PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

§ 239.23 Form S–14, for simplified registration procedure for securities in certain transactions under Rules 133 and 145 (17 CFR 230.133, 230.145).

This form and Form S–1 (17 CFR 239.11) may be used for registration under the Securities Act of 1933 of securities to be issued in a transaction specified in paragraph (a) of § 230.145: *Provided, however,* That Form S–14 shall not be so used unless the prospectus is delivered to security holders whose vote or consent is solicited at least 20 days prior to the date on which the meeting of such security holders is held: *Provided further,* That if applicable law of the jurisdiction permits the furnishing of a notice of the meeting or other actions within less than the 20-day period specified herein, then compliance with such provisions of such law shall be deemed to satisfy this requirement. Form S–14 may also be used by persons and parties who may be deemed underwriters, for the registration of a public reoffering of securities issued in a transaction specified in paragraph (a) of § 230.145 of this chapter or in a transaction specified in paragraph (a) of § 230.133 of this chapter exempted by the latter section prior to its rescission effective on and after January 1, 1973.

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

§ 240.14a–2 Solicitations to which §§ 240.14a–1 to 240.14a–11 apply.

Sections 240.14a–1 to 240.14a–11 apply to every solicitation of a proxy with respect to securities registered pursuant to section 12 of the Act, whether or not trading in such securities has been suspended, except the following:

* * * * *

(d) Any solicitation involved in the offer and sale of securities registered under the Securities Act of 1933: *Provided,* That this paragraph shall not apply to securities to be issued in any transaction of the character specified in paragraph (a) of § 230.145 of this chapter.

* * * * *

§ 240.14a–6 Material required to be filed.

* * * * *

(j) Notwithstanding the foregoing provisions of this section, any proxy statement, form of proxy or other soliciting material included in a registration statement filed under the Securities Act of 1933 on Form S–14 (§ 239.23 of this chapter) shall be deemed filed both for the purposes of that Act and for the purposes of this section, but separate copies of such material need not be furnished pursuant to this section nor shall any fee be required under paragraph (i) of this section. However, any additional soliciting material used after the effective date of the registration statement on Form S–14 shall be filed in accordance with this section but separate copies of such material need not be filed as an amendment of such registration statement.

§ 240.14c–5 Filing of information statement.

* * * * *

(e) Notwithstanding the foregoing provisions of this section, any information statement or other material included in a registration statement, filed under the Securities Act of 1933 on Form S–14 (§ 239.23 of this chapter) shall be deemed filed both for the purposes of that Act and for the purposes of this section, but separate copies of such material need not be furnished pursuant to this section nor shall any fee be required under paragraph (a) of this section. However, any additional material used after the effective date of the registration statement on Form S–14 shall be filed in accordance with this section but separate copies of such material need not be filed as an amendment of such registration statement.

(Secs. 2(3), 2(10), 2(11), 4(1), 4(3), 4(4), 5, 19(a), 48 Stat. 74, 77, 85, secs. 201, 203, 204, 209, 48 Stat. 905, 906, 908, secs. 1–4, 6, 7, 68 Stat. 683, 684, sec. 12, 78 Stat. 580, 15 U.S.C. 77b(3), 77(b)(10), 77(b)(11), 77d(1), 77d(3), 77d(4), 77e, 77s(a); secs. 14(a), 14(c), 23(a), 48 Stat. 895, 901, sec. 5, 78 Stat. 569, 570, secs. 203(a), 8, 49 Stat. 704, 1379, 15 U.S.C. 781m(a), 78m(c), 78w(a); secs. 12(e), 29(a), 49 Stat. 823, 833, 15 U.S.C. 79*l*(e), 79t(a); secs. 20(a), 38(a), 54 Stat. 822, 841, 15 U.S.C. 80a–20(a), 80a–37(a))

The Commission finds that the amendment to Rule 14c–5 under the Securities Exchange Act of 1934 is technical and removes restrictions and reduces filing burdens on registrants and accordingly further notice and other rule making procedures pursuant to the Administrative Procedure Act are not necessary.

Copies of amended Form S–14 have been filed with the Office of the Federal Register, and additional copies are available on request from the Securities and Exchange Commission, Washington, D.C. 20549.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

OCTOBER 6, 1972.

[FR Doc.72–18988; Filed 11–6–72;8:47 am]

Title 29—LABOR

Chapter II—Office of the Assistant Secretary for Labor-Management Relations, Department of Labor

LABOR RELATIONS IN FEDERAL SERVICE

Miscellaneous Amendments

Notice is hereby given that F.R. Doc. 72–15390, published as a notice in Part II of the issue dated Friday, September 15, 1972, 37 F.R. 18780, is a final document of rules and regulations.

Further, F.R. Doc. 72–15390 which is a revision of Chapter II of Title 29, including Parts 201, 202, 203, 204, 205, and 206 is corrected and changed as follows:

1. At page 18787, § 203.6(b)(8): Insert the word "as" in between "be" and "provided"; change § 204.14 to § 203.14.

2. At page 18788, § 203.15(g): In the sixth line delete "Regional" following the word "designated."

3. At page 18795, § 204.70: In the first sentence of the text, delete the comma after the word "admission."

4. The titles of chief hearing examiner and hearing examiner as defined in Part 201, Subpart B, and as used in Parts 202–206, are hereby changed to Chief Administrative Law Judge and Administrative Law Judge, respectively.

Effective on publication in the FEDERAL REGISTER (11–7–72).

Signed at Washington, D.C., this 1st day of November 1972.

W. J. USERY, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

[FR Doc.72–19061 Filed 11–6–72;8:51 am]

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER B—STATEMENTS OF GENERAL POLICY OR INTERPRETATION NOT DIRECTLY RELATED TO REGULATIONS

PART 782—EXEMPTION FROM MAXIMUM HOURS PROVISIONS FOR CERTAIN EMPLOYEES OF MOTOR CARRIERS

Change of Position Regarding Employees Engaged in Transportation of Mail Under Contract With U.S. Postal Service

Section 13(b)(1) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 213(b)(1)), provides that section 7 of the Act relating to premium compensation for overtime work shall not apply with respect to any employee as to whom the Secretary of Transportation (prior to October 15, 1966, the Interstate Commerce Commission) has power to establish qualifications and maximum hours of service pursuant to the provisions of section 204 of the Motor Carrier Act, 1935, 49 Stat. 546, 49 U.S.C. 304, being Part II of the Interstate Commerce Act, added in 1935.

The Interstate Commerce Commission disclaimed jurisdiction under the Motor Carrier Act of employees engaged in the transportation of mail under contract with the Postal Service in vehicles used exclusively for that purpose (see 3 M.C.C. 694, 697); accordingly, the Department of Labor took the position that such employees of mail contractors were not within the overtime exemption provided by section 13(b)(1) of the Fair Labor Standards Act.

On June 14, 1972, the Department of Transportation published a notice in the FEDERAL REGISTER (37 F.R. 11781) asserting its power to establish qualifications and maximum hours of service of employees of contract mail haulers, thereby reversing the longstanding position of the Interstate Commerce Commission.

In deference to the foregoing assertion of jurisdiction by the Department of

Transportation, paragraph (b) of § 782.8 of Regulations Part 782, Exemption from Maximum Hours Provisions for Certain Employees of Motor Carriers, is hereby revised. Pending authoritative decisions by the courts that the Secretary of Transportation does not have power to establish qualifications and maximum hours of service of employees of contract mail haulers, the Department of Labor will no longer assert that such employees are not within the overtime exemption provided by section 13(b)(1) of the Fair Labor Standards Act for overtime work performed after June 14, 1972.

This position is adopted without prejudice to the rights of individual employees under section 16(b) of the Fair Labor Standards Act.

This amendment is the legal consequence of the action of the Secretary of Transportation in assuming jurisdiction of these employees pursuant to section 204 of the Motor Carrier Act of 1935, and is procedural in nature. Accordingly, under the administrative procedures of 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect to the amendment are impractical, unnecessary, 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.

Effective date. This amendment shall be effective upon publication in the FEDERAL REGISTER (11–7–72). As revised, § 782.8(b) reads as follows:

§ 782.8 Special classes of carriers.

* * * * *

(b) Prior to June 14, 1972, when the Department of Transportation published a notice in the FEDERAL REGISTER (37 F.R. 11781) asserting its power to establish qualifications and maximum hours of service of employees of contract mail haulers, thereby reversing the long-standing position of the Interstate Commerce Commission, the Administrator of the Wage and Hour Division had taken the position that employees engaged in the transportation of mail under contract with the Postal Service were not within the exemption provided by section 13(b)(1) of the Fair Labor Standards Act. As the result of the notice of June 14, 1972, the Administrator will no longer assert that employees of contract mail carriers are not within the 13(b)(1) exemption for overtime work performed after June 14, 1972, pending authoritative court decisions to the contrary. This position is adopted without prejudice to the rights of individual employees under section 16(b) of the Fair Labor Standards Act.

* * * * *

(52 Stat. 1060 as amended; 29 U.S.C. 201 et seq.)

Signed at Washington, D.C., this 2d day of November 1972.

HORACE E. MENASCO,
Administrator, Wage and Hour Division, U.S. Department of Labor.

[FR Doc.72-19059 Filed 11-6-72;8:50 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

Chapter X—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Florida	Broward	Fort Lauderdale	I 12 011 1050 05 through I12 011 1050 08	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Department of Engineering, City of Fort Lauderdale, 100 North Andrews Ave., Fort Lauderdale, FL 33302.	Nov. 20, 1970. Emergency. Nov. 3, 1972. Regular.
Do	do	Hollywood	I 12 011 1420 01 through I 12 011 1420 03	do	Engineering Office, Hollywood City Hall, Hollywood, Fla. 33022.	June 9, 1971. Emergency. Nov. 3, 1972. Regular.
Do	do	Lighthouse Point	I 12 011 1826 01	do	City Hall, City of Lighthouse Point, Post Office Box 5100, 2200 Northeast 38th St., Lighthouse Point, FL 33064.	Feb. 26, 1972. Emergency. Nov 3, 1972. Regular.
Illinois	Cook	Elk Grove Village.				Nov. 3, 1972. Emergency.
Massachusetts	Suffolk	Winthrop				Do.
New Jersey	Essex	Newark				Do.
Pennsylvania	Allegheny	McKees Rocks Borough.				Do.
Do	Dauphin	Lower Paxton Township.				Do.
Do	do	Lower Swatara Township.				Do.
Do	Delaware	Chester Heights Borough.				Do.
Do	Luzerne	Forty Fort Borough.				Do.
Do	do	Wyoming Borough.				Do.
Do	Union	Lewisburg Borough.				Do.
Texas	Harris	Water Control and Improvement District No. 93.				Do.
Do	Bexar	Live Oak				Do.
Wisconsin	Ozaukee	Mequon	I 55 089 3002 01 through I 55 089 3002 04	Department of Natural Resources, Post Office Box 450, Madison, WI 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, WI 53703.	Department of Public Works, City of Mequon, 11333 North Cedarburg Rd. 60 W., Mequon, WI 53092.	July 2, 1971. Emergency. Nov. 3, 1972. Regular.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: October 30, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72–18913 Filed 11–6–72;8:45 am]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 **List of communities with special hazard areas.**

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Florida	Broward	Fort Lauderdale	H 12 011 1050 05 through H 12 011 1050 08	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Department of Engineering, City of Fort Lauderdale, 100 North Andrews Ave., Fort Lauderdale, FL 33302.	Nov. 20, 1970.
Do	do	Hollywood	H 12 011 1420 01 through H 12 011 1420 03	do	Engineering Office, Hollywood City Hall, Hollywood, Fla. 33022.	June 9, 1971.
Do	do	Lighthouse Point	H 12 011 1826 01	do	City Hall, City of Lighthouse Point, Post Office Box 5100, 2200 North East 38th St., Lighthouse Point, FL 33064.	Feb. 26, 1972.
Illinois	Cook	Elk Grove Village				Nov. 3, 1972.
Massachusetts	Suffolk	Winthrop				Do.
New Jersey	Essex	Newark				Do.
Pennsylvania	Allegheny	McKees Rocks Borough				Do.
Do	Dauphin	Lower Paxton Township.				Do.
Do	do	Lower Swatara Township.				Do.
Do	Delaware	Chester Heights Borough.				Do.
Do	Luzerne	Forty Fort Borough.				Do.
Do	do	Wyoming Borough.				Do.
Do	Union	Lewisburg Borough.				Do.
Texas	Harris	Water Control and Improvement District No. 93.				Do.
Do	Bexar	Live Oak				Do.
Wisconsin	Ozaukee	Mequon	H 55 089 3002 01 through H 55 089 3002 04	Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53703.	Department of Public Works, City of Mequon, 11333 North Cedarburg Rd. 60 W., Mequon, Wis. 53092.	July 2, 1971.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: October 30, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72–18914 Filed 11–6–72;8:45 am]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER G—OCCUPATIONAL SAFETY AND HEALTH RESEARCH AND RELATED ACTIVITIES

PART 85—REQUESTS FOR HEALTH HAZARD EVALUATIONS

On March 17, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 5634) which prescribed the conditions and procedures for conducting health hazard evaluations pursuant to section 20(a)(6) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(6)). That section directs the Secretary of Health, Education, and Welfare to determine, following a written request by any employer or authorized representative of employees, whether any substance normally found in a place of employment has potentially toxic effects in such concentrations as used or found and further provides that such determinations shall be submitted to the appropriate employer and affected employees.

Interested persons were invited to submit, within 30 days, written comments, suggestions, or objections regarding the proposed regulations.

In addition, on June 20, 1972, the proposed regulations and the issues raised by the public comments concerning them were discussed with the National Advisory Committee on Occupational Safety and Health established by section 7 of the Occupational Safety and Health Act. All public comments, as well as the views expressed by the members of the Committee, have been taken into consideration with the result that a number