

NOTE.—Once a civilian attorney has been retained, the legal assistance officer, as required by professional ethics, will refrain from advising the client on that particular matter.

(e) In domestic relations cases, the problem should be fully explored, with the objective of preventing separation and divorce. With the knowledge and consent of both parties, both parties may be consulted without impropriety and advised of their legal rights and obligations to each other, their children, and society.

(f) On complaints of discrimination, complainant should be advised concerning:

(1) Application of the Civil Rights Act of 1964;

(2) Procedures as set forth in pertinent Air Force regulations for processing such complaints; and

(3) Rights of individuals to pursue remedies through civilian channels without recourse to procedures prescribed in Air Force regulations.

§ 818b.4 Limitation on services.

Legal assistance is limited to services furnished to the client, such as advice, preparation of documents, etc. Legal assistance personnel, in such capacity, will not:

(a) Appear in person or by pleadings before domestic or foreign civil courts, tribunals, or Government agencies, unless authorized pursuant to AFR 110-3 (Taxation, Legal and Administrative Actions, and Legal Process) or by the Office of The Judge Advocate General, nor before courts-martial or military board proceedings.

(b) Sign letters on his client's behalf without the express permission of the client concerned and the staff judge advocate.

(c) Receive confidences in any case in which the person requesting assistance is or probably will be the subject of civilian criminal action (except minor traffic violations), nor offer him any assistance regarding such case other than to advise him that:

(1) As the legal assistance program is limited to civil (as distinguished from criminal) legal problems, legal assistance personnel (as such) may not receive confidences relating to such matters.

(2) He has a right to consult civilian counsel.

(3) He will follow § 818b.3(d) of this part, in the event referral assistance is requested.

(e) Receive confidences in any case in which the person requesting assistance is or probably will be the subject to court-martial investigation or charges, other disciplinary action, or administrative board proceedings, unless the staff judge advocate has determined that the legal assistance officer is available to enter into an attorney-client relationship with and to serve as military counsel for the individual seeking assistance. As soon as a legal assistance officer ascertains that the request for assistance involves a matter within the scope of this section, he advises the individual in accordance with

§ 818b.3(d) (1) through (d) (3) of this part and, further, that he may receive advice as to his rights to military counsel from the staff judge advocate. With the concurrence of the staff judge advocate, the legal assistance officer himself may furnish the individual with the appropriate advice concerning his rights to military counsel. An individual who is entitled to military counsel and who requests that such counsel be appointed for him will be assisted in establishing contact with a lawyer whom the staff judge advocate determines is available to serve as counsel.

(f) Receive confidences nor assist in regard to official or military problems since they are not within the scope of the Legal Assistance Program. Such problems are generally within the jurisdiction of other staff offices or Federal agencies, and the individual will be referred to the appropriate staff office or agency, or given such information or advice as the staff judge advocate determines appropriate as a staff function.

(g) Make available, on matters arising from or connected with business endeavors or outside employment, any legal assistance services other than advice on relief afforded by the Soldiers' and Sailors' Civil Relief Act and referral to a civilian attorney, as provided herein.

(h) Act as a collection agency or lend aid to defeat the fair collection of any just debt or obligation. However, he may advise clients as to their legal liability for a debt or legal remedies for the collection of a debt, or refer them to civilian counsel for such advice. If appropriate, he should also counsel clients as to the Air Force's policy with regard to private indebtedness (Part 818 of this chapter) and the conditions under which the Air Force may extend assistance to creditors in the collection of debts from its members. All official correspondence is handled outside the legal assistance program as a command function in accordance with prescribed Air Force directives.

NOTE.—With express consent of the client, complaints of unfair business practices which appear to be valid will be referred to the local commander for processing.

By order of the Secretary of the Air Force.

JOHN W. FAHRNEY,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc. 73-20445 Filed 9-25-73; 8:45 am]

SUBCHAPTER I—MILITARY PERSONNEL PART 883—MILITARY JUSTICE Court Martial Manual; Partial Implementation

Subchapter I, Chapter VII of Title 32 of the Code of Federal Regulations is amended by adding a new Part 883. This part implements a portion of the Manual for Courts-Martial, 1969 (Revised Edition) within the Department of the Air

Force. Part 883 is added to read as follows:

Sec.
883.1 Purpose.
883.2 Suspension of counsel.
883.3 Application of relief under Article 69.
883.4 Petitions for new trial.

AUTHORITY: 10 U.S.C. 836, 859, 940, 8012; E.O. 11476, 3 CFR, 1966-1967 Comp., p. 787; paragraphs 43 and 110A, MCM US 1969 (Rev.).

§ 883.1 Purpose.

(a) This part contains Department of the Air Force implementation of a portion of the Manual for Courts-Martial, 1969 (Revised Edition). **NOTE.**—The complete text of the "Manual for Courts-Martial, United States, 1969 (Revised Edition)" appears at 34 FR 10503, June 28, 1969. The Manual was also published by the Department of Defense and may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(b) Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the Air Force directives referenced herein.

§ 883.2 Suspension of counsel.

(a) **General.** This section implements the provisions of paragraph 43, Manual for Courts-Martial (MCM), 1969 (Rev.). When a person, military or civilian, has, pursuant to paragraph 43, MCM, 1969 (Rev.), and this section, been suspended from acting as counsel before Air Force courts-martial and the Air Force Court of Military Review, he shall not, during the period of the suspension, be eligible to so act. Such suspension is separate and distinct from any matter involving contempt, discussed in paragraphs 10 and 118, MCM, 1969 (Rev.), and from withdrawal of certification made pursuant to Articles 26 and 27, Uniform Code of Military Justice (UCMJ) (10 U.S.C. 826, 827).

(b) **Grounds for suspension.** Suspension action may be initiated when a person has demonstrated by his personal or professional conduct that he is so lacking in competency, integrity, or ethical or moral character as to be unacceptable as counsel before an Air Force court-martial or the Air Force Court of Military Review. Specific grounds for suspension include, but are not limited to:

(1) Demonstrated incompetence while acting as counsel during pretrial, trial, or post-trial stages of a court-martial;

(2) Preventing or obstructing justice, including the deliberate use of frivolous or unwarranted dilatory tactics;

(3) Using, at trial, any papers or evidence which are known to be fabrications, or otherwise practicing fraud upon an Air Force court-martial or the Air Force Court of Military Review;

(4) Tampering with a witness or court member;

(5) Abusive conduct toward the court-martial, the Court of Military Review, the military judge, or opposing counsel;

(6) Flagrant or repeated violations of any specific rules of conduct prescribed for counsel (see paragraphs 42, 44, 46, and 48, MCM 1969 (Rev.));

(7) Conviction of an offense involving moral turpitude or conviction of a violation of Article 48, UCMJ; or

(8) Mental incompetency as declared by appropriate authorities.

(c) *Automatic suspension.* When a person has been disbarred by a Federal or State court, or suspended from acting as counsel before courts-martial and Courts of Military Review by another service, The Judge Advocate General, United States Air Force, may, upon receipt of evidence of such disbarment or suspension, take suspension action by notifying the disbarred or suspended person, in writing, that he is ineligible to act before courts-martial or administrative boards in the Air Force, or before the Air Force Court of Military Review during the period of the disbarment or suspension. Under this procedure the disbarred or suspended person is not entitled to a hearing as hereinafter prescribed.

(d) *Standards of professional ethics.* Action to suspend should not be initiated because of personal prejudice or hostility toward counsel, nor should such action be initiated because counsel has presented an aggressive, zealous, or novel defense, or when his conduct stems from inexperience in the performance of legal duties. The Code of Professional Responsibility of the American Bar Association is considered to be generally applicable as the criterion of professional conduct for persons acting as counsel before Air Force courts-martial and the Air Force Court of Military Review.

(e) *Action to suspend.*—(1) *General.* Action to suspend a person from acting as counsel before Air Force courts-martial and the Air Force Court of Military Review will be initiated only when other remedial measures, including punitive action, have failed to induce proper behavior or are inappropriate. Full consideration will be given at each stage of the proceedings toward the effectiveness and appropriateness of other measures such as warnings, admonition instructions, proceedings in contempt or other punitive action, before suspension action is processed.

(2) *Report of grounds of suspension.* When information as to the occurrence or existence of any ground for suspension comes to the attention of a member of an Air Force court-martial, a military judge, staff judge advocate, appointed counsel, a commander, or member of the Air Force Court of Military Review, such information shall be reported, together with supporting information, to the officer exercising general court-martial jurisdiction over the command of such reporting officer. Upon receipt of such report, the officer exercising general court-martial jurisdiction will refer it to his staff judge advocate for review and recommended action. He will then forward the report with his recommendation through the major commander, if any, to The Judge Advocate

General. The major commander will likewise refer the matter to his staff judge advocate for review and recommendations before forwarding it with his recommendations. If the alleged disqualifying conduct occurs during trial of a particular case and involves counsel for the accused, action may be deferred pending completion of the trial.

(3) *Hearing.* If The Judge Advocate General is of the opinion that there is probable cause to believe that a ground for suspension exists, and that other remedial measures are not appropriate or will not be effective, he shall appoint a Board of Officers consisting of not less than three Air Force officers who are designated as military judge or certified counsel (competent to act before general courts-martial pursuant to Article 26 or 27, UCMJ), and who are, if practical, senior in grade to the person being considered for suspension if that person is a member of the military. He shall also appoint a judge advocate as a non-voting recorder. The Board shall cause notice to be given to the lawyer involved, informing him of the misconduct or other disqualifying matters alleged and affording him the opportunity to appear before it for a hearing. The lawyer involved may be represented by counsel. If the lawyer involved is a member of the Air Force, he may have military counsel appointed for him or he may obtain civilian counsel at his own expense. If the lawyer involved is not a member of the Air Force, military counsel will not be provided him; however, he may obtain other civilian counsel at his own expense. The lawyer involved shall be permitted at least 5 days subsequent to notice to prepare for the hearing. Failure to appear on a set date subsequent to notice will constitute a waiver of appearance. Upon ascertaining the facts relevant to the alleged disqualifying measures, after notice and hearing, the Board will report its findings and recommendations based thereon to The Judge Advocate General. If the Board recommends suspension, it will also recommend whether the suspension will be indefinite or temporary. The procedures of Part 866 will be used as a guide in the conduct of hearings for suspension of counsel.

(4) *Action by The Judge Advocate General.* Upon receipt of the report of a Board, The Judge Advocate General shall determine whether the person involved shall be suspended as counsel and whether such suspension shall be for a stated term or indefinite, and he shall issue an appropriate order implementing such determination, a copy of which will be furnished the person involved. The Judge Advocate General may, upon petition of the person who has been suspended, and upon good cause shown, or upon his own motion, modify or revoke any prior order of suspension.

(5) *Effect upon other action.* Notwithstanding this part, The Judge Advocate General may in his discretion withdraw any certification of qualification to act as military judge or as counsel before general courts-martial made pursuant to Article 26 or 27, UCMJ.

§ 883.3 Application for relief under Article 69.

(a) Article 69 of the UCMJ (10 U.S.C. 869) permits The Judge Advocate General to vacate or to modify, in whole or in part, the findings or sentence or both in a court-martial case which has been finally reviewed, but has not been reviewed by the Court of Military Review (see MCM, 1969 (Rev.), paragraph 110A). An application for action under Article 69 will be made in writing, will be under oath or affirmation, and will be signed by the accused or his legal representative. The application will contain:

(1) The name, social security account number, and present mailing address of the accused.

(2) The date and place of trial and kind of court.

(3) The sentence of the court of approved or affirmed and any subsequent reduction by clemency or otherwise.

(4) A statement of the specific grounds on which relief is requested and the specific relief requested.

(5) Any documentary or other evidence which the applicant believes pertinent to the facts asserted under the specific grounds alleged, including copies of court-martial orders, if available.

(b) Applications will be submitted to the general court-martial authority when the case was tried by summary court-martial or by a special court-martial where the approved sentence did not include a bad conduct discharge and the applicant is still in the command in which the case was tried. All other applications will be forwarded directly to HQ USAF/JAJ. When an application is received by an officer exercising general court-martial jurisdiction, he will forward the application, together with the original record of trial and copies of all relevant orders and other documents, to HQ USAF/JAJ. In forwarding an application, neither the officer exercising general court-martial jurisdiction nor his staff judge advocate is required to make any recommendation as to the disposition of the case; however, either is permitted to include such comments or recommendations as may be appropriate in the particular case.

§ 883.4 Petitions for new trial.

Petitions for new trial will be prepared and processed in accordance with MCM, 1969 (Rev.), paragraph 109. A petition for new trial may be submitted on the grounds of newly discovered evidence or fraud on the court in any kind of court-martial (general, special, or summary) within 2 years after approval of the sentence by the convening authority.

By order of the Secretary of the Air Force.

JOHN W. FAHNEY,
Colonel, USAF Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc. 73-20446 Filed 9-25-73; 8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

ANNUAL INCOME; SUPPLEMENTAL SECURITY INCOME

On page 21188 of the FEDERAL REGISTER of August 6, 1973, there was published a notice of proposed regulatory development to amend §§ 3.261 and 3.262 to exclude the new supplemental security income benefit in the computation of income for determining entitlement to benefits under programs administered by the Veterans Administration. Interested

persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

No written objections have been received and the proposed regulations are hereby adopted without change and are set forth below.

Effective date. These VA regulations are effective January 1, 1974.

Approved September 20, 1973.

By direction of the Administrator.

[SEAL]

FRED B. RHODES,
Deputy Administrator.

1. In § 3.261(a), subparagraph (17) is amended to read as follows:

§ 3.261 Character of income; exclusions and estates.

	Dependency (parents)	Dependency and Indemnity compensation (parents)	Pension; protected (veterans, widows and children)	Pension; Public Law 86-211 (veterans, widows and children)	See
(a) Income:	...	...	...	...	
(17) Social security benefits:					§ 3.262(f).
Old age and survivors, and disability insurance.	Included.	Included.	Included.	Included.	
Charitable programs.	Excluded.	Excluded.	do.	Excluded.	
Lump sum death payments.	Included.	do.	do.	do.	
Supplemental security income.	Excluded.	Excluded.	do.	do.	
...	...	...	...	...	

2. In § 3.262, paragraph (f) is amended to read as follows:

§ 3.262 Evaluation of income.

(f) **Social security benefits.** Old age and survivor's insurance and disability insurance under title II of the Social Security Act will be considered income as a retirement benefit under the rules contained in paragraph (e) of this section. Benefits received under noncontributory programs, such as old age assistance, aid to dependent children, and supplemental security income are subject to the rules contained in paragraph (d) of this section applicable to charitable donations. The lumpsum death payment under title II of the Social Security Act will be considered as income except in claims for dependency and indemnity compensation and for pension under Public Law 86-211 (73 Stat. 432).

[FR Doc. 73-20473 Filed 9-25-73; 8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

Cost Allocation Plans

Notice of proposed regulations was published in the FEDERAL REGISTER on June 15, 1973 (38 FR 15738), for the programs administered under Titles I, IV-A, X, XIV, XVI and XIX of the Social Security Act with respect to required

submittal of cost allocation plans whenever requested by the Regional offices, Social and Rehabilitation Service, and submittal of cost data and other information necessary for evaluation of allocation methods. Title IV-B, omitted in error, is now included. Both IV-A as well as IV-B are included in a State's cost allocation plan.

The major concerns expressed in public comments were the delegation of authority to the Regional Commissioners to approve the effective date of the cost allocation plans, 3 months requirement to submit cost allocation plans, use of estimated costs to determine the validity of allocation methods and cost allocation plan requirements are too detailed.

The authority of the Regional Commissioner to request, approve and determine the effective date of a cost allocation plan relieves the State of an undue burden of an annual submission. The availability of technical assistance from the Regional Office will help States prepare their cost allocation plans within the specified period. The use of estimated costs in evaluating methods of allocating indirect cost pools or elements allows the use of an allocation method which departs from strict equity where dollar impact is not significant.

The purpose of a cost allocation plan is to describe a method of allocating costs of administering various State programs or activities among those programs or activities on an equitable basis. The detail required is necessary to determine the validity of the allocation methods used by the State.

Section 205.150 of Part 205, Chapter II, Title 45, of the Code of Federal Regulations is revised to read as set forth below:

§ 205.150 Cost allocation.

(a) **State plan requirements.** A State plan under title I, IV-A, IV-B, X, XIV, XVI, or XIX of the Social Security Act must provide that the single State agency will establish and maintain methods and procedures for properly charging the costs of administration, services (excluding those purchased), and training activities under the plan in accordance with Federal requirements (Office of Management and Budget Circular No. A-87 and Department and Social and Rehabilitation Service regulations and instructions). Such methods and procedures must include those for:

(1) Allocating all such administrative costs of the State department in which the State agency is located between Federal and non-Federal programs;

(2) Identifying of the costs applicable to more than one of the Federal programs, those applicable to each of the separate programs, in accordance with program classifications specified by the Secretary; and

(3) Segregating costs in paragraph (a) (2) of this section by service and income maintenance functions, where applicable, and by such other classifications as are found necessary by the Secretary.

(b) **Federal financial participation.** As a condition for receipt of Federal financial Participation, a State must submit for approval a revised cost allocation plan within 3 months after being requested by the SRS Regional Commissioner. These requests will be made by the Regional Commissioner when it has been determined that the existing cost allocation plan is outdated due to significant organizational changes within the State agency, changes in Federal regulations, and other similar factors.

(1) The cost allocation plan shall include descriptions of the methods referred to in paragraph (a) of this section; the functions and activities by organizational units; estimated costs for the fiscal year by organizational unit (unless specifically waived by the Regional Commissioner); the basis used for allocating the various pools of costs to programs or activities (with justification for each); and such other information as may be necessary to document the validity of the cost allocation method. The estimated costs are included solely to permit evaluation of the methods of allocation. Approval of the cost allocation plan shall not be considered as approval of these estimated costs for use in calculating claims for FFP.

(2) Where a revised cost allocation plan is received within the 3 month period the State will continue to receive Federal financial participation under the old plan subject to any adjustments based on the revised cost allocation plan using the effective date designated by the SRS Regional Commissioner. Adjustments will be made when the revised plan is approved by the SRS Regional Commissioner.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))
(Catalog of Federal Domestic Assistance Program Nos. 13.707, Child Welfare Services; 13.714, Medical Assistance Program; 13.724, Public Assistance—State and Local Training; 13.748, Work Incentive Program—Child Care; 13.754, Public Assistance—Social Services; 13.761, Public Assistance—Maintenance Assistance (State Aid))

Effective date. This regulation is effective on November 26, 1973.

Dated August 21, 1973.

JAMES S. DWIGHT, Jr.,
Administrator, Social
and Rehabilitation Service.

Approved: September 21, 1973.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.73-20498 Filed 9-25-73;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1; Amdt. 1-79]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Miscellaneous Amendment

The purpose of this amendment is to delete from 49 CFR 1.48(b) (1) reference to Chapter 5 of 23 U.S.C., since Chapter 5, Highway Relocation Assistance, was repealed January 2, 1971, Public Law 91-646, § 220(a) (10), 84 Stat. 1903. The subject matter of Chapter 5 is now covered by Chapter 61 of Title 42, The Public Health and Welfare (42 U.S.C. 4601 et seq.).

Since this amendment relates to Departmental management, practices, and procedures, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, subparagraph (1) of paragraph (b) of section 1.48 of Part 1 of Title 49, Code of Federal Regulations, is revised to read as follows:

§ 1.48 Delegations to Federal Highway Administrator.

(b) * * *

(1) Chapters 1 (except sections 134 (b) and 138), 2 and 3 of Title 23, United States Code, including the apportionment of funds for Federal-Aid Highways once Congress approves estimates submitted by the Secretary.

(Section 9(e), Department of Transportation Act, 49 U.S.C. 1657(e); sec. 1.59(m), Regulations of the Office of the Secretary of Transportation, 49 CFR 1.59(m).)

Effective date. This amendment is effective September 26, 1973.

Issued in Washington, D.C., on September 21, 1973.

J. THOMAS TIDD,
Acting General Counsel.

[FR Doc.73-20501 Filed 9-25-73;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected 3rd Revised S.O. 1121; Amdt. 1]

PART 1033—CAR SERVICE

Demurrage and Free Time at Ports

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 18th day of September 1973.

Upon further consideration of Corrected Third Revised Service Order No. 1121 (38 FR 18660), and good cause appearing therefor:

It is ordered, That: § 1033.1121 Service Order No. 1121 (Demurrage and free time at ports) corrected Third Revised Service Order No. 1121 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) **Expiration date.** The provisions of this order shall expire at 6:59 a.m., April 1, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 6:59 a.m., October 1, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended (49 U.S.C. 1, 12, 15, and 17(2)); Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911 (49 U.S.C. 1(10-17), 15(4), and 17(2)))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-20520 Filed 9-25-73;8:45 am]

[2nd Rev. S.O. 1124; Amdt. 1]

PART 1033—CAR SERVICE

Demurrage and Free Time on Freight Cars

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 19th day of September 1973.

Upon further consideration of Second Revised Service Order No. 1124 (38 FR 18251), and good cause appearing therefor:

It is ordered, That: § 1033.1124 Service Order No. 1124, (Demurrage and free time on freight cars).

Second Revised Service Order No. 1124 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) **Expiration date.** This order shall expire at 6:59 a.m., April 1, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 6:59 a.m., October 1, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended (49 U.S.C. 1, 12, 15, and 17(2)); Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911 (49 U.S.C. 1(10-17), 15(4), and 17(2)))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-20521 Filed 9-25-73;8:45 am]

SUBCHAPTER D—TARIFFS AND SCHEDULES

[Ex Parte 272]

C.O.D. AND FREIGHT-COLLECT SHIPMENTS

Limitations of Carrier Service; Correction

In a report and order (reported at 343 I.C.C. 692), decided July 16, 1973, and served August 9, 1973, the Interstate Commerce Commission prescribed certain regulations to become effective at a later date. Notice of the Commission's order appeared in the FEDERAL REGISTER on August 14, 1973 (38 FR 21931-21933). It has come to the Commission's attention that certain inadvertent errors appear in its report at pages 784, 891, and 892. Consequently, appropriate corrections should be made on those pages of its report and in the references to the Code of Federal Regulations which appear on page 21933 of the FEDERAL REGISTER.

PART 1304—EXPRESS COMPANIES SCHEDULES AND CLASSIFICATIONS

PART 1307—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS OF MOTOR CARRIERS

(1) The last sentence in the paragraph designated § 1304.4(k) (3), which sentence reads "Such service includes service on c.o.d., freight-collect, and order-notify shipments, including such services on shipments transported under combinations of rates," should be deleted. That same sentence should be in-