Code of Federal Regulations, Part 32, and are effective through December 7, 1975.

ROBERT F. STEPHENS,
Acting Regional Director,
Albuquerque, New Mexico.

SEPTEMBER 12, 1975.

[FR Doc.75-24826 Filed 9-17-75;8:45 am]

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective during the period September 25, 1975 through October 31, 1975.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public archery hunting of deer on Bombay Hook National Wildlife Refuge, Delaware, is permitted only on the Deer Hunting Area and South Upland Hunting Area. These open deer hunting areas are delineated on maps available at refuge headquarters, Smyrna, Delaware 19977 and from the Regional Director, U.S. Fish and Wildlife Service, Post Office and Courthouse Building, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations covering archery hunting of deer subject to the following special conditions:

(1) Hunting by bow and arrow on the Deer Hunting Area is permitted only on Saturdays in accordance with the State archery deer season.

(2) The number of hunters admitted to the Deer Hunting Area at any one time will be restricted to 80.

(3) Permits are required for the Deer Hunting Area and will be issued on a first-come, first-served basis one hour before shooting time.

(4) Hunters using the Deer Hunting Area and the South Upland Hunting Area must show proof of completion of a weapons qualification test. This test will consist of placing two out of five arrows in the 9 x 14 inch chest area of a standard size deer target at 25 yards.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 31, 1975.

WILLIAM C. ASHE,
Acting Regional Director,
U.S. Fish and Wildlife Service.

[FR Doc.75-24827 Filed 9-17-75;8:45 am]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective during the period September 25, 1975 through January 31, 1976.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

Public hunting of deer on Prime Hook National Wildlife Refuge, Delaware, is permitted only on the North Hunting Area. This open deer hunting area, comprising approximately 2,320 acres, is delineated on a map available at the refuge headquarters, Milton, Delaware 19968, and from the Regional Director, U.S. Fish and Wildlife Service, Post Office and Courthouse Building, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) Archery hunters must show proof of completion of a weapons qualification test. This test will consist of placing 2 out of 5 arrows in the 9 x 14 inch chest area of a standard-size deer target at 25 yards.

(2) Primitive weapons hunters must show proof of completion of a weapons qualification test. This test will consist of placing three consecutive rounds in a 12 inch circle at 50 yards, firing from the offhand position. The type of weapon used for the qualification test must be the same type that is to be used for the hunt—percussion or flintlock.

(3) Hunting on grazing management units will not be allowed until October 16, 1975.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1976.

WILLIAM C. ASHE,
Acting Regional Director,
U.S. Fish and Wildlife Service.

[FR Doc.75-24829 Filed 9-17-75;8:45 am]

PART 32—HUNTING

Shiawassee National Wildlife Refuge, Mich.

The following special regulation is issued and is effective on September 18, 1975.

§ 32.32 Special regulations; big game, for individual wildlife refuge areas.

MICHIGAN

SHIAWASSEE NATIONAL WILDLIFE REFUGE

Hunting of deer with bow and arrow is permitted on the entire refuge area from 6 a.m. to 7 p.m. EST each day from December 1, 1975, through December 31, 1975, only.

Hunting shall be in accordance with all State regulations covering the hunting of deer, subject to the following conditions:

(1) All bow and arrow hunters must possess a valid Federal permit. These permits must be carried by the hunter whenever on refuge lands.

(2) Applications for Federal permits must be received at the refuge office on or before October 31, 1975.

(3) All hunters must exhibit their hunting license, Federal permit, deer tag, game, and vehicle contents to Federal and State Officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1975.

ROBERT G. JOHNSON,
Acting Refuge Manager Shiawassee National Wildlife Refuge Saginaw, Michigan.

SEPTEMBER 11, 1975.

[FR Doc.75-24831 Filed 9-17-75;8:45 am]

PART 32—HUNTING

Upper Souris National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on September 18, 1975.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NORTH DAKOTA

UPPER SOURIS NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Upper Souris National Wildlife Refuge, North Dakota, is permitted on all areas except those designated as closed. The open areas, comprising 31,800 acres are delineated on maps available at headquarters, Foxholm, North Dakota, and from the office of the Area Manager, U.S. Fish and Wildlife Service, P.O. Box 1897, Bismarck, North Dakota 58501. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer, subject to the following conditions:

(1) Deer are the only species that may be taken. It is unlawful to carry firearms after the deer tag is used.

(2) The refuge shall be closed to all vehicular travel except the main public roads.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 23, 1975.

DON R. PERKUCHIN,
Refuge Manager, Upper Souris National Wildlife Refuge Foxholm, North Dakota 58738.

SEPTEMBER 12, 1975.

[FR Doc.75-24834 Filed 9-17-75;8:45 am]

PART 32—HUNTING

National Elk Refuge, Wyo.

The following special regulation is issued and is effective on September 18, 1975.

§ 32.2 Special regulations: big game; for individual wildlife refuge areas.

WYOMING

NATIONAL ELK REFUGE

Public hunting of elk on the National Elk Refuge, Wyoming, is permitted from October 25 through November 13, 1975, only on the area designated by signs as open to hunting. This open area, comprising 16,327 acres is delineated on maps available at refuge headquarters, Jackson, Wyoming, and from the Area Manager, U.S. Fish and Wildlife Service, 711 Central Avenue, Billings, Montana 59102. Hunting shall be in accordance with all applicable State regulations covering the hunting of elk subject to the following special conditions:

(1) A special permit is required in addition to a valid 1975 State Elk Hunting license. Sixty special permits (for two hunt periods) shall be issued to applicants by drawing at refuge headquarters at 4:00 p.m. on Friday, October 24, 1975 and every Friday thereafter through November 7, 1975. Thirty of these permits will be good for the Saturday through Monday period following each drawing and the other thirty permits will be good for the Tuesday through Thursday period following each drawing. No hunting will be permitted on drawing days.

(2) Access to the refuge shall be only through the main gate east of refuge headquarters in Jackson.

(3) Motorized vehicle travel in the hunt area is prohibited. Entry into the hunt area will be restricted to foot or horseback travel. Hunters may use horses for riding and packing. Retrieval of kills will be either by dragging, backpacking, wheeled carts (non-motorized), or by horse packing.

(4) Persons without permits may accompany special permit holders, but only permit holders are allowed to possess a firearm.

(5) Persons successful in drawing a permit may not draw again in succeeding drawings.

(6) Permits will be revoked in the event of a violation of refuge regulations and violations can result in denial of future privileges as per the Code of Federal Regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 13, 1975.

DON E. REDFEARN,
Refuge Manager.

AUGUST 27, 1975.

[FR Doc.75-24835 Filed 9-17-75;8:45 am]

Title 39—Postal Service

CHAPTER III—POSTAL RATE COMMISSION, U.S. POSTAL SERVICE

[Docket No. RM76-3; Order No. 82]

PART 3002—ORGANIZATION

Order Establishing Office of Planning and Operations

SEPTEMBER 17, 1975.

The Postal Rate Commission has determined that establishment of an Office of Planning and Operations is necessary and desirable in the interests of expedition and efficiency in the conduct of Commission business. The amendment to our rules of organization (39 CFR Part 3002) provided herin will carry out such action.

The existing Office of the Chief Accountant, Office of the Chief Economist, and Office of the Special Assistant will be under the general direction of the Office of Planning and Operations. The Director of Planning and Operations will be responsible for supervising and coordinating the work of these three divisions.

Since the amendment herein made involves matters of agency organization and procedure, the notice requirements of the Administrative Procedure Act do not apply. (5 U.S.C. 553.) Accordingly, pursuant to § 3603 of the Postal Reorganization Act (39 U.S.C. 3603), it is ordered that, effective September 22, 1975, Part 3002 of the Commission's Regulations (39 CFR Part 3002) is hereby amended as follows:

(A) Section 3002.4 is revised to read as follows:

§ 3002.4 Office of the Director of Planning and Operations.

(a) *The Director of Planning and Operations.* The Director of Planning and Operations is responsible for coordinating and supervising the work of the Offices of the Chief Accountant, the Chief Economist, and the Special Assistant. In accordance with § 3001.8 of the rules of practice in this chapter, personnel of the Office of the Director of Planning and Operations do not appear as witnesses in hearings in any proceeding before the Commission and take no part in the preparation of evidence or argument presented in such hearings.

(b) *Office of the Special Assistant.* The Office of the Special Assistant is responsible for providing, subject to the supervision of the Director of Planning and Operations, such analytical research for the Commission or for an individual Commissioner as the Commission or the Commissioner may request. In accordance with § 3001.8 of the rules of practice in this chapter, personnel of the Office of the Special Assistant do not appear as witnesses in hearings in any proceeding before the Commission and take no part in the preparation of evidence or argument presented in such hearings.

(c) *Office of the Chief Economist.* The Office of the Chief Economist, subject to the supervision of the Director of Planning and Operations, pursues a program of analysis and research and serves in an advisory capacity on matters pertaining to the economic aspects of the Commission's regulatory responsibilities. Areas of investigation include subjects such as methods of cost analysis, criteria for determining revenue contributions by class of service, and rate classifications and structures. In accordance with § 3001.8 of the rules of practice in this chapter, personnel of the Office of the Chief Economist do not appear as witnesses in any proceeding before the Commission and take no part in the preparation of evidence or argument presented in such hearings, unless designated for duty with the Office of Technical Staff by formal action of the Commission.

(d) *Office of the Chief Accountant.* Subject to the supervision of the Director of Planning and Operations, the Office of the Chief Accountant advises the Commission and Individual Commissioners with respect to accounting, financial, statistical, and related matters. The office is also responsible for the accumulation and maintenance of data relevant to postal rates, fees, and mail classification, and analysis of the financial, statistical, and operating data of the Postal Service. In accordance with § 3001.8 of the rules of practice in this chapter, personnel of this office do not appear as witnesses in hearings in any proceeding before the Commission and take no part in the preparation of evidence or argument presented in such hearings, unless designated for duty with the Office of Technical Staff by formal action of the Commission.

§§ 3002.7, 3002.8 [Revoked]

(B) Sections 3002.7 and 3002.8 are revoked.

§§ 3002.7, 3002.8, 3002.9, 3002.10 [Redesignated]

(C) Sections 3002.9, 3002.10, 3002.11 and 3002.12 are redesignated as §§ 3002.7, 3002.8, 3002.9, and 3002.10, respectively.

By the Commission.

[SEAL] JAMES R. LINDSAY,
Secretary.

[FR Doc.75-25041 Filed 9-17-75;8:45 am]

proposed rules

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

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974: DEFINITIONS OF MULTIEMPLOYER PLAN ANE PLAN ADMINISTRATOR

Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C., 20224, by October 20, 1975. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d) (9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commissioner by October 20, 1975. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 414 (f) and (g) and 7805 of the Internal Revenue Code of 1954 (88 Stat. 927; 26 U.S.C. 414 (f) and (g); and 68A Stat. 917; 26 U.S.C. 7805).

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) conforming such regulations for plan years ending after September 2, 1974, to subsections (f) and (g) of section 414 of the Internal Revenue Code of 1954, as added by section 1015 of the Employee Retirement Income Security Act of 1974 (88 Stat. 927) (hereinafter referred to as "the Act").

Section 1015 of the Act adds section 414, containing definitions and special rules with respect to part I of subchapter D of chapter 1 of the Code.

Section 414(f), as added by the Act, defines the term "multiemployer plan" as a plan maintained pursuant to a collective bargaining agreement and requiring more than one employer to contribute to the plan. Such a plan is a multiemployer plan for the plan year only if no employer makes 50 percent or more of the contributions made to the plan for that plan year by all employers making contributions. This percentage becomes 75 percent for any plan year following the plan year in which the plan met the 50 percent contribution requirement and continues to be 75 percent until the first plan year following a plan year in which one employer contributed 75 percent or more of the total amount of contributions made to the plan for that plan year by all employers making contributions. In such case, the Act provides that a plan would not again be a multiemployer plan until a plan year in which the 50 percent contribution requirement is satisfied. Further, the Act requires that the amount of benefits payable with respect to each participant will be paid even though an employer of a participant subsequently ceases making contributions to the plan, except to the extent the benefits accrued as a result of service with that employer before such employer was a member of the plan. The proposed regulations provide rules for determining the extent to which benefits are deemed to have accrued as a result of service with an employer before such employer was a member of the plan. For purposes of applying the rules of section 414(f), the Act provides that controlled groups of corporations are deemed to be one employer. The Secretary of Labor is authorized to prescribe by regulations other requirements for a multiemployer plan. The proposed regulations under section 414(f) of the Code also apply for purposes of section 3 (37) of the Act.

Section 414(g), as added, defines the term "plan administrator" as the person specifically designated plan administrator by the plan instrument. If no person is so designated, the employer is the plan administrator where the plan is maintained by a single employer. Where the plan is maintained by an employee organization, the employee organization is the plan administrator. Where the plan is maintained by more than one employer, or jointly by one or more employers and one or more employee organizations, the group consisting of the representatives of the parties who maintain the plan is the plan administrator. If the plan administrator may not be determined by the foregoing rules, the plan administrator is the person or persons who actually control the cash or property contributed to the plan.

Proposed amendments to the regulations. In order to conform the Income Tax Regulations (26 CFR Part 1) to subsections (f) and (g) of section 414 of the Internal Revenue Code of 1954, as added by section 1015 of the Employee Retirement Income Security Act of 1974 (88 Stat. 927), such regulations are amended by inserting the following new sections immediately after § 1.405-3.

§ 1.414(f) Statutory provisions; multiemployer plan.

Sec. 414. *Definitions and special rules.* * * *

(f) *Multiemployer plan*—(1) *In general.* For purposes of this part, the term "multiemployer plan" means a plan—

(A) To which more than one employer is required to contribute,

(B) Which is maintained pursuant to a collective-bargaining agreement between employee representatives and more than one employer,

(C) Under which the amount of contributions made under the plan for a plan year by each employer making such contributions is less than 50 percent of the aggregate amount of contributions made under the plan for that plan year by all employers making such contributions,

(D) Under which benefits are payable with respect to each participant without regard to the cessation of contributions by the employer who employed that participant except to the extent that such benefits accrued as a result of service with the employer before such employer was required to contribute to such plan, and

(E) Which satisfies such other requirements as the Secretary of Labor may by regulations prescribe.

(2) *Special rules.* For purposes of this subsection—

(A) If a plan is a multiemployer plan within the meaning of paragraph (1) for any plan year, subparagraph (C) of paragraph (1) shall be applied by substituting "75 percent" for "50 percent" for each subsequent plan year until the first plan year following a plan year in which the plan had one employer who made contributions of 75 percent or more of the aggregate amount of contributions made under the plan for that plan year by all employers making such contributions.

(B) All corporations which are members of a controlled group of corporations (within the meaning of section 1563(a), determined without regard to section 1563(e)(3)(C)) shall be deemed to be one employer.

[Sec. 414(f) as added by sec. 1015, Employee Retirement Income Security Act 1974 (Pub. L. 93-406, 88 Stat. 927)]

§ 1.414(f)-1 Definition of multiemployer plan.

(a) *General rule.* For purposes of part I of subchapter D of chapter 1 of the Code and the regulations thereunder, a plan is a multiemployer plan for a plan year if all of the following requirements are satisfied:

(1) *Number of contributing employers.* More than one employer is required by the plan instrument or other agreement to contribute to the plan for the plan year with respect to the employees participating in the plan.

(2) *Collective bargaining agreement.* The plan is maintained for the plan year pursuant to a collective bargaining agreement between employee representatives and more than one employer.

(3) *Amount of contributions.* Except as provided by paragraph (b) of this section (relating to the special rule for contributions exceeding 50 percent), the amount of contributions made under the plan for the plan year by each employer making contributions is less than 50 percent of the total amount of contributions made under the plan for such plan year by all employers making contributions.

(4) *Benefits.* For the plan year, the plan provides that the amount of benefits payable with respect to each employee participating in the plan is determined without regard to the cessation of contributions by an employer of a participant, except to the extent such benefits accrued as a result of the participant's service with that employer during a period before such employer was a member of the plan.

(5) *Other requirements.* For the plan year, the plan satisfies such other requirements as the Secretary of Labor may by regulations prescribe under the authority of section 414(f)(1)(E) of the Code and section 3(37) of the Employee Retirement Income Security Act of 1974 (Public Law 93-406, 88 Stat. 839). See Labor Department regulations sections 2505.1 through 2505.4 proposed in the FEDERAL REGISTER for December 4, 1974 (39 F.R. 42234).

For purposes of paragraphs (a)(3) and (b) of this section, the amount of contributions made under the plan for the plan year by each employer shall be the sum of such contributions made on or before the last day of the plan year. For purposes of determining whether contributions are made on or before the last day of the plan year, the rule of section 412(c)(10) and the regulations thereunder shall apply (relating to contributions made two and one-half months after the last day of the plan year). For purposes of paragraph (b)(4) of this section, a benefit is deemed to have accrued as a result of the participant's service with an employer during a period before such employer was a member of the plan to the extent there is any difference between the participant's accrued benefit calculated under the plan on the date such employer ceases making contributions under the plan and the participant's accrued benefit calculated without regard to his service with such employer during a period before such employer first became a member of the plan. However, such a benefit deemed to have accrued as a result of the participant's service before his employer became a member of the plan may not exceed the benefit accrued under the plan as in effect on the date the employer first became a member of the plan. An employer shall be deemed to be a member of the plan for the period during which he employs any individual who, solely by reason of such employment, is an active participant in the plan. For purposes of section 414(f) and this section, all corporations which are members of a controlled group of corporations (within the meaning of section 1563(a) and the regulations thereunder, but determined without regard to section 1563(e)(3)(C) and the regulations thereunder) are deemed to be one employer.

(b) *Contributions exceeding 50 percent.* If a plan was a multiemployer plan as defined in this section for any plan year (including plan years ending prior to September 3, 1974), "75 percent" shall be substituted for "50 percent" in applying paragraph (a)(3) of this section for subsequent plan years until the first plan year following a plan year in which one employer contributed 75 percent or more of the total amount of contributions made under the plan for that plan year by all employers making contributions. In such case "75 percent" shall not again be substituted for "50 percent" until the plan has met the requirements of paragraph (a) of this section (determined without regard to this paragraph) for one plan year.

(c) *Examples.* The application of this section is illustrated by the following examples. For purposes of these examples, assume that the plan meets the requirements of paragraphs (a)(1), (2), (4), and (5) of this section for each plan year.

Example (1). On January 1, 1970, U, V, and W, three employers none of which is a member of a controlled group of corporations with any of the other two employers, establish a plan with a plan year corresponding to the calendar year. U, V, and W each contribute less than one-half of the total contributions made under the plan for each of the years 1970, 1971, and 1972. For the years 1973, 1974, and 1975, U contributes 70 percent and V and W each contribute 15 percent of the total contributions made under the plan for each year. The plan is a multiemployer plan under section 414 (f) and this section for 1975 because no employer has contributed 75 percent or more of the total amount contributed for each of the plan years subsequent to 1972.

Example (2). (i) *First plan year.* On January 1, 1975, X, Y, and Z, three employers none of which is a member of a controlled group of corporations with any of the other two employers, establish a plan with a plan year corresponding to the calendar year. X, Y, and Z each contribute less than one-half of the total contributions made under the plan for 1975. The plan is a multiemployer plan for 1975 because it meets the 50 percent contribution requirement of paragraph (a) (3) of this section.

(ii) *Second plan year.* For the second plan year, 1976, X contributes 70 percent and Y and Z each contribute 15 percent of the total contributions made under the plan. The plan is a multiemployer plan for 1976 because it was a multiemployer plan for the preceding plan year and satisfies the 75 percent contribution requirement of paragraph (b) of this section.

(iii) *Third plan year.* For the third plan year, 1977, X contributes 80 percent and Y and Z each contribute 10 percent of the total contributions made under the plan. The plan is not a multiemployer plan for 1977 because it fails to satisfy the 75 percent contribution requirement of paragraph (b) of this section.

(iv) *Fourth plan year.* For the fourth plan year, 1978, Y contributes 60 percent and X and Z each contribute 20 percent of the total contributions made under the plan. The 75 percent contribution requirement of paragraph (b) of this section does not apply. The plan is not a multiemployer plan for 1978 because it fails to satisfy the 50 percent contribution requirement of paragraph (a)(3) of this section.

(v) *Fifth plan year.* For the fifth plan year, 1979, X, Y, and Z each contribute less than one-half of the total contributions made under the plan. The 75 percent contribution requirement of paragraph (b) of this section does not apply. The plan is a multiemployer plan for 1979 because it again meets the 50 percent contribution requirement of paragraph (a)(3) of this section.

(vi) *Sixth plan year.* For the sixth plan year, 1980, the plan will continue to be a multiemployer plan, provided that no employer contributes 75 percent or more of the total amount of contributions made under the plan for the plan year.

(d) *Retention of records.* (1) For plan years ending prior to September 3, 1974, a plan may be required to furnish proof that it met the requirements of section 414(f) and this section for each plan year ending prior to that date to the extent necessary to show the applicability of the 75 percent test provided in paragraph (b) of this section.

(2) For plan years ending after September 2, 1974, a plan may be required to furnish proof that it met the requirements of section 414(f) and this section for six immediately preceding plan years.

§ 1.414(g) Statutory provisions; plan administrator.

Sec. 414. *Definitions and special rules.* * * *

(g) *Plan administrator.* For purposes of this part, the term "plan administrator" means—

(1) The person specifically so designated by the terms of the instrument under which the plan is operated;

(2) In the absence of a designation referred to in paragraph (1)—

(A) In the case of a plan maintained by a single employer, such employer,

(B) In the case of a plan maintained by two or more employers or jointly by one or more employers and one or more employee organizations, the association, committee, joint board of trustees, or other similar group of representatives of the parties who maintained the plan, or

(C) In any case to which subparagraph (A) or (B) does not apply, such other person as the Secretary or his delegate may by regulations prescribe.

[Sec. 414(g) as added by sec. 1015, Employee Retirement Income Security Act 1974 (Pub. L. 93-406, 88 Stat. 927)]

§ 1.414(g)-1 Definition of plan administrator.

(a) *In general.* For purposes of part I of subchapter D of chapter 1 of the Code and the regulations thereunder, if the instrument under which the plan is operated for a plan year specifically designates a person as plan administrator of the plan, such person is the plan administrator of the plan for the plan year. In the absence of a person so designated as the plan administrator of the plan by the instrument under which the plan is operated, the plan administrator of the plan for the plan year is the person described in paragraphs (b) (1), (2), or (3) of this section (whichever applies).

(b) *Plan administrator not specifically designated.* If no person is specifically designated as the plan administrator of the plan for a plan year by the instrument under which the plan is established or operated, the plan administrator of the plan for such year is the person determined under the following rules:

(1) *Single employer.* In the case of a plan maintained by a single employer, the employer is the plan administrator.

(2) *Employee organization.* In the case of a plan maintained by an employee organization, the employee organization is the plan administrator.

(3) *Group representing the parties.* In the case of a plan maintained by two or more employers, or jointly by one or more employers and one or more employee organizations, the association, committee, joint board of trustees, or other similar group of representatives of the parties who maintain the plan, as the case may be, is the plan administrator.

(4) *Person in control of assets.* In any case where a plan administrator may not be determined by application of paragraps (a) and (b) (1), (2) and (3) of this section, the plan administrator is the person or persons actually responsible, whether or not under the terms of the plan, for the control, disposition, or management of the cash or property received by or contributed to the plan, irrespective of whether such control, disposition, or management is exercised directly by such person or persons or indirectly through an agent or trustee designated by such person or persons.

[FR Doc.75-24922 Filed 9-15-75;4:18 pm]

DEPARTMENT OF THE INTERIOR

Geological Survey

[30 CFR Part 250]

DRILLING AND DEVELOPMENT PROGRAMS

Proposed Procedures for State Consideration of OCS Oil and Gas Development Plans

Correction

In FR document 75-24459, appearing on page 42559 in the issue of Monday, September 14, 1975, the new portions of the proposed regulations were to be shown in a different type size. This document indicates the new portions as follows:

1. In paragraph (b) the new text begins with the sixth line reading "The development plan except for those * * *" and ends with the last line reading "* * * out further delay."

2. New paragraph (c) is added.

3. Former paragraph (c) was redesignated as paragraph (d).

4. Former paragraph (d) was redesignated as paragraph (e) and the last sentence added.

No deletions or changes other than the additions noted above are proposed.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 924]

HANDLING OF FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

Notice of Proposed Rule Making With Respect to Decreasing the Assessment Rate for the 1975-76 Fiscal Period

This notice invites written comment relative to the proposal of the Washington-Oregon Fresh Prune Marketing Committee to decrease its rate of assessment from $0.80 per ton of prunes to $0.70. This Committee locally administers Marketing Order 924, as amended.

Consideration is being given to the following proposal submitted by the Washington-Oregon Fresh Prune Marketing Committee, established under the amended marketing agreement and Order No. 924 (7 CFR Part 924; 39 FR 33305; 34644) regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof. The Committee now estimates that the Oregon-Washington prune crop will be larger than was anticipated at the time of the Committee meeting on June 3, 1975. As a result, the current assessment rate, if continued throughout the entire season, would generate income in excess of expenses. In order to bring both in line, the Committee proposes lowering the assessment rate.

The proposal is that the provisions of paragraph (b) of § 924.215 (40 FR 37028) be amended to read as follows:

§ 924.215 Expenses, rate of assessment and carryover of unexpended assessment funds.

* * * * *

(b) *Rate of Assessment.* The rate of assessment for said period, payable by each handler in accordance with § 924.41 is hereby fixed at $0.70 per assessable ton of fresh prunes.

* * * * *

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than September 25, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: September 15, 1975.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-24919 Filed 9-17-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 75]

[Airspace Docket No. 75-NW-21]

JET ROUTE

Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route between Europe, Oreg., and Spokane, Wash., via The Dalles, Oreg.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Northwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Wash. 98108. All communications received on or before October 20, 1975, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes to amend Part 75 by designating a jet route between Eugene VORTAC and Spokane VORTAC via The Dalles VORTAC. In order to reduce pilot/controller communications and to simplify flight planning, it is proposed to designate a jet route over this frequently used route.[1]

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

[1] Map filed as part of the original document.