennsylvania Gas Company
 Plaquemines Oil and Gas Company
 Raton Natural Gas Company
 Regis Gas System Inc.
 Sabine Pipe Line Company
 Sea Robin Pipeline Company
 South County Gas Company
 South Georgia Natural Gas Company
 South Texas Natural Gas Gathering Company
 Southern Energy Co.
 Southern Natural Gas Company
 Southwest Gas Corporation
 Standard Pacific Gas Lines, Inc.
 Stingray Pipeline Company
 Sylvania Corporation
 Tennessee Gas Pipeline Company, a Division of Tenneco, Inc.
 Tennessee Gas Pipe Line Company
 Tennessee Natural Gas Lines, Inc.
 Texas Eastern Transmission Corporation
 Texas Gas Pipe Line Corporation
 Texas Gas Transmission Corporation
 Tidal Transmission Company
 Transcontinental Gas Pipe Line Corporation
 Transwestern Pipeline Company
 Trunkline Gas Company
 Union Light, Heat and Power Company
 United Gas Pipe Line Company
 United Natural Gas Company
 Urbana Pipe Line Company
 Valley Gas Transmission, Inc.

Washington Natural Gas Company
 West Texas Gathering Company
 Western Gas Interstate Company
 Western Transmission Corporation
 Zenith Natural Gas Company

[FR Doc.77-6783 Filed 3-7-77;8:45 am]

[Project No. 2146]

ALABAMA POWER CO.

Application for Change in Land Rights

MARCH 1, 1977.

Public notice is hereby given that an application was filed on September 12, 1974, under the Federal Power Act (16 U.S.C. § 791a-825r) by Alabama Power Company (Applicant) (Correspondence to: Mr. S. R. Hart, Jr., Vice President, Engineering, Alabama Power Company, 600 North 18th Street, P.O. Box 2641, Birmingham, Alabama 35291) for approval of a change in land rights at Project No. 2136, known as the Coosa River Project, located on the Coosa River in Elmore, Chilton, Coosa, Shelby, Talladega and Cherokee Counties, Alabama and Floyd County, Georgia.

Applicant seeks Commission approval to sell three parcels of land within the boundary of Project No. 2146. These parcels of land, each less than one acre in area, are located in St. Clair County adjacent to the boundary of the H. Neely Henry reservoir of the project where it is crossed by U.S. Route 411 at Big Canoe Creek.

Each of the parcels of land would be sold to the respective adjacent property owner, Ruby Mae Cooper, Sy and Mary F. Rathey, and Millard Edgeworth. Applicant alleges that the property owners removed earth from the reservoir area and used it as fill adjacent to their properties, raising the land above the 590-foot contour. As a result, the project boundary, defined as the 509-foot contour, was moved and the area of the project was reduced. Applicant proposes to settle the matter of the encroachment through the sale of the lands involved.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 11, 1977, file with the Federal Power Commission, 825 N. Capitol Street NE., 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 C.F.R. § 1.8 or § 1.10 (1975). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMS,
 Secretary.

[FR Doc.77-6796 Filed 3-7-77;8:45 am]

[Docket Nos. RI76-119, RI76-133, RI76-135]

**ANADARKO PRODUCTION CO., CLARK OIL
PRODUCING CO., DIAMOND SHAMROCK
CORP.**

**Order Approving Settlement Proposal and
Granting Special Relief**

MARCH 1, 1977.

On June 29, 1976, Diamond Shamrock Corporation (Diamond) filed a petition for special relief pursuant to § 2.56a(g) (2) of the Commission's General Policy and Interpretations for the sale of natural gas produced in waters more than 250 feet deep. Petitioner, on the basis of the records submitted to date, was seeking an average rate over the project life of approximately \$1.93 per Mcf for the sale of natural gas from its 13.34 percent working interest in the gas reserves produced from West Cameron Block 639, offshore Louisiana. The proposed settlement rate is approximately \$1.75 per Mcf over the life of the project. Diamond is selling the subject gas to Trunkline Gas Company pursuant to a contract dated July 16, 1973 as amended April 29, 1976 under its FPC Gas Rate Schedule No. 87.

By order issued August 4, 1976, the Commission consolidated Docket No. RI76-135 with the other captioned proceedings and provided for a prehearing conference to be held on September 9, 1976, which was subsequently rescheduled for September 23, 1976. In a subsequent order, the Commission provided that an informal conference would be convened on October 8, 1976, for the purposes of settlement or agreeing to stipulations if settlement was not possible. Thereafter, additional conferences were held in which applicants, Staff, and other interested parties participated. As a result of these settlement discussions, Diamond on February 3, 1977, filed a proposed settlement agreement which amended its petition for special relief to provide for the settlement rate of approximately \$1.75 per Mcf. Notice of its amended petition was issued February 9, 1977. Errata Notice of its amended petition was issued February 17, 1977 to provide for a shortened Notice period to February 18, 1977. No objections or interventions have been filed with respect to such amended petition and settlement proposed by Diamond, including any parties to these consolidated proceedings.

The Commission Staff has conducted a thorough and in depth study and analysis of project costs which indicate that the settlement rate is cost supported, permitting Diamond to recover its total costs including a component for Federal income taxes together with a 15 percent rate of return.

¹ Also on June 29, 1976 Diamond Shamrock filed an application in Docket No. CI75-13 to amend its certificate to include the remaining 10 percent of its 13.34 percent working interest in gas reserves produced from West Cameron Block 639, offshore Louisiana. The settlement rates will apply to Diamond's entire 13.34 percent working interest including the 10 percent previously withheld for its own use.

Accordingly, based on our consideration of the petition, data filed by Diamond, and Staff's study and analysis, we conclude that the settlement rate proposed herein is cost justified and in the public interest.

The Commission orders: (A) The settlement proposal submitted to the Commission on February 3, 1977, by Diamond in Docket No. RI76-135 is hereby approved.

(B) Diamond is authorized to collect \$1.7498 per Mcf for the sale of natural gas from its 13.34 percent working interest in the gas reserves produced from West Cameron Block 639, offshore Louisiana, effective March 1, 1977 or the date of issuance of this order, whichever is later, provided it complies with Ordering Paragraph (C) below.

(C) Within thirty (30) days of the issuance of this order Diamond shall file a notice of change in rate to the level authorized in Ordering Paragraph (B) above.

(D) Docket No. RI76-135 is severed from the other petitions in this consolidated docket and it is terminated.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6801 Filed 3-7-77;8:45 am]

[Docket No. RI 76-119 etc.]

ANADARKO PRODUCTION CO., ET AL.
**Order Approving Settlement Proposal and
Granting Special Relief**

On June 24, 1976, Clark Oil Producing Company (Clark) filed a petition for special relief pursuant to § 2.56a(g) (2) of the Commission's General Policy and Interpretations for the sale of natural gas produced in waters more than 250 feet deep. Petitioner, on the basis of the record submitted to date, requested an average rate over the project life of approximately \$2.26 per Mcf for the sale of natural gas from its 15 percent working interest in the gas reserves produced from West Cameron Block 639, offshore Louisiana. The proposed settlement rate is approximately \$1.57 per Mcf over the life of the project. Clark is currently selling the subject gas under a small producer certificate issued October 7, 1971 in Docket No. CS71-447.

By order issued August 4, 1976, the Commission consolidated Docket No. RI 76-133 with the other captioned proceeding (Docket Nos. RI76-119 and 135) and provided for a prehearing conference to be held on September 9, 1976, which was subsequently rescheduled for September 23, 1976. In a subsequent order, the Commission provided that an informal conference would be convened on October 8, 1976, for the purpose of settlement or agreeing to stipulations if settlement was not possible. Thereafter, additional conferences were held in which applicants, Staff, and other interested parties participated. As a result of these settlement discussions, Clark, on January 14, 1977, filed a proposed settlement agreement which amended its petition

for special relief to provide for the settlement rate of approximately \$1.57 per Mcf. Notice of its amended petition was issued January 25, 1977, with protests or petitions to intervene to be filed on or before February 7, 1977. No objections or interventions have been filed with respect to such amended petition and settlement proposed by Clark, including any parties to these consolidated proceedings.

The Commission Staff has conducted a thorough and in depth study and analysis of project costs which indicate that the settlement rate is cost supported, permitting Clark to recover its total costs including a component for Federal income tax together with a 15 percent rate of return.

Accordingly, based on our consideration of the petition, data filed by Clark, and Staff's study and analysis, we conclude that the settlement rate proposed herein is cost justified and in the public interest.

The Commission orders: (A) The settlement proposal submitted to the Commission on January 14, 1977, by Clark in Docket No. RI76-133 is hereby approved.

(B) Clark is authorized to collect \$1.5735 per Mcf for the sale of natural gas from its 15 percent working interests in the gas reserves produced from West Cameron Block 639, offshore Louisiana, effective February 1, 1977, or the date of issuance of this order, whichever is later, provided it complies with Ordering Paragraph (C) below.

(C) Within thirty (30) days of the issuance of this order Clark shall file a notice of change in rate to the level authorized in Ordering Paragraph (B) above.

(D) Docket No. RI76-133 is severed from the other petitions in this consolidated docket.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6810 Filed 3-7-77;8:45 am]

[Docket No. RI76-119, etc.]

ANADARKO PRODUCTION CO.
**Order Approving Settlement Proposal and
Granting Special Relief**

On March 26, 1976, Anadarko Production Company (Anadarko) filed a petition for special relief pursuant to § 2.56 a(g) (2) of the Commission's General Policy and Interpretations for the sale of natural gas produced in waters more than 250 feet deep. Petitioner, on the basis of the record submitted to date, was seeking an average rate over the project life of approximately \$1.85 per Mcf for the sale of natural gas from its 12.5 percent working interest in the gas reserves produced from West Cameron Block 639, offshore Louisiana. The proposed settlement rate is approximately \$1.62 per Mcf over the life of the project. Anadarko is currently selling the subject gas under its FPC Gas Rate Schedule No. 203 to Trunkline Gas Com-

pany pursuant to permanent authority extended in Opinion 693-B, Ordering Paragraph (A), issued September 27, 1974.

By order issued August 4, 1976, the Commission consolidated Docket No. RI76-119 with the other captioned proceedings (Docket Nos. RI76-133 and 135) and provided for a prehearing conference to be held on September 9, 1976, which was subsequently rescheduled for September 23, 1976. In a subsequent order, the Commission provided that an informal conference would be convened on October 8, 1976, for the purposes of settlement or agreeing to stipulations if settlement was not possible. Thereafter, additional conferences were held in which applicants, Staff, and other interested parties participated. As a result of these settlement discussions, Anadarko on January 28, 1977, filed a proposed settlement agreement which amended its petition for special relief to provide for the settlement rate of approximately \$1.62 per Mcf. Notice of its amended petition was issued January 31, 1977, with protests or petitions to intervene to be filed on or before February 14, 1977. No objections or interventions have been filed with respect to such amended petition and settlement proposed by Anadarko, including any parties to these consolidated proceedings.

The Commission Staff has conducted a thorough and in depth study and analysis of project costs which indicate that the settlement rate is cost supported, permitting Anadarko to recover its total costs including a component for Federal income taxes together with a 15 percent rate of return.

Accordingly, based on our consideration of the petition, data filed by Anadarko, and Staff's study and analysis, we conclude that the settlement rate proposed herein is cost justified and in the public interest.

The Commission orders: (A) The settlement proposal submitted to the Commission on January 28, 1977, by Anadarko in Docket No. RI76-119 is hereby approved.

(B) Anadarko is authorized to collect \$1.6193 per Mcf for the sale of natural gas from its 12.5 percent working interest in the gas reserves produced from West Cameron Block 639, offshore Louisiana, effective March 1, 1977 or the date of issuance of this order, whichever is later, provided it complies with Ordering Paragraph (C) below.

(C) Within thirty (30) days of the issuance of this order Anadarko shall file a notice of change in rate to the level authorized in Ordering Paragraph (B) above.

(D) Docket No. RI76-119 is severed from the other petitions in this consolidated docket and it is terminated.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[PR Doc.77-6802 Filed 3-7-77;8:45 am]

[Docket No. CP77-241]

BLUEBONNET GAS CORP.

Notice of Application

MARCH 1, 1977.

Take notice that on February 18, 1977, Bluebonnet Gas Corporation (Applicant), P.O. Box 2806, Corpus Christi, Texas 78403, filed in Docket No. CP77-241 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the sale for resale of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon its sale of gas to Trunkline Gas Company (Trunkline), which sale was authorized by the Commission in its order issued April 5, 1966, in Docket No. CP66-252. Applicant indicates that such gas was purchased from Erwyn E. Grimes and was produced from the Cypress Creek Field, Newton County, Texas. Applicant states that the last deliveries were made in December 1967 and the well has been plugged and abandoned.

Applicant further proposes to abandon its sales of gas to Florida Gas Transmission Company (Florida Gas) at a point in Pointe Coupee Parish, Louisiana, which sale was authorized by the Commission in its order issued December 21, 1966, in Docket No. CP67-123. Applicant indicates that such gas was purchased from Franks Petroleum, Inc., and was produced from the Bayou Fardoche Field, Pointe Coupee Parish, Louisiana. Applicant states that no deliveries have been made since July, 1967, and the wells have been plugged and abandoned.

Any person desiring to be heard or to heard or to make protest with reference to said application should on or before March 23, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandon-

ment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[PR Doc.77-6800 Filed 3-7-77;8:45 am]

[Docket No. ER77-210]

BOSTON EDISON CO.

Notice of Tariff Change

MARCH 1, 1977.

Take notice that Boston Edison Company ("Edison") on February 23, 1977, tendered for filing a supplement to its Rate Schedule FPC No. 105. The supplement, which consists of three separate agreements, reflects the fact that two additional parties, the Taunton Municipal Lighting Plant of Taunton, Massachusetts ("Taunton") and the Vermont Electric Cooperative, Inc., Johnson, Vermont ("Vermont") have purchased ownership shares in the Pilgrim 2 nuclear unit and now share in the related transmission costs under Rate Schedule FPC No. 105. It also reflects the fact that the Massachusetts Municipal Wholesale Electric Company ("MMWEC") has increased its Pilgrim 2 ownership interest and, as a result, bears a larger percentage of transmission costs under Rate Schedule FPC No. 105. The aggregate Pilgrim Unit No. 2 ownership shares resulting from the three agreements equals the total ownership interest previously held by two Northeast Utilities Companies, The Connecticut Light and Power Company and Western Massachusetts Electric Company, now transferred to Taunton, MMWEC and Vermont.

Copies of the filing have been sent to Taunton, MMWEC and Vermont.

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, N.E., 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 March 14, 1977. 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.

[PR Doc.77-6808 Filed 3-7-77;8:45 am]

[Docket No. RI77-33]

CLAY J. CALHOUN

Petition For Special Relief

MARCH 1, 1977.

Take notice that on February 8, 1977, Clay J. Calhoun (Petitioner), P.O. Drawer 4380, New Orleans, Louisiana, 70178, in Docket No. RI77-33 filed a petition for special relief pursuant to Section 2.76 of the Commission's General Policy and Interpretations. Petitioner requests relief from the nation-wide small producer rate established in Opinion No. 742-A for the sale of natural gas to United Gas Pipe Line Company (United) from acreage in the Learned Field, Hinds County, Mississippi under small producer certificate authorization granted in Docket No. CS72-194. Petitioner's proposed rate is 67.7188¢ per Mcf. In consideration for the rate increase Petitioner proposes to engage in the work required to recover the remaining reserves in the Learned Field. Petitioner estimates that these operations will bring forth an additional 1.85 billion cubic feet of natural gas for the interstate market.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 24, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). 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 party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6794 Filed 3-7-77;8:45 am]

[Docket No. CP77-126]

COLUMBIA GAS TRANSMISSION CORP.

Order Prescribing Procedures Regarding Considerations of Requests For Allocation of Additional Import Gas

On February 24, 1977, Equitable Gas Company (Equitable) pursuant to the notice and order concurrently issued by the Commission on February 20, 1977, in the above-styled proceeding filed for an allocation of 25,000 Mcf per day of the additional natural gas that Columbia was authorized to import from Canada under the latter order.¹

On February 20, 1977, the Commission issued its "Order Extending Limited Term Authorization to Import Natural Gas" from Canada authorizing Columbia Gas Transmission Corporation

(Columbia) to import an additional 12 Bcf over and above the import volumes authorized by the Commission's Order issued on January 18, 1977, in the above-styled proceeding. The latter order permitted Columbia to import 250,000 Mcf per day that it had contracted to purchase from Trans-Canada Pipelines Ltd. (Trans-Canada) for a period of approximately sixty days from the date of authorization.²

On February 16, 1977, Columbia filed an application with the Commission to import an additional 12 Bcf from Canada. Columbia was authorized to import this additional gas by increasing its volumetric takes from Trans-Canada up to 300,000 Mcf per day (this volume is inclusive of the 187,500 Mcf authorized pursuant to our February 1, 1977, order.) Columbia was authorized to extend the previously authorized importation time period up to approximately May 3, 1977, in order to enable it to bring in the additional import gas contemplated under the February 20, 1977, order. Equitable requests that it be afforded an allocation of 25,000 Mcf per day from the supplies that we authorized Columbia to import in the latter order. Transco requests an unspecified volume of this gas.

In this order we will, as we did in our January 21, 1977, order provide for procedures enabling those contending entitlement to an allocation of Columbia's latest import volumes to make a showing that they have either an equivalent or greater relative need for this gas than Columbia.

Equitable and Transco are the only interstate pipeline companies that have advised the Commission that they desire an allocation of Columbia's latest additional import gas because of the emergency situation confronting them in the time frame prescribed by the Commission in its February 20, 1977, order.³

The general allegations of need made by Equitable in its allocation request do not provide the Commission with any basis upon which it can determine the propriety of Equitable's request for 25,000 Mcf per day of the additional import volumes that it requests. We noted both in January 18, 1977, and February 20, 1977, orders that we would authorize these importations on the basis of Columbia's needs alone. However, we did not foreclose other interstate pipelines from having the opportunity to demonstrate that they had a greater relative need to the imported gas. We shall provide Equitable and Transco with such an opportunity herein.

¹The Commission authorized the importation as requested subject to a determination relating to whether other pipelines had in fact a greater relative need for this supply. The Commission, after hearing, issued a subsequent order on February 1, 1977, allocating 75 percent or 187,500 Mcf/day to Columbia and 25 percent or 62,500 Mcf/day to Southern Natural Gas Company, prospectively of the Canadian import gas.

²Equitable is both an interstate pipeline company and a distributor. It prefaced the basis for an allocation upon the emergency situation on its "distribution system".

Transco's request for an allocation is extremely vague and indefinite particularly on the issue of the existence of a greater relative need for this gas than Columbia. In the formulation of an allocation that is in the public interest, the Commission must not only allocate with specificity but it must have a firm basis to support its actions. Hence, if Transco or Equitable desire to be afforded an allocation of this gas these pipeline companies must not only show that they are entitled to an allocation but further show with specificity the volumetric size of the allocation which may be justified.⁴

The Commission has determined, in effectuating the purposes of the Natural Gas Act, the Commission's Regulations thereunder, and the Commission's Rules of Practice and Procedure, that it is necessary and appropriate to consider the requests of Equitable and Transco for an allocation of the latest import of Canadian gas that we have authorized Columbia to make in our February 20, 1977, order. In order for the Commission to assess the merits of the requests of Equitable and Transco and take timely action thereon, it will be necessary to conduct a public hearing on the merits of the issues involved therein on an expedited basis. The Commission will therefore make provision for a hearing to be conducted on this matter on March 2, 1977. It is contemplated that the hearing shall not take more than one day, and that the Presiding Judge shall certify the record to the Commission together with his recommendations immediately thereafter.

The Commission further finds that, except as provided by this order prior public notice is impracticable, unnecessary and contrary to the public interest given the circumstances set forth herein.

The Commission orders: (A) Pursuant to § 1.20 of the Commission's Rules of Practice and Procedure, a public hearing shall be convened on March 2, 1977, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. for the purpose of considering the issues raised herein. Because of the urgency of this matter, the 15-day notice period is waived.

(B) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (see Delegation of Authority, 18 CFR 3.4(d)) shall preside at the hearings in this proceeding and shall prescribe relevant procedural matters not herein provided for in ordering paragraph (A) of this order.

(C) All persons desiring to intervene in this proceeding are hereby directed to notify the Secretary of such intention, and such notification shall constitute the basis for participation in this proceeding as a party intervenor.

(D) In order to render an expeditious and timely decision in this proceeding the

¹ Transcontinental Gas Pipe Line Corporation (Transco) on February 24, 1977, also tendered a request for an unspecified allocation of this import gas.

⁴ On February 28, 1977, Columbia filed an answer to the requests of Equitable and Transco in which it voiced its opposition to any diversion of Canadian import gas to the latter two companies.

Commission will waive and omit the intermediate decision procedure provided in its Rules and Regulations under the Natural Gas Act and require that the Presiding Judge certify the record directly to it as provided for in the context of this order.

(E) The Secretary shall publicly post copies of this order today and shall also submit copies of this order to the Federal Register with the request that it be published in the FEDERAL REGISTER at the earliest possible date.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6786 Filed 3-7-77;8:45 am]

[Docket No. E-8947]

**DELMARVA POWER & LIGHT CO. AND
SUBSIDIARIES**

**Filing of Proposed Settlement Agreement
and Presiding Administrative Law Judge's
Certification**

MARCH 1, 1977.

Take notice that on February 14, 1977 the Delmarva Power & Light Company and Subsidiaries transmitted to the office of the Secretary of the Federal Power Commission a proposed Settlement Agreement in the captioned docket. The accompanying motion for approval of the proposed Settlement Agreement contained a request for certification by the Presiding Administrative Law Judge of the Settlement Agreement and the record. Such certification was made on February 16, 1977. An opportunity is hereby provided for comments thereon by any interested person.

The proposed Settlement Agreement now pending before the Commission settles all the issues in contention among the parties in the captioned docket. Copies of the negotiated settlement are on file for the inspection of all interested persons.

Any person desiring to comment upon any of the matters contained in the proposed Settlement Agreement above described should file such comments with the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426 on or before March 23, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6795 Filed 3-7-77;8:45 am]

[Docket No. RI77-35]

DIXIE WELL SERVICE, INC.

Petition For Special Relief

MARCH 1, 1977.

Take notice that on February 14, 1977, Dixie Well Service, Inc. (Operator) (Petitioner), Route 1, P.O. Box 407-A, St. Bernard, Louisiana, 70085, in Docket No. RI77-35 filed a petition for Special Relief pursuant to Section 2.56B of the Commission's Regulations and Sections

1.7 and 1.5 of the Commission's Rules of Practice and Procedure, or, in the alternative, for abandonment pursuant to § 157.30 of the Commission's regulations. Petitioner requests relief from the nationwide rates prescribed in Opinion No. 699-H for the sale of natural gas to Southern Natural Gas Company from acreage in the Breton Sound Area, Plaquemines Parish, Louisiana. Petitioner requests a rate of \$1.60 per Mcf. In consideration for the rate increase Petitioner proposes to improve its recovery in one well and initiate gas recovery in two wells by work-over methods and installation of new equipment. Petitioner requests that the proposed rate become effective, subject to refund, after a one day suspension.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 22, 1977, file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). 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 party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6791 Filed 3-7-77;8:45 am]

[Docket No. ER77-213]

DUKE POWER CO.

Supplement to Electric Power Contract

MARCH 2, 1977.

Take notice that Duke Power Company (Company) tendered on February 24, 1977 a supplement to Duke Power Company's Electric Power Contract (dated April 20, 1976) with Wake Electric Membership Corporation (customer). The Company's contract with the Rural Electric Cooperatives served by the Company provides for service at all delivery points, plus any new delivery points to be added in the future by Exhibit A attached to the contract. Exhibit A provides for the following:

1. Effective date: March 21, 1977.
2. Designated kilowatts: 2,000 (requested by the customer).
3. Delivery point: Where the conductors of the Company connect with those of the customer at a delivery structure located along N.C. Highway No. 98, approximately ½ mile east of N.C. Road No. 1087, in the Roger Grove Church vicinity in Durham County.

The Company states that requisite agreement has been obtained, as shown by the signatures of both parties on the Exhibit A.

The Company also requests a waiver of the 30-day notice requirement, under Paragraph 35.11 of the Commission's Regulations, so that this service may

become effective March 21, 1977. The Company states that adverse weather conditions prevented the customer from making final site preparations until recently.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 16, 1977, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6788 Filed 3-7-77;8:45 am]

[Docket No. CP 77-233]

EL PASO NATURAL GAS CO.

Notice of Application

MARCH 1, 1977.

Take notice that on February 17, 1977, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP77-233 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain tap facilities and the sale and delivery of gas to existing distributor customers, Pioneer Natural Gas Company (Pioneer) and Gas Company of New Mexico (Gas Company), for resale to two right-of-way grantors, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has received a request from Bill Waddell, a right-of-way grantor, for gas service at a point on its 20-inch O.D. Goldsmith-Keystone loop pipeline in Winkler County, Texas. Applicant proposes to install the necessary valve assembly to activate an existing tap facility on the above-mentioned 20-inch O.D. loop pipeline. It is further stated that the sale and delivery of gas would be made by Applicant to Pioneer for resale to Bill Waddell for Priority 1 residential purposes, and the estimated peak day requirement, on a heating season basis, is 1 Mcf and the estimated annual requirement for the first full year of operation is 181 Mcf.

Applicant further states that it has received a written request from William T. Anderson, a right-of-way grantor, for gas service at a point on Applicant's 12¼-inch O.D. El Paso to Douglas pipeline in Luna County, New Mexico. Applicant proposes to install on the above-mentioned pipeline a tap facility necessary to provide such service, to be known

as the William T. Anderson Tap. It is further stated that the sale and delivery of gas herein proposed would be made to Gas Company for resale to William T. Anderson for Priority 1 residential use, and the estimated peak day requirement, on a heating season basis, is 3.5 Mcf and the estimated annual requirement for the first full year of operation is 140 Mcf.

It is asserted that the sale and delivery of gas by Applicant to Pioneer and Gas Company would be made at the rate in effect under the applicable rate schedule contained in Applicant's FPC Gas Tariff, Original Volume No. 1, or superseding tariff.

Applicant states that the estimated total cost of the above described facilities would be \$3,750, which cost is proposed to be financed from internally generated funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 21, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-6804 Filed 3-7-77; 8:45 am]

[Docket No. CP77-255]

EL PASO NATURAL GAS CO.

Notice of Application

MARCH 2, 1977.

Take notice that on February 23, 1977, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas

79978, filed in Docket No. CP77-255 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of gas with Gulf Oil Corporation (Gulf), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to a gas purchase agreement dated October 14, 1976, between Applicant and Gulf, Applicant has acquired a new source of supply in Eddy County, New Mexico, which quantities of gas are produced from the Gulf Oil Corporation-Eddy "FV" State Com. No. 1 well and the Gulf Oil Corporation-Eddy "FI" State No. 1 well, both of which are connected to Applicant's field gathering system pipeline. It is stated that under the gas purchase agreement, Gulf has reserved the right to receive in kind up to 25 percent of the production from said wells for use in its operating facilities utilized for the production of oil from the West Bisti Field, San Juan County, New Mexico.

It is asserted that Gulf has agreed that such non-committed quantities of in-kind gas would be delivered to Applicant and Applicant would deliver equivalent quantities of gas to Gulf at an existing delivery point in the San Juan Basin. It is further asserted that the sale of excess gas requirements by Applicant to Gulf under their casinghead gas contract dated May 1, 1959, as amended, which provides that Applicant will deliver residue gas to Gulf for uses associated with the production of oil and gas in the Bisti Field area, would be suspended during the term of the gas exchange agreement.

It is stated that the proposed exchange would be accomplished by the use of existing facilities. It is further stated that such exchange would benefit Gulf in that Gulf would continue to receive necessary fuel gas supplies without interruption, and Applicant and its customers would benefit because the quantities of excess gas previously delivered and sold to Gulf would become available for delivery and sale to Applicant's interstate system customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 28, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulation under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice, before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-6787 Filed 3-7-77; 8:45 am]

[Docket No. CP77-116]

HOUSTON PIPELINE CO.

Notice of Oral Argument

On December 23, 1976, Houston Pipeline Company (Houston) filed a Commission order permitting it to make 60-day emergency gas sales of 85,000 Mcf per day to Transcontinental Gas Pipe Line Corporation (Transco), and 150,000 Mcf of gas per day to United Gas Pipe Line Company (United).

The Commission held two days of public hearings on January 13 and 14 concerning these applications, and on January 14, issued an order permitting such sales under § 2.68 of the Commission's rules. After the hearing had begun, the American Public Gas Association filed a document indicating that it opposed Commission approval of the application, but that it did not have time to participate in the hearing.

Since the Commission's order, substantial gas has flowed under the order, and substantial revenues have been received by Houston Pipeline Company.

On February 11, American Public Gas Association filed a petition for rehearing of the Commission's order, in which it states that the Commission "must set aside this order in its entirety on rehearing," and requests that the Commission's order "be reversed by the Commission on rehearing." This petition for rehearing raises a number of questions important in the administration of the Natural Gas Act, and the Commission finds it appropriate to hold an oral argument on this petition. Particularly, as the party seeking rehearing did not take advantage of its opportunity to participate in the original hearing, the Commission is uncertain as to the full scope of its arguments or to the counter-arguments that may be made.

In addition, a reversal of the Commission's decision could have the effect that the purchasing pipelines would be re-

NOTICES

[Docket No. ID-1802]

RICHARD L. JOHNSON

Application

MARCH 1, 1977.

Take notice that on January 3, 1977, Richard L. Johnson, President, Menasha Corporation, Neenah, Wisconsin, filed an application pursuant to section 305(b) of the Federal Power Act, to hold the following positions:

Director, Wisconsin Electric Power Company, Public Utility.
Director, Wisconsin Michigan Power Company, Public Utility.

Wisconsin Michigan Power Company is a wholly subsidiary of Wisconsin Electric Power Company.

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, N.E., 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 and 1.10). All such petitions or protests should be filed on or before March 14, 1977. 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. 77-6798 Filed 3-7-77; 8:45 am]

[Docket No. ER76-206]

IOWA ELECTRIC LIGHT AND POWER CO.
Filing of Tariff Sheets Reflecting Settlement Rates

MARCH 1, 1977.

Take notice that by letter dated January 6, 1977, as corrected by a filing of January 21, 1977, Iowa Electric Light and Power Company (Iowa) tendered for filing revised tariff sheets to reflect the settlement rates in the above-captioned docket. Iowa states that the purpose of the supplemental filing is to correct an inadvertent error in the January 6, 1977 filing of First Revised Sheet No. 8.0 and Original Sheet No. 8.3 in which the term "maximum" was used in paragraph 3(a) of both sheets in place of the correct term "minimum."

Iowa further states that copies of both filings have been served upon Iowa's jurisdictional customers and the Iowa State Commerce Commission.

Any person desiring to be heard or to protest said filing should file comments with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before March 25, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-6789 Filed 3-7-77; 8:45 am]

(18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-6790 Filed 3-7-77; 8:45 am]

[Docket No. ER77-211]

MT. CARMEL PUBLIC UTILITY CO.

Notice of Tariff Change

MARCH 1, 1977.

Take notice that Mt. Carmel Public Utility Co., on February 18, 1977 tendered for filing proposed changes in its FPC Electric Service Tariff, FPC Rate Schedule No. 1. The proposed changes would increase revenues from jurisdictional sales and service by approximately \$47,441.38 based on the 12 month period ending January 31, 1978.

The change in this tariff is being made to produce a rate of return for serving the Village of Allendale, Illinois substantially equal to Mt. Carmel Public Utility Co.'s overall rate of return.

Copies of this filing were served upon the Village of Allendale, Illinois, this Company's only wholesale customer, and upon the Illinois Commerce Commission.

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, N.E., 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 March 14, 1977. 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. 77-6809 Filed 3-7-77; 8:45 am]

[Docket No. ER 77-206]

NIAGARA MOHAWK POWER CORP.

Filing of Superseding Transmission Agreement

MARCH 1, 1977.

Take notice that on February 18, 1977, Niagara Mohawk Power Corporation (Niagara) tendered for filing, a transmission agreement between Niagara and New York State Electric and Gas Corporation (NYSEG). Niagara states that this agreement supersedes, in its entirety, an agreement between the parties

dated July 21, 1966, as amended, and filed with the Commission as Niagara Mohawk Power Corporation Rate Schedule FPC No. 51 Supplement 1, 4 and 6 thereto. Niagara states that the service to be rendered by Niagara Mohawk provides for a delivery of power and energy over Niagara's transmission system from NYSEG's owned and contracted sources of generation to various points of NYSEG's system. They further have stated that the agreement also provides for NYSEG to lease portions of specific transmission lines owned by Niagara.

Niagara requests that the requirements for prior notice for filing be waived and the effective date be designated as January 1, 1976 under the provisions of § 35.11 of the regulations under the Federal Power Act. In support of the request of waiver of notice requirements Niagara states that NYSEG is the only customer to be served under the Rate Schedule and they have agreed to make payments retroactive to the above date upon acceptance of this agreement by the Commission.

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, N.E., 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 March 15, 1977. 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. PLUMBS,
Secretary.

[FR Doc. 77-6793 Filed 3-7-77; 8:45 am]

[Docket No. ER76-532]

PACIFIC GAS AND ELECTRIC CO.

Extension of Time

FEBRUARY 28, 1977.

On February 14, 1977, the Secretary of the Interior filed a motion to extend the filing and hearing dates fixed by notice issued by the Administrative Law Judge on February 4, 1977, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

- Filing of evidence in answer to PG&E's case-in-chief, May 3, 1977.
- Filing of trial brief by parties filing answering evidence, May 17, 1977.
- Filing of PG&E's rebuttal evidence, May 31, 1977.
- Filing of PG&E's trial brief, June 17, 1977.
- Hearing, July 5, 1977.

KENNETH F. PLUMBS,
Secretary.

[FR Doc. 77-6785 Filed 3-7-77; 8:45 am]

[Docket No. ER77-212]

PACIFIC POWER & LIGHT COMPANY

Filing of Revised Load and Resource Forecast

MARCH 1, 1977.

Take notice that on January 31, 1977, Pacific Power & Light Company filed the Annual Revision of the Load and Resource Forecast to the Cheyenne Light, Fuel and Power Company Service Agreement, dated May 5, 1972, and designated as PP&L Rate Schedule FPC No. 108.

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, N.E., 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 March 21, 1977. 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. PLUMBS,
Secretary.

[FR Doc. 77-6790 Filed 3-7-77; 8:45 am]

[Docket No. ER77-208]

SOUTHERN CALIFORNIA EDISON CO.

Tariff Change

MARCH 1, 1977.

Take notice that Southern California Edison Company (Edison) on February 22, 1977 tendered for filing a change of rate for transmission services under the provisions of Edison's agreement with Pacific Gas and Electric Company (PG&E), as embodied in Rate Schedule FPC No. 79. The new rate for these services effective on February 1, 1977, is \$8,615 per month. This is an increase of \$615 per month. Said filing is in accordance with terms of the agreement stating that whenever the California Public Utilities Commission (CPUC) finds a new rate of return to be reasonable for Edison, (the) transmission service charge will be redetermined based on said new rate of return and shall become effective as of the first day of the month following the date such CPUC finding is effective. Said new rate of return was authorized in CPUC Decision No. 86794, effective January 13, 1977.

The Company states that copies of this filing were served upon PG&E and the Public Utilities Commission of the State of California.

Any person desiring to be heard or to protest this application should file petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street N.E., 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 March 21, 1977. 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 persons 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. PLUMBS,
Secretary.

[FR Doc. 77-6797 Filed 3-7-77; 8:45 am]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

Application for Use of Project Lands for Transmission Line Right-of-Way

MARCH 1, 1977.

Public notice is hereby given that an application was filed on December 17, 1976, under the Federal Power Act, 16 U.S.C. 791a et seq., by the South Carolina Public Service Authority (Applicant) (Correspondence to: Mr. William C. Mescher, President and Chief Executive Officer, South Carolina Public Service Authority, P.O. Box 398, Moncks Corner, South Carolina 29461) for Commission authorization to construct, operate, and maintain a 230 kV transmission line that would cross lands of Applicant's Santee-Cooper Project No. 199, located on the Santee and Cooper Rivers in Berkeley, Calhoun, Clarendon, Orangeburg and Sumter Counties, South Carolina.

The Applicant's proposed 230 kV transmission line would cross project lands for 4.27 miles in Berkeley County in a generally southeasterly direction originating at Applicant's 230 kV switchyard adjacent to the Jefferies steam-electric generating station, which is near the Pinopolis Hydroelectric plant and 115 kV switchyard. A right-of-way 100 feet in width will be required with the line constructed along the center of the right-of-way through project lands. The line will terminate off project lands at the Charity 230 kV switching station located on the east side of the Cooper River across from the South Carolina Electric & Gas Company's (SCE&G) steam station at Bushy Park.

The proposed 230 kV line would consist of three phase 60 hertz on wood pole H-frame structures except for two lattice type steel towers near the Jefferies steamplant. The purpose of the transmission line is to enable interchange of electric power between Applicant and SCE&G systems and to increase reliability of electric power service to the new Amco Chemical Corporation plant in the Applicant's service area.

Applicant has requested the shortened procedure pursuant to § 1.32(b) of the Commission's rules and regulations, 18 CFR 1.32(b) (1976). The application is on file with the Commission and is available for public inspection.

Any person desiring to be heard or to make a protest with reference to this application should on or before April 18, 1977, file with the Federal Power Com-

mission, 825 North Capitol Street, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR 1.8 or 1.10 (1976). 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 this proceeding. Any person wishing to become a party to this proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by sections 308 and 309 of the Federal Power Act, 16 U.S.C. 825g and 825h, and the Commission's rules of practice and procedure, specifically § 1.32(b), 18 CFR 1.32 (b) (1976), as amended by Order No. 518, a hearing before the Commission may be held on this application without further notice if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. If an issue of substance is so raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will not be necessary for the applicant to appear or be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6803 Filed 3-7-77; 8:45 am]

[Docket No. CP76-455]

**TRANSCONTINENTAL GAS PIPE LINE
CORP.**

**Petition to Amend Certificate of Public
Convenience and Necessity**

MARCH 1, 1977.

Take notice that on February 22, 1977, Transcontinental Gas Pipe Line Corporation (Transco), Post Office Box 1396, Houston, Texas, 77001, Florida Gas Transmission Company (Florida Gas), Post Office Box 44, Winter Park, Florida, 32790, and Sea Robin Pipeline Company (Sea Robin), Post Office Box 1478, Houston, Texas, 77001, filed a petition to amend the certificate of public convenience and necessity issued to Transco and Florida Gas on January 27, 1977, on their joint application in Docket No. CP76-455 to include Sea Robin as one of the owners and operators of certain of the pipeline facilities authorized therein.

Transco and Florida Gas state that, as originally proposed in their joint application herein and as certificated by the Commission, they were authorized as equal co-owners to construct and operate 13.84 miles of 24-inch pipeline for the purchase and transportation of natural gas from the Vermilion Block 22 Field, offshore Louisiana. Transco and Florida Gas further state that each has contractual entitlements to one-sixth of the

reserves to be produced from Block 22, and the remaining two-thirds is now to be purchased by Sea Robin. After the issuance of the certificate, Transco, Florida Gas and Sea Robin agreed to a revision of the ownership of certain of the pipeline facilities, described above, to reflect the proportionate call of each pipeline on the Block 22 production, i.e., a one-sixth interest each in Transco and Florida Gas and a two-thirds interest in Sea Robin. The parties further state that no other change in the certificate as issued in Docket No. CP76-455 is proposed.

Any person desiring to be heard or to make any protest with reference to said application, on or before March 17, 1977, should file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6805 Filed 3-7-77; 8:45 am]

[Docket No. CP77-249]

TRUNKLINE GAS CO.

Application

MARCH 1, 1977.

Take notice that on February 22, 1977, Trunkline Gas Company (Applicant), P.O. Box 1642, Houston, Texas, 77001, filed in Docket No. CP77-249 an application pursuant to section 7 of the Natural Gas Act and the regulations thereunder for a Certificate of Public Convenience and Necessity authorizing the transportation of natural gas on behalf of Transcontinental Gas Pipe Line Corporation (Transco) all as more fully set forth in the application which is on file

with the Commission and open to public inspection.

Applicant proposes to transport for Transco from Vermilion Block 14 quantities of up to 250 Mcf per day on a firm basis and additional volumes on an interruptible basis to correct for under-production imbalance, utilizing the capacity of its existing system. Applicant will redeliver the volumes transported to Transco at an existing point of interconnection between Truckline and Transco in Vermilion Parish, Louisiana. No facilities are proposed to be constructed by Applicant to effectuate this transportation service.

Any person desiring to be heard or to make any protest with reference to said application, on or before March 18, 1977, should file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6807 Filed 3-7-77; 8:45 am]

[Docket No. ER77-205]

VIRGINIA ELECTRIC AND POWER CO.

**Notice of Tendered Revised Contract
Supplements**

MARCH 1, 1977.

Take notice that on February 18, 1977, Virginia Electric and Power Company (VEPCO), tendered for filing revised supplements to contracts between VEPCO and Tri-County Electric Cooperative. VEPCO states that the revised contract supplements correct certain items to reflect changes made in the past at various delivery points as set forth below:

Delivery point	Federal Power Commission—		Item corrected
	Present No.	Proposed No.	
Arcola.....	86-21	86-9	4, 5(2), 5(3)
Bendon.....	86-22	86-2	3, 4, 5(2), 5(3), 6, 7
Hillsboro.....	86-23	86-6	4, 5(3)
Leesburg.....	86-24	86-1	4, 5(3)
Sycamore.....	86-25	86-8	4, 5(3), 6

The Company states that the revised contract supplements are intended to supersede the listed FPC Rate Schedules and requests that the revised supplements be allowed to become effective on February 1, 1977, the requested effective date. The Company also states that there will be no increase in the unit cost of the electricity to Tri-County Cooperative as a result of the corrections.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 17, 1977, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMBS,
Secretary.

[FR Doc.77-6792 Filed 3-7-77;8:45 am]

[Docket No. CP77-220]

WESTERN GAS INTERSTATE CO.
Application

MARCH 1, 1977.

Take notice that on February 11, 1977, Western Gas Interstate Company (Applicant), 1800 First International Building, Dallas, Texas 75270 filed in Docket No. CP77-220 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continued use of certain facilities and the transportation of natural gas in interstate commerce for Southern Union Gas Company (Southern Union), a division of Southern Union Company, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that pursuant to the Commission's order issued on September 6, 1973, in Docket No. CP73-325 (50 FPC 676), Cities Service Gas Company (Cities) is authorized to operate certain gas transmission and sales facilities in Texas County, Oklahoma, and to sell to Southern Union natural gas delivered thereby for resale for irrigation and other incidental farm uses in and about Texas

County, Oklahoma. It is further stated that at some time subsequent to March 15, 1973, Southern Union's operating personnel rearranged certain facilities of Southern Union and of Applicant so that the gas purchased from Cities is introduced into Applicant's East Mainline System, is transported by Applicant as required for Southern Union's distribution purposes, and is delivered into Southern Union's distribution facilities for residential and other uses in Beaver and Texas Counties, Oklahoma.

Hence, it is stated that Southern Union has made application in Docket No. CP76-462 for an order permitting it to use the natural gas purchased from Cities as part of its general system supply in Beaver and Texas Counties, Oklahoma. It is asserted that the continued use of the gas receipt facilities and the continued transportation by Applicant of the gas purchased from Cities by Southern Union is necessary in order to make such supply available to all of Southern Union's customers.

Applicant states that it has entered into a transportation agreement with Southern Union dated February 10, 1977, by which it would receive natural gas for transportation from Cities at a point of receipt in Sec. 30, T. 5 N., R. 19 E., Texas County, Oklahoma, and would deliver such gas to Southern Union at existing Southern Union delivery points along Applicant's system in Beaver and Texas Counties, Oklahoma.

It is stated that for each Mcf of natural gas delivered by Applicant to Southern Union, Southern Union would pay an initial transportation charge of 7.12 cents per Mcf. Applicant states that the primary term of the transportation agreement extends through December 31, 1980, and would be continued thereafter in effect from year to year.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 21, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of

the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMBS,
Secretary.

[FR Doc.77-6806 Filed 3-7-77;8:45 am]

FEDERAL RESERVE SYSTEM
BANCORPORATION OF MONTANA
Order Denying Acquisition of Bank

Bancorporation of Montana, Great Falls, Montana, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under Section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Bank of Montana, Helena, Montana ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with Section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the third largest banking organization in Montana, controls thirteen banks with aggregate deposits of \$171 million, representing approximately 5.9 percent of the total commercial bank deposits in Montana.¹ Acquisition of Bank would increase Applicant's share of State deposits by only 0.4 percent and its ranking Statewide would remain unchanged.

Bank (\$11.1 million in deposits) is the fourth largest of six banks in the Helena banking market and controls 7.6 percent of the total deposits in commercial banks in the market.² Both of the two largest banks in the relevant market are subsidiaries of bank holding companies and hold, respectively, 38.5 and 37.6 percent of the total deposits in commercial banks in the market. There are no subsidiary banks of Applicant presently competing in the relevant market, and Applicant's subsidiary bank closest to Bank is located approximately 63 miles from the Helena banking market. Thus, consummation of this proposal would not result in the elimination of a significant amount of existing competition and, in view of the distances involved, would not appear to foreclose the development of a significant

¹ All banking data are as of December 31, 1975, but reflect structural changes through January 12, 1976.

² The Helena banking market is the relevant banking market and is approximated by the southern half of Lewis and Clark County, the northern half of Jefferson County, and the northern half of Broadwater County.

amount of competition in the future. Accordingly, competitive considerations are consistent with approval of the application.

The Board has indicated on previous occasions that it believes a bank holding company should constitute a source of both financial and managerial strength to its subsidiary bank(s). Accordingly, in acting upon any application under the Act, the Board will closely examine the financial condition, managerial resources, and future prospects of an applicant and its subsidiary bank(s) with these factors in mind. Based upon an evaluation of such factors with respect to this application, the Board has determined that denial of this application is warranted.

With respect to the financial and managerial resources and future prospects associated with this application, it appears that, while Applicant's managerial resources are regarded as satisfactory and consistent with approval of the application, Applicant's overall financial condition will not permit it to serve as a source of financial strength to Bank. Rather, based upon an examination of all the facts of record, the Board concludes that consummation of this proposal with the attendant assumption of acquisition debt would increase Applicant's debt to equity ratio from a level already regarded as high to a point considerably higher than that which the Board regards as acceptable for a multi-bank holding company the size of Applicant. Consequently, it appears that Applicant's proposal, if consummated, would result in substantial added financial burden to Applicant and that for several years following consummation, it may become necessary for Applicant to draw excessive dividends from its subsidiary banks in order to service the debt associated with the acquisition of Bank. Based on the above and other facts of record, the Board concludes that the banking factors weigh against approval of this application and that Applicant's funds could be better utilized in support of its existing subsidiaries.

While there is no evidence in the record to indicate that the banking needs of the Helena community are not being met, Applicant states that following consummation of this proposal, it would make available to Bank such services as loan review, automated accounting services, investment consulting, and personnel advice. While considerations relating to the convenience and needs of the community to be served are consistent with approval of the application, they are not sufficient, in the Board's judgment, to outweigh the aforementioned adverse banking factors reflected in the record. Accordingly, it is the Board's judgment that approval of the application would not be in the public interest and that the application should be denied.

On the basis of the record, the application is denied for the reasons summarized above.

By order of the Board of Governors,²
effective March 2, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-6780 Filed 3-7-77;8:45 am]

WELLS FARGO AND CO.

Proposed Acquisition of Ben G. McGuire and Company

Wells Fargo and Company, San Francisco, California, has applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y (12 CFR 225.4(b) (2)), for permission to acquire voting shares of Ben G. McGuire and Company, Houston, Texas, through a de novo subsidiary, WF-BGM, Inc. Notice of the application was published on January 27, 1977, in *The Houston Chronicle*, a newspaper circulated in Houston, Texas, and on January 29, 1977, in the *San Francisco Chronicle*, a newspaper circulated in San Francisco, California.

Applicant states that the proposed subsidiary would engage in the activities of making or acquiring, for its own account or for the account of others, loans and other extensions of credit; servicing loans and other extensions of credit for other persons. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than March 30, 1977.

Board of Governors of the Federal Reserve System, March 2, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-6781 Filed 3-7-77;8:45 am]

² Voting for this action: Governors Walsh, Coldwell, Jackson, and Lilly. Absent and not voting: Chairman Burns and Governors Gardner and Partee.

FOREIGN CLAIMS SETTLEMENT COMMISSION

[F.C.S.C. Meeting Notice No. 1-77]

MEETINGS

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of routine Commission business and other matters specified, as follows:

Date and Time	Subject matter
Wed., Mar. 16, 1977 at 10:00 a.m.	Oral hearings on objections to decisions issued under the Hungarian Claims Program.
Thurs., Mar 17, 1977 at 9:30 a.m.	Consideration of Hungarian Claims.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street, N.W., Washington, D.C. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Executive Director, Foreign Claims Settlement Commission, 1111 20th Street, N.W., Washington, D.C. 20579. Telephone: 202/653-6156.

Dated at Washington, D.C. on March 2, 1977.

FRANCIS T. MASTERSON,
Executive Director.

[FR Doc.77-6736 Filed 3-7-77;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on February 24, 1977 (CPSC), and March 2, 1977 (CAB). See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipts.

The notice includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed CPSC and CAB requests are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed requests, comments (in triplicate) must be received on or before March 28, 1977, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5033, 441 G Street, N.W., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

CIVIL AERONAUTICS BOARD

CAB requests clearance of the new, single time reporting requirements contained in Appendix A to Civil Aeronautics Board Order 77-2-87, dated February 18, 1977. The information provided will assist the Board in determining what further procedural steps, if any, are appropriate in the Institutional Control of Air Carriers Investigation, Docket 26348. The principal purposes of the Institutional Control of Air Carriers Investigation is to determine whether and in what manner financial institutions may influence the management of air carriers. Order 77-2-87 directs the Board's Bureau of Operating Rights to conduct an informal investigation at the close of which the Board will determine whether further procedural steps such as rulemaking, legislative recommendation, or adjudication, are appropriate. Through Appendix A the Board seeks to obtain industry-wide data depicting the financial and other relationships between air carriers and financial institutions and other persons. CAB states respondents are approximately 25 air carriers; 10 insurance companies; 24 banks; 7 flight equipment manufacturers and their lease credit subsidiaries and flight equipment lessors; 5 investment bankers, securities brokers and funds; and the Air Transport Association, the National Air Carriers Association and the Transportation Association of America. CAB estimates reporting burden for each respondent to average: 510 hours for air carriers, 355 hours for insurance companies, 387.5 hours for banks, 210 hours for equipment manufacturers, 235 hours for investment bankers, and 32 hours for the association.

CONSUMER PRODUCT SAFETY COMMISSION

CPSC requests clearance of a new voluntary survey plan to collect data on the size and types of objects involved in suffocation deaths to children between birth and six years and corresponding oral pharyngeal tract measurements. This information collection is authorized under Public Law 92-573, including amendments enacted in October 1972 and May 1976. This information is needed by CPSC to develop a small parts standard for protecting children under six years old from suffocation. In a letter dated December 26, 1976, CPSC invited 600 prospective respondents, such as members of the National Association of Medical Examiners, vital statistics offices, hospitals and emergency rooms to participate in the survey. CPSC anticipates that 100 of the invitees will respond. A letter will be sent to each of the 100 potential respondents giving more specific information on the type of data needed. CPSC estimates that each respondent will furnish information on an average of 5.5 cases. CPSC will then request by a voluntary response letter to hospitals any information they may have on each of the cases cited by the

respondents but for which they were unable to furnish full information. CPSC estimates the time for respondents to collate and furnish the data to average 2.75 hours per response.

NORMAN F. HEYL,
Regulatory Reports Review Officer.
[FR Doc. 77-6829 Filed 3-7-77; 8:45 am]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.; Temp. Reg. F-417]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a gas and electric rate increase proceeding.

2. *Effective date.* This regulation is effective immediately.

3. Delegation.

(a) Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Montana Public Service Commission (Docket No. 6454) involving the petition filed by the Montana Power Company, requesting an increase in its gas and electric rates.

(b) The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

(c) This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: February 25, 1977.

ROBERT T. GRIFFIN,
Acting Administrator
of General Services.

[FR Doc. 77-6741 Filed 3-7-77; 8:45 am]

[Federal Property Management Regs.;
Temp. Reg. G-30]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a transportation rulemaking proceeding.

2. *Effective date.* This regulation is effective immediately.

3. Delegation.

(a) Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sec-

tions 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Hawaii Public Utility Commission (Docket No. 3026) involving an Order of the Commission which initiates a rulemaking proceeding to amend its Rules of Practice and Procedure.

(b) The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

(c) This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT T. GRIFFIN,
Acting Administrator.

FEBRUARY 25, 1977.

[FR Doc. 77-6742 Filed 3-7-77; 8:45 am]

[Federal Property Management Regs.;
Temporary Reg. F-416]

SECRETARY OF AGRICULTURE

Delegation of Authority

1. *Purpose.* This regulation delegates to the Secretary of Agriculture, for re-delegation to the Forest Service only, authority to enter into long-term contracts with public utilities for the purchase of electric, gas, water, and waste treatment and disposal services for the period November 11, 1976, through November 10, 1977.

2. *Effective date.* This regulation is effective November 11, 1976.

3. *Delegation.* (a) Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority is delegated to the Secretary of Agriculture for re-delegation only to the Forest Service, to enter into contracts in accordance with section 201(a)(3) thereof, for a period not to exceed 10 years for the purchase of electric, gas, water, and waste treatment and disposal services with public utilities under the following circumstances:

(1) When the annual cost of service per contract is not more than \$50,000; and

(2) When the connection or termination charge does not exceed \$50,000 for any one contract.

(b) This delegation of authority shall be subject to all provisions of Title III of said act with respect to such contracts and to all other applicable provisions of law.

(c) The authority delegated herein may be re-delegated to any official or contracting officer of the Forest Service, U.S. Department of Agriculture.

(d) The Forest Service shall file with the General Services Administration as soon as practicable after the execution thereof a copy of each contract, any amendments thereto which it may execute pursuant to the authority granted

by this delegation, and other pertinent data and information with respect to such contracts.

(e) This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT T. GRIFFIN,
Acting Administrator
of General Services.

FEBRUARY 25, 1977.

[FR Doc.77-6726 Filed 3-7-77;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 76G-0488]

PROCTER & GAMBLE

Filing of Petition for Affirmation of GRAS Status

Pursuant to the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701 (a), 52 Stat. 1055, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348, 371(a)) and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 25705), notice is given that a petition (GRASP 7G0081) has been filed by the Procter & Gamble Co., 6071 Center Hill Rd., Cincinnati, OH 45224, and placed on public display in the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that "cocoa butter prepared from other vegetable oils" is generally recognized as safe (GRAS) for human use in candy products. The designated name in this petition is for descriptive purposes only and does not establish a common or usual name for this product. The common or usual name for this product, if any, will be established at the time that a final GRAS or food additive regulation is promulgated.

Any petition that meets the format requirements outlined in 21 CFR 121.40 is filed by the Food and Drug Administration. There is no pre-filing review of the adequacy of data to support a GRAS conclusion. Thus, the filing of a petition for GRAS affirmation should not be interpreted as a preliminary indication of suitability for affirmation.

Interested persons may, on or before May 9, 1977, review the petition and/or file comments (preferably in quintuplicate and identified with the Hearing Clerk docket number found in brackets in the heading of this document) with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857. Comments should include any available information that would be helpful in determining whether the substance is or is not generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk,

address given above, between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 28, 1977.

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

[FR Doc.77-6912 Filed 3-7-77;8:45 am]

Office of the Assistant Secretary for Health NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL Meeting

In accordance with section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Council meeting:

Name: National Professional Standards Review Council.

Date and time: March 21, 1977 (10:00 a.m. to 5:00 p.m.); March 22, 1977 (9:00 a.m. to 1:00 p.m.).

Place: Auditorium (first floor), DHEW North Building, 330 Independence Avenue SW, Washington, D.C.

Purpose of Meeting. The Council was established to advise the Secretary of Health, Education, and Welfare on the administration of Professional Standards Review (Title XI, Part B, Social Security Act). Professional Standards Review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality health care. The Council's agenda will include discussion of a variety of issues relevant to the implementation of the PSRO program.

Meeting of the Council is open to the public. Public attendance is limited to space available.

Any member of the public may file a written statement with the Council before, during, or after the meeting. To the extent that time permits, the Council Chairman may allow public presentation of oral statements at the meeting.

All communications regarding this Council should be addressed to William D. Coughlan, Staff Director, National Professional Standards Review Council, Office of Quality Standards, Room 16A-09, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Dated: March 1, 1977.

WILLIAM B. MUNIER,
Executive Secretary, National
Professional Standards Review
Council.

[FR Doc.77-6818 Filed 3-7-77;8:45 am]

Office of Education

ACCREDITATION AND INSTITUTIONAL ELIGIBILITY ADVISORY COMMITTEE

Schedule and Proposed Agenda of Public Meeting

AGENCY: United States Office of Education, HEW.

ACTION: Notice.

SUMMARY: This notice sets forth the schedule and proposed agenda of the next public meeting of the Advisory Commit-

tee on Accreditation and Institutional Eligibility. It also describes the functions of the Committee. Notice of these meetings is required under the Federal Advisory Committee Act (5 U.S.C. Appendix 1, 10(a) (2)). This document is intended to notify the general public of their opportunity to attend and to participate.

DATES: March 23, 1977, 9:00 a.m. to 5:00 p.m., local time; March 24, 9:00 a.m. to 5:00 p.m.; and March 25, 9:00 a.m. to 3:00 p.m. Requests for oral presentations before the Committee must be received on or before March 15, 1977. All written material which a party wishes to file may be submitted at any time and will be considered by the Advisory Committee.

ADDRESS: Old Town Holiday Inn, 480 King Street, Alexandria, Virginia 22314.

FOR FURTHER INFORMATION CONTACT:

John R. Proffitt, Director, Division of Eligibility and Agency Evaluation, Office of Education, Room 3030, ROB 3, 400 Maryland Avenue, S.W., Washington, D.C. 20202. (202-245-9873).

SUPPLEMENTARY INFORMATION: The Advisory Committee on Accreditation and Institutional Eligibility is established pursuant to section 253 of the Veterans' Readjustment Assistance Act (Chapter 33, Title 38, U.S. Code). The Committee is directed to:

1. Review all current and future policies relating to the responsibility of the Commissioner for the recognition and designation of accrediting agencies and associations wishing to be designated as nationally recognized accrediting agencies and associations, and recommend desirable changes in criteria and procedures;

2. Review all current and future policies relating to the responsibility of the Commissioner for the recognition and listing of State agencies wishing to be designated as reliable authority as to the quality of public post-secondary vocational education, and of nurse education, and recommend desirable changes in criteria and procedures;

3. Review and advise the Commissioner of Education in the formation of all current and future policy relating to the matter of institutional eligibility;

4. Review the provisions of current legislation affecting Office of Education responsibility in the area of accreditation and institutional eligibility and suggest needed changes to the Commissioner of Education;

5. Develop and recommend to the Commissioner of Education criteria and procedures for the recognition and designation of accrediting agencies and associations in accordance with legislative provisions, Presidential directives, or interagency agreements;

6. Review and recommend to the Commissioner of Education for designation as nationally recognized accrediting agencies and associations of reliable authority all applicant accrediting agencies and associations which meet criteria established under (5) above;

7. Develop and recommend to the Commissioner of Education criteria and procedures for the recognition, designation and listing of State agencies in accordance with statutory provisions, Executive Orders, or interagency agreements;

8. Review and recommend to the Commissioner of Education for designation as State agencies of reliable authority as to the quality of public postsecondary vocational edu-

ation, and of nurse education, all applicant State agencies which meet criteria established under (7) above;

9. Develop, under the authority of the Vocational Education Act of 1963, as amended, and recommend for the approval of the Commissioner of Education, standards and criteria for specific categories of private vocational training institutions which have no alternative route by which to establish eligibility for Federal funding programs;

10. Develop, under the authority of the Higher Education Act of 1965, as amended, and recommend for the approval of the Commissioner of Education, standards and criteria for specific categories of institutions of higher education, for which there is no recognized accrediting agency or association, in order to establish eligibility for participation in the student loan programs authorized by Title IV-B thereof;

11. Maintain a continuous review of Office of Education administrative practice, procedures and judgments relating to accreditation and institutional eligibility and advise the Commissioner of needed changes;

12. Keep within its purview the accreditation and approval process as it develops in all levels of education;

13. Advise the Commissioner of Education concerning the relations of the Office with accrediting agencies or associations, or other approval bodies as the Commissioner may request.

14. Advise the Commissioner of Education, pursuant to the Bureau of the Budget (Office of Management and Budget) policy dated December 23, 1954, regarding the award of degree-granting status to Federal agencies and institutions.

15. Not later than March 31 of each year, make an annual report of its activities, findings and recommendations.

The meeting on March 23, 24 and 25, 1977, will be open to the public. This meeting will be held at the Old Town Holiday Inn, Alexandria, Virginia. The Committee will review petitions and reports by accrediting and State approval agencies for initial or continued recognition by the U.S. Commissioner of Education. The Committee also will hear presentations by representatives of the petitioning agencies and interested third parties, and will review policy items pertaining to accreditation and institutional eligibility. Agencies having petitions and reports pending before the Committee are:

American Association of Bible Colleges
American Bar Association, Council of the Section of Legal Education and Admissions to the Bar
American Dietetic Association, Commission on Evaluation of Dietetic Education
American Psychological Association, Committee on Accreditation
American Society of Landscape Architects, Board of Landscape Architectural Accreditation
Association of Theological Schools in the United States and Canada
Liaison Committee on Medical Education
National Accreditation Council for Agencies Serving the Blind and Visually Handicapped
National Architectural Accrediting Board, Inc.
National Association of Trade and Technical Schools, Accrediting Commission
National League for Nursing, Inc., Boards of Review
New Hampshire Board of Nursing Education and Nurse Registration
West Virginia Board of Examiners for Registered Nurses

Requests for oral presentations before the Committee should be submitted in writing to the Director, Division of Eligibility and Agency Evaluation, Office of Education, Room 3030, ROB 3, 400 Maryland Avenue, SW., Washington, D.C. 20202. Requests should include the names of all persons seeking an appearance, the party or parties which they represent, and the purpose for which the presentation is requested. Requests must be received by the Division of Eligibility and Agency Evaluation on or before March 15, 1977. Time constraints may limit oral presentations. However, all additional written material that a party wishes to file will be considered by the Advisory Committee.

Records shall be kept of all Committee proceedings and shall be available for public inspection at the Division of Eligibility and Agency Evaluation.

Signed at Washington, D.C., on March 3, 1977.

JOHN R. PROFFITT,
Director, Division of Eligibility
and Agency Evaluation,
Office of Education.

[FR Doc.77-6720 Filed 3-7-77;8:45 am]

NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

Meeting

AGENCY: National Advisory Council on Adult Education.

ACTION: Notice.

SUMMARY: The National Advisory Council on Adult Education sets forth in this notice the agenda of the forthcoming conference on futures and amendments for adult education legislation; conference is open to the public; and, functions of the Council. Notice of this conference is required under the Federal Advisory Committee Act (Pub. L. 92-463, Section 10(a)(2)).

DATES: March 31, 1977, 9:00 a.m. to 5:00 p.m.; March 22, 1977, 9:00 a.m. to 3:00 p.m.

ADDRESS: Hotel Washington, 15th and Pennsylvania Ave., N.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Dr. Gary A. Eyre, Executive Director, National Advisory Council on Adult Education, 425 13th Street, N.W., Washington, D.C. 2004. (202-376-8892).

SUPPLEMENTARY INFORMATION: The National Advisory Council on Adult Education is established under Section 311 of the Adult Education Act (80 Stat. 1216.20 U.S.C. 1201). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

The Council shall review the administration and effectiveness of programs under this

title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations.

The conference shall be open to the public; however, because of limited space, interested persons wanting to attend must contact, in writing, the Executive Director. The proposed agenda includes:

Federal Legislative Overview.
FY-78 Appropriations.
Sectional Amendments to the Adult Education Act.
Future Legislative Components and Specifications.
Compilation of Legislative Recommendations.

Recommendations and conclusions from this conference will be compiled in concert with other futures and amendments conference materials, and shall be available for public inspection at the Office of the National Advisory Council on Adult Education located in Room 323, Pennsylvania Bldg., 425 13th Street, N.W., Washington, D.C. 20004.

Signed at Washington, D.C. on March 2, 1977.

GARY A. EYRE,
Executive Director, National
Advisory Council on Adult
Education.

[FR Doc.77-6811 Filed 3-7-77;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

(NH 29863)

NEW MEXICO

Application

FEBRUARY 28, 1977.

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), Phillips Petroleum Company has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 15 S., R. 29 E.,

Sec. 21, NE¼NE¼;

Sec. 22, W¼NW¼ and NW¼SW¼.

This pipeline will convey natural gas across 0.468 miles of national resource land in Chaves 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, P.O. Box 1397, Roswell, New Mexico 88201.

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

[FR Doc.77-6819 Filed 3-7-77;8:45 am]

[Serial Number I-12857]

NORTHWEST PIPELINE CO.

Application

FEBRUARY 28, 1977.

Notice is hereby given that pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185) the Northwest Pipeline Corporation filed an application for a right-of-way to construct a cathodic protection station on their Ignacio to Sumas natural gas pipeline system.

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 on this matter should do so promptly. Persons submitting comments

should include their name and address and send them to the District Manager, Bureau of Land Management, 230 Collins Road, Boise, Idaho 83702.

VINCENT S. STROBEL,
Chief, Branch of L&M Operations.
[FR Doc. 77-6728 Filed 3-7-77; 8:45 am]

Fish and Wildlife Service
ENDANGERED SPECIES PERMIT
Receipt of Applications

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (P.L. 93-205).

Applicant: Colorado Department of Natural Resources, 8060 Broadway, Denver, Colorado 80216, Mr. Jack Grieb, Director.

APPLICATION FOR ENDANGERED SPECIES PERMIT

I. (1) (a) Species: Greenback cutthroat trout, *Salmo clarki stomias* Cope.
(b) Number, age, and sex: It is difficult to itemize the number, age, and sex of the greenback cutthroat trout which will eventually be involved in the activities requested. However, estimates are provided in (1) (c) where applicable.

(c) Activities sought to be authorized:

(i) Conduct scientific research on the greenback cutthroat trout to determine if and where additional suspected populations exist by electrofishing candidate headwater streams and to collect and preserve 15 to 20 specimens from each suspected greenback cutthroat trout population for the purpose of taxonomic evaluation and identification.

(ii) Collect with electrofishing gear and transplant 50 to 100 greenback cutthroat trout from viable populations into barren or reclaimed streams and/or lakes within its historic range.

(iii) Monitor known populations with electrofishing gear to determine reproductive success and year-class abundance and possible invasion of greenback cutthroat trout habitat by non-native trout.

(iv) Photograph and film greenback cutthroat trout specimens and their habitat to document research efforts and provide material for conservation education purposes.

(2) Each of the activities in (1) (c) will involve wild greenback cutthroat trout.

(3) Not applicable.

(4) Not applicable.

(5) Specimens of suspected greenback cutthroat trout collected for taxonomic identification will be preserved in 10 percent buffered formalin. All collections will be kept either at the Colorado Division of Wildlife, Denver Headquarter, or in the Colorado State University fish collection.

(6) Greenback cutthroat trout will be transported to restoration sites in portable 100 gallon fiberglass fish tanks equipped with baffles and 12-volt aerators. Approved prophylactic chemicals to prevent external bacterial and fungal infections will be administered in transit if necessary.

(7) See attached document.

(8) (1) and (11) See section (1) (c).

(iii) The above mentioned activities are essential for the restoration of the greenback cutthroat trout in Colorado and have been incorporated into the recovery plan being developed by the Greenback Cutthroat Trout Recovery Team.

(iv) Not applicable.

II. (1) (a) Species: Colorado squawfish, *Ptychocheilus lucius* Girard.

(b) Number, age, and sex: The activities requested by this permit will involve only juvenile Colorado squawfish. It is difficult to itemize the number or sex of the fishes involved.

(c) Activities sought to be authorized.

(i) Monitor river sections of the Colorado, Gunnison, and Yampa Rivers in Colorado to determine reproductive success and year-class abundance of Colorado squawfish. Backwater trend zones along each of these three rivers will be sampled with small-mesh seines and electrofishing gear for evidence of juvenile Colorado squawfish.

(ii) Photograph and film Colorado squawfish specimens and their habitat to document research efforts and provide material for conservation education purposes.


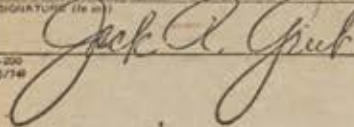
(2) Each of the activities in (1) (c) will involve wild Colorado squawfish.

(3) All specimens of Colorado squawfish will be returned to the water alive and unharmed.

(4) Not applicable.

(5) Not applicable.

(6) Not applicable.

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION		1. APPLICATION FOR (Indicate only one)													
		<input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT													
		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. Amendment to PRT 8-140-C to include recovery efforts for the following endangered species: greenback cutthroat trout, Colorado squawfish, humpback chub, American peregrine falcon, arctic peregrine falcon, southern bald eagle, black-footed ferret and whooping crane.													
3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested) Colorado Division of Wildlife 6060 Broadway Denver, Colorado 80216 Phone: 303 825-1192		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION. The Colorado Division of Wildlife is a state agency charged with the responsibility of protecting, preserving, enhancing and managing wildlife for public benefit.													
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING: <table border="1" style="width:100%"> <tr> <td><input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.</td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td>DATE OF BIRTH</td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td>PHONE NUMBER WHERE EMPLOYED</td> <td colspan="2">SOCIAL SECURITY NUMBER</td> </tr> <tr> <td colspan="3">OCCUPATION</td> </tr> </table>		<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT	WEIGHT	DATE OF BIRTH	COLOR HAIR	COLOR EYES	PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER		OCCUPATION			NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. Jack R. Grieb, Director 825-1192	
<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT	WEIGHT													
DATE OF BIRTH	COLOR HAIR	COLOR EYES													
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER														
OCCUPATION															
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED Throughout the State of Colorado		7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit number) Endangered Species Permit PRT 8-140-C Migratory Bird Banding Permit 20205													
8. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF \$		9. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list jurisdiction and type of document) Scientific Collecting Permit issued by Colorado Division of Wildlife													
10. DESIRED EFFECTIVE DATE Jan. 1, 1976		11. DURATION NEEDED 2 years													
12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 21.1230) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. See attachments															
CERTIFICATION															
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER 6 OF CHAPTER 1 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.															
SIGNATURE (In ink) 		DATE: 10-25-76													

(7) Contracts have not yet been entered into with contract recipients.

(8) (i) and (ii) See section (1) (c).

(iii) The above mentioned activities are essential for the monitoring of reproductive success of Colorado squawfish in Colorado and have been incorporated into the recovery plan being developed by the Colorado Squawfish Recovery Team.

(iv) Not applicable.

III. (1) (a) Species: Humpback chub, *Gila cypha* Miller.

(b) Number, age, and sex: the activities requested by this permit will involve only juvenile humpback chubs. It is difficult to itemize the number or sex of the fishes involved.

(c) Activities sought to be authorized: (i) Monitor river sections of the Colorado and Yampa Rivers in Colorado to determine reproductive success and year-class abundance of juvenile humpback chubs. Backwater trend zones along these two rivers will be sampled with small-mesh seines and electrofishing gear for evidence of juvenile humpback suckers.

(ii) Photograph and film humpback chub specimens and their habitat to document research efforts and provide material for conservation education purposes.

(2) Each of the activities in (1) (c) will involve wild humpback chubs.

(3) All specimens of humpback chubs will be returned to the water alive and unharmed.

(4) Not applicable.

(5) Not applicable.

(6) Not applicable.

(7) Contracts have not yet been consummated with contract recipients.

(8) (i) and (ii) see Section (1) (c).

(iii) The above mentioned activities are essential for the monitoring of possible reproductive success of humpback chubs in Colorado.

(iv) Not applicable.

IV. (1) (a) Species: American peregrine falcon, *Falco peregrinus anatum*.

(b) Number, age and sex: It is difficult to specify the number, age and sex of the falcons which will eventually be involved in the activities requested. However, estimates are provided where applicable.

(c) Activities sought to be authorized: (i) Survey of eyrie sites to establish productivity and population trends.

(ii) Collect, receive and interstate shipment of unhatched or infertile wild eggs and shell fragments for analysis.

(iii) Captively propagate peregrines in cooperation with the Peregrine Fund of Cornell University. The activities will take place on the Division's property at Fort Collins, Colorado.

(iv) Introduce captive produced young and eggs into the wild environment at active, historic and potential eyrie sites. Only eggs and young representing the gene pool from the Rocky Mountain Region will be introduced into the wild.

(v) Remove thin-shelled eggs from up to six wild eyries annually and artificially incubate them to avoid breakage. "Dummy" eggs will be placed in the eyries to maintain site fidelity by breeding adults. Upon hatching in captivity, the original young or captive produced young will be returned to the wild eyries.

(vi) Induce production of second clutches at up to six wild eyries by timely removal of the first clutches of wild eggs. Those eggs which are removed will be artificially incubated and every effort will be made to return the young to the wild.

(vii) Retain in captivity up to eight wild produced young annually for captive propagation purposes. Those young removed from the wild or retained as a result of this activity and activities v. and vi. will be replaced

with the same number or more captive produced young.

(viii) Place approved Fish and Wildlife Service bands and color markers on all wild produced and introduced young. Wild adult falcons will be banded and color marked when they are encountered.

(ix) Attach radio transmitters to up to twelve immature and six adult falcons annually.

(x) Photographs and film wild eyrie sites, young and adults only as an incidental activity in conjunction with other authorized activities, which incorporate a minimum disturbance.

(xi) Salvage injured and dead specimens. Injured specimens are to be released at capture sites upon recovery.

(2) Activities III, IV and VII involve peregrines and their offspring already in captivity at the facilities in Fort Collins. Activities IV, V, VI, VII, VIII, IX, X and XI involves wild peregrine falcons. The activities described in (1c) further describes the falcons' status, whether wild, captive or captive produced.

(3) Not applicable.

(4) Falcons which are sought to be covered by this permit which will not be removed from the wild will be obtained from the presently authorized propagation programs of Cornell University (The Peregrine Fund, Inc.) at Ithaca, New York and Fort Collins, Colorado. A complete listing of the status of all falcons currently possessed at the Cornell and Fort Collins facilities are provided in reports submitted as required by Special Purpose Permit No. 5-SP-565.

(5) Those falcons which are obtained from the wild as well as those which will be held for captive propagation purposes will be maintained at Cornell's (The Peregrine Fund, Inc.) facilities at Fort Collins, Colorado. The Fort Collins facilities consist of 34 breeding lofts each measuring 10 feet wide, 20 feet long and 18 feet high. The facilities are located at the Colorado Division of Wildlife's Wildlife Research Station northeast of Fort Collins at 1424 Northeast Frontage Road, Fort Collins, Colorado, 80521.

Whole eggs, shell fragments and carcasses (if any) of peregrine falcons will be shipped to the Fish and Wildlife Service's facilities at Patuxent, Maryland for pesticide analysis.

(6) Information in this section is not applicable since any wild peregrines held in possession will be maintained at facilities currently possessing the necessary Federal permits. The propagation facilities at Fort Collins is covered under permit No. 5-SP-565.

(7) Attached are copies of pertinent contracts between the Colorado Division of Wildlife, Cornell University, Bureau of Land Management and Fish and Wildlife Service. The Division has also entered into an Endangered Species Cooperative Agreement with the Fish and Wildlife Service. Additional contracts relative to Endangered Species Grant-in-aid funding for the peregrine falcon are being processed and not yet available.

(8) (i) and (ii) The survey of eyrie sites (III (1) (c) (i)) involves the observation of nest sites from a distance to ascertain the presence of nesting peregrines. On occasion, a helicopter may be used to visit those sites which are inaccessible to normal foot travel. The presence of a helicopter is generally ignored by nesting peregrines. Later in the season, accessible sites will be roped into and the number of young will be determined. At this time also, any unhatched eggs and shell fragments will be collected for pesticide analysis (III (1) (c) (ii)). Analysis of eggs is the most effective method to determining pesticide levels still present in the population.

While the captive propagation facilities (III (1) (c) (iii)) at Fort Collins is already covered by a Special Purpose Permit (No. 5-SP-565), the issuance of a second permit to

the Division will provide further coverage since the activity is occurring on the Division's property.

The current wild reproduction is not sufficient to sustain the wild population. The only way to reverse the downward population trend is to inject captive produced peregrines into the wild. The capability of producing significant numbers of peregrines in captivity has already been proven by Cornell and it is now a matter of the mechanics of placing them in the wild (III (1) (c) (iv)). The most effective method of introducing captive produced birds into the wild is by placing them under wild adult pairs to rear and protect. Where possible, all active eyrie sites will be visited and additional captive reared young will be placed in the nests to increase brood size. The procedure of placing young at historic or unoccupied sites requires the presence of observers to feed the young and protect them. Since the young do not have the benefit of protection and care by wild adults, they may face a more difficult adolescence. The second method is necessary to re-establish falcons at presently unoccupied sites.

Wild breeding falcons are experiencing reproductive failure since thin-shelled eggs are breaking under the weight of incubating adults. If one egg in a clutch breaks, all the eggs are likely to be abandoned and otherwise good eggs will spoil. Because of this, all accessible eyries should be visited shortly after the clutch of eggs is completed. The wild eggs will be exchanged (III (1) (c) (v)) for artificial eggs which will not break and will encourage the adults to continue to incubate them. Meanwhile, the wild eggs will be artificially incubated at the Fort Collins facility where they will receive gentler treatment. About a week to ten days earlier than the wild clutch would normally have hatched, captive produced young will be exchanged for the artificial eggs at the wild sites. It is preferable to introduce the young earlier than normal hatching to assure that the wild adults have not lost interest in incubating the eggs and abandon the nest prematurely. After the wild eggs have hatched in captivity, the young will be placed in other wild nests which are undergoing similar manipulation a week or so later. Undoubtedly, not all the wild young will be returned to the wild in this manner. Therefore, it will be necessary to retain them in captivity for propagation purposes (III (1) (c) (vi)). This will benefit the captive breeding program by infusing additional wild genes into the breeding stock and assuring as much heterogeneity in the captive gene pool as possible. Wild produced young will not be retained in captivity at cost to wild production. That is, an equal number and more generally, a significantly larger number of captive produced young will be placed under wild adults.

At several wild eyries, the data of initiation and completion of egg laying will be established. Upon laying the last egg in the clutch, the adults will begin incubation and one week after commencement of incubation, the nest will be visited and all the eggs removed and artificially incubated. Within ten days to two weeks after removal of the eggs, the adults will recycle and lay a second clutch (III (1) (c) (v)). Depending upon the situation, the record clutch may be replaced with artificial eggs to avoid breakage and the procedure followed which is described above, or the adults may be permitted to incubate and hatch the second clutch. Young produced from the first clutch will be placed in other wild nests. This technique has been proven in captive situation and successfully tested in the wild in Colorado in 1976.

At present, little is known of the hunting range of wild breeding peregrines. The telem-

etry study proposed in III (1) (c) (ix) will provide important information about the hunting range of nesting peregrines which in turn will assist in protecting essential hunting areas. Adults at two eyries in 1977 (and up to three sites in 1978) will be trapped after the young are hatched and will be equipped with radio transmitters. They will be released immediately at the site upon completion of radio tagging and banding. They will then be tracked and their movements plotted. Use of fixed-wing aircraft may be used on occasion. The transmitters will be affixed in such a manner that they will drop off shortly after the batteries fail. Transmitters will also be placed on young which fledge and their movement will also be followed until the battery fails or they cannot be located.

Additional details about the above activities are given in the recent Recovery Plan submitted by the Rocky Mountain/Southwestern Peregrine Falcon Recovery Team.

(iii) The above requested activities are consistent with and essential to the recovery efforts designated for the peregrine falcon by the Rocky Mountain/Southwestern Peregrine Falcon Recovery Team.

(iv) It is premature to concern ourselves with final disposition of peregrine falcons held upon termination of these activities since the reintroduction and recovery program for the peregrine will take ten to twenty years.

V. (1) (a) Species: Arctic peregrine falcon, *Falco peregrinus tundrius*.

(b) Number, age and sex: It is difficult to specify the number, age and sex of the falcons involved in the activities requested.

(c) Activities sought to be authorized: (i) Capture wild peregrines for the purpose of banding, color marking and attaching radio transmitters. All birds will be released at the site of capture immediately after completing the permitted activities. It is expected that fewer than twenty individuals will be banded and color marked annually and no more than six individuals will be radio tagged.

(ii) Salvage injured and dead specimens. Injured specimens will be released at capture sites upon recovery.

(2) The above requested activities will involve only wild arctic peregrine falcons.

(3) Not applicable.

(4) Not applicable.

(5) Not applicable.

(6) Not applicable.

(7) No contracts or agreements have been entered into at this time other than the Endangered Species Cooperative Agreement with the Fish and Wildlife Service.

(8) (i) and (ii) The activities requested in (1) (c) are sufficiently detailed.

(iii) There is evidence that those peregrines which occur in Colorado during the spring and fall migration periods are probably of the *tundrius* subspecies. If this is true, individuals should be banded and color-marked, and several instances, radio tagged to determine their movements and hopefully locality of origin. Photographs and appropriate measurements will be taken to assist in determining the subspecies.

Additionally, it is extremely difficult to positively identify the subspecies of peregrines which are found injured or dead in the field. A salvage permit would assure that the state has proper authorization to handle all peregrine subspecies.

(iv) Those injured birds which are not capable of being returned to the wild after rehabilitation efforts, will be placed in federally approved captive breeding programs or placed in other federally approved programs. Dead specimens will be placed in federally approved scientific collections.

VI. (1) (a) Species: Southern bald eagle, *Haliaeetus leucocephalus leucocephalus*.

(b) At this time, only one pair of nesting southern bald eagles (those nesting south of the 40th parallel) have been located in Colorado. Even with more intensive work, it is doubtful if more than four nesting pairs will ever be involved in the activities listed in c.

(c) Activities sought to be authorized: (i) Conduct studies of nesting activities of nesting Southern bald eagles.

(ii) Visit active nest sites to band and color mark young eagles. Nesting adults will not be captured or disturbed other than to visit the nest.

(iii) Collect unhatched or infertile eggs and shell fragments for analysis.

(iv) Salvage injured and dead specimens. Injured specimens will be released at capture sites upon recovery.

(2) The above requested activities will involve only wild Southern bald eagles.

(3) Not applicable.

(4) Not applicable.

(5) Not applicable.

(6) Not applicable.

(7) No contracts or agreements have been entered into at this time other than the Endangered Species Cooperative Agreement with the Fish and Wildlife Service.

(8) (i) The activities sought to be authorized are already described in sufficient detail in (1) (c).

(ii) Nesting studies (item (1) (c) (i)) will be conducted primarily by aircraft with suspected nests being visited subsequently by foot. Nest sites will not be visited while the adults are incubating.

Banding and color marking activities (item (1) (c) (ii)) will take place only after the young are hatched and their feather development is in advanced stages. Only approved Fish and Wildlife Service bands and color markers will be placed upon the eaglets. Any unhatched or infertile eggs and shell fragments (item (1) (c) (iii)) encountered after the young have hatched or should have hatched will be collected and sent to the Fish and Wildlife Service's facilities at Patuxent, Maryland for pesticide analysis. Injured eagles (item (1) (c) (iv)) will be taken for treatment to the appropriate veterinarian possessing the necessary federal permits.

(iii) These activities are consistent with management objectives to sustain and enhance the populations of the endangered Southern bald eagle. Band and especially color marking are necessary to monitor movements of the eagles so that key habitats may be delineated and protected.

(iv) Injured eagles which cannot be rehabilitated will be sent to federally approved programs. Dead specimens will be provided to appropriate federally approved scientific or educational institutions.

VII. (1) (a) Species: Black-footed ferret, *Mustela nigripes*.

(b) Number, age and sex: Since there are no recently authenticated records of ferrets in Colorado, it is doubtful if more than a few individual ferrets will be involved in the requested activities. No guess can be given as to age and sex.

(c) Activities sought to be authorized:

(i) Conduct habitat studies and population status surveys at close range with minimum disturbance.

(ii) Photograph and film wild ferrets which may be encountered during field investigations.

(iii) Salvage injured and dead specimens.

(2) The above requested activities involve only wild ferrets.

(3) Not applicable.

(4) Not applicable.

(5) Injured ferrets which cannot be rehabilitated will be sent to the Fish and Wildlife Service's facilities at Patuxent, Maryland. Dead specimens will be provided to Federally authorized institutions.

(6) Not applicable.

(7) Other than the Endangered Species Cooperative Agreement with the Fish and Wildlife Service, no contracts or agreements have been entered into at this time.

(8) The above activities are necessary to establish the presence of ferrets in Colorado and if any are present, initiate measures necessary to protect them.

VIII. (1) (a) Species: Whooping crane, *Grus americana*

(b) Number, age and sex: This information cannot be provided at this time since the number and composition of individuals which will be encountered is not known.

(c) Activities sought to be authorized: (i) Conduct habitat studies and population status surveys, at close range with minimum disturbance.

(ii) Photograph and film wild cranes which are encountered during field investigations.

(iii) Salvage injured and dead specimens. (2) The above requested activities involve only wild cranes.

(3) Not applicable.

(4) Not applicable.

(5) Injured cranes which cannot be rehabilitated will be sent to the Fish and Wildlife Service facilities at Patuxent, Maryland. Dead specimens will be provided to Federally approved institutions.

(6) Not applicable.

(7) Other than the Endangered Species Cooperative Agreement with the Fish and Wildlife Service, no contracts or agreements have been entered into at this time.

(8) The above activities are necessary to protect those cranes traveling through or stopping in Colorado.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street, N.W., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has been assigned File Number PRT 2-557-07; please refer to this number when submitting comments. All relevant comments received on or before April 7, 1977 will be considered.

Dated March 3, 1977.


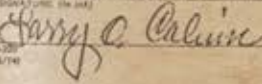
DONALD G. DONAHOO,
Chief, Permit Branch, Federal
Wildlife Permit Office, Fish
and Wildlife Service.

[FR Doc. 77-6823 Filed 3-7-77; 8:45 am]

ENDANGERED SPECIES PERMIT Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Dallas Zoo, 621 East Clarendon Drive, Dallas, Texas 75203, Larry O. Calvin, Director.

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION		FORM NO. 2-1175	
		1. APPLICATION FOR (Indicate only one) <input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT	
3. APPLICANT (State complete address and phone number of individual, business, agency, or institution for which permit is requested) DALLAS ZOO 621 East Clarendon Drive Dallas, Texas 75203		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. Purchase and import two (1 male & 1 female) captive born sub-adult, domestic Bactrian Camels <i>Camelus bactrianus bactrianus</i> from Alberta Game Farm, Alberta, Canada for purpose of public display and breeding.	
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING: <input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS. DATE OF BIRTH: COLOR HAIR: COLOR EYES: PHONE NUMBER WHERE EMPLOYED: SOCIAL SECURITY NUMBER: OCCUPATION:		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: EXPLAIN TYPE OF KIND OF BUSINESS, AGENCY, OR INSTITUTION: Municipal zoo, non-profit public zoological exhibits for education and recreation of mass audiences. Propagation and related research programs.	
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT: To be purchased through dealer: Mr. Jurgen Schulz Catskill Game Farm, Inc. 301 Box 92, Catskill N.Y. 12414		NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. Larry O. Calvin, Director (214) 946-5155	
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED: Import one pair Bactrian Camels from Alberta Game Farm, Alberta, Canada to the Dallas Zoo, Texas		7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <small>(If yes, list license or permit number)</small> USDI 2-SP-193	
8. CERTIFIED CHECK OR MONEY ORDER OF \$44.00 PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF: <input checked="" type="checkbox"/> Not Applicable		9. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <small>(If yes, list jurisdiction and type of document)</small> Valid Canadian Government health certificate, Canadian Customs Exporter's declaration and U.S. Customs Form 3321 will be completed prior to consumption of (a) DESIRED EFFECTIVE DATE: ASAP (b) DURATION NEEDED: Until terminated (c) DURATION NEEDED: Until importation.	
10. ATTACHMENTS: THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED OR IF CFR 1.52(a)(1) IS ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.			
CERTIFICATION			
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER 5 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE, PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 101.			
Signature (In ink) 		Name, Title, and Date Larry O. Calvin, Director Dallas Zoo and Aquarium DATE: 11-15-76	

Arabian and Bactrian camels. Alpaca were also maintained in the distant past but archive records are too incomplete to confirm breeding. A pair of bactrian camels obtained in August 1958 produced five offspring. Following the death of the female, from chronic hepatic degeneration in October 1972, two females were sent to Dallas from another zoo for breeding. The male was later sent to the Madison, Wisconsin Zoo on breeding loan.

(7) The professional animal keepers at the Dallas Zoo will care for the subject camels. The two Curators, the Supervisor and Assistant Supervisor of the Hoofed Animal section have a combined experience in animal keeping in excess of 71 years.

(8) The Dallas Zoo and The Dallas Zoological Society are deeply concerned with the conservation of wildlife, particularly those forms designated as threatened or endangered. To that end, we have shown our commitment in various activities and programs. Our breeding record is well known and we are constantly striving to improve our husbandry techniques and to learn from and to share our experiences with our colleagues. When surpluses are produced, they will be made available to other zoos and qualified organizations to facilitate the establishment and continuation of a captive self-sustaining population of this vulnerable form and other endangered species. Communications with the Madison, Wisconsin Zoo indicate that our old male bactrian camel, there on breeding loan, is showing signs of senility and is now well past being a productive breeder. It would be costly and pointless to return him to Dallas.

(9) I hereby certify that I have read and am familiar with the regulations contained in Title 50 of the Code of Federal Regulations and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 101.

Sincerely,

LARRY O. CALVIN,
Director, Dallas Zoo and Aquarium.

DIRECTOR (FWS/LE),
Fish and Wildlife Service,
Department of Interior,
Washington, D.C.

JANUARY 21, 1977.

DEAR SIR: This letter is in response to your request of December 13, 1976, concerning the application of the Dallas Zoo and Aquarium to import two bactrian camels (PRT 2-491-07).

The additional information you have requested under 50 CFR 17.22(a) is provided below:

(6)(iii) We are willing to participate in a cooperative breeding program and to maintain or contribute data to a Studbook.

(iv) The two bactrian camels will be transported in a compartment of a livestock trailer. The size of the compartment is seven feet wide by ten feet long by nine feet high. The floor of the compartment will have an adequate amount of hay for bedding. The trailer has adequate ventilation for the animals and provisions for protection in case of severe weather conditions.

(v) During the past five year period two mortalities have occurred, one female bactrian camel and one male Arabian camel. The female bactrian camel died on October 6, 1972, at an age of seventeen years after living in the Dallas Zoo for fourteen years and producing five offspring. The cause of her death was generalized septicemia with chronic hepatic degeneration. The male Arabian camel died on April 10, 1975, at an age of fifteen years after living in the Dallas Zoo

NOVEMBER 15, 1976

DIRECTOR (FWS/LE), U.S. Fish and Wildlife Service, U.S. Department of Interior, Post Office Box 19183, Washington, D.C.

DEAR SIR: This accompanies and explains our application under Title 50, Chapter 1, Item 17.22 for a permit to:

(1) Purchase and import one male and one female, sub-adult, domestic bactrian camels *Camelus bactrianus bactrianus* for the purpose of propagation, research and educational exhibition to mass public audiences in a municipal, non-profit zoological garden.

(2) These camels were born in captivity in the spring of 1975 at the Alberta Game Farm, Sherwood Park, Alberta, Canada, T8A 3K4. They will be purchased through animal dealer, Jurgen Schulz of the Catskill Game Farm, Catskill, New York 12414. A copy of the contract is attached. Shipping arrangements will be provided by the dealer. Both he and the breeder have many years experience in shipping animals of this type and are cognizant of the pertinent government and I.A.T.A. regulations.

(3) The justification for the purchase and importation of these animals is that they will be used for the purpose of educational exhibition, research and the re-establishment of a self-sustaining population of this domestic variety of a vulnerable species. There are no wild-caught camels involved

since the subject animals are captive bred and captive born from a long term captive group of domestic bactrian camels.

(4) The Dallas Zoo is a non-profit municipal zoological garden with a very good record of breeding endangered, threatened and difficult species. Excluding the aquarium, it has an animal inventory of approximately 2000 specimens of over 700 species. It consists of 55 acres and has a staff of 83 people. It has been in existence since shortly after the turn of the century and has made constant improvements and modernizations. The zoo has excellent support of both the general public and the Dallas Zoological Society. The address is 621 East Clarendon Drive, Dallas, Texas 75203.

(5) It is planned that these camels will be kept in the same moated lot where bactrian camels have previously been exhibited and successfully bred. The dimensions of the lot are 73 feet long by 37½ feet wide with additional space of 25½ x 14½ feet in the heated, brick and concrete barn. There are permanent inside and outside water troughs. There is an adjoining pen 61½ x 21 feet that has been used for separating the male during parturition and raising weaned young and could again be utilized for these purposes.

(6) Over the years the Dallas Zoo has kept all forms of the Family Camelidae, and has successfully bred Vicuna, Guanaco, Llama,

six years and bring four young. The cause of death of this animal was respiratory failure.

The above should complete all of the information you have requested for processing of the Dallas Zoo and Aquarium permit application to import two bactrian camels.

Sincerely,

LARRY O. CALVIN,
Director, Dallas Zoo
and Aquarium.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has been assigned File Number PRT 2-491-07; please refer to this number when

submitting comments. All relevant comments received on or before April 7, 1977 will be considered.

Dated: March 3, 1977.

DONALD G. DONAHOO,
Chief, Permit Branch, Federal
Wildlife Permit Office, Fish
and Wildlife Service.


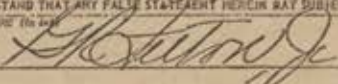
[FR Doc. 77-6824 Filed 3-7-77; 8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 4(d), 16 U.S.C. 1533(d), of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Greater Baton Rouge Zoo, P.O. Box 458, Baton Rouge, Louisiana 70821, George R. Felton, Jr., Director.

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE		FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION	
		1. APPLICATION FOR (circle only what) <input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT	
3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. Delivery, receipt, carriage, transportation or shipment in interstate commerce, in the course of a commercial activity, or sale, or offer for sale in interstate commerce, of specimens of a CSSP.	
Greater Baton Rouge Zoo P. O. Box 458 Baton Rouge, LA 70821 Phone 504 775-3877		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: "EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION" Zoological Park	
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:		6. IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED	
<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT WEIGHT	NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. George R. Felton, Jr., Director 504 775-0463	
DATE OF BIRTH	COLOR HAIR COLOR EYES	IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED	
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit numbers) Migratory Bird Permit #4-PR-5-8	
OCCUPATION	ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT	8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSED? <input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list jurisdictions and type of documents)	
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED Greater Baton Rouge Zoo Greenwood Park La. Highway 19 Baton Rouge, Louisiana		9. DESIRED EFFECTIVE DATE as soon as approved	11. DURATION NEEDED 2 year permit
8. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF \$ submitted with original application		12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 17.12(a)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. Attachments relevant to 50 CFR 17.33 permits	
CERTIFICATION			
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER 1 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.			
SIGNATURE (to sign) 		DATE 2-24-77	

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8/76

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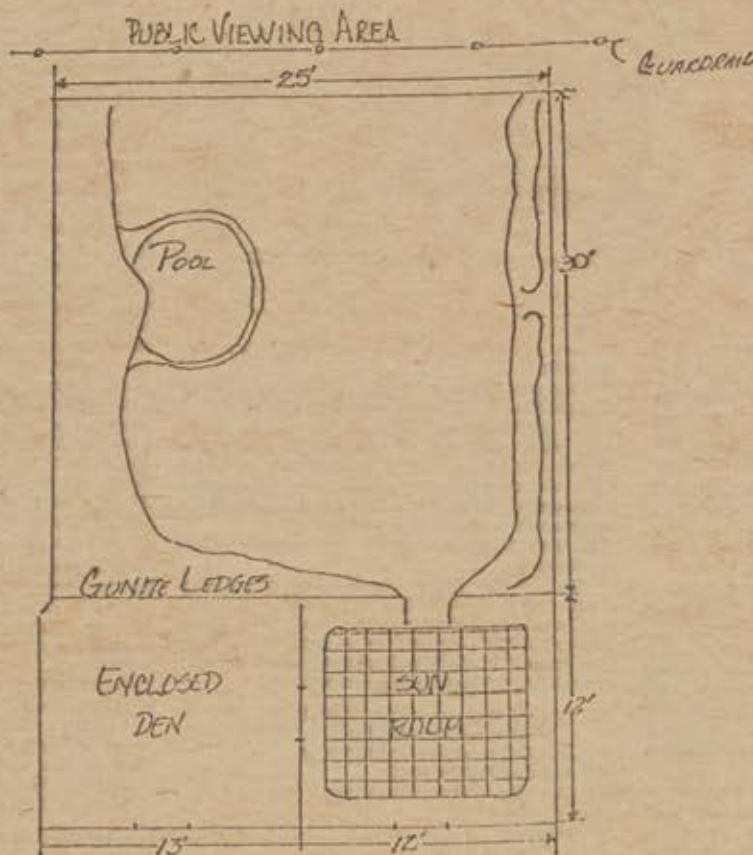
1647-1178A-70

1. Siberian Tiger (*Panthera tigris altaica*); Leopard (*Panthera pardus*); Jaguar (*Panthera onca*); Ring-tailed Lemur (*Lemur catta*).

Activity Sought To Be Authorized: Delivery, receipt, carriage, transportation or shipment in interstate commerce, in the course of a commercial activity, or sale, or offer for sale in interstate commerce, of specimens of a CSSP. Unlimited number of transactions for two-year period.

2. Description of facilities: The cats are kept in spacious cages of gunite and chain link construction. Each cage has 3 major areas:

- (1) Front viewing areas large enough for exercising, climbing and swimming (25' x 30').
- (2) A sun room away from public viewing area (12' x 12').
- (3) A den area with an elevated bench and complete darkness (13' x 12').



All cats are allowed free run of all three areas to avoid psychological problems stemming from frustrations caused by cats' moods. None of our cats are "forced" to stay in public view if it prefers the security of the darkened den. The only time a cat is locked in an area is in the case of an expectant mother that we suspect may have trouble accepting her cubs. When possible an animal of this nature is given an entire cage to itself just prior to the anticipated time of birth.

All feline cages are cleaned daily with a quaternary disinfectant and hosed down thoroughly with clear water—all run off goes directly into a sanitary sewer system. Pools are kept algae-free and a fresh input of water is maintained throughout the day.

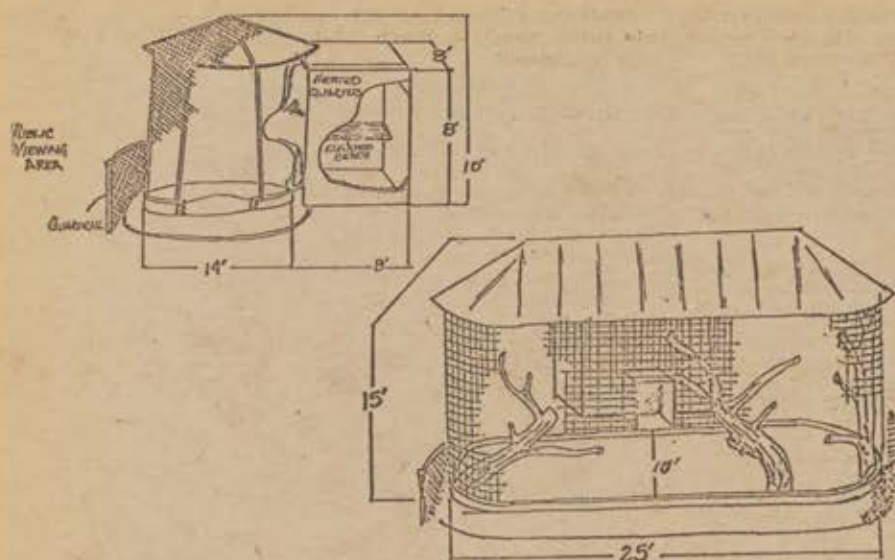
The viewing public is allowed to pass directly in front of the cages only, giving the cats a great deal of latitude in exposing themselves or retiring completely out of

sight. Most of our cats are completely comfortable in full view of the public.

There are six of these cat cages in which we house five species of large cats. The "extra" cage is used for expectant mothers or juveniles.

Some of the lemurs are housed in open-air primate exhibits of gunite and chain link. Each cage housing a maximum of four lemurs. Two areas, front and den are provided and again no attempt is made to force the animals to stay in public view. The front area is circular with ledges, bars and swings for exercise and sunning. The den area has an elevated bench and a heater for cold weather. There are eleven primate cages of this type.

Our breeding colony of ring-tailed lemurs are housed in a large Behlen cage (oblong—25' x 15' x 15') with a den. Furniture and swings are provided in the spacious front area and heating with an elevated bench are provided in the den.



All primate cages are disinfected and clear washed thoroughly every day into the sanitary sewer system. Automatic watering devices are provided in each cage. The lemurs are fed twice a day and absolutely no public feeding is allowed.

3. Personnel caring for these animals: Director: George R. Felton, 17 years zoo experience; General Curator: Gary E. Reid, 5 years zoo experience; Dietician: Florence A. Felton, 17 years zoo experience.

The Director is a Professional Fellow in the American Association of Zoological Parks and Aquariums and has been Professionally Registered with the AAZPA since 1971. He has actively served on and chaired many committees for this organization such as the Professionalism Study Committee and the Ethics Committee. He is a member of the Legislative and Membership Committees at this time.

Every policy regarding animal welfare or care in this zoo is reviewed and approved by the Director and is categorized under the supervision of the Dietician or the General Curator. All diets, feeding instructions, and nutritional requirements are formulated and prepared by the Dietician. The animal collection, exhibits, animal handling, and Animal Keepers are under the supervision of the General Curator. All personnel in contact with the animals are trained by the above and operate under the close supervision of the Curator until they exhibit proper ability and quality of work.

The Dietician is also in charge of all baby animals that must be hand raised. She and the Director have successfully raised tigers, leopards, jaguars, lions, pumas, bobcats and several species of primates, canines, and hoofed stock. Her staff is trained to assist her in the care of these nursery animals. The Curator and his wife have raised or assisted in raising lions, patas monkeys, anubis baboons, hamadryas baboons, dingoes, beaver and hoofed stock.

4. The Greater Baton Rouge Zoo sends information on all our mammal collection to ISIS and participates freely in the exchange of data and ideas with other zoos, research institutions and interested parties. Accurate records are kept on each animal in the collection with reference to tattoo or tag number, ISIS number, identifying marks, origin, birthdate, vaccinations, medications, illnesses and injuries, temperament, breeding data,

births, deaths, post mortem data, and disposition.

This zoo is actively participating in some 30 breeding loan arrangements (11 in and 9 out). Of these agreements eleven of them deal with endangered species. These figures alone should show our willingness to work with others whenever possible to propagate endangered species in an attempt to bring more species up to the CSSP level.

5. Size and description of transportation containers:

The Greater Baton Rouge Zoo has had a great deal of experience crating, shipping and handling animals of all sizes. Each shipment must be handled on an individual basis and several basic requirements must be met in each case. These requirements are:

- (1) Cage must be large enough for animal to move about freely;
- (2) Bottom must be liquid proof;
- (3) Ample ventilation;
- (4) Wire covers on vent holes;
- (5) Secure latches;
- (6) Made of:
 - a. fiber board,
 - b. fiberglass,
 - c. metal,
 - d. wood;
- (7) Ample bedding must be provided;
- (8) Containers for food and water

It is obvious that a much smaller crate can be used to ship a 20 lb. tiger cub than an 85 lb. cub. Therefore, a set cage description and dimensions cannot be stated. When use fiberglass airline flight cages of 3 different sizes as well as crates constructed by our carpenter depending on the size, strength and temperament of the animal being shipped.

The crates made of fiberglass are molded, one or two piece, cages with steel mesh vent holes and hinging doors. They are spring loaded door locking mechanisms that are further secured by wiring the mechanism shut.

The crates constructed here are usually made of 1/2-3/4" plywood, reinforced with 2 x 4's, bolted together. Galvanized wire mesh covered vent holes are provided and the inside of the crate is double checked for sharp corners, pieces of wire sticking out, etc. In some of our crates we completely line the inside with galvanized sheet tin, in others we fiberglass the bottom. The doors are usually guillotine-type and are equipped with a hasp and padlock for security.

7. The Greater Baton Rouge Zoo is qualified for and justified in obtaining a permit authorizing delivery, receipt, carriage, trans-

portation or shipment in interstate commerce, in the course of a commercial activity or sale or offer for sale in interstate commerce, of specimens of a CSSP, "T(C/P)" in the "current status" column.

One of our zoo's foremost goals is the propagation of wildlife, especially those threatened by extinction or extreme depletion of numbers in the wild. Our past experiences and efforts in this direction support the stand we have taken and encourage us to make further, more positive steps toward the end of successful reproduction in these species. Thus far, our only "tools" in this work have been caring for and encouraging breeding in our own animals and participating in breeding loan agreements with other reputable institutions. This permit would be an invaluable asset to our program, and would allow our efforts to be much more effective and productive.

This permit would enable us to avoid the inevitable surplus of animals born here, as well as ease the situation of an undesirable "gene cess pool". When a successful breeding program has neither the outlet for its surplus offspring, nor the input of fresh, vital blood lines, it becomes an inefficient, faltering operation. The surplus animals eat into the budget, making it difficult to afford the costly upkeep of the breeding colonies of specimens, and even more difficult to provide adequate and necessary environmental changes as new aspects of breeding success prerequisites become known. To compound these problems, inability to revitalize gene pools can be a devastating catastrophe when dealing with the delicate standards of pure bloodlines of sub-species * * * such as the Siberian tiger.

This permit would be used by the Greater Baton Rouge Zoo to bring in new animals that would add strength and quality to our already successful endeavors. Further, this permit would be used to place solid, purebred stock from our program into other zoos and breeding colonies to help perpetuate these successes all over the United States.

I cannot think of a more positive approach to encourage the conservation and propagation of animals than this. This zoo heartily endorses this approach and will strive to achieve and maintain its ultimate success.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has been assigned File Number PRT 2-585-25; please refer to this number when submitting comments. All relevant comments received on or before April 7, 1977 will be considered.

Dated: March 3, 1977.

DONALD G. DONAHOO,
Chief, Permit Branch, Federal
Wildlife Permit Office, U.S.
Fish and Wildlife Service.

[FR Doc. 77-6822 Filed 3-7-77; 8:45 am]


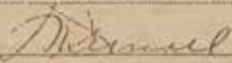
ENDANGERED SPECIES PERMIT Receipt of Application

Notice is hereby given that the following application for a permit is deemed

to have been received under section 4(d), 16 U.S.C. 1533(d), of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Lexington Pheasantry, 219 Cowlitz Drive, Kelso, Washington 98626, P. M. (Chick) Driscoll.

Form No. 22 (Rev. 7-73)

 <p>DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE</p> <p>FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION</p>	1. APPLICATION FOR (Indicate only one) Captive, self-sustaining population <input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT																																																							
	2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. The requested CSSP Permit is desired in order that I may legally transport and sell the surplus stock from existing breeders. They are as follows: Brown Eared Manchurian, White Eared Manchurian, Mikado, Elliot and Edwards Pheasants.																																																							
3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested) F. M. (Chick) Driscoll Lexington Pheasantry 219 Cowlitz Drive Kelso, Washington 98626 Phone (206)423-2460																																																								
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING: <table border="1" style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> MR</td> <td><input type="checkbox"/> MRS</td> <td><input type="checkbox"/> MISS</td> <td><input type="checkbox"/> ML</td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td colspan="4">DATE OF BIRTH</td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td colspan="4">30 July 1920</td> <td>Grey</td> <td>Brown</td> </tr> <tr> <td colspan="3">PHONE NUMBER WHERE EMPLOYED</td> <td colspan="3">SOCIAL SECURITY NUMBER</td> </tr> <tr> <td colspan="3">(206)425-1550</td> <td colspan="3">538-03-4467</td> </tr> <tr> <td colspan="6">OCCUPATION</td> </tr> <tr> <td colspan="6">Lead Order Writer-Paper Mill</td> </tr> <tr> <td colspan="6">ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT</td> </tr> <tr> <td colspan="6">None</td> </tr> </table>			<input checked="" type="checkbox"/> MR	<input type="checkbox"/> MRS	<input type="checkbox"/> MISS	<input type="checkbox"/> ML	HEIGHT	WEIGHT	DATE OF BIRTH				COLOR HAIR	COLOR EYES	30 July 1920				Grey	Brown	PHONE NUMBER WHERE EMPLOYED			SOCIAL SECURITY NUMBER			(206)425-1550			538-03-4467			OCCUPATION						Lead Order Writer-Paper Mill						ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT						None					
<input checked="" type="checkbox"/> MR	<input type="checkbox"/> MRS	<input type="checkbox"/> MISS	<input type="checkbox"/> ML	HEIGHT	WEIGHT																																																			
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None																																																								
5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION None																																																								
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED As Above 219 Cowlitz Drive Kelso, Washington 98626																																																								
7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit number) 1-PR-516																																																								
8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list jurisdiction and type of document) State of Washington Commercial Game Farm License No. CF 77-00011																																																								
9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE (ENCLOSED IN AMOUNT OF \$ N.A.)																																																								
10. DESIRED EFFECTIVE DATE as soon as possible																																																								
11. DURATION NEEDED 2 years or as authorized																																																								
12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 22.1240) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. Title 50 17.33 Attachments and enclosures, including photographs and diagrams are included with application for this CSSP Permit.																																																								
CERTIFICATION																																																								
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER 2 OF CHAPTER 1 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.																																																								
SIGNATURE (In ink) 		DATE 10 January 1977																																																						

5-000
8/74

GPO 232-545

161-02928-70

CAPTIVE, SELF-SUSTAINING PERMIT

(Title 50, 17:33, Attachment to Form 3-200)

Application requirements: (1) Pheasant species sought to be covered by the attached permit application are as follows: Brown Eared Manchurian (*Crossoptilon-manchurian*); White Eared Manchurian (*Crossoptilon-Crossoptilon*); Elliots (*Syrnaticus-elliotti*); Mikado (*Syrnaticus-mikado*); and Edwards (*Gennaesus edwardsi* (*Oustalet*)).

This requested permit, if authorized, will enable me to sell legally (interstate) the surplus stock from my existing breeders as listed above.

(2) Diagrams and pictures of the interior and exterior facilities are attached.

(3) I have been raising rare ornamental pheasants for the past six years and have been very successful in the propagation of Edwards, Satyr Tragopans, Mikado, Scintillating and Ijima Coppers, Elliot, Blue Eared Manchurian, Golden, Himalayan Monal and Java Green Peafowl.

(4) I shall be very happy to participate in any cooperative breeding program and maintain or contribute data to a "Stud Book" as directed by the U.S. Fish and Wildlife Service.

(5) All birds shipped will be in Masonite containers measuring 12" wide, 18" high and 24" long with the top on the inside lined with 1" foam rubber. Water and feed will be placed in each container. Only one bird will be contained in each shipping container and the exterior will have "LIVE BIRDS—PLEASE RUSH" printed in large letters on four sides.

(6) During the past six years the only loss of birds occurred when they flew into the top wire, breaking their neck, or attack on a chick by other chicks in a brooder. We have never lost a bird to disease.

(7) It is believed that the statements made in (3), (4), (5) and (6) above would fully justify the issuance of the requested permit.

(7) (i) As stated above, I have been raising rare ornamental pheasants for six years, several of whom are covered by the OSSP Per-

mit that I desire to obtain. In view of our previous successes, I feel confident that we will have a surplus of the young in the OSSP category which must be moved each fall or early spring. In order to insure the survival of our endangered species, surplus stock must be placed in the custody of qualified aviculturists for the enhancement of these species.

(7) (ii) I have hopes that the termination of the activity covered by the requested permit will be a long way in the future. However, at the time when I may become required to terminate my activities due to my inability to properly care for my birds, all birds will be disposed of to qualified breeders holding the OSSP Permit, or as directed by the latest regulations of the U.S. Fish and Wildlife Service.

Permit Conditions: (c) I fully understand that the above permit, if authorized and issued, will enable me to transact transfers only to those holding OSSP Permits.

Lexington Pheasantry consists of 15 pens measuring 8' wide by 6' high by 16' long, 17 pens measuring 8' wide by 6' high by 24' long, 2 pens measuring 12' wide by 35' long by 12' high, one flight pen measuring 12' wide by 7' high by 80' long, 8 pens measuring 9' long by 6' high by 8' wide, and a Java Green Peafowl pen measuring approximately 7' high by 25' wide by 25' long plus a completely enclosed house for their protection in inclement weather. All pheasant pens are constructed using creosoted 8" x 8" x 8' long or 15' long railroad ties. The house at the back of each pen is constructed of 1/2" exterior plywood with roofs measuring 8' and 12' in width and covered by 80 lb. roofing paper and covered with tar. All pens are completely enclosed with 1" mesh poultry netting; however, all outside poultry netting is being covered this spring with extremely heavy gauge 1" x 2" welded wire which will cover the outside of each pen from the base of each pen up to a height of 5', thus making them completely vermin proof. The railroad ties are used for support posts and ground runners and a profile drawing is shown below.



Also attached are several color photographs taken to show how railroad ties are utilized in our pen construction plus one showing the type of cover employed in 8 of our brooder pens plus another to show interior arrangement and the cover afforded our birds.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has been assigned File Number PRT 2-607-25; please refer to this number when submitting comments. All relevant com-

ments received on or before April 7, 1977 will be considered.

Dated: March 3, 1977.

DONALD G. DONAHOO,
Chief, Permit Branch, Federal
Wildlife Permit Office, U.S.
Fish and Wildlife Service.

[FR Doc 77-6821 Filed 3-7-77; 8:45 am]


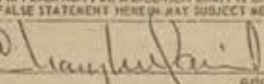
ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Regional Director, Region 1, U.S. Fish and Wildlife Service, P.O. Box 3737, Portland, Oregon 97208.

FWS-100 (3-7-77)

 <p>DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE</p> <p>FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION</p>		1. APPLICATION FORM (FWS-100)	
3. APPLICANT, (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested) U.S. Fish and Wildlife Service Regional Director, Region One P.O. Box 3737 Portland, Oregon 97208		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. To capture, hold, transport, study, rear, and transplant certain endangered fish species: Pahranaagat roundtail chub, <i>Gila robusta jordani</i> , and Moapa dace, <i>Moapa coriacea</i>	
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:	
<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MLE. DATE OF BIRTH: _____ PHONE NUMBER WHERE EMPLOYED: _____ OCCUPATION: _____	HEIGHT: _____ WEIGHT: _____ COLOR HAIR: _____ COLOR EYES: _____ SOCIAL SECURITY NUMBER: _____	EXPLAIN TYPE OF BUSINESS, AGENCY, OR INSTITUTION Conservation of U.S. Fish and Wildlife, and collection of scientific data	
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT University of Nevada-Las Vegas Bureau of Land Management, N.P.S., Nevada Department of Fish and Game		NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. 8-429-4041 R. Kahler Martinson, Regional Director IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED	
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED Southeastern Nevada		7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit numbers) Various appropriate FWS permits	
8. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF N/A		9. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSED? <input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list jurisdiction and type of document)	
10. DESIRED EFFECTIVE DATE Jan. 1, 1977		11. DURATION NEEDED Indefinite	
12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (SEE 50 CFR 17.12(a)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. (see enclosures)			
CERTIFICATION			
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS OF SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.			
SIGNATURE (In ink) 		DATE January 18, 1977	

year from the present wild stock and 25 fish of each species a year from any transplanted stock so that subtle changes in body shape can be determined. At the termination of the project, all fish will be released or those which died while captive or were sacrificed for scientific purposes will be preserved in alcohol and kept in the fish museum at the University of Nevada-Las Vegas.

4. The USFWS has a field project office located at the University of Nevada-Las Vegas. The University of Nevada-Las Vegas is a standard state university offering undergraduate and graduate degrees in a number of fields, including biology. Dr. James E. Deacon, Chairman of the Biology Department, is a highly regarded ichthyologist and aquatic ecologist and has done much research on endangered fishes, as well as being in the forefront of those trying to conserve our native fishes. All of the Pahranaagat roundtail chubs will be kept at the Fish Research Facility at the University of Nevada-Las Vegas.

Address: University of Nevada-Las Vegas, 4505 Maryland Parkway, Las Vegas, Nevada 89154.

5. All of the Pahranaagat roundtail chubs and Moapa dace are existing as wild fish in their native habitat.

6. There is no other source of these fish than the remaining wild population.

7. (i) Fish will be maintained in two aquaria rooms and an artificial stream on the campus of the University of Nevada-Las Vegas. The aquaria rooms have regulated temperature and lighting for simulation of natural conditions. The doors to the rooms are keyed and access is strictly controlled. The artificial stream is located in the Fishery Research Facility and is protected by a 10-foot high barbed wire rimmed chain-link fence. The gates to the facility are keyed and access is strictly controlled. Valid for use by permittee named above and any person who is under the direct control of, or who is employed by or under contract or a cooperator by agreement to the permittee.

(ii) Mr. Gall Kobetich, USFWS Fishery Project Biologist, and Dr. James E. Deacon and his staff will be involved in all the work under this permit. Mr. Kobetich's expertise in working with desert fishes extends to management of wild populations and directing and carrying out of field efforts to prevent the extinction of these fish. Dr. Deacon is a respected authority on desert fishes and has conducted extensive research on these species. Both are presently involved in several projects on other endangered fishes; the Devils Hole pupfish, the Warm Springs pupfish, the Pahrump killifish, and the Woundfin.

(iii) One of the major goals of our recovery effort is propagation of these fish to provide transplant stock and to provide experimental animals.

(iv) Any fish transported will be carried in a standard fish transport system with aeration and oxygen supply.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has

1. Pahranaagat roundtail chub, *Gila robusta jordani* Tanner, and Moapa Dace, *Moapa coriacea*.

Exact numbers are not known but permit is requested to cover entire population which probably numbers around 500 individuals of each species in the wild. It is requested that authorized personnel be allowed to: capture, hold, transport, study, rear, and transplant all age classes, and both sexes of the above fish species. In addition, they be allowed to capture and remove alive no more than 50 individuals of each species from the wild for scientific study, and be allowed to sacrifice no more than 25 individuals of each species for food, reproduction, and taxonomic study.

2. Native fish—not imported.

3. The pahranaagat roundtail chub and Moapa dace are listed as endangered by the Department of the Interior and the Fish and Wildlife Service is obligated to remove the fish from endangered status. The USFWS proposes to do this by studying, propagating, transplanting, and stocking these unique subspecies of the genus *Gila* and *Moapa*.

A. Proposed studies: (1) Food and feeding habits (i.e., bioenergetics); (2) Population dynamics; (3) Reproductive season and substrate requirements; (4) Competitive interactions with introduced fish; bioassay for water chemistry tolerance parameters.

B. Propagation efforts: (1) Propagation techniques; (2) Raise fish for study purposes; (3) Raise fish for future transplant and stocking purposes.

C. Transplanting and stocking efforts: (1) Suitable sites will be investigated and subsequent transplant may be required to enhance the survival of these species.

As a result of the studies proposed, some fish will have to be sacrificed especially for food and reproductive studies. In addition, when fish are moved from their native habitat and transplanted to a new environment they sometimes change morphologically. These changes will have to be studied. Because of the nature of the food, reproductive, and taxonomic studies some fish will have to be sacrificed. Permission is requested to sacrifice 25 adult fish of each species a

been assigned File Number PRT 2-614-07; please refer to this number when submitting comments. All relevant comments received on or before April 7, 1977 will be considered.

Dated: March 3, 1977.

DONALD G. DONAHO,
Chief, Permit Branch, Federal
Wildlife Permit Office, U.S.
Fish and Wildlife Service.

[FR Doc. 77-6825 Filed 3-7-77; 8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Dr. F. Prescott Ward, Chief, Ecological Research, Department of the Army, Edgewood Arsenal, Demil/Disposal Office, Aberdeen Proving Ground, Maryland 21010.

National Park Service and Fish and Wildlife Service Special Use Permits for: Chincoteague National Wildlife Refuge, VA; Assateague Island National Seashore, MD/VA; Cape Hatteras National Seashore, NC; Cumberland Island National Seashore, GA; and Everglades National Park, FL (all provide authorizations for subpermittees of mine to trap and band peregrine falcons).

GENERAL RATIONALE AND DESCRIPTION OF ACTIVITIES FOR WHICH PERMIT IS NEEDED

In January 1976 a Final Environmental Impact Statement (EIS) entitled "Mississippi Army Ammunition Plant" was filed with the President's Council on Environmental Quality. The subject of the EIS is proposed construction and operation of an Army manufacturing plant for an improved type of 155 mm artillery ammunition; the potential site is the National Space Technology Laboratory (NSTL) near the town of Bay St. Louis in southern Mississippi. The huge NSTL tract (which encompasses portions of Mississippi and Louisiana) is rich in unique flora, fauna, and habitats. As described in detail in the EIS, construction and operation of the Mississippi Army Ammunition Plant will be compatible with federal and state edicts on endangered/threatened species and protection of indigenous biota if ecological planning accompanies various phases of the project. Therefore, the purpose of this permit application is to acquire authority to provide for scientific research and management prerogatives that might be necessary to assure the protection and perpetuation of endangered species on and in the vicinity of the proposed construction site, and to provide for reintroduction options if compatible with other use of the property.

SPECIFIC INFORMATION AS REQUIRED BY 50 CFR 17.22 (A) (1) THROUGH (8) (IV) ON EACH OF THE SPECIES FOR WHICH A PERMIT IS REQUESTED

(a) First Species Sought to be Covered by the Permit.

(1) Florida panther (*Felis concolor coryi*). Activity sought to be authorized is the treeing and color marking of not more than five Florida panthers of any age and sex. It is emphasized, however, that there is no concrete evidence that the Florida panther inhabits the area. The purpose of acquiring this permit is to document its existence, then, if present, take the necessary steps to protect it.

(2) At the time of this application, the wildlife sought to be covered by the permit is still in the wild (if present at all).

(3) This section is not applicable.
(4) This section is not applicable.
(5) This section is not applicable.
(6) This section is not applicable.
(7) This section is not applicable.

(8) (i) through (iii). Purported sightings of Florida panthers began to be reported about three years ago on the NSTL site; several panthers have been reported by professional biologists working at the site. A pilot study is proposed which will either prove or tend to disprove the existence of *F. c. coryi* in the region. It is my intention to contract Mr. Roy McBride of Alpine, Texas who is a professional biologist and experienced cougar hunter (he has done extensive field work and has co-authored several technical reports on the status of the Florida panther in Florida). In the event he is not available, a person of similar skills will be sought. Field work will consist of night tracking and treeing of panthers using trained dogs plus daytime inspection of likely habitats for panther signs such as scrapes, scats, and kills. Verification of panther inhabitation will be via photographs of treed cats, photographs of signs, and analyses of scats for cougar hair. In order to ascertain that a treed cougar is different

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE		FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION	
1. APPLICATION FOR SPECIES NO. 41			
<input type="checkbox"/> IMPORT OR EXPORT LICENSE		<input checked="" type="checkbox"/> PERMIT	
2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED			
To conduct scientific research and management on certain endangered species indigenous to southern Mississippi and Louisiana including Florida panther, Mississippi sandhill crane, red-cockaded woodpecker, southern bald eagle, and American alligator			
3. APPLICANT (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)			
DR. F. PRESCOTT WARD Chief, Ecological Research Edgewood Arsenal, APG, MD 21010 (301) 671-2586			
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:			
Dr. <input checked="" type="checkbox"/> MR. <input type="checkbox"/> MISS <input type="checkbox"/> MS.		HEIGHT	WEIGHT
DATE OF BIRTH		COLOR HAIR	COLOR EYES
PHONE NUMBER WHERE EMPLOYED		SOCIAL SECURITY NUMBER	
(301) 671-2586		165-32-2200	
OCCUPATION			
Research Scientist			
5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:			
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION			
N/A			
NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.			
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED			
6. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit number)			
See attached documentation			
7. IF REQUIRED BY ANY STATE OR FEDERAL GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list jurisdiction and type of approval)			
See attached letter; Louisiana authorizations will also be obtained prior to conducting any work in that state.			
8. CERTIFIED CHECK OR MONEY ORDER (if \$50.00 or less) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF		9. DESIRED EFFECTIVE DATE	
N/A		1 April 1977	
		10. DURATION NEEDED	
		Indefinite	
12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED IS IN 50 CFR 17.22 (B) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.			
50 CFR 17.22(a)(1) through (8)(iv)			
CERTIFICATION			
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER 6 OF CHAPTER 1 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.			
SIGNATURE (In ink)		DATE	
F. Prescott Ward		3 February 1977	

SUPPLEMENTAL INFORMATION PROVIDED IN APPLYING FOR AN ENDANGERED SPECIES PERMIT TO CONDUCT SCIENTIFIC RESEARCH AND MANAGEMENT ON VARIOUS ENDANGERED SPECIES INDIGENOUS TO SOUTHERN MISSISSIPPI AND LOUISIANA

CURRENTLY VALID FEDERAL FISH AND WILDLIFE PERMITS HELD BY APPLICANT (ITEM 7 ON FORM 3-200)

Federal Bird Banding Permit 9448 with salvage rider and color-marking rider (banding

and color-banding authorization for peregrine falcons).

Federal Fish and Wildlife Endangered Species Permit Number PRT 8-251, Amendment Number 3 (authority for importation, scientific research, and banding of peregrine falcons).

Federal Fish and Wildlife Endangered Species Permit Number PRT 2-310, Subpermittee (authority to obtain blood samples from peregrine falcons for pesticide studies).

Federal Fish and Wildlife Scientific Collecting Permit PRT 2-992BA Renewal.

from one previously treed, each will be temporarily color-marked using harmless dyes. The dye will be delivered via a special marking syringe from a CO₂-charged pistol-type marking device. No more than five panthers would be so marked, and the study would not exceed thirty cumulative days in the field. Mr. Robert C. Belden, leader of the Florida panther recovery team has already been contacted (see attached correspondence), and every phase of this proposed study will be coordinated with the recovery team. If the pilot study verifies the existence of *F. c. coryi*, authority is requested to engage in management initiatives as directed by the recovery team.

(b) Second Species Sought to be Covered by the Permit.

(1) Mississippi sandhill crane (*Grus canadensis pulla*). Activity sought to be authorized is to conduct management techniques as stipulated by the Mississippi sandhill crane recovery team in an attempt to enhance the reproduction and survival of *G. c. pulla* in the wild. Cranes do not now occupy the NSTL site, but several large tracts would provide optimum habitat according to Jacob M. Valentine, Jr. (leader of the recovery team) who personally inspected the site in August 1975. Permit authority is sought to manage wild cranes should they naturally occupy the site, and to expedite reintroduction options should they ever be deemed feasible and desirable by the recovery team. Specific authority is requested: to transport and/or receive cranes or eggs for artificial incubation; to collect infertile eggs and shell fragments; to capture and band, color band, color mark, and/or radio-tag cranes; to rehabilitate injured cranes and salvage dead cranes; and to photograph various facets of any future management techniques or reintroduction scheme on the NSTL site keeping disturbance to a minimum. The number, age, and sex of Mississippi sandhill cranes to be involved in the study is unknown.

(2) At the time of this application, the wildlife sought to be covered by the permit is still in the wild (Jackson County, Mississippi) and has already been removed from the wild (some individuals in captivity at the Patuxent Wildlife Research Center, US Fish and Wildlife Service, Laurel, MD).

(3) This section is not applicable.
 (4) This section is not applicable.
 (5) This section is not applicable.
 (6) This section is not applicable.
 (7) This section is not applicable.
 (8) (i) through (iii). The remaining wild members (about 50 birds) of *G. c. pulla* occupy fire-maintained pitcher plant (*Sarracenia* sp.) savannas in nearby Jackson County, Mississippi. Mr. Jacob M. Valentine, Jr., leader of the Mississippi sandhill crane recovery team, visited the NSTL site on 28 August 1975 to evaluate prevailing habitat. Several large tracts are virtually identical to the open bogs now occupied by the cranes in Jackson County. These areas would constitute potential habitat for a naturally expanding crane population, or could be used for a reintroduction scheme if feasible and agreeable to all parties involved. Exercise of permit authority would only be as sanctioned by the recovery team.

(8) (iv). This section is not applicable.
 (c) Third Species Sought to be Covered by the Permit.

(1) Red-cockaded woodpecker (*Dendrocopos borealis*). Activity sought to be authorized is to conduct, and/or to contract to a recognized authority, ecological surveys to determine the occurrence of *D. borealis* on the NSTL tract, and, if it occurs, to determine the species' range and population size. It

is emphasized that there is no concrete evidence that the species occurs on the site. The ultimate purpose of the proposed study would be to furnish sufficient data to protect the species if it does inhabit the area. Specific authority is requested to capture and band adults and nestlings. The number, age, and sex of red-cockaded woodpeckers to be involved in the study is unknown.

(2) At the time of this application, the wildlife sought to be covered by the permit is in the wild (if present at all).

(3) This section is not applicable.
 (4) This section is not applicable.
 (5) This section is not applicable.
 (6) This section is not applicable.
 (7) This section is not applicable.
 (8) (i) through (iii). Red-cockaded woodpeckers occupy mature pine forests greater than 60 or 70 years old in southeastern U.S. Optimum pine stands are those with basal areas of 50 to 80 square feet per acre (i.e., sparse stands), particularly with trees afflicted with the fungus *Fomes pini* which causes "red-heart" disease. Several forests in the vicinity of the proposed construction site have passed or are approaching the age threshold, and they meet the other criteria. The permit would authorize a study to determine their existence, and, if present, their distribution and abundance. The ultimate goal would be to insure that construction and operation of the proposed plant would not impact adversely on the species. Responsibility for the study would probably be contracted to Dr. Jerome Jackson of Mississippi State University, who is one of the country's authorities on *D. borealis* and leader of the red-cockaded woodpecker recovery team (see attached correspondence).

(8) (iv). This section is not applicable.
 (d) Fourth Species Sought to be Covered by the Permit.

(1) American alligator (*Alligator mississippiensis*). Activities sought to be authorized are ecological surveys (mostly contracted) to determine population parameters of alligators inhabiting drainages potentially affected by the proposed ammunition plant. Surveys would be long-term and could involve capture, marking, weighing, measuring, and recapturing alligators to determine abundance, distribution, growth, and other factors potentially impacted upon by the proposed facility. The number, age, and sex of American alligators to be involved in the study is unknown.

(2) At the time of this application, the wildlife sought to be covered by the permit is in the wild.

(3) This section is not applicable.
 (4) This section is not applicable.
 (5) This section is not applicable.
 (6) This section is not applicable.
 (7) This section is not applicable.
 (8) (i) through (iii). American alligators are relatively common in all large drainage systems on the NSTL site. The ultimate goal of the proposed studies is to insure that construction and operation of the proposed facility does not impact adversely on the species.

(8) (iv). This section is not applicable.

ADDITIONAL INFORMATION AND REQUESTS

Because most of the work proposed above would be contracted to various experts, the applicant requests authority to designate in writing alternate scientific investigators who would not work under the direct physical supervision of the applicant, but would conduct research and/or management as delineated in a contract scope-of-work. Authority to proceed on a contracted investigation would be contingent upon review of the con-

tractor's qualifications and the scope-of-work, both to be submitted to the Division of Law Enforcement, US Fish and Wildlife Service at least 30 days before commencing the activity.

All permitted activities would be implemented in cooperation with respective recovery teams, and the appropriate recovery team leader would be notified when the permittee or his contractor is conducting authorized activities in the area. All activities will be in accordance with all other federal, state, and local licensing and regulatory requirements.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has been assigned File Number PRT 2-573-07; please refer to this number when submitting comments. All relevant comments received on or before April 7, 1977 will be considered.

Dated: March 3, 1977.

DONALD G. DONAHOO,
 Chief, Permit Branch, Federal
 Wildlife Permit Office, U.S.
 Fish and Wildlife Service.

[FR Doc. 77-6826 Filed 3-7-77; 8:46 am]

SNAIL DARTER

Emergency Exemption; Issuance

On February 24, 1977, letter waiving the 30 day public comment period was issued to the Regional Director, Region 4 authorizing emergency actions to enhance the survival of snail darters (*Percina tanasi*). This waiver was granted to allow the release of the snail darter into the Little Tennessee River in an attempt to achieve spawning during the spring of 1977.


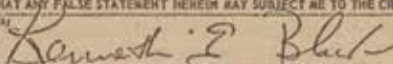
It was determined by the U.S. Fish and Wildlife Service that an emergency does in fact exist and that the health and well-being of the species are threatened and that no reasonable alternative to the proposed action is available to the applicant.

Snail darters will be moved from the holding facilities of the Morristown State Fish Hatchery and released in the Little Tennessee River upstream from the Tellico Dam.

A copy of the letter of waiver is herewith presented. This emergency waiver is provided in accordance with the Endangered Species Act of 1973, as amended by Pub. L. 94-359 (90 Stat. 911).

Dated: March 3, 1977.

DONALD G. DONAHOO,
 Chief, Permit Branch, Federal
 Wildlife Permit Office, U.S.
 Fish and Wildlife Service.

 <p>DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION</p>		1. APPLICATION FOR (Indicate only one)													
		<input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT													
2. APPLICANT, (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)		3. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.													
Regional Director U. S. Fish & Wildlife Service 17 Executive Park Dr., N. E. Atlanta, Georgia 30329 OR his designee		To replace the snail darter (<i>Percina tanasi</i>) into the Little Tennessee River above the Tellico Dam from the Morristown Fish Hatchery, Morristown, Tennessee.													
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:													
<table border="1"> <tr> <td><input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.</td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td>DATE OF BIRTH</td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td>PHONE NUMBER WHERE EMPLOYED</td> <td colspan="2">SOCIAL SECURITY NUMBER</td> </tr> <tr> <td colspan="3">OCCUPATION</td> </tr> </table>		<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT	WEIGHT	DATE OF BIRTH	COLOR HAIR	COLOR EYES	PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER		OCCUPATION			EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION Federal Agency - Fish and Wildlife Resources	
<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT	WEIGHT													
DATE OF BIRTH	COLOR HAIR	COLOR EYES													
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER														
OCCUPATION															
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT		NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. Kenneth E. Black, Reg. Director, Phone: FTS 257-4678													
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED		7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit numbers)													
Little Tennessee River and Morristown Fish Hatchery, Tennessee		8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If yes, list jurisdictions and type of documents)													
9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF \$		10. DESIRED EFFECTIVE DATE 2/23/77													
11. DURATION NEEDED 3/1/77		12. ATTACHMENTS: THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 17.23) MUST BE ATTACHED, IF CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. 50. CFR 17.23													
CERTIFICATION															
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER 1 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.															
SIGNATURE (In ink)		DATE													
		February 23, 1977													

2-209
16/74

43-11184-74

ATTACHMENT TO FEDERAL FISH AND WILDLIFE PERMIT APPLICATION

Information Required by 50 CFR Section 17.23(a):

- (1) Snail Darter (*Percina tanasi*). Approximately 600 of varied age and sex.
- (2) NA.
- (3) The fish will be taken from live-holding facilities and placed in the Little Tennessee River above Tellico Dam, an area determined to be critical habitat for the species. The fish were originally captured below Tellico Dam. They had drifted downstream and could not move back upstream to their spawning and adult habitat because of the dam. Thus, we are returning the species to their natural habitat, attempting to maintain the only viable population in existence in their natural habitat and preventing jeopardy to the species.
- (4) NA.
- (5) NA.
- (6) NA.
- (7) NA.

REGIONAL DIRECTOR,
Fish and Wildlife Service,
Department of the Interior,
Atlanta, Ga.

Attention: Harold W. Benson.

DEAR MR. BENSON: This letter will serve to waive the 30-day public comment period in regard to an application submitted by the Regional Director, U.S. Fish and Wildlife Service, Atlanta, for an emergency exemption from the provisions of the Endangered Species Act of 1973. This waiver, and the issuance of the permit, authorize the activities outlined below without the normal 30-day public comment period on the permit application.

It has been determined by the Service that the snail darters (*Percina tanasi*) must be moved from the holding facilities of the Morristown State Fish Hatchery and released in the Little Tennessee River upstream from the Tellico Dam for the health and well-

being of the species and that no reasonable alternative is available.

The Regional Director is authorized, in accordance with permit PRT 2-045, to transport all small darters collected under authority of permit PRT 2-438 from the Morristown State Fish Hatchery and to release them into the Little Tennessee River above Tellico Dam.

This authority is granted to allow the release of the small darter into the Little Tennessee River in an attempt to achieve spawning during the spring of 1977. If those held in captivity can spawn this year, it will greatly enhance the chances of survival of the species.

This exemption is granted, conditional to the provisions of endangered species permit PRT 2-045, issued February 23, 1977. A copy of this permit has been sent to the Tennessee

Valley Authority and the Tennessee Wildlife Resources Agency.

Sincerely yours,

Director.

[FR Doc. 77-8827 Filed 3-7-77; 8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Henry Doorly Zoo, Riverview Park, Omaha, Nebraska 68108.

The Henry Doorly Zoo proposes to purchase two male and two female captive-born ring-tailed lemurs (*Lemur catta*) from the San Diego Zoo. One pair was born in 1974 and the other pair in 1975; all were born at the San Diego Zoo.

3. Copy of the contract or other agreement under which such wildlife is to be imported, showing the country of origin, name and address of the seller or consignor, date of the contract, number and weight (if available), and description of the wildlife.

Attached are photocopies of letters from Mr. Clyde Hill, Curator of Mammals, San Diego Zoo, and from Dr. Lee Simmons, Director, Henry Doorly Zoo. Data to fulfill this section are contained in these letters.

3. A full statement of justification for the permit including details of the project or other plans for utilization of the wildlife in relation to zoological, educational, scientific, or propagational purposes as appropriate and the planned disposition of the wildlife upon termination of the project.

The Henry Doorly Zoo has had ring-tailed Lemurs (*Lemur catta*) in its collection for the past ten years and has had successful reproduction during this time. The recent death of the collection's female has left us with an unpaired male. The addition of the animals proposed for this permit would again allow us to successfully breed this species and continue to expand its captive breeding population.

4. A description and the address of the institution or other facility where the wildlife will be used or maintained.

The ring-tailed lemur (*Lemur catta*) will be maintained at the Henry Doorly Zoo, Omaha, Nebraska. The Henry Doorly Zoo is a non-profit institution operated by the Omaha Zoological Society. The zoo is an institutional member of the American Association of Zoological Parks & Aquariums. Founded in 1965, the zoo covers 120 acres. Annual attendance is approximately 290,000. The postal address is: Henry Doorly Zoo, Riverview Park, Omaha, NE 68107.

5. A statement that at the time of application the wildlife to be imported is still in the wild, was born in captivity or has been removed from the wild.

The four ring-tailed lemurs (*Lemur catta*) to be sent to the Henry Doorly Zoo were born at the San Diego Zoo. The letters referred to in section 2 reflect this fact.


6. A résumé of the applicant's attempts to obtain the wildlife to be imported from sources which would not cause the death or removal of additional animals from the wild.

All the animals in this transaction were born in captivity and thus will not be a drain on the natural population of wild lemurs.

(v) For the five years preceding the date of this application provide a detailed description of all mortalities involving the species covered in the application and held by the applicant, if any (or any other wildlife of the same genus or family held by the applicant), including the causes of such mortalities and the steps taken to avoid or decrease such mortalities.

During the past five years, there have been three mortalities in this genus or family. The first was a male *Lemur catta* donated to the zoo by a private individual. The animal died of pneumonia in 1973. The second was a female *Lemur catta* purchased in 1968. This animal died in 1972 of undetermined causes. The third was a female *Lemur catta* born at the Henry Doorly Zoo in 1967. She died this year from an unknown toxic agent.

The Henry Doorly Zoo has two full-time veterinarians on its staff. An active program of preventative medicine is maintained. A nursery/hospital building is located on the zoo grounds. The zoo receives excellent cooperation from local hospitals and universities. Primates are routinely tested for tu-

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION		1. APPLICATION FOR (Indicate only one)	
3. APPLICANT (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested) Henry Doorly Zoo Riverview Park Omaha, NE 68107		<input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT	
		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. Endangered species permit to receive 2.2 captive born ring-tailed lemurs (<i>Lemur catta</i>) from the San Diego Zoo, San Diego California.	
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:	
<input type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MEX.	HEIGHT	EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION	
DATE OF BIRTH	COLOR HAIR	Zoological Park	
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.	
OCCUPATION		Lee G. Simmons, D. V. M.	
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT.		IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED	
		NE	
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED Henry Doorly Zoo Riverview Park Omaha, NE 68107		7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? (If yes, list license or permit number) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Amendment No. 2 PRT-7-205-S-Z (KC)	
		8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? (If yes, list jurisdiction and type of document) N/A	
9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF N/A		10. DESIRED EFFECTIVE DATE April 1, 1977	
		11. DURATION NEEDED 8 months	
12. ATTACHMENTS, THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (see 50 CFR 22.22) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. Attachments have previously been submitted.			
CERTIFICATION			
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.			
SIGNATURE (In ink)		DATE	
		2/15/77	

DIRECTOR (FWS/LE)

U.S. Fish and Wildlife Service, U.S. Department of the Interior, P.O. Box 19183, Washington, D.C. 20036.

DEAR SIR: The Henry Doorly Zoo requests an endangered species permit to receive two

male and two female ring-tailed lemurs (*Lemur catta*) from the San Diego Zoo, San Diego, California.

1. Common and scientific names of the species or subspecies, number, age and sex of the wildlife to be covered in the permit.

bercuclosis and parasites.

7. (i) A complete description, including photographs or diagrams of the area and facilities in which the wildlife will be housed.

The lemurs will be displayed during warm weather in a Model E-15C Behlen Circular Cage (mfr. by Behlen Manufacturing Co. Columbus, Nebraska). The cage is 16 ft. 6 in. in diameter, 15 ft. tall at the cave, 23 ft. tall at the top. The welded, galvanized steel mesh is covered with a black silicized polyester. These cages have been successfully utilized for breeding groups of animals in many zoological gardens. A picture of the cage is attached. The cage will contain a large tree climbing ropes, and a hide box.

During cold weather, the lemurs will be housed inside our Primate Research Building in indoor cages. The heated lemur area is 16 ft. long and 12 ft. wide, ceiling height is 16 ft. A drawing of the facility is attached. The area will have climbing apparatus and several resting boards.

(ii) A brief résumé of the technical expertise available, including any experience the applicant or his personnel have had in propagating the species or closely related species to be imported.

Personnel résumés of the Henry Doorly Zoo senior staff, who will be involved with caring for the lemurs are enclosed. In their zoo careers, they have had experience in propagating ring-tailed lemurs (*Lemur catta*).

(iii) A statement of willingness to participate in a cooperative breeding program and maintain or contribute data to a studbook.

We are willing to participate in a co-operative breeding program and to contribute data to a studbook.

(iv) A detailed description of the type, size and construction of the container; arrangements for feeding, watering, and other wildlife caring for the wildlife in transit; and the arrangements for caring for the wildlife on importation into the United States.

The lemurs will be transported from San Diego to Omaha on a direct flight on either United or American Airlines. The shipping crates will exceed the minimum standards required by the International Air Transport Association (IATA). Feeding and watering facilities are built into the crates.

8. (iv) The planned disposition of such wildlife upon termination of the activities sought to be authorized.

The university of Nebraska at Lincoln Museum of Natural History or the University of Omaha's Biology Department receives suitable carcasses after thorough post mortem examination. Carcasses or "part thereof" are also utilized by the zoo's docents as part of their educational program for the Henry Doorly Zoo.

"I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I, Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001."

Sincerely,

LEE G. SIMMONS,
Director.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Room 512, 1717 H Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written

data, views, or arguments, preferably in triplicate, to the Director (FWS/WPO), U.S. Fish and Wildlife Service, Washington, D.C. 20240. This application has been assigned File Number PRT 2-549-07; please refer to this number when submitting comments. All relevant comments received on or before April 7, 1977 will be considered.

Dated: March 3, 1977.

DONALD G. DONAHOE,
Chief, Permit Branch, Federal
Wildlife Permit Office, U.S.
Fish and Wildlife Service.

[FR Doc.77-6910 Filed 3-7-77;8:45 am]

Geological Survey

RESEARCH AND DEVELOPMENT ASSESSMENT ON SAFETY AND POLLUTION CONTROL FOR OCS OPERATIONS

Final Report; Extension of Comments Period

The Geological Survey hereby extends the time to submit written comments concerning the report prepared by Harry Diamond Laboratories entitled "Final Report: Research and Development Assessment on Safety and Pollution Control for Outer Continental Shelf Operations" to May 1, 1977. A request for comments on this report was previously published in the FEDERAL REGISTER (42 FR 8232) on February 9, 1977.

Interested parties may submit written comments to:

Acting Chief, Conservation Division, U.S. Geological Survey, National Center, Mail Stop 600, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

W. A. RADLINSKI,
Acting Director.

[FR Doc.77-6719 Filed 3-7-77;8:45 am]

National Park Service

NATIONAL CAPITAL MEMORIAL ADVISORY COMMITTEE

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the National Capital Memorial Advisory Committee will be held at 1:30 p.m. on Tuesday, April 5, 1977, in Room 234 at the National Capital Region Headquarters, 1100 Ohio Drive SW., Washington, D.C.

The Committee was established for the purpose of preparing and recommending to the Secretary broad criteria, guidelines, and policies for memorializing persons and events on Federal lands in the National Capital Region (as defined in the National Capital Planning Act of 1952, as amended) through the media of monuments, memorials, and statues. It is to examine each memorial proposal for adequacy and appropriateness, make recommendations to the Secretary with respect to site location on Federal land in the National Capital Region and to serve as an information focal point for those seeking to erect memorials on Federal land in the National Capital Region.

The members of the Committee are as follows:

Mr. Gary E. Everhardt (Chairman), Director, National Park Service, Washington, D.C.
Mr. George M. White, Architect of the Capitol, Washington, D.C.
General Mark W. Clark, Chairman, American Battle Monuments Commission, Washington, D.C.
Mr. J. Carter Brown, Chairman, Fine Arts Commission, Washington, D.C.
Mr. David Childs, Chairman, National Capital Planning Commission, Washington, D.C.
Honorable Walter E. Washington, Mayor of the District of Columbia, Washington, D.C.
Mr. Nicholas Panuzio, Commissioner, Public Buildings Service, Washington, D.C.

The purpose of the meeting is to consider:

1. H.R. 2960—To authorize the Secretary of the Interior to erect a memorial in honor of the 56 signers of the Declaration of Independence in Constitution Gardens in the District of Columbia.

2. H.R. 1210—To authorize the Secretary of the Interior to establish a National Law Enforcement Heroes Memorial within the District of Columbia and for other purposes.

3. H.J. Res. 108—To authorize the erection of a memorial on public grounds in the District of Columbia or its environs in honor and commemoration of members of the Armed Forces of the United States who served in the Vietnam War.

4. H.R. 1009 and S. 244—To authorize the construction and maintenance of the General Draza Mihailovich Monument in Washington, District of Columbia, in recognition of the role he played in saving the lives of approximately five hundred United States airmen in Yugoslavia during World War II.

5. To consider alternative designs for architectural supports to hang the American Legion Freedom Bell.

The meeting will be open to the public. Any person may file with the Committee a written statement concerning the matters to be discussed. Persons who wish to file a written statement or who want further information concerning the meeting may contact Mr. Richard L. Stanton, Associate Regional Director, Cooperative Activities, National Capital Region, at area code 202-426-6715. Minutes of the meeting will be available for public inspection 2 weeks after the meeting at the Office of National Capital Region, Room 208, 1100 Ohio Drive SW., Washington, D.C.

Dated: February 28, 1977.

MANUS J. FISH, JR.,
Regional Director,
National Capital Region.

[FR Doc.77-6887 Filed 3-7-77;8:45 am]

NATIONAL REGISTER OF HISTORIC PLACES

Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before March 1, 1977. Pursuant to § 60.13(a) of 36 CFR

Part 60, published in final form on January 9, 1976, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the Keeper of the National Register, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. Written comments or a request for additional time to prepare comments should be submitted by March 18, 1977.

JERRY L. ROGERS,
Chief, Office of Archeology
and Historic Preservation.

ALASKA

Matanuska-Susitna Division

Palmer, *Palmer Depot*, AK 1.
Wasilla, *Wasilla Depot*, Parks Highway and
Knik Rd.

Yukon-Koyukuk Division

Gold Creek vicinity, *Sustina River Bridge*, N
of Gold Creek.
Nenana, *Nenana Depot*, A St.

CONNECTICUT

Fairfield County

Westport, *Godillot Place*, 60 and 65 Jesup Rd.

GEORGIA

Oglethorpe County

Crawford vicinity, *Amis-Elder House*, W of
Crawford on Elder Rd.
Crawford vicinity, *Langston-Daniel House*, 5
mi. W of Crawford on U.S. 78.
Vesta vicinity, *Gilmer, Thomas M., House*, E
of Vesta off GA 17.

Troup County

LaGrange vicinity, *Rutledge House*, S of La-
Grange on Bartley Rd.

IDAHO

Bannock County

Pocatello, *Pocatello Federal Building*, Lewis
and Arthur Ave.

KENTUCKY

Fulton County

Fulton vicinity, *Whitesell, Jesse, House*, W of
Fulton on KY 116.

LOUISIANA

St. Bernard Parish

St. Bernard vicinity, *Magnolia Mound*, E of
St. Bernard.

MARYLAND

Baltimore (independent city)

U.S. Post Office and Courthouse, 111 N. Cal-
vert St.

NEBRASKA

Douglas County

Omaha, *Specht, Christian, Building*, 1110
Douglas St.

Lancaster County

Lincoln, *Ziener, Arthur C., House*, 2030
Euclid St.

NEW JERSEY

Hudson County

Boboken, *Church of the Holy Innocents*,
Willow Ave. and 6th St.

Middlesex County

New Brunswick, *Demarest House*, 542 George
St.

Warren County

Columbia vicinity, *Fairview Schoolhouse*, E
of Columbia on Dean Rd.

PENNSYLVANIA

Adams County

East Berlin vicinity, *Kuhn Fording Covered
Bridge*, S of East Berlin on Kuhn Fording
Rd.

Berks County

Stonersville vicinity, *Mill Tract Farm*, 1.3 mi.
NE of Stonersville on Mill Rd.

Bucks County

Rushland vicinity, *Vansant Farmhouse*, N of
Rushland on Cedar Ln.

Butler County

Butler, *Butler County Courthouse*, S. Main
and Diamond Sts.

Chester County

Coatesville, *National Bank of Coatesville
Building*, 234 E. Lincoln Highway.
Marshallton vicinity, *Carter-Worth House
and Farm*, E of Marshallton.

Crawford County

Meadville, *Bently Hall*, Allegheny College
campus.

Cumberland County

Shippensburg vicinity, *Blythe, Benjamin,
Homestead*, S of Shippensburg on Means
Hollow Rd.

Philadelphia County

Philadelphia, *Laurel Hill Cemetery*, 3822
Ridge Ave.

York County

York vicinity, *Bizler, Michael, Plantation*, N
of York on Mundis Race Dr.

PUERTO RICO

Esperanza vicinity, *Hacienda Casa del
Frances*, NW of Esperanza.
Humacao, *Casa Roig*, Antonio Lopez 66.
Isabel, *Paro de Vieques*, off PR 38.
Isabel, *Fuerte de Vieques*, Calle del Puerte.
Lares, *San Jose de Lares*, Plaza de Recreo,
Calle San Jose, and Calle Comercio.
Mayaguez, *Edificio Jose de Diego*, University
of Puerto Rico campus.

TENNESSEE

Shelby County

Memphis, *Rayner, Ell, House*, 1020 Rayner
St.

Sullivan County

Bristol vicinity, *Steel-Senecker Houses*, 4 mi.
W of Bristol on TN 126.

TEXAS

Floyd County

Quitaque vicinity, *Quitaque Railway Tun-
nel*, 10 mi. SW of Quitaque.

Galveston County

Port Bolivar, *Point Bolivar Lighthouse*, TX
87.

Harrison County

Marshall vicinity, *Edgemont*, 3 mi. W of
Marshall on Longview Rd.

Pecos County

Sheffield vicinity, *Cannon Ranch Railroad
Eclipse Windmill*, W of Sheffield on Charles
C. Canon Ranch.

Smith County

Tyler vicinity, *Tyler Hydraulic-Fill Dam*, W
of Tyler off TX 31.

UTAH

Salt Lake County

Salt Lake City, *McIntyre Building*, 68-72 S.
Main St.

Sanpete County

Manti, *Patten, John, House*, 95 W. 400 North.

Utah County

Salem, *Gardner, Ira W., House*, 10 N. Main
St.
Springville, *Houtz, Jacob, House*, 980 N. Main
St.

Weber County

Ogden, *Becker, Gustav L., House*, 2408 Van
Buren Ave.

WYOMING

Uinta County

Evanston, *Uinta County Courthouse*, Court-
house Square.

[PR Doc.77-6733 Filed 3-7-77;8:45 am]

INTERNATIONAL TRADE
COMMISSION

[USTIC SE-77-17A]

GOVERNMENT IN THE SUNSHINE

Additional Persons Expected To Be Present
at Closed Portion of Meeting of March 3,
1977

At its meeting of March 3, 1977, the
Commission acting on the authority of
19 U.S.C. 1335 and in conformity with
19 CFR 201.35 (b) and (e) (1), amended
the portion of its public notice for the
meeting of March 3, 1977, which pertains
to the selection of personnel under re-
organization (agenda item No. 5) in
closed session. The following person and
his corresponding affiliation is also ex-
pected to be present during the closed
portion of the meeting:

Robert A. Cornell, Acting Deputy Director of
Operations.

By order of the Commission.

Issued: March 3, 1977.

KENNETH R. MASON,
Secretary.

[PR Doc.77-6899 Filed 3-7-77;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration
EMPLOYMENT TRANSFER AND BUSINESS
COMPETITION DETERMINATIONS UN-
DER THE RURAL DEVELOPMENT ACT

Notice of Applications

The organizations listed in the attach-
ment have applied to the Secretary of
Agriculture for financial assistance in
the form of grants, loans, or loan guar-
antees in order to establish or improve
facilities at the locations listed for the
purposes given in the attached list. The
financial assistance would be authorized
by the Consolidated Farm and Rural De-
velopment Act, as amended, 7 U.S.C. 1924
(b), 1932, or 1942(b).

The Act requires the Secretary of La-
bor to determine whether such Federal
assistance is calculated to or is likely to
result in the transfer from one area to
another of any employment or business
activity provided by operations of the
applicant. It is permissible to assist the
establishment of a new branch, affiliate
or subsidiary, only if this will not result
in increased unemployment in the place

of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

Applications received during the week ending Feb. 25, 1977

Name of applicant	Location of enterprise	Principal product or activity
Burton Enterprises, Inc.	Cobleskill, N.Y.	Millwork and glass products.
Gunn Associates of New Jersey, Inc.	Pine Brook, N.J.	Pleating, decorative and novelty stitchery productions.
Black Diamond Service Co., Inc.	Fayetteville, W. Va.	Manufacture of roof bolter for mines.
Byrd Foods, Inc.	Parkley, Va.	Dried and dehydrated fruits, vegetables, and soup mixes.
Cedarcrest Mobile Homes County of Madison	Huntington, W. Va. Madison County, Tenn.	Residential mobile homesites. Development of industrial park.
Wonderland of Florida, Inc.	Bunnell, Fla.	Amusement parks.
Ball-Co Contractors, Inc.	Bay Minette, Ala.	General contractors.
Robert D. Mathis (tenant to the city of Carbondale)	Carbondale, Ill.	Manufacture of plastic bags.
Tri-County Radio, Inc.	Monticello, Minn.	Operation of an AM/FM commercial radio station.
Electric Wire Corp. (tenant to the village of Spring Green)	Spring Green, Wis.	Manufacture of electrical harnesses.
Motek Engineering Manufacturing	Cambridge, Minn.	Nonelectrical machinery parts and repair shop.
Stein Furniture & Fixture Co.	Fredericksburg, Tex.	Manufacture of metal display shelving and custom wood production of store fixtures, technical and office furniture.
Lincoln Eggs, Inc.	Lincoln, Ark.	Hatching pullets for commercial egg producers.
Thomas A. McPherron, DVM.	Holyoke, Colo.	Veterinary services.
Hartvik P. Garsjo	Glasgow, Mont.	70-unit motel complex.

[FR Doc. 77-6590 Filed 3-7-77; 8:45 am]

**Employment and Training Administration
JOB CORPS**

**Experimental Project: Waiver of Limited
Prohibition Against Travel Home at Govern-
ment Expense**

BACKGROUND

The provisions on leave and travel expenses for enrollees in the Job Corps are contained in sections 409(a) and 409(b) of the Comprehensive Employment and Training Act of 1973, as amended (CETA), 29 U.S.C. sections 919(a) and 919(b), and in § 97a.91 of Title 29, Code of Federal Regulations.

The Job Corps has experienced a continually high dropout rate during the first 30 to 45 days of enrollees' service. Various reasons, such as poor orientation and homesickness, have been given for the inordinately high early dropout rate, but while orientation procedures have

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Employment and Training, 601 D St., NW, Washington, D.C. 20213.

Signed at Washington, D.C. this 1st day of March, 1977.

ROBERT J. McCANNON,
Deputy Assistant Secretary-
Designate for Employment
and Training.

nual leave before the corpsmember has spent 6 months in service. Further, 29 CFR 97a.91(d) provides that a corpsmember may take only one annual leave with transportation at Government expense in a year of enrollment. However, section 413(b) of CETA, 29 U.S.C. section 923(b), permits the United States Secretary of Labor to waive any of the provisions of Title IV of CETA, 29 U.S.C. section 911 et seq., which the Secretary finds would prevent the carrying out of elements of experimental projections under section 413(b).

EXPERIMENTAL PROJECT

Pursuant to section 413(b) of CETA, 29 U.S.C. section 923(b), an experimental project will be conducted at four Job Corps Centers: The Keystone Job Corps Center at Drums, Pennsylvania; the Golconda Job Corps Center at Golconda, Illinois; the Timberlake Job Corps Center at Estacada, Oregon; and the Tongue Point Job Corps Center at Astoria, Oregon. The first eligibility date for home leave will be April 13, 1977, and the last date for home leave will be October 12, 1977.

Under the project, corpsmembers would be entitled to a 1 week home leave after 6 weeks of satisfactory service from the date he/she commenced travel to the first center of assignment during his/her current enrollment. Home leave is defined as a Saturday, Sunday, 2 days' travel time at Government expense, and 3 days of the corpsmember's accrued annual leave. Satisfactory service will be defined by the individual Center Directors during the orientation of new corpsmembers.

The corpsmember would also be entitled to another home leave after 6 months of satisfactory service after his/her return from the first home leave at Government expense. For corpsmembers who choose not to take the home leave at 6 weeks, the home leave entitlement after 6 months of satisfactory service would apply.

The primary objectives of the experimental project are:

(a) To measure loss-rate of enrollees during their first 30 to 45 days in the Job Corps;

(b) To measure the impact on recruitment costs which may result from a reduced enrollee turnover at the four centers; and

(c) To measure the cost savings in center operations which may result from reduced enrollee attrition at the four centers.

If the Department of Labor deems the project successful, the Secretary will consider requesting from Congress the authority to make the waiver of section 409(b) contained in this document permanent.

WAIVERS

Based on the authority granted to the United States Secretary of Labor in section 413(b) of the Comprehensive Employment and Training Act of 1973, as amended (CETA), 29 U.S.C. section 923(b), to waive any provision of Title IV of CETA, 29 U.S.C. section 911 et seq., for

been improved, no substantial lowering of the dropout rate has occurred.

At Job Corps centers where corpsmembers come from nearby localities, the early dropout rate is significantly lower than at centers where the corpsmembers come from more distant localities—For example, in a study of 14 centers—5 with input from nearby localities, and 9 with input from more distant localities—it was found that the 30-day loss rate during fiscal year 1975 was 3.3 percent—23.5 percent at the 5 local input centers, and 26.0 percent—37.2 percent at the 9 distant input centers. It seems, therefore, that a more flexible home level policy would lower the dropout rate.

While corpsmembers may travel home at Federal Government expense after their first 6 months of service, section 409(b) of CETA, 29 U.S.C. section 919(b), and 29 CFR 97a.91(d) prohibit transportation at Government expense for an-

experimental purposes, and the delegation of that authority to the Assistant Secretary for Employment and Training by Secretary's Order No. 4-75 (40 FR 18515; April 23, 1975), and for the purposes of conducting the above-described experimental project, I hereby waive the provision contained in the second sentence in section 409(b) of CETA, 29 U.S.C. section 919(b), which states that the Secretary of Labor shall not assume transportation costs connected with leave of any enrollee who has not completed at least 6 months of service in the Job Corps; the implementation of 29 U.S.C. section 919(b) contained in the second sentence in § 97a.91(d) of Title 29, Code of Federal Regulations; and the provision in the second sentence of § 97a.91(d) of Title 29, Code of Federal Regulations, which states that a corpsmember in the Job Corps shall be allowed only one annual leave with transportation at Government expense per year of enrollment. These waivers shall be in effect only at the Keystone, Golconda, Timberlake, and Tongue Point Job Corps Centers, and only from April 13, 1977, through October 12, 1977.

REPORT OF FINDINGS

Pursuant to section 413(b) of CETA, 29 U.S.C. section 923(b), the Secretary of Labor will, in the annual report of the Secretary, report to the Congress concerning this experimental project.

Signed at Washington, D.C., on March 2, 1977.

WILLIAM B. HEWITT,
Acting Assistant Secretary
for Employment and Training.

[FR Doc.77-6833 Filed 3-7-77;8:45 am]

Occupational Safety and Health Administration ADVISORY COMMITTEE ON CONSTRUCTION SAFETY AND HEALTH Meeting

Notice is hereby given that the Advisory Committee on Construction Safety and Health, established under section 107(e) (1) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and section 7(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) will meet on March 29 and 30, 1977, starting at 9:00 a.m., in the Francis Scott Key Room, Key Bridge Marriott, Rosslyn, Virginia. The meeting is open to the public.

The agenda for this meeting will include the swearing in of Committee members, a review of OSHA activities as they relate to the construction industry, a discussion of proposed citation guidelines at multi-employer worksites, discussion of the development of standards and general compliance activities as they relate to the safety and health of construction workers, and development of plans for future meetings. Any materials provided to members of the Committee are available for inspection and copying at the Committee Management Office.

Written data related to Committee activities may be submitted, preferably with 20 copies, to the Committee Management Office. Any such submissions received prior to the meeting will be provided to the members of the group and will be included in the record of the meeting.

Communications may be mailed to:

Ken Hunt, Committee Management Office,
Department of Labor—OSHA, 3rd. Street
and Constitution Avenue, N.W., Room N-
3635, Washington, D.C. 20210 Phone: (202)
623-8024.

Signed at Washington, D.C., this 2d
day of March 1977.

JOSEPH KIRK,
Acting Deputy Assistant
Secretary of Labor.

[FR Doc.77-6834 Filed 3-7-77;8:45 am]

Office of the Secretary

[TA-W-1,680]

A-M FASHIONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 7, 1977 the Department of Labor received a petition dated February 2, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of A-M Fashions, Incorporated, New Britain, Connecticut (TA-W-1,680). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with women's clothes produced by A-M Fashions, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to

the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th
day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6835 Filed 3-7-77;8:45 am]

[TA-W-1,673]

AMERICAN BAZAAR, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 14, 1977 the Department of Labor received a petition dated February 2, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of American Bazaar, Incorporated, New Britain, Connecticut (TA-W-1,673). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with ladies' coats and suits produced by American Bazaar, Incorporated, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6836 Filed 3-7-77; 8:45 am]

[TA-W-1,648]

ANNA-RUBINA, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977 the Department of Labor received a petition dated January 31, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Anna-Rubina, Inc., Port Isabel, Texas (TA-W-1,648). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Anna-Rubina, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor,

200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6837 Filed 3-7-77; 8:45 am]

[TA-W-1,656]

BENDIX CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 14, 1977, the Department of Labor received a petition dated February 1, 1977, which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Automobile, Aerospace, Agricultural and Implement Workers of America on behalf of the workers and former workers of Hydraulics Division, St. Joseph, Michigan of The Bendix Corporation, Southfield, Michigan (TA-W-1,656). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with rear wheel cylinders produced by The Bendix Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firms or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200

Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6838 Filed 3-7-77; 8:45 am]

[TA-W-1,643]

BORDER FISHERIES, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977, the Department of Labor received a petition dated February 6, 1977, which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Border Fisheries, Inc., Port Isabel, Texas, a wholly-owned subsidiary of Callaway Ice & Fuel Company, Inc., Port Isabel, Tex. (TA-W-1,643). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Border Fisheries, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[PR Doc.77-6839 Filed 3-7-77;8:45 am]

[TA-W-1,670]

CARDINAL COTTONS CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 7, 1977, the Department of Labor received a petition dated January 28, 1977, which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Cardinal Cottons Corporation, New York, New York, a wholly-owned subsidiary of Dero Industries, New York, New York (TA-W-1,670). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with ladies' robes and loungewear produced by Cardinal Cottons Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[PR Doc.77-6840 Filed 3-7-77;8:45 am]

[TA-W-1,671]

CARDINAL COTTONS CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 7, 1977, the Department of Labor received a petition dated January 28, 1977, which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Coatesville Warehouse, Coatesville, Pennsylvania, of Cardinal Cottons Corp., New York, New York, a wholly-owned subsidiary of Dero Industries, N.Y., N.Y. (TA-W-1,671). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the warehousing and shipping of ladies' robes and loungewear provided by Cardinal Cottons Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200

Constitution Avenue NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[PR Doc.77-6841 Filed 3-7-77;8:45 am]

[TA-W-1,669]

CENTRAL SHOE MANUFACTURING CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 3, 1977, the Department of Labor received a petition dated January 31, 1977, which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Central Shoe Manufacturing Co., Norwich, Connecticut (TA-W-1,669). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports or articles like or directly competitive with Men's and Children's shoes produced by Central Shoe Manufacturing Co. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6842 Filed 3-7-77;8:45 am]

[TA-W-1,666]

CHERIE BRASSIERE COMPANY, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 2, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Corset and Brassiere Workers' Union on behalf of the workers and former workers of Cherie Brassiere Company, Inc., Brooklyn, New York (TA-W-1,666). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with brassieres and girdles produced by Cherie Brassiere Company, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 17th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6843 Filed 3-7-77;8:45 am]

[TA-W-1,672]

CONVERSE RUBBER CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 17, 1977 the Department of Labor received a petition dated February 14, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Converse Rubber Company, Wilmington, Mass., a Division of Eltra Corporation, New York, New York (TA-W-1,672). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with rubber, canvas and leather athletic footwear produced by Converse Rubber Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6844 Filed 3-7-77;8:45 am]

[TA-W-1,665]

DELUXE FASHIONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 2, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Corset and Brassiere Workers' Union on behalf of the workers and former workers of DeLuxe Fashions, Inc., New York, New York (TA-W-1,665). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with brassieres and girdles produced by DeLuxe Fashions, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing. *Provided*, such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 17th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6845 Filed 3-7-77;8:45 am]

[TA-W-1,664]

ELEGANTE FOUNDATIONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 2, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Corset and Brassiere Workers' Union on behalf of the workers and former workers of Elegante Foundations, Inc., New York, New York (TA-W-1,664). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of article like or directly competitive with girdles produced by Elegante Foundations, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 17th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6846 Filed 3-7-77;8:45 am]

[TA-W-1,675]

GAYTONE FASHIONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 7, 1977 the Department of Labor received a petition dated February 2, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers and former workers of Gaytone Fabrics, Incorporated, New York, New York (TA-W-1,675). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textile printing for fabrics provided by Gaytone Fabrics, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6847 Filed 3-7-77;8:45 am]

[TA-W-1,679]

GILBERT SHOE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 15, 1977 the Department of Labor received a petition dated February 11, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of The Gilbert Shoe Company, Thiensville, Wisconsin (TA-W-1,679). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with children's footwear produced by The Gilbert Shoe Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6848 Filed 3-7-77;8:45 am]

[TA-W-1,667]

GOLD SEAL GARTER CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 2, 1977, the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Corset and Brassiere Workers' Union on behalf of the workers and former workers of Gold Seal Garter Corporation, New York, New York (TA-W-1,667). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with brassieres, girdles, and garter belts produced by Gold Seal Garter Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 17th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6849 Filed 3-7-77;8:45 am]

[TA-W-1,652]

GULFWAY TRAWLERS

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977, the Department of Labor received a petition dated January 31, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Gulfway Trawlers, Port Isabel, Texas (TA-W-1,652). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Gulfway Trawlers or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 15th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6859 Filed 3-7-77;8:45 am]

[TA-W-1,660]

INTERNATIONAL SHOE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 8, 1977 the Department of Labor received a petition dated January 27, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of El Dorado Springs, Missouri, plant of International Shoe Co., St. Louis, Missouri, a div. of Interco, Inc., St. Louis, Missouri (TA-W-1,660). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with women's and children's shoes produced by International Shoe Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6851 Filed 3-7-77; 8:45 am]

[TA-W-1,649]

JEANNIE

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Jeannie, Los Fresnos, Texas (TA-W-1,649). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Jeannie or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6852 Filed 3-7-77; 8:45 am]

[TA-W-1,682]

J. G. KNITS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 9, 1977 the Department of Labor received a petition dated February 4, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of J. G. Knits, Incorporated Ridgefield, New Jersey (TA-W-1,682). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with knitted dresses, blouses, suits and sweaters produced by J. G. Knits, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6853 Filed 3-7-77; 8:45 am]

[TA-W-1,647]

JOE & RUBEN BARRERA

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Joe & Ruben Barrera, Port Isabel, Texas (TA-W-1,647). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Joe & Ruben Barrera or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6854 Filed 3-7-77; 8:45 am]

[TA-W-1,678]

JOSEPH PETRILLI

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 17, 1977 the Department of Labor received a petition dated February 14, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies Garment Workers Union on behalf of the workers and former workers of Joseph Petrilli, Egg Harbor, New Jersey (TA-1,678). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with ladies' blazers, winter coats and 4 seasons coats produced by Joseph Petrilli or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6856 Filed 3-7-77;8:45 am]

[TA-W-1,674]

KENBAR INDUSTRIES

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 15, 1977 the Department of Labor received a petition dated February 7, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Kenbar Industries, Whitehouse, New Jersey (TA-W-1,674). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with electronic testing equipment produced by Kenbar Industries or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6856 Filed 3-7-77;8:45 am]

[TA-W-1,668]

LITTLE FALLS FOOTWEAR, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 11, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Little Falls Footwear, Inc., St. Johnsville, New York (TA-W-1,668). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with slippers and casual shoes produced by Little Falls Footwear, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 22d day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6867 Filed 3-7-77;8:45 am]

[TA-W-1,644]

LLOYD GUILLOT**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Lloyd Guillot, Port Isabel, Texas (TA-W-1,644). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Lloyd Guillot or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing; *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6858 Filed 3-7-77;8:45 am]

[TA-W-1,655]

LUCHADOR**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Luchador, Port Isabel, Texas (TA-W-1,655). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Luchador or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing; *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6859 Filed 3-7-77;8:45 am]

[TA-W-1,651]

MADLIN SHRIMP, INC.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Madlin Shrimp, Incorporated, Port Isabel, Texas (TA-W-1,651). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Madlin Shrimp, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing; *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 15th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6860 Filed 3-7-77;8:45 am]

[TA-W-1,681]

MAIDENFORM, INC.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 11, 1977 the Department of Labor received a petition dated February 7, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies Garment Workers Union on behalf of the workers and former workers of Perth Amboy, New Jersey plant of Maidenform, Incorporated, New York, New York (TA-W-1,681). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with brassieres, girdles, and swimsuits produced by Maidenform, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6861 Filed 3-7-77; 8:45 am]

[TA-W-1,659]

MAR MAC MANUFACTURERS, INC.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 7, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Mar Mac Manufacturers, Inc., Baltimore, Maryland (TA-W-1,659). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's slacks and shorts produced by Mar Mac Manufacturers, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6862 Filed 3-7-77; 8:45 am]

[TA-W-1,642]

MICHAEL BERKOWITZ COMPANY, INC.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On January 24, 1977 the Department of Labor received a petition dated January 18, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing & Textile Workers Union on behalf of the workers and former workers of Waynesburg, Pennsylvania plant of Michael Berkowitz Company, Inc., New York, New York (TA-W-1,642). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and ladies' sleepwear produced by Michael Berkowitz Company, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 10th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.77-6863 Filed 3-7-77; 8:45 am]

[TA-W-1,657]

MILADY BRASSIERE & CORSET CO., INC.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 2, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Corset and Brassiere Workers' Union on behalf of the workers and former workers of Milady Brassiere & Corset Co., Inc., New York, New York (TA-W-1,657). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with brassieres and girdles produced by Milady Brassiere & Corset Co., Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6864 Filed 3-7-77; 8:45 am]

[TA-W-1,653]

NIKKI G.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Nikki G., Port Isabel, Texas (TA-W-1,653). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Nikki G. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 15th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6865 Filed 3-7-77; 8:45 am]

[TA-W-1,686]

OHIO FERRO-ALLOYS CORP.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 8, 1977 the Department of Labor received a petition dated February 1, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of the Philo, Ohio plant of Ohio Ferro-Alloys Corporation, Canton, Ohio (TA-W-1,686). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with silicon metal produced by Ohio Ferro-Alloys Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.77-6866 Filed 3-7-77; 8:45 am]

[TA-W-1,687]

OHIO FERRO-ALLOYS CORP.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 8, 1977 the Department of Labor received a petition dated February 1, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of the Powhatan Point, Ohio plant of Ohio Ferro-Alloys Corporation, Canton, Ohio (TA-W-1,687). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with ferrosilicon, ferromanganese and silicon manganese produced by Ohio Ferro-Alloys Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6867 Filed 3-7-77; 8:45 am]

[TA-W-1,645]

RAFIELITO, INC.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Rafielito, Incorporated, Port Isabel, Texas (TA-W-1,645). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Rafielito, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6868 Filed 3-7-77; 8:45 am]

[TA-W-1,661]

RCA CORP.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 9, 1977 the Department of Labor received a petition dated Jan-

uary 24, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical & Machine Workers on behalf of the workers and former workers of Mountaintop, Pa. plant of RCA Corp., New York, New York (TA-W-1,661). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with transistors produced by RCA Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6869 Filed 3-7-77; 8:45 am]

[TA-W-1,662]

RCA CORP.**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On February 9, 1977 the Department of Labor received a petition dated January 25, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical & Machine Workers on behalf of the workers and former workers of

Somerville, New Jersey plant of RCA Corp., New York, New York (TA-W-1,662). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with integrated circuits produced by RCA Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6870 Filed 3-7-77; 8:45 am]

[TA-W-1,646]

RUBEN BARRERA TRAWLERS

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977 the Department of Labor received a petition dated February 1, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Ruben Barrera Trawlers, Port Isabel, Texas (TA-W-1,646). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Ruben Barrera Trawlers or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 14th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6871 Filed 3-7-77; 8:45 am]

[TA-W-1,658]

SKILL KNIT FABRICS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 8, 1977 the Department of Labor received a petition dated January 21, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union on behalf of the workers and former workers of Skill Knit Fabrics, Inc., Garwood, New Jersey (TA-W-1,658). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with circular single knit fabrics produced by Skill Knit Fabrics, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 16th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6872 Filed 3-7-77; 8:45 am]

[TA-W-1,685]

TELEDYNE GURLEY

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 17, 1977 the Department of Labor received a petition dated February 14, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Teledyne Gurley, Troy, New York, a Division of Teledyne Industries, Los Angeles, California (TA-W-1,685). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with surveying instru-

ments provided by Teledyne Gurley or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6873 Filed 3-7-77; 8:45 am]

[TA-W-1,650]

TEXALL CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977 the Department of Labor received a petition dated January 31, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Texall Corporation, Port Isabel, Texas (TA-W-1,650). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Texall Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or

subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 15th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6874 Filed 3-7-77; 8:45 am]

[TA-W-1,683]

UNIROYAL, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 11, 1977 the Department of Labor received a petition dated February 7, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Rubber, Cork, Linoleum and Plastic Workers of America on behalf of the workers and former workers of Naugatuck Footwear Plant, Naugatuck, Connecticut of Uniroyal, Incorporated, Middlebury, Connecticut (TA-W-1,683). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with waterproof and fabric rubber sole footwear produced by Uniroyal, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or

subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6875 Filed 3-7-77; 8:45 am]

[TA-W-1,663]

VANITY CORSET COMPANY, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 2, 1977 the Department of Labor received a petition dated January 28, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Corset and Brassiere Workers' Union on behalf of the workers and former workers of Vanity Corset Company, Incorporated, New York, New York (TA-W-1,663). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with brassieres, girdles and garter belts produced by Vanity Corset Company, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or

proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 17th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6876 Filed 3-7-77; 8:45 am]

[TA-W-1,654]

WONDERING BOY

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 10, 1977 the Department of Labor received a petition dated February 6, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Wondering Boy, Port Isabel, Texas (TA-W-1,654). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the catching and selling of shrimp provided by Wondering Boy or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the

date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 15th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6877 Filed 3-7-77; 8:45 am]

[TA-W-1,677]

YKK USA, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 15, 1977 the Department of Labor received a petition dated February 12, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of YKK USA, Incorporated, Lyndhurst, New Jersey, a subsidiary of Yoshida Koydgo, Tokyo, Japan (TA-W-1,677). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with zippers produced by YKK USA, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and

the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing: *Provided*, Such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 18, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 24th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6878 Filed 3-7-77; 8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[77-15]

PRIVACY ACT

Systems of Records

In the notices of systems of records published by the National Aeronautics and Space Administration on page 38922 of the FEDERAL REGISTER of Monday, September 13, 1976, it is proposed to change number (8) of "Routine uses of records * * *" under NASA 10PAYS to read as follows:

"(8) To respond to requests by State employment security agencies and the U.S. Department of Labor for employment, wage, and separation data on former employees for the purpose of determining eligibility for unemployment compensation;"

This change has been recommended by the U.S. Department of Labor. Since this change broadens an existing routine use, public comment on this change is invited.

Written comments should be addressed to NASA Privacy Officer, Code AE, NASA Headquarters, Washington, DC 20546. All comments received by April 1, 1977, will be considered by NASA before taking final action on the proposed changes. Any comments received will be available for public inspection at NASA Headquarters, Room 7137, 400 Maryland Ave., SW, Washington, DC 20546, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (except holidays) until 4:00 p.m., April 1, 1977.

Unless otherwise indicated in a subsequent Notice, this change shall be finally effective on April 1, 1977.

DUWARD L. CROW,
Associate Deputy Administrator.
[FR Doc. 77-6722 Filed 3-7-77; 8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES CHALLENGE GRANTS

General Information and Preliminary Guidelines

The following are preliminary guidelines and information about a proposed new program, Challenge Grants, of the National Endowment for the Humanities (NEH).

The National Endowment for the Humanities is an independent agency of the Federal government, which makes grants to support research, education, and public activity in the Humanities.

In the 1976 amendments (Pub. L. 94-462) to the National Foundation on the Arts and the Humanities Act (Pub. L. 89-209, 20 U.S.C. 951-963), Congress authorized the National Endowment for the Humanities to expand its assistance to the humanities through Challenge Grants. Challenge Grants are intended to help humanistic institutions improve their financial stability by stimulating new or increased support from the public.

The President has proposed funding beginning in 1977. Funds for Challenge Grants, however, are not presently available, but depend on appropriations by the Congress for this purpose. Such appropriation action is not expected to take place until the Spring of 1977.

In addition, these guidelines are subject to review by the National Council on the Humanities. Therefore, these guidelines should be considered preliminary and subject to change.

Written suggestions and comments on these guidelines are welcomed. Send your comments to:

NEH Challenge Grants, Mail Stop 800, National Endowment for the Humanities, Washington D.C. 20506.

ROBERT J. KINGSTON,
Deputy Chairman and Acting
Chairman, National Endowment
for the Humanities.

INTRODUCTION: CHALLENGE GRANTS

As part of the 1976 amendments to the National Foundation on the Arts and the Humanities Act the Congress authorized the Endowment to expand its assistance to the humanities through a broad new program, Challenge Grants, which is intended to help humanistic institutions improve their financial stability by stimulating new or increased support from the public.

Challenge Grants differ from ordinary Endowment grants in a significant way: because the amount of available funding has been small in relation to the demand, Endowment aid is normally limited to specific projects which have a defined

scope, duration, and result and which relate to priority areas recommended by the National Council on the Humanities as meriting special attention by NEH. In enacting the Challenge Grants provision, however, the Congress recognized the need for basic operating support to those institutions which—as they develop, organize, preserve, and disseminate humanistic knowledge and provide the human and material resources required for high quality humanities programs—undergird the Nation's educational and cultural strength.

Challenge Grants therefore complement existing NEH programs by offering institutions the assistance they need to carry out their basic functions and by stimulating non-Federal sources to share in their support. The new type of grants authorized by the Congress are termed Challenge Grants as they:

Challenge an institution to examine carefully both its traditional sources of support and untapped potential sources, its present audiences and others which it might usefully serve, and its long-range programming and financial needs;

Challenge members of the public to demonstrate the value they place on their local humanities institutions and to express their concern about the continuing functioning of those agencies;

Challenge state and local government, business firms, labor organizations, and civic groups to recognize the role played by humanities institutions in the educational or cultural life of their state and community and to help support that role.

OBJECTIVES OF NEH CHALLENGE GRANT PROGRAM

According to the legislative authorization, the broad purposes to be pursued by the Endowment through Challenge Grants are:

Enabling cultural organizations and institutions to increase the levels of continuing support and to increase the range of contributors to the program of such organizations or institutions;

Providing administrative and management improvements for cultural organizations and institutions, particularly in the field of long-range financial planning;

Enabling cultural organizations and institutions to increase audience participation in, and appreciation of, programs sponsored by such organizations and institutions;

Stimulating greater cooperation among cultural organizations and institutions, especially when it is designed to serve better the communities in which such organizations or institutions are located;

Fostering greater citizen involvement in planning and cultural development of a community; and

Encouraging a continuing observance of the Bicentennial period through support of humanities projects which bring the public and private sectors together to assess "where our society and Government stand in relation to the founding principles of the Republic" and to find "new processes for solving problems facing our Nation in its third century."

WHAT MAY CHALLENGE GRANTS BE USED FOR?

Unlike regular Endowment grants, which may support only projects in defined NEH program areas, Challenge Grants may be used for a variety of broad purposes which the recipient institution judges to be most critical to its long-term functioning and financial health. Possible uses include:

General operating expenses (including staff salaries, rent, utilities, mortgage, general administration); defraying of operating deficits; renovation of facilities; acquisition of equipment and materials; maintenance, preservation, and conservation of collections; improved planning, evaluation, and automated data systems; design and conducting of development and fund-raising efforts; new or expanded programming and services; increased community-oriented information and "outreach" programs; establishment of inter-institutional programs for resource-sharing and joint administrative improvements.

NOTE.—Federal regulations prevent the use of NEH funds for endowment, cash reserve, or construction of new facilities; however, donations to an institution for such purpose may be used by it to meet the matching requirements of a Challenge Grant (see below), and the NEH portion of the Challenge Grant may then be used for current or other operating expenses.

BICENTENNIAL PROJECTS

A special provision of the Challenge Grant authorization encourages public and private groups to explore the development of American ideals and institutions, to examine the humanistic dimensions—historical, philosophical, ethical—of contemporary problems, to infuse the humanities and humanistic concerns into the approaches developed for resolving such problems, and, thereby, to lay the foundation for a thoughtful observance of the two-hundredth anniversary of the adoption of the U.S. Constitution in 1989.

In preparing an application for a Bicentennial Challenge Grant institutions should note that a preliminary proposal, or at least prior consultation with NEH staff, is necessary in order to assure that the activity envisioned is eligible for Endowment support. Inquiries should be addressed to

NEH Bicentennial Challenge Grants, MS-801,
National Endowment for the Humanities,
Washington, D.C. 20506.

GRANT AMOUNTS

A Challenge Grant consists of two parts—the NEH or Federal portion and the non-Federal matching portion. A minimum of 3 non-Federal dollars is required for every 1 Federal dollar. (This 3-to-1 matching requirement may be reduced to a lower ratio in support of those "Bicentennial" projects (see preceding page) which the National Council on the Humanities finds particularly meritorious and needing a greater proportion of NEH funds than Challenge Grants permit. For such projects the legislation authorizes the Chairman to

provide up to 50% of the project's cost.)

In keeping with the purpose of Challenge Grants—to stimulate continuing long-term support—it is anticipated that most applicants will present multi-year plans for raising funds which will be expended over a two-to-four year period. Thus the size of Challenge Grants will vary according to the plans an applicant proposes as well as the kind of institution it represents and the uses it intends to make of the Challenge Grant.

The Federal portion of a Challenge Grant may range from a minimum of \$2,000 in total up to \$1 million a year, depending on the availability of funds appropriated by the Congress and the merits of individual applications.

ELIGIBILITY

Any non-profit humanities organization—that is, an institution whose entire operation is in the humanities—is eligible to apply for a Challenge Grant for either general or specific institutional purposes. Institutions, like educational institutions, public libraries and public broadcast stations, whose work extends beyond the humanities may apply for a Challenge Grant to cover the costs of specific humanities programs, components or activities, or to cover the portion of total institutional costs which can be identified with these.

NOTE.—It is expected that typical NEH grantees—educational institutions, libraries, museums, historical organizations, film/television/radio production centers, advanced study centers, research organizations, scholarly societies and presses, and consortia of such groups—will submit applications for Challenge Grants while continuing to apply to other NEH programs for support of specific projects.

SOURCES OF MATCHING

Any non-Federal source of funds is eligible to be matched by NEH—state or local governments, foundations, corporations, labor unions, businesses, professional and civic organizations, or individuals.

The basic requirement is that the matching funds must be from new sources or in addition to the support normally provided by traditional sources.

Institutions themselves will define "new" funds and are subject to audit of such definitions. In general, fulfillment of earlier pledges, customary or fixed annual contributions (or appropriations), and income from endowment cannot be considered as "new" funds.

Pledges made in anticipation or on condition of a successful NEH Challenge Grant application, however, do constitute eligible matching. Gifts of property and bequests may in certain circumstances also be eligible for matching.

Fund-raising "benefits" may also be used to meet the Endowment's offer as may income from other special events, proceeds from special sales, and augmented membership contributions as long as contributors understand that their donations will be used to match an NEH Challenge Grant.

NOTE.—Funds donated to the Endowment or to a tax-exempt institution in connection with an NEH Challenge Grant are deductible as charitable contributions for Federal income tax purposes (and may also be for purposes of State and local income tax).

In view of the purpose of Challenge Grants—to broaden the base of institutions' support—applicants are strongly encouraged to seek donations from local sources and from individuals who use their services rather than to rely primarily on a single, nonrepeating source (e.g. a major foundation grant) to raise matching funds.

HOW ARE CHALLENGE GRANTS AWARDED

In brief, Challenge Grant Funding proceeds as follows:

1. An institution submits to the Endowment an application describing (a) how it would use an NEH Challenge Grant offer to help it raise new or increased financial support, both in the short-term and long-term, and (b) the purposes for which Challenge Grant funds would be used.

2. The application is reviewed by the National Council on the Humanities and, if recommended by the Council for approval, results in a Challenge Grant. The Chairman of the Endowment, as part of the notification, will specify the maximum level and conditions of funds. The major conditions will include:

a. the matching requirement (normally amounting to a minimum of triple the Federal funds offered);

b. acknowledgement by donors that they are responding specifically to an NEH Challenge Grant offer;

c. the date by which the matching funds should be raised; and

d. the grant period within which the matching and Federal monies may be actually expended.

3. The approved applicant proceeds to identify eligible donors and arranges for transmittal of their gifts and acknowledgements to the Endowment or for transmittal to the applicant (in which case appropriate gift certification should be submitted to the Endowment). Private donations, if they are to remain eligible for matching under this program, must not be expended until the Federal matching funds have been released.

4. On receipt of the gifts (or certifications) by the Endowment, the Federal funds are released from the U.S. Treasury and made available to the grantee.

5. The grantee is now free to use the gifts and the Federal funds according to the approved application and grant conditions, and provides an annual report during the life of the grant.

6. Two years after the completion of the Challenge Grant project, the grantee provides the Endowment with a brief "follow-up" report describing the continuing effects of the grant in terms of on-going contributions generated by the initial Challenge Grant or the resulting change in the institution's financial or operating condition from the pre-Challenge Grant period.

TIMETABLE

It should be noted that funds for Challenge Grants are not presently available. Federal funding for Challenge Grants will depend on appropriations made by the Congress specifically for this purpose. The ceiling set by the authorizing act—that is, the maximum that the Congress may appropriate—is \$12 million for fiscal year 1977 and \$18 million for fiscal year 1978.

Fiscal year 1977 funds for Challenge Grants require a supplemental appropriation, and Congressional action on this is not expected before the spring of 1977. The amount of Federal money to be available for grants in 1978 will not be known until the late summer or early fall of 1977.

Reflecting the expected timing of appropriations, the Endowment has established the following schedule for Challenge Grant applications in 1977.

Applications postmarked by April 1 will be reviewed by the National Council at its spring meeting, with notifications for successful applicants issued in mid-June.

Applications postmarked by June 1 will be reviewed by the National Council at its summer meeting, with notifications for successful applicants issued in mid-September.

Applications postmarked by December 15 will be reviewed by the National Council at its winter meeting with notifications issued in mid-March, 1978.

TIMETABLE FOR BICENTENNIAL CHALLENGE GRANTS

The nature of the project supported by Bicentennial Challenge Grants and the variable amount of Federal funds which the Chairman may offer make it necessary to allow more time to process these applications. The following schedule should be observed for Bicentennial Challenge Grants:

Deadline	Notification
Apr. 1, 1977	September 1977.
June 1, 1977	December 1977.
Dec. 15, 1977	June 1978.

NOTE.—Preliminary Bicentennial proposals should reach the Endowment two months prior to the deadline date being considered for application.

NOTICE OF INTENT

In order for the Endowment to make plans necessary for appropriate and expeditious processing of proposals, it is requested that applicants expecting to submit proposals by April 1 inform the Endowment of their intentions by March 1; those intending to apply by the June 1 deadline are requested to inform the Endowment by April 15. The notice of intent may be brief, stating only:

The institution's name and address;
The amount of the Challenge Grant expected to be requested (including the Federal portion, the non-Federal portion, and the total) along with information and as firm an estimate as possible about gifts expected to be "in hand" by the notification date;

The NEH division or program most appropriate for processing; (e.g. "Museum Program," "Division of Education Programs," etc.);

The name and title of the official who will authorize the application; and

The name, title, and telephone number of the official charged with preparing the application.

Intent notices should be mailed to:

NEH Challenge Grants, MS-802, National Endowment for the Humanities, Washington, D.C. 20506.

CHALLENGE GRANT APPLICATIONS

A. CONTENTS

An application for an NEH Challenge Grant normally will consist of the following:

1. *Description of the institution.* A brief description of the nature and extent of institutional activities and the size and type of the community or audiences served.

2. *Financial profile.* The institution's operating budget for the current and past two years, the amount and principal sources of income, and where relevant, the number of contributors to the institution.

3. *Previous NEH support.* A summary of grant support received from the Endowment during the last two operating years.

4. *An analysis of the requested Challenge Grant.* An explanation of the proposed uses of the Challenge Grant, the probable sources and amount of matching contributions (with anticipated semi-annual totals), a proposed timetable for obtaining all the matching funds and spending the total award, and an analysis of how the grant will enable the institution to continue to expand its activities. A "fall back" plan, in case fund-raising efforts prove only 50% or 75% successful or a smaller amount of Federal funds be offered, should also be briefly discussed.

5. *Long-range financial development plan.* A discussion of how the activity made possible by the Challenge Grant can be sustained or will continue to prove useful, after the grant has been spent, together with a plan to maintain new sources or to identify and cultivate further sources of continuing financial support. This section in combination with section 4 should make clear that the applicant has a coherent and well formulated plan, with attainable goals, which will significantly bolster the institution's financial position and/or strengthen its capacity to serve a broader public, once the broad Federal assistance represented by the Challenge Grant has ended.

The following should also be noted:

Institutions whose Challenge Grant application concerns only a limited activity or specific component among the institution's overall interests should present the kind of detail outlined above for that activity/component and indicate the portion it has claimed of the institution's total budget during the current and past two years.

Except for tables, charts, or attachments which the applicant may deem useful, applications are not expected to exceed five single-spaced pages.

Applicants not previously awarded an NEH grant should include along with

their application a copy of their latest two annual reports, proof of their non-profit status, and assurance of civil rights compliance.

B. SUBMISSION

Applications should be accompanied by the NEH "Challenge Grant Summary Face Sheet," (which will be sent upon request), and submitted in five copies to:

NEH Challenge Grants, Grants Office, MS-200, National Endowment for the Humanities, Washington, D.C. 20506.

C. REVIEW PROCESS

As with regular program applications, the Endowment encourages all Challenge Grant applications to discuss their proposals with NEH staff prior to submission of a formal application. Particularly, applications for Bicentennial Challenge Grants or for support of specific humanities activities/components within institutions should be discussed with the staff of the Endowment program office most appropriate to the project prior to submission of the formal proposal.

(A listing of Endowment program officers may be found at the end of this brochure.)

EXAMPLES OF POSSIBLE CHALLENGE GRANT PROJECTS

A public radio station is currently able to spend only \$3,000 out of its annual operating budget of \$120,000 for the production of humanities programming. It seeks a Challenge Grant offer of \$3,000 in NEH funds over three years in order to generate an additional \$9,000 in matching funds, more than doubling the amount available for humanities-oriented programming in each of the three years and to attract continuing support from its listeners.

A small historical organization which relies heavily on a volunteer staff has a collection of documents and photographs important to the local history of its community. These materials are uncatalogued, poorly stored, and partially in need of conservation. A Challenge Grant of \$10,000 over a two-year period, which would stimulate \$30,000 or more from other sources, could provide funds for a trained staff member to organize the collections, to pay for immediate conservation needs, and to acquire a storage system that would prevent further deterioration. The organization believes the Federal Challenge will stimulate new membership and new support from local business firms.

A group of two-year and four-year colleges wishes to establish a visiting lecturer program bringing outstanding scholars to their campuses and community for a series of public lectures and faculty seminars on an emerging field. They apply for an NEH Challenge Grant consisting of \$50,000 matched by \$150,000 in donations from the public over three years in order to endow the program.

A number of libraries in a region wish to cooperate to solve the problems which all face in the field of conservation and

preservation. They apply for a Challenge Grant of \$100,000 in Federal funds over a two-year period and prepare to raise gifts of \$300,000 in order to (1) set up a conservation laboratory which can service all the participating institutions; (2) to run workshops to give basic training to members of all their staffs in certain elementary techniques of preventing further deterioration of the materials in their care; and (3) to launch a coordinated microfilming effort to transfer to that medium deteriorating materials which do not need to be preserved in their original form. The libraries believe that most of their users will respond to the Challenge Grant and will continue to make annual contributions.

A museum finds that, in order to maintain existing staff and services and to respond to demands for expansion of its educational program, it must: eliminate a \$600,000 deficit, increase its operating budget, and raise capital funds in a major endowment drive. The institution seeks an NEH Challenge Grant of \$500,000 a year for three years in order to stimulate a minimum of \$1,500,000 annually in other support, and to enable the institution to accomplish all of these objectives. It would also be used to encourage donors to the Challenge program to regard the ongoing needs of the institution as a continuing responsibility.

EQUAL OPPORTUNITY

Organizations receiving Endowment support must conduct their operations in accordance with the requirements of Title VI of the Civil Rights Act of 1964 and the Rehabilitation Act of 1973, as amended, which bar discrimination in Federally-assisted projects on the basis of race, color, national origin or handicap, and Title IX of the Education Amendments of 1972 prohibiting discrimination on the basis of sex under any education program or activity receiving Federal financial assistance.

PRIVACY ACT NOTIFICATION

In compliance with the Privacy Act of 1974, applicants are advised of the following:

Section 7 of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 956) authorizes the Endowment to solicit the requested information. This information is needed to process your grant application and also for statistical research and analysis of trends. The routine uses of this information are general administration of application review process, statistical research, Congressional oversight, and analysis of trends.

Failure to provide information as requested could result in rejection of your application because the Endowment would then have insufficient facts to determine either your eligibility for a grant or the amount which should be awarded.

STAFF DIRECTORY

The following is a brief listing of those staff members who may be contacted for further information concerning Challenge Grants and other programs of the

National Endowment for the Humanities.

Chairman.

Deputy Chairman, Robert Kingston.
Special Assistant to the Chairman, Joseph Hagan, 202-382-6038.
Program Officer (Bicentennial), Leonard Oliver, 202-382-4278.
Public Information Officer, Darrel deChaby, 202-382-5721.

DIVISION OF RESEARCH GRANTS

Director, Harold Cannon, 202-382-5857.
Deputy Director, Leeds Barroll, 202-382-5857.
Assistant Director, General Research Program, Phillip Marcus, 202-382-3414.
Assistant Director, Research Materials Program, George Farr, 202-382-1072.
Assistant Director, Centers of Research Program, Margaret Child, 202-382-5857.

DIVISION OF FELLOWSHIPS

Director, James Blessing, 202-382-1491.
Deputy Director and Program Officer, Centers for Advanced Study, Fellowship Program, Guinevere Griest, 202-382-1491.

DIVISION OF EDUCATION PROGRAM

Director, Abraham Ascher, 202-382-5891.
Deputy Director, Richard Ekman, 202-382-5891.
Assistant Directors, Institutional Grants, Susan Cole, 202-382-8085.
Assistant Director, Higher Education Projects, Stephen Miller, 202-382-7081.
Assistant Director, Elementary and Secondary Education Projects, William Russell, 202-382-7081.

DIVISION OF PUBLIC PROGRAMS

Director, John Barcroft, 202-382-1111.
Deputy Director, Alex Lacy, 202-382-1111.
Assistant Director, Media Program, Steven Rabin, 202-382-5537.
Assistant Director, Museums and Historical Organizations Program, Nancy Englander, 202-382-5714.
Assistant Director, Program Development, Martin Sullivan, 202-382-8333.
Assistant Director, State-Based Programs, Geoffrey Marshall, 202-382-3986.

OFFICE OF PLANNING AND ANALYSIS

Director, Armen Tashdian, 202-382-5862.
Evaluation Officer, Ariene Krimgold, 202-382-2495.
Coordinator, Program of Science, Technology, and Human Values, Richard Hedrich, 202-382-5996.
Youth Programs Officer, Marlon Blakey, 202-382-8301.
Special Projects Officer, James Kraft, 202-382-7068.
Planning and Analytical Studies Officer, Stanley Turesky, 202-382-7068.

[FR Doc.77-6772 Filed 3-7-77;8:45 am]

MUSEUM ADVISORY PANEL

Notice of 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 Museum Advisory Panel to the National Council on the Arts will be held on March 20, 1977, from 1:30 p.m. to 5:00 p.m., and March 21-22, 1977, from 9:00 a.m. to 5:00 p.m., in the first floor conference room, Shoreham Building, 806 15th St., N.W., Washington, D.C.

A portion of this meeting will be open to the public on March 20, from 1:30 p.m. to 5:00 p.m. on a space available

basis. Accommodations are limited. The agenda for this session will include a discussion of Program guidelines.

The remaining sessions of this meeting on March 21-22, 1977, from 9:00 a.m. to 5:00 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, National Foundation on the Arts and the Humanities.

[FR Doc.77-6771 Filed 3-7-77;8:45 am]

RESEARCH GRANTS PANEL ADVISORY COMMITTEE

Meeting

MARCH 2, 1977.

The meeting of the Research Grants Panel scheduled for March 21 and March 22, 1977 as published in the FEDERAL REGISTER Thursday, February 24, 1977, Volume 42, Number 37, has been postponed.

This meeting will be rescheduled for April 4 and April 5, 1977 and will be reannounced in the FEDERAL REGISTER.

For further information contact the Advisory Committee Management Officer at (202) 382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.77-6729 Filed 3-7-77;8:45 am]

RESEARCH GRANTS PANEL ADVISORY COMMITTEE

Meeting

MARCH 2, 1977.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Research Grants Panel will be held at 806 15th Street, N.W., Washington, D.C. 20506, in room 1130, from 9 a.m. to 5:30 p.m. on April 4 and April 5, 1977.

The purpose of the meeting is to review General Research applications in the field of State, Local and Regional History submitted to the National Endowment for the Humanities for projects beginning after October 1, 1977.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.77-6730 Filed 3-7-77;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

Practice of Allowing Options of Same Class and Expiration Date to be Traded on More Than One Exchange

ANNOUNCEMENT OF OPPORTUNITY TO DISCUSS BEFORE COMMISSION

Pursuant to a request of the Philadelphia Stock Exchange, Inc. ("PHLX"), the Securities and Exchange Commission announced today that on March 17, 1977 interested persons, including representatives of national securities exchanges, may appear before the Commission to present their views concerning the practice of allowing options of the same class and expiration date to be traded on more than one exchange ("dual trading"), and whether such dual trading of options is in the public interest at this time. This meeting of the Commission will be open to the public pursuant to the Government in the Sunshine Act, 5 U.S.C. 552b ("Sunshine Act"), and will be held at 2:00 p.m. in Room 776 at Commission headquarters, 500 North Capitol Street, Washington, D.C.

No rulemaking proposal by the PHLX or by the Commission itself is contemplated at this time. Nevertheless, the Commission invites all interested persons to file written submissions and to appear before the Commission to present their views on the existing Commission policy permitting dual trading of options. Persons desiring to appear before the Commission should so inform the Secretary of the Commission in writing, and should file six copies of their intended statements to the Commission with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, at least two days prior to the appearance

¹ Letter dated February 23, 1977, from J. G. Gordon Yocum, Vice President and General Counsel, Philadelphia Stock Exchange, Inc., to George A. Fitzsimmons, Secretary, Securities and Exchange Commission.

date cited above. Persons who do not desire to appear before the Commission, but who desire to make their views known on the subject of dual trading of options, may file six copies of a written submission with the Secretary of the Commission by the appearance date cited above.

Persons seeking additional information concerning this meeting of the Commission should contact Sheldon Rappaport, Associate Director, Division of Market Regulation, Securities and Exchange Commission, Washington, D.C. (202) 755-1156. Refer to File No. S7-681.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-6768 Filed 3-7-77; 8:45 am]

[Public Notice CM-7/37]

DEPARTMENT OF STATE

SHIPPING COORDINATING COMMITTEE Meeting

The Shipping Coordinating Committee will hold an open meeting at 9:30 a.m. on Wednesday, April 13, 1977, in Room 8236 of the Department of Transportation, 400 Seventh Street, S.W., Washington, D.C.

The purpose of this meeting is to finalize preparations for the 36th Session of the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization (IMCO) which is scheduled for April 18-22, 1977, in London. In particular, the Shipping Coordinating Committee will discuss development of U.S. positions dealing with, inter alia, the following topics:

Reports by various IMCO MSC subcommittees and working groups.

Matters related to the Convention on Tonnage Measurements.

Investigation into serious casualties. Deficiency reports.

Persons carried by supply vessels to and from drilling units.

Safety measures for roll-on/roll-off ships.

Requests for further information on the meeting should be directed to CAPT Donald C. Hintze, United States Coast Guard. He may be reached by telephone on (area code 202) 426-2280.

The Chairman will entertain comments from the public as time permits.

Dated: February 24, 1977.

CARL TAYLOR, JR.,
Acting Director,
Office of Maritime Affairs.

[FR Doc. 77-6732 Filed 3-7-77; 8:45 am]

[Public Notice CM-7/36]

STUDY GROUPS 10 AND 11 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE (CCIR)

Meeting

The Department of State announces that Study Groups 10 and 11 of the U.S. National Committee for the Interna-

tional Radio Consultative Committee (CCIR) will meet jointly on March 29, 1977, under the chairmanship of Mr. Neal K. McNaughten. The meeting will convene at 2:30 p.m. in Room 8210, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C.

Study Group 10 deals with questions relating to sound broadcasting; Study Group 11 deals with questions relating to television broadcasting. The purpose of the meeting on March 29 will be to review the proposed contributions to the international meetings of Study Groups 10 and 11 in October 1977.

Members of the general public may attend the meeting and join in the discussions subject to instructions of the Chairman. Admittance of public members will be limited to the seating available.

Dated: March 1, 1977.

GORDON L. HUFFCUTT,
Chairman, National Committee
for the International Radio
Consultative Committee.

[FR Doc. 77-6731 Filed 3-7-77; 8:45 am]

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms [Notice No. 77-5]

ADVISORY COMMITTEE ON EXPLOSIVES TAGGING

Closed Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Advisory Committee on Explosives Tagging will be held on April 5, 1977, at the Federal Building, 13th and Pennsylvania Avenue NW., Washington, D.C., Room 5041 beginning at 9:30 a.m. (e.s.t.).

The Advisory Committee will discuss detailed proprietary scientific and technical data concerning various candidate explosive tagging systems that can be used in the detection and identification of explosives. The information which will be presented and discussed during the meeting will constitute trade secrets and commercial or financial information obtained from a person and privileged or confidential within the ambit of Title 5, United States Code, section 552(c)(4). Accordingly, the meeting of the Advisory Committee will, under authority of section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), not be open to the public.

All communications regarding this Advisory Committee meeting should be addressed to the Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226. Attention: Mr. Robert F. Dexter, Committees Manager, Technical Services Division, Explosives Technology Branch, Room 8233.

Signed: March 3, 1977.

REX D. DAVIS,
Director.

[FR Doc. 77-6830 Filed 3-7-77; 8:45 am]

FIREARMS

Granting of Relief

Notice is hereby given that pursuant to 18 U.S.C. section 925(c) the following named persons have been granted relief from disabilities imposed by Federal laws with respect to acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions of each applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety and that the granting of the relief will not be dangerous to the public interest.

Allen, Christopher, 4006 Bay Villa, Tampa, Florida, convicted on July 7, 1972, in the Circuit Court for Hillsborough County, Florida.

Anderson, Howard H., Box 223, Wilbur, Washington, convicted on or about July 22, 1974, in the Superior Court of the State of Washington, Lincoln County.

Barrad, Stephen J., Jr., 7662 Mercer Street, New Orleans, Louisiana, convicted on December 2, 1970, in the United States District Court, Eastern District of Louisiana.

Bone, Roy M., 821 Orion Drive, Colorado Springs, Colorado, convicted on March 14, 1975, in the United States District Court, Denver, Colorado.

Brantner, William J., 2718 Hennepin Avenue, Minneapolis, Minnesota, convicted on September 18, 1972, in the United States District Court, Southern District of California.

Colgan, Clifford D., 5021 Lexington Avenue, Jacksonville, Florida, convicted on March 16, 1962, in the Criminal Court of Record, Duval County Florida.

Crawford, James E., Route 1, Box 302, Grebtoes, Virginia, convicted on March 14, 1966, in the Rockingham County Circuit Court, Virginia.

Donahue, David R., 1501 Big Bend, Houston, Texas, convicted on February 22, 1974, in the 178th District Court of Harris County, Texas.

Dugger, Michael S., 1484 Holton, St. Paul, Minnesota, convicted on August 12, 1974, in the District Court of Sarpy County, Nebraska.

Gomm, Arlin L., Route No. 1, Afton, Wyoming, convicted on November 2, 1976, in the District Court of Lincoln County, Third Judicial District, Wyoming.

Griffin, Charles, 3029 N. Keystone Avenue, Indianapolis, Indiana, convicted on March 19, 1947, in the District Court for the County of Douglas, Nebraska; and on February 13, 1953, in the Marion County Court, Indianapolis, Indiana.

Guarino, James C., 8 Ann Lynn Road, Pittsford, New York, convicted on or about June 3, 1960, in the Ontario County Court, New York.

Harraman, Roland A., 11105 Bristol Terrace, Kansas City, Missouri, convicted on November 23, 1966, in the Circuit Court, County of Platte, Missouri.

Hart, Thomas G., Route 2, Box 84, Arlington, Washington, convicted on March 19, 1974, in the Superior Court of the State of Washington, County of Snohomish.

Hebner, Albert W., Jr., 2104 Bristol Avenue, Lakeland, Florida, convicted on March 13, 1967, in the Criminal Court of Record, Polk County, Florida.

Kathawa, Emanuel P., 1136 Woodside Trail, Troy, Michigan, convicted on August 31, 1964, in the United States District Court, Detroit, Michigan.

Kelly, Edward C., 8606 Jackson Street, Philadelphia, Pennsylvania, convicted on March 6, 1950, in the Philadelphia Common Pleas Court, Pennsylvania.

Kingery, Orville W., Sr., 4382 Virginia Avenue, Cincinnati, Ohio, convicted on or about May 14, 1937, in the United States District Court, West Virginia.

Kirkwood, Billy D., 822 29th Street, Rock Island, Illinois, convicted on March 24, 1969, in the Circuit Court of Bay County, Florida.

Lance, Clarence R., Route 3, Box 206, Sapulpa, Oklahoma, convicted on June 9, 1947, District Court of Muskogee County, Oklahoma.

Love, Patrick E., P.O. Box 162, Amberg, Wisconsin, convicted on or about October 23, 1973, in Portage County Court, Stevens Point, Wisconsin.

McRae, Martin L., 2418 West 16th Street, North Platte, Nebraska, convicted on February 29, 1960, in the District Court of Lincoln County, Nebraska; and on February 3, 1970, in the District Court of Lincoln County, Nebraska.

Maynard, Loyd M., 1200 Foster Avenue, Nashville, Tennessee, convicted on September 18, 1958, in the Criminal Court for Putnam County, Tennessee; and on May 2, 1960, in the United States District Court, Middle District of Tennessee.

Mower, Orville E., 980 Chickadee Drive, Lemmon Valley, Nevada, convicted on or about November 16, 1973, in the Second Judicial District Court, Washoe County, Nevada.

Niles, Richard L., 1606 Hallmark, Tampa, Florida, convicted on January 7, 1963, in the Hillsborough County Criminal Court, Tampa, Florida.

Orr, Hugh A., 2621 Lakewood, Dyer, Indiana, convicted on December 11, 1947, in the Cook County Circuit Court, Illinois.

Pierce, Lewis R., 1507 North Sixth Street, Boise, Idaho, convicted on January 13, 1958, in the District Court, Seventh Judicial District, State of Idaho, County of Canyon.

Rhoden, Donnie C., 2212 Bourland, Greenville, Texas, convicted on February 2, 1973, in the District Court of Hunt County, Texas.

Serrano, Richard S., Jr., 1816 South Adams, Tucuman, New Mexico, convicted on May 22, 1963, in the Tenth Judicial District Court, Quay County, New Mexico.

Smith, Frank, 101-A Nichol Street, Greenville, South Carolina, convicted on January 18, 1961, in the Court of General Sessions, Greenville County, South Carolina.

Stephens, Floyd T., P.O. Box 821, Rye, Texas, convicted on April 11, 1962, in the Fourth District Court of Ouachita Parish, Louisiana.

Stevens, Carvell B., 4006 Caseyville Avenue, East St. Louis, Illinois, convicted on September 10, 1968, in the United States District Court, Eastern District of Illinois.

Stockberger, Jack M., 7404 South Gessner, Houston, Texas, convicted on September 11, 1974, in the 174th Criminal District Court, Harris County, Texas.

Stout, Eugene P., 17461 Wakenden, Detroit, Michigan, convicted on June 4, 1974, in the United States District Court, Eastern District of Michigan.

Wilson, John L., 905 Hulsache Street, Refugio, Texas, convicted on March 23, 1961, 24th District Court, Refugio County, Texas.

Woodruff, Billy L., 7371 E. Marshall Place, Tulsa, Oklahoma, convicted on or about February 13, 1962, in the District Court of Tulsa County, Oklahoma.

Woody, Alvin R., Jr., Route 1, Box 334, Quantico, Maryland, convicted on January 1, 1974, in the Wicomico County Court, Salisbury, Maryland.

Wright, Wilbur J., Route 1, Box 137, Earlysville, Virginia, convicted on November 30, 1971, in the Circuit Court, City of Charlottesville, Virginia.

Signed at Washington, D.C., this 2d day of March 1977.

REX D. DAVIS,
Director Bureau of
Alcohol, Tobacco and Firearms.

[FR Doc. 77-5831 Filed 3-7-77; 8:45 am]

Customs Service

[T.D. 77-80]

PORTABLE ELECTRIC TYPEWRITERS FROM JAPAN

American Manufacturer's Petition Requesting That Antidumping Duties Be Assessed Has Been Denied and American Manufacturers Desire to Contest That Decision

AGENCY: United States Customs Service.

ACTION: Determination on American manufacturer's petition; notice of desire to contest.

SUMMARY: This notice is to advise the public that the Customs Service has denied an American manufacturer's petition, requesting that antidumping duties be assessed with regard to portable electric typewriters from Japan, and has received notification of that manufacturer's desire to contest such decision.

EFFECTIVE DATE: This notice is effective on March 8, 1977.

FOR FURTHER INFORMATION CONTACT: Michael Lublinski, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229, (202-566-2938).

SUPPLEMENTARY INFORMATION: On January 24, 1977, a petition was received in proper form, pursuant to section 516 (a) of the Tariff Act of 1930, as amended by the Trade Act of 1974 (19 U.S.C. 1516(a)), from counsel acting on behalf of SCM Corporation, asserting that a finding of dumping be issued and antidumping duties be assessed on those entries of portable electric typewriters from Japan where it has been determined that sales were being made at prices less than the foreign market (or constructed) value, within the meaning of the Antidumping Act of 1921, as amended (19 U.S.C. 160).

A "Notice of Petition Filed by American Manufacturer, Producer or Wholesaler" was published in the FEDERAL REGISTER on February 9, 1977 (42 FR 8255) with respect to such entries from Japan, and interested persons were afforded an opportunity to make written submissions. By letter dated February 25, 1977, the petitioner was notified that:

The Customs Service is foreclosed from investigating allegations as to injury or examining any conclusions of the International Trade Commission made within the scope of its statutory authority under section 201 of the Antidumping Act of 1921, as amended (19 U.S.C. 160). It is our opinion that the negative determination of injury, having been made, must be considered valid in the absence of a decision of the Customs Court to the contrary, and therefore is binding upon us. Accordingly, the decision not to assess antidumping duties was correct and your petition must be denied.

Notification was received by the Department of the Treasury on February 28, 1977, of SCM Corporation's desire to contest in the United States Customs Court the failure of the Department to assess antidumping duties.

In accordance with the provisions of section 516(c) of the Tariff Act of 1930, as amended by the Trade Act of 1974 (19 U.S.C. 1516(c)), and § 175.24 of the Customs Regulations (19 CFR 175.24), notice is hereby given that the Secretary of the Treasury has decided that the antidumping duties should not be assessed and that a domestic producer has given notice, as contemplated by section 516, that it desires to contest such decision.

VERNON D. ACREE,
Commissioner of Customs.

Approved: March 4, 1977.

JOHN H. HARPER,
Assistant Secretary of the
Treasury.

[FR Doc. 77-7052 Filed 3-7-77; 10:29 am]

Internal Revenue Service

[Order No. 67 (Rev. 12)]

ACTING COMMISSIONER OF INTERNAL REVENUE

Delegation of Authority

Date of issue: February 27, 1977.

Effective Date: February 27, 1977.

Effective 12:01 A.M., February 27, 1977, all outstanding authorizations to sign the name of, or on behalf of, Donald C. Alexander, Commissioner of Internal Revenue, are hereby amended to authorize the signing of the name of, or on behalf of, William E. Williams, Acting Commissioner of Internal Revenue.

This Order supersedes Delegation Order No. 67 (Rev. 11) issued May 29, 1973.

WILLIAM E. WILLIAMS,
Acting Commissioner.

[FR Doc. 77-6901 Filed 3-7-77; 8:45 am]

VETERANS ADMINISTRATION VETERANS ADMINISTRATION WAGE COMMITTEE

Renewal

This is to give notice in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) of October 6, 1972, that the Veterans Administration Wage

Committee has been renewed by the Administrator of Veterans Affairs for a two year period beginning March 7, 1977 through March 7, 1979.

By direction of the Administrator.

Dated: March 2, 1977.

A. J. SCHULTZ, Jr.,

Associate Deputy Administrator.

[FR Doc. 77-6782 Filed 3-7-77; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 302]

ASSIGNMENT OF HEARINGS

Correction

In FR Doc. 77-1081, appearing on page 2545 in the issue of Wednesday, January 12, 1977, the sixth entry in the list of assignments should read:

MC 140361, Sub 4, Columbus Parcel Service, Inc., now assigned February 8, 1977 (9 days) at Columbus, Ohio, will be held in Room 235, Federal Bldg. 85 Marconi Blvd.

[Notice No. 328]

ASSIGNMENT OF HEARINGS

Correction

In FR Doc. 77-5065, appearing at page 9740 in the issue for Thursday, February 17, 1977, the date in the second line of the third from last paragraph in the first column should read "March 29, 1977".

[Notice No. 340]

ASSIGNMENT OF HEARINGS

MARCH 3, 1977.

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 135062 (Sub-No. 33), Bursch Trucking, Inc., DBA Roadrunner Trucking, Inc. and MC 135082 (Sub-No. 34), Bursch Trucking, Inc., DBA Roadrunner Trucking, Inc., now assigned March 22, 1977, at Albuquerque, N. Mex. will be held at the Bernalillo County Courthouse, Juvenile Court Room, 415 Tijeras Avenue, N.W.

MC 53965 (Sub-No. 122), Graves Truck Line, Inc., now assigned March 28, 1977, at Denver, Colo., will be held at the Division 2 Court of Appeals, 4th Floor, U.S. Courthouse, 1961 Stout Street.

MC 138274 (Sub-No. 33), Shippers Best Express, Inc., now assigned April 4, 1977, at Salt Lake City, Utah, will be held in Room 314, Federal Annex Building, 135 South State Street.

MC 125308 (Sub-No. 3), Karl S. Robinson Trucking Company, Inc., now assigned April 5, 1977, at Salt Lake City, Utah will be held in Room 314, Federal Annex Building, 135 South State Street.

MC 109397 (Sub-No. 332), Tri-State Motor Transit Co., MC 114211 (Sub-No. 281), Warren Transport, Inc., MC 125433 (Sub-No. 75), F-B Truck Line Company and MC 125433 (Sub-No. 81), F-B Truck Line Company, now assigned April 7, 1977, at Salt Lake City, Utah, will be held in Room 314, Federal Annex Building, 135 South State Street.

MC 130420, Bruse Thompson, DBA Virginia Ski Travel Service, now assigned March 28, 1977, at Norfolk, Va., will be held in Court Room No. 421, U.S. Post Office and Courthouse, 600 Granby Street.

AB-19 (Sub-28), Buffalo, Rochester & Pittsburgh Railway Co. & Baltimore & Ohio Railroad Co., Abandonment Between Ashford & Leroy Including Silver Lake Branch Between Silver Lake Junction and Chance, in Genesee, Wyoming, Allegany and Chataaugus Counties, New York, now assigned March 16, 1977 at Warsaw, New York, hearing canceled and the application is dismissed.

MC 123023 (Sub-6), Di Pietro Trucking Company, now being assigned April 18, 1977 (1 week) at Olympia, Washington, in a hearing room to be later designated.

MC 30487 Sub 7, Dearman Moving and Storage Co. now being assigned May 3, 1977 (1 day) at Memphis, Tennessee in a hearing room to be later designated.

MC 138627 Sub 16, Smithway Motor Xpress, Inc. now being assigned May 4, 1977 (3 days) at Memphis, Tennessee in a hearing room to be later designated.

MC 141109 Sub 2, Bingham Trucking Corp. now being assigned May 9, 1977 (1 week) at Tupelo, Mississippi in a hearing room to be later designated.

MC 30844 (Sub-573), Kroblin Refrigerated Xpress, Inc., now being assigned April 20,

1977 (1 day) at Kansas City, Missouri, in a hearing room to be later designated.

AB 83 (Sub-No. 2), Maine Central Railroad Company Abandonment Between Livermore Falls, and Farmington in Androscoggin and Franklin Counties, Maine now assigned March 30, 1977, at Farmington, Maine will be held at the Farmington Municipal Building, Conference Meeting Room, Lower Main Street.

MC 136611 Sub 1, Red & White Market & Transfer, Inc. now being assigned May 9, 1977 (1 week) at Hastings, Nebraska in a hearing room to be later designated.

MC 106195 Sub 9, Clark Bros. Transfer, Inc. now being assigned May 5, 1977 (2 days) at Omaha, Nebraska in a hearing room to be later designated.

MC 82841 Sub 175, Hunt Transportation, Inc. now being assigned May 4, 1977 (1 day) at Omaha, Nebraska in a hearing room to be later designated.

MC 22301 Sub 22, Sioux Transportation Co., Inc. and MC 134477 Sub 127, Schanno Transportation, Inc. now being assigned May 3, 1977 (1 day) at Omaha, Nebraska in a hearing room to be later designated.

MC 136786 (Sub-No. 106), Robco Transportation, Inc., now assigned March 15, 1977, at San Francisco, Calif. is canceled and application dismissed.

F.D. 28295, Transcon Lines, now assigned April 13, 1977 at Kansas City, Missouri, is canceled.

MC-F 2312, Whitfield Transportation, Inc.—Purchase (Portion)—Lee Hawkes Transfer, and Whitfield Transportation, Inc.—CONTROL and Merger—Miller Bros. Truck Line and MC 108461 Sub 123, Whitfield Transportation, Inc. now being assigned May 16, 1977 (1 week) for continued hearing at Salt Lake City, Utah in a hearing room to be later designated.

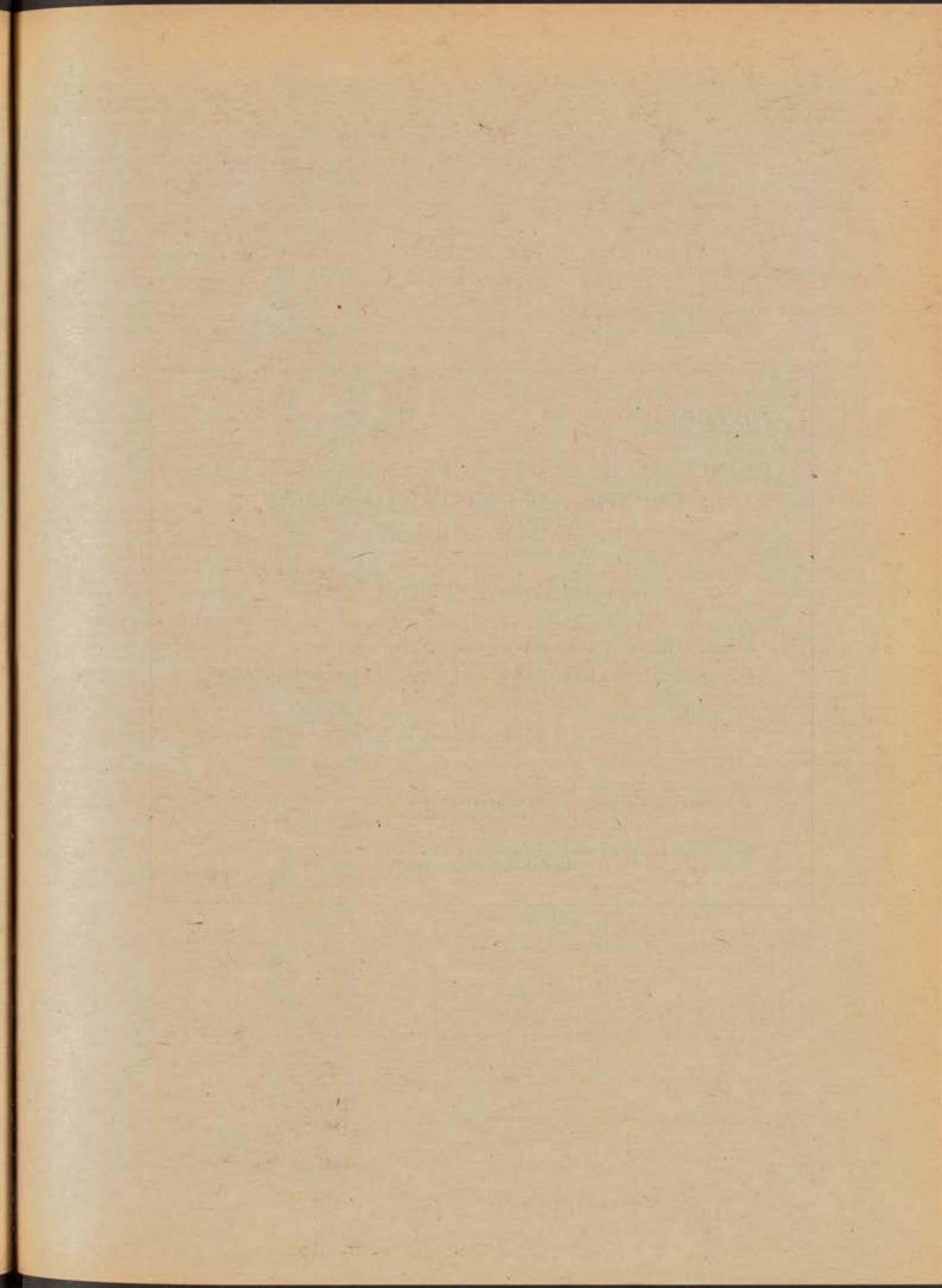
MC 1074 (Sub 16), Allegheny Freight Lines, Inc., now being assigned May 9, 1977 (1 week) at Charleston, West Virginia, in a hearing room to be later designated.

MC 119974 Sub 62, L.C.L. Transit Company, MC 117815 Sub 255, Pulley Freight Lines, Inc., MC 129600 Sub 26, Polar Transport, Inc. and 82492 Sub 138, Michigan & Nebraska Transit Co., Inc. now being assigned June 20, 1977 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 125533 (Sub 15), George W. Kugler, Inc. now assigned March 16, 1977 at Washington, D.C., has been postponed to May 16, 1977 at the Offices of the Interstate Commerce Commission, Washington, D.C.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6886 Filed 3-7-77; 8:45 am]



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