For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. Employment in the first six months of 1975 decreased 16 percent from the same period in 1974. Average hours worked in the first six months of 1975 were 11 percent below the average level of hours worked in the first six months of 1974.

Sales or Production, or Both, Have Decreased Absolutely. Sales at the St. Louis plant declined 24 percent in the first half of 1975 compared to the first half of 1974.

Increased Imports Contributed Importantly. While imports of articles like or directly competitive with those produced at Western Supplies Company increased from 2300 units in 1973 to 2700 units in 1974, they have been an insignificant factor in the U.S. market, comprising less than two tenths of one percent of total domestic consumption and production during the period.

Increased imports of shoes and decreases in total domestic production of footwear have resulted in reduced demand for domestically produced shoe cutting dies. Reduced orders for shoe cutting dies resulted from declining shoe production rather than from increased imports of shoe cutting dies.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with shoe cutting dies produced at Western's St. Louis, Missouri plant did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 18th day of September 1975.

GLORIA G. PRATT, Director, Office of Foreign Economic Policy.

[FR Doc.75-25775 Filed 9-25-75;8:45 am]

Wage and Hour Division

INSTITUTIONS OF HIGHER EDUCATION

Certificates Authorizing Employment of Full-Time Students at Subminimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the regulation on employment of full-time students at subminimum wages (29 CFR 519), and Administrative Order No. 621 (36 FR 12819), the institutions of higher education listed in this notice have been granted authority to employ their full-time students outside of the individual student's regularly scheduled hours of instruction at hourly rates not less than 85 percent of the applicable statutory minimum rate specified under section 6 of the Act.

The regulation provides for the authority to be effective on the date a properly completed application is forwarded to the Wage and Hour Division provided applicable conditions of the

regulation are met. After review by the Division, the authority may be continued in effect for up to one year from the date the application was forwarded to the Division. Since there was insufficient time before the effective date of the Fair Labor Standards Amendments of 1974 for application forms to be distributed. completed, and acted on, a grace period through August 31, 1974, permitted authority to be effective May 1, 1974, provided the specific conditions of the grace period were met and a proper application was made to the Division before the end of the grace period. The expiration date of the authority granted to a par-ticular institution of higher education listed in this notice occurs between May 30, 1975, and August 31, 1975.

The terms and conditions of the regulation further limit the authority to employ full-time students at subminimum wages to not more than 20 hours per week when school is in session, prohibit subminimum wage employment in unrelated trades or businesses such as apartment houses, stores, or other businesses not primarily catering to the students of the institution, and prohibit the hiring of full-time students at subminimum wages for work in a unit or units of the campus where abnormal labor conditions, such as a strike or lockout exist. The authority does not excuse noncompliance with higher standards applicable to full-time students under any other Federal law, State law, local ordinance, or union or other agreement.

Akron, The University of, Akron, OH.
Alverno College, Milwaukee, WI.
Ashland College, Ashland, OH.
Baldwin-Wallace College, Berea, OH.
Bluffton College, Bluffton, OH.
Bowling Green State University, Huron, OH.
Carroll College, Waukesha, WI.
Case Western Reserve University, Cleveland,
OH.

Cedarville College, Cedarville, OH. Cincinnati, University of, Cincinnati, OH. The Cincinnati Bible Seminary, Cincinnati, OH.

Circleville Bible College, Circleville, OH. Clermont General and Technical College, Batavia, OH.

Cleveland State University, Cleveland, OH.
College of Mount St. Joseph, Mount St.
Joseph, OH.

Cuyahoga Community College: Cleveland, OH; Parma, OH; Warrensville Township, OH. Defiance College, Defiance, OH.

Denison University, Granville, OH.
Edgecliff College, Cincinnati, OH.
Edgewood College, Madison, WI.
Findlay College, Findlay, OH.
Heidelberg College, Timn. OH.
Hocking Technical College, Nelsonville, OH.
John Carroll University, Cleveland, OH.
Kent State University: Ashtabula, OH;
Canton, OH; Chardon, OH; East Liverpool,
OH; Kent, OH; New Philadelphia, OH;
Salem, OH; Warren, OH.

Kenyon College, Gambier, OH.
Lake Eric College, Painesville, OH.
Lakeiand College, Sheboygan, WI.
Lawrence University, Appleton, WI.
Malone College, Canton, OH.
Marietta College, Marietta, OH.
Marquette University, Milwaukee, WI.
Mary Manse College, Toledo, OH.
Miami-Jacobs Junior College of Business,
Dayton, OH.

Miami University: Hamilton, OH; Middletown, OH; Oxford, OH. Milton College, Milton, WI.

Mitor College, Mitton, WI.

Mount Union College, Alliance, OH.

Mt. Vernon Academy, Mount Vernon, OH.

Muskingum Area Technical College, Zanesville, OH.

Muskingum College, New Concord, OH.
Notre Dame College, Cleveland, OH.
Ohic College of Applied Science, Cincinnati,
OH.

Ohio University, Athena, OH.
Ohio Wesleyan University, Delaware, OH.
Otterbein College, Westerville, OH.
Raymond Walters General and Technical
College, Cincinnati, OH.

Ripon College, Ripon, WI.
St. Norbert College, De Pere, WI.
Silver Lake College of the Holy Family, Inc.,
Manitowe, WI

Manitowoc, WI.
Steubenville, The College of, Steubenville,

Toledo, The University of, Toledo, OH. Walsh College, Canton, OH. Wayne General & Technical College, Orrville,

Wayne General & Technical College, Orrville, OH.

Wilmington College Main Campus, Wilmington, OH.

Wisconsin, University of: Menomonie: Oshkosh; River Falls and Stevens Point, WI. Wittenberg University, Springfield, OH. Wright State University, Dayton, OH. Xavier University, Cipcinnati, OH. Youngstown State University, Youngstown,

The authority has been granted to each institution of higher education upon the representations of the institution which, among other things, were that employment of full-time students at subminimum wages is necessary to prevent curtailment of opportunities for employment, the hiring of full-time students at subminimum wages will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under the authority, and such authority will not result in a reduction of the wage rate paid to a current employee. The authority may be annulled or withdrawn in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the granting of the authority to any of the institutions listed may seek a review or reconsideration thereof on or before November 10, 1975.

Signed at Washington, D.C. this 22nd day of September, 1975.

DONALD T. CRUMBACK, Authorized Representative of the Administrator.

[FR Doc.75-25695 Filed 9-25-75;8:45 am]

LEGAL SERVICES CORPORATION COMMITTEE ON PRESIDENTIAL SEARCH Notice of Meeting

The Committee on Presidential Search of the Board of Directors of the Legal Services Corporation will meet at 1:30 p.m. on Priday, October 3, 1975 at the Statler Hilton Hotel, Washington, D.C., and at 5:30 p.m. on Saturday, October 4, 1975 at the Marvin Center, Washington, D.C.

The meetings will be in Executive Session for the purpose of interviewing can-

didates for President of the Corporation. Representatives of specific organizations will be invited to attend portions of the meetings.

Dated: September 25, 1975.

Roger C. Cramton, Chairman.

[FR Doc.75-26069 Piled 9-25-75;12:08 pm]

INTERSTATE COMMERCE COMMISSION

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

SEPTEMBER 23, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d) (2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission on or before October 28, 1975. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 15643 (Sub-No. 6G), filed June 4, 1974. Applicant: FOUR WINDS VAN LINES, INC., 7035 Convoy Court, San Diego, Calif. 92138. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Connecticut, Pennsylvania, New Jersey, New York, Ohio, Michigan, Illinois, Indiana, North Carolina, Maryland, Missouri, Virginia, West Virginia, Wisconsin, Rhode Island, Maine, New Hampshire, Vermont, Massachusetts, Oklahoma, Colorado, Louisiana, Arkansas, Kansas, Texas, New Mexico, District of Columbia, Alabama, Florida, Georgia, South Carolina, Tennessee, Kentucky, and Delaware. The purpose of this filing is to eliminate the gateways of Boston, Mass. and points within 25 miles, points in Oklahoma, North Carolina, Tennessee, Kentucky, Delaware, and Missouri, and points in Cleveland, Mc Claine, and Beckham Counties, Okla.

No. MC 21958 (Sub-No. 9G), filed June 4, 1974. Applicant: STARCK VAN LINES, INC., R.D. No. 1, Burgettstown,

Pa. 15021. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods as defined by the Commission, (1) between points in Connecticut, Delaware, Massachusetts, North Carolina, Rhode Island, Tennessee, on the one hand, and, on the other, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Virginia, West Virginia and the District of Columbia, (2) between points in Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia, (3) between points in Florida, Georgia, Oklahoma, South Carolina, and Texas, on the one hand, and, on the other, points in IIlinois, Indiana, Kentucky, Maine, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia, (4) between points in Connecticut and Delaware, on the one hand, and, on the other, points in North Carolina, Rhode Island, and Tennessee, and (5) between points in Rhode Island, on the one hand, and, on the other, points in North Carolina and Tennessee. The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa. and points in Pennsylvania within 100 miles of Pittsburgh and points in West Virginia and points in Brook and Hancock Counties, W. Va. and points within 125 miles of said counties.

No. MC 22988 (Sub-No. 9G), filed April 22, 1974. Applicant: K. G. MOORE, INC., 16 Progress Avenue, Nashua, N.H. 03060. Applicant's representative: Rob-ert G. Parks, 189 Nehoiden Street, Needham, Mass. 02192. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting general commodities (except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment), between those points along Massachusetts Highway 9 within 10 miles of Boston, Mass., on the one hand, and, on the other, points in Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway at Manchester, N.H.

No. MC 111956 (Sub-No. 30G), filed June 4, 1974. Applicant: SUWAK TRUCKING COMPANY, 1105 Fayette Street, Washington, Pa. 15301. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) Glassware, glass containers, and caps, stoppers, and covers; therefor, in cartons, from Lancaster, Ohio, to points in Allegheny, Fayette, Greene, Washington, and Westmoreland Counties, Pa. and points in Pennsylvania within 50 miles of Bedford, Pa; Keene,

N.H.; Boston and Cambridge, Mass.; Clinton, Conn.; Wilmington, Del.; and points in New York, Maryland, New Jersey, and Rhode Island. The purpose of this filing is to eliminate the gateways at Bedford, Pa., Connellsville, Pa. and Washington, Pa. (b) from Salem, N.J., to points in Allegheny, Fayette, Greene, Washington, and Westmoreland Counties, Pa. and points in Pennsylvania within 50 miles of Bedford, Pa.; those points in Ohio (except Cleveland, Ohio), Chicago, Ill., and those points in that part of Illinois within 50 miles of the intersection of Clark and Madison Streets in Chicago. The purpose of this filing is to eliminate the gateways at Connellsville, Pa. and Washington, Pa. (c) From points in Allegheny, Fay-

ette, Washington, and Westmoreland Counties, Pa., and points in Bedford, Blair, Fulton, Franklin, and Huntingdon Counties, Pa. and points in that part of Pennsylvania within 50 miles of Bedford, Pa., to points in Ohio, and Chicago. Ill. and those points in Illinois within 50 miles of the intersection of Clark and Madison Streets in Chicago. The purpose of this filing is to eliminate the gateways at Bedford, Pa. and Washington, Pa. (2) Glassware, glass containers and caps, stoppers and covers, from Allegheny, Fayette, Greene, Washington, and Westmoreland Counties, Pa., to Boston and Cambridge, Mass., Keene, N.H., Clinton, Conn. and those points in Rhode Island and New York. The purpose of this filing is to eliminate the gateway at Washington, Pa. (3) Glass containers and caps for glass containers, from Allegheny, Fayette, Washington, and Westmoreland Counties, Pa., to points in West Virginia. The purpose of this filing is to eliminate the gateway at Connellsville,

No. MC 119864 (Sub-No. 61G), filed June 1974. Applicant: CRAIG TRANSPORTATION CO., a Corporation, 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen joods, from points in that part of Michigan south of Michigan Highway 21, and that part of Ohio bounded by a line beginning at the Ohio-Indiana State line and extending east along U.S. Highway 36 to Delaware, Ohio thence northeast along U.S. Highway 42 to Cleveland, Ohio, thence west along the shore of Lake Erie to the Ohio-Michigan State line to the Ohio-Indiana State line and thence south along the Ohio-Indiana State line to point of beginning, including points on the indicated portions of the highways specified, to points in Illinois, Kentucky, Ohio, and St. Louis, Mo. The purpose of this filing is to eliminate the gateways of LaPorte, Ind. and Archbold, Ohio.

No. MC 119864 (Sub-No. 62G), filed June 3, 1974. Applicant: CRAIG TRANS-PORTATION CO., a Corporation, 26699 Eckel Road, Perrysburg, Ohio NOTICES

43551. Applicant's representative: Dale products, and materials and supplies K. Craig (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) (1) Foodstuffs, (a) from Chicago, Freeport, Joliet, and Marshall, Ill., to points in Indiana and (b) from points in Indiana, to points in Illinois and St. Louis, Mo. and (2) foodstuffs (except frozen), from Chicago, Freeport, Joliet, and Marshall, Ill., and points in Indiana, to points in Michigan north of Michigan Highway 21. The purpose of this filing is to eliminate the gateway of Archbold, Ohio. (B) (1) Dairy products, canned goods, packinghouse products and by-products, and materials and supplies used in the operation and maintenance of packinghouses, restricted to shipments of foodstuffs, from St. Louis, Mo. and points in Illinois, to points in Indiana and (2) dairy products, canned goods, packinghouse products and by-products, and materials and supplies used in the operation and maintenance of packinghouses, restricted to shipments of foodstuffs, (not frozen), from points in Illinois, to points in Michigan north of Michigan Highway 21. The purpose of this filing is to eliminate the gateways of Chicago, Ill., Gary, Ind., and Archibold. Ohio.

No. MC 119864 (Sub-No. 63G), filed June 3, 1974. Applicant: CRAIG TRANS-PORTATION CO., a Corporation, 26699 Eckel Road, Perrysburg, Ohio 43551, Applicant's representative: Dale K. Craig (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dairy products, canned goods packinghouse products and by-products, and materials and supplies used in the operation and maintenance of packinghouses, from points in Illinois, to points in Ohio starting at the State line of Ohio-Michigan at U.S. Highway 127, thence south on U.S. Highway 127 to West Unity, Ohio, thence south on State Highway 191 to junction U.S. Highway 6, thence east on U.S. Highway 6 to Fremont, Ohio, thence east on U.S. Highway 20 to Elyria, Ohio, thence east on State Highway 82 to junction U.S Highway 42, thence south-west on U.S. Highway 42 to Delaware, Ohio, thence west on U.S Highway 36 to the Ohio-Indiana State line, thence north along the Ohio-Indiana State line to the junction of the Ohio-Michigan State line, thence east along the Ohio-Michigan State line to point of beginning, including points on the highways specified. The purpose of this filing is to eliminate the gateways of Chicago, Ill., and Gary, Ind.

No. MC 119864 (Sub-No. 64G), filed June 3, 1974. Applicant: CRAIG TRANS-PORTATION CO., a Corporation, 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same address as applicant). Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: Dairy products, canned goods, packinghouse products and by-

used in the operation and maintenance of packinghouses, from points in Ohio starting at the State line of Ohio-Michigan at U.S. Highway 127, thence south on U.S. Highway 127 to West Unity, Ohio, thence south on State Highway 191 to junction U.S. Highway 6, thence east on U.S. Highway 6 to Fremont, Ohio, thence east on U.S. Highway 20 to Elyria, Ohio, thence east on State Highway 82 to junction U.S. Highway 42, thence southwest on U.S. Highway 42 to Delaware, Ohio, thence west on U.S. Highway 36 to the Ohio-Indiana State line, thence north along the Ohio-Indiana State line to the junction of the Ohio-Michigan State line, thence east along the Ohio-Michigan State line to point of beginning, including points on the highways specified, to points in Il-linois. The purpose of this filling is to eliminate the gateways of Chicago, Ill. and Gary, Ind.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion. alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission within 10 days from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 83539 (Sub-No. E162) (Correction), filed May 23, 1974. Applicant: C & H TRANSPORTATION, P.O. Box 5976. Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above), Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Heavy machinery, which because of size or weight, requires the use of special equipment, between points in New Hampshire, on the one hand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; New York; and Braddock, Pa. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E165) (Correction), filed May 23, 1974, published in the FEDERAL REGISTER July 21, 1975. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Heavy machinery, which because of size or weight, requires the use of special equipment, between points in New Hampshire, on the one hand, and, on the other, points in Wisconsin and Nebraska. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; New York; Braddock, Pa.; and Illinois. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E169) (Correction), filed May 23, 1974, published in the FEDERAL REGISTER July 21, 1975, Appli-cant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting; Heavy machinery, which because of size or weight, requires the use of special equipment, between points in New Hampshire, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; New York; and Braddock, Pa. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E176) (Correction), filed May 23, 1974, published in the Federal Register July 21, 1975. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Heavy machinery, which because of size or weight, requires the use of special equipment, between points in Vermont, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateways of Worcester, Minn.; East Port Chester, Conn.; and Braddock, Pa. The purpose of this correction is to correct the territorial descrip-

No. MC 83539 (Sub-No. E178) (Correction), filed May 23, 1974, published in the Federal Register July 21, 1975. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222, Applicant's representative: Kenneth Weeks (same as above) . Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Heavy machinery, which because of size or weight, requires the use of special equipment, between points in Vermont. on the one hand, and, on the other, points in Iowa, Minnesota, and Missouri. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; East Port Chester, Conn.; New York; Braddock, Pa.; and Illinois. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E179) (Correction), filed May 23, 1974, published in the FEDERAL REGISTER July 21, 1975. Applicant: C & H TRANSPORTATION. P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Heavy machinery, which because of size

or weight, requires the use of special equipment, between points in Vermont, on the one hand, and, on the other, points in Kansas, Louisiana, and Mississippi. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; East Port Chester, Conn.; New York; and Braddock, Pa. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E180) (Correction), filed May 23, 1974, published in the Federal Register July 21, 1975, Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting; Heavy machinery, which because of size or weight, requires the use of special equipment, between points in Vermont, on the one hand, and, on the other, points in Nebraska. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; East Port Chester, Conn.; New York; Braddock, Pa.; and Illinois. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E183) (Correction), filed May 23, 1974, published in the Federal Register July 21, 1975. Applicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Heavy machinery, which because of size or weight, requires the use of special equipment, between points in Vermont, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of Worcester, Mass.; East Port Chester, Conn.; New York; and Braddock, Pa. The purpose of this correction is to correct the territorial description.

No. MC 83539 (Sub-No. E186) (Correction), filed May 23, 1974, published in the Federal Register July 21, 1975. Aplicant: C & H TRANSPORTATION, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a common carrier, by motor vehicle, irregular routes, transporting: Heavy machinery, which because of size or weight, requires the use of special equipment, between points in Vermont, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateways of East Port Chester, Conn.; Braddock, Pa.; and Illinois. The purpose of this correction is to correct the territorial description.

No. MC 88368 (Sub-No. E40), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Com-

mission, (1) from points in Ohio in and east of Cuyahoga, Medina, Wayne, Holmes, Coshocton, Guernsey, Noble, and Washington Counties, to point in Arkansas on and south of a line beginning at the Arkansas-Texas State line near De-Queen extending along U.S. Highway 70 to Brinkley, thence along U.S. Highway 49 to the Arkansas-Mississippi State line, (2) from points in Ohio to points in Alabama on and south of a line beginning at the Alabama-Mississippi State line extending along U.S. Highway 82 to Tuscaloosa, thence along U.S. Highway 11 to the Alabama-Georgia State line, (3) from points in Ohio on and east of a line beginning at Cleveland extending along Ohio Highway 21 to junction Ohio Highway 18, thence along Ohio Highway 18 to Akron, thence along Interstate Highway 77 to Cambridge, thence along U.S. Highway 40 to Zanesville, thence along Ohio Highway 93 to junction Ohio Highway 13, thence along Ohio Highway 13 to Athens, thence along U.S. Highway 33 to junction Ohio Highway 7, thence along Ohio Highway 7 to Gallipolis, to points in Alabama.

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(4) From points in Ohio to points in California on, north and west of a line beginning at Eureka extending along California Highway 299 to Redding. thence along Interstate Highway 5 to Weed, thence along U.S. Highway 97 to the California-Oregon State line. (5) from points in Ohio, to points in Idaho on, north and west of a line beginning at the Idaho-Montana State line extending along U.S. Highway 91 to Pocatello, thence along U.S. Highway 30 to Twin Falls, thence along U.S. Highway 93 to the Idaho-Nevada State line, (6) from points in Ohio on and east of U.S. Highway 23 to points in Louisiana, (7) from points in Jefferson County, Ohio, to points in New York in, east and south of Orange, Ulster, Greene, Albany, Schenectady, Montgomery (on and east of New York Highway 30), Saratoga Counties, and points on and east of Interstate Highway 87 from Saratoga County to the United States-Canada International Boundary line, (8) from points in Ohio, to points in Louisiana in, south and east of Califcasieu, Jefferson Davis, Acadia, Lafayette, St. Martin, Iberville, Pointe Coupee and West Feliciana Parishes, (9) from points in Ohio to points in Mississippi on and south of U.S. Highway 80, (10) from points in Ohio on and east of Interstate Highway 77 including Cambridge, Ohio, to points in Mississippi, (11) from points in Ohio to points in Missouri in, north and west of Howell, Texas, Dent, Washington, and Jefferson Counties, (12) from points in Ohio on and north of a line beginning at the Ohio-Indiana State line extending along Ohio Highway 22 to Eaton, thence along U.S. Highway 35 to Dayton, thence along Ohio Highway 4 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Ohio-Pennsylvania State line, to points in Missouri.

(13) From points in Ohio in and south of Preble, Montgomery, Clark, Madison, Franklin, Licking, Coshocton, Tuscarawas, Harrison, and Jefferson Counties, to

points in Montana in and west of Toole, Teton, Cascade, Meagher, Wheatland, Golden Valley, Yellowstone, and Carbon Counties, (14) from points in Ohio on, south and east of a line beginning at the Ohio-Indiana State line extending along Ohio Highway 122 to Eaton, thence along U.S. Highway 35 to Dayton, thence along Ohio Highway 4 to Sandusky, to points in Nebraska on, south and west of a line beginning at the Nebraska-Kansas State line near McCook extending along U.S. Highway 83 to North Platte, thence along U.S. Highway 30 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Nebraska-Wyoming State line. (15) from points in Ohio to points in Oregon on and west of a line beginning at the Oregon-California State line near Lakeview extending along U.S. Highway 395 to Pendleton, thence along Oregon Highway 11 to the Oregon-Washington State line, (16) from points in Ohio, to points in Cherokee County, Tex., (17) from points in Ohio on, north and west of a line beginning at the Ohio-Kentucky State line near Cincinnati extending along Interstate Highway 71 to Columbus, thence along Interstate Highway 70 to the Ohio-West Virginia State line, to points in Texas on and west of a line begining at Laredo extending along U.S. Highway 81 to Hillsboro, thence along U.S. Highway 77 to Dallas, thence along U.S. Highway 75 to the Texas-Oklahoma State line.

(18) From points in Ohio on, south and east of a line beginning at the Ohio-Indiana State line near Greenville extending along U.S. Highway 36 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction U.S. Highway 23. thence along U.S. Highway 23 to the Ohio-Michigan State line, to points in Wyoming on, south and west of a line beginning at the Wyoming-Nebraska State line near Torrington extending along U.S. Highway 26 to Casper, thence along U.S. Highway 87 to the Wyoming-Montana State line. The purpose of this filing is to eliminate the gateways of Bledsoe, Ky., and Florence, Ala., in (1) above; Harland, Bledsoe, and Molus, Ky., in (2) above; Harland and Bledsoe, Ky ... in (3) above; Clinton, Ill., Newton, Kans., Sterling, Colo., Dalesport, Wash., in (4) above: Clinton, Ill., Newton, Kans. Sterling, Colo., and Monida, Mont., in (5) above: Bledsoe, Ky., Florence, Ala., Molus, Ky., and Birmingham, Ala., in (6) above: Philadelphia, Pa., in (7) above. Bledsoe, Ky., Florence, Ala., and Molus. Ky., and Birmingham, Ala., in (8) above: Molus, Ky., Huntsville Ala., and Bledsoe. Ky., in (9) above; Bledsoe, Ky., and Florence, Ala., in (10) above; Clinton, Ill., in (11) above; Clinton, Ill., in (12) above; Clinton, Ill., Newton, Kans., Sidney, Nebr., Casper, Wyo., and Sheridan, Wyo. in (13) above; Goessel Kans., Clinton, Ill., and Newton, Kans., in (14) above; Clinton, Ill., Newton, Kans., Sterling, Colo., Dalesport, Wash., and Walla Walla, Wash., in (15) above; Pototoc, Miss., Bledsoe, Ky., Florence, Ala., Shreveport. La., and Harlan, Ky., in (16) above; Clinton, Ill., Cowley City, Kans., and Arkansas City, Kans., in (17) above; and ClinNOTICES 44373

ton, Ill., Goessel, Kans., and Sidney, Nebr., in (18) above.

No. MC 102616 (Sub E68), filed June 3. 1974. Applicant: COASTAL TANK LINES, INC., 215 E. Waterloo Rd., Akron, Ohio 44319. Applicant's representative: Pred H. Daly (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: liquid petrochemicals, 'as defined by the Commission, in bulk, in tank vehicles, from Crossville, Ill., to points in New Hampshire, Vermont and Maine. The purpose of this filing is to eliminate the gateway of Granger, Ind. and Bay City or Ludington, Mich.

No. MC 102616 (Sub-No. E255), filed June 3, 1974. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Rd., Akron, Ohio 44319. Applicant's representative: Fred H. Daly (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid chemicals, in bulk, in tank vehicles; (a) from points in Ohio on and south of U.S. Highway 35 to points in Delaware and points in Maryland on and east of a line beginning at the Maryland-Pennsylvania State line and extending along Interstate Highway 83 to junction U.S. Highway 1. thence along U.S. Highway 1 to junction Maryland Highway 151, thence along Maryland Highway 151 to the Chesapeake Bay; (b) from points in Hamilton, Clermont, Warren, and Butler Counties, Ohio, to points in North Carolina on and east of U.S. Highway 301, and points in Virginia on and south of U.S. Highway 60, on and east of U.S. Highway 220, and on and north of U.S. Highway 460; (c) from points in Ohio on, south, and west of a line beginning at the Ohio-West Virginia State line and extending along U.S. Highway 35 to junction Ohio Highway 72, thence along Ohio Highway 72 to junction U.S. Highway 63, thence along U.S. Highway 68 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Interstate Highway 75. thence along Interstate Highway 75 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Indiana-Ohio State line, to the District of Columbia; (d) from points in Ohio south of a line beginning at the West Virginia-Maryland State line and extending along U.S. Highway 35 to junction Ohio Highway 776, thence along Ohio Highway 776 to junction Ohio Highway 124, thence along Ohio Highway 124 to junction Ohio Highway 41, thence along Ohio Highway 41 to the Ohio-Indiana State line, to points in Maryland on and east of Interstate Highway 81 and on and west of a line beginning at the Maryland-Pennsylvania State line and extending along Interstate Highway 83 to junction Interstate Highway 695, thence along Interstate Highway 695 to junction Interstate Highway 95, thence along Interstate Highway 95 to the Maryland-District of Columbia border line;

(e) From points in Ohio north and east of a line beginning at the Ohio-Kentucky State line and extending along Ohio

Highway 73 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 35. thence along U.S. Highway 35 to junction Ohio Highway 49, thence along Ohio Highway 49 to junction Ohio Highway 571, thence along Ohio Highway 571 to the Indiana-Ohio State line, to points in North Carolina on and west of U.S. Highway 321; (f) from points in Ohio to points in North Carolina on and east of U.S. Highway 321 and on and west of a line beginning at the Virginia-North Carolina State line and extending along North Carolina Highway 39 to junction U.S. Alternate Highway 70, thence along U.S. Alternate Highway 70 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 117. thence along U.S. Highway 117 to the Atlantic Ocean; (g) from points in Ohio on and west of a line beginning at the West Virginia-Ohio State line and extending along Ohio Highway 800 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction Interstate Highway 77, thence along Interstate Highway 77 to Lake Erie, to points in North Carolina on and east of a line beginning at the Atlantic Ocean and extending along U.S. Highway 117 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction North Carolina Highway 39, thence along North Carolina Highway 39 to the Virginia-North Carolina State line; (h) from points in Ohio on and north of U.S. Highway 30 to points in North Carolina on and east of U.S. Highway 21 and on and west of U.S. Highway 70 and U.S. Highway 501: (1) from points in Ohio on and west of a line beginning at the Ohio-Kentucky State line and extending along Interstate Highway 71 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Ohio Highway 57, thence along Ohio Highway 57 to Lake Erie, to points in Virginia on and west of U.S. Highway 60 and on and east of U.S. Highway 1; and (j) from points in Franklin, Delaware, Licking, and Fairfield Counties, Ohio, to points in Mecklenburg, Union, Stanly, Cabarrus, Lincoln, Gaston, Cleveland, Catawba, and Iredell Counties, N.C. The purpose of this filing is to eliminate the gateway of South Charleston or Institute, W. Va.

No. MC 102616 (Sub-No. E373), filed June 3, 1974, Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Rd., Akron, Ohio 44319. Applicant's representative: Fred H. Daly (same as above). Authority sought to operate as a common carrier, by vehicle, over irregular routes, transporting: Liquid petrochemicals, in bulk, in tank vehicles; (a) from Preedom, Pa., to points in Ohio on, south, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 40 to junction Ohio Highway 93, thence along Ohio Highway 93 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-West Virginia State line,

points in Michigan on and west of Interstate Highway 75 and on and north of U.S. Highway 10, and points in Indiana on, south, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 40 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Indiana Highway 18. thence along Indiana Highway 18 to the Indiana-Illinois State line; (b) from Hays and Neville Island, Pa., to points in Ohio on and west of Interstate Highway 77 and on and south of U.S. Highway 40, and points in Michigan on and north of Michigan Highway 21 and on and west of Michigan Highway 66; (c) from Delmont, Pa., to points in Ohio on, south. and west of a line beginning at the Ohio-West Virginia State line and extending along U.S. Highway 40 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Ohio Highway 53, thence along Ohio Highway 53 to junction Ohio Highway 19, thence along Ohio Highway 19 to Lake Erie, points in Indiana and Michigan; and (d) from Freedom, Hays. Delmont, and Neville Island, Pa., to points in Illinois and Missouri. The purpose of this filing is to eliminate the gateway of the Allied Chemical plant sites near Moundsville, W. Va.

No. MC 102616 (Sub-No. E395) (Correction), filed June 3, 1974, published in the Federal Register July 29, 1975, Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44319. Applicant's representative: Fred H. Daly) (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes. transporting: Liquid chemicals, in bulk, in tank vehicles, from points in Virginia to points in Minnesota and Wisconsin. The purpose of this filing is to eliminate the gateways of South Charleston or Institute, W. Va., and Chicago, III. The purpose of this correction is to clarify the destination points and to include the origin point.

No. MC 103993 (Sub-No. E59), filed May 25, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prefabricated buildings, complete, knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such commodities and equipment incidental to the handling of such commodities from (1) all points in Mississippi, to all points in Delaware, Maryland, and Washington, D.C., (2) all points in Alabama, to points in Garrett, Allegany, Washington, Frederick, Carroll, Baltimore, Harford and Cecil Counties, Md. (except Baltimore City, Md.), and New Castle County, Del.; and (3) all points in Alabama (except points in Russell, Macon, Montgomery, Lowndes, Butler, Crenshaw, Pike, Bullock, Barbour, Henry, Houston, Dale, Coffee, Geneva, and Covington Counties,

Ala.), to all points in Delaware, Maryland, and Washington, D.C. The purpose of this filing is to eliminate the gateway of the plantsite of Walker-Parkersburg, a division of Textron, Inc., at Parkersburg, W. Va.

No. MC 103993 (Sub-No. E60), filed (ay 25, 1974. Applicant: MORGAN May 25, DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prefabricated buildings, complete, knocked down, or in sections and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such buildings and commodities and equipment incidental to the handling of such commodities from (1) all points in Iowa and Minnesota, to all points in Virginia, North Carolina, and South Carolina; and (2) all points in Wisconsin on and west of a line beginning at the Wisconsin-Michigan State line and U.S. Highway 45, thence along U.S. Highway 45 to its junction with Wisconsin Highway 153, thence along Wisconsin Highway 153 to its junction with U.S. Highway 51, thence along U.S. Highway 51 to its junction with Wisconsin Highway 78, thence along Wisconsin Highway 78 to its junction with the Wisconsin-Illinois State line, to all points in Virginia, North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of Monticello, Iowa.

No. MC 103993 (Sub-No. E61), filed May 25, 1974, Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514, Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: buildings. Prefabricated complete. knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such commodities and equipment incidental to the handling of such commodities, from all points in that part of Florida in and east of Jefferson County, Fla., to (1) all points in Alaska, California, Colorado (except Las Animas, Baca, Prowers, Bent, Otero, Crowley, and Kiowa Counties, Colo.), Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota (except Lake, Moody, McCook, Minnehaha, Hutchison, Turner, Lincoln, Bon Homme, Yankton, Clay, and Union Counties, S. Dak.), Utah, Washington, and Wyoming; and (2) all points in New Mexico on and west of a line beginning at the junction of the New Mexico-Colorado State line and New Mexico Highway 3, thence along New Mexico Highway 3 to its junction with U.S. Highway 64, thence along U.S. Highway 64 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to its junction with Interstate Highway 10.

thence along Interstate Highway 10 to the New Mexico-Texas State line. The purpose of this filing is to eliminate the gateway of Pinellas County, Fla.

No. MC 103993 (Sub-No. E62), filed May 25, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prefabricated buildings, complete, knocked down, or in sections and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and re-jected shipments of such buildings and commodities and equipment incidental to the handling of such commodities from all points in Wisconsin (except points in Douglas, Washburn, Burnett, Polk, Barron, Saint Croix, Dunn, Pierre and Pepin County, Wisc.), points in that part of Illinois on and north of Interstate Highway 80, and points in the Upper Peninsula of Michigan to all points in Colorado and New Mexico. The purpose of this filing is to eliminate the gateway of Monticello, Iowa.

No. MC 103993 (Sub-No. E64), filed May 25, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prefabricated buildings, complete. knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such commodities and equipment incidental to the handling of such commodities from points in Michigan and Ohio (except points in Preble, Butler, Hamilton, Montgomery, Warren, Clermont, Greene, Clinton, Brown, Highland, Adams, Pike, Sciota, and Lawrence Counties, Ohio), to all points in North Carolina, South Carolina, and Virginia. The purpose of this filing is to eliminate the gateway of the plant site and storage facilities of Walker-Parkersburg, a division of Textron at Parkersburg, W. Va.

No. MC 103993 (Sub-No. E65), filed May 25, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prejabricated buildings, complete, knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such commodities and equipment incidental to the handling of such commodities from (1) points in Tennessee to all points in Connecticut, Massachusetts, Rhode Island, and points in that part of New York, south of New York Highway 7; and (2) points in Ten-

nessee (except points in and cast of Bradley, McMinn, Loudon, Knox, Grainger, and Hancock Counties, Tenn.) to points in New Jersey and points in that part of Pennsylvania south of a line beginning at the Pennsylvania-Ohio State line, thence along Interstate Highway 80 to the junction of Interstate Highway 81 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of the plant site of Walker-Parkersburg, a division of Textron, Inc., at Parkersburg, W. Va.

No. MC 103993 (Sub-No. E69), filed May 25, 1974, Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514, Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prejabricated buildings, complete, knocked down, or in sections and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such buildings and commodities and equipment incidental to the handling of such commodities from (1) points in Illinois on and south of Interstate Highway 80, and in that part of Iowa south and east of a line beginning at the Iowa-Missouri State line, thence along Interstate Highway 35 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Iowa-Illinois State line to points in North Dakota and South Dakota, and (2) from all points in Illinois to points in North Dakota and South Dakota on and west of U.S. Highway 281. The purpose of this filing is to eliminate the gateway of Polk County, Iowa.

No. MC 103993 (Sub-No. E70), filed May 25, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prefabricated buildings, complete, knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, and rejected shipments of such buildings and commodities and equipment incidental to the handling of such commodities from all points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Ohio, Tennessee, West Virginia, points in that part of Michigan on and south of U.S. Highway 10, and points in that part of Missouri on and east of U.S. Highway 63, to all points in Oregon and Washington. The purpose of this filing is to eliminate the gateway of the plantsite or facilities of the Binkly Co., in Warren County,

No. MC 106603 (Sub-No. E20), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 HagNOTICES

gerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing materials, as described by the Commission, which are building contractors' material and supplies, from points in Ohio on and south of U.S. Highway 30 to those points in the Upper Peninsula of Michigan west of a line beginning at the Michigan-Wisconsin State line and extending along Michigan Highway 35 to junction U.S. Highway 41, thence along U.S. Highway 41 to Lake Superior. The purpose of this filing is to eliminate the gateways of Whiting, Ind., and Wilmington, Ill.

No. MC 106603 (Sub-No. E21), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing materials, as described by the Commission, which are contractors' materials and supplies, from those points in Ohio north of U.S. Highway 30 to those points in the Upper Peninsula of Michigan south of a line beginning at Lake Michigan and extending along U.S. Highway 2 to junction Michigan Highway 95, thence along Michigan Highway 95 to junction U.S. Highway 41, thence along U.S. Highway 41 to Lake Superior. The purpose of this filing is to eliminate the gateways of Whiting, Ind., and Wilmington, III.

No. MC 106603 (Sub-No. E22), filed fay 4, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing and roofing materials, which are building contractors' equipment, materials, and supplies, from those points in Ohio south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 30 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Ohio Highway 7, thence along Ohio Highway 7 to the Ohio-West Virginia State line, to those points in the Lower Peninsula of Michigan north of a line beginning at Lake Michigan and extending along U.S. Highway 10 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction U.S. Highway 31, thence along U.S. Highway 31 to Lake Michigan. The purpose of this filing is to eliminate the gateway of South Bend, Ind.

No. MC 106603 (Sub-No. E23), filed May 10, 1974, Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing and roofing materials, which are building contractors' equipment, materials, and supplies, from those points in Ohio south of a line beginning at the Ohio-West Virginia State line and extending along Ohio Highway 39 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Ohio Highway 229, thence along Ohio Highway 229 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Ohio Highway 7, thence along Ohio Highway 7 to the Ohio-West Virginia State line, to those points in the Lower Peninsula of Michigan north and west of a line beginning at Lake Michigan and extending along U.S. Highway 10 to junction U.S. Highway 131, thence along U.S. Highway 131 to Lake Michigan. The purpose of this filing is to eliminate the gateway of South Bend, Ind.

No. MC 106603 (Sub-No. E25), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing and roofing materials, and insulating brick siding, which are building contractors' materials, from those points in Illinois on and north of a line beginning at the Illinois-Indiana State line and extending along Illinois Highway 114 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. 51 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line, to those points in Ohio on and east of a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 127 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 49, thence along U.S. Highway 49 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Ohio-Indiana State line. The purpose of this filing is to eliminate the gateway of Whiting or Lowell, Ind.

No. MC 106603 (Sub-No. E26), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing and roofing materials and insulated brick siding, which are building contractors' materials, from those points in Illinois south of a line beginning at the Illinois-Iowa State line and extending along U.S.

Highway 34 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 48, thence along Illinois Highway 48 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 140, thence along Illinois Highway 140 to the Illinois-Missouri State line, to points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction Illinois Highway 95, thence along Illinois Highway 95 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Whiting or Lowell, Ind.

No. MC 106603 (Sub-No. E27), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing and roofing materials, and insulating brick siding, which are building contractors' materials, from those points in Illinois on, north, and west of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 51 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 48, thence along U.S. Highway 48 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 140. thence along Illinois Highway 140 to the Missouri-Illinois State line, to those points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 6 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Ohio Highway 39, thence along Ohio Highway 39 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Whiting or Lowell, Ind.

No. MC 106603 (Sub-No. E29), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Insulated brick siding, which is building contractors' materials and supplies, from those points in Illinois bounded on the west by a line beginning at the Illinois-Indiana State line and extending along Illinois Highway 114 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Illi-nois Highway 127, thence along Illinois Highway 127 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Missouri State line, and on the east by a line beginning at the Illinois-Kentucky State line and extending along Interstate Highway 24 to junction Interstate Highway 57, thence along Inter-state Highway 57 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Illinois Highway 128, thence along Illinois Highway 128 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Interstate Highway 57, thence along In-terstate Highway 57 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Illinois-Indiana State line, to those points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 6 ot junction Ohio Highway 15, thence along Ohio Highway 15 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Lowell. Ind.

No. MC 107002 (Sub-E30), filed May 12, 1974. Applicant: MILLER TRANS-PORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Petroleum products, as described by the Commission, in bulk, in tank vehicles, from the plantsites and storage facilities utilized by American Mineral Spirits Company at Birmingport, Ala., to points in Arkansas (Tupelo and Friars Point, Miss., or Tupelo, Miss., Union County, Miss., and Memphis, Tenn.) *, Louisiana (Tupelo and Vicksburg, Miss., or Tupelo and Lamberton, Miss.) *, Oklahoma, Missouri (Tupelo and Washington County, Miss.)*, and those in Illinois on and south of a line beginning at Chester and extending along Illinois Highway 150 to junction Illinois Highway 154, to junction U.S. Highway 51, to Ashley, thence along U.S. Highway 460, to the Illinois-Indiana State line, restricted against the transportation of (a) asphalt to points in Illinois; (b) asphalt and liquefied petroleum gas to points in Missouri and Oklahoma, and (c) liquefied petroleum gas to points in Sevier, Howard, Little River, Hempstead, Miller, Lafayette, Nevada, and Columbia Counties, Ark., points in that part of Ouachita County, Ark., lying west of the Ouachita River, and points in that part of Union County, Ark., lying west of a line extending along Arkansas Highway 7 to El Dorado Ark., and thence along U.S. Highway 167 to the Arkansas-Louisiana State line; and (2) liquid petrochmeicals, as defined by the Commission, in bulk, in tank vehicles, from the plantsites and storage facilities utilized by American Mineral Spirits Company at Birmingport, Ala., to Iowa, Kansas, Wisconsin (Tupelo, Miss., points in Mississippi within the Memphis, Tenn. Commercial Zone, and Barfield, Ark., and points within 10 miles thereof) *, Illinois (Tu-pelo, Miss., and points in Mississippi within the Memphis, Tenn. Commercial Zone) *, Minnesota, and those in Michigan on and north of Interstate Highway 94 (Cedartown, Ga.) *. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 107107 (Sub-No. E38), filed April 18, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Frozen foods, meats, meat products, and meat by-products, as defined by the Commission, from Philadelphia, Pa., to those points in Louisiana on and south of U.S. Highway 80, and those in Mississippi on and south of U.S. Highway 98 (Sylvester, Ga.) *; (2) meats, meat products, and meat by-products, as defined by the Commission, from Philadelphia, Pa., to those points in Texas on and south of a line beginning at the Texas-Arkansas State line and extending along U.S. Highway 84 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Texas-New Mexico State line (Sylvester, Ga.) *: (3) fresh meats, from Philadelphia, Pa., to those points in Texas north of a line beginning at the Texas-Arkansas State line and extending along U.S. Highway 84 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Texas-New Mexico State line, and south of a line beginning at the Texas-Oklahoma State line and extending along the Red River to U.S. Highway 287, to junction U.S. Highway 66, thence along U.S. Highway 66 to the Texas-New Mexico State line (Florida) *; (4) frozen foods, from Philadelphia, Pa., to those points in Texas on and south of a line beginning at the Texas-Oklahoma State line and

extending along the Red River to U.S. Highway 287, to junction U.S. Highway 66, thence along U.S. Highway 66 to the Texas-New Mexico State line (Florida).

(5) Candy and confectionery and related advertising and promotional materials, from Philadelphia, Pa., to those points in Georgia on and south of a line beginning at the Atlantic Ocean and extending along Georgia Highway 99 to junction Georgia Highway 23, thence along Georgia Highway 23 to junction U.S. Highway 341, thence along U.S. Highway 341 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction Georgia Highway 257, thence along Georgia Highway 257 to junction Georgia Highway 91, thence along Georgia Highway 91 to the Georgia-Alabama State line (Jacksonville, Fla.)*; (6) candy and conjectionery, from Philadelphia, Pa., to points in Louisiana, those in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 82 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Alabama Highway 5, thence along Alabama Highway 5 to junction U.S. Highway 84. thence along U.S. Highway 84 to the Alabama-Mississippi State line, and those in Mississippi on and south of U.S. Highway 80 (Pensacola and Tallahassee, Fla.) *; and (7) canned tomato products, cheese and spices, from Philadelphia, Pa., to those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 84 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Baldwin-Escambia County line, thence along the Baldwin-Escambia County line to the Baldwin-Monroe County line, thence along the Baldwin-Monroe County line to the Baldwin-Clarke County line, thence along the Baldwin-Clarke County line to the Baldwin-Washington County line, thence along the Baldwin-Washington County line to the Mobile-Washington County line, thence along the Mobile-Washington County line to the Alabama-Mississippi State line, those in Missis-sippi on and south of U.S. Highway 84, and those in Louisiana south and west of a line beginning at the Louisiana-Mississippi State line and extending along U.S. Highway 84 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Louisiana-Texas State line (Jacksonville, Fla.) *. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 107295 (Sub-No. E58), filed May 9, 1974. Applicant: PRE FAB TRAN-SIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Hardwood flooring, from White Lake, Wis., to points in Arizona, points in California in and south of Monterey, San Benito, Fresno, Tulare, and San Bernardino Counties, points in New Mexico In, west, and south of San Juan, McKinley.

Valencia, Bernalillo, Torrance, Lincoln, De Baca, Roosevelt, and Curry Counties. The purpose of this filing is to eliminate the gateway of Warren, Ark.

No. MC 107295 (Sub-No. E32) (Correction), filed May 14, 1974, published in the FEDERAL REGISTER March 10, 1975. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842, Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prejabricated buildings, complete, knocked down, or in sections, and when transported in connection with the transportation of such buildings, component parts thereof and equipment and materials incidental to the erection and completion of such buildings: * * * (4) from points in that part of Pennsylvania located in, west, and south of Mercer, Butler, Armstrong, Indiana, Cambria, Blair, Huntingdon, and Franklin Counties to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (5) from points in that part of Pennsylvania located in, west, and south of Mercer, Venango, Clarion, Jefferson, Clearfield, Centre, Millin, Juniata, Perry, Dauphin, and Lancaster Counties to points in Maine. The purpose of this filing is to eliminate the gateways of: In (4) above, Baltimore, Md.; and in (5) above, Baltimore, Md. The purpose of this partial correction is to correct the territorial description. The remainder of this letternotice remains as previously published.

No. MC 197295 (Sub-No. E76), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146. Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above) Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Composition board, from Chicago, Ill., to points in Alabama in and south of Choctaw, Marengo, Wilcox, Dallas, Lowndes, Montgomery, Macon, and Russell Counties, points in Arizona and New Mexico. The purpose of this filing is to eliminate the gateway of Trumann, Ark.

No. MC 107295 (Sub-No. E149), filed May 13, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representa-tive: Dale L. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Insulation materials, from Chicago, Ill., to points in New Mexico in and south of McKinley, Valencia, Socorro, Lincoln, De Baca, Roosevelt, and Curry Counties. The purpose of this filing is to eliminate the gateway of Camden, Ark.

No. MC 107295 (Sub-No, E190), filed May 13, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Doors and door sections, from Columbus, Ohio, to points in

North Carolina in and east of Caswell, Alamance, Chatham, Lee, Moore, and Richmond Counties, and points in Virginia in and east of Highland, Bath, Rockridge, Bedford, and Pittsylvania Counties. The purpose of this filing is to eliminate the gateway of Harrisonburg,

No. MC 107993 (Sub-No. E1), filed June 4, 1974. Applicant: J. J. WILLIS TRUCKING COMPANY, P.O. Box 20096, Dallas, Tex. 75220. Applicant's representative: Joseph P. Willis (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas, and petroleum and their products and by-products, machinery, materials, equipment, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, (I) (A) between points in Arizona, on the one hand, and, on the other, points in Arkansas; (B) (1) between points in Pueblo, Larimer, Otero, Las Animas, and Denver Counties, Colo., on the one hand. and, on the other, points in Pima, Santa Cruz and Yuma Counties, Ariz.; (2) between points in Moffat County, Colo., on the one hand, and, on the other, points in Santa Cruz County, Ariz.; (3) between points in Otero and Las Animas Counties, Colo., on the one hand, and, on the other, points in Gila, Yavapai, and Maricopa Counties, Ariz.; (4) between points in Logan, Washington, Sedgwick, Phillips, Yuma, Lincoln, Kit Carson, Cheyenne, Kiowa, Crowley, Bent, Prowers, and Baca Counties, Colo., on the one hand, and, on the other, points in Maricopa, Navajo, Pima, Pinal, Santa Cruz, Yavapai, Yuma Counties, Ariz., and that part of Arizona on and south of U.S. Highway 66 in Coconino County, Ariz.; (5) between points in Greenlee, Graham, and Cochise Counties, Ariz., on the one hand, and, on the other, points in that part of Colorado on, and north and east of a line beginning at the Colorado-New Mexico State line extending along U.S. Highway 550 to Montrose, thence along U.S. Highway 50 to the Colorado-Utah

(C) Between points in Arizona, on the one hand, and, on the other, points in Kansas; (D) between points in Arizona, on the one hand, and, on the other, points in Oklahoma; (E) (1) between points in Cochise County, Ariz., on the one hand, and, on the other, points in Wyoming; (2) between points in Pima, Pinal, and Santa Cruz Counties, Ariz., on the one hand, and, on the other, points in Sheridan, Johnson, Natrona, Carbon, Campbell, Converse, Albany, Albany, Crook, Weston, Niobrara, Platte, Laramie, and Goshen Counties, Wyo.; (3) between points in Yuma County, Ariz., on the one hand, and, on the other, Campbell, Converse, Albany, Crook, Weston, Niobrara, Platte, Laramie, and Goshen

Counties, Wyo.; (4) between points in Greenlee, Graham, Gila, Maricopa, Yuma, Pinal, Pima, Cochise, and Santa Cruz Counties, Ariz., on the one hand, and, on the other, points in Campbell County, Wyo.; (5) between points in Greenlee, Graham, Gila, Pima, Pinal, Cochise, and Santa Cruz Counties, Ariz... on the one hand, and, on the other, Sheridan County, Wyo. (II) (A) (1) between points in Benton, Carroll, Boone, Washington, Madison, Newton, Crawford, Franklin, Johnson, Pope, Sebastian, Logan, Yell, Scott, Polk, Montgomery, Garland, Howard, Pike, Clark, Hot Spring, Sevier, Hempstead, Nevada, Little River, Miller, and Lafayette Countles. Ark., on the one hand, and, on the other, points in that part of Caddo Parish, La., south of U.S. Highway 80, De Soto, Red River, Sabine, Natchitoches, Vernon, Rapides, Beauregard, Allen, Evangeline, Saint Landry, Calcasieu, Jefferson Davis, Acadia, Lafayette, Saint Martin, Iberville, Ascension, Cameron, Vermilion, Iberia, Saint Mary, part of Saint Martin, Assumption, Saint James, Saint John the Baptist, Lafourche, Saint Charles, Orleans, Terrebonne, Jefferson, Plaquemines, and Saint Bernard Parishes, La.

(2) Between points in Benton, Carroll, Boone, Washington, Madison, Newton, Crawford, Franklin, Johnson, Pope, Sebastian, Logan, Yell, Scott, Polk, Montgomery, Garland, Howard, Pike, Clark, Hot Spring, Sevier, Hempstead, Nevada, Little River, Miller, and Lafayette Counties, Ark., on the one hand, and, on the other, points in Ouachita Parish, La.; (3) between points in Benton, Carroll, Boone, Washington, Madison, Newton, Crawford, Franklin, Johnson, Pope, Sebastian, Logan, Yell, Scott, Polk, Montgomery, Garland, Howard, Pike, Clark, Hot Spring, Sevier, Hempstead, Nevada, Little River, Miller, and Lafayette Counties, Ark., on the one hand, and, on the other, points in Beauregard, Allen, Evangeline, Saint Landry, Pointe Coupee, West Feliciana, East Feliciana, Saint Helena, Tangipahoa, Washington, Calcasieu, Jefferson Davis, Acadia, Lafayette, Saint Martin, Iberville, West Baton Rouge, East Baton Rouge, Livingston. Saint Tammany, Cameron, Vermilion, Iberia, Saint Mary, part of Saint Martin, Assumption, Ascension, Saint James, Saint John the Baptist, Lafourche, Terrebonne, Saint Charles, Orleans, Jefferson, Plaquemines, and Saint Bernard Parishes, La.; (B) between points in Arkansas, on the one hand, and, on the other, points in New Mexico; (C) between points in Arkansas, on the one hand, and, on the other, points in that part of Texas west and south of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 80 to junction U.S. Highway 54, thence along U.S. Highway 54 to El Paso, Tex., thence along U.S. Highway 80 to Abilene, thence along U.S. Highway 84 to the Texas-Louisiana State line, including points on the indicated portions of the highways specified, and points in Lea and Eddy Counties, N. Mex.
(III) (A) Between points in Colorado,

on the one hand, and, on the other, points

in Louisiana; (B) (1) between points in Moffat, Routt, Jackson, Larimer, Boulder, Weld, Logan, Sedgwick, Morgan, Phillips, Washington, Yuma, Adams. Denver, Arapahoe, Douglas, Elbert, Lincoln, Kit Carson, El Paso, Cheyenne, Pueblo, Crowley, Kiowa, Otero, Bent, Prowers, and Baca Counties, Colo., on the one hand, and, on the other, points in Quay, De Baca, Curry, Roosevelt, Chavis, Grant, Sierra, Otero, Hidalgo, Luna, and Dona Ana Counties, N. Mex.; (2) between points in Moffat, Routt, Jackson, Larimer, Boulder, Weld, Logan, Sedgwick, Morgan, Phillips, Washington, Yuma, Adams, Denver, Arapahoe, Douglas, El-bert, Lincoln, Kit Carson, El Paso, Cheyenne, Pueblo, Crowley, Kiowa, Otero, Bent, Prowers, Baca, Rio Blanco, Garfield, Eagle, Grand, Summit, Gilpin, Jefferson, Clear Creek, Mesa, Pitkin, Lake, Park, Delta, Gunnison, Chaffee, Fremont, Saguache, Custer, Huerfano, and Las Animas Counties, Colo., on the one hand, and, on the other, points in Hidalgo and Quay Counties, N. Mex.; (3) between points in Logan, Sedgwick, Phillips, Washington, Yuma, Kit Carson, Cheyenne, Kiowa, Bent, Prowers and Baca Counties, Colo., on the one hand, and, on the other, points in Bernalillo, Tor-rance, and Socorro Counties, N. Mex.; (4) between points in Kit Carson County. Colo., on the one hand, and, on the other, points in McKinley, Sandoval, Los Alamos, and Santa Fe Counties, N. Mex.; (5) between points in Mesa County, Colo., on the one hand, and, on the other, points in Otero County, N. Mex.; (C) between points in Colorado, on the one hand, and, on the other, points in that part of Texas west and south of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 80 to junction U.S. Highway 54, thence along U.S. Highway 54 to El Paso, thence along U.S. Highway 80 to Abilene, thence along U.S. Highway 84 to the Texas-Louisiana State line, including points on the indicated portions of the highways specified and points in Lea and Eddy Counties, N. Mex.

(IV) (A) Between points in Kansas on the one hand, and, on the other, points in Louisiana; (B) between points in Phillips, Smith, Jewell, Republic, Washington, Marshall, Nemaha, Brown, Doniphan, Rooks, Osborne, Mitchell, Cloud, Clay, Riley, Pottawatomie, Jack-son, Atchison, Jefferson, Leavenworth, Ottawa, Lincoln, Shawnee, Wabaunsee, Wyandotte, Ellis, Russell, Dickinson, Geary, Douglas, Johnson, Saline, Ells-worth, Morris, Osage, Lyon, Franklin, Miami, Rush, Barton, McPherson, Marion, Rice, Chase, Coffey, Anderson, Linn, Pawnee, Stafford, Reno, Harvey, Greenwood, Edwards, Butler, Woodson, Allen, Bourbon, Sedgwick, Pratt, Kiowa, Kingman, Wilson, Neosho, Crawford, Elk, Ford, Meade, Clarke, Comanche, Barber, Harper, Sumner, Cowley, Labette, Cherokee, Seward, and Chautauqua Counties, Kans., on the one hand, and, on the other, points in Colfax, Union, Mora, Harding, McKinley, Sandoval, Los Alamos, Santa Fe, San Miguel, Valencia,

Bernalillo, Torrance, Guadalupe, Quay, Catron, Socorro, De Baca, Curry, Lin-coln, Roosevelt, Chaves, Sierra, Otero, Lea, Grant, Hidalgo, Luna, Dona Ana, and Eddy Counties, N. Mex. (V) (A) between points in Louislana, on the one hand, and, on the other, points in Oklahoma; (B) between points in Louisiana, on the one hand, and, on the other. points in Utah; (C) between points in Louisiana, on the one hand, and, on the

other, points in Wyoming.

(VI) (A) Between points in New Mexico (except points in Union County), on the one hand, and, on the other, points in Oklahoma (except points in Cimarron County); (B) (1) between points in Quay, Curry, Roosevelt, Chaves, Otero, and Dona Ana Counties, N. Mex., on the one hand, and, on the other, points in Utah; (2) between points in Hidalgo and Colfax Counties, N. Mex., on the one hand, and, on the other, points in Cache County, Utah; (3) between points in Hidalgo County, N. Mex., on the one hand, and, on the other, points in Utah and Unitah Counties, Utah; (4) between points in Colfax County, N. Mex., on the one hand, and, on the other, points in Iron County, Utah; (C) (1) between points in Quay, Curry, De Baca, Roose-velt, Chaves, Lincoln, Otero, Dona Ana, Luna and Hidalgo Counties, N. Mex., on the one hand, and, on the other, points in Wyoming; (2) between points in Bernalillo and Socorro Countles, N. Mexico, on the one hand, and, on the other, points in Teton, Yellowstone National Park, Park, Hot Springs, Washakie, Big Horn, Sheridan, Johnson, Campbell, Converse, Crook, Weston, Niobrara, Platt, and Goshen Counties, Wyo.; (3) between points in Santa Fe County, N. Mex., on the one hand, and, on the other, points in Sheridan County, Wyo. (VII) (A) between points in that part of Texas west and south of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 80 to junction U.S. Highway 54, thence along U.S. Highway 54 to El Paso, thence along U.S. Highway 80 to Abiliene, thence along U.S. Highway 84 to the Texas-Louisiana State line, including points on the indicated portions of the highways specified, and points in Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Utah and Wyoming. The purpose of this filing is to eliminate the gateway of points in that part of Texas east and north of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 80 to junction U.S. Highway 54, thence along U.S. Highway 54 to El Paso, thence along U.S. Highway 80 to Abilene, thence along U.S. Highway 84 to the Texas-Louisiana State line, including points on the indicated portions of the highways specified, and points in Lea and Eddy Counties, N.

No. MC 108207 (Sub-No. E35) (Correction), filed May 19, 1974, published in the FEDERAL REGISTER December 12, 1974. Applicant: FROZEN FOOD EX-PRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: Mike

Smith (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 273, 766, dairy products, frozen foods, salad dressing, yeasts uncooked bakery goods, fish, and prepared salads, in vehicles equipped with mechanical refrigeration, and (2) Foodstuffs, in vehicles equipped with mechanical refrigeration (except those described in Paragraph 1 above, and alcoholic beverages, and except canned goods from Paris, Tex., when moving in mixed loads with one or more of the commodities described in Paragraph 1 above), from points in California to points in Ohio, Arkansas, Oklahoma, Kansas, Missouri, Illinois, Iowa, Michigan, Mississippi, Wisconsin, Indiana, Minnesota, and Nebraska. The purpose of this filing is to eliminate the gateways of points in Texas. The purpose of this correction is to correct the origin States.

No. MC 108207 (Sub-No. E40) rection), filed May 31, 1974, published in the Federal Register December 3, 1974. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: Mike Smith (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fresh meats, from points in Callfornia, New Mexico, Texas, and Arizona to Louisville, Ky., and Pittsburgh, Pa. The purpose of this filing is to eliminate the gateway of Mt. Pleasant, Tex. The purpose of this correction is to correct the gateway above.

No. MC 108207 (Sub-No. E51) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER December 3, 1974. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: Mike Smith (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and dairy products, from Columbus Junction, Iowa, to points in New Mexico, Arizona, California, Texas, Louisiana, Mississippi, and Memphis, Tenn. The purpose of this filing is to eliminate the gateways of points in Texas, Oklahoma, and Arkansas. The purpose of this correction is to correct the above gateway.

No. MC 108676 (Sub-No. E1), filed September 14, 1974, Applicant: A. J. METLER HAULING & RIGGING, INC. 117 Chicamauga Ave., Knoxville, Tenn. 37917. Applicant's representative: A. A. Metler (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Marble and iron and steel articles, the transportation of which, because of size or weight, requires the use of special equipment or special handling. and when moving in connection there-

with, related marble and iron and steel articles, the transportation of which, because of size or weight, does not require the use of special equipment or handling; (A) (1) between points in Lancaster, Kershaw, Lee, Chesterfield, Marlboro, Spartanburg, Cherokee, Dar-lington, York, Chester, Fairfield, Rich-land, Sumter, Florence, Marlon, Dillon. and Horry Counties, S.C., on the one hand, and, on the other, points in Lauderdale and Colbert Counties, Ala., (2) between points in Lancaster, Kershaw, Lee, Chesterfield, Marlboro, Darlington, Dillon, Spartanburg, Cherokee, York, Chester, Lancaster, Kershaw, Sumter, Florence, Marion, and Horry Counties, S.C., on the one hand, and, on the other, points in that part of Alabama on, west, and north of a line beginning at the Tennessee-Alabama State line. thence along U.S. Highway 231 to junction U.S. Highway 72, thence along U.S. Highway 72 to the Mississippi-Alabama State line, and (3) between points in Spartanburg, Cherokee, York, Lancaster, Chesterfield, Darlington, Marlboro, Dillon, Marion, Florence, and Horry Counties, S.C., on the one hand, and, on the other, points in that part of Alabama on, west, and north of a line beginning at the Tennessee-Alabama State line and extending along U.S. Highway 231 to junction Alabama Highway 20, thence along Alabama Highway 20 to junction Alabama Highway 24, thence along Alabama Highway 24 to the Alabama-Mississippi

(B) (1) Between points in Alabama located in and west of Jackson, Marshall, Blount, Jefferson, Tuscaloosa, Hale, Marengo, Clarke, and Washington Counties, Ala., on the one hand, and, on the other, points in North Carolina (except Cherokee, Clay, Macon, Graham, Swain, Jackson, Transylvania, Henderson, Polk, Rutherford, Cleveland, Lincoln, and Gaston Counties, N.C.); (2) between points in Alabama located in, north, and west of Cherokee, Etowah, Blount, Walker, Tuscaloosa, Hale, Marengo, Clarke, and Washington Counties, on the one hand, and, on the other, points in North Carolina (except Cherokee, Graham, Swain, Clay, Macon, Jackson, Transylvania, Henderson, Rutherford, Cleveland, Lincoln, Gaston, Mecklenburg, Cabarrus, Stanly, Mont-gomery, Orrien, Arison, Richmond, and Scotland Counties, N.C.); (3) between points in that part of Alabama in, north, and west of a Cherokee, Etowah, Blount, Jefferson, Shelby, Bibb, Perry, Dallas, Wilcox, Monroe, and Baldwin Counties, on the one hand, and, on the other, points in that part of North Carelina north and east of Graham, Swain, Jackson, Transylvania, Henderson, Rutherford, Cleveland, Lincoln, Mecklenburg, Cabarrus, Stanly, Montgomery, Moore, Hoke, Robeson, Columbus, and Brunswick Counties; (4) between points in that part of Alabama in and west of Jackson, De Kalb, Cherokee, Cleburne, Talladega, Shelby, Chilton, Dallas, Wil-cox, Monroe, and Baldwin Counties, on the one hand, and, on the other, points in that part of North Carolina north of

Graham, Swain, Jackson, Transylvania, Henderson, Rutherford, Cleveland, Lincoln, Mecklenburg, Cabarrus, Stanly, Montgomery, Moore, Hoke, Robeson, Bladen, and Pender Counties; (5) between points in that part of Alabama in and west of Jackson, De Kalb, Cherokee, Cleburne, Randolph, Clay, Coosa, Elmore, Montgomery, Lowndes, Wilcox, Monroe, and Baldwin Counties, on the one hand, and, on the other, points in that part of North Carolina north of Graham, Swain, Jackson, Transylvania, Henderson, Rutherford, Cleveland, Lincoln, Mecklenburg, Cabarrus, Stanly, Montgomery, Moore, Lee, Harnett, Sampson, Duluth, Onslow, and Carteret Counties.

(6) Between points in that part of Alabama located in and west of Jackson, De Kalb, Cherokee, Cleburne, Randolph, Clay, Coosa, Elmore, Montgomery. Crenshaw, and Covington Counties, on the one hand, and, on the other, points in that part of North Carolina in, east, and north of Madison, Buncombe, McDowell, Burke, Catawba, Iredell, Rowan, Davidson, Randolph, Chatham, Wake, Franklin, Nash, Wilson, Edgecombe, Pitt, and Craven Counties; (7) between points in Alabama (except Russell, Barbour, Henry, Dale, Geneva, and Houston Counties), on the one hand, and, on the other, points in that part of North Carolina on and north of a line beginning at the Tennessee-North Carolina State line extending along U.S. Highway 441 to junction U.S. Highway 19 and 23, thence along U.S. Highway 19 and 23 to junction Blue Ridge Parkway, thence along Blue Ridge Parkway to junction U.S. Highway 421, thence along U.S. Highway 421 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Interstate Highway 85, thence along Interstate Highway 85 to junction North Carolina Highway 98, thence along North Carolina Highway 98 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Atlantic Ocean; (8) between points in Alabama (except Russell, Barbour, and Henry Counties), on the one hand, and, on the other, points in that part of North Carolina on, north, and east of a line beginning at the Tennessee-North Carolina State line extending along U.S. Highway 441 to junction U.S. Highway 19 and 23, thence along U.S. Highway 19 and 23 to junction Blue Ridge Parkway, thence along Blue Ridge Parkway to junction U.S. Highway 421. thence along U.S. Highway 421 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Interstate Highway 85, thence along Interstate Highway 85 to junction North Carolina Highway 86, thence along North Carolina Highway 86 to the Virginia-North Carolina State line; (9) between points in Alabama (except points in Henry. Dale, Geneva, and Houston Counties), on the one hand, and, on the other, points in that part of North Carolina located in and north of Watauga, Wilkes, Yadkin, Stokes, Rockingham, Caswell, Person, Granville, Vance, and Warren Counties; and (10) between points in Alabama, on the one hand,

and, on the other, points in Watauga, Wilkes, Surry, Allegheny, and Ashe Counties, N.C.

(C) Between points in Alabama, on the one hand, and, on the other, points in Virginia; (D) (1) between points in Barbour County, Ala., on the one hand, and, on the other, points in that part of Kentucky in and east of Daviess, Ohio. Butler, Edmonson, Barren, and Monroe Counties, (2) between points in Houston, Henry, Barbour, Dale, and Geneva Counties, on the one hand, and, on the other, points in that part of Kentucky in and east of Hancock, Breckinridge, Grayson, Edmonson, Barren, and Monroe Counties, (3) between points in that part of Alabama located in, east, and north of Covington, Crenshaw, Pike, and Barbour Counties, on the one hand, and, on the other, points in that part of Kentucky in and east of Meade, Hardin, Larue, Green, Adair, and Cumberland Counties: (4) between points in that part of Alabama located in or east of Chambers, Tallapoosa, Elmore, Montgomery, Butler, Covington, Escambia, Baldwin, and Mobile Counties, on the one hand, and, on the other, points in that part of Kentucky in and east of Jefferson, Spencer, Nelson. Marion, Taylor, Adair, and Cumberland Countles; (5) between points in that part of Alabama located in and south of Cleburne, Calhoun, Talladega, Coosa, Chilton, Dallas, Marengo, and Choctaw Counties, on the one hand, and, on the other, points in Kentucky located in and east of Carroll, Henry, Franklin, Anderson, Washington, Marion, Casey, Pulaski, and McCreary Counties; (6) between points in Alabama located in and south of Cherokee, Etowah, Saint Claire, Jefferson, Tuscaloosa, and Pickens Counties. on the one hand, and, on the other, points in that part of Kentucky on and east of a line beginning at the Tennessee-Kentucky State line, thence along U.S. Highway 27 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Ohio State line.

(7) Between points in Alabama (except Lauderdale, Colbert, Lawrence, and Franklin Counties), on the one hand. and, on the other, points in that part of Kentucky east of a line beginning at the Tennessee-Kentucky State line, thence along Interstate Highway 75 to junction Kentucky Highway 627, thence along Kentucky Highway 627 to Winchester. Ky., thence along Kentucky Highway 227 to Paris, Ky., thence along U.S. Highway 27 to the Kentucky-Ohio State line; (8) between points in Alabama, on the one hand, and, on the other, points in that part of Kentucky in and east of Boyd, Lawrence, Johnson, Magoffin, Breathitt, Owsley, Jackson, Laurel, and Whitley Counties; (E) (1) between points in that part of Alabama in and south of Barbour, Pike. Crenshaw, Butler, Conecuh, Escambia, Baldwin, and Mobile Counties, on the one hand, and, on the other, points in that part of Tennessee on, east, and north of a line beginning at the Tennessee-Kentucky State line, thence along U.S. Highway 127 to Crossville, Tenn., thence along U.S. Highway 70 to the Tennessee-North Carolina State line;

(2) between points in Alabama, on the one hand, and, on the other, points in that part of Tennessee in, east, and north of Campbell, Anderson, Knox, and Sevier Counties: (F) (1) between points in that part of Georgia east and south of U.S. Highway 411, on the one hand, and, on the other, points in that part of North Carolina in and east of Watauga, Wilkes, Alexander, Iredell, Rowan, Davidson, Randolph, Chatham, Lee, Harnett, Cumberland, and Robeson Counties; (2) between points in that part of Georgia west and north of a line beginning at the Georgia-Tennessee State line, thence along U.S. Highway 411 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Georgia Highway 61, thence along Georgia Highway 61 to Villa Rila, Ga., thence along U.S. Highway 78 to the Georgia-Alabama State line, on the one hand, and, on the other, points in that part of North Carolina located in, west, and south of Watauga, Wilkes, Alexander, Iredell, Rowan, Davidson, Ran-Chatham, Wake, Johnston,

Wayne, Duplin, and Onslow Counties. (3) Between points in that part of Georgia located in, east, and south of Union, Fannin, Gilmer, Gordon, Bartow, Paudling, and Haralson Counties, on the one hand, and, on the other, points in that part of North Carolina east and north of a line beginning at the North Carolina-Virginia State line, thence along U.S. Highway 301 to Rocky Mount, thence along U.S. Highway 64 to Williamston, thence along U.S. Highway 17 to New Bern, thence along U.S. Highway 70 to the Atlantic Ocean; (G) (1) between points in that part of Georgia in and west of Murray, Gordon, Bartow, Paudling, Douglas, Coweta, Merriwether, Harris, Muscogee, and Chattahoochee Counties, on the one hand, and, on the other, points in Virginia; (2) between points in that part of Georgia in and west of Union, Fannin, Gilmer, Pickens, Bartown, Paulding, Douglas, Coweta, Merriwether, Harris, Muscogee, and Chattahoochee Counties, on the one hand, and, on the other, points in Virginia (except points in and south of Patrick, Franklin, Pittsylvania, Halifax, and Becklenburg Countles, Va.); (3) between points in that part of Georgia in and west of Union, Lumpkin, Dawson, Forsyth, Fulton, Fayette, Merriwether, Harris, Muscogee, and Chattahoochee Countles, on the one hand, and, on the other, points in that part of Virginia located in, west, and north of Carroll, Floyd, Roanoke, Bedford, Campbell, Ap-Cumberland, pomatox, Buckingham, Powhattan, Chesterfield, Charles City James City, and York Counties (except Northampton and Accomack Counties); (4) between points in that part of Georgia in and west of Union, Lumpkin, Dawson, Forsyth, Fulton, Fayette, Merriwether, Harris, Muscogee, Chatta-hoochee, Stewart, Randolph, Calhoun, Baker, and Decatur Counties, on the one hand, and, on the other, points in that part of Virginia in, west, and north of Carroll, Floyd, Roanoke, Bedford, Campbell, Appomatox, Buckingham, Cumber-

land, Powhattan, Chesterfield, Charles City, New Kent, King and Queen, and Middlesex Countles.

(5) Between points in that part of Georgia in and west of Union, Lumpkin, Dawson, Forsyth, Fulton, Fayette, Pike, Upson, Taylor, Schley, Sumter, Worth, Colquitt, and Thomas Counties, on the one hand, and, on the other, points in that part of Virginia in, west, and north of Carroll, Floyd, Roanoke, Bedford, Campbell, Appomatox, Buckingham, Cumberland, Fluvanna, Louisa, Spotsylvania, Caroline, Essex, and Westmoreland Counties; (6) between points in that part of Georgia in and west of Towns, White, Hall, Gwinnett, Dekalb, Henry, Spalding, Pike, Upson, Taylor, Schley, Sumter, Worth, Colquitt, and Thomas Counties, on the one hand, and, on the other, points in that part of Virginia in, west, and north of Washington, Smyth, Wythe, Pulaski, Montgomery, Roanoke, Botetourt, Rockbridge, Amherst, Lynchburg. Nelson, Albemarle, Fluvanna, Louisa, Spotsylvania, and King George Counties; (7) between points in that part of Georgia in and west of Towns, White, Hall, Gwinnett, Rockdale, Newton, Jasper, Jones, Twiggs, Houston, Dooly, Crisp, Turner, Tift, Cook, and Lowndes Counties, on the one hand, and, on the other, points in that part of Virginia in, west, and north of Washington, Smyth, Wythe, Pulaski, Montgomery, Roanoke, Botetour, Rockbridge, Nelson, Albemarle, Fluvanna, Louisa, Spotsylvania, and Stafford Counties; (8) between points in that part of Georgia in and west of Towns, White, Hall, Gwinnett, Rockdale, Newton, Jasper, Putnam, Baldwin, Wilkinson, Bleckley, Pulaski, Wilcox, Turner, Tift, Cook, and Lowndes Counties, on the one hand, and, on the other, points in that part of Virginia in and west of Alleghany, Rockbridge, Augusta, Rockingham, Page, Warren, and Clarke Counties; (9) between points in that part of Georgia in and west of Towns, White, Hall, Gwinnett, Rockdale, Newton, Jasper, Jones, Twiggs, Laurens, Wheeler, Telfair, Cof-fe. Atkinson, Lanier, and Lowndes Counties, on the one hand, and, on the other, Bristol and Winchester, Va.

(10) Between points in that part of Georgia in and west of Towns. White, Hall, Jackson, Clarke, Oconee, Morgan, Putnam, Baldwin, Wilkinson, Twiggs, Houston, Dooly, Crisp, Turner, Tift, Cook, and Lowndes Counties, on the one hand, and, on the other, points in that part of Virginia on, north, and west of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 250 to junction Interstate Highway 81, thence along Interstate Highway 81 to the West Virginia-Virginia State line; and (11) between points in that part of Georgia on and west of a line beginning at the North Carolina-Georgia State line, thence along U.S. Highway 441 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Georgia-Florida State line, on the one hand, and, on the other, Winchester, Va.; (H) (1) be-tween points in that part of Georgia in and east of Union, White, Haber-

shaw, Stephens, Franklin, Hart, Elbert, Wilkes, Taliaferro, Warren, Glascock, Jefferson, Emanuel, Toombs, Appling, Baton, Ware, Atkinson, Berrien, Cook, Colquitt, and Thomas Counties, on the one hand, and, on the other, points in that part of Kentucky in and west of Lawrence, Johnson, Magoffin, Breathitt, Owsley, Clay, and Bell Counties; (2) between points in Georgia (except points in and west of Fannin, Gilmer, Pickens, Cherokee, Fulton, DeKalb, Henry, Butts, Lamar, Upson, Talbot, and Harris Counties), on the one hand, and, on the other, points in that part of Kentucky in and east of Daviess, Ohio, Grayson, Hart, Barriern, and Monroe Counties, and on and west of Boyd, Carter, Elliott, Morgan, Wolfe, Breathitt, Owsley, Clay, and Bell Counties: (3) between points in Georgia (except points in and north of Haralson, Paulding, Cobb, Fulton, Clayton, Fayette, Merriwether, Harris, Muscogee, and Chattahoochee Counties, on the one hand, and, on the other, points in that part of Kentucky in and east of Bullitt, Hardin, Larue, Taylor, Casey, Pulaski, and McCreary Counties and in and west of Boyd, Carter, Elliott, Morgan, Wolfe, Breathitt, Owsley, Clay, and Bell Counties: (4) between points in Georgia (except points in and west of Murray, Gordon, Bartow, and Polk Counties, on the one hand, and, on the other, points in that part of Kentucky in and east of Hancock, Breckinridge, Hardin, Larue, Green, Adair, and Cumberland Counties and in and west of Boyd, Carter, Elliott, Morgan, Wolfe, Breathitt, Owsley, Clay, and Bell Counties; (5) between points in Georgia (except points in and east of Hart, Elbert, Oglethorpe, Talia-ferro, Warren, Glascock, Jefferson, Burke, Jenkins, and Screven Counties, on the one hand, and, on the other, points in that part of Kentucky in and east of Martin, Floyd, Knott, Perry, Leslie, and Harlan Counties; and (6) between points in Georgia, on the one hand, and, on the other, points in that part of Kentucky in and east of Jefferson, Spencer, Washington, Marion, Casey, Pulaski, and McCreary Counties and in and west of Boyd, Carter, Elliott, Morgan, Wolfe, Breathitt, Owsley, Clay, and Bell Coun-

(I) (1) Between points in Chatham, Effingham, Bryan, and Liberty Counties. Ga., on the one hand, and, on the other, points in that part of Tennessee in and west of Claiborne, Grainger, Hamblen, Jefferson, and Sevier Counties and in and north of Lauderdale, Haywood, Madison, Henderson, Decatur, Peny, Lewis, Maury, Williamson, Rutherford, Cannon, Warren, Van Buren, Bledsoe, Rhea, Meigs, McMinn, and Monroe Counties; (2) between points in Farmin, Union, and Towns Counties, Ga., on the one hand, and, on the other, points in that part of Tennessee in and west of Henry, Carroll, Henderson, Chester, and McNairy Counties, and in and east of Scott, Anderson, Knox, and Sevier Counties; (3) between points in that part of Georgia in and east of Columbia, RichNOTICES

mond, Burke, Screven, Effingham, and Chatham Counties, on the one hand, and, on the other, points in that part of Tennessee in and north and west of Dyer, Gibson, Carroll, Benton, Humphreys, Dickson, Cheatham, Davidson, Wilson, Cannon, Warren, Van Buren, Cumberland, Morgan, Anderson, Knox. Union. and Claiborne Counties: (4) between points in that part of Georgia in and east of Columbia, Richmond, Burke, Screven, Effingham, Bryan, Liberty, Mc-Intosh, Glynn, and Camden Counties, on the one hand, and, on the other, points in that part of Tennessee in and north of Montgomery, Cheatham, Davidson, Wilson, Smith, Putnam, Cumberland, Morgan, Anderson, Knox, Union, and Claiborne Counties; (5) between points in that part of Georgia located in and east of Union, Towns, Habersham, Stephens, Franklin, Hart, Elbert, Wilkes. McDuffie, Richmond, Burke, Screven, Effingham, and Chatham Counties, on the one hand, and, on the other, points in that part of Tennessee in and north of Dyer, Crockett, Madison, Carroll, and Henry Counties, and points in Knox and Anderson Counties, Tenn.; (6) between points in that part of Georgia in and east of Columbia, Richmond, Burke, Emanuel, Toombs, Appling, Bacon, Ware, Clinch, Lanier, and Lowndes Counties, on the one hand, and, on the other, points in that part of Tennessee in and north of Montgomery, Robertson, Sumner, Trousdale, Smith, Putnam, Cumberland. Morgan, Anderson, Knox, Union, and Claiborne Counties.

(7) Between points in that part of Georgia in and east of Union, Towns, Habersham, Stephens, Franklin, Hart. Elbert, Wilkes, McDuffie, Richmond, Emanuel, Toombs, Appling, Bacon, Ware, Clinch, Lanier, and Lowndes Counties, on the one hand, and, on the other, points in Weakley, Henry, Anderson, and Knox Counties, Tenn.; (8) between points in that part of Georgia in and west of Union, Fannin, Dawson, Forsyth, Fulton, Clayton, Henry, Butts, Monroe, Bibb, Twiggs, Bleckley, Pulaski, Wilcox, Ben Hill, Irwin, Berrien, and Lowndes Counties, on the one hand, and, on the other, points in that part of Tennessee in and east of Campbell, Anderson, Knox, and Sevier Counties: (9) between points in that part of Georgia in and east of Hart, Madison, Clarke, Oglethorpe, Wilkes, McDuffle, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Ben Hill, Irwin, Tift, Worth, Dougherty, Baker, Miller, and Seminole Counties, on the one hand, and, on the other, points in that part of Tennessee in and north of Macon, Jackson, Putnam, Cumberland, Morgan, Anderson, Knox, Union, and Campbell Counties: (10) between points in that part of Georgia in and east of Hart, Madison, Clarke, Oconee, Greene, Putnam, Baldwin, Wilkinson, Laurens, Dodge, Wilcox, Crisp, Lee, Dougherty, Baker, Miller, and Seminole Counties, on the one hand, and, on the other, points in that part of Tennessee in and north of Pickett, Pentress, Cumberland, Morgan, Anderson, Knox, Union, and Campbell Counties; (11) between points in that part of Georgia in and west of Union, Lumpkin, Hall, Gwinnett, De Kalb, Henry, Butts, Monroe, Bibb, Twiggs, Bleckley, Dodge, Telfair, Ben Hill, Irwin, Berrien, and Lowndes Counties, on the one hand, and, on the other, points in that part of Tennessee in and east of Campbell, Anderson, Knox, and Sevier Counties and in or west of Greene and Sullivan Counties.

(12) Between points in that part of Georgia in and west of Union, Lumpkin, Hall, Gwinnett, Dekalb, Henry, Butts, Jasper, Putnam, Baldwin, Wilkinson, Laurens, Wheeler, Jeff Davis, Bacon, and Ware Countles, on the one hand, and, on the other, points in that part of Tennessee in and north of Campbell, Anderson, Knox, Grainger, Hamblen, and Hawkins Counties and that part of Sullivan County, Tenn., on and west of U.S. Highway 23; (13) between points in Georgia (except points in that part of Georgia in and east of Lincoln, Wilkes, McDuffie, Jefferson, Burke, Jenkins, and Screven Counties), on the one hand, and, on the other, points in Campbell, Anderson, Knox, Grainger, Hamblen, Hancock, Claiborne, and Union Counties, Tenn.; (14) between points in Georgia, on the one hand, and, on the other, points in Knox, Anderson, Campbell, and Union Counties, Tenn.; (J) (1) between points in Jasper, Hampton, Colleton, Dorchester, Charleston, and Beaufort Counties, S.C., on the one hand, and, on the other, points in Kentucky: (2) between points in that part of South Carolina in and south of Coonee, Anderson, Abbeville, Greenwood, Saluda, Lexington, Richland, Calhoun, Orangeburg, Dorchester, and Charleston Counties, on the one hand. and, on the other, points in that part of Kentucky in and west of Boyd, Carter, Elliott, Morgan, Wolfe, Breathitt, Owsley, Clay, and Bell Counties; and (3) between points in South Carolina, on the one hand, and, on the other, points in that part of Kentucky in and west of Mason, Robertson, Nicholas, Bourbon, Fayette, Madison, Rock Castle, Laurel. Knox, and Bell Counties; (K) (1) between points in South Carolina, on the one hand, and, on the other, points in that part of Tennessee west and north of Claiborne, Grainger, Jefferson, Cocke, Lincoln, Bedford, Coffee, Grundy, Sequatchie, Bledsoe, Rhea, Meigs, McMinn, Monroe, Blount, and Sevier Counties: (2) between points in that part of South Carolina located in, north, and east of Greenville, Spartanburg, Union, Fairfield, Richland, Calhoun, Orangeburg, Colleton, and Jasper Counties, on the one hand, and, on the other, points in Tennessee (except points in and east of Claiborne, Grainger, Jefferson, and Sevier Counties, and points in Marion, Sequatchie, Hamilton, Bradley, and Polk Counties).

(3) Between points in that part of South Carolina in and east of Spartanburg, Union, Fairfield, Richland, Sumter, Clarendon, Berkeley, and Charleston Counties, on the one hand, and, on the

other, points in that part of Tennessee in and west of Campbell, Anderson, Knox, and Blount Counties; and (4) between points in that part of South Carolina on and east of U.S. Highway 601, on the one hand, and, on the other, points in Tennessee in, west, and north of Claiborne, Grainger, Hamblen, Jefferson, Knox, Roane, Cumberland, Van Buren, Warren, Cannon, Rutherford, Marshall, and Giles Counties; (L) (1) between points in that part of North Carolina in. east, and south of Gaston, Lincoln, Catawba, Alexander, Iredell, Davie, Davidson, Guilford, and Rockingham Counties, on the one hand, and, on the other, points in that part of Kentucky in and west of Pendleton, Harrison, Bourbon, Clark, Madison, Rock Castle, Laurel, Knox, and Bell Counties; (2) between points in that part of North Carolina in. south, and east of Robeson, Bladen, Pender, Onslow, Carteret, Craven, Beaufort, Martin, Bertie, and Hertford Counties, on the one hand, and, on the other points in that part of Kentucky in and west of Campbell, Pendleton, Harrison, Bourbon. Clark, Powell, Wolfe, Breathitt, Owsley, Clay, Knox, and Bell Counties; (3) between points in North Carolina (except points in that part of North Carolina in and north of Watauga, Wilkes, Yadkin, Forsyth, Guilford, Alamance, Caswell, Person, Granville, Vance, Warren, Hallfax, and Bertie Counties), on the one hand, and, on the other, points in that part of Kentucky in and west of Mason. Fleming, Bath, Menifee, Powell, Estill. Jackson, Lauren, and Whitley Counties: and (4) between points in North Carolina, on the one hand, and, on the other, points in that part of Kentucky in and west of Campbell, Pendleton, Harrison, Bourbon, Clark, Powell, Estill, Jackson, Laurel, and Whitley Counties; (M) (1) between points in that part of North Carolina in, east, and south of Vance, Franklin, Nash, Wilson, Wayne, Sampson, Cumberland, Hoke, and Scotland Counties, on the one hand, and, on the other, points in that part of Tennessee in and west of Claiborne, Grainger, Hamblen, Jefferson, and Sevier Counties; and (2) between points in that part of North Carolina in and east of Madison, Buncombe, and Rutherford Counties, on the one hand, and, on the other. points in that part of Tennessee in and west of Claiborne, Union, Knox, and Blount Counties.

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(N) (1) Between points in Northampton County, Va., on the one hand, and, on the other, points in that part of Kentucky in and west of Kenton, Grant, Fayette, Madison, Estill, Lee. Scott. Breathitt, Owsley, Clay and Bell Counties; (2) between points in that part of Virginia in, east, and south of Henry Franklin, Roanoke, Bedford, Campbell, Appomattox, Prince Edward, Nottoway, Dinwiddie, Prince George, James City, Gloucester, and Northampton Counties, on the one hand, and, on the other. points in that part of Kentucky in and west of Gallatin, Owen, Scott, Fayette, Madison, Jackson, Laurel, and Me-Creary Counties; (3) between points in Virginia in, north, and east of Augusta,

Cumberland Albemarle, Fluvanna. Amelia, Nottoway, and Brunswick Counties, and in and south of Mecklenberg, Halifax, and Pittsylvania Counties, on the one hand, and, on the other, points in that part of Kentucky in, west, and south of Hardin, Larue, Marion, Casey, Pulaski, Laurel, Knox, and Bell Counties; (4) between points in that part of Virginia in and south of Washington, Smythe, Wythe, Pulaski, Montgomery, Roanoke (including Roanoke), Bedford (including Lynchburg), Campbell, Appomatox, Prince Edward, Amelia, Powhattan, Henrico, New Kent, Gloucester, and Northampton Counties, on the one hand, and, on the other, points in that part of Kentucky in and west of Carroll, Henry. Franklin, Anderson, Washington, Marion, Taylor, Adair, Russell, and Clinton Counties: (5) between points in that part of Virginia in, south, and east of Washington, Smythe, Wythe, Pulaski, Montgomery, Roanoke (including Roanoke), Bedford (including Lynchburg), Campbell, Appomatox, Prince Edward, Amelia, Powhattan, Henrico, Hanover, Spotsylvania, Culpeper, and Stafford Counties, on the one hand, and, on the other, points in that part of Kentucky in and west of Jefferson, Bullitt, Nelson, Marion, Taylor, Adair, Russell, and Clinton Counties: (6) between points in that part of Virginia east of Giles, Pulaski, Floyd, and Patrick Counties, on the one hand, and, on the other, points in that part of Kentucky in, west, and south of Hardin, Larue, Marion, Casey, Pulaski,

Laurel, and Whitley Counties. (7) Between points in that part of Virginia east of Giles, Pulaski, Wythe, and Grayson Counties, on the one hand. and, on the other, points in that part of Kentucky in, west, and south of Hardin, Larue, Marion, Casey, Pulaski, and Mc-Creary Counties; (8) between points in that part of Virginia, on the one hand, and, on the other, points in that part of Kentucky in and west of Hardin, Larue, Marion Taylor, Adair, Russell, and Clinton Counties; (O) (1) between points in that part of Virginia in and east of Frederick, Warren, Rappahannock, Madison, Greene, Albemarle, Fluvanna, Goochland, Powhattan, Amelia, Nottoway, and Brunswick Counties, on the one hand, and, on the other, points in that part of Tennessee in and west of Claiborne, Grainger, Hamble, and Cocke Counties; and (2) between points in Virginia, on the one hand, and, on the other, points in that part of Tennessee in and west of Scott, Anderson, Knox, and Blount Counties; (P) (1) between points in that part of Kentucky in, west, and south of Jefferson, Bullitt, Hardin, Grayson, Edmonson, Barren, Monroe, Cumberland, and Clinton Counties, on the one hand, and, on the other, points in that part of Tennessee in and east of Hawkins, Grainger, Knox, and Blount Counties: (2) between points in that part of Kentucky in and west of Jefferson, Bullitt, Hardin, Grayson, Edmonson, Warren, and Allen Counties, on the one hand, and, on the other, points in that part of Tennessee in and east of Hancock, Grain-

ger, Union, Anderson, Knox, and Blount Counties; (3) between points in that part of Kentucky in Trimble, Henry, Franklin, Anderson, Washington, Marion, Nelson, Bullitt, Jefferson, Oldham, Shelby, and Spencer Counties and in and west of Hancock, Daviess, McLean, Hopkins, Caldwell, Lyon, Marshall, and Calloway Counties, on the one hand, and, on the other, points in that part of Sullivan County, Tenn., on and east of U.S. Highway 19 and 19E, and points in, south, and east of Johnson, Carter, Washington, Greene, Hamblen, Jefferson, Knox, Anderson, Loudon, McMinn, and Monroe Counties.

(4) Between points in Franklin, Owen, Gallatin, Carroll, Trimble, and Henry Counties, Ky., on the one hand, and, on the other, points in Sullivan County, Tenn., and east of U.S. Highway 19 and 19E, and points in, south, and east of Johnson, Carter, Washington, Greene, Hamblen, Jefferson, Knox, Anderson, Roane, Meigs, and Hamilton Counties; (5) between points in that part of Kentucky in Jefferson County and in and west of Hancock, Daviess, McLean, Hopkins, Caldwell, Lyon, Marshall, and Calloway Counties, on the one hand, and, on the other, points in that part of Tennessee in, south, and east of Johnson, Sullivan, Washington, Greene, Hamblen, Jefferson, Knox, Anderson, Loudon, Mc-Minn, and Monroe Counties; (6) between points in that part of Kentucky in and east of Mason, Robertson, Nicholas, Bourbon, Fayette, Madison, Rock Castle, Pulaski, and McCreary Counties, on the one hand, and, on the other, points in Knox, Blount, Monroe, McMinn, and Loudon Counties, Tenn.; (7) between points in Fayette County, Ky., on the one hand, and, on the other, points in that part of Tennessee in, south, and east of Unicoi, Washington, Greene, Hamblen, Jefferson, Knox, Anderson, Roane, Meigs, and Hamilton Counties; (8) between points in that part of Kentucky in and east of Boyd, Lawrence, Elliott, Morgan, Wolfe, Lee, Jackson, Laurel, and Whitley Counties, on the one hand, and, on the other, points in Shelby, Knox, Sevier, Blount, Monroe, McMinn, and Loudon Counties, Tenn.: (9) between points in Mason, Lewis, Greenup, Carter, and Boyd Counties, Ky., on the one hand, and, on the other, points in that part of Tennessee in, south, and east of Cocke, Hamblen, Jefferson, Knox, Anderson, Roane, Cumberland, Bledsoe, Sequatchie, Grundy, Coffee, and Franklin Counties; (10) between points in that part of Kentucky in, south, and east of Pike, Floyd, MaGoffin, Breathitt, Owsley, and Jackson Counties, Laurel and Whitley Counties, on the one hand, and, on the other, points in that part of Tennessee located in, south, and east of Blount, Knox, Roane, Cumberland, Van Buren, Warren, Coffee, and Franklin Counties and in Tipton, Haywood, Madison, Hardeman, Fayette, and Shelby Countles, Tenn.

(11) Between points in Boyd County, Ky., on the one hand, and, on the other, points in that part of Tennessee in Shelby County and in, south, and east of

Cocke, Hamblen, Jefferson, Knox, Anderson, Roane, Cumberland, Van Buren, Warren, Grundy, and Marion Counties: (12) between points in that part of Kentucky in, south, and east of Pike, Floyd, Magoffin, Breathitt, Perry, Leslie, and Bell Counties, on the one hand, and, on the other, points in that part of Tennessee in and south of Blount, Knox, Anderson, Roane, Cumberland, White, DeKalb, Cannon, Rutherford, Marshall, Maury, Hickman, Perry, Decatur, Henderson, Madison, Gibson, and Dyer Counties; (13) between points in Pike, Knott, Perry, Leslie, Bell, Harlan, and Letcher Counties, Ky., on the one hand, and, on the other, points in that part of Tennessee in and south of Blount, Knox, Anderson, Morgan, Cumberland, Putnam, De-Kalb, Wilson, Davidson, Williamson, Hickman, Perry, Decatur, Henderson, Madison, Gibson, and Dyer Counties; and (14) between points in Harlan and Bell Counties. Ky., on the one hand, and, on the other, points in that part of Tennessee in and south of Blount, Knox, Anderson, Morgan, Cumberland, Putnam, De-Kalb, Wilson, Davidson, Cheatham, Montgomery, Stewart, Henry, Weakley, Obion, and Lake Counties; (Q) between points in that part of Kentucky in, south, and west of Livingston, Lyon, Trigg, and Christian Counties, on the one hand, and, on the other, points in that part of Kentucky in and south of Bell, Harlan, Fletcher, and Pike Counties; (R) (1) between points in that part of Tennessee in and west of Henry, Carroll, Madison, Haywood, Tipton, and Shelby Countles, on the one hand, and, on the other, points in that part of Tennessee in and east of Campbell, Anderson, Knox, Loudon, Mc-Minn and Monroe Counties.

(2) Between points in that part of Tennessee in and west of Montgomery, Dickson, Hickman, Maury, and Giles Counties, on the one hand, and, on the other, points in that part of Tennessee in and east of Campbell, Anderson, Knox, and Blount Counties; (3) between points in that part of Tennessee in and west of Pickett, Fentress, Morgan, Anderson, Knox, and Blount Counties, on the one hand, and, on the other, points in that part of Tennessee in and east of Hancock. Grainger, Jefferson, and Cocke Counties; (4) between points in that part of Tennessee in and south of Bradley. McMinn, Loudon, Blount, Sevier, and Cocke Counties, on the one hand, and, on the other, points in Scott and Campbell Counties, Tenn.; and (5) between points in that part of Tennessee in and south of Hamilton, Meigs, Loudon, Blount, and Sevier Counties, on the one hand, and. on the other, points in Campbell and Claiborne Counties, Tenn.; and (6) between points in that part of Virginia in and west of Buchanan, Russell, and Washington Counties, on the one hand, and, on the other, points in Graham, Cherokee, and Clay Counties, N.C. The purpose of this filing is to eliminate the gateway of Knoxville, Tenn.

No. MC 109478 (Sub-No. E17) (Correction), filed May 15, 1974, published in the Federal Register January 22, 1975. Ap-

plicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Food products (except frozen foods), in bulk, in tank vehicles, from Lawton, Mich., to Fall River, Boston, New Bedford, and Taunton, Mass., New Bedford, Jersey City, N.J., and those points in New Jersey within 25 miles thereof. Swedesboro, N.J., Providence, R.I., all points in New York and points in Pennsylvania on and west of a line beginning at the Pennsylvania-New York State line extending along U.S. Highway 15 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line; and (2) Preserved foodstuffs (except frozen foods), in bulk, in tank vehicles, from Lawton, Mich., to the District of Columbia. The purpose of this filing is to eliminate the gateways of (1) Geneva, Ohio and LeRoy, N.Y., and points within 50 miles thereof, and (2) Geneva, Ohio, and LeRoy or Mt. Morris, or Oakfield, N.Y. The purpose of this correction is to clarify the filing.

No. MC 109478 (Sub-No. E18) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER January 22, 1975. Applicant: WORSTER MOTOR LINES. INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's represent-ative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Food products (except frozen foods), in bulk, in tank vehi-cles, from Boston and Waban, Mass., Jersey City, N.J., and points in New Jersey within 25 miles thereof, points in New York, Geneva, Ohio, Phila-delphia, and Erie County, Pa., to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateways of Brocton, N.Y., Genesee and Monroe Counties, N.Y., LeRoy, N.Y., and points within 50 miles thereof and Erie County, Pa. The purpose of this correction is to clarify the filing.

No. MC 109478 (Sub-No. E21), filed May 15, 1974, Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428, Applicant's representative: Joseph F. Mac-Krell 22 West Trans St. Esta Pa. 16501 Krell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Foodstuffs, in bulk, in tank vehicles, from Boston and Waban, Mass., to points in New York on and west of a line beginning at Lake Ontario and extending along New York Highway 14 to junction New York Highway 230, thence along New York Highway 230 to junction New York Highway 54. thence along New York Highway 54 to the New York-Pennsylvania State line; and (2) Foodstuffs, in bulk, in tank vehicles, from Philadelphia, Pa., to points in Chautauqua, Erie, Livingston, Niagara,

Orleans, Wayne, and Wyoming Counties, N.Y., and points in Ontario County, N.Y., on and west of New York Highway 21. The purpose of this filing is to eliminate the gateways of Genesee and Monroe Counties, N.Y.

No. MC 109478 (Sub-No. E22), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. Mac-Krall, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Foodstuffs, in bulk, in tank vehicles, from points in New York on and west of a line beginning at Lake Ontario and extending along New York Highway 14 to junction New York Highway 230, thence along New York Highway 230 to junction New York Highway 54, thence along New York Highway 54 to the New York-Pennsylvania State line to Fall River, Boston, New Bedford, and Taunton, Mass., and Providence, R.I.; and (2) Foodstuffs, in bulk, in tank vehicles, from points in Chautauqua, Erie, Livingston, Niagara, Orleans, Wayne, and Wyoming Counties, N.Y., and points in Ontario County, N.Y., on and west of New York Highway 21 to Jersey City, N.J., and points in New Jersey within 25 miles thereof and Swedesboro, N.J. The purpose of this filing is to eliminate the gateways of Monroe and Genesee Counties, N.Y.

No. MC 109478 (Sub-No. E23), May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. Mac-Krell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Fruit and vegetable juices, in bulk, in tank vehicles, from points in the Lower Peninsula of Michigan to Fall River, Boston, New Bedford, and Taunton, Mass., Jersey City, N.J., and points in New Jersey within 25 miles thereof, Swedesboro, N.J., points in New York and Pennsylvania and Providence, R.I.; and (2) Preserved fruit and vegetable fuices, in bulk, in tank vehicles, from points in the Lower Peninsula of Michigan and Ohio to Baltimore, Md., and the District of Columbia. The purpose of this filing is to eliminate the gateways of: (1) Westfield, N.Y., LeRoy, N.Y., and 50 miles thereof, Genesee and Monroe Counties, N.Y., Geneva, Ohio, Erie County, Pa., Chautauqua and Erie Counties, N.Y.; and (2) Westfield, N.Y., North East, Pa., Erie County, Pa., Geneva, Ohio, LeRoy, Mt. Morris, and Oakfield, N.Y.

No. MC 109478 (Sub-No. E26), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. Mac-Krell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fresh and preserved

fruits and vegetables, and fruit and vegetable juice, from points in New York on and west of a line extending from Lake Ontario south along New York Highway 250 to junction New York Highway 104. thence along New York Highway 104 to junction New York Highway 350, thence along New York Highway 350 to junction New York Highway 31, thence along New York Highway 31 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 19, thence along New York Highway 19 to the New York-Pennsylvania State line, to points in Allegheny, Beaver, Butler, Crawford, Erie, Fayette, Greene, Law-rence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties, Pa. The purpose of this filing is to eliminate the gateways of Chautauqua and Erie Counties, N.Y.

No. MC 109473 (Sub-No. E30) (Correction), filed May 15, 1974, published in the Federal Register January 22, 1975. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Grape juice or grape juice concentrates, in bulk, in tank vehicles, ... The purpose of this correction is to reflect the correct commodity description. The remainder of the letter-notice remains as previously published.

No. MC 109478 (Sub-No. E31) (Correction), filed May 15, 1974, published in the Federal Register January 22, 1975. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Grape juice and grape juice concentrates, from points in Erie County, N.Y. within 50 miles of LeRoy, N.Y., to points in Massachusetts, Rhode Island, and Connecticut; and (2) Grape juice, from Chautaugua and Erie Counties, N.Y., and Erie County, Pa., to points in Massachusetts, Rhode Island, Connecticut. New Jersey, Delaware, Maryland, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of (1) Brocton and Westfield, N.Y., and (2) Brocton and Westfield, N.Y., and North East, Pa. The purpose of this correction is to clarify the filing.

No. MC 109478 (Sub-No. E34), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. Mackrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Wine; (a) from Boston and Waban, Mass., and

Jersey City, N.J., and points in New Jersey within 25 miles thereof to points in Illinois, Indiana, Ohio, and points in the Lower Peninsula of Michigan; (b) from Philadelphia, Pa., to points in Illi-nois, Indiana, the Lower Peninsula of Michigan and points in Ohio on, north, and west of a line extending from the Pennsylvania-Ohio State line extending along Interstate Highway 90 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 71, thence along Interstate Highway 71 to junction U.S. Highway 224, thence along U.S. Highway 224 to Findlay, Ohio, thence along Interstate Highway 75 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-Indiana State line; (c) from points in New York on, south, and west of a line beginning at Lake Ontario and extending along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to the New York-Pennsylvania State line to points in Illinois, Indiana, Ohio, and points in the Lower Peninsula of Michigan; and (d) from Erie County, Pa., to points in Illinois on. north, and west, and south of a line extending from Lake Michigan, thence along Illinois Highway 22 to junction Illinois Highway 59, thence along Illinois Highway 59 to junction U.S. Highway 52. thence along U.S. Highway 52 to the Illinois-Indiana State line. (2) Wine (except in bulk), from Crawford County, Pa., to points in Illinois. The purpose of this filing is to eliminate the gateways of: in (1) (a) and (b), Brocton, N.Y.; in (1) (c), North East, Pa.; and in (1) (d) and (2), Westfield, N.Y.

No. MC 109478 (Sub-No. E35), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Appli-cant's representative: Joseph F. Mac-Krell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wine (a) from Lawton and Mattawan, Mich., to points in Massachusetts, Rhode Island, New York, Connecticut, New Jersey, Delaware, and the District of Columbia, and points in Maryland and Pennsylvania on, north, and east of a line extending from the Ohio-Pennsylvania State line along U.S. Highway 6 to Meadville, Pa., thence along U.S. Highway 322 to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to Altoona, Pa., thence along U.S. Highway 220 to Bedford, Pa., thence along U.S. Highway 30 to junction Pennsylvania Highway 16, thence along Pennsylvania Highway 16 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Maryland-Virginia State line; and (b) from Geneva, Ohio, to points in Massachusetts, Rhode Island, New York, Connecticut, New Jersey, Delaware, and the District of Columbia, and points in Maryland and Pennsylvania on, north, and east of a line extending from the New York-Pennsylvania State line along U.S. Highway 62 to Warren, Pa., thence along U.S. Highway 6 to junction U.S.

Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 322, thence along U.S. Highway 322 to Harrisburg, Pa., thence along U.S. Highway 15 to the Maryland-Pennsylvania State line. The purpose of this filing is to eliminate the gateways of Brocton and Westfield, N.Y., and Northeast, Pa.

No. MC 109478 (Sub-No. E36), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. Mac-Krall, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wine; (a) from North East, Pa., to points in Massachu-setts, Connecticut, Rhode Island, that part of New York on and east of a line beginning at Lake Erie and extending along U.S. Highway 17 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Pennsylvania-New York State line. New Jersey, Delaware, Maryland, West Virginia, the District of Columbia, Indiana, Illinois, the lower Peninsula of Michigan, and that part of Ohio on, west, and south of a line extending from Cleveland, Ohio, along Interstate Highway 77 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Ohio-Pennsylvania State line; (b) from points in Chautauqua County, N.Y., within five miles of the shore of Lake Erie to points in Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, the District of Columbia, Indiana, Illinois, the Lower Peninsula of Michigan, and points in Ohio on and south of a line extending from Cleveland, Ohio, along Interstate Highway 77 to junction Interstate Highway 80, and thence along Interstate Highway 80 to the Ohio-Pennsylvania State line; and (c) from Erie, Pa., to points in Massachusetts, Connecticut, Rhode Island, points in New York on and east of a line extending from Lake Eric along U.S. Highway 17 to junction U.S. Highway 62, thence along U.S. Highway 62 to the New York-Pennsylvania State line (except New York City), Connecticut, New Jersey, Delaware, Maryland, points in West Virginia on and south of a line extending from the Ohio-West Virginia State line along U.S. Highway 50 to the West Virginia-Maryland State line, the District of Columbia, Indiana, Illinois, the Lower Peninsula of Michigan, and points in Ohio on and south of a line extending from the Ohio-West Virginia State line along U.S. Highway 50 to Athens, Ohio, thence along U.S. Highway 33 to junction Ohio Highway 65, thence along Ohio Highway 65 to junction Ohio Highway 109, thence along Ohio Highway 109 to the Michigan-Ohio State line. The purpose of this filing is to eliminate the gateways of: in (a) and (b) above, Brocton or Westfield, N.Y.; and (c) Westfield,

No. MC 109478 (Sub-No. E57), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's

representative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Preserved food products (other than frozen or in bulk in tank vehicles); (a) from Crawford County, Pa., to Connecticut, Delaware, Massachusetts, New Jersey, New York, and Rhode Island; and (b) from Cambridge Springs, Pa., to Baltimore, Md., and Washington, D.C. (2) Food products (other than frozen or in bulk, in tank vehicles); (a) from Crawford County, Pa., to points in Illinois, New Hampshire Vermont, and points in Maine on and south of a line beginning at the Maine-New Hampshire State line and extending along U.S. Highway 2 to Bangor, Maine, thence along Alternate U.S. Highway 1 to Ellsworth, Maine, and thence along Maine Highway 3 to Bar Harbor, Maine; and (b) from Cambridge Springs. Pa., to points in Indiana located on and west of U.S. Highway 31. (3) Foodstuffs (other than frozen or in bulk, in tank vehicles), from points in Crawford County, Pa., to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont, and points in New Jersey (except New Brunswick, N.J., and points in Bergen, Essex, Hudson, Middlesex, Morris, Somerset, Passaic, and Union Countles, N.J.). (4) Grape juice, tomato juice, honey, jams, jellies, and preserves, and frozen fruits, frozen fruit juices, and frozen tomato juice, from LeRoy, N.Y., and and points within 50 miles thereof to points in Illinois.

(5) Grape juice, tomato juice, jams, jellies, and preserves (other than frozen or in bulk, in tank vehicles), from points in New York to points in Indiana. (6) Preserved foodstuffs, in vehicles equipped with mechanical refrigeration (other than frozen or in bulk, in tank vehicles), from points in New York within 50 miles of LeRoy, N.Y., to points in Indiana. (7) Food products (other than frozen or in bulk, in tank vehicles); (a) from points in New York on, north, and east of a line beginning at Lake Ontario and extending along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to the New York-Pennsylvania State line to points in the Lower Peninsula of Michigan; and (b) from points in New York) except points in Allegany, Cattaraugus, Chautauqua, Erie, Wyoming, and Steuben Counties, N.Y.), to points in Ohio. (8) Preserved fruits and vegetables and fruit or vegetable juices (other than frozen or in bulk, in tank vehicles); (a) from points in Allegany, Cattaraugus, Steuben, and Wyoming Counties, N.Y., to points in Ohio; (b) from points in Genesee, Livingston, Monroe, Niagara, Orleans, Wayne, and Wyoming Counties, N.Y., to points in Pennsylvania on and south of Interstate Highway 80 and on and west of Interstate Highway 81: (c) from points in Genesee, Niagara, and Orleans Counties, N.Y., to points in Pennsylvania on and west of Interstate Highway 81; and (d) from points in New York (except points in Chautauqua and Erie Counties, N.Y.), located on, west, and north of a line

extending from Lake Ontario east along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 20, thence along U.S. Highway 20 to Erie County, N.Y., to points in Pennsylvania on, west, and north of a line extending from the New York-Pennsylvania State line along U.S. Highway 219 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Pennsylvania-Ohio State line.

(9) Preserved foodstuffs and canned fruit and vegetable fuices (other than frozen or in bulk, in tank vehicles), from points in New York located on and north of U.S. Highway 20 and points in Chautauqua, Erie, Livingston, Onondaga, Ontario, Wyoming, and Yates Counties, N.Y., to points in West Virginia. (10) Food products (other than frozen or in bulk, in tank vehicles); (a) from Boston and Waban, Mass., to points in Wayne County, N.Y., that part of New York located on, west, and north of a line extending from Lake Ontario along New York Highway 14 to junction New York Highway 17, thence along New York Highway 17 to Lake Erie, and points in Ohio; (b) from Boston and Waban. Mass., to points in Pennsylvania on, west, and north of a line extending from the New York-Pennsylvania State line along U.S. Highway 219 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Pennsylvania-West Virginia State line; (c) from Boston and Waban, Mass., to points in West Virginia located on, west, and north of a line extending from the Ohio-West Virginia State line along West Virginia Highway 2 to junction Interstate Highway 77, thence along Inter-state Highway 77 to junction U.S. Highway 119, thence along U.S. Highway 119 to the Kentucky-West Virginia State line; (d) from Philadelphia, Pa., to Wayne, Ontario, Livingston, Wyoming, Erie, and Chautauqua Counties, N.Y.; and (e) from Boston and Waban, Mass., and Philadelphia, Pa., to points in the Lower Peninsula of Michigan. (11) Preserved fruits and vegetables and fruit and vegetable juices, from Philadelphia, Pa., to points in Ohio located on and north of a line beginning at the Pennsylvania-Ohio State line and extending along U.S. Highway 20 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-

Indiana State line.

(12) Frozen prepared foodstuffs; (a) from Detroit, Mich., to points in Massachusetts, New Jersey, Baltimore, Md., and Washington, D.C., and points in Pennsylvania located on and north of a line extending from the Delaware-Pennsylvania State line along Pennsylvania Highway 41 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 125, thence along Pennsylvania Highway 125 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to Pennsyl-

vania Highway 147, thence along Pennsylvania Highway 147 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line; (b) from Cleveland, Ohio, to points in New Jersey and Massachusetts and points in Pennsylvania located on, east, and north of a line extending from the Delaware-Pennsylvania State line along Pennsylvania Highway 41 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 125, thence along Pennsylvania Highway 125 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction Pennsylvania Highway 147, thence along Pennsylvania Highway 147 and 405 to Lewisburg, Pa., and thence along U.S. Highway 15 from Lewisburg, Pa., to the Pennsylvania-New York State line. (13) Preserved food products (except commodities in bulk), frozen or refrigerated; (a) from Crawford, Pa., to points in Massachusetts, New York, New Jersey, and Pennsylvania; and (b) from Cambridge Springs, Pa., to Baltimore, Md., and Washington, D.C.

(14) Frozen food products; (a) from Boston and Waban, Mass., LeRoy, N.Y., and points in New York within 50 miles thereof to points in Crawford County, Pa., points in Ohio and the Lower Peninsula of Michigan; (b) from Jersey City, N.J., and points in New Jersey within 25 miles thereof to points in Crawford County, Pa., the Lower Peninsula of Michigan and points in Ohio located on and north of a line extending from the Ohio-Pennsylvania State line along Ohio Highway 82 to junction Ohio Highway 5, thence along Ohio Highway 5 to junction Ohio Highway 44, thence along Ohio Highway 44 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Ohio Highway 585, thence along Ohio Highway 585 to junction Ohio Highway 3, thence along Ohio Highway 3 to junction Interstate Highway 71. and thence along Interstate Highway 71 to the Ohio-Kentucky State line; and (e) from Philadelphia, Pa., to points in Ohio located on and north of a line extending from the Pennsylvania-Ohio State line along U.S. Highway 20 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction Ohio Highway 29, thence along Ohio Highway 29 to the Ohio-Indiana State

(15) Frozen prepared foodstuffs; (a) from Dedham, Mass., to points in Ohio; (b) from points in New York on and north of a line extending from Hancock, N.Y., along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 28, thence along New

York Highway 28 to Kingston, N.Y., and junction with New York Highway thence along New York Highway 199 to junction U.S. Highway 44, thence along U.S. Highway 41 to the New York-Connecticut State line to points in Ohio; (c) from points in New York on and south of a line extending from Hancock, N.Y. east along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 28, thence along New York Highway 28 to Kingston, N.Y., and junction with New York Highway 199, thence along New York Highway 199 to junction U.S. Highway 44, and thence along U.S. Highway 44 to the New York-Connecticut State line to points in Ohio located on and north of a line beginning at the Kentucky-Ohio State line, and extending north and east along Interstate Highway 71 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Ohio Highway 183, thence along Ohio Highway 183 to junction Ohio Highway 14, thence along Ohio Highway 14 to junction Ohio Highway 5, thence along Ohio Highway 5 to the Ohio-Pennsylvania State line; (d) from Secaucus, N.J., to points in Ohio located on and north of a line beginning at the Kentucky-Ohio State line, and extending along Interstate Highway 71 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Ohio Highway 183, thence along Ohio Highway 183 to junction Ohio Highway 14, thence along Ohio Highway 14 to junction Ohio Highway 5, thence along Ohio Highway 5 to the Ohio-Pennsylvania State line; and (e) from Philadelphia, Pa., to points in Ohio located on and north of a line extending from the Pennsylvania-Ohio State line along U.S. Highway 20 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction Ohio Highway 29, thence along Ohio Highway 29 to the Ohio-Indiana State

(16) Food products, refrigerated (except frozen foods and commodities in bulk; (a) from Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Mon-roe, Niagara, Orleans, Wayne, and Wyoming Counties, N.Y., to points in Connecticut; (b) from points in New York (other than the above-described counties in (a)), located on and west of a line extending from Lake Ontario along New York Highway 14 to junction New York Highway 54, thence along New York Highway 54 to the New York-Pennsylvania Etate line to points in Connecticut located on and east of a line beginning at Bridgeport, Conn., and extending along Connecticut Highway 8 to junction Interstate Highway 84, thence along Interstate Highway 84 to junction Interstate Highway 91, thence along Inter-state Highway 91, to the Connecticut-Massachusetts State line; and (c) from points in New York located on and west of a line extending from Lake Ontario

along New York Highway 14 to junction New York Highway 414, thence along New York Highway 414 to junction New York Highway 17, thence along New York Highway 17 to junction U.S. Highway 15, and thence along U.S. Highway 15 to the New York-Pennsylvania State line to points in Rhode Island.

(17) Frozen fruits, frozen berries, and frozen vegetables; (a) from points in New York and points in Pennsylvania located on, east, and north of a line extending from the Ohio-Pennsylvania State line east and south along Pennsylvania Highway 51 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line to points in Illinois; (b) from points in Pennsylvania to points in Illinois on and north of a line extending from the Indiana-Illinois State line along U.S. Highway 24 to junction Illinois Highway 116, and thence along Illinois Highway 116 to the Illinois-Iowa State line; (c) from points in New York and Pennsylvania to points in Indiana located on, west, and north of a line beginning at the Michigan-Indiana State line and extending along Indiana Highway 19 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Indiana Highway 119, thence along Indiana Highway 119 to junction Indiana Highway 39, thence along In-diana Highway 39 to junction U.S. Highway 24, and thence along U.S. Highway 24 to the Indiana-Illinois State line: (d) from points in Pennsylvania located on, east, and north of a line extending from the Ohio-Pennsylvania State line and extending along U.S. Highway 422 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 522, and thence along U.S. Highway 522 to the Pennsylvania-Maryland State line to points in Indiana; (e) from points in Erie, Crawford, and Warren Counties, Pa., to points in West Virginia; and (f) from points in Cattaraugus, Chautauqua, Erie, Livingston, Ontario, Seneca, Wyoming, and Yates Counties, N.Y., and other points in New York located on and north of a line extending from the Massachusetts-New York State line along U.S. Highway 20 to junction U.S. Highway 20A, thence along U.S. Highway 20A to junction U.S. Highway 20, and thence along U.S. Highway 20 to the New York-Pennsylvania State line to points in West Virginia.

(18) Fresh and preserved fruits and vegetables, and fruit and vegetable juices. frozen or refrigerated; (a) from points in New York located east and north of Chautauqua and Erie Counties, N.Y., to points in Illinois and Indiana; and (b) from points in New York located on and north of a line extending from Lake Erie. along New York Highway 75 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 20A, thence along U.S. Highway 20A to junc-

tion U.S. Highway 20, thence along U.S. Highway 20 to the New York-Massachusetts State line to points in West Virginia (19) Frozen food products (except commodities in bulk), from Philadelphia, Pa., to points in Illinois, and those points in Indiana on, north, and west of a line extending from the Ohio-Indiana State line along U.S. Highway 224 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Indiana Highway 67, thence along Indiana Highway 67 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction Indiana Highway 46, thence along Indiana Highway 46 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Indiana-Kentucky State line at New Albany, Ind. (20) Fresh preserved foodstuffs, frozen or refrigerated (other than in tank vehicles), from Lawton and Mattawan, Mich., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Rhode Island, and the District of Columbia, and points in Pennsylvania in and east of Blair, Clearfield, Crawford, Elk, Erie, Fulton, Huntingdon, McKean, and Warren Counties, Pa. (21) Preserved food products, frozen or refrigerated (other than in bulk, in tank vehicles), from the plant sites and storage facilities of Duffy-Mott Co., Inc., at or near Hartford, Bailey, and Grawn, Mich., to the District of Columbia. (22) Frozen fruits and vegetables and frozen fish (other than in bulk, in tank vehicles), from Boston, Dedham, and Waban, Mass., to points in Illinois, Indiana, and West Virginia.

(23) Frozen fruits and vegetables (other than in bulk, in tank vehicles), from Jersey City, N.J., and New Jersey points within 25 miles thereof to points in Illinois and Indiana. (24) Preserved food products (other than frozen or in bulk, in tank vehicles); (a) from points in Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Wayne, and Wyoming Counties, N.Y., to Baltimore, Md., and the District of Columbia. (25) Food products (other than frozen or in bulk, in tank vehicles); (a) from points in Allegany, Cattaraugus, Chautauqua, Genesee, Livingston, Monroe, Niagara, Orleans, and Wayne Counties, N.Y., to points in Connecticut; (b) from points in Allegany, Cattaraugus, Chautauqua, Genesee, Livingston, Monroe, Niagara, Orleans, and Wayne Counties, N.Y., to points in Massachusetts and Rhode Island; (c) from points in Chautauqua, Erie, Genesee, Monroe, Niagara, Orleans, and Wayne Counties, N.Y., to points in Pennsylvania on and east of Interstate Highway 81; and (d) from points in Chautauqua, Erie, Genesee, Monroe, NIagara, Ontario, Orleans, and Wayne Counties, N.Y., to points in New Jersey.

The purpose of this filing is to eliminate the gateways of: in (1) above, Chautauqua County, N.Y.; in (2) (a) above, Chatham and Westfield, N.Y.; in (2) (b) above, Westfield, N.Y.; in (3) above, Chautauqua County, N.Y., and Hamlin, Holley, and Williamson, N.Y.; in (4) and (5) above, Erie County, N.Y., and North East, Pa., or Westfield, N.Y.; in (6) above, points in Chautauqua County,

N.Y., within five miles of Lake Erie and Erie, Pa.; in (7) (a) above, Hamlin, Holley, and Williamson, N.Y., and points in New York within 50 miles of LeRoy, N.Y.; in (7) (b) above, Hamlin, Holley, and Williamson, N.Y.; in (8) (a) above, Erie County, N.Y.; in (8) (b) above, Chautauqua and Erie Counties, N.Y., and Hamlin, Holley, and Williamson, N.Y.; in (8) (c) above, Erie County, N.Y., and Holley, N.Y.; in (8) (d) above, Chautauqua and Erie County, N.Y., and Hamlin, Holley, and Williamson, N.Y.; in (9) above, points in Chautauqua County, N.Y., located within five miles of Lake Eric, and Hamlin, Holley, and Williamson, N.Y. in (10) (a)-(c) above, Hamlin, Holley, and Williamson, N.Y., and Genesee and Monroe Counties, N.Y.; in (10) (d) above, Brocton, N.Y., and Genesee and Monroe Countles, N.Y.; in (10) (e) Genesee and Monroe Counties, N.Y.; in (11) above, Brocton, N.Y.; in (12) and (13) above, that part of Chautauqua County, N.Y., within five miles of the shore of Lake Erie; in (14) (a) above, Brocton, N.Y., Erie; in (14) (a) above, Brocton, N.Y., Chautauqua County, N.Y., and Lines-ville, Pa.; in (14) (b) and (c) above, Brocton, N.Y., and Linesville, Pa.; in (15) above, Westfield, N.Y.; in (16) above, Hamlin, Holley, and Williamson, N.Y.; in (17) (a) -(e) above, Linesville, Pa.; in (17) (f) above, North Girard, Pa., Linesville, Pa.; in (18) above, Eric County, N.Y. within 50 miles of LeRoy, N.Y., and Linesville, Pa.; in (19) above, Brocton, N.Y., and Linesville, Pa.; in (20) above, North East, Pa., and Westfield, N.Y.; in (21) above, Bergen, Hamlin, Holley, N.Y., and LeRoy, Mt. Morris and Oakfield, N.Y.; in (22) above Linesville, Pa.; in (23) above, North Girard, Pa.; in (24) above, LeRoy, Mt. Morris, and Oakfield, N.Y.; and in (25) above, Brocton, Hamlin, and Williamson, N.Y., and Genesee and Monroe Counties, N.Y.

No. MC 109637 (Sub-No. E31) (Correction), filed May 29, 1974, published in the Federal Register September 3, 1975. Applicant's representative: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petro-chemicals, in bulk, in tank vehicles, from Madison, Ind., to points in Arkansas, Kansas, Louisiana, Nebraska, Oklahoma, Texas, and points in Florida on and south of Florida Highway 40 and points in Escambia and Santa Rosa Counties, Fla. The purpose of this filing is to eliminate the gateway of Calvert City, Ky. The purpose of this correction is to correct the "E" number, previously published as E37.

No. MC 109637 (Sub-No. E40), filed May 29, 1974. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050, Appli-cant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petrochemicals, in bulk, in tank vehicles, from West Point, Ky., to points in Alabama, Mississippi, points in South Carolina on and south of a line beginning at the Georgia-South Carolina State line and extending along U.S. Highway 76 to junction South Carolina Highway 34, thence along South Carolina Highway 34 to the Atlantic Ocean, points in Arkansas on and south of U.S. Highway 64, and points in Georgia on and south of U.S. Highway 76. The purpose of this filing is to eliminate the gateways of Floyd County, Ind., and Robertson County, Tenn.

No. MC 109637 (Sub-No. E58), filed May 29, 1974. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, irregular routes, transporting: Whiskey, in bulk, in tank vehicles, from points in Maryland and Pennsylvania to Tuliahoma, Tenn., and points in Illinois on and south of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 24 to junction U.S. Highway 74, thence along U.S. Highway 74 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Illinois-Iowa State line. The purpose of this filing is to eliminate the gateway of Ashland, Ky.

No. MC 109637 (Sub-No. E59), filed May 29, 1974. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Whiskey, in bulk, in tank vehicles, restricted to the transportation of traffic having an immediate prior movement by water, from points in New Jersey, Delaware, New York, and points in Virginia on and south of U.S. Highway 211 to points in Illinois. The purpose of this filing is to eliminate the gateway of Lawrenceburg, Ind.

No. MC 109637 (Sub-No. E61), filed May 29, 1974. Applicant: SOUTHERN TANK LINES, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gas, in bulk, in tank vehicles, from Crossville, Ill., to points in Kentucky east of U.S. Highway 61. The purpose of this filing is to eliminate the gateways of Daviess County, Ky., and Troy, Ind.

No. MC 109637 (Sub-No. E81), filed May 29, 1974. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Landsdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Calcium carbide residue, fly ash, plastic granules and resin powder, in bulk, in tank vehicles, from Ironton and South Point, Ohio to points in Missouri and

points in Tennessee west of Tennessee Highway 56. The purpose of this filing is to eliminate the gateway of Louisville, Ky.

No. MC 111401 (Sub-No. E51) (Correction), filed May 12, 1974, published in the Federal Register May 2, 1975. Applicant: GROENDYKE TRANSPORT INC., P.O. Box 632, Enid, Okla. 73701 Applicant's representative: Victor R. Comstock (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petrochemicals, in bulk, in tank vehicles, from Kingsport, Tenn. to points in Colorado, Oklahoma west of U.S. Highway 81 and on and north of U.S. Highway 60 and Texas located on and north of U.S. Highway 66 and on and east of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Longview, Tex. The purpose of this correction is to correct the destination territory.

No. MC 111823 (Sub-No. E86) (Correction), filed June 4, 1974, published in the PEDERAL REGISTER August 19, 1975. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. Applicant's representative: Robert J. Gallagher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between the Pentagon, Arlington Hall Station, Henderson Hall, and Navy Security Station, District of Columbia area, Bolling Air Force Base, Fort McNair, Walter Reed Army Medical Center, and Naval Station, District of Columbia, Andrews Air Force Base, Camp Springs, Md., National Naval Medical Center, Bethesda, Md., Fort Myer, Arlington, Va., and Md., Fort Myer, Arlington, Va., and Cameron Station, Alexandria, Va., on the one hand, and, on the other, Craig Air Force Base, Selma, Ala., Redstone Arsenal, Huntsville, Ala., Blytheville Air Force Base, Blytheville, Ark., Little Rock Air Force Base, Jacksonville, Fla., Ent Air Force Base and Peterson Field, Colorado Springs, Colo., Fitzsimons General Hospital, Denver, Colo., U.S. Air Force Academy, Colorado Springs, Colo., Cha-Actuelly, Colorado Spiniss, Colorado Army Force Base, Rantoul, Ill., Fort Sheridan, Highland Park, Ill., Joliet Army Ammunition Depot, Joliet, Ill., Sayanna Army Depot, Sayanna, Ill., Savanna Army Depot, Savanna, Naval Air Station, Glenview, Ill., Naval Training Center, Great Lakes, Ill., Scott Air Force Base, Belleville, Ill., Grissom Air Force Base, Peru, Ind., Fort Benjamin Harrison, Indianapolis, Ind., Naval Ammunition Depot, Crane, Ind., Forbes Air Force Base, Topeka, Kans., Fort Leavenworth, Leavenworth, Kans., Fort Riley, Junction City, Kans., McConnell Air Force Base, Wichita, Kans., Fort Campbell, Hopkinsville, Ky., Fort Knox, Fort Knox, Ky., Barksdale Air Force Base, Shreveport, La., England Air Force Base, Alexandria, La., Fort Polk, Leesville, La., Naval Air Station, New Orleans, La., Kincheloe Air Force Base, Sault Ste. Marie, Mich., K. I. Sawyer Air Force Base, Gwinn, Mich., Selfridge Air National Guard Base, Mount Clemens,

Mich., Wurtsmith Air Force Base, Oscoda, Mich., Duluth International Air-port, Duluth, Minn., Columbus Air Force Base, Columbus, Miss., Keesley Air Force Base, Biloxi, Miss., Naval Air Station, Meridian, Miss., Naval Construction Battalion, Gulfport, Miss., Fort Leonard Wood, Waynesville, Mo., Richards-Gebaur Air Force Base, Kansas City, Mo., Whiteman Air Force Base, Knob Noster. Mo., Offutt Air Force Base, Omaha, Nebr., Grand Forks Air Force Base, Emerado, N. Dak., Minot Air Force Base, Minot, N. Dak., Lockbourne Air Force Base, Columbus, Ohio, Wright-Patterson Air Force Base, Dayton, Ohio, Altus Air Force Base, Altus, Okla., Fort Sill, Lawton, Okla., Tinker Air Force Base, Oklahoma City, Okla., Vance Air Force Base, Enid, Okla., Ellsworth Air Force Base, Rapid City, S. Dak., Arnold Air Force Base, Tullahoma, Tenn., Naval Air Station Memphis, Millington, Tenn., Berg-strom Air Force Base, Austin, Tex., Brooks Air Force Base, San Antonio, Tex., Carswell Air Force Base, Fort Worth, Tex., Dyess Air Force Base, Abilene, Tex., Ellington Air Force Base, Houston, Tex., Naval Air Station, Dallas, Tex., Fort Bliss, El Paso, Tex., Fort Hood, Killeen, Tex., Fort Sam Houston, San Antonio, Tex., Fort Wolters, Mineral Wells, Tex., Goodfellow Air Force Base, San Angelo, Tex., Kelly Air Force Base. San Antonio, Tex., Laredo Air Force Base, Laredo, Tex., Laughlin Air Force Base, Del Rio, Tex., Naval Air Station, Corpus Christi, Tex., Naval Air Station Chase Field, Beeville, Tex., Naval Air Station, Kingsville, Tex., Randolph Air Force Base, Universal City, Tex., Reese Air Force Base, Lubbock, Tex., Sheppard Air Force Base, Wichita Falls, Tex., Webb Air Force Base, Big Spring, Tex., and Camp McCoy, Sparta, Wis. The purpose of this filing is to eliminate the gateway of St. Louis, Mo., or Louisville, Ky., or that part of Ohio, Indiana, and Illinois on and north of a line beginning at the Pennsylvania-Ohio State line, and extending along U.S. Highway 422 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Missouri State line. The purpose of this correction is to correct the "E" number, which was previously published as E60.

44387

No. MC 112304 (Sub-No. E1), filed May 14, 1974. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock, Cincinnati, Ohio 45223. Applicant's representative: A. Charles Tell, Suite 1800, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodities, which because of size or weight require special handling and the use of special equipment; (A) (1) between points in Maryland, Virginia, the District of Columbia, and points in Pennsylvania east of U.S. Highway 15, on the one hand, and, on the other; (a) points in Michigan (Clarksburg, W. Va., or points within 50 miles thereof) *: (b)

points in Wisconsin (points within 50 miles of Clarksburg, W. Va., and Ohio) *; (A) (2) between points in Maryland, the District of Columbia, points in Pennsylvania east of U.S. Highway 15, and points in Virginia on and east of U.S. Highway 220, on the one hand, and, on the other; (a) points in Indiana and Ohio (Clarksburg, W. Va., or points within 50 miles thereof) *; (b) points in Illinois (points within 50 miles of Clarksburg, W. Va., and Ohio) *; (B) between points in the Lower Peninsula of Michigan on and east of a line beginning at Lake Michigan and extending along U.S. Highway 75 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, on the one hand, and, on the other, points in Illinois (Ohio) , points in Illinois; (C) between points in West Virginia and points in Kentucky on and east of U.S. Highway 127, on the one hand, and, on the other, points in Illinois on and north of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to junction Illinois Highway 125, thence along Illinois Highway 125 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, and

points in Wisconsin (Ohio) (D) Between points in Indiana, Kentucky, and Michigan, on the one hand, and, on the other, points in New Jersey, New York, Maryland, points in Pennsylvania on and east of U.S. Highway 15, and the District of Columbia (Clarksburg, W. Va., and points within 50 miles thereof, and Ohio) *; (E) between points in Kentucky on and west of U.S. Highway 127, on the one hand, and, on the other, points in Virginia north and west of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 29, thence along U.S. Highway 20 to the Virginia-District of Columbia State line (Clarksburg, W. Va., and points within 50 miles of Clarksburg) *; (F) between points in the Lower Peninsula of Michigan on and bounded by a line beginning at Clare, Mich., and extending along U.S. Highway 10 to junction Michigan Highway 25, thence along Michigan Highway 25 to junction Michigan Highway 29, thence along Michigan Highway 29 to junction Michigan Highway 25, thence along Michigan Highway 25 to the Michigan-Ohio State line to junction U.S. Highway 27, thence along U.S. Highway 27 to point of beginning, on the one hand, and, on the other, points in Wisconsin on and south of a line beginning at Lake Michigan and extending along U.S. Highway 18 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Minnesota State line (Ohio) *; (G) between

points in Indiana on and east of a line

beginning at the Indiana-Michigan State line and extending along Indiana Highway 327 to junction Interstate Highway 69, thence along Interstate Highway 69 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction U.S. Highway 421, thence along U.S. Highway 421 to the Indiana-Kentucky State line, on the one hand, and, on the other, points in Illinois and Wisconsin (Ohio) *:

(H) Between points in West Virginia on, west, and north of a line beginning at the West Virginia-Pennsylvania State line and extending along U.S. Highway 19 to junction West Virginia Highway 3, thence along West Virginia Highway 3 to junction West Virginia Highway 99, thence along West Virginia Highway 99 to junction West Virginia Highway 85, thence along West Virginia Highway 85 to junction West Virginia Highway 10, thence along West Virginia Highway 10 to junction West Virginia Highway 65, thence along West Virginia Highway 65 to the West Virginia-Kentucky State line, on the one hand, and, on the other, points in New York, points in New Jersey on and north of New Jersey Highway 33, points in Pennsylvania bounded on, south, and east of a line beginning at the Pennsylvania-New York State line, and extending along U.S. Highway 15 to junction U.S. Highway 76, thence along U.S. Highway 76 to junction U.S. Highway 276, thence along U.S. Highway 276 to junction U.S. Highway 1, thence along U.S. Highway 1 to the Pennsylvania-New Jersey State line (Ohio) *; (I) between points in Pennsylvania on and west of a line beginning at Lake Erie and extending along U.S. Highway 19 to junction U.S. Highway 79, thence along U.S. Highway 79 to the Pennsylvania-West Virginia State line, on the one hand, and, on the other, points in New Jersey and points in New York on and east of U.S. Highway 81 (except Onandago and Oswego Counties) (Ohio) *; (J) between points in Hancock, Brooke, Ohio, and Marshall Counties, W. Va., on the one hand, and, on the other, points in New Jersey, New York, and points in Pennsylvania on and east of U.S. Highway 15 (Ohio) *: (2) Iron and steel articles, which because of size or weight requires the use of special equipment; (A) from points in Indiana, the Lower Peninsula of Michigan, Ohio, Kentucky, West Virginia, Pennsylvania, New York, New Jersey, Virginia, Maryland, and the District of Columbia, to points in Texas (Daviess County, Ky.) *;

(B) (1) From points in New York west and north of a line beginning at Lake Ontario and extending along New York Highway 98 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 20, thence along U.S. Highway 20 to the New York-Pennsylvania State line; (2) from points in that portion of Pennsylvania on and north of U.S. Highway 90; (3) from points in Ohio on and north of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 90 to junction U.S. Highway 271, thence

along U.S. Highway 271 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 20, thence along U.S. Highway 20 to Junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line to points in that portion of Tennessee on and west of Interstate Highway 65 from the Kentucky-Tennessee State line to the Tennessee-Alabama State line (Oakland or Wayne Counties, Mich.) *; (3) Aluminum products, which because of size or weight require the use of special equipment, from points in Indiana on and east of a line beginning at the Indiana-Michigan State line and extending along Indiana Highway 327 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction U.S. Highway 421. thence along U.S. Highway 421 to the Indiana-Kentucky State line, Maryland, the Lower Peninsula of Michigan, Ohio, Pennsylvania, West Virginia, and the District of Columbia, to points in Missouri, Arkansas, Kansas, Colorado, Oklahoma, Texas, and New Mexico (Mur-physboro, Ill.) *; (4) Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith: (A) between points in the Lower Peninsula of Michigan on and east of a line beginning at Lake Michigan and extending along U.S. Highway 75 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, on the one hand, and, on the other, points in Illinois (Ohio) "; (B) between points in Kentucky on and east of U.S. Highway 127 and points in West Virginia, on the one hand, and, on the other, points in Illinois on and north of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to junction Illinois Highway 125, thence along Illinois Highway 125 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, and points in Wisconsin (Ohio) 4

(C) Between points in Indiana, Kentucky, Michigan, and points in West Virginia on, west, and north of a line beginning at the West Virginia-Pennsylvania State line and extending along West Virginia Highway 3 to junction West Virginia Highway 99, thence along West Virginia Highway 99 to junction West Vigrinia Highway 85, thence along West Virginia Highway 85 to junction West Virginia Highway 10, thence along West Virginia Highway 10 to junction West Virginia Highway 65, thence along West Virginia Highway 65 to the West Virginia-Kentucky State line, on the one hand, and, on the other, points in New Jersey and New York, and points in Pennsylvania on and east of U.S. Highway 15 (Ohio) *; (D) between points in the Lower Peninsula of Michigan on and bounded by a line beginning at Clare, Mich., and extending along U.S. Highway 10 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Michigan Highway 29, thence along Michigan Highway 29 to junction U.S. Highway 25, thence along U.S. Highway

25 to the Michigan-Ohio State line, to junction U.S. Highway 27, thence along U.S. Highway 27 to the point of beginning, on the one hand, and, on the other, points in Wisconsin on and south of a line beginning at Lake Michigan and extending along U.S. Highway 18 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 94, thence along U.S. Highway 94 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction U.S. Highway 8. thence along U.S. Highway 8 to the Wisconsin-Minnesota State line (Ohio*; (E) between points in Indiana on and east of a line beginning at the Indiana-Michigan State line and extending along Indiana Highway 327 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction U.S. Highway 421, thence along U.S. Highway 421 to the Indiana-Kentucky State line, on the one hand, and, on the other, points in Illinois and Wisconsin (Ohio)*; (5) Unfurniture, fixtures, and equipment, uncrated cooling or freezing boxes and refrigerators, and uncrated new store fixtures and equipment, which, because of size or weight, require the use of special equipment, between points in Kentucky on and west of a line beginning at the Kentucky-Ohio State line and extending along U.S. Highway 27 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, Rhode Island, and Vermont (Norwood, Ohio) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 112963 (Sub-No. E3), filed March 4, 1975. Applicant: ROY BROS., INC., 764 Boston Rd., Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry di-calcium phosphate, in bulk, in tank vehicles, from points in New Jersey to points in Maine. The purpose of this filing is to eliminate the gateways of Peabody, Mass.

No. MC 112963 (Sub-No. E4), filed March 4, 1975. Applicant: ROY BROS., INC., 764 Boston Rd., Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals (except liquid propane gas), in bulk, in tank vehicles, from New York, N.Y., to points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateways of points in Massachusetts (except Worcester, Boston, and points within 25 miles of the State House in Boston), and Everett, Mass.

No. MC 112963 (Sub-No. E5), filed March 4, 1975. Applicant: ROY BROS., INC., 764 Boston Rd., Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: Chemicals (except liquid prepane gas), in bulk, in tank vehicle, from points in Massachusetts to points in Maine. The purpose of this filing is to eliminate the gateway of Everett, Mass.

No. MC 112963 (Sub-No. E6), filed March 4, 1975. Applicant: ROY BROS., INC., 764 Boston Rd., Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals (except liquid propane gas), in bulk, in tank vehicles, from points in New Jersey to points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateway of Everett, Mass.

No. MC 112963 (Sub-No. E7), filed March 4, 1975. Applicant: ROY BROS., INC., 764 Boston Rd., Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals (except liquid propane gas), in bulk, in tank vehicles, from Barnstable, Bristol, Norfolk, Plymouth, and Suffolk Counties, Mass., to points in New Hampshire. The purpose of this filing is to eliminate the gateway of Everett, Mass.

No. MC 112963 (Sub-No. E8), filed March 4, 1975. Applicant: ROY BROS., INC., 764 Boston Rd., Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals (except liquid propane gas), in bulk, in tank vehicles, from points in Barnstable, Bristol, Norfelk, Plymouth, and Suffolk Counties, Mass., to points in Vermont. The purpose of this filing is to eliminate the gateway of Everett, Mass.

No. MC 113459 (Sub-No. E113), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodities, the transportation of which, by reason of size or weight, require the use of special equipment, restricted against the transportation of agricultural machinery and agricultural tractors, selfpropelled articles, each weighing 15,000 pounds or more, and related machinery. tools, parts, and supplies when moving in connection therewith, restricted to commodities which are transported on trailers, (1) between points in Louisiana, on the one hand, and, on the other, points in Missouri on and west of U.S. Highway 65, and (2) between points in Missouri on and west of a line beginning at the Missouri-Illinois State line and extending along Missouri Highway 19 to junction Missouri Highway 22, thence along Missouri Highway 22 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 17, thence along

Missouri Highway 17 to the Missouri-Arkansas State line, on the one hand, and, on the other, points in Louisiana on and west of a line beginning at the Louisiana-Arkansas State line and extending along U.S. Highway 71 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction U.S. Highway 61 to junction Louisiana Highway 23, thence along Louisiana Highway 23 to the Gulf of Mexico. The purpose of this filling is to eliminate the gateway of points in Texas.

No. MC 113843 (Sub-No. E92) (Correction), filed May 8, 1974, published in the FEDERAL REGISTER June 12, 1975. Applicant: REFRIGERATED FOOD EX-PRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods; (3) between those points in Berkshire County, Mass., on the one hand, and, on the other, those points in Pennsylvania on and west of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 14 to junction U.S. Highway 15, thence along U.S. Highway 15 to Williamsport, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line; (4) between those points in Bristol County. Mass., on the one hand, and, on the other, Lewistown and State College, Pa., and those points in Pennsylvania on and west of a line beginning at the Pennsylvania-Maryland State line and extending along Pennsylvania Highway 281 to Somerset, thence along U.S. Highway 219 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 220, thence along U.S. Highway 220 to Williamsport, thence along U.S. Highway 15 to the Pennsylvania-New York State line; (5) between those points in Plymouth, Essex, Norfolk, and Suffolk Counties, Mass., on the one hand, and, on the other, Lewistown, State College, Mifflinburg, and Lewisburg, Pa., and those points in Pennsylvania, ... purpose of this filing is to eliminate the gateway of Elmira, N.Y. The purpose of this partial correction is to correct the highway description in (3) above; correct the territorial description in (4) above; and correct a typographical error in (5) above. The remainder of this letter-notice remains as previously nublished.

No. MC 113843 (Sub-No. E388) (Correction). filed May 22, 1974, published in the Federal Register June 5, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston. Mass. 02210. Applicant's representative: Lawrence T. Shells (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods; (1) (b) from Havre de Grace, Md., to points in Nebraska, North Dakota, South Dakota, and those points in Iowa on, north, and west of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 218 to Iowa, thence along U.S. Highway 218 to

junction Iowa Highway 14, thence along Iowa Highway 14 to junction Iowa Highway 147, thence along Iowa Highway 147 to Rockford, Iowa, thence along Iowa Highway 147 to junction unnumbered highway, thence along unnumbered highway to junction U.S. Highway 18 to Mason City, Iowa, thence along U.S. Highway 18 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 69. thence along U.S. Highway 69 to the Iowa-Missouri State line, those in Kansas on and west of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 77 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line, . . . The purpose of this filing is to eliminate the gateways of Hamlin, Holley, and Williamson, N.Y., for points in Michigan, and the plant sites and storage facilities of Duffy-Mott Co., Inc., at or near Ham-lin, Holley, and Williamson, N.Y., for points in Iowa, Nebraska, Kansas, North Dakota, South Dakota, Minnesota, Wisconsin, and Missouri. The purpose of this partial correction is to correct the highway description in (1) (b) above. The remainder of this letter-notice remains as previously published.

No. MC 113843 (Sub-No. E820) (Correction), filed May 19, 1974, published in the FEDERAL REGISTER June 19, 1975. Applicant: REFRIGERATED FOOD EX-PRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above) . Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Pittsburgh, Pa., to points in Illinois, those in Kentucky on and west of U.S. Highway 45, and those in Indiana on, north, and west of a line beginning at the Indiana-Ohio State line and extending along Indiana Highway 14 to junction Interstate Highway 69, thence along Interstate Highway 69 to junction Indiana Highway 26, thence along Indiana Highway 26 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Indiana-Illinois State line, and those in Indiana on and west of U.S. Highway 41. The purpose of this filing is to eliminate the gateways of points in the Lower Peninsula of Michigan. The purpose of this correction is to correct the territorial description.

No. MC 113843 (Sub-No. E1040) (Correction), filed December 2, 1974, published in the FEDERAL REGISTER July 10, Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Hanover, Pa., to Calais, Maine, and points in Aroostook County, Maine. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

rect a typographical error above.

No. MC 113855 (Sub E99), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2459 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) Commodities (except boats) the transportation of which, because of their size or weight, require the use of special equipment, and related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (b) self-propelled articles, each weighing 15,000 pounds or more and related machinery, tools, parts and supplies moving in connection therewith (restricted to commodities transported on trailers), (A) between points in Washington, on the one hand, and, on the other, points in South Dakota east of Missouri River. (Montana) * (B) between points in Pacific, Wahkiakum, Cowlitz and Clark Counties, Wash., on the one hand, and, on the other, points in South Dakota west of the Missouri River and south of U.S. Highway 212. (Utah) * (C) between points in Skamania, Klickitat, Yakima, Benton, Franklin, What-com and Walla Walla Counties, Wash., on the one hand, and, on the other, points in Pennington, Custer, Fall River, Shannon, Bennett, Washabaugh, Jackson, Haakon, Stanley, Jones, Lyman, Mellette, Todd, Tripp and Gregory Counties, S.D. (Utah) *

(D) Between points in Skagit, Snohomish, King, Pierce, Thurston, Lewis, Grays, Harbor, Mason, Jefferson, Clallam and Kitsap Counties Wash., on the one hand, and, on the other, points in Fall River, Shannon, Bennett, Washabaugh, Melette, Todd, Tripp and Gregory Counties, S.D. (Utah) * (2) (a) heavy machinery and other contractors materials, supplies, and equipment, which because of size or weight require the use of special equipment, (b) selfpropelled articles, each weighing 15,000 pounds or more and related machinery, tools, parts and supplies moving in connection therewith (restricted to commodities transported on trailers), between points in Washington, on the one hand, and, on the other, points in South Dakota on and east of South Dakota Highway 73. (Montana) The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub E107), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minnesota 55901, Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodities, the transportation of which, because of their size or weight, require the use of special equipment, and related

The purpose of this correction is to cor- machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, between points in Minnesota on and west of U.S. Highway 71, on the one hand, and, on the other, points in Iowa on, west and south of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 71 to junction U.S. Highway 20, to junction Interstate Highway 35, to junction Interstate Highway 80, to junction U.S. Highway 63, to junction U.S. Highway 34, to the Iowa-Illinois State line. The purpose of this filing is to eliminate the gateway of points in Minnesota within 50 miles of Sioux Falls, S.D.

By the Commission.

[SEAL]

ROBERT L. OSWALD, Secretary.

IFR Doc.75-25790 Filed 9-25-75;8:45 am

[Notice No. 866]

ASSIGNMENT OF HEARINGS

SEPTEMBER 23, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 51312 Sub 14, Bowling Green Transfer Inc., now assigned November 14, 1975 at Chicago, Illinois; is canceled and the application is dismissed. MC 116763 Sub 313, Carl Subler Trucking.

Inc., now being assigned November 14, 1975 (1 day) at Chicago, Illinois; in a hearing room to be designated later.

MC 82492 Sub 118, Michigan & Nebraska Transit Co., Inc. and MC 106920 Sub 61, Leonard Bros. Trucking Co., Inc. now being assigned December 5, 1975 (1 day) at Chicago, Illinois; in a hearing room to be designated later.

MC-F 12438, Neuendorf Transportation Company —Purchase—Charles A. Groepepper, d.b.a. Badger Truck Line, Inc., now being assigned December 8, 1975 (1 week) at Chicago, Illinois; in a hearing room to be delignated later.

MC 4405 Sub 520, Dealers Transit, Inc., now assigned October 24, 1975, at Atlanta, Gais canceled and application dismissed.

AB-1 Sub 18, Chicago and North Western Transportation Company Abandonment Between Clutier and Buckingham, in Tama County, Iowa, now being assigned Decem-Traer, Iowa; in s ber 2, 1975 (2 days) at hearing room to be designated later.

MC 114457 Sub 235, Dart Transit Company, now assigned November 13, 1975, at St. Paul, Minn., is canceled and application dismissed.

ROBERT L. OSWALD, Secretary.

[FR Doc.75-25791 Filed 9-25-75;8:45 am]

FRIDAY, SEPTEMBER 26, 1975



PART II:

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Reclassification of American Alligator and Other Amendments



Title 50-Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—TAKING, POSSESSION, TRANS-PORTATION, SALE, PURCHASE, BARTER, EX-PORTATION, AND IMPORTATION OF WILD-

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Reclassification of the American Alligator and Other Amendments

On July 8, 1975, the Service proposed certain changes in regulations on endangered and threatened wildlife (40 FR 28712). The proposal would reclassify the American alligator, removing it completely from an endangered or threatened status in a portion of its range. It also would add new provisions to Part 17 on similarity of appearance, on captive. self-sustaining populations, and on interpretations of prohibitions applicable to endangered and threatened wildlife. Finally, the proposal would establish a new format for lists of endangered and threatened wildlife. With the changes noted in this preamble, this rulemaking adopts the proposal, effective September 26, 1975,

In response to comments received during the comment period, it has been determined to retain the alligator in the endangered status in all of its range except Cameron, Vermilion and Calcasieu Parishes in Louisiana. Alligators in those three parishes will be listed as threatened, due to their similarity in appearance to the endangered alligators. The Service will re-study the distribution and density of alligator populations in the southeastern coastal areas and the problems of enforcement and administration. Based on this study, the Service will soon propose a reclassification of the endangered populations into threatened and endangered, with a new boundary line separating the classifications.

BACKGROUND

In 1967, the U.S. Department of the Interior determined the American alligator to be an endangered species throughout its entire range. This determination expressed concern for alligator populations which had become drastically reduced after many years of excessive exploitation and habitat usurpation by man. Within recent years, however, alligators have increased considerably in some areas, mainly in response to intensive State and Federal protection. In 1972 and 1973, the State of Louisiana was able to allow a limited commercial hunting season on the species.

On December 28, 1973, the new Endangered Species Act (16 U.S.C. 1531-1543, 87 Stat. 884) went into effect. This Act made it a violation of Federal law to take any species listed as endangered, except under permit for scientific purposes or to enhance the propagation or survival of the species. The Act also established a new "threatened" classification, and authorized the Secretary of the Interior to issue such regulations as he deemed

necessary and advisable for the conser- served by more flexible management provation of such species.

On March 29, 1974, Governor Edwin Edwards of Louisiana submitted a petition to the Secretary of the Interior requesting that "in southwestern coastal marshes (Chenier Plain) in the parishes of Cameron, Vermilion, and Calcasieu of Louisiana, the American alligator be removed from the Secretary of the Interior's list of threatened and endangered species; that in the southcentral and southeastern coastal Louisiana marshes, the American alligator be classified as a threatened species; and that throughout the remainder of the State, the classification of the American alli-gator remain unchanged."

This petition, as amplified by other available information, was found by the Director to present substantial information warranting a review of the status of the alligator throughout its range. A notice to that effect was placed in the FED-ERAL REGISTER on July 16, 1974 (39 FR 26050). Simultaneously, Governors of States in which alligators are resident were notified of the review and requested to supply data relative to the status of the species in their respective States

This review produced evidence that the American alligator is making encouraging gains in population over much of its known historical range. Population levels in parts of South Carolina, Georgia, Florida, Louisiana, and Texas are high, and, in many areas over these regions are considered to be ecologically secure. Increasing urbanization and development is resulting in more frequent humanalligator conflicts, and control of certain populations is needed to minimize public hostility toward the species. Even though actual numerical levels of alligators may be below the biotic carrying capacity in most habitats, socioeconomic factors must be considered in setting management goals to maximize public interest in, and acceptance of, coexistence with this potentially troublesome but ecologically important species.

Available data indicate that the primary threats to alligator populations in areas named above are not biotic, but rather the absence of adequate regulatory and enforcement mechanisms (1) to prevent malicious and illicit commercially-oriented killing, and (2) to control illegal commerce in products. Malicious killing stems to a large degree from public hostility and fear, and to some extent could be ameliorated through public education. Illegal commercial killing currently is being held at a tolerable level by rigid enforcement programs. These programs, however, are inadequate in the face of burgeoning alligator populations and increasing human-alligator conflicts. Reorientation of enforcement efforts toward effective control of commerce in parts and products of legally taken alligators would permit the initiation of practicable management programs and a realistic reappraisal of the population status of the species. Some populations in States named above now are at the point where the species could be best

grams.

PUBLIC COMMENTS

The proposed rulemaking was published in the FEDERAL REGISTER on July 8. 1975 (40 FR 28712). Interested persons were invited to submit written comments to the Director until September 8, 1975. The written responses are summarized, essentially, as follows:

(1) 26 Responses supported the pro-

posed rulemaking:

(2) 17 Responses opposed any change in current classification of the American alligator as endangered throughout its entire range:

(3) 24 Responses generally approved the proposed rulemaking, but recommended one or more changes to reflect the writer's position:

(4) 4 Responses generally opposed the proposed rulemaking, unless one or more changes are made in the final rules; and

(5) 17 Responses either were totally irrelevant or merely acknowledged receipt of the proposed rules and their transmittal to an appropriate official for further response.

Despite reservations on the part of some responders with respect to impact of a classification change on welfare of the American alligator, and on other endangered wildlife which also may be reclassified at some future date, the sum of all responses reflects a preponderance of opinion in general support of the proposed rulemaking. Several significant issues of major concern to responders are referred to below.

(1) Extent to which the alligator has recovered from previously depressed population numbers and restricted occupation of its range, and sufficiency of data to verify its recovery, Information available to the Director confirms such substantial and sufficient increase in the American alligator since 1967 throughout the important habitat of its range to allow utilization of the species within the constraints imposed, with confidence that its welfare currently and in the future will not be jeopardized by the management programs afforded by these

(2) Adequacy of controls to protect alligators from unlawful take and commercial utilization. The proposed rules were adjusted to eliminate objectionable features in the system of controls applicable to the taking, inventory, accountability, and disposition of alligators and products made from their hides so that effective protection of the species can be accomplished.

(3) Need for an Environmental Impact Statement. An environmental assessment was prepared which indicates that an Environmental Impact Statement is not prerequisite to accomplishing the changes contemplated by the proposed rulemaking. This assessment is on file at the Office of Endangered Species, U.S. Fish and Wildlife Service, in Suite 1100 at 1612 K Street, N.W., Washington, D.C., and is available for inspection during regular working hours.

(4) Failure to invoke "similarity of appearance" provisions against importation of products of all crocodilian species. This is acknowledged as a valid consideration which would enhance capability to effectively administer the degree of protection to American alligators anticipated under these rules. A change in the final rules to accommodate this provision is not possible, however, since the proposed rulemaking failed to include such a requirement. The Service intends to initiate further action at an early date to effect this desirable change.

DESCRIPTION OF THE RULEMAKING

Following careful review and consideration of all written comments, the proposed rulemaking is modified to include more definitive population data in support of reclassification of the American alligator, and to accommodate other substantive changes as described below. Finally, extensive editorial and format changes were made to correct incongruity in statements and other grammatical deficiencies, and to facilitate readability and understanding.

(1) Population estimates of the American alligator. Following is a summary of population estimates pertaining to the status of the alligator in Cameron, Vermilion, and Calcasieu Parishes in Louisiana: 77,300 alligators in 1226 square miles of suitable habitat in Cameron Parish, Louisiana (density of 63/mf); 20,851 alligators in 562 square miles of suitable habitat in Vermilion Parish (density of 37/mF); 400 alligators in 15 square miles of suitable habitat in Calcasieu Parish (density of 27/mf). In these three parishes, population densities may have reached maximum carrying capacity.

(2) Changes from the proposal. Generally speaking, there is only one major change from the proposal, dealing with the status of the alligator. However, there are a number of editorial revisions for clarity, and some minor substantive changes to further define concepts set out in the proposal. Also, the drafting and typographical errors in the proposal have been corrected. The differences between the proposal and this final rulemaking will be discussed subpart by subpart, below.

SUBPART A (INTRODUCTION AND GENERAL PROVISIONS)

In the proposal, Subpart A contained a series of definitions necessary for proper implementation of the Act. Especially notable were the definitions of "industry and trade", which clarified the scope of some of the interstate commerce prohibitions, and of "harass", which clarified the scope of the prohibition on taking. The definition of "harass" has been retained in a modified form in this final rulemaking, to make it applicable to actions or omissions with the potential for injury. The concept of environmental damage being considered a "taking" has been retained, but is now found in a new definition, of the word "harm". "Harm" covers actions or omissions which actuinjury. In addition, the definition of "harass" has been modified by restricting its application to acts or omissions which are done intentionally or negligently. In the proposal, "harass" would have applied to any action, regardless of intent or negligence. Also, definitions of "endangered" and "threatened" have been added.

By moving the concept of environmental degradation to the definition of "harm", potential restrictions on environmental modifications are expressly limited to those actions causing actual death or injury to a protected species of fish or wildlife. The actual consequences of such an action upon a listed species is paramount.

These environmental restrictions represent a reasonable response to the habitat needs of listed species. Congress specifically acknowledged these needs by stating in the "Purposes" subsection of the Act: "The purposes of this Act are to provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved (87 Stat. 885, Section 2(b), 16 U.S.C. 1531 (b)). Furthermore, Congress acknowledged that a rational relationship existed between the protection of the needs of listed species and the public welfare: 'The Congress finds and declares . (3) these species of fish, wildlife, and plants are of esthetic, ecological, educational, historical, recreational and scientific value to the Nation and its peo-(87 Stat. 884, Section 2(a) (3), 16 U.S.C. Section 1541(3))

It should be noted that this definition of "harm" which includes significant environmental modification, does not permanently limit the environmental modifications that are permissible for the habitat of a listed species of fish or wildlife. If the species was originally classified as endangered and made a significant recovery, it could be down-listed to threatened with regulations that don't prohibit "takings". Second, the species could recover completely and be delisted altogether. Finally, the species in question could abandon its use of the area. In all of these situations, the limited restrictions on environmental modification under the definition of "harm" would be removed

Subpart A, as proposed, also contained rules on the exemption for Alaskan natives, of pre-Act wildlife, on the new concept of captive, self-sustaining populations, and on the similarity-of-appearance provisions in the Act. All of these rules have been retained without substantial change. They have been edited somewhat for clarity and consistency. The rules on similarity-of-appearance have been moved to subpart E (Similarity of Appearance). This was done to improve the organization and clarity of the rules, by grouping all of the similarityof-appearance provisions in one place, and cutting down the need for crossreferral in reading the rules.

SUBPART B (LISTS)

This subpart has been changed by con-

17.12, and 17.13 into one list, appearing in Section 17.11. In addition, several species have been included which have previously been listed under the Act (kangaroos, grizzly bears, American crocodile, Cedros Island mule deer, several trout, and other species). As indicated above, the proposed reclassification of alligators has been temporarily withdrawn, pending further study, except for the alligators in the parishes of Cameron. Vermilion, and Calcasieu in Louisiana. This is reflected in changes in the listing in Section 17.11.

The inclusion of the species which were previously listed, brings together in one place all of the endangered and threatened species. This will be more convenient for all users of the regulations. It will also avoid an apparent conflict in drafting that would otherwise have occurred because the previous listings utilized a Section 17.32 for the list of threatened species, but this proposal uses the same section number for a different

The listing of the alligator in this final rulemaking differs from the proposal in several respects. First, as mentioned above, the alligator will retain its endangered status in all places except Cameron, Vermilion, and Calcasieu Parishes in Louisiana. Second, captive alligators will be treated as threatened due to their similarity of appearance to endangered alligators, (This is indicated on the list in § 17.11(i) by the entry "T(S/A)" in the "status" column. The decision to change the status of only the alligators in the three parishes in Louisiana is explained elsewhere in this preamble.

There are two "populations" of alligators which are treated as threatened species because of their similarity of appearance to endangered alligators. These are (i) the alligators in Cameron, Vermilion and Calcasieu Parishes in Louisiana, and (ii) alligators in captivity. These populations clearly meet the criteria for "similarity of appearance" treatment set out in the Act and in these

regulations.

The Act requires three things:

(i) that the species be substantially difficult to distinguish, at the point in question, for law-enforcement personnel;

(ii) that this difficulty is an additional threat to the endangered or threatened

species; and

(iii) that the treatment of the similar species as threatened or endangered will facilitate enforcement.

The regulations expand upon these criteria to a certain degree, especially by making it clear that the difficulty in distinction can arise between two different geographic "populations" of the same taxonomic species, as well as between different species. The regulations also make it clear that one method of facilitating law enforcement can be by providing a system of controls to distinguish the similar species from the endangered or threatened.

The designation of these two populations as threatened species, due to their similarity in appearance, fits the criteria ally, (as opposed to potentially), cause solidating the lists in Sections 17.11, very well. First, alligators in the three

parishes or in captivity are impossible to distinguish from endangered alligators since they are, in fact, taxonomically and morphologically identical. Especially when it comes to the identification of products, distinction between the various populations is impossible, without some controls. Second, a major factor in the threat to the alligator's existence is the illegal killing of alligators in order to put alligator hide products on the com-mercial market. Once a legal market is established for one of the populations, that market may in fact serve as "screen" for products of alligators taken from the other populations. Without being able to identify one alligator population as opposed to another, there is no way for enforcement officers to prevent this misuse of the legal market. Third, the controls established by this rulemaking will provide a practicable, enforceable, method for distinguishing between the various populations of alligators. It is based on a series of marking and tagging requirements which provide what nature could not-a reliable method for identifying an alligator, throughout the processing and marketing chain, to the population from which it was taken. Any alligator which cannot be identified, by this method, to the "legal" population for taking, is then automatically suspect.

The editorial revisions in § 17.11 (formerly § 17.13) are intended to clarify the meaning of the different entries on the list of species. This new format of listing is designed to provide all users of these regulations with one, easy-to-use source of information on endangered and threatened species.

SUBPART C (ENDANGERED WILDLIFE)

The major changes in Subpart C from the proposal have been the revision of the exception to the taking prohibition, the addition of a law enforcement exception to the prohibition on the possession, transportation, etc. of unlawfully taken wildlife, and editorial revisions of the permit provisions.

The proposed exception in Section 17.21(c)(2) to the taking prohibition to allow State, local and Federal employees to "take" endangered wildlife in emergency situations has been revised substantially. It now includes an exception applicable to the general public for takings in self defense or defense of the lives of others. Although most endangered species would not pose a threat to human life, there are some, such as alligators in certain areas, that could be dangerous. A reporting requirement has been added to help assure that this provision is not abused. In addition, the disposition of the specimen must be under the guidance of the Service. The language in the exception with actions by State, local and Federal employees has been revised. The types of persons covered by this provision have been defined, and are now limited to those whose duties include the handling of wildlife, and who work for agencies which normally become involved with wildlife in the course of their land management activities. Also, the reporting and disposition requirements

described above apply to actions by State and Federal employees under this ex-

An exception has been added to § 17.21 (d), to authorize the possession, transportation, etc. of endangered wildlife as necessary to perform law enforcement functions. While this activity is authorized by law, it was felt to be useful to state it expressly, and thereby avoid confusion, and avoid misapprehensions on the part of State personnel.

The provisions on permits have been adopted substantially as they were proposed, with some editorial revisions. A similar proposal for permit provisions was made on May 20, 1975 (40 F.R. 21977), in conjunction with the proposal to designate certain sea turtles as threatened species (40 F.R. 21974). The May 20 proposal regarding permit provisions is hereby rescinded, and this final rule-making will serve instead.

SUBPART D (THREATENED WILDLIFE)

A number of significant changes have been made in this subpart. First, the adoption of the general prohibitions, in § 17.31, has been modified to make it clear that all of the provisions of § 17.21, including the exceptions, are adopted for threatened species. Thus, a threatened specimen may be taken by a State wildlife officer if it has been orphaned or injured, for example. In addition, there is a special rule authorizing certain Federal and State personnel to take threatened wildlife in the course of research or conservation programs, provided (in the case of a State) that a cooperative agreement is in effect.

cooperative agreement is in effect.
Section 17.31 has also been changed by the addition of paragraph (c), which states that when a special rule is in effect, it completely supersedes the general rules set out in paragraphs (a) and (b) of § 17.31. This change clarifies what was proposed, and is the cornerstone of the system for regulating threatened wildlife. To restate it, the general prohibitions and exceptions stated in § 17.31 apply to any wildlife designated as threatened, unless that species is subject to a special rule. Likewise, the general permits available under § 17.32 apply (as further exceptions to the actions prohibited by § 17.31), unless a special rule is in effect for that species. When a special rule is in effect for a particular species, it will contain all the prohibitions, exceptions and permits applicable to that species. The special rule will be referred to in the "special rules" column in § 17.11(i) (the endangered and threatened wildlife list).

Section 17.32, on general permits for threatened wildlife has been editorially revised. The information requirements for permit applicants have been included in their entirety, rather than simply by reference back to § 17.21. The applicant must submit all information relevant to the purpose for which he is seeking a permit, but need not submit information which does not appear relevant.

A new § 17.33, providing special permits for transactions with specimens of captive, self-sustaining populations, has

been inserted. The application requirements for this permit have been refined, from the proposal, to deal specifically with these permits. An example has been added to clarify the role of these permits, and the flexibility available with them. Specific reporting and recordkeeping requirements will be set out in the permits themselves. The Service is considering several different methods, and will endeavor to cut out all unnecessary paperwork.

In order to incorporate previous rulemakings on threatened species in this republication, the rules pertaining to 3 species of kangaroos, to grizzly bears, and to 3 western species of trout have been put into the appropriate sections for special rules. These rules have been incorporated without substantive change.

The special rule for the American alligator has been changed significantly in form, but not in substance. First, the exemptions to the taking provisions which were proposed in § 17.35 (a) (1) for "nuisance" animals and for research and conservation programs have been redrafted to be consistent with the same provisions in §§ 17.21 and 17.31, discussed above.

Second, the application of each prohibition to American alligators has been specified and clarified. Thus, users of these regulations will be able, without cross references, to find all the rules relating to threatened alligators in one place.

Third, the rules which were found in the "similarity-of-appearance" subpart in the proposal are now moved to the special rule on threatened alligators. This is appropriate, since § 4(e) of the Act provides that species which are similar in appearance shall be treated as endangered or threatened species. Thus, the alligators in the three parishes in Louisiana are treated as threatened. The actual rules for the marketing of hides have been reviewed for consistency with the proposed Louisiana regulations for the taking and tagging of alligators. The provisions for permits for buyers, tanners and fabricators have been edited to correct drafting errors in the proposal.

The controls over the marketing of the hides of American alligators in these regulations are based on the implementation and enforcement of Louisiana's regulations. If at any time the Director finds that the program in Louisiana is unsatisfactory, he will re-designate the alligator, in the three parishes in Louisiana where it will be "de-listed", as threatened or endangered, by emergency rule-making.

SUBPART E (SIMILARITY OF APPEARANCE)

This subpart has been substantially redrafted and reorganized, but there have been no significant changes in substance. The material from § 17.7 in the proposal has been inserted in § 17.50, instead of the material originally in Section 17.50 as proposed. Thus all the rules pertaining to the determination that a species is similar in appearance to an endangered or threatened species, and pertaining to the treatment applied to such species, are now found in one subpart.

Generally, the similar species will be treated as endangered, and all the rules in Subpart C (Endangered Wildlife) will apply to it, or as threatened, in which case all the rules in Subpart D (Threatened Wildlife), including special rules, will apply. In addition, a special permit is available to distinguish a specimen of a "similar" species from the endangered or threatened species. A new provision has been added to that permit section. indicating that the availability of this permit could be nullified by a special rule. Such special rules could appear in Subpart C (Endangered Wildlife) as well as Subpart D (Threatened Wildlife). They would be used where there is no reliable way to distinguish the "similar" specimens, or, as in the case of the American alligator (see § 17.42(a) (3) (ii)), where a different system is provided to distinguish the "similar" specimen from the threatened specimens.

FUTURE RULEMAKINGS

As indicated at the beginning of this preamble, a proposed rulemaking will be issued shortly to reclassify the American alligator. As soon as the Service completes a reevaluation of the data, it intends to propose the reclassification of certain populations to the threatened status. This proposal will contain a new boundary between the endangered and threatened populations.

The list of endangered and threatened wildlife will, of course, be subject to continual revision. All new proposals for additions, deletions, or changes in status of species will be done in the format es-

tablished by this rulemaking.

New regulations in further implementation of the Act, particularly in the area of the licensing of importers and exporters of wildlife, will be forthcoming. Also, the Service is studying revisions of the Declaration for the Importation of Wildlife (Form 3-177). These rules will probably appear in Part 14 (Import, Export, and Interstate Transportation of Wildlife) rather than this Part 17 (Endangered Wildlife), since they relate generally to all wildlife transactions.

The Service also Intends to follow this rulemaking, very shortly, with a proposal to treat the products of all crocodilians as similar in appearance to the American alligator and to several other protected forms of crocodilians (such as the Nile crocodile). This is necessary to enhance the controls over the commerce in endangered and threatened crocodilians.

ADOPTION AND EFFECTIVE DATE

Having considered public comments on the proposed rulemaking of July 8, 1975 (40 F.R. 28712), affecting Part 17, the Service deems it appropriate to adopt the proposal, with modifications discussed above. Based on this proposed rules for an alligator hunt in Calcasieu, Cameron, and Vermilion Parishes, to begin September 20, 1975. It was necessary for the State to act in advance of adoption of final Federal rules to satisfy its own legal requirements for appropriate procedures. Additionally, September is an approximate time for such hunting when the

weather is still warm and alligators are still feeding actively.

For these reasons, the Service finds there is good cause to make these rules effective September 26, 1975.

It was noted above that several species which were recently added to the regulations have been included in the new consolidated listing in § 17.11(i). This has been done for the convenience of the users of the regulations. However, the effective date of the addition of some of those species is later than the effective date of this rulemaking. Therefore, to avoid any inconsistency, the effective date of the portion of this regulation which lists those eight species has been delayed to coincide with the effective date shown in the final rulemaking document for those species (see 40 FR 44149).

Accordingly, Part 17 of Chapter I. Title 50, Code of Federal Regulations, is amended as set forth below. This amendment is effective on September 26, 1975. except that the insertion of the following species in § 17.11(i) shall be effective on "October 28, 1975: (i) Peninsular pronghorn antelope (Antilocapra americana peninsularis), (ii) Cedros Island mule deer (Odocoileus hemionus cerrosensis), (iii) Hawaiian creeper (Loxops maculata mana), (iv) Po'o uli (Melamprosops phaesoma), (v) Newell's Manx Shearwater (Puffinus puffinus newelli), (vi) American crocodile (Crocodylus acutus). (vii) Bayou darter (Etheostoma rubrum), and (viii) Scioto madtom (Noturus trautmani).

LYNN A. GREENWALT,

Director, Fish and

Wildlife Service.

Part 17, Title 50, Code of Federal Regulations, is amended and republished as follows:

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Subpart A-Introduction and General Provisions

Sec.

17.1 Purpose of regulations.

17.2 Scope of regulations.17.3 Definitions.

17.4 Pre-Act wildlife.

17.5 Alaska natives.

17.6 State cooperative agreements [Re-

served].

17.7 Captive, self-sustaining populations.

Subpart B-Lists

17.11 Endangered and threatened wildlife. 17.12 Endangered and threatened plants

|Reserved].

17.13 Amendments to the lists.

Subpart C-Endangered Wildlife

17.21 Prohibitions.

17.22 Permits for scientific purposes, or for the enhancement of propagation or survival.

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Subpart D-Threatened Wildlife

Sec.

17.31 Prohibitions.

17.32 Permits—general.
 17.33 Permits—captive, self-sustaining populations.

17.34 Permits, [Reserved]

17.35 Permits. [Reserved]

17.36 Permits. [Reserved] 17.37 Permits. [Reserved]

17.38 Permits. [Reserved]

39 Permits. [Reserved]

17.40 Special rules-mammals.

17.41 Special rules—birds, [Reserved]

17.42 Special rules—reptiles. 17.43 Special rules—amphibians. [Reserved]

17.44 Special rules—fishes.

17.45 Special rules—mollusks. [Reserved] 17.46 Special rules—crustaceans [Reserved]

17.47 Special rules—inspects. [Reserved] 17.48 Special rules—other forms. [Reserved]

Subpart E-Similarity of Appearance

17.50 General.

17.51 Treatment as endangered or threatened.

17.52 Permits-similarity of appearance.

AUTHORITY: Endangered Species Act of 1973 (16 U.S.C. 1531-1543).

Subpart A—Introduction and General Provisions

§ 17.1 Purpose of regulations.

(a) The regulations in this part implement the Endangered Species Act of 1973, 87 Stat. 884, 16 U.S.C. 1531-43.

(b) The regulations identify those species of wildlife and plants determined by the Director to be endangered or threatened with extinction under section 4(a) of the Act and also carry over the species and subspecies of wildlife designated as endangered under the Endangered Species Conservation Act of 1969 (83 Stat. 275, 16 U.S.C. 668cc-1 to 6) which are deemed endangered species under section 4(c) (3) of the Act.

§ 17.2 Scope of regulations.

(a) The regulations of this part apply only to endangered and threatened wildlife and plants.

(b) By agreement between the Service and the National Marine Fisheries Service, the jurisdiction of the Department of Commerce has been specifically defined to include certain species, while jurisdiction is shared in regard to certain other species. Such species are footnoted in Subpart B of this part, and reference is given to special rules of the National Marine Fisheries Service for those species.

(c) The provisions in this part are in addition to, and are not in lieu of, other regulations of this Subchapter B which may require a permit or prescribe additional restrictions or conditions for the importation, exportation, and interstate transportation of wildlife.

(d) The examples used in this part are provided solely for the convenience of the public, and to explain the intent and meaning of the regulation to which they refer. They have no legal significance.

§ 17.3 Definitions.

In addition to the definitions contained in Part 10 of this subchapter, and unless the context otherwise requires, in this Part 17:

"Act" means the Endangered Species Act of 1973 (16 U.S.C. 1531-1543; 87 Stat. 884);

"Alaskan Native" means a person defined in the Alaska Native Claims Settlement Act (43 U.S.C. section 1603(b) (85 Stat. 588) 1 as a citizen of the United States who is of one-fourth degree or

more Alaska Indian (including Tsimshian Indians enrolled or not enrolled in the Metlaktla Indian Community). Eskimo, or Aleut blood, or combination The term includes any Native, thereof. as so defined, either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or town of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any Native village or Native town. Any citizen enrolled by the Secretary pursuant to section 5 of the Alaska Native Claims Settlement Act shall be conclusively presumed to be an Alaskan Native for purposes of this part;

"Authentic native articles of handi-crafts and clothing" means items made by an Indian, Aleut, or Eskimo which (a) were commonly produced on or before December 28, 1973, and (b) are composed wholly or in some significant respect of natural materials, and (c) are significantly altered from their natural form and which are produced, decorated, or fashioned in the exercise of traditional native handicrafts without the use of pantographs, multiple carvers, or similar mass copying devices. Improved methods of production utilizing modern implements such as sewing machines or modern techniques at a tannery registered pursuant to \$ 18.23(c) of this subchapter (in the case of marine mammals) may be used so long as no large scale mass production industry results. Traditional native handicrafts include, but are not limited to, weaving, carving, stitching, sewing, lacing, beading, drawing, and painting. The formation of traditional native groups such as cooperatives, is permitted so long as no large scale mass production results:

"Endangered" means a species of wildlife listed in § 17.11 or a species of plant listed in § 17.12 and designated as

endangered.

'Harass" in the definition of "take" in the Act means an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to,

breeding, feeding or sheltering.
"Harm" in the definition of "take" in the Act means an act or omission which actually injures or kills wildlife, including acts which annoy it to such an extent as to significantly disrupt essential behavioral patterns, which include, but are not limited to, breeding, feeding or sheltering; significant environmental modification or degradation which has such effects is included within the meaning of "harm"

"Industry or trade" in the definition of "commercial activity" in the Act means the actual or intended transfer of wildlife or plants from one person to another person in the pursuit of gain or profit;

"Native village or town" means any community, association, tribe, clan or group:

"Population" means a group of fish or wildlife in the same taxon below the subspecific level, in common spatial arrangement that interbreed when mature;

"Specimen" means any animal or plant, or any part, product, egg, seed or

root of any animal or plant:

'Subsistence" means the use of endangered or threatened wildlife for food, clothing, shelter, heating, transportation and other uses necessary to maintain the life of the taker of the wildlife, or those who depend upon the taker to provide them with such subsistence, and includes selling any edible portions of such wildlife in native villages and towns in Alaska for native consumption within native villages and towns:

"Threatened" means a species of wildlife listed in § 17.11 or plant listed in § 17.12 and designated as threatened.

Wasteful manner" means any taking or method of taking which is likely to result in the killing or injury of endangered or threatened wildlife beyond those needed for subsistence purposes, or which results in the waste of a substantial portion of the wildlife, and includes without limitation the employment of a method of taking which is not likely to assure the capture or killing of the wildlife, or which is not immediately followed by a reasonable effort to retrieve the wildlife.

8 17.4 Pre-Act wildlife.

- (a) The prohibitions defined in Subparts C and D of this Part 17 shall not apply to any activity involving endangered or threatened wildlife which was held in captivity or in a controlled environment on December 28, 1973: Pro-
- (1) That the purposes of such holding were not contrary to the purposes of the Act: and
- (2) That the wildlife was not held in the course of a commercial activity.

Example 1. On January 25, 1974, a tourist buys a stuffed hawksbill turtle (an endangered species listed since June, 1970), in a foreign country. On December 28, 1973, the stuffed turtle had been on display for sale. The tourist imports the stuffed turtle into the United States on January 26, 1974. This is a violation of the Act since the stuffed turtle was held for commercial purposes on

December 28, 1973.

Example 2. On December 27, 1973 (or earlier), a tourist buys a leopard skin coat (the leopard has been listed as endangered since March 1972) for his wife in a foreign country. On January 5, he imports it into the United States. He has not committed a violation since on December 28, 1973, he was the owner of the coat, for personal purposes, and the chain of commerce had ended with the sale on the 27th. Even if he did not finish paying for the coat for another year, as long as he had possession of it, and he was not going to resell it, but was using it for personal purposes, the Act does not apply to that coat

Example 3. On or before December 28, 1973. a hunter kills a leopard legally in Africa. He has the leopard mounted and imports it into the United States in March 1974. The importation is not subject to the Act. The hunter has not engaged in a commercial activity, even though he bought the services of a guide, outfitters, and a taxidermist to help him take, preserve, and import the leopard.

This applies even if the trophy was in the possession of the taxidermist on December 28,

Example 4. On January 15, 1974, a hunter kills a leopard legally in Africa. He has the leopard mounted and imports it into the United States in June 1974. This importation is a violation of the Act since the leopard was not in captivity or a controlled environment on December 28, 1973.

- (b) Service officers or Customs officers may refuse to clear endangered or threatened wildlife for importation into or exportation from the United States, pursuant to § 14.53 of this subchapter, until the importer or exporter can demonstrate that the exemption referred to in this section applies. Exempt status may be established by any sufficient evidence, including an affidavit containing the following
 - (1) The affiant's name and address;
- (2) Identification of the affiant: (3) Identification of the endangered or

threatened wildlife which is the subject of the affidavit;

(4) A statement by the affiant that to the best of his knowledge and belief, the endangered or threatened wildlife which is the subject of the affidavit was in captivity or in a controlled environment on December 28, 1973, and was not being held for purposes contrary to the Act or in the course of a commercial activity:

(5) A statement by the affiant in the following language:

The foregoing is principally based on the attached exhibits which, to the best of my knowledge and belief, are complete, true and correct. I understand that this affidavit is being submitted for the purpose of inducing the Federal Government to recognize an exempt status regarding (insert description of wildlife), under the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), and regulations promulgated thereunder, and that any false statements may subject me to the criminal penalties of 18 U.S.C. 1001.

(6) As an attachment, records or other available evidence to show:

(i) That the wildlife in question was being held in captivity or in a controlled environment on December 28, 1973;

(ii) The purpose for which the wildlife was being held; and

(iii) The nature of such holding (to establish that no commercial activity was involved).

(c) This section applies only to wildlife born on or prior to December 28, 1973. It does not apply to the progeny of any such wildlife born after December 28, 1973.

§ 17.5 Alaska natives.

- (a) The provisions of Subpart C of this part relating to the importation or the taking of endangered wildlife, and any provision of Subpart D of this part relating to the importation or the taking of threatened wildlife, shall not ap-
- (1) Any Indian, Aleut, or Eskimo who is an Alaskan native and who resides in Alaska; or
- (2) Any non-native permanent resident of an Alaskan native village who is primarily dependent upon the taking of

wildlife for consumption or for the creation and sale of authentic native articles of handicrafts and clothing:

if the taking is primarily for subsistence purposes, and is not accomplished in a

wasteful manner.

(b) Edible portions of endangered or threatened wildlife taken or imported pursuant to paragraph (a) of this section may be sold in native villages or towns in Alaska for native consumption within native villages and towns in Alaska.

(c) Non-edible by-products of endangered or threatened wildlife taken or imported pursuant to paragraph (a) of this section may be sold in interstate commerce when made into authentic native articles of handicrafts and clothing.

§ 17.6 State cooperative agreements. [Reserved]

§ 17.7 Captive, self-sustaining populations.

(a) Whenever the Director determines that a captive, self-sustaining population of otherwise endangered wildlife exists within the United States, such population may be treated as threatened and may be listed in § 17.11. Each such listing shall bear the notation "(C/P)" following the designation of status, to indicate that the reason for treating it as threatened rather than endangered was the attainment of a captive, self-sustaining population within the United States.

(b) The listing of species as threatened because they are captive, self-sustaining populations within the United States shall follow the same procedures as required in section 4(f) of the Act for the listing of endangered or threatened species, except that captive wildlife shall not be considered to be "resident" wildlife within the meaning of section 4(b) (1) of the Act.

(c) In determining whether to list a species as threatened because it is a captive, self-sustaining population, the Director shall consider the following fac-

tors:

 The approximate number of specimens of that species that exist in captivity in the United States;

(2) The age and sex ratios of such captive specimens;

(3) The number of persons who have successfully propagated the species in (4) The number of generations of the species that have been successfully propagated in captivity:

(5) The likelihood that persons owning or controlling such captive specimens will cooperate in insuring the continued existence of and reproduction among such captive specimens;

(6) The number of requests to take or import wild specimens of the same species received during the 24 months immediately prior to the date consideration of the species was undertaken;

(7) The ratio of wild born versus captive born specimens of the species in captivity in the United States; and

(8) Such other factors as he deems appropriate.

(d) Permits shall be available pursuant to § 17.33 for persons who wish to engage in otherwise prohibited activities with specimens of wildlife listed as threatened under this section.

Example. Although the XY pheasant is endangered in the wild and has been determined to be an endangered species, the Director determines that there exists in the United States a captive, self-sustaining population of the pheasant which constitutes no drain on the wildlife population. After following the proper procedures, the pheasant would be listed in § 17.11 as follows:

SPECIES			RA	NGE	=1 18	1	1 25 1/2
Common Name Scientific Name		Populations	Known Distribution	Portion of Range Where Endangered or Threatened	Status	When Listed	Special Rules
XY phensant Do	Gigantus meallus do	N/A In captivity in U.S.	Southeast Asia N/A	Entire Entire	E T(C/P)	6	N/A N/A

Subpart B-Lists

§ 17.11 Endangered and threatened wildlife.

(a) The list in this section contains all the species of wildlife which are determined by the Director or by the Secretary of Commerce to be endangered or threatened. It also contains species of wildlife treated as endangered or threatened because they are similar in appearance to an endangered or threatened species (see Subpart E) or because they constitute a captive, self-sustaining pop-

ulation (see § 17.7).

(b) The columns entitled "Common name". "Scientific name" and "Population" define the "species" of wildlife within the meaning of the Act. Thus, two different geographic populations of the same subspecies or species will be identified by their differing geographic boundaries, even though the common and scientific names are identical for both entries. The same is true for two different color phases, identified by their unique colors. The prohibitions in the Act and in this Part 17 apply to all specimens of the "species" listed, wherever they are found, and to their progeny. Although common names are included, they cannot be relied upon for identification of any specimen, since they vary greatly in local usage.

(c) If the "status" column has an "E", that species is thereby designated as endangered. If the "status" column has a "T", that species is thereby designated as threatened. The addition of the letters "S/A" in parentheses indicates that the reason for designating the species as endangered or threatened is its similarity in appearance. The addition of the letters "C/P" in parentheses indicates that the reason for designating the species as threatened is that it constitutes a captive, self-sustaining population.

(d) For information purposes only, the "known distribution" column will indicate the normal, known distribution of a species, subspecies, or a smaller taxon. This column does not imply any limitation on the application of the prohibitions in the Act and in this Part 17. Such prohibitions apply to all specimens

of the species, wherever found.

(e) The column entitled "Portion of the range where endangered or threatened" designates that portion of the range of the species over which it is endangered or threatened. The Act requires that the species must be endangered or threatened over all or a significant portion of its range in order to be listed. When a species is listed because it is similar in appearance to an endangered or threatened species, this requirement does not apply. Therefore, the notation

"N/A" (not applicable) will appear in this column.

(f) For information purposes only, the "When listed" column provides a footnote reference to the date and location of the Federal Register publication actually listing the species. That publication will include a statement indicating the basis for the current status.

(g) The "special rules" column is a reference to any special rules. The letters "N/A" (not applicable) appearing in this column indicate that there are no such special rules which apply to that species. However, all other appropriate rules in this Part 17 still apply to that species. In addition, there may be other rules in this Subchapter B (Parts 10-22) that also relate to such wildlife, such as portof-entry requirements, etc. It is not intended that the references in the "Special rules" column list all the regulations of the Service which might apply to the wildlife in question, or the regulations of other Federal, State or local agencies.

(h) The listing of a particular taxonomic group includes all lower taxonomic groups. Example: If the genus Felis was listed, all species, subspecies, races, and populations of that genus are considered to be listed. If the species Felis concolor was listed, all subspecies, races, and populations of that species are

considered to be listed.

	SPECIES	The state of	RANGE	Total State of the last of the		1	
Common Name	Scientific Name	Population	Known Distribution	Portion of Range Where Threatened or Endangered	Status	When Listed	Specia Rules
IAMMALS:							N7/4
mon	Anon depressicornis Chlamyphorus truncatus	N/A N/A	Indonesia Argentina	Entire	E	3	N/A N/A
ss. African Wild	Equus asinus	N/A	Ethiopia, Somalia, Sudan	Do Do	E	3 3	N/A N/A
ss. Asian Wild	Equus Acmionus Annhi spp. (all species)	N/A N/A	Southwestern and Central Asia Malagasy Republic (Madagascar)	Do	E	4	NIA
ye-aye	Daubentonia madagascaricissis	N/A	Australia	Do Do	E	3 4	N/A N/A
	Perameles bougainville Perameles eremiana	N/A N/A	100	Do	E	0	N/A
andicort. Rabbit	Macrotis Ingotis	N/A	Do _b Do	Do Do	EEEE	4	N/A N/A
andicoot, Lesser Rabbit	Macrotie leucitra Chaeropus ecandatus	N/A N/A	Do	Do	E	4	NIA
	Bibos banteng	N/A N/A	Southeast Asia USA (Hawaii)	Entire	E	2	N/A N/A
at, Hawaiian Hoary at, Indiana	Lasiurus cinereus semolus Myotis sodalis	N/A	Eastern and Midwestern USA	Do	E	- 1	N/A
ear, Grizzly	Ursus arctos horribilis	USA (48 conter- minous States)	USA (Montana, Idaho, Wyoming)	Do	T	9	17.40(b)
lear, Mexican Grizzly	Ursus arctos nelsoni	N/A	Mexico	Do	E	3	N/A
ison, Wood	Blann bison athabaseac	N/A N/A	Canada Costa Rica to Northern South	Do Do	E	3 4	N/A
lat, Tiger	Felis tigrina		America				2000
	Acinonyz jubatus Colobus badius rufomitratus	N/A N/A	Africa to India Kenya	Do Do	E	3,5	N/A N/A
olobus, Red olobus, Zanzibar Red	Colobus badius kirkii	N/A	Tanzania (Zanzibar)	Do	E	4	NIA
ougar, Eastern	Felia concolor congar	N/A N/A	Eastern USA Indonesia	Do Do	EEEE	6 3	N/A N/A
eer, Bawean eer, Brow-antiered, Eld's	Helaphus kuhli (Cervus kuhli) Cervus eldi	N/A	India, Southeast Asia	Do	E	4	N/A
icer Cedros Island Mule	Odocoileus hemionus cerrosensis	N/A	Mexico (Cedros Island)	Entire Do	E	10	N/A N/A
cer, Columbian Whitetailed	Odocoileus rirginianus leucurus Odocoileus rirginianus clarium	N/A N/A	USA (Oregon, Washington) USA (Florida)	Do	E	1	NIA
Peer, Key Peer, Marsh	Blastocerus dichotomus	N/A	Argentina, Urugusy, Paragusy, Brazil	Do	E	4	N/A
	Cervus elaphus macneilli	N/A	China, Tibet	Do	E	- 4	N/A
Peer, McNeill's Peer, Persian Fallow	Dania dama meropotantica	N/A	Iraq, Iran India, Nepal	Do Do	E	3	N/A N/A
beer, Swamp	Cereus duvanceli	N/A	India, Schot				No.
Othatag (see Gazelle, Clark's)	Antechiaux apicalis	N/A	Australia	Do Do	E	- 1	N/A N/A
log, Asiatic Wild (Dhole)	Cuon alpinus Dugong dugon	N/A N/A	USSR, India East Africa to Ryukyu Islands	Do	EEE	4	N/A
erret, Black-footed	Mustela nigripes	N/A	Western USA and Western Canada	Do Do	E	1,3	N/A N/A
orester, Tasmanian (Kangaroo)	Mocropus giganteus tasmanien-	N/A	Australia		100		
ox, Northern Kit	Vulpes velox hebes	N/A	Canada	Do Do	E	3	N/A N/A
ox, San Joaquin Kit Jazelle, Clark's (Dibates)	Vulpes macrotis mutica Ammordoreas clarkii	N/A N/A	USA (California) Somalia, Ethiopia	Do	E	3	N/A
Jazelie, Clark's (Dioatog)	Gazella curieri	N/A	Somalia, Ethiopia Morocco, Tunisia	Do Do	E	- 4	N/A N/A
lazelle, Cuviers lazelle, Mhorr lazelle, Moroccan (Dorcas)	Gazella dama mhorr Gazella dorcus massacsyla	N/A N/A	Moroeco Moroeco, Algeria	Do	E	4	N/A
fazelle, Moroccan (Dorcus) Fazelle, Rio de Oro Dama	Gazella dama lozanoi	N/A	Spanish Sahara	Do	E	. 1	N/A N/A
azelle, Slender-horned (Rhim)	Gazella leptoceros	N/A N/A	Sudan, Algeria, Egypt, Libya Indonesia	Do	E	4	N/A
Hibbon, Kless Hibbon, Pilented	Hylobates klosei Hylobates pileutus –	N/A	Laos, Thailand, Cambodia	Do	E		N/A
iorilla	Gorilla gorilla	N/A	Central and Western Africa Ethiopia	Do Do	E	- 4	N/A N/A
Inriebesst, Swayne's Iog, Pygniy	Alcelaphus buselaphus swaynei Sus salvanius	N/A	India Nepal, Bhutan, Sikkim	Do	E		N/A N/A
Iyaena, Barbary	Hyacna Apacna barbara	N/A N/A	Morocco South Africa	Do Do	E	4	NA
Iyaena, Brown	Hyacna brunnea Capra pyrenaica pyrenaica	N/A	Spain	Do.	EEEEEEEEEE	3 3	N/A N/A
bex, Pyreanean bex, Walia	Capra walie	N/A N/A	Ethiopia Southwest Africa, Angola	Do Do	E	4	N/A
mpala, Black-faced	Aspyceros melampus petersi Indri spp (all species)	N/A	Malagasy Republic (Madagascar),		E	3,4	N/A N/A
ndris			Central and South America	Do	E	4	N/A
aguar Constant	Panthera onca Macropus giganteus (all sub-	N/A N/A	Australia	Do	T	7	17.400
Cangaroo, Eastern Gray (see also Forester, Tasmaniau)	species except (semanicaris)		Australia	Do	T	7	17,400
Cangaroo, Red Cangaroo, Western Gray	Megaleia rufa Macropus fuliginosus	N/A N/A	Australia	Do	T	7	17.400
Comprey	Dos anscrelli	N/A N/A N/A	Cambodia	Do Entire	E	3 4	NIA
Couprey angur, Done angur, Pagi Island echwe, Black	Pygathrix nemacus Simias concolor	N/A N/A	Indochina, China (Hainan) Indonesia	Do	E	4	N/A
engur, Pagi island schwe, Black	Simias concolor Kobus leche smithemani	N/A	Zambia	Do Do	EEE	3.4	N/A N/A N/A N/A
emura	Lemuridae; all members of the Genera Lemur, Hapalemur, Lepilemur, Cheirogaleus, Microcebus, Phaner	N/A	Malagasy Republic (Madagasear) and Comoro Islands	200	-	- 0.	-
	Lepilemur, Cheirogaleus,	13/46	- Control of the Cont		100		
	Microcelus, Phaner	N/A	Africa and Asia	Do	E	3,5	NA
copard, Fermesan Clouded	Panthera pardus Neofelis nebulosa brachyurus	N/A	Tatwan	Do	E	5	N/A N/A
Leopard, Snow	Punthera uncia	N/A N/A	Central Asia	Do Do	E	3	NIA
Jon, Aslatic Lynx, Spanish	Panthera leo persica Felis lynz pardina (Felis		Spain	Do	E	3	NA
	pardina)	N/A	India	Do	E	3	N/A
dacaque, Lion-tailed danatee, Amazonian	Macaca ellentis Trichechus inunguis	N/A	South America: Amazon River		E	3	N/A
		N/A	Basin USA (Florida), Caribbean, South	Entire	E	1, 3	N/A
Manalee, West Indian (Florida)	Trichechus manatus		America		E	-	N/A
Mangabey, Tana River	Ceroocebus galeritus galeritus	N/A N/A	Kenya Central and South America	Do Do	E	8 5	NIA
Murony	Felia wiedti Cullimico gorldii	N/A	Brazil, Colombia, Ecuador, Peru	Do	E	4	N/A
Marmoset, Goeldi's Marmoset, Golden (See Tamarin) Marsupial, Eastern Jerboa	ACTION AND THE PARTY NAMED IN	N/A	Australia	Do	E	4	N/A
Marsupial, Eastern Jerbon	Antechinomys laniger Sminthopsis psammophila	N/A	Australia	Do	E	4	N/A N/A
Marsupial mouse, Longtailed	Sminthopsis longicandata	N/A N/A	Australia Taiwan	Do Do	E	- 4	NA
Marsupial, Eastern See Marsupial, mouse, Large Desert Marsupial, mouse, Longtailed Marten, Formosan Yellow-throated Monk-seal (See Seal, Mediterranean	Martes flavigula chrysospila	44748		1	100		
Monk-seal (See Seal, Mexiterranean Monk).		NIA	Costa Rica Nicaragna	Do	E	3	N/A
Monkey, Spider Monkey, Spider Monkey, Hed-backed Squirrel	Ateles geoffrayi frontatus	N/A N/A	Costa Rica, Nicaragua Costa Rica, Panama Costa Rica, Panama	Do	E	- 3	N/A N/A
Monkey, Spider	Ateles geoffroyi panamensis Saimiri oerstedii (Siamiri schur-	N/A	Costa Rica, Panama	Do	I B		74177

	SPECIES		RANGE	NOTES !	-		
Common Name				Portion of Range Where Threatened or		When	Speci
Common Name	Scientific Name	Population	Known Distribution	Endangered	Status	Listed	Rule
onkey, Woolly Spider onse, Field's	Brachyteles urucknoides Pseudomys fieldi	N/A N/A	Brazil	Entire	E	- 4	N/A N/A
Anne, tiothers	Preudomya gouldil	N/A	Australia Do	Do Do	E	6	NA
touse, New Holland touse, Salt Marsh Harvest	Parudomys norachollandiae	N/A	Do	Do	E	4	N/A N/A
lone, Shark Bay	Reithrodonlomys raniventris Pseudomys peneconis	N/A N/A	USA (California) Australia	Do Do	E	2	N/A
loose Shortridge's	Preudomyz zhortrideri	N/A	Da	Do	E	- 1	N/A N/A
ense, Smoky ouse, Western	Prendomys fumeus Prendomys occidentalis	N/A N/A	Do	Do	E	4	N/A
ative-cat, Eastern	Dangueus viverrinus	N/A	Do Do	Do Do	E	6	N/A N/A
minper.	Myrmecobius faecialus	NA	Do	Do	E	6	NIA
rangutan	Felis pardalis Pango pyymacus	N/A N/A	Central and South America	Do Potter	E	- 5	NA
ryx, Arabism	Oryx lencoryx	N/A	Indonesia, Malaysia, Brunei Arabian Peniusula	Entire Do	E	3	N/A N/A
tter, Cameroon Clawless	Paraonyx microdon Pieronura braziliensis	N/A N/A	Cameroons	Do	E	A	NEA
tter, La Platu	Lutra platensis	N/A	South America Uruguay, Argentina, Bolivia,	Do Do	E	3	NIA
all a Worlds	P. H. and Market and	200	Brazil			- 8	Part I
auther, Florida langale, Little	Filis concolor coryl. Planigale subtilissima	N/A N/A	USA (Florida) Australia	Do Do	E	1	N/A
langale, Southern occupine, Thiu-spined	Planigale tenuirostris	N/A	Do	Do	E	- 2	N/A N/A
osmon Mountain Prantit	Charlomys subspinoeus Burramys parius	N/A	Brazil	Do	E	3	NIA
ossum, Scaly-tailed	Wyulda squamicaudata	NA -	Anstralia Do	Do Do	EEE	4	N/A N/A
rairie Dog, Mexican	Cyonomys mexicanus Cyonomys parvidens	N/A N/A	Mexico	Do	E	4	N/A
ossum, Scaly-tailed rairie Dog, Mexican rairie Dog, Utah ronghorn, Pennasular	Antilocapra americana penin-	N/A	USA (Utab) Mexico (Baja California)	Entire Do	E	6	N/A N/A
	aularis				100		
rooghorn, Sonoran	Antilocupra americana sonor- iensis	N/A	USA (Arisona) Mexico	Do	E	1, 3	N/A
nokka	Setoniz brackyurus	N/A	Australia	Do	E	- 6	N/A
abbit, Volcano at, Morro Bay Kangaroo	Romerologus diazi Dipodomys heermanni mor-	N/A N/A	Mexico USA (California)	Do Do	E	4	N/A
	rornsis		Con (Canadian)		E	2	N/A
at, Stick-nest at, Palse Water	Leporillus conditor Xeromys myoides	N/A N/A	Australia	Do	E	- 6	N/A
st-kangaroo, Brushtatled	Bellongia pencillata	N/A	Do Do	Do Do	E	- 4	NA
at-kangaroo, Galmard's at-kangaroo, Hesueur's	Bettongia gaimardi Bettongia leoneur	N/A N/A	Do	Do	EEE	6	NIA
at-kungaroo, Plain	Caloprymnus campestris	N/A	Do Do	Do Do	E	- 4	N/A
at-kangaroo, Queensland him (see Gazelle, Slender-horned)	Rettongia tropica	N/A	Australia	Entire	E	4	N/A
binoceros, Great Indian	Rhinoceros unicornis	N/A	India, Nepal	Do	p.	- 14	N/A
binoceros, Javan hinoceros, Northern White	Rhimoceros sonduicus Cerafotherium simum cottoni	N/A	Indonesia, Burma, Thailand	Do	E	3	N/A
	Caratonia ham suntam contone	N/A	Zaire, Uganda, Sudan, Central African Republic	Do	E	4	N/A
hinoceros, Sumatran	Didermoceros sumatrensis	N/A	Bangladesh to Viet-Nam to Indo-	Do	E	3	N/A
ki, White-noted	Chiropotes albinasus	N/A	nesta (Borneo) Brazil	Do	E		N/A
al, Mediterraneau Monk	Mounchus monachus	N/A	Mediterranean, Northwest Afri-	Do	E	3	N/A
ledang (Gaur)	Bos ganrus	N/A	ean Coast and Black Sea. India, Southeast Asia, Bangla-	Do	E	4	N/A
rval, Barbury	Felia serval constantina	N/A	desk,			-	
ONE STATE OF THE PARTY OF THE P	Cereus elophus wallichi	N/A	Algeria Tibet, Bhutan	Do Do	E E	4	N/A N/A
fakas oth, Brazilian Three-tood	Propithecus spp. (all species). Bradypus torquatus	N/A N/A	Malagasy Republic (Madagascar)	Entire	Ë	i	N/A
ow Leopard (see Leopard)			Brazil	D ₀	E	4	N/A
lenodon, Cuban lenodon, Haltisn	Atopogale cubana	N/A N/A	Cuba	Do	E	10 1	N/A
mirrel, Delmarya Peninsnia Fox	Solenodon paradozus Sciurus niger cinereus	N/A	Dominican Republic, Halti USA (Maryland)	Do Do	E	4	N/A N/A
ag, Barbary ag, Kashmir	Cereux claphus barbarus	N/A	Tunisia, Algeria India (Kashmir)	Do -	E	3	N/A
unaraw	Cereus elaphus hangin Anoa mindorensis	N/A N/A	India (Kashmir)	Do Do	E	-3	N/A
marin, Golden-rumped (Golden-	Leontideus app. (all species)	N/A	Philippines Brazil	Do Do	E	4 3	N/A N/A
Marinoset) Golden-lion			I - I - I - I - I - I - I - I - I - I -			- 5	110
spir, Bearilian	Tupirus terrestris	N/A	Venezuela, Argentina, Brazil,	Do	E	4	N/A
spir, Central American	Tufferus bairdil	N/A	Colombia Southern Mexico to Colombia and	Do	P		
spir, Mountain			Ecuador		Е	4	N/A
lylacine (See Time, Tasmanian)	Tapirus pinchague	N/A	Colombia	Do	E	4	N/A
ger ger, Tasmanian (Thylacine)	Panthera tigris	N/A	Temparate and Tropical Asia	Entire	E	3,5	N/A
akari	Thylocinus cynocephalus Cocejoo spp. (all species)	N/A N/A	Australia Peru, Colombia, Brazil, Vene-	Do Do	E	3	N/A
runa			zuela, Ecuador Peru, Bolivia, Argentina	270	D.	3	N/A
allahur Dandad Trans	Vicugus vicugua Lapastrophus fasciatus	N/A N/A	Peru, Bolivia, Argentina Australia	Do Do	E	3	NIA
allaby, Britelled Nail-tail allaby, Crescent Nail-tail allaby, Parma	Onychogaela frenats	N/A	Do.	Do	E	-4	N/A N/A
illaby, Parma	Onychognela lunata	N/A N/A	Do	Do	E	4	N/A
	Macropus parma Lagorchestes hirsutus	NIA	Do Do	Do Do	E	4	N/A N/A
	Petrogale xanthopus Bolaenoptera musculus	N/A N/A	Do.	Do:	E	6	N/A
iale, Blue iale, Howhead	Balnena mysticetus	BY) A	Oceanie Oceanie	Entire Do	E	- 4	N/A N/A
iale, Finback iale, Gray	Balacnoptera physalus	N/A	Do	Do	E	*	NIA
tale, Humphask	Eschrichtius gibbosus Megaptera nocaeanglias	N/A	Do Do	Do Do	E	1	N/A N/A
nale, Right	Eubelness spp (all species)	N/A	Do.	Do	E	4	N/A
usle, Sperm	Balaenoptera borealia Physeter catodon	N/A N/A N/A N/A N/A N/A N/A	Do Do	Do Do	E	1	N/A
o, Lastern Timber	Canis lupus lycaon	N/A	USA (Minnesota, Michigan),	Do	E	4	N/A
RJ, Maned	Chrysbeyon brackyurus	N/A	Eastern Canada Argentina, Bolivia, Brazil, Para-	Do	E		
			EGAV.				N/A
SI, Northern Rocky Mountain	Canda homes for				W	10.00	2764
olf, Northern Rocky Mountain	Cants lupus trremotus Cants rufus	N/A N/A	USA (Wyoming, Montana)	Do	E	6	NIA.
M. Northern Bocky Mountain M. Red cubat, Barnard's cubat, Queensland Hairy-nosed ak, Wild	Cinis lupus irremotus Cinis rufus Lasiothinus barnardi Lasiothinus gillespici	N/A N/A N/A	USA (Wyoming, Montana) USA (Texas, Louisiana) Australia Australia	Do Do Do	EEE	04.0	NNNA

	SPECIES		RANGE				
Common Name	Scientifie Name	Population	Known Distribution	Portion of Range Where Threatened or Endangered	Status	When Listed	Special Rules
BIRDS: Akepa, Hawall (Honeycreeper) Akepa, Mani (Honeycreeper) (ake-	Глигори соссіння соссіана Дагори соссіана осклюски	N/A N/A	USA (Hawaii) USA (Hawaii)	Entire Entire	E		N/A N/A
pule) Akialoa, Kamai (Honeyereeper) Akiapolisau (Honeyereeper) Abbatross, Shoritalied Bobwhite, Masked (Quali)	Hemiquathus procesus Hemiquathus seilsoni Dionedes allutrus Collinus eirginianus ridgicayi	N/A N/A N/A N/A	USA (Hawaii) -USA (Hawaii) Japan USA (Arizona, New Mexico),	Entire Entire Entire Entire	EEE	1 3 1 3	N/A N/A N/A
Bristlebird, Western (Flyentcher)	Busynenis brackypterus longi-		Northern Mexico Australlia	Entire	E	1	N/A
Bulbul, Maurithis Olivaceous Bullimeh, Sao Miguel (Fineh)	Parkula pyrchula marina	N/A N/A	Mamitius- Eastern Atlantic Occurs: Portugal	Entire Entire	E	3 3	N/A N/A
Bustard, Great Indian Cabow (Bermuda Petrel)	Charlotis nigriceps Plerodroma calour	N/A N/A	(Azores) India, Pakistan Western Atlantic Ocean: Bermuda	Entire Entire	E	3	N/A N/A
Condor, Andean Condor, California Coot, Hawaiian	Unifer graphus	N/A	Colombia to Chile and Assessing	Entire.	E	14	NIA
Cool, Hawaiian	Gymnogype californianus Fulica emericana alai	N/A	USA (California) USA (Hawaii) Japan, USSR China, Japan, Korea, USSR USA (Mississippi)	Entire Entire	E	1 2	NAA NAA NAA NAA
Crane, Hooded	Gras monacha	N/A	Japan, USSR	Entire	EEEE	- 1	NA
Crane, Mississippi Sandhill	Grus japonensis Grus canadensis pulla	N/A	China, Japan, Koren, USSR	Entire.	E	4	N/A
Crane, Siberian White	Gran lenengeranus	N/A	Stomba to India	Entire	E	1	NA
Crane, Whooping Creeper, Hawaii	Loxope maculata mesa	N/A N/A	Canada, USA USA (Hawaii)	Entire Entire	E	1.3	NEA
Creeper, Molokal (Kakawahir)	Laxagas maculata flammen	NA	USA (Phawali)	Entire	E	100	N/A
(Honeycreeper) Creeper, Oahu (Alauwahio) (Honeycreeper)	Lacupe meculatu maculatu	N/A	USA (Hawaii)	Katire	E	- / 2	NA
Crow, Hawaifan (Alala) Cuckee-shrike, Magritius	Currentropicus Eugens typicus	N/A N/A	USA (Hawaii) Mauritim	Entire.	E	1 3	N/A N/A
Cuckee-shrike Rennion	Enquir newtoni	N/A	Indian Ocean; France (Rennion	Entire	E	3	NA
Curassow, Red-billed Curassow, Trinidad White-headed	Crax blumenbackii Pipile pipile pipile	N/A N/A	Brazil	Entire.	E	1	NA
Curiew, Eskimo Dove, Cloven-feathered	Name nive boreatie Brepassopila holocricca	N/A N/A	West Indies; Trinidad Canada to Argentina Southwest Paelfic Ocean; New	Entire Entire	E E E	1,3	N/A N/A N/A
Dove, Grenada	Leptotila wellst	N/A	Caledonfa West Indies: Grenada	Entire	E	- 4	NIA
Duck, Hawaiian (Koloa)	diallicolumba cantirons Anne arguilliana	N/A N/A	West Pacific Ocean: Polant Islands	Entire Entire	E	1	N/A N/A
Duck, Laysia	Anas lupuncusis	N/A	USA (Hawaii) USA (Hawaii)	Entire	E	-	NA
Duck, Mexican Duck, White-winged Wood	Amas daazi Calrina sentulatu	N/A N/A	USA (Fexas, Arizona), Mexico India, Borma, Thailand, Ma-	Entire	E	1 3	NA
Eagle, Monkeyeating Eagle, Southern Baid	Pithecophoga jefferyi Hallardus limeberphalus lewen-	N/A N/A	laysin; Indonesia Philippines USA (South of the 40th Parallel)	Entire Entire	E	3 1	N/A N/A
Eagle, Spanish Imperial	Agusta keliaca adalberti	N/A	Spain, Morocco, Algeria	Entire	E	-	NA
Egret, Chinese Falcon, American Peregrine	Falco peregriaus quatum	N/A N/A	China, Korea Camada, USA, Mexico	Entire Entire	E	2,3	N/A
Falcon, Arctic Peregrine	Falco peregrinus tundrius	N/A	Canada, USA, Greenland to South America	Entire	E	2,4	NA
Finches, Laysan and Niboa (Honeyereepers)	Paittirostra centung	N/A	USA (Hawati)	Entire	E	1	N/A
Flycatcher, Chatham Island Robin Flycatcher, Euler's (Tyrant)	Petroica traversi Empidonaz culeri johnstones	N/A N/A	New Zenkund West Indies: Greunda	Entire Entire	E	3	N/A
Flycatcher, Greynecked Rock-fowl Fleatcher, Palau Fantall	Picathartes oreas	N/A	Cameroon	Entire	E	3	N/A N/A
Fleatcher, Falau Fantali Flycatcher, Scarletbreasted Robin (Tyrant)	Ekipidura lepida Petroica multicolor multicolor	N/A N/A	West Pacific Ocean: Palmr Islands Australia (Norfolk I.)	Entire Entire	EEE	3	N/A
Flycatcher, Seychelles Black	Terpsiphous corrina Pameros nigra nigra	N/A N/A	Indian Ocean; Seycheller South Paethe Ocean; Tahiti	Entire Entire	E	1	N/A N/A
Flycatcher, Tahiti Flycather, Whitenecked Rock-fowl	Picstharter aguanocephalus	N/A	Africa: Togo to Sierra Leone	Entire	E	3	NA
Fody, Seychelles (Weaver-finch) Gallingle, Hawalian	Fondia sechellarum Gallinula chloropus sandricenis	N/A N/A	Indian Ocean: Seychelles USA (Hawaii)	Entire Entire	E	3	N/A N/A
Goose, Alcutian Canada	Branta conudenzia lescoparsia:	N/A	Western USA, Japan	Entire.	16	1,4	N/A N/A
Goose, Hawalian (Nene) Goslawck, Christmas Island	Beanta asadeicensis Accipiter fescintus natalis	N/A N/A	USA (Hawaii) Indian Ocean; Australia (Christ- mus I.)	Entire Entire	E	3	NA
Grackle, Simder-billed	Cassidix palustris	N/A N/A	Mexico	Entire Entire	E	- 4	NA NA
Grass-wren, Eyrenu (Flycatcher) — Grebe, Atitlun	Amytornia goyderi Podilymbus gigas	N/A	-Australia Guntermia	Entire	E	3	N A N A
Grebe, Atitlan Gum, Horned Gull, Andonin's	Geophasis devoluius Larus audoniuil	N/A N/A	Gratennia, Mexico Mediterranean Sea and adjacent	Entire Entire	E	3 3	N/A
Hawk, Anjonan Island Sparnow	Accipiter francesii punillur	N/A	lands Tudhin Ocean: Comero Islands	Entire	100	3	N/A
Hawk, Gallapagos Hawk, Hawalian (Io)	Butin pala pagoca sis Buten solitarias	N/A N/A	Ecundor (Galapagos Islands) USA (Ifnwaii)	Entire Entire	E E R	3	NA NA
Honeygreeper, Crested (Akohekohe)	Palmeria dolei	N/A	USA (Hawaii)	Entire	By -	Y	NA
Honeyeater, Helmeted lbis, Japanese Crested Kagu (Rail)	Meliphaga cassidiz Nipponia nippon Ethynochetos jubatus	N/A N/A N/A	Australia China, Japan, Korea, USSR Southwest Pacific Ocean: New	Entire Entire	E E	17.7	N A N A
Kakapo (Owl Parrot)	Strigopa habroptilina	N/A	Caledonia New Zealand	Entire	E	1	NA
Kestrei, Mauritius	Falco punclatus	N/A	Mauritius	Entire:	E	3	N/A
Kestrei, Seyehelles Kite, Cuba Hookbilled	Falco araca Chandrohierar wileonii	N/A N/A	Indian Ocean: Scychelles Cuba	Entire Entire	E	3 4	N/A
Kite, Grenada Hookhilled	Chandrohieraz uncinatus mirus	N/A	West Indies: Grenada	Entire	E		NA NA NA NA
Kite, Florida Everglade (Smail Kite) Kokako (Wattlebird)	Rostrhamus sociabilis plumbeus Callacas cinerea	N/A N/A	USA (Florida) New Zealand	Entire Entire	E E	3	C. S. V. C.
Magpie-robin, Seychelles (Thrush)	Coprychus sechellurum	N/A	Indian Ocean: Seychelles	Entiry	EEEEEEE	3 3	N/A
Malkolm, Redfaced	Phaenicophaeus pyrrhocephalus Megapodius lags rause	N/A N/A	Sri Lanka Western Paeific Ocean: Palnu Is-	Entire	E	3 4	N/A N/A N/A
Megapode, La Perouse's	. Amegic production in partitioner	HNG4N	lands, Mariana Islands	Tritterie.		- 4	160000

No. of Concession, Name of Street, or other Persons, Name of Street, or ot	SPECIES		RANGE	7 3000	1 3		
Common Name	Scientific Name	Population	Knowp Distribution	Portion of Range Where Threatened or Endangered	Status	When Listed	Special Rules
Merapode, Maleo Millerbird, Nihoa (Warbler)	Mscrocephalon malea Acrocephalus kingi	N/A N/A	Indonesia (Celebes) USA (Hawaii)	Entire Do	E	1	N/A N/A
Monals (see Pheusant) Monarch, Tinlan (Tyrant Fly-	THE PARTY NAMED IN COLUMN	N/A	Western Pacific Ocean: Manana		E	1	N/A
catcher) Nukupuus, Kanai & Mani (Honey-		N/A	USA (Hawaii)	Do	E	2	N/A
oo. Katini (Oo Aa) (Honeyeater)	Mohn braccatus -	N/A	USA (Hawali)	Do	E	1	N/A
Ostrich, Arabian Ostrich, West African	Struthio camelus syriacus Struthio camelus spatzi	N/A N/A	Jordan, Sandi Arabia Spanish Sahara	Do Do	E	3 4	N.A N.A
Ou (Honeycreeper) Owl, Anjonan Scops	Pultirostra prittacca Otna rutilna enpundes	N/A N/A	USA (Hawaii) Indian Ocean: Comoro Islands	Do Do	E	1 3	N/A N/A
Owi, Palati	Otas podergina	N/A	Western Pacific Ocean: Palsu Islands		E		N/A
Owl, Seychelles Owlet, Mrs. Morden's	Otus ireneae	N/A N/A	Indian Ocean: Seychelies Kenya	Do Do	E	3	N/A N/A
Publa (Honsycreeper) Parakeet, Forber Parakeet, Golden-shouldered	Prittirostra bailleul Cyanoramphus auriceps forbesi	N/A N/A	USA (Hawali) New Zealand	Do Do	E	1 4	N/A
Parakeet, Golden-shouldered Parakeet, Mauritius Ringnecked	Psephotus chrysopterygius Psittacula krameri echo	N/A N/A	Australia Mauritius	Do Do	E	4	N/A
Parakeet, Ochre-marked Parakeet, Orange-bellied	Pyrrhura eruentata Neophema chrysogaster	N/A N/A	Bruzil Australia	Do Do	E	A	N/A
Parakeet, Paradise	Psephotus pulcherrimus	N/A N/A	Australia	Do	E	4	N/A
Parakeet, Scarlet-chested Parakeet, Turquoise	Neophema splendida Neophema pulchella Amazona leucocephala	N/A	Australia Australia	Entire Do	EEE	4	NA NA NA NA NA NA NA NA
Parrot, Bahamas	Subunicas is	N/A	Western Atlantic Ocean: Bahamas	Do		3	N/A
Parrot, Ground Parrot, Imperial	Pezoporus wallicus Amazona imperialis	N/A N/A	Australia West Indies: Dominiea	Do Do	E	6	N/A N/A
Parrot, Imperial Parrot, Night Parrot, Puerto Rican Parrot, Red-browed	Geopaillacus occidentalis Amazona vittata	N/A N/A	Australia USA (Puerto Rico)	Do Do	E	3	N/A N/A N/A
Parrot, St. Lincia	Amazona rhodocorytha Amazona sersicolor	N/A N/A	Brank	Do Do	E	4	SN/A
Parrot, St. Vincent Parrot, Thick-billed	Amazona guildingii Rhynchopsilta pachyrhyncha	N/A N/A	West Indies: St. Lucia West Indies: St. Vincent Mexico, USA (Arizona, New	Do Entire	E E E E E	4 3	N/A N/A N/A
Parrotbill, Maul (Honeycreeper)	Pseudonestor runthorphrys	N/A	Mexico) USA (Hawali)	Do	E	1	N/A
Pelican, Brown	Pelecanus occidentalia	N/A	USA, West Indies, Central and	Do	E	2,4	N/A
Penguin, Galopagos Petrel, Hawalian Dark-rumped	Spheniscus mendiculus Plerodroma phaepygia sand- wichensis	N/A N/A	South America: Coastal Ecuador (Galapagos Islanda) USA (Hawali)	Do Do	E	2,4	N/A N/A
Phessant, Bar-tailed Phessant, Blyth's Tragopan Phessant, Brown-eared Phessant, Cabor's Tragopan Phessant, Chinese Monal Phessant, Edward's	Syrmaticus humiae	N/A	Burms, China	Do	E	3	N/A
Pheasant, Brown-cored	Tragopan blythii Crossoptilon mantchuricum	N/A N/A	Burma, China, India China	Do Do	EE	3	N/A N/A
'heasant, Cabot's Tragopan 'beasant, Chinese Monal	Tragopau caboti Lophophorus lhuysti	N/A N/A	China	Do	E	3 3	N/A N/A
Pheasant, Edward's Pheasant, Imperial	Lophura edwardsi Lophura imperiatis	N/A N/A	Vietnam Vietnam	Entire Do	E	3 3	N/A N/A
Pheasant, Mikado Pheasant, Palawan Peacock	Syrmaticus mikado Polyplectron emphanum	N/A N/A	Tulwan Philippines	Do	E	4.3	N/A
Cheasant, Sciater's Monal	Lophophorus scluteri	NIA	Burma, China, India	Do Do	E	3 3	N/A N/A
heasant, Swinboe's heasant, Western Tragopan	Lophura swinkoli Tragopun melanocephalus	N/A N/A	Talwan India, Pakistan China (Tibet), India	Do Do	E	3 3 3	N/A N/A
	Crossoptilon crossoptilon Columba palumins azorica	N/A N/A	East Atlantic Ocean: Portugal	Do Do	EEE	4 3	N/A N/A
Pigeon, Chatham Island	Hemlphaga nocacecelandiae	N/A	(Azores). New Zealand	Do	E		N/A
Pigeon, Puerto Riean Plain Piopio (Wattlebird)	chalamensis Colomba inornata nelmorei Turnagra capensis	N/A N/A	USA (Puerto Rico) Indian Ocean: France (Reunion	Entire Do	E	2 3	N/A N/A
Praire Chicken, Attwater's Greater	Tympanuchus cupido attenteri	N/A	Island)	Do	E	-	N/A
Plover, New Zealand Shore	Thinornis notae-scelandiae Melamprosops phacosoma	N/A N/A	USA (Texas) New Zealand USA (Hawati)	Do Do	E	4	N/A
Rail, Aukland Island Rail, California Ciapper	Rullus pectoralis muelleri Rullus longirostris obsoletus	N/A N/A	Name Zanland	Do	E	3	N/A N/A
Kall, Light-footed Chapper	Rallus longirostris leripes	N/A	Mexico, USA (California)	Do Do	E	2 2 1	N/A N/A
Rhes, Darwin's	Rallus longirostris gumanensis Pterocnemia pennata	N/A N/A	USA (California) Mexico, USA (California) Mexico, USA (Articona, California) Argentina, Bolivia, Peru, Uru-	Do Do	E	4	N/A N/A
	Uratelornia chimaera	N/A N/A		Entire	E	4 3	N/A
hama, Cebu Black (Thrush)	Atricharais clamosus Copsychus niger celmensis	N/A	Philippines	Do Do	E	3	N/A N/A N/A
parrow, Cape Siable	Puffraus puffinus newelli. Ammospica marifima mirabilis Ammospica marifima nigre-	N/A N/A	USA (Hawaii) USA (Florida)	Do Do	E	-	N/A
garrow, Santa Barbara	scens Melospica melodia graminea	N/A	USA (Plorida) USA (California)	Do Do	E	6	N/A
taring, Ponape Mountain	Aplonia pelzelni	N/A	Western Pacific Ocean: Caroline Islands (Ponape)	Do	E	4	N/A N/A
ult, Hawalian	Lencopear rothechildi Himantopus himantopus knud- seni	N/A N/A	USA (Hawaii)	Do Do	E		N/A N/A
CCD. Chittingwin Laure	Ciconia cleonia boyciana Sterna albifrons browni	N/A N/A	China, Japan, Kores, USSR Mexico, USA	Entire Do	E	4	N/A
Chrush, Large Kanai	Ramphocinelus brachyurus Phacornis obscurus myadeelina	N/A N/A	West Indies: Martinique, St. Lucia USA (Hawaii)	Do	E	2, 4	N/A N/A
hrush Smalt Kanal (Bradah)	Phaetenis obscurus rutha Phaetenis palmeri	N/A	USA (Hawaii)	Do Do	EEEEEE	3 2 2	N/A N/A N/A
The opans (see Pheasants)	Cinclocerthia rusicanda gut-	N/A	USA (Hawall)	Do Do			N/A
	turalie	N/A	West Indies: Martinique	Do	E		N/A
	Pedimonus torquatus Vermicora bachmanii	N/A N/A	Australia Cuba, USA (Southeastern)	Do Do	E	1,4	N/A N/A
arbier, (Wood) Kirtland's	Dendroica petechia petechia Dendroica kirtiandii	N/A N/A	West Indies Barbados USA, West Indies: Bahamas	Entire	E	1,4	N/A N/A
Voiting on a vo	Acrocephalus Inscinia	N/A	Islands Desant Mariana	Do	E	3	N/A
Varbler, Rodrhenes Varbler, Semper's	Bebrornis rodericanus	NIA	Mauritius (Rodrigues f.)	Do	E	3 3	N/A

THE PROPERTY OF THE PARTY OF TH	SPECIES		RANGE				
Common Name	Scientific Name	Population	Known Distribution	Portion of Runge Where Threatened or Endangered	Status	When Listed	Specia Rules
Warbler, Sevehelles Wupbird, Western (Thrush) Whip-poor-will, Puerto Rican	Rehrornia schellensia Psephodes nigrogularia Cuprimulgus notitherus	N/A N/A N/A	Indian Ocean; Seychelles Australia USA (Puerto Rico)	Do Do Do	E E E	3 4 0	NAK -
White-eye, Ponape Great White-eye, Seychelles	Hallin mufardi Zontrope modestus	N/A N/A	Western Paeffic Ocean: Carolina Islands (Pomape) Indian Ocean: Soychelles Mexico	De	E	- 4	N/A
Woodpecker, Imperial Woodpecker, Ivory-billed	Campephilus turperialis Campephilus principalis	N/A	Cuba, USA (South Central and Southeast)	Do Do	E	1,3	NA
Woodpecker, Red-cockaded Woodpecker, Tristram's	Dendrocopor baccalis Dryncopors jarranis vichards)	N/A	USA (South Central and South- cast) Korsa	Do	E	3	N/A
Wren, Guadeloupe House Wren, New Zealand Bush	Troglodytes acdon-greatelou pen- sia Xeniens longipes	N/A	West Indies: Guadeloupe New Zealand	De	E	3	N/A
Wren, St. Lucia	Tropledytes ardon membracus	N/A	West Indies: St. Lucia	Do-	E		N/A
REPTILES: Alligator, American	Alligator mississippiensis	Whenever found in the wild, ex- cept in Came- ron, Vermilion, and Calensieu Parishes in	Southeasteen USA	Entire.	K	n	N/A
Alligator, American	Alligator mississipplensis	Louisiana. In the wild in Cameron, Ver- milion, and Calcasion Parishes in	USA (Cameron, Vermillon, Cal- cusien Parishes in Louislaun)	N.A	T(8/A)	ıı	17.42(a)
Alligator, American	Alliquies missimippicaris	Louisinon In captivity, wherever	Worldwide	NIA	T(S/A)	- 11	NA
Boa, Puerto Rican Boa, Jamaican	Epicroles inormitte Epicroles subflacus	N/A N/A	Puerto Rico. Esmalca	Entire Entire	E	- 4	N/A
Crocodile, American Crocodile, Cuban	Croendylus acutus Crocodylus rhombifer	Florida N/A	USA (South Florida and Fiorida Keya) Cuba	Entire	E	10	NA
Crocodile, Morejet's Crocodile, Nile	Crossdylus mordetil Crossdylus niloticus Crossdylus intermedius	N/A N/A	Mexico, British Honduras Africa South America: Orlnoco River	Entire Entire	EEE		NA NA
Crocodile, Ortnoco Gavial (Gharial)	Guelidus gangeticus	N/A	Basto Pakistan, India Burma, Bangla- desh		E		NA
Gecko, Day Gecko, Round Island Day	Phelmina newtoni Phelmina guentheri	N/A N/A	Mauritius Do Virgin Islands: Anegada Island	Entire Entire Entire	EEE		NA NA
Iguana, Anegada Ground Iguana, Barrington Land Lizard, Blant-nosed Leopard Snake, San Francisco Garter	Cycluru pinguis Condophus pallidus Credagliytus ellus Thamsophis sirtalis tetratu nis	N/A N/A	Ecuador: Galapagos Islanda USA: California USA: California	Entire Entire	EEE		NA NA
Terrapin, River (Tuntong) Tortoise, Galapagos	Hatagur baska Testudo de phantopus	N/A	Burma, India, Indonesia, Ma- laysia, Bangladesh Ecnador: Galapagos Islamis	Entire	170		NA
Tortoise, Madagascar Radiated Tortoise, Short-necked or Swamp	Testudo radiota Pseudempdura ambrina Spieradon punctatus	N/A N/A	Malagasy Republic (Madagascar) Australia New Zealand	Entire Entire	E E E E E		NA NA
Tustara Turtle, Aquatic Box Turtle, Atlantic Ridley	Terrepene conhuila Le pidothelys Lempii	N/A N/A	Mexico Do	Entire Entire	E		N/A
Turtle, Hawksbill Turtle, Leatherback	Erstmochelys imbricata Dermochelys corincen	N/A N/A	Tropical Seas Tropical and Temperate Seas	Entire Entire	E	- 1	NA NA NA
Turtle, South American Turtle, South American	Podocnemis expansa Podocnemis unifilis	N/A N/A	South America: Orinoco und Amaton River Basins Do	Entire	E		NA.
Yneare (Caiman) AMPHIBIANS:	Санцан учентя	N/A	Rollvia, Argentina, Pern, Brazil	Entire	E		I NIA
Frog. Israel Painted Frog. Stephen Island	Discoglossus nigris-ntes Lelogelma banalloni.	N/A N/A	Israel New Zealand	Entire Do-	EEE	MY THE	A NA A NA
Salamander, Desert Slender Salamander, Santa Cruz Long-taile	Hatrackure py aridus	N/A	USA (California) Do	Do Do	E		I NA
Salamander, Texas Blind Toad, Houston	Taphlimoles rathbands Hafe houstonewals	N/A N/A	USA (Texas) Do	Do Do	E		I NA
FISHES. Alu Balik	Salina platycephalus	N/A	Turkey	Entire	E		N/A N/A
Ayumodoki Blindeat, Mexican	Printella phreatophila	N/A N/A	Mexico	Do.	E E E E		NA
Bonytall, Pahranagat Catabh	(Illinguburta jardani Pangarine sanifucangsci	N/A N/A	USA/(Negada) Thilland	Do Do	E		NA NA NA
Catfish, Giant Chub, Humpback	Pangarianodou gigus Gila eyphu	N/A N/A	USA (Arizona, Utah, Wyoming)	Do Do	E	THE STATE OF	NA NA
Chub, Mohave	Siphateles mohareuris	N/A	USA (Culifornia)	Do	E		NA NA
Cicek. Cisco, Longjaw	Acauthorntilus kandlieset i Categorius ut penae	N.A. N.A.	Turkey USA (Lakes Michigan, Raom, and Eric)		E		1 27
Cul-til	Charmeter cirfics Rhinichthys occulus therinalis	N/A N/A	USA (Nevuda) USA (Wyoming)	Do Do	E	-	I NA
Dace, Kendall Warm Springs Dace, Monpa	Moupa corinera	N/A	USA (Nevada) USA (Mississippi)	Da	Y.		N.A.
Thoughton The sector	Filicustoma rubrum Elkentoma fonfocola	N/A N/A	USA (Texas)	Do. Entire	T E		I NA
Darter, Foundain Darter, Maryland Darter, Oknloosa Darter, Watengeso Combinis, Die Bend	Ftheostoma sellare	NEX	USA (Texas) USA (Muryland)	Do	E		I NA
Darter, Watercress	Filamelania okuboosu/ Filamelania nuchule	N A N A	USA (Florida) USA (Alabaraa)	Do: Do:	E		LNA
Gambusia, Big Bend	Chambrain origer Chambrain heterochin	NA NA	USA (Texas) Do	Do Do	E	-51	NA NA NA
Gambusia, Big Bend Gambusia, Clear Creek Gambusia, Peces Killifish, Pabrump	Claudinaic nobilia	NA	Do	Do	EEE		I NA
Killifish, Pahrump Madtom, Schoo	Furpetrickythys lates Notarus trantmant	N A N A	USA (Nexada) USA (Obio)	Do Do	E		0 N/A

	SPECIES		RANGE	RANGE			
Common Name	Scientific Name	Population	Known Distribution	Portion of Range Where Threatened or Endangered	Status	When Listed	Special Rules
Nekogigi Pike, Bioe Pupfish, Commuche Springs Pupfish, Devil's Hole Pupfish, Owens River Pupfish, Tecopa Pupfish, Warm Springs Squawfish, Colorado River	Corcobagrus ichikawai Sitzostedion rdreum glducum Crprinadon elegans Cyprinadon disabila Cyprinadon fudiorus Cyprinadon neudensis calidae Cyprinadon mendensis pectoralis Prychochellus lucius	N/A N/A N/A N/A N/A N/A N/A N/A	Japan USA (Lakes Erie and Ontario) USA (Texas) USA (Nevada) USA (California) USA (California) USA (Nevada) USA (Colorado River System)	Do Do Do Do Do Do Do	E E E E E E E	3 1 1 1 1 2 2	N/A N/A N/A N/A N/A N/A N/A
Stickleback, Unarmored Threespine Sturgeon, Shortnose Tango, Miyako Tango, Miyako Togninnow, Gila Trout, Arizona (Apache) Trout, Gila Trout, Greenback Cutthroat Trout, Laboutan Cutthroat Trout, Laboutan Cutthroat Woundin	Gosterosterus aculcotus mil- liamsoni Acipenser brevirostrum Tunakis tunago Poeciliopsis occidentalis Salmo apache Salmo gilae Salmo clarki stomius Salmo clarki stomius Salmo clarki seleniris Plagopterus argentissimus	N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A	USA (California) Atlantic Coast of USA and Canada Japan USA (Arizona), Mexico USA (Arizona) USA (New Mexico) USA (Colorado) USA (California, Nevada) USA (California) USA (Utah)	Do D	E EEETEETTE	1 3 1 8 1 1 8 8 8	N/A N/A N/A \$ 17.44(a) N/A N/A \$ 17.44(a) \$ 17.44(a) N/A
Scall, Marus Island Tree MOLLUSKS; [reserved] INSECTS; [reserved] OTHER FORMS; [reserved]	Papustyla pulcherrina	N/A	Admiralty Islands (Manus I.)	Do	E	*	N/A

1-32 FR 4001; March 11, 1967 2-35 FR 19047; October 13, 1970 3-35 FR 8491; June 2, 1970 4-35 FR 18310; December 2, 1970 5-37 FR 6476; March 30, 1972

-38 FR 14678; June 4, 1973 -39 FR 44990; December 30, 1974 -40 FR 2863; June 16, 1975 -40 FR 31734; July 28, 1975 -40 FR 44149; Sept. 25, 1975 -40 FR 44412; Sept. 25, 1975

§ 17.12 Endangered and threatened plants [Reserved]

§ 17.13 Amendments to the lists.

(a) The lists in §§ 17.11 and 17.12 may be revised from time to time, in accordance with the procedures specified in the Act, as additional data become available which show, to the Director's satisfaction, that a species should be added to or removed from the list, or changed in

(b) At any time, any interested person may petition the Director to review the status of any species, with a view to taking one of the actions described in paragraph (a) of this section. Such petitions must be dated and in writing, and must be submitted to the Director (FWS/ SE). The petition must contain the following information:

(1) Name and address of the person

making the request:

(2) Association, organization, or business, if any, represented by the person making the request;

(3) Reasons why the person making the request, or the person he represents, should be considered to be an "interested person'

(4) Designation of the particular specles in question by common and scientific names;

(5) Narrative explanation of the request for review and justification for a change in the status of the species in question.

(6) Scientific, commercial, or other data believed to support the request; and

(7) Signature of the person making the request.

If it is determined that substantial evidence has been presented which warrants a review, a finding to that effect shall be published in the FEDERAL REG-ISTER. Such notice shall give all interested persons an opportunity to comment and to submit additional data and information.

Subpart C-Endangered Wildlife

§ 17.21 Prohibitions.

(a) Except as provided in Subpart A of this part, or under permits issued pursuant to § 17.22 or § 17.23, it is unlawful for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit or to cause to be committed, any of the acts described in paragraphs (b) through (f) of this section in regard to any endangered wildlife.

(b) Import or export. It is unlawful to import or to export any endangered wildlife. Any shipment in transit through the United States is an importation and an exportation, whether or not it has entered the country for customs purposes.

(c) Take. (1) It is unlawful to take endangered wildlife within the United States, within the territorial sea of the United States, or upon the high seas. The high seas shall be all waters seaward of the territorial sea of the United States, except waters officially recognized by the United States as the territorial sea of another country, under international law.

(2) Notwithstanding paragraph (c) (1) of this section, any person may take endangered wildlife in defense of his own life or the lives of others.

(3) Notwithstanding paragraph (c) (1) of this section, any employee or agent of the Service, any other Federal land management agency, the National Marine Fisheries Service, or a State conservation agency, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take endangered wildlife without a permit if such action is necessary to:

(i) Aid a sick, injured or orphaned specimen: or

(ii) Dispose of a dead specimen; or (iii) Salvage a dead specimen which may be useful for scientific study; or

(iv) Remove specimens which constitute a demonstrable but nonimmediate threat to human safety, provided that the taking is done in a humane manner; the taking may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by livecapturing and releasing the specimen unharmed, in a remote area.

(4) Any taking pursuant to paragraphs (c) (2) and (3) of this section must be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(d) Possession and other acts with unlawfully taken wildlife. (1) It is unlawful to possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any endangered wildlife which was taken in violation of paragraph (c) of this section.

Example. A person captures a whooping crane in Texas and gives it to a second person, who puts it in a closed van and drives thirty miles, to another location in Texas. The second person then gives the whooping crane to a third person, who is apprehended with the bird in his possession. All three have violated the law—the first by illegally taking the whooping crane; the second by

transporting an illegally taken whooping crane; and the third by possessing an illegally taken whooping crane.

(2) Notwithstanding paragraph (d) (1) of this section, Federal and State law enforcement officers may possess, deliver, carry, transport or ship any endangered wildlife taken in violation of the Act as necessary in performing their official duties.

(e) Interstate or foreign commerce. It is unlawful to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, any endangered wildlife.

(f) Sale or offer for sale. (1) It is unlawful to sell or to offer for sale in interstate or foreign commerce any en-

dangered wildlife.

(2) An advertisement for the sale of endangered wildlife which carriers a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service shall not be considered an offer for sale within the meaning of this subsection.

§ 17.22 Permits for scientific purposes or for the enhancement of propagation or survival.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by § 17.21, in accordance with the issuance criteria of this section, for scientific research or for enhancing the propagation or survival of endangered wildlife. (See § 17.32 for permits for threatened species.)

(a) Application requirements. Applications for permits under this section must be submitted to the Director by the person who wishes to engage in the activity prohibited by § 17.21. Each application must be submitted on an official application form (Form 3–200) provided by the Service, and must include as an attachment, all of the following infor-

mation:

(1) The common and scientific names of the species sought to be covered by the permit, as well as the number, age, and sex of such species, and the activity sought to be authorized (such as taking, exporting, selling in interstate commerce, etc.):

(2) A statement as to whether, at the time of application, the wildlife sought to be covered by the permit (1) is still in the wild, (ii) has already been removed from the wild, or (iii) was born in captivity;

(3) A resume of the applicant's attempts to obtain the wildlife sought to be covered by the permit in a manner which would not cause the death or removal from the wild of such wildlife;

(4) If the wildlife sought to be covered by the permit has already been removed from the wild, the country and place where such removal occurred; if the wildlife sought to be covered by the permit was raised in captivity, the country and place where such wildlife was born;

(5) A complete description and address of the institution or other facility

where the wildlife sought to be covered by the permit will be used, displayed, or maintained:

(6) If the applicant seeks to have live wildlife covered by the permit,

 A complete description, including photographs or diagrams, of the area and facilities where such wildlife will be housed and cared for;

(ii) A brief resume of the technical expertise of the persons who will care for such wildlife including any experience the applicant or his personnel have had in raising, caring for, and propagating similar wildlife, or any closely related wildlife;

(iii) A statement of the applicant's willingness to participate in a cooperative breeding program, and to maintain or contribute data to a studbook;

(iv) A detailed description of the type, size and construction of all containers into which such wildlife will be placed during transportation or temporary storage, if any, and of the arrangements for feeding, watering and otherwise caring for such wildlife during that period; and

(v) For the 5 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.

(7) Copies of the contracts and agreements pursuant to which the activities sought to be authorized by the permit will be carried out; such copies must identify all persons who will engage in the activities sought to be authorized, and must also give the dates for such activities; and

(8) A full statement of the reasons why the applicant is justified in obtaining the permit, including:

(i) The details of the activities sought

to be authorized by the permit;

(ii) The details of how such activities will be carried out;

(iii) The relationship of such activities to scientific objectives or to objectives enhancing the propagation or survival of the wildlife sought to be covered by the permit; and

(iv) The planned disposition of such wildlife upon termination of the activi-

ties sought to be authorized.

(b) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision, the Director shall consider, in addition to the general criteria in § 13.21 (b) of this subchapter, the following factors:

(1) Whether the purpose for which the permit is required is adequate to justify removing from the wild or otherwise changing the status of the wildlife sought to be covered by the permit:

(2) The probable direct and indirect effect which issuing the permit would have on the wild populations of the wild-life sought to be covered by the permit;

(3) Whether the permit, if issued, would in any way, directly or indirectly, conflict with any known program intended to enhance the survival probabilities of the population from which the wildlife sought to be covered by the permit was or would be removed;

(4) Whether the purpose for which the permit is required would be likely to reduce the threat of extinction facing the species of wildlife sought to be covered

by the permit;

(5) The opinions or views of scientists or other persons or organizations having expertise concerning the wildlife or other matters germane to the application; and

(6) Whether the expertise, facilities or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application.

(c) Permit conditions. In addition to the general conditions set forth in Part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

(1) In addition to any reporting requirements contained in the permit itself, the permittee shall also submit to the Director a written report of his activities pursuant to the permit. Such report must be postmarked or actually delivered no later than 10 days after completion of the activity.

(2) The death or escape of all living wildlife covered by the permit shall be immediately reported to the Service's office designated in the permit.

(3) The carcass of any dead wildlife covered by the permit shall be stored in a manner which will preserve its use as a scientific specimen.

(d) Duration of permits. The duration of permits issued under this section shall be designated on the face of the permit.

§ 17.23 Economic hardship permits.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by § 17.21, in accordance with the issuance criteria of this section in order to prevent undue economic hardship.

(a) Application requirements. Applications for permits under this section must be submitted to the Director by the person allegedly suffering undue economic hardship because his desired activity is prohibited by § 17.21. Each application must be submitted on an official application form (Form 3-200) provided by the Service, and must include, as an attachment, all of the information required in § 17.22 plus the following additional information:

 The possible legal, economic or subsistence alternatives to the activity sought to be authorized by the permit;

(2) A full statement, accompanied by copies of all relevant contracts and correspondence, showing the applicant's involvement with the wildlife sought to be covered by the permit (as well as his involvement with similar wildlife), including, where applicable, that portion of applicant's income derived from the taking of such wildlife, or the subsistence use of such wildlife, during the calendar year

immediately preceding either the notice in the Federal Register of review of the status of the species or of the proposal to list such wildlife as endangered, whichever is earliest;

(3) Where applicable, proof of a con-tract or other binding legal obligation

(i) Deals specifically with the wildlife sought to be covered by the permit:

(ii) Became binding prior to the date when the notice of a review of the status of the species or the notice of proposed rulemaking proposing to list such wildlife as endangered was published in the FEDERAL REGISTER, whichever is earlier;

(iii) Will cause monetary loss of a given dollar amount if the permit sought under this section is not granted.

(b) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued under any of the three categories of economic hardship, as defined in section 10(b) (2) of the Act. In making his decisions, the Director shall consider, in addition to the general criteria in § 13.21(b) of this subchapter, the following factors:

(1) Whether the purpose for which the permit is being requested is adequate to justify removing from the wild or otherwise changing the status of the wildlife sought to be covered by the per-

(2) The probable direct and indirect effect which issuing the permit would have on the wild populations of the wildlife sought to be covered by the permit;

(3) The economic, legal, subsistence, or other alternatives or relief available

to the applicant:

(4) The amount of evidence that the applicant was in fact party to a contract or other binding legal obligation which; (i) Deals specifically with the wildlife

sought to be covered by the permit; and (ii) Became binding prior to the date

- when the notice of proposed rulemaking proposing to list such wildlife as endangered was published in the FEDERAL REG-
- (5) The severity of economic hardship which the contract or other binding legal obligation referred to in paragraph (b) (4) of this section would cause if the permit were denied:
- (6) Where applicable, the portion of the applicant's income which would be lost if the permit were denied, and the relationship of that portion to the balance of his income:
- (7) Where applicable, the nature and extent of subsistence taking generally by the applicant; and
- (8) The likelihood that applicant can reasonably carry out his desired activity within one year from the date a notice is published in the FEDERAL REGISTER to review status of such wildlife, or to list such wildlife as endangered, whichever is earlier.
- (c) Permit conditions. In addition to the general conditions set forth in Part 13 of this subchapter, every permit issued

under this section shall be subject to the following special conditions:

(1) In addition to any reporting requirements contained in the permit itself, the permittee shall also submit to the Director a written report of his activities pursuant to the permit. Such report must be postmarked or actually delivered no later than 10 days after completion of the activity.

(2) The death or escape of all living wildlife covered by the permit shall be immediately reported to the Service's office designated in the permit.

(d) Duration of permits issued under this section shall be designated on the face of the permit. No permit issued under this section, however, shall be valid for more than one year from the date a notice is published in the FEDERAL REGIS-TER to review status of such wildlife, or to list such wildlife as endangered, whichever is earlier.

Subpart D-Threatened Wildlife

§ 17.31 Prohibitions.

(a) Except as provided in Subpart A of this Part, or in a permit issued under this Subpart, all of the provisions in § 17.21 shall apply to threatened wildlife.

(b) In addition to any other provisions of this Part 17, any employee or agent of the Service, of the National Marine Fisheries Service, or of a State conservation agency which is operating under a Cooperative Agreement with the Service or with the National Marine Fisheries Service, in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take any threatened wildlife to carry out scientific research or conservation programs.

(c) Whenever a special rule in \$\$ 17.40 to 17.48 applies to a threatened species, none of the provisions of paragraphs (a) and (b) of this section will apply. The special rule will contain all the applicable prohibitions and exceptions.

§ 17.32 Permits-general.

Upon receipt of a complete application the Director may issue a permit for any activity otherwise prohibited with regard to threatened wildlife. Such permit shall be governed by the provisions of this section unless a special rule applicable to the wildlife, appearing in §§ 17.40 to 17.48, below, provides otherwise. Permits issued under this section must be for one of the following purposes: scientific purposes, or the enhancement of propagation or survival; or economic hardship; or zoological exhibition; or educational purposes; or management by State conservation agencies; or special purposes consistent with the purposes of the Act. Such permits may authorize a single transaction, a series of transactions, or activities over a specific period of time.

(a) Application requirements. Applications for permits under this section must be submitted to the Director by the person who wishes to engage in the prohibited activity. Each application must be submitted on an official application form (Form 3-200) provided by the Service, and must include, as an attachment, as much of the following information which relates to the purpose for which the applicant is requesting a permit:

(1) The common and scientific names of the species sought to be covered by the permit, as well as the number, age, and sex of such species, and the activity sought to be authorized (such as taking, exporting, selling in interstate commerce,

(2) A statement as to whether, at the time of application, the wildlife sought to be covered by the permit (i) is still in the wild, (ii) has already been removed from the wild, or (iii) was born in

captivity:

(3) A resume of the applicant's attempts to obtain the wildlife sought to be covered by the permit in a manner which would not cause the death or removal from the wild of such wildlife;

(4) If the wildlife sought to be covered by the permit has already been removed from the wild, the countrfy and place where such removal occurred; if the wildlife sought to be covered by the permit was raised in captivity, the country and place where such wildlife was born;

(5) A complete description and address of the institution or other facility where the wildlife sought to be covered by the permit will be used, displayed, or

maintained;

(6) If the applicant seeks to have live

wildlife covered by the permit,

(i) A complete description, including photographs or diagrams, of the area and facilities where such wildlife will be housed and cared for:

(ii) A brief resume of the technical expertise of the persons who will care for such wildlife including any experience the applicant or his personnel have had in raising, caring for, and propagating similar wildlife, or any closely related wildlife:

(iii) A statement of the applicant's willingness to participate in a cooperative breeding program, and to maintain or contribute data to a studbook;

(iv) A detailed description of the type, size and construction of all containers into which such wildlife will be placed during transportation or temporary storage, if any, and of the arrangements for feeding, watering and otherwise caring for such wildlife during that period; and

(v) For the 5 years preceding the date of this application provide a detailed description of all mortalities involving the species covered in the application (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

(7) Copies of the contracts and agreements pursuant to which the activities sought to be authorized by the permit will be carried out; such copies must identify all persons who will engage in the activities sought to be authorized. and must also give the dates for such activities; and

(8) A full statement of the reasons why the applicant is justified in obtaining the permit, including:

to be authorized by the permit;

(ii) The details of how such activities

will be carried out:

(iii) The relationship of such activities to scientific objectives or to objectives enhancing the propagation or survival of the wildlife sought to be covered by the permit; and

(iv) The planned disposition of such wildlife upon termination of the activi-

ties sought to be authorized.

- (b) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision, the Director shall consider, in addition to the general criteria in § 13.21 (b) of this subchapter, the following factors:
- (1) Whether the purpose for which the permit is required is adequate to justify removing from the wild or otherwise changing the status of the wildlife sought to be covered by the permit;

(2) The probable direct and indirect effect which issuing the permit would have on the wild populations of the wildlife sought to be covered by the permit;

(3) Whether the permit, if issued, would in any way, directly or indirectly, conflict with any known program intended to enhance the survival probabilities of the population from which the wildlife sought to be covered by the permit was or would be removed;

(4) Whether the purpose for which the permit is required would be likely to reduce the threat of extinction facing the species of wildlife sought to be covered

by the permit;

(5) The opinions or views of scientists or other persons or organizations having expertise concerning the wildlife or other matters germane to the application; and

(6) Whether the expertise, facilities or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application.

(c) Permit conditions. In addition to the general conditions set forth in Part 13 of this subchapter, every permit is-sued under this section shall be subject to the following special conditions:

(1) In addition to any reporting requirements contained in the permit itself, the permittee shall also submit to the Director a written report of his activities pursuant to the permit. Such report must be postmarked or actually delivered no later than 10 days after completion of the activity.

(2) The death or escape of all living wildlife covered by the permit shall be immediately reported to the Service's

office designated on the permit.

(3) The carcass of any dead wildlife covered by the permit shall be stored in a manner which will preserve its use as a scientific specimen.

(d) Duration of permits. The duration of permits issued under this section shall be designated on the face of the permit.

(i) The details of the activities sought § 17.33 Permits-captive, self-sustaining populations.

> Upon receipt of a complete application, the Director may issue a permit authorizing 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 capself-sustaining population § 17.7). Such species are listed in § 17.11 with the notation "T (C/P)" in the "current status" column. Such permits may authorize all of the above activities relating to interstate commerce during the duration of the permit. These permits will not be issued for importation and exportation.

> Example: A breeder of exotic endangered pheasants wants to buy and sell captivereared endangered birds for the purpose of propagation. The species he has have all been determined to have captive, self-sustaining populations pursuant to § 17.7, and such captive populations have been listed as threatened [T (C/P)]. He now may apply for a permit to authorize the interstate sale under this § 17.33. If his permit is issued, and is valid for 2 years, it would cover all transactions of the type for which it was issued (such as sales in interstate commerce) for that period. A separate permit and application fee is not required for each transaction. Individual transactions are accounted for by the reporting and recordkeeping requirements in the regulations, and those specified on the face of the permit. At the end of the 2-year period, the permit may be renewed by following the renewal procedures in Part 13 (General Permit Procedures), | 13.24 (Renewal).

- (a) Application requirements. Applications for permits under this section shall be submitted to the Director by the intended recipient of the wildlife. Each such application must be submitted on an official application form (Form 3-200) provided by the Service, and must include, as an attachment, the following information:
- (1) The common and scientific names of the species sought to be covered by the permit, and the activity sought to be authorized (such as selling in interstate commerce):

(2) A complete description, including photographs or diagrams, of the area and facilities where such wildlife will be

housed and cared for:

(3) A brief resume of the technical expertise of the persons who will care for such wildlife, including any experience the applicant or his personnel have had in raising, caring for, and propagating similar wildlife, or any closely related wildlife;

(4) A statement of the applicant's willingness to participate in a cooperative breeding program, and to maintain or contribute data on a studbook; and

(5) A detailed description of the type, size and construction of all containers into which such wildlife will be placed during transportation or temporary storage, if any, and of the arrangements for feeding, watering and otherwise caring for such wildlife during that period; pus giganteus), Red (Megalia rufa), and

(6) For the 5 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 (or any other wildlife of the same genus or family). including the causes of such mortalities and the steps taken to avoid or decrease such mortalities.

(7) A full statement of the reasons why the applicant is justified in obtain-

ing the permit, including:

(i) The details of the activities sought to be authorized by the permit;

(ii) The planned disposition of such wildlife upon termination of the activities sought to be authorized.

- (b) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision the Director shall consider, in addition to the general criteria in § 13.21 (b) of this subchapter, the following
- (1) Whether the proposed use of the wildlife would probably result, directly or indirectly, in the death, injury or reduction of the reproductive ability of the
- (2) Whether the ability of the captive population in question to sustain itself will be substantially impaired by the proposed activities;

(3) Whether the expertise, facilities or other resources available to the applicant appear adequate to accomplish the objectives stated in the application:

(4) Whether the applicant has a recordkeeping system adequate to insure that wildlife obtained under the permit can be distinguished from wildlife obtained from the wild or otherwise:

(5) Whether the purpose for which the permit is sought would establish, complement or otherwise enhance the status of the species in captivity; and

(6) Such other factors as he deems relevant.

(c) Permit conditions. In addition to the general conditions set forth in Part 13 of this subchapter, every permit is-sued under this section shall, unless otherwise authorized on the face of the permit, be subject to the condition that the permittee may not transfer any wildlife held or obtained under the permit except to another holder of a permit issued under this section.

(d) Duration of permits. The duration of permits issued under this section shall be designated on the face of the permit.

§ 17.34 Permits. [Reserved]

§ 17.35 Permits. [Reserved]

§ 17.36 Permits. [Reserved]

§ 17.37 Permits. [Reserved]

§ 17.38 Permits. [Reserved]

§ 17.39 Permits. [Reserved]

§ 17.40 Special rules mammals.

(a) Kangaroo; Eastern Gray (Macro-

Western Gray (Macropus fuliginosus) -(1) Prohibitions. The following prohibitions apply to the Eastern Gray, Red and Western Gray kangaroos:

(i) Import. (A) Except as permitted in paragraph (a) (l) (i) (B) below, or in paragraph (a) (2) of this section, it shall be unlawful to import any such wildlife

for commercial purposes.

(B) Upon receiving from the Austra-Han Government a certificate that (1) a particular Australian State has developed an effective sustained-yield program for such wildlife, and (2) the taking of such wildlife in that State will not be detrimental to the survival of the species or subspecies of which such wildlife is a part, the Director may, consistent with the purposes of the act, permit by publication of a notice in the FEDERAL REGISTER the commercial importation of any such wildlife originating from that State, upon proof that such wildlife is lawfully taken and exported from that State: Provided, That if the Director determines from all the evidence that a previously certified Australian State no longer maintains an effective sustained yield program for such wildlife, he may

(ii) Unlawfully imported kangaroos. It shall be unlawful, in the course of a commercial activity, to deliver, receive, carry, transport, or ship in interstate or foreign commerce any such wildlife im-

ported unlawfully.

(iii) Commercial transactions. It shall be unlawful to sell or offer for sale in interstate or foreign commerce any such wildlife imported unlawfully.

(2) Permits. The following permits are available for the Eastern Gray, Red and

Western Gray kangaroos:

(i) Economic hardship. (A) The Director may grant permits for the importation of such wildlife to prevent economic hardship. The provisions of § 17.-23 (with the exception of §§ 17.23(b) (4), 17.23(b)(8), and 17.23(d)), shall apply to the issuance of such permits. In addition, the requirements of section 10(b) of the Endangered Species Act of 1973 (16 U.S.C. 1539(b)) regarding hardship exemptions for endangered species shall apply to applications for hardship exemptions under this section as if such wildlife were classified "endangered:" and the applicant for an exemption under this section must submit all information required by section 10(b).

(B) The duration of any economic hardship permit issued for such wildlife under this provision, will be limited by section 10(b) of the Endangered Species Act of 1973 as if those species were listed

as "endangered" under the act.

(b) Grizzly bear (Ursus arctos horribilis) -(1) Prohibitions. The following prohibtions apply to the grizzly bear:

(1) Taking. (A) Except as provided in paragraphs (b) (1) (t) (B) through (F), of this section no person shall take any grizzly bear in the 48 conterminous states

of the United States.

(B) Grizzly bears may be taken in self-defense, or in defense of others, but any such taking shall be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, and to appropriate State officials, within 5 days after it occurs.

(C) Removal of nuisance bears. grizzly bear constituting a demonstrable but non-immediate threat to human safety, or committing significant depredations to lawfully present livestock, may be taken, but only if:

(1) it has not been reasonably possible to eliminate such threat or depredation by live-capturing and releasing unharmed in a remote area the grizzly bear

involved; and

(2) the taking is done in a humane manner by authorized Federal or State

employees; and

(3) the taking is reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, and to appropriate State officials, within 5 days after it occurs.

(D) Federal or State scientific or re-search activities. Federal or State employees may pursue, capture, or collect grizzly bears for scientific or research

purposes.

- (E) Northwestern Montana. If it is not contrary to the laws and regulations of the State of Montana, a person may hunt grizzly bears in the Flathead National Forest, the Bob Marshall Wilderness Area, and the Mission Mountains Primitive Area of Montana: Provided, That if in any year in question, 25 grizzly bears have already been killed for whatever reason in that part of Montana, including the Bob Marshall Wilderness Area and the Mission Mountains Primitive Area, which is bounded on the north by the United States-Canadian Border, on the east by U.S. Highway 91, on the south by U.S. Highway 12, and on the west by Montana-Idaho State line, the Director shall post and publish a notice prohibiting such hunting, and any such hunting for the remainder of that year shall be unlawful: Provided further, That any taking of a grizzly bear, for whatever reason, in the above-described portion of Montana shall be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, and to the Montana Department of Fish and Game, within 5 days after the taking occurs; and except that any taking on an Indian reservation within the above-described area shall be so reported only to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036.
- (F) National Parks. The regulations of the National Park Service shall govern all taking of grizzly bears in National Parks.
- (ii) Unlawfuly taken grizzly bears. (A) Except as provided in paragraph (b) (1) (ii) (B) of this section, no person shall possess, deliver, carry, transport, ship, export, or sell grizzly bear taken unlawfully.
- (B) Federal or State employees may for scientific or research purposes possess, deliver, carry, transport, ship, or export unlawfully taken grizzly bears.

(iii) Import or export, (A) Except as provided in this paragraph (b) (1) (iii) (A), below, no person shall import any grizzly bear into the United States.

(1) Federal or State scientific or research activities. Federal or State employees may import grizzly bears into the United States for scientific or research purposes.

(2) Public zoological institutions. Public zoological institutions (see 50 CFR 10.12) may import grizzly bears

into the United States.

(B) Except for public zoological in-stitutions (see 50 CFR 10.12), no person shall, in the course of a commercial activity, export any grizzly bear from the United States.

(iv) Commercial transactions. (A) Except for public zoological institutions (see 50 CFR 10.12), no person shall, in the course of a commercial activity, deliver, receive, carry, transport, or ship in interstate or foreign commerce any grizzly

(B) Except for public zoological in-stitutions (see 50 CFR 10.12) dealing with other public zoological institutions, no person shall sell or offer for sale in interstate or foreign commerce any grizzly bear.

(v) Other violations. No person shall attempt to commit, cause to be committed, or solicit another to commit any act prohibited by paragraph (a) (4) (ii)

of this section.

(2) Definitions. As used in paragraph (b) of this section the term "grizzly bear" means any member of the species, Ursus arctos horribilis of the 48 conterminous states of the United States, including any part, offspring, dead body. part of a dead body, or product of such species.

§ 17.41 Special rules—birds. [Reserved] § 17.42 Special rules-reptiles.

(a) American alligator (Alligator mississippiensis) .- (1) Prohibitions. The following prohibitions apply to the American alligator.

(i) Taking. Except as provided in this paragraph (a) (l) (i) of this section, no person may take American alligators.

(A) Any person may take American alligators in defense of his own life or

the lives of others.

(B) Any employee or agent of the Service, any other Federal land management agency, or a State conservation agency, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take American alligators without a permit if such action is necessary to:

(1) Aid a sick, injured or orphaned

specimen; or

(2) Dispose of a dead specimen; or (3) Salvage a dead specimen which may be useful for scientific study; or

(4) Remove specimens which constitute a demonstrable but non-immediate threat to human safety. The taking must be done in a humane manner, and may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live-capturing and

releasing the specimen unharmed, in a remote area.

(C) Any taking pursuant to paragraphs (a) (I) (i) (A) and (B) of this section must be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(D) Any employee or agent of the Service or of a State conservation agency which is operating under a Cooperative Agreement with the Service or with the National Marine Fisheries Service, in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take American alligators to carry out scientific research or conservation programs.

(E) Any person may take American alligators in Cameron, Vermillion and Calcasieu parishes in accordance with the laws and regulations of the State of Louisiana, including that State's marking and tagging requirements: Provided, That the hides of such alligators are only sold or offered for sale to a person holding a valid Federal license, issued under this subsection, as a buyer of hides; and that the meat and other parts

are not sold or offered for sale.

(F) When American alligators are taken by Service or State officials in accordance with paragraph (a) (1) (i) (D) of this sections the hides may be sold by State or Federal officials; Provided, That the hides have first been tagged by the State of origin with a noncorrosable numbered tag inserted no more than six inches from the tip of the tail; the tag number and a description of the hide, including its length and the date and place of taking are recorded: and a shipping tag or label is affixed to the outside of any packages showing the name and address of the consignor and consignee, identifying the contents as alligator hides, and showing the number of hides in the package: Provided further, That such hides may be sold only to a person holding a valid Federal license, issued under this subsection, as a buyer of hides; and that the meat and other parts are not sold or offered for sale.

(ii) Unlawfully taken alligators. No person may possess, sell, deliver, carry, transport, or ship, by any means whatsoever, American alligators taken unlaw-

(iii) Import or export. No person may import or export any American alligator.

(iv) Commercial transactions. Except as otherwise provided in this subsection or as may be authorized by a permit issued under authority of § 17.32, no person my deliver, receive, carry, transport, ship, sell, or offer to sell in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, any American alligator: Provided, That the hides of American alligators lawfully obtained from the State of Louisiana prior to December 28, 1973, may be sold or offered for sale in interstate (not foreign) commerce if the Director of the State wildlife conservation agency certifies to the Director that all such hides were lawfully obtained and can be identified; and such hides are sold, offered for sale, delivered, carried, transported, or shipped only to a person holding a valid Federal license, issued under this subsection, as a buyer of hides:

(2) Definitions. For the purposes of

this paragraph (a)

(i) "Buyer" shall mean a person engaged in the business of buying and selling hides of American alligators in the wholesale market. A buyer may also be a tanner and a fabricator;

(ii) "Tanner" shall mean a person en-gaged in the business of processing green, untanned hides of American alligators into leather. A tanner may also

be a buyer and a fabricator;

(iii) "Fabricator" shall mean a person engaged in the business of manufacturing products from American alligator leather. A fabricator may also be a buyer and a tanner.

(iv) "American alligator" shall mean any member of the species Alligator mississippiensis which is designated as threatened in § 17.11, and any part, offspring, dead body, part of a dead body or product of such species.

(3) Permits and licenses. (i) All permits available under § 17.32 (General permits-threatened wildlife) are available in relation to threatened American alligators. All the terms and provisions of § 17.32 apply to such permits issued under the authority of this paragraph (a) (3)

(ii) This paragraph (a) (3) of this section applies instead of the permits available under § 17.52 (similarity of appearance). Therefore, permits issued under § 17.52 are not available in relation to threatened American alligators.

(iii) Upon receipt of a complete application, the Director may issue a license, in accordance with the issuance criteria of this paragraph (a) (3) (iii), for each of the categories defined in para-

graph (a) (2) of this section.

(A) Application requirements. Applications for licenses under this subparagraph must be submitted to the Director by the person who wishes to engage in the activities described in paragraph (a) (2) of this section (buyer, tanner, or fabricator). Each application must be submitted on an official application form (Form 3-200) provided by the Service. and must include, as an attachment, all of the following information:

(1) The category (buyer and/or tanner and/or fabricator) for which the license

is desired:

(2) A description of the applicant's business organization, including; a description of the physical plant; the method of operation of the business; experience, if any, over the previous five years; all shareholders, partners, directors, officers or other parties in interest in the business organization;

(3) A description, including samples, of the applicant's present or proposed

system of inventory control and bookkeeping capable of insuring accurate accounting for all American alligator hides and tags dealt with;

(4) A statement detailing any convictions or civil penalties under State or Federal laws for taking or trafficking in wildlife within the previous five years for the applicant, or any shareholder. partner, director, officer, principle, em-

ployee or agent.

(B) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a)(3)(iii)(A) of this section, the Director will decide whether or not a license for one or more of the three categories in paragraph (a) (2) should be issued. In making his decision, the Director shall consider, in addition to the general criteria in § 13.21(b) of this subchapter, the applicant's reliability and apparent ability and willingness to maintain accurate inventory and bookkeeping records of all American alligator hides and State tags dealt with

(c) Special conditions. In addition to the general conditions set forth in Part 13 of the subchapter, licenses issued under this provision shall be subject to the following special conditions:

(1) Licensees may not buy, tan or fabricate any American alligator hide except one which was taken, sold, offered for sale, delivered, carried, transported or shipped in accordance with paragraph (a) (1) (i) of this section;

(2) A buyer must leave all tags and shipping labels on the hides, unless the shipments are broken apart, in which case the shipping tags or labels must be removed, recorded, and returned to the

issuer:

(3) If a buyer has broken apart original shipments and removed the shipping tags or labels as provided in (a) (3) (iii) (c) (2) of this section, he must affix a shipping tag or label to the outside of each new shipment of hides, showing the name and address of the consignor and consignee, identifying the contents of the shipment as American alligator hides, and showing the number of hides in the shipment:

(4) A tanner must leave all tags on the hides, but must collect, record, and return to the issuer all shipping tags;

(5) A fabricator must remove, record. and return to the issuer all tags:

(6) Every licensee must maintain complete and accurate records of all American alligator hides including all State tags, and the stub of the verification tag; capacity.

(7) Fabricators shall in addition maintain complete and accurate records showing the relationships of American alligator hides processed to finished American alligator products;

(8) Fabricators must affix, under the supervision of the Service, a mark provided by the Service to each product made of American alligator hides

(4) Manufactured products of American alligators which have been marked by a licensed fabricator in accordance with paragraph (a) (3) (iii) (C) (8) may be transported, shipped, delivered, carried or received in interstate commerce in the course of a commercial activity, and may be sold or offered for sale in

interstate commerce.

(5) No person shall, except as authorized pursuant to paragraph (a) duplicate or apply any mark used to identify products of American alligator hides produced by a fabricator licensed under this section.

§ 17.43 Special rules—amphibians. [Reserved]

§ 17.44 Special rules—fishes.

(a) Lahontan cutthroat trout, Paiute cutthroat trout, and Arizona trout (Salmo clarki henshawi, Salmo clarki seleniris, and Salmo apache).

(1) All the provisions of § 17.31 apply to these species, except that they may be taken in accordance with applicable

State law.

- (2) Violation of State law will also be a violation of the Act.
- (b) Bayou darter (Etheostoma rubrum).
- All the provisions of § 17.31 apply to this species, except that they may be taken in accordance with applicable State law.
- (2) Any violation of State law will also be a violation of the Act.

- § 17.45 Special, rules—mollusks. [Reserved]
- § 17.46 Special rules—crustaceans. [Reserved]
- § 17.47 Special rules—insects. [Reserved]
- § 17.48 Special rules—other forms. [Reserved]

Subpart E—Similarity of Appearance

§ 17.50 General.

(a) Whenever the Director determines that a species which is not endangered or threatened closely resembles an endangered or threatened species, such species shall be treated as either endangered or threatened, pursuant to section 4(e) of the Act. Such species shall appear in the list in § 17.11 with the notation "S/A" in the "status" column, following either a letter "E" or a letter "T" to indicate whether the species is being treated as endangered or threatened.

(b) In determining whether to treat a species as endangered or threatened due to similarity of appearance, the Director shall consider the following factors in addition to the criteria in section 4(e) of the Act:

(1) The degree of difficulty which law enforcement personnel would have in distinguishing the species in question from an endangered or threatened species especially where: (i) The distinction between the endangered or threatened species and other species is based upon geographical boundaries; (ii) the normal morphological or other differentiating characteristics of the species are minute, or can be easily masked, or would not be apparent when products are processed.

(2) The additional threat posed to the endangered or threatened species by the loss of control occasioned because of the

similarity of appearance; and

(3) The amount of control over transactions involving endangered or threatened species to be gained either by: (i) Imposing the same prohibitions on the species which is similar, as apply to the endangered or threatened species, or (ii) providing, where the species is treated as threatened, special rules in Subpart D of this part to distinguish the similar species from the endangered or threatened species.

Example 1. The ABC sparrow is endangered wildlife. The ABD sparrow is a subspecies that is so similar to the ABC sparrow that when found outside their normal habitat, the two cannot readily be distinguished by law enforcement personnel. The ABD sparrow is listed in § 17.11, after following the proper procedures as follows:

	SPECIES		RA	NGE	E JEN	When Special
Common Name	Selentific Name	Population	Known Distribution	Portion of Range Where Endangered or Threatened	Status	When Special Listed Rules
ABC sparrow ABD sparrow	ABCus ABDus	N/A N/A	North America North America	Entire N/A	E E(8/A)	7 N/A 7 N/A

Example 2. Suppose the ABC sparrow is listed as endangered in only a portion of its range. Within the meaning of the Act, the ABC sparrow as defined by geographic boundaries is a "species." The ABC sparrow which occurs beyond those boundaries is a different

"species", even though it is identical, except in location, to the listed "species." If the criteria of this section were met, the two "species" could be listed as follows:

	SPECIES	630		RA	NGE	Same.	When	Special
Common Name	Scientific Name	1	Population	Known Distribution	Portion of Range Where Endangered or Threatened	Status	When Listed	Special Rules
ABC spatrow Do	ABCus do	Idaho N/A		Idaho U.S.	Entire N/A	E E(S/A)	7	N/A N/A

§ 17.51 Treatment as endangered or threatened.

(a) Any species listed in § 17.11, pursuant to § 17.50, shall be treated as endangered or threatened, as indicated in the "status" column.

(b) All of the provisions of Subparts C (Endangered Wildlife) and D (Threatened Wildlife) shall apply to any such species of wildlife; as appropriate,

§ 17.52 Permits—similarity of appearance,

Upon receipt of a complete application, and unless otherwise indicated in a special rule, the Director may issue permits for any activity otherwise prohibited with a species designated as endangered or threatened due to its similarity of appearance with an endangered or threatened species (see Subpart E— Similarity of appearance).

(a) Application requirements. Applications for permits under this section

must be submitted to the Director by the person who wishes to engage in the activity with the similar species. Each application must be submitted on an official application form (Form 3-200) provided by the Service, and must include, as an attachment, all of the following information: Documentary evidence, sworn affidavits, or other information to show species identification and the origin of the wildlife (or if born in captivity, the place where born) of the wildlife in question. This information may be in the form of hunting licenses, hide seals, official stamps, export documents, expert opinion, bills of sale, or other appropriate information.

(b) Issuance criteria. Upon receiving an application completed in accordance with paragraph (a) of this section, the Director will decide whether or not a permit should be issued. In making his decision, the Director shall consider, in addition to the general criteria, in § 13.21

(b) of this subchapter, the following factors:

(1) Whether the information submitted by the applicant appears reliable:

(2) Whether the information submitted by the applicant adequately identifies the wildlife in question so as to distinguish it from any endangered or threatened wildlife.

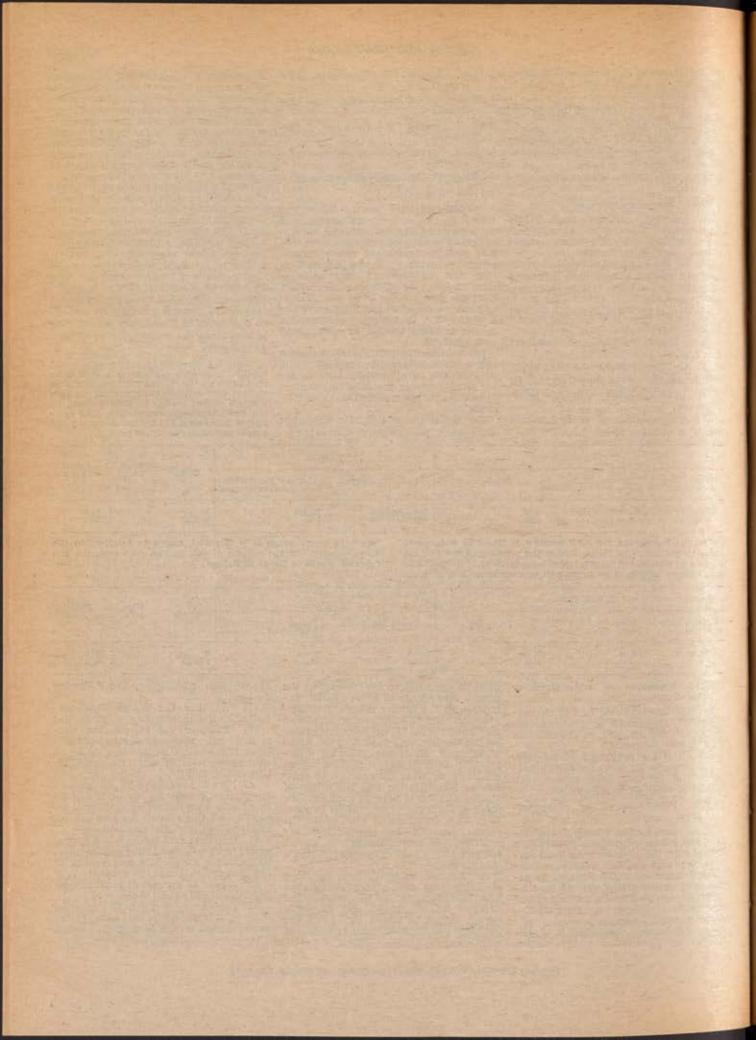
(c) Permit conditions. In addition to the general conditions set forth in Part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

 If indicated in the permit, a special mark, to be specified in the permit, must be applied to the wildlife, and remain for the time designated in the permit;

(2) A copy of the permit must accompany the wildlife at all times.

(d) Duration of permits. The duration of permits issued under this section shall be designated on the face of the permit.

[FR Doc.75-25480 Filed 9-25-75;8:45 am]



FRIDAY, SEPTEMBER 26, 1975





PART III:

DEPARTMENT OF LABOR

Employment Standards
Administration

MINIMUM WAGES FOR
FEDERAL AND
FEDERALLY ASSISTED
CONSTRUCTION

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Pre-de-termination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the Federal Register without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modi-

fications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECI-SIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pur-suant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the Federal Register without limitation as to time and are to be used in accordance with the provisions of 29 CFR. Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration.

Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

NEW GENERAL WAGE DETERMINATION DECISION

New Jersey_____NJ75-3098

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the Federal Register are listed with each State.

California: CA75-5085; CA75-5086____ July 25, 1975. Hawaii: H175-5098 Aug. 1, 1975 Indiana IN75-2088 June 27, 1975. IN75-2089 _____ July 3, 1975. Missouri MO75-4144; MO75-5145___ Aug. 1, 1975. New Jersey: NJ75-3049 _____ June 20, 1975. NJ75-3050 _____ July 11, 1975. AR-3047 ---Aug. 23, 1974. Oregon: OR75-5111 Sept. 5, 1975. Tennessee TN75-1070 -----July 18, 1975. Virginia AP-494 Mar. 23, 1973 Washington: WA75-5113 Sept. 12, 1975.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State.

Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded.

Alabama: AL75-1056(AL75-1086) ___ May 30, 1975. District of Columbia: DC75-3061 (DC75-3099) ---June 20, 1975. Kentucky Nov. 1, 1974. AR-4047(KY75-1100) ----AR-4056(KY75-1096) ----Nov. 8, 1974. Mississippi: Jan. 31, 1975. MS75-1013 (MS75-1099) --Pennsylvania: Mar. 28, 1975. PA75-3021 (PA75-3093) ---Rhode Island: July 3, 1975. RI75-2090(RI75-2111) ----July 11, 1975. RI75-2091 (RI75-2112) ----South Dakota Sept. 5, 1975. SD75-5112(SD75-5119) ---Tennes AQ-4128(TN75-1098) ____ June 28, 1974 MD75-3062(MD75-3100) __ June 20, 1975.

Signed at Washington, D.C., this 19th day of September 1975.

RAY J. DOLAN, Assistant Administrator, Wage and Hour Division.

FEDERAL REGISTER, VOL. 40, NO. 188-FRIDAY, SEPTEMBER 26, 1975

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PATRITICS (Cons.18)			1 & 2 family houses) PHENETYRES & DOCUMENTS	Prints & Facco Counties Publicas: ADM 1	2005 2 2005 3	AZEA CONTRED BY PLI	2002 1 - Pargen (Alpine, Berganfield, Bogota, Carlstadt, Closter, Cresstill, Benarest, Emcost, East Rutherford, Emerson, Explessed Cliffs, Backenseck, Barrington Fark, Eschrouck Esights, Bawarth, Hilledsle, Leona, Little Perry.	Ignaminest, Maywood, Montrale, Moonschie, North Arlington, Morthwale, Normond, Old Tappen, Oradell, Paliesdee Park, Paramus, Park Ridge, Ridgesteld Park, Sadrier Zder, Sivernels, Sockelle Park, Rockleigh, Entherford, Sadile Brook, Sadile River, South Rickenfanck, Teamerly, Teterboro, Upper Sadile River, Warren Point, Washington Pap., Westwood, Woodelliff Lake and Wood. Ridge) County.	2008 2 - Bergen (Cliffside Perk, Edgewater, Fairview, Fort Lee, Morsecere and Ridgefield) and Endoom (Cuttenherg, North Bergem, Secasous, Weethades and West New York) Countlies.	2072 3 - Hudoon (Cities of Hoboken, Bayumes and Jersey City) County,	FLIMENSS & CASTITUES: Each (except all of the Oranges, Livingaton & Maplewood) & Endron (Barrisco, Best Mewark & Mentry) Counties		

Bage B

TECTSTON NO. NATS-3098

FONES EQUIPMENT OFFENDRO (Cont'd)

Parts | Parts

CLASSIFICATION DEPTHITIONS POACH ROUTHEST OFSTATORS GROUP 1 - Autograde - combn. embgrader, base MTL spreader & base trimmer (CML & similar types), autograde placer-trimmer-spreader-combn. (CML & similar types), autograde miscorn places (CML & similar types), backhose (all types, including all combinations to control pawring machines, crases (all types), concrete pawring machines, crases (all types) and control (down the bole drill), draglines, elevator graders, engines (large diseal 1620 HF and staging pump), front and loaders (5 yds, and cover), gradells, grader, rago, halicopters (copilos), lack (esrew air hydramile power operated unit or comose type (not hand jeck or pile load test type), locomotive (large), modeling machines, pawers (2-12 and cover), prover (carge), present & concrete breaker (surger), present & concrete breaker (surger), proverent & concrete breaker (pledriver, secoper (loader and shovel) breaker track momented, piledriver,

GROUP 2 - "A" frame, boring & drilling machines, bruch chopper, chipper & shredder, cableways carryable, cherry picker (6 tens & under), conducte pump, conducte pumping system, pumperste, squeesecrate & similar types, conveyors (155 % over), econombiles (bile, lull, hyster similar type equipment), fork lifts, front end losders (2 yie, but less than 5 yds.), grove cutting machine, beater planer, pans (letourness, dw's ukes), pumperste (mit type), pumperste machines (appearence & concrete & pumping regardless of size), sorspors stailer types), which traces (hoisting)

CROUP 3 - Aerial platform (used as hoist), hoist (all type hoists, gis, diesel, electric, air hydraulic, single and double drum, concrete, brick shaft calsson, conveyor, scorical, roof, tugger, and house curs or any other similar type hoisting machines, portable or stationary, (except Chicago boom type), elevators or house cars, roof hoist

GROUP h. Aughalt curthing machine, ampealt plant engineer, autograde tube finisher & texturing machine (CRI & similar), autograde currectes machine (CRI & similar), autograde currectes machine (CRI & similar), sautograde currectes machine (CRI & similar), sautograde curb trimer & sidewalk, shoulder sliptom (CRI & similar types), but bending machines (proser), batchers, batching plant & crusher on site, belt conveyur systems, boliers and stems furnies (irrespective of their use), boom type similar machines, or mounted on thal purpose trucks, on job site or in conjuction with job site, in loading and unloading of concrete, creent, fly ash, insteares, or someties are similar type materials), concrete breaking machines, concrete finishing machines, concrete sives and similar type materials), concrete breaking machines, givening machines (mail, ditchartch or similar, type), concrete predeters bettel, rexempted and similar types, concrete breaking machines, ditchark machines (mail, ditchark machines, ditchark machines (mail, ditchark machines), dispersive the grade machine (large type), from the loaders (under 2 yds.), generators giraffe grinders, graders and motor (language) ladders (under 2 yds.), penerators giraffe grinders, graders and motor (language), ladders (under 2 yds.), penerators giraffe grinders, graders and motor (sover) patrols, power saws, type), maintenance and repair of sayable generated), ladders (motorial power), latter powers or activing machines, payers (under 2:2:2), payers (power certific machines), motorating machines, payers (under 2:2:2), payers (remainers of size), poor bending machine (power), pitch pump, plaster pump (regardlers of maintening machines (mainten compressor units used in conjunction with motorial size, payers (maker 2:2:2), payers (maker sover), petch pump, plaster pump (regardlers of size), poor bole digger, recepting paints (maintenance and repair mechines of bending similar (machines), reteam pulmer (machine sud boliers (machines), reteam pulmer (machines), reteam pulmer

GROUP 5 - Welding machines (gas or electric converters of any type 2 or 3 in battery), compressors (2 or 3 within a total distance of 100 constitutes a battery), welding system, mutiple (rectifier transformer type)

GROUP 6 - Buildozer, firemen, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone, spreaders, sweepers & brooms, tractors (D-8 and over), water & sprinkler trucks (used on job site or in conjunction with job site)

Phiere

CLASSIFICATION DEPINITIONS POWER EQUIPMENT OFFICENCIES

GROUP 7 - Compressor (single), heaters (melson or other type including propuse, natural gas or flow type units), pumps (4 inch station & over including subservable pumps), temperary heating plant (melson or other type including propuse, natural gas or flow type units), welding methines (gas or electric converters of any type single), wellpoint system (including installation and memors), pumps (2 of less than 4 inch station including submersible

GROUP 8 - Connects spreaders (small type), fortiliting equipment and maintenance of), grease, gas, foel and oil supply trucks, mulching equipment (operation and maintenance of), seeding equipment (operation and maintenance of), tamping the mackines (ethinsting self propelled)

GROUT 9 - Assistant engineer/oiler, mechanics belyer, tire repair & maintenance

GROUP 10 - Water Operation: On all power boats used in conjunction with pipeline, wiver excessings and all types of construction: captain (power boats), twg master (power boats)

GROUP 11 - Water Operations: Deckhand

CROW 12 - Pump (staging)

GROUP 13 - Rollers (grade fill or stone base), tractors under D-8

CROUP 14 - Eslicopters (pilot/engineer)

GROUP 15 - Asphalt spreaders, bridge deck finisher, grader finish only

GROUP 16 - Roller blacktop

DECISION NO. SUTS-3098

Page 10

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Fringe Banelitz Popments	Versilan			æ.	李.6	EFFFF	FEFFE	
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		MONTENS: Descript & Passale Countles: Composition Slate & Tile Slate & Tile	Gomes & minister, Damp & Water- proofile; Eases & Hidson (west of the Beckenseck Hiver) Countles	Margon (remainder of county) County Slate & Tile Slate &	Rosex & Passele Countles Persen & Palson Countles SATEMA ATER SWINGLES FITTEES	Pergen, Bulson & Passic Counties: CECUP 1 CECUP 2 CECUP 4 CECUP 7 CECUP 7 CECU	GROUP 2 GROUP 2 GROUP 3 GROUP 4 GROUP 5	VELOUS - Receive rate prescribed for traft performing operation to which welding is incidental,

Page 12

DECISION NO. NATS-3098

CLASSIFICATION DEPTRITIONS

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ZONE 1 - Mechanic Selper

Pickeys, Container Hamiers, Peel, Water Sprinkler, Road Oll, Stringer, Read, Rickeys, Container Hamiers, Peel, Water Sprinkler, Road Oll, Stringer, Redd, Met Pruck, Side-O'Mate, Dynamite, Packer, A.Ray, Welding, Side-O'Mate, Windh Wagen, Stringer, &-Trame, All Band Purver, Meding, Side-O'Mate, Meding, Stringer, Astroner, Anternative, Society, Scholars, Society, Stringer, Anternative, Meding, Meding, Werthliner, Air Compressor Trucks (Intransit), Parts Chaser, Society, Science, Perilliner, Misterscope, Connerte Straker, Sin Pole, Stone, Stand, Asphalt Distributor & Spreader, Misper, Peel Trucks (drivers on Peel Trucks including building of home & borale-entire unit), Team Drivers, Vecum or Vee-211 Trucks (entire Intwers on the following type vehicles: Broyhill Coal Tar Epoxy Tracks, Little-Ford Bitminous Distributor, Slurry Seal Truck or Vehicle, Thickol Track (eatire unit), Expeditor (parts chaser), Beltorete Trucks, Pump Crete Trucks, Mane Frock, Seel Frack, Wrockers, Utility Trucks, Tack Trucks, Warehousesen, Warshouse Parts-Men, Yardmen, Lift Truck in Warehouse, Helper When required on Lift Truck in Warehorse, Warehouse Clork, Parts Man, Material Checkers, Receivers, Shippers, Binning Man (Materials), Cartex Nan, Eelper when required on Broyhill Coal Tar Epony Fruck & Asphalt & Situations Distributor Fruck, Master Pickup (Seamp Cat Pickup), Backet Loader Damp Truck & any Rabber Fired Tractor used in pulling & towing Farm Sagons & Trailers of any description, Shid Frack (debrie container - entire unit), constrate Hobile fracks similar type vehicles, Off-site & On-site Repair Shop.

2008 3 - Privers on straight 3-knle Materials: Trocks & Floats,

Worder to Private on all Euclid Type Vehicles: Euclids, International Earwesters, Vaboos, Caterpillar, Icething, Tractors & Vagous, Dumptors, Straight, Bottom, Dear Side Dumps, Carrylals & Scrapers (not self lossing-losding over the top), Water Sprinkler Trailers, Water Pulls & similar types of Vehicles; Drivers on Tractors & Trailer type webicles: Flat, Floats, 1-Benns, Lov Beds, Water Sprinkler, Rituaincus Fransit Mis, Scad Cell, Peal, Sotton Imag. Bopper, Bear Dump, Office, Santy, Sport, Asphall, Agitator Mirer, Miching, Stringer, Seeding, Fertillaing Pole, Sprinkler, Standons Bastributor, Water Pulls (entire unit) (Tractor Trailer), Reel Trailer, and similar types of vehicles.

2002 5 - Winch Trailers Drivers

DECEMBER NO. WITH-1056

PAID EDIZIANE: A-New York's Day; S-Americal Day; C-Independence Day; D-Labor Day; E-Thenesgiving Day; P-Christmas Day.

- Employer contributes \$5.00 per day per employee to an Annuity Pund.
- Paid Solidays: A through F; plus Lincoln's Mirthday, Weshington's Mithday, Columbus Day, Election Day & Armistice Day. å
- receive 2 weeks vacation; 5 or more years of service receive 3 weeks Spalloynes with 6 months of service but less than 5 years of service recetion. ů
- Employees with 6 months of service but less 5 years of service receive 2 weeks worstion; 5 years but less than 15 years of service receive 3 weeks, 15 or more years of service receive 4 weeks. 43
- Paid Holidays: A through F; plus Westington's Eirthday, Good Friday and Christmas Dee, providing the employee has worsed 45 full days for the employer during the 120 calendar days immediately prior to the holiday, and the employee works his regularly scheduled work days immediately preceeding and following the holiday.
- Pefd Holiday: St. Patrick's Day. 4.7
- Paid Bolidays: A through Fy plus Weshington's Birthday, Fresidential Rection Bay and Webrass' Bay providing the employee works any of the 3 days in the 5 days preceding the boliday and the first work day after the recognized holiday. 10
- Employer contribution of 35 based on the basic bourly rate plus health & welfare plus pension plus receiton fringes. 1.
- Paid Holidays: A through F; plus Lincoln's Hirthday, Weshington's Hirthday, Good Friday, General Election Day, Columbus Day and Meterans' Day provided the employee has been sesigned to work or "shapes" one day of the calendar week during which the holiday falls. 4
- Employees working or receiving pay for 80 days within a year receive one year's mention (96 hours); 126 days receive two weeks wheetion (96 hours); 135 days receive 1 days (120 hours); 15 years sendority and 145 days receive a weeks workion (160 hours). 4
- Employer contribution of \$83.00 per mosth per employee to Health & Welfare Flunds. 10

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SCOLFICATION P. 2

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DECISION #CA75-5085 (Cent'd)		Line Construction:	Monterey County Groundsen	Linement Technicians	Plumbers; Steenfitters:	Francisco and Somme Counties	San Mateo County	Roofers:	Bel Norte and Homboidt Con,	Countles	Roofers (slate, tile and	Entrelor and Pitch	Sheet Metal Sorkers:	Marin, Mendocino, San	Francisco, Sonoma and	Trinity Countles	Tile Setters:	Alpine, Anador, Calaveras,	Counties	Glenn, Lassen, Modor,	Nevada, Placer, Plunas,	Sacramento, Shasta, Sierra,	Tube Counties					The state of the s		
		App. To.		I			- None									10.			70.	3,1	70"		.03		10.			1000	100	
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+	Frings Sensel	Paradiera												5		1,26			37.76	1.26	07-7	1	114.50		111				9	
		HEN												. 55		-76			17.	z.		1	200	400	3	1			87	
	Static Parents	Rabas												\$10.30		10.70			10.85	11.20		11 44	12.84	17.10	13.37		THE REAL PROPERTY.		10.10	8
DECISION FCA75-5085 - Mod. #2	Alameds, Alpine, Amador, Surre,	Costa, Del Norte, Eldorado,	Fresno, Clenn, Humboldt, Kings, Lake, Lassen, Maders, Marin,	Mariposs, Mendocino, Merced, Modec, Menterer Naca Marcell,	Plumes, Placer, Sacramento, San Semito, San Francisco, San	Josquin, San Mateo, Santa	Sierra Stablance Colon	Somma, Stanislaus, Sutter,	Toolume, Trimity, Tulare,	Counties, California	Change	Bricklayers; Stonemasons:	Alpine, Amedor, Calaveras, San Josopin, Stanfelow and	Tuolume Counties	Carpenters:	Hardwood Closed second	Saw operator; Saw filers;	Shinglers; Steel scaffold erectors and/or steel	shoring erectors	Militrights Drywall Installers	Electricians:	Alameda County	Cable Splicers	Monterey County Electricians	Cable Splicers	Butte, Colusa, Clem, Humboldt, Lake (That norrice	of County from Lakeport up to County line) Knowd.	Placer, Plumas, Shasta,	Counties tenants and trinity	

FEDERAL REGISTER, VOL. 40, NO. 188-FRIDAY, SEPTEMBER 26, 1975

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DECESSION #CA75-5086 - (Cont'd)		Boolers	Del Norte and Humboldt Cos.	Amador, Sacramento and Yolo Counties	Roofers	Sheet Metal Markers	Del Norte, Humbolde, Marin.	San Francisco and Sonoma	Counties	San Mateo County	Tile Setters:	Alpine, Amedor, Calaveras,	San Joaquin and Tuolumne	Counties	Sidorado, Nevada, Flacer,	Sacramento, Shasta, Sutter,	Tenama, Yolo and Yobe Cos.	The state of the S	DELISION PRICESSON - DOG. PL	Carry 1 20222 - Maguet 1, 1312)	STREET, OF HERST	Channel .	Condition	Corporation Backwood Street.	lauerer Patent Scaffeld	Exectors: Piledrivernen:	Preumatic Nailers; Shinglers	Millwrights	Power Saw Operator (2 HP and	above)		Stechnicisms:	Tine Pheliphent Man	Electriciana Linemen	Technicians	Cable Splicers	Tronschers	Bridge; Ormanental;	Reinforcing; Structural	Painters:	Brush	Tapers	Sprey	Flasterers	
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DECESTOR SEATS, South Mad. 47	(40 FR 31474 - July 25, 1975)	Calaveras, Contra Costa,	Del Norte, Eldorado, Fresmo,	Merced, Monterry, Napa, Nevada,	Placer, Sacramento, Sam Senito,	San Mateo, Santa Clara, Santa	Cruz, Shasta, Solans, Sonone,	Sutter, Tehana, Tuolume, Yolo	and Tuba Counties, California		Change:	Bricklayers; Stonemasons:	Alpine, Amador, Calaveras,	San Josephin and Tuolumne	Commes	Carpencers:	Hardwood Floor Issuerice Doner	say operator: Say filers:	Shinelers: Steel scaffold	erectors and/or steel shoring	erectors	Milhrights	Drywell Installers	Electricians	Alameda County	Electricians	Cable Splicers	Monterey County	Electricians Cable Californ	Lathers.	Bumboldt, Sevada, Shauta and	Tehana Counties	Plumbers; Steamfitters:	Marin, Sam Francisco and	Somoma Counties	San Mateo County	Lake Taboe Area		The state of the s	The state of the s	THE RESERVE THE PARTY OF THE PA	THE RESIDENCE OF THE PARTY OF T	THE RESERVE		

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DECISION NO. DA75-2088 (Contra)		Chapter	Electricians; Allen County Benton & Hippecknoe Counties Delaware County	Monroe County	Benton-à Tippecance Counties	Dearborn County Painters:	Monroe County; Stunk; Drywall; Paperhanging; Soller: A Vivei	Structural steel	Pipefitters; Steamfitters;	Plubers; Steamfitters;	Monroe County	Barthelomew, Marion, Monrue Counties:	Composition; Waterproofers Slate, Tile, Asberros, &	precest slab	Delaware County	Sheet metal workers: Bartholomen Dalaman Wanted	The state of the s	Wiet iliters	Carpesters; Sartholomew County (Camp Atterbury & Marion County; Plicativersen Soft floor layers	pers: re, Grant, recanoe,
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Basic	i.	Sales		\$9.45	9,70	5.93						27. 44	12.6	10,42	6.8				
	DECISION #89075-4144 - Ned. #1	Cass. Clay. Jackson, Platte and	Ray Counties, Missouri, and Johnson and Myandotte Counties, Kansas, Missouri	CHANGE: BOILINGAIGHS	LUNGES FURBERS	TERRAZZO WONTERS			DECISION SHOWIAS - Med. #1	(40 FR 32516 - Angust 1, 1975) Cass, Clay, Jackson, Flatte and	Johnson and Syandotte Counties, Kansas, Missouri	CHANGE:	CACING	PIPERITESS	TERRAZZO WORDCES			The second secon	
-		App. To.		20.	50.		50.	ri ri			.03	8.8		8	1	6.65		6.6	8
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		144.0		.45	8,9		S.	**		147	.40	9.9.	1	.50	100	in the		35	SE SE
	Nearly	Boton		10,05	10.04		10.51	10.30	*	11,34	8,75	5.00		10.55		7.05		6.20	8,45
DECISION NO IM75-2089 - Mod. #2 (40 FR 28346 - July 3, 1975)	Lake, LaPorte, Forter, 6	St. Joseph Counties, Indiana	Charge: Bricklayers: Lake & Porter Counties:	Bricklayers; Marble setters; Stonemasons; & Terrairo Workers	St. Joseph County; Sticklayers; Stonessons Brible setters Garpenters;	Lake, LaPorte, & Porter Countles: Carpecers; Milbrights;	layers [Ischricians:	Lake County LaPorte & Porter Countles	Lake & Porter Counties: Composition, Damp & water-	proof workers; Slate, Tile & Asbestos	Composition, Damp & water- proof	Slate, Tile & Asbestos Helpers	Lake County (Remainder of Co.), LaPorte, Porter, 6	St. Joseph Counties Laborers (Reavy & Righary	Construction) Lake Commty	Group II	Construction) [LaPorte. Porter. & St. Joseph Cos.		Class III

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DECISION #0015-5111 - Nod. #1 (40 FR 41371 - September 5, 1975) Beste	Statewide, Oregon	Change: Sprinkler Fitters	PSCISION #TMIS-1070 - Mod. #1 (40 FR 70#35 - July 18, 1975) Shelby County, Tennessee GMANNE: Iromorkers, air conditioning Rechanics and pipefitters	DECISION #AP-494 - Ned, #1 (38 FR 7693 - Narch 23, 1973) The Independent Cities of Chesspeake, Hampton, Newport News, Norfolk, Portsmouth & Firginia Beach, Virginia Change: Electricians	DECISION #WA75-5113 - Mod. #1 (40 FR 42507-September 12, 1975) Statewide, Washington Charge: Sprinkler Fitters: Sprinkler Fitters: Shagit, Snobomish, King, Island, Kitsap, Pierce and Thurston Counties Remaining Counties

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FEDERAL REGISTER, VOL. 40, NO. 188-FRIDAY, SEPTEMBER 26, 1975

STATE: Alabama MINGS. ALTS-1036 MATERIAN DATE: Deference & Shelby EMESICA NAMES: ALTS-1036 dated May 30, 1975 in 40 FM 2352 INSCRIPTION OF WEST: Pailding Construction, (excluding single family homes and garden type spartnessie up to and including & stories.)

SUPERSERVE INCIDENCE

AL75-1086 - (centra)

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	4		Asbestos workers Dollermakers Bricklaners moisters conflored		Campentern: soft fleer layers Millwrights	Piladriversen Cessus macons	Electricians Electricians Cable splicers	constructors constructors	Alevanor constructors helpers (Prob.) Glasiers Inconsciers Lathery	Libraten Groundhen under one year Croundhen one year great mid over	tractor with winch and derrick, truck with winch and derrick fractor with towing methins	truck with winch only Truck without winch Markle setters	Painters: Struck Spray: Structural steel Paperhangers Plasterers Shet meral workers Shet setal workers Sprinkler fitters Sprinkler fitters File, Marble terracto belpers Firek Drivers: Up to but not including 19 tons	STORE C SETTEMBERSON AND AREA OF B.

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PAID HOLIDATE: A-New Year's lay: B-Memorial Day: C-Independence Day: D-Labor Day Thankogiving Day: P-Christmas Day:

R. 6 paid holidays: A through P.

b. Employer contributes [46 of regular bourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular bourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years. Page 4

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CROUP A Air or electric tool operators and asphalt rakers

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CRAUP C Plasterers' tenders & had carriers

GROUP 1) Mason tenders, building laborers and wagon drill operators' belpers

CROUP E Formers on demolition, wagon drill operators and turnel laborers

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CROUP I Prematic concrete gan operator and novalessan

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Asphalt plant; boom tractor; bulldomer; cableways; core driller; com-dephalt plant; boom track-derrick-dragities; dinky locomotive; drackers; pressors (2 or more); orman-derrick-dragities; dinky locamity; bolst (1 drum or more); miners; pack tractor; sorapers; shovels; tracching matchine (and all similar equipment); winch trucks; motor graders; concrete pump; pile-driver; rotary drill

GROUP B.
Air compressor (over 125); asphalt spreaders; blade graders (pull type);
Air compressor conveyor (2 or more up to k); crealer tractor; distributors (bituminous surface); fars tractors; finishing machine; pumps over k inches; rollers; velding machine (k or more)

GROUP C Air compressor (125 & under); cllers-firemen; conveyor (1) tended by ciler); pumps (under & inches); velding machines (3 or under); mechanic helpers

CHOURD DESCRIBE EXECUTION: Crame; dragline, derrick; hoist; piledriver; winch truck; fork lift; tower crares; climbing cranes; cherry picker; mechanics; locomo-tives; ing boat

Tractors; welding machine; gas or diesel driven welding machine (4 or more); air compressors over 125 (2 or less); power generating units (600 or diesel)

GROUP F Cas or diesel driven velding machine (3 or less); mechanic belper, air compressor 125 and wider (2 or less); oller; fireman; small boat

SUPERSEDEAS DECISION

DECISION NO.: Dc.75-3099
Supersedes Decision No. Dc.75-3009, dated June 20, 1975, in 40 FR 26242.
Supersedes Decision No. DC.75-3001, dated June 20, 1975, in 40 FR 26242.
DESCRIPTION OF MOSE: Sailding (excluding single family bouses and garden type apartments, up to and including 4 stories), Heavy (excluding Natro Projects), and Highway Construction, Demolition and Sewer and Water Lines.

Frings Sensites Po-1-D, C.

BUILDING & HEATY CONSTRUCTION

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LABORERS:

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Page

MARAIE STITES MELPERS .013 MARAIE STITES MELPERS .014 MARAIE STITES MELPERS .015 MAINTESS .017 Tapers .018 Steal, Spray, Faperhangers, .019 Proce Breaking .019 CARPST LAYES .02 PRINCESS .03 CARPST LAYES .04 FILEMENTREES .05 FILEMENTREES .05 FILEMENTREES .06 STATEMENT MARKES .07 FILEMENTREES .08 STATEMENT MARKES .09 SPRINKLE FILEMEN .09 SPRINKLE FILEMEN .00 SPRINKLE FILEMEN .00 SPRINKLE FILEMEN .00 SPRINKLE FILEMEN .01 CONTRES: .02 STONE MASCING .03 STONE MASCING .04 FILEMENT MARKES .05 STONE MASCING .06 STONE COTTENS .07 FILEMENT MARKES .08 STONE MASCING .09 STONE MASCING .00 STONE MASCI	MARRIE STITERS MILPERS 510.80 MARRIE STITERS MILPERS 77.35 MAINTERS 77.31 M	-7-1-1	DECISION NO. DC-75-3699	Sente		Fringe Bann	Fringe Benefits Popularies		_
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DECESION NO. DC-75-3099	SENER and WATER LINES		RIOCLATES	INCONOSKINS; Reinferring	PILEDRIVENES	PONTE EQUIPMENT OPERATORS:	Backhoes, Cable ways, Cranes,	Showels, Tunnel sucking machines	Derricks, I cu. yd. and over	Derricks, Draoline Townell	Shovels, Turnel macking	machines up to 1 cu., yd., Boom	cats, Elevating graders, Hoists,	Paring mixers, Filedriving	engines, Batch Plants, Concrete	Transfers Machines (at of our	Backhoes (hydraulic, under k c.v.	Trenching machines (up to 8'3"),	Soliers skeleton, Well drilling	Air Connessors, transel	Front and loaders (bigh lift).	Bulldozers	Contracte mixers, Power sheel	Staders, Turnel motor new blade	Craders, tunnel mechanics	Mechanics	Bolloozer, Sydraulic tempers	Air Compressors, Press Malaine	machine well points	Appruntice Engineers:	Truck crane offere	Offers	TREOK DRIVERS;	Diamp tracks
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The rate against	M-13-3033	RICHMAN CONSTRUCTION	Asshalt showeler	Asphalt raker	Asphalt tamper	Sricklayers	Center masons	Concrete saw operator	Concrete thoyeler	Laborers:	Laborers	Jackhamer	Fower Equipment Operators:	Congrete spreader operator, finishing	machine, roller (rough), compressor,	or less), asphalt plant mixer	Lorder operator tracks (2-\$ cu. yes.	nechanicor weider, rubber etrad	loader (over 1-3 ca. yds.)	Asphalt spreader, hydraulic backboe	plant engineer, asphalt relier op.	concrete breaker (nachine)	Crate operator, concrete paving op. Shovel operator	Gradall operator (1-3 cu. rds., or	less), noted grader, loader op.	C-1000 Cradall operator (over 1-k	Cutyda,)	Sand setter	Truck Drivers:	Tarden (comment)	Tractor trailer (capable of moving	recard equipment)	TO THE REAL PROPERTY.	S TOTAL STATE OF THE STATE OF			

COUNTY: Newtocky DECISION NUMBER: EXTS-1100 DATE: Date of Publication Supersedes Decision No. AR-LOAT dated November 1, 1974, in 39 FR 38824 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including & stories)

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	POOTNOTES: a. Six Paid Holidays: A through F	1					
	b. Employer contributes 4% of regular bourly rate to Facation Pay Credit for employee who has worked in business more tham 5 years. Employer contributes IN of regular bourly rate to Facation Pay Credit for employee who worked in besidess less than 5 years.	dess more detion Pay	then 5 y	Vacation cars. En for explo	ployer con	it for atributes orked in	
	c. Two Paid Holidays: C and F.		100	2			
THE REAL PROPERTY.	'd. Nine Paid Holidays: A through F, plus Washington's Brithday, Good Frit Christmas Eve providing employee has worked 45 full days during the 120 calender days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.	f, plus W that wor day and the wing, the	sebing to ced 45 fu regula boliday.		Brithday, Good Friday and days dufing the 120 cheduled work days	Priday as	TI.
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	X75-1100 (0ont d)			POWER EQUIPMENT OPERATORS:	Class B	Cikks C	
			App. Tr.				N. I
Page 3	. 6	In Population	Vacation				
£		Fringe Banadita Popments	Panilina	si si	22	.25	12
				.25	57	27	17
		Basic	Dies	\$6.57	6.74	7.07	7.27
	· Commercial	(Active a)	3				

RT75-1100

LABORERS:

Group 1

Greenb

Group Group Group Group

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5000

POWER EQUIPMENT OPERATORS

LABORERS

Group It, Laborers, Carpenters' Helpers, Concrete Nen, Wretkers, Wall Nen, Handlers of empty oxyges and aretylene bottles Group 2: Hod Carriers, Norter Ner, Cement Finishers' Helpers, Lathers and Plasterers' Tenders

proup 3: Wrapping, Heating and Applying hot and cold tar on all pipes, Applying tape on pipes and operating of Testar

Group 4: Deck Hand and Scow Men

Group 5: Jackhammer and Electrical, gas or air power driven tools, Burning Torch, Wagon Drill Operators and Tile Layers, Handling or all creosote material, Signal Men, Tool Room Men, Asphalt Raker and Sandhlasters

Group 6: Rock and Powdermen

Group 7: Sand Hog or Mucker, Tunnel Miners

Group 7: Calsson Workers

Class A: Auto Patrol, Batcher Plant, Bituminous Paver, Cablesoy, Central Coopressor Plant, Clamshell, Concrete Mixar (21 co. ft. or over), Contrete Pump, Crane, Crusher Plant, Derrick, Derrick Boat, Ditching and Trenching Machine, Dragline, Derrick Boat, Ditching and Trenching Auchine, Dragline, Dragler Engineer, Elevating Conder and all types of Loaders, Meetype Machine, Boisting Engine (2 or more drams)
Locomotive, Motor Scraper, Carry-all Scoop, Sulidozer, Heavy Duty Welder, Mechanic, Odnagepel Bucket, Pile Driver, Power Blade, Motor Grafer, Roller (bitaminous), Scariffer, Sovell, Tractor Showel, Trock Crane, Winch Truck, Fush Dazer, Elphilit, Forkliff (regardless of lift beight), all types of Grebe Power, Cradeall, Boist, Myster, Pumperter, Ross Carrier, Side Boon, Tall Boom Carly Drill, Hopto, Tow or Peah Boat, A-Frame Winch Truck, Concrete Power, Gradeall, Boist, Myster, Pumperter, Ross Carrier, Side Boon, Tall Boom Sotary Drill, Bydoo Bammer, Mocking Machine, Rock Sprander attached other types), Sydro Crane, Backfiller, Corries, Sob-grader

Class B: All Air Compressors, (600 cu. ft. per min. or greater capacity), Bituminen Mixer, Joint Scaling Machine, Contrete Mixer (under 21 cu. ft.), Form Grader, Boller (tock), Tractor (50 Mp.P. and over) Boll Floar, Finish Machine Outboard Motor Boak, Flexoplane, Fireman, Boom type Tamping Machine, Truck Crane Oiler, Gresser on grasse facilities servicing beavy equipment, Switchman or Binkeans, Machanic Relger, Whirley Oiler, self-propelled Consecret Teatrair and East Midening Frencher and Frum Tractor with attachments except Backhoe, Highlift and End Loader, Elevator (regardless of ownership when used for hotsting any beliding material), Moisting Engine (one drum or Wibrator Competor

Class C: Bituminous Distributor, Cement Cum, Conveyor, Med Jack, Paving Joint Machine, Roller (earth), Imaping Machine, Tractors (under 50 H.P.), Vibrator, Oiler, Concrete Saw, Burlap and Caring Machine, Hydro-seeder, Power Form Bandling equipment, Deckhand Oiler, Hydraulic Fost Driver and Drill Melper

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MITS-1100 (Cont d)

TRUCK DRIVERS: Group 6 Group 6 Group 6 Group 1 Croup 3 Group 2 Group 1

	Age To	
transfer to	Vacation	व्यव्यव्यव्य
Fringe Banatita Papmers	Persons	
	H 2 W	******
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TRUCK DRIVERS

Group 1: Warehousemen, Tardmen, Truck Belgers, Pickups, Station Wagons, Panel Trucks, Flathody material trucks (straight jobs), Greasets, Washers, Tiremen, Gas Pump Attendants, Dump Trucks (up to 5 cm. yds.)

Group 2: Tank Trucks (straight)

Group 3: Dump Trucks (5 cu. yds. or over), Semi-dump Trucks, Semitrailars whether Flat, Rack or Pole and hauling or pushed by trucks or tractors, Agitator or Mixer Trucks (up to 5 cu. yds.), Farm type Tractors, Tank Truck (semi)

Group 4: Losboys Trailers, Winch Trucks, Fork Trucks, Distributors Trucks (front and back end), Truck Graces, Monotail

Group 5: Euclids, Dampsters, Turnstockers, Ross Carriers, Athey Wagons or similar equipment, A-Frame, Hydro-lifts, Dual purpose trucks and Mechanics

Group 6: Agitators or Mixer Trucks (5 cm. yds. and over)

Group 7: Material Checkers and Receivers Mechanics Helpers

POOTNOTES: a. \$58.50 per month for employees employed over 30 days or mare. b. \$34.67 per month for employees employed over 30 days or more.

SUPERSEIRAS INCIDIOR

STAIN: Kentucky MINIST: KT75-1096
DECISION NUMBER: KT75-1096
DATE: Date of Publication Supersedes Decision No.: 48-4056 dated November 8, 1974 in 39 PR 39703
DESCRIPTION OF WORK: Beary and Bighway Construction

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Frings Benefits Payments	Penting	N. N.	总 总数	22	, i i i i	おが	ħ.	*#\$£
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Mounties: Boone, Cumpbell, Kenton,	HON A THERA T THE	Brickluyers Carpenters Cemain mascus Electricions	Wiremen, Linesen Cable splicers Groundsen IronWorkers:	Structural and ornamental Reinforcing Painters:	Brush and roller Sandblasting Spray Painters, bridges	Brush, reller Samblissting, hoppertender and wsterblasting Bridges, when highest point of	clearence is 60 ft. or more Sandblasting, hoppertender, waterblasting (bridges when Mighest point of clearence to	60 ft. or sore) Pilefriversen Pipefitters Flushers Sprinkler fitters

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BORRES					
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GROUP 1. Laborers (construction), plant laborers or parthen, right-of-way laborer, landscape laborer, utility man or bandyman, joint setter, flagman, treatment helper, saterproofing laborer, sluury seal, seal costing, surface treatment or road mix laborer, rights laborer and grouter, asphalt laborer, black tracks), guardrall and fence installers, seek handlers and placers, concrete curing applicator, scaffold erector

GROUP 2: Asphalt raker, concrete puddler, kottlé man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power baggy or power wheelbarrow

COURTY Prores setter, bottom men, welder belper (pigeline), concrete sew men, cutting with burning torch, pige layer, hand spiker (railroad), our pusher (relation als), underground men (working in sewer and waterline, cleaning, repairing and reconditioning), turnel laborer (without mir) and calmenn, cofferdum (below 25 feet deep), mir track and wagen drill

CROTT in Blaster and powder man, mankers, wrencher (mechanical joints and utility pipeline), yamer, top lander

CECUTP 5: Carb setter and cutter, miner (without aid), concrete crew in turnels utility pipeline tapper, gummits nozale men, waterline cambler

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Bent	Rates	48389
& HIGHAY CONSTRUCTION	SQUIPMENT OFFICESTORS:	48000

operator on compressor or generator when mounted on a rig, eableways, combina-tion concrete mirar and tower, concrete plants (over 4 yd. capacity), concrete pumps, craces (all types, including e-frames, born tracks, cherry pickers), derricks, fragilizes, dredge (disper, class or saction), elevating grader or auchid losder, floating equipment (all types), helicopter crew (operator-hoist or winch), hoses (all types), heliciptes or shaft or turnel work, hoisting engines, industrial type tractor, jet engine dayer (D6 or D9) diesel tractor, locamotives (standard gauge), maintensence operator class A boiler miner, paring (single or double drum), mucking machines, multiple scraper, ellp-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24" wide), truck mounted concrete parts tug boat, piledriving machines (all types), power showels, Quad 9 (double pusher), refrigerating machine (freezer operation), Botary drill on cateson work, Air compressor on steel erection, ULASS A - Power Equipment Operators: turnel mechine, wheel excession

CLASS B - Asphalt pawer, automatic subgrader machine, self-propelled (CMI type), buildosers, endicader, kolman lacder (production type - Dirt), lead grease man, maintence operators Class B, power grader, power accops and scrayers, post cat, trench machines (2h* wide and under).

CLASS C - Air compressors on turnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), miners, connected (norw than on bag capacity), miners, one bag capacity (wide loader), power bollers over 15 by, presente, pump operator installing and operating well points, pumps (We and over disobarge), nollers (asphalt, utility operator (small equipment), welding machines and generators

sever, heavy and highway), concrete plant (capscity i yl and under), concrete aww (miltiple), conveyors (highway), crashern, dechhand, trill, highway (with integral power), farm type tractors with attachments (highway), firmathing machines, firmath, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post driver, post bole dagger (power members, power form handling equipment, road widening trencher, rollers (britch, grader, mescales), self-propelled power supreders, steam firmath, survey instrument man, tractor (pulling absetfoot roller or grader), wihratory UASS D - Bakefillers, bar, foint and meet installing chines, batch plant, bull floats, burpal and curing machines, compressors (portable, compactors (with integral power

loat-launch, oil beaters (ashpalt plants), oilers, power-driven beaters, pumps (under 4" discharge), signalmen, survey rodmen or chairmas tire ULASS E - Drum firemen (asphalt plant), belgers, inboard-outboard motor repulmen

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Fringe Banelits Payments	Vacation	
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CHOUP I - Truck belyer and verrehousemen

- GROUP II Driver, 3 tens and under, gresser, tire charger and nechanic helper
- CROWP III Truck mechanic, driver, over 3 tons, distributors, dump truck and tandes sale, semi-frailer or pole trailer when used to pull building asterial or equipment

GROUP IV - Driver on mirer tracks (all types)

materials, pavement breakers, winch truck and A-Frane truck CROUP V - Iniver, evolid and other heavy searth-moving equipment and low boy, fork lift truck when used to transport building when used in transporting materials

- \$13.50 per west for each employee who has been employed a minimum of twenty (20 work days within any ninety (90) consecutive day period for that employer. 10
- \$14,00 per week for each employee who has been employed in a minimus of twenty (20) work days within any minety (90) consecutive day period for that employer. à

FEDERAL REGISTER, VOL. 40, NO. 188-FRIDAY, SEPTEMBER 26, 1975

METAL ACTION A Comment of Comments of Comm		Salarana (Sont 2). Salara Sala Festina Verifica Am La	Asphalt traces, ason tenders, sour size along the source are published to the source are published to the source are published to the source are source ar	oper., pipe wrapping, power post hole digger, railroad men, sandhlasting, and wib-	tender tender #.65 .15 .10 .01	Linear	Brush 5.83 .05 .05 .05 .05 .05 .05 .05 .05 .05 .05	Errah 6.55 Stray & Santhlesting 7 80 Painters (Enrock, Earriers, 6 Pearl Elver Counties).	Structural steal under 30': 6:55 6:55 .03	Proud & voller 5.55 Spray Spray 6.55 .30 .35 .03	10 5.00 1.00 .25 1.00			
oces, rl River		App. To.	Aspi	.02 ope	rator tenda Tathers	Liberen Cable sp Painters	Brush Roller Spray	Sprugh Spring Painten New 6 Fear		Brush Spray Piledriv Piledriv Filmbers	Moolers Rockers Eslpers Esthern Ester metal			H
CONSTILST Harrison, Hencock, Jackson, 6 Pearl Stver BATE: Date of Publication anry 14, 1975 in an FK 4554, (excluding single family benes 85 4 stories), and beavy	Na Proposers.	Variable		o					Sketo Sketo					
Jace. Date of 1 1975 to at g single i	Frings Banadis, Papearis	Familia	8.	158	kikiki	é é é é é	5. S.	18 18 18 18 18 18 18 18 18 18 18 18 18 1	8,8,		16	16	6.	
DATE: DATE: WARTY 31, (excusation lag 4 stor		×9×	of:	26.94 26.94				ńх	त्रंत्रं		B,	8	.15	
dated Jar struction of includi	Basic	The same	7.25	7.50	8888	1888	7.28	8.55 8.80	6.89 4.82 4.83	8	8.77	86.98	8.4	
STATE: Hississippi DELISION NO.: NSTS-1099 Supermedes Decision No.: NSTS-1013 dated January 3s, 1975 in an Fx ASSA, DESCRIPTION OF WORK: Building construction (excluding single family box and garden type spattments up to and including 4 stories), and heavy construction.			Ashestos vorbers (Fearl Biver and Harcock) Ashestos vorbers (Jackson and	Harrison) Molloraskers Prioklayers:	Bricklayers Blockmasons Slockmasons Marble Mesons	Stormason Planterers Terrate workers	Carpentars Carpentars Carpenters	Milwighte Milwighte Medricians: Electricians Cable splicers	Elevator constructors: Elevator constructors Helpers (probationary)	Clariers Trockontherts: Asson a farriese Cos (8. 1/3 of farriese Co. incl. Elloxi. Meesler AFS, & touts of	Structural, Ornamental, & Structural, Ornamental, & Helmforeing Ironanchers: Historic & Pearl Siver Counties & Ironalming portions of	Marrison County; Structural, Ornsmental. & Painfording	Laborers	

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MS75-1099 - (Domt'd)

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in Payments	Yacatian
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THUCK BEITHERS:

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CROUP TI

A-New Year's Day D-Labor Day

3-Nemocrial Day C-Independence Day S-Thanksgiving Day F-Christmas Day

POOTSURS:

- s. Holidays: A through F
- b. Employer contributes (% of regular hourly rate to Tacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.
- Bolidays: Labor Day, Mardi Gras Day, provided the employee works at least one day out of the 3 workdays prior to the paid holiday, and the first workday after the paid holiday.

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GROUP I: Truck drivers on equipment up to but not including 14 tons, station wagens, jeeps and satomobiles, truck spotters, general warehousesen.

I fruck drivers on equipment 19 tons and up to but not including 5 tons.

GROUP III: Truck drivers on equipment rated 5 toms or 6 yards and over, incloding heavy equipment such as pole trucks, miss or coming wagnes, campefers, seal-drivers, agitators, nose carriers, densey damps, scalid trucks, forbliff trucks in warehouse and similar equipment such as tractors, 10 wheelers, leepe or damp trucks or pickup trucks pulling two or four wheel trailers hamling equipment.

CHOUP IV: Mechanica

GROUP V: Truck helpers

GROUP VI: Truck helpers when unloading creceote or Coppertor Materials

CROUP VII: Nechanics helpers

MS75-1099 - (Cont'd)

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	PERSONAL PROPERTY.						
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Engineer - operating under air pressure

Air tugger (2 drum), asphalt plant, balchoe, blacksmith, boom tractor, balldoner, central mixing plant, cherry picker, cleambell, erase, derrick, derrick bost, derrick cor, dragine, dreadge, elevating grader, errawator (power belt), forteliff, boist (2 drum) locomotive engineer, encine engineer (chief), master pilot, piledriver, recharger, reading gresser (1st), socop (simmer), straper, shorel, tracohing machine (over 16 backet line width), tournapull, N-10 & similar pulltype sorapers, traxavator and similar endloaders, welder, welding machines or S/W pumps (2 tr 5), well driller, well point pumps

GROUP his Afficient spreader (bitmainous distributor) asphalt spreader (bitmainous airt tager, asphalt spreader (bitmainous airt), backfilling machine, conveyor, drill (sarth), finishing machine, fireman, besting plant, boist, marine engineer (assistas), mirrr, payloader, and similar endicaders, pilot, power generating plant, pump (comorete), roller, ecoopsobile, tractor (with power take-off), trenching machine (18° or smaller bucket line width), toghost, well driller (1st belper), winch track

GROUP 5: Alt compressor, form grader, locomotive hostier, mechanic belper, oller (truck orman) pump, roughneck, tractor (without attachments), welding machine

CENTE 6: Jetch scale, decidant, motorboat (in or outboard), oiler, scowman

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SUPERSEDEAS DECISION

STATE: Pennsylvania

DECISION NO.: Pal5-1993
Supersedes Decision No. Pal5-1921, dated March 28, 1975, in 40 FB 12947.
DESCRIPTION OF NORS: Building construction, (excluding single family homes and garden type spattments up to and including 4 stories). COUNTIES; Caneron, Clarion,

DECISION NO. Ph.75-3093

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	Sessie .		Fringe Benefits Payments	da Payments	7	1	Ready	MAN	Passins	Yes
	Ready	848	Panista	Vacation	Age. To	LABORERS (CONT'D);	Stries			
407	9.92	33.	.70	-	100	(Includes drill mounted truck, track or similar) sheeters and				
	2.01					shores, vibrator operators,	N.			
010	9.755	545	07.			burnercutting torch, carryable			100	-
	8,65	25	12	7.9	TOTOFIE	pumps, chain saw operator, pipe				-
-	9.35	19	161			and elevators, signal man, welk	2			_
-		100	107.00		**	behind fork lift or similar,				-
000	10.16	35	20+11	9	1 10	whacker, sand blaster, main-	100			-
	35.6	.445	.29	100	20.	tengnot men, west brick buggles	-			-
	6.68	.445	.29	ЗТивис	. 02	plasterers recardless of				-
	4.77					height, hod carrier, plasterer				-
						tender, form cleaning machine	10			
200	9.545	,785	-,905		.03	operator, plaster applicating				-
	9.08	.70	18.		g.	paving breaker, asphalt raker,				-
1		100				lancer, beriffx cutting tool,				-
1	6,78	07:	250			gunnite potman, blacksmith,	67.67	07	5	-
	6.83	07.	9.			Blasters, wagon drill operator,				-
Pander						drill runser, gunnite nozzle				-
scaffold builder for mesons,				The state of	Man Shan	men, grout machine operator,		N. C.		-
window cleaner, form stripper		The state of				temest usider driller (cable				-
runnays,				6		tools)	8.22	07	95.	-
building material handlers (Insdise and Delnadine), con-		The second second			10000	Remaining Counties:				-
crete pitman, puddler, mason	- Carlotte	1000	****		-	Laborets, carryable pumps, west brick bosov or similar wibrator				-
	7.42	05.	8.		#	operators, walk behind forklift	1			-
buzzies	To make			1		or similar (non self-propelled),				-
	H. I					stripper & mover of forms,			-	-
				-		cleaner, toll room man, all				=
Did Constraint						material conveyor (regardless of				-
						power used, incl. starting &	2.40	707	5	-
concrete saw operator, blaster's	1/2		K		Viet in the second	1900				-
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	Ransa	HEN	Persons	Vecation	App. To.		Ranes	HTR	Permises	Vecanian	App. To.
LABORERS (CONT'D): West brick buggy or similar (self-propelled), power wheel-						PAINTERS: Jefferson County Brockway					
Contows & buggles, walk behind forklift or similar (self-						Spray	\$ 6.75				N.
drill runner, drill runner's						Commercial Brush	7.59	. 60	07.		.12
drill runner's helper, (incl.,	-00					Commercial Spray	8,09	09.	97.		-12
or similar), Blaster's helpers,			E V			Industrial Spray	9.65	9.	3.		. 12
all operators of compacting	-					Remaining of Countles plus	77.			3	
Jackhammernan, concrete buster	7.525	.40	- 50			County County				To the last	
Hod carrier, scaffold builder,						Connercial Brush	8.20	57.	99.		10
hell & bottom man on furnaces					×	Commercial Spray	9,20	57.	9.		10.
o stacks, mortar mixer, mortar						Industrial Brush	8,90	.45	9.		8
power used, inc. starting &						PILEDRIVENESS SPIRAL	10.67	şt	25		107
stopping), grout machine feeder	17.	1			1	PLASTERERS:			;		*3000
6 pump operator	7.70	07.	85.		Y	Clarien County	9.65	.45	145		
Connite saw operators	23	07.	25			Destribled and Jefferson Co	9.39	.37	.70		
Blaster & wagen drill operators	7.95	097	25			Clarion County	0 67	30	36		300
LEAD SURKERS	9.25	.35	2	P	:01	Remaining Counties	9,32	.65	. 65		5
Charles CONSTRUCTION:						MOOFERS COMPOSITION	9.76	. 62	1.50		. 90.
Lineman, dynamike man, heavy						Cameron and Clearfield Con.	4.58	35	- Ro		000
equipment operator	9.50	.20	11			Remaining Counties	180	.75	95.		.03
Groundman-Truck Driver	5.74	.20	11			STAINSTILE FITTERS	10.75	. 50	98.	-	90
Remaining Countles:		-				TRUCK COUNTY:					
Minch spent management	10, 82	.30	H:		3/81	Class to denty:	1000				
Greenway operator	1.57	9	11		3/81	Class 1	200	6.52	2,62	tea -	
MILLWIGHTS	0.43	R S	24 4 40	97.0	3/87	Class 3	10.7	0,24,	20.02	4	
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DECISION NO. PA75-3093

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Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thankogiving Day, Christmas Day and Veterans Day and Good Friday, provided the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months, A. Paid

CLASSIFICATIONS DEFINITIONS

Class 1: Marehouseman, Chauffeur, and Ambulance Driver, Service Itack (pickup, Jeep, Busses, Statton Wagon, Panel truck, Escort Vehicle, including Puel and Mater Irucks)

Class 2: Dump and Flat Top (including Fuel and Water Trucks, Fork Lift in Warehouse or job site storage area and single Arie Trucks with power tailgate); Distributor Truck over 33,000 lbs. gross weight (011, lar Asphalt products Two man operation, Both men)

Class 3: Transit Mix, Single Arle

Class 4: Transit Mix, Tanden

Class 5: Heavy Juty Tractor and Trailer with High Bed, 4 wheels

Class 6: Beavy Duty Tractor and Trailer with Low Bed, 6 to 16 Wheels and Fole Trailer and Wide Load

Class 7: Distributor Truck up to 33,000 lbs. gross weight (0ii, Tar Asphalt products) the Man Operation; Truck with Dolly and Scissor Truck; Truck with Dump Trailer or Tandem, including Fuel and Mater. Inndem Arie Truck with power Tailgate and Scissor Truck; Esclids or Equivalent, Ini-axle including Mixer, drivers towing equipment

Class S: Winch Truck and Form Truck

DECISION NO. 1875-1093

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Welders - receive rate prescribed for craft performing operation to which welding is incidental.

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DECISION NO. PA-75-3093		BUILDING CONSTRUCTION POWER POULTMENT GROUNTER		CLASS 1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	CLASS 3 CLASS 4 CLASS 6 CLASS 6 CLASS 6.4 CLASS 6.4						
INCLISION NO. PA75.1093	PAID HOLIGANS: (There Applicable) A-Bee Vest's Day: B-Memorial Day: C-Independence Day: D-Labor Day; E-Thanksgiviz. F-Oritatuas Day.	FOOTHOTES:	a. Employer contributes \$45,00 per year,	or 22 besic hourly rate for 6 months to 5 years of service or Notetion Pay Credit. C. Paid holidays: A through F.		f. Paid Holidays: New Year's Lay, Memorial Day, Independence Day, Labor Day, Thankegiving Day, Originas Day and Yetrana Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.	8. \$37.61 per month.	b. \$8.00 per week.			

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PACE 10

Clists ii Ametin-Western or similar type up to 25 ton, mato grader (CMI or crames learning), backhoe, batch plant, cableway, caisers drill, central mix plant, (corner (corner)) corner (corner) corner (corner), derrick traveler (salf-propelled), derrick (all types), derrick boats, dragine, traveler (salf-propelled), derrick (all mix type pile driver, gradall (remote control or otherwise), heliopter & gradual (remote control or otherwise), heliopter & gradual point-bod (2 cages up to 10 floors), heliopter & hole when used for erection purposes), heliopter & or over, shoust-bod (2 cages up to 10 floors), heliopter cage with Chicago boom stached, hoist (50 ft. or ever), hoist (sliptor jots), hop-to or similar type with 80 saing, hop-to or similar type with 30 seing, kochling cooper, matro chip harvester or similar type, with 30 seing, kochling (with self-losding attachent), all robile or similar type, moding mechine (turnel), matriple bod machines, pile driver (sonto or similar type), pumplinate amblie or similar type, made machine (sonto con similar), tractors mounted), post driver-gand rail (drid type), pumplinate machine or similar type), milty form parer (fill or beakhole attached), tractors (all type), ally form parer (fill or beakhole attached), tractors (all types), milty form parer (fill or beakhole attached), tractors (all types), milty form parer (fill or beakhole attached), tractors (all types), milty form parer (fill or beakhole attached), tractors (all types), milty form parer (fill or beakhole attached), tractors mounted), tractors (all types), milty form parer (fill or beakhole attached), tractors (all types), milty form parer (fill or beakhole attached), tractors (milty the form), which attached (milty types), milty form parer (fill or beakhole attached).

CLASS 14: Austin-Vestern or similar type up to 25 ton with jib, Austin-Vestern or minist type 25 tons or cver with jib, erames (boom or mast 400 ff. or over up to & including 150 ft.), oranse-mobile (any type 15 tons or over placed on any building structure

51258 15; Crares (boom or mast over 150 ft. up to & including 200 ft.) engin-

CLASS 10: Cranes (boom or mast over 200 ft..)

cuss 2: Aughbalt plant op., athor loader, augar-truck, truck or tractor sounted, back-filling machine, bost-material or personnel carrying (powered), bost-job work (ishound or enthosmi), buildozer, cable layer, comparesor with blade, compressor and air pump, compressor and air tugger, occapressor as gammite machine (combination), compressor and air tugger, occapination), comcrete bolt placer, crase-overthead, crushing and scronning plants, drilleose (truck are aid mounted) altil-have or similar type, well a core (truck accounted), plants, or craiming and scronning plants, drilleose (truck accounted), plants, excepting equipment (all other), grader, grader-elevating, gressor-equipment (hoad), hi-liftless than a yds., boist-one drum (4 floors or over), boist-od (blage, 4 floors or more), hoist-od (blage, 4 floors or more), plant, rose carrier (or similar type), ecop (single bowl) self-powered & tractor dram), spreader-concrete, suphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machine, tower mobile (hoisting or lowering material, trencher, welding machine, tower mobile (hoisting or lowering material, trencher, welder (spreader), pump(rete machine), tree repairmen, welder (spreader), pump(rete machine)

CLAST 3: Other, compactor (ridden or silf-propelled) concrete finishing machine & spreader, crace, carry, curb builder (self-propelled), drill well and horizontal (self-propelled and self-contained, elevator, forkilfts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self propelled or ridden), pipe dream, coller saw concrete. Soil stabilizar (pump type), stone crusher, stone spreader self-propelled tractors (when used for anatoms and healths), the finisher C.M.i. or rimitar type, tagger, track winch truck or hydranic boom (when hoisting and placing), all other equipment

CLASS At Ballast regulator, boring sechiaes, broom power (except pesh type), compressor-single (regardless of power used), conveyor-cover 1 and up to 3 units (regardless of power used), form like machine, generator (over 50%) boister amountal (regardless of power used), boist roof (regardless of power used) hank another or shallst type, maker concave (regardless of power used) and sortar-cover 10 c.f. (regardless of power used) pump (over t-f* discharge, he-gardless of power (used) spray cure machine (power driven) sheam Jenuy (or shallst type) sphon (steam or all welding another single (300 kmp or over) plant, private or industrial air or stream valve

unit (regardless of power used) heat-up to & including 6, jack motor, hydraulic (mingle type) power darwn, ladarator, mirer mortar (10 o.f. or under, malching machine, pin puller (powered), pulveriser, pump-1½ discharge or less, seeting machine, spreader side delivery shoulder (attachment the tamper (multiple beeds), tractor farm (when used on landscaping) water blaster, ollertruck orman 50 tom or over

ULESS 6: Brake man, deck hand, helicopter, signalmur, oiler, mechanical below

CLASS 64: Grame truck oller and firement

CLASS 59; Other - truck crase 50 ton or over

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PAID HOLIDAYS:

PAID MOBILIANS: A-New Your; D-Memorial Day; O-Independence Day; D-Labor Day; B-Thanks-giving Day; F-Carlstons Day.

PROCESSES.

a. Simpleyer contributes 16 basic hourly rate for 5 years or sore of service as Tacation or 26 basic hourly rate for 6 months to 5 years of service as Tacation Pay Credit.

Holidays: A through F.

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Solidays: A through F, Weshington's Burthday, Good Friday and Unristnes Swe providing employee has worked 15 full days during the 120 calendar Bays prior to the holiday, and the regular ocheckiled work days immediately preceding and following the holiday.

Bolidays: A through F: Columbus Day provided employee has been employed 5 working days prior to the holiday and provided the employee works the scheduled work days immediately preceding and following the holiday. 4

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FEDERAL REGISTER, VOL. 40, NO. 188-FRIDAY, SEPTEMBER 26, 1975

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THE PARTY OF THE P	BOTTOTHE CONSTRUCTION	Plasterers' tenders Powdernen blasters	Jaborers, Wrecking: Jaborers, signalmen Adman, burner, jeckhamer	Lathers	Line Construction: Linemen	Groundman	Marble, Tile and Perramo workers:	Exeter, K. Kingstown, Marragarsett, (Including the Pier of Point Judith Marble, File and Terranto belpers	Fainteine: Brush & Boller	Structural steel & Steam cleaning.	Potani	Air power brush Plasterers: Erster, Marracanastt.	S. Kingston	Flasterers (Westerly, Hopkington, S. Kingston, Charlestown, Richmond,	Wakefield and Peace Dale) Flumbers	Boofers	Composition, waterproofers Slate, file precast comprete	Relpers, Class "A"	Sheet metal washing	Sprinkler fitters	Steamfittens	No-exie; days	Low-bed trailers (24 tons & over),	Trailers (I-bess), apecialized earth moving equipment (Suclid	Uppe)	capacity coupanie over 15 ton	

merision RITS-1112

PAID SCAILMID: 4. New Year's Jay; B-Meanrial Day; C-Independence Day; D-Labor Day; E-Randogiving Day; F-Carletnes Day

ROCHVEST:

a. Eclidays: A through F; employer contributes Los basic hourly rate for 5 years or more of service or 25 basic hourly rate for 6 months to 5 years as vacation pay credit.

Holidays: A through P. Washington's Brithlay, Good Friday and Christmas Eve providing employee has worked AS full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday 10

Boliday; A through P; Columbus Day, providing employee has been employed 5 working days prior to the holiday and provided employee works the echeduled work days immediately preceding and fillowing the holiday. .0

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Access, appliant rater, barootype funding tampers, chain saw operators, concrete and power buggy operators occurate may operators fund ratio burners; fence and guard ratio streators, bugging stone spreaders, bediantical gristian spreaders, bediantical gristians, pape treator inters,
premarication operators, setters of metal forms for roadways, tree trimmers wagen drill opera- tors, wood chipter operators All track operators all staters and powdermon Perers, remains and curb setters
ainteres: Structure & steam cleaning Structure; steel & steam cleaning Spray & Pot mem Air Fower Brush Jumbers
Velders - receive rate prescribed for craft performing operation to which welding is incidental.

RITS-2111 P. 5

PAID SUNIDATE: A-Move Year's Day; B-Momental Day; C-Independence Day; D- Labor Day; E-Thanksgiving Day; P-Christmas Day.

FOOTBOTTS:

 Holidays: A through P. Columbus Day provided employee has been employed \$ working days prior to the holiday and provided the employee works the acheehaled work days immediately preceding and following the holiday.

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pavers, and front-end loaders 3 yds, and		23	55.		200
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Firemen and Oilers 7.	7,625	. 58	.85		.075
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scrapers, rollers and front-and loaders	1				
less than 3 yds.	8,175	8.	.85	1	075
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Maintenance Engineers 8.	8,125	. 30	.85		075
Well-point Installation 8,	8,25	S.	*85		.075
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es and				1	
generators for light plants 8,	8,175	8.	.85		.075

	BRIDGES, CAISSCHS, BOCKS, MARINE, PIERS,		2-1-12	d-6-7-022-1-19		-	1
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actines, air 8,615 .30 .85 9,95 .30 .85	Cas or electric driven pumps, heaters,						_
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C MAN OF HE SHADOWS CO.	Class II. Siremon Class IV Olders, spreader, roller, front end loader less than 3 Eds., troctors Class VI Sorapers, graders, domer pather operator Class VI Figuin VIP backlose operator	Class III. Cas & electric driven heaters, pumps, occorete mixers, stone crasher, air compressor, light plants, welding machines, occorete pumps Class X. Test boring machine operator. Class X. Test boring machine sensions. Class II. Test boring machine sensions.	Class IIII Operators of track crars with booms of 130 to 150 feet, operators of cat crars with booms of 150 to 180 feet from the crars with booms of 150 to 180 feet from the crars of cat cracks
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with booms over 180 feet

Replayee who has been on payroll for 1 year or more but less thin 5 years and has worked 150 days during the last year of exployment shall receive . 1 week's watation; 5 years or more - 2 weeks watation.

FEDERAL REGISTER, VOL. 40, NO. 188-FRIDAY, SEPTEMBER 26, 1975

SUPERSTREAS DECISION

STATE: Seeth Dakets
DeCISION SINGER: State of Publication
DECISION SINGER: State of Publication
Supersedes Pecision No. 2075-5112 dated Superher 3, 1973, in 40 FR 41381
DECORPTION OF SOME. Failding Construction, (excluding single Immily homes
and garden type spartments up to and including 4 stories)

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			ASSESTOS MORTESS	SAICKLATERS; Stonemasons	CARPBITERS:	Drywall Applicators	Filedrivemen	Millwrights CREW Michie	ELCORICIANS:	Within 15 miles radius of Rapid	Electricians	Cable Splicers	Rapid City Post Office	Electricians	Cable Splicers	Fence Erectors; Ornspental:	Reinforcing; Sheeter; Structural	Laborers, Flagman, Signalmen;	Mechanical Air, Gas, Electrical	Tools, including self-propelled	Pulls; Pipe Layer (non-	Miver Meet Tondaisting: Mortar	Tender; Cement Mixer; Air	Compressor up to 210; Masonry Fork 11ft	Cumite Sorrlemen; Powdermen;	Minery Timbermany Jackhamer,	65 lbs. or over	

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SUPERSTRUCT SECTIONS

COUNTY: *See below NEXTS: 1975-1938
DETE: Date of Publication Supersedes Decision Nov:: A4-4/28 dated June 26, 1974 in 39 FB 24/36

INSTRIPTION OF WEEK: Residential construction constaining of single family bones and garden type apartments up to and including 4 stories.

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Property California	DECISION NO - NO-75-31CO	The state of the s	portroller chestion in		MARBLE SETTERS" HELTERS	MILLIRIGHTS	Bruch, Spray, Paperhangers,	Steel, Sandblasting, Swing Stage,	Poter Brushing	PRIEDRIVENESS	PLASTERESS	ROOFIES:	Composition	proofers, Sprayers, Sprandrel	and ironite	SHEET HETAL WORKERS	SOFT FLOOR LATERS	STEAMFITTERS, REPRICEMATION and	Air Conditioning Mechanic	STONE MASONS STONE CUTTERS!	Fitters and trimmers	Pigure Carvers	TERRAZZO and MOSAIC WORKERS	TERRAZZO MORKERS' HELFERS	THE SETTES, RELYES	DAUGN DALVERS: Boom Trucks	Small Dump, Water Sprinkfer,	Grease and Oil	Small Euclids. Domn over 8 wheel	Trailers, Low Boys, Tractor	Pulls	Reibers	TO THE REAL PROPERTY OF THE PARTY OF THE PAR					
	Mantgomery and Prince Georges Counties, Maryland: Arlington	and Fairfax Counties, the city	Alexandria and Dulles International Airport,	lon	projects.)	of Spensor	Secretar Ass. To.	1.015	-05	07:	and the same of th		100	M.Herb .02		.05		50	500	90		50+		N HILL STATE	50.	50.	50"	50.	200.	10. 2		1/17	4114	1/41	Hat	1/42	N. State of the last	
	orthonery at	d Tairfax o	Dulles Interna	Wirginia DATE: Date of Publication	n 40 FR 265 residential	Fringe Besselts Popusess	Panting	35	8.5	68.	.45	54.	154,75	- 53		240		.60	.60	07.	100	06.			-40	3.55	04:	9.5	25.			11	-	12	22	-	100	
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[PR Doc.75-25418 Filed 9-25-75;8:45 am]

FRIDAY, SEPTEMBER 26, 1975



PART IV:

PRIVACY ACT OF 1974

Implementation

VARIOUS AGENCIES



Title 7-Agriculture

SUBTITLE A-OFFICE OF THE SECRETARY OF AGRICULTURE

PART 1-ADMINISTRATIVE REGULATIONS

Subpart G-Privacy Act Regulations

Subpart G, Part 1, Subtitle A of 7 CFR is amended by adding Appendix A setting forth internal procedures for compliance by agencies of the United States Department of Agriculture (USDA) with the provisions of the Privacy Act of 1974 (5 U.S.C. 552a).

Subpart G published on August 28, 1975, 40 FR 39519, prescribed the procedures whereby individuals can request information about, access to, or amendments of, records pertaining to them which are contained in a system of records maintained by an agency of USDA; and the procedures for handling of these requests by agencies of USDA. The Appendix added by this docket provides further guidance to the agencies of USDA concerning their responsibilities and obligations under the Privacy Act with regard to systems and records they main-

Since these regulations constitute internal agency directives and thus are matters of agency management, the notice and public procedure requirements of 5 U.S.C. 553 are inapplicable. Accordingly, 7 CFR, Part 1, Subpart G, is amended by adding Appendix A, reading as follows:

APPENDIX A-INTERNAL DIRECTIVES

SECTION 1 General Requirements. Each agency that maintains a system of records subject to 5 U.S.C. 552a and the regulations

of this Subpart shall:

- (a) Maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or by executive order of the Pres-
- (b) Collect information to the greatest ex tent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal

(c) Inform each individual whom it asks to supply information, on the form which it uses to collect the information, or on a separate form that can be retained by the indi-

- (1) the authority (whether granted by statute, or by executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;
- (2) the principal purpose or purposes for which the information is intended to be used:
- (3) the routine uses which may be made of the information, as published pursuant to paragraph (d) (4) of this section; and

(4) the effects on him, if any, of not pro-viding all or any part of the requested in-

formation:

- (d) Subject to the provisions of section 2 of this Appendix, prepare for publication in the PEDERAL REGISTER at least annually a notice of the existence and character of each system it maintains, which notice shall include:
- (1) the name and location(s) of the sys-

(2) the categories of individuals on whom records are maintained in the system;

(3) the categories of records maintained in the system;

(4) each routine use of the records con-tained in the system, including the cate-gories of uses and the purpose of such use;

(5) the policies and practices of the agency regarding storage, retrievability, access con-trols, retention, and disposal of the records;

- (6) the title and business address of the gency official who is responsible for the system of records;
- (7) the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;
- (8) the agency procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its content; and

(9) the categories of sources of records in

the system;

(e) Maintain all records which are used by the agency in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination;

(f) Prior to disseminating any about an individual to any person other than an agency, unless the dessemination is made pursuant to 5 U.S.C. 552a(b)(2), make reasonable efforts to assure that such records are accurate, complete, timely, and relevant

for agency purposes; (g) Maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained, or unless

pertinent to and within the scope of an authorized law enforcement activity;

(h) Make reasonable efforts to serve notice an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record;

(1) Establish rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, and instruct each such person with respect to such rules and the requirements of this section, including any other rules and procedures adopted pursuant to this section and the penalties for noncompliance;

(1) Establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm. embarrassment, inconvenience, or unfairness to any individual on whom information is maintained:

Sec. 2 Amendment of routine uses for an existing system of records, or establishment

of a new system of records.

(a) Any agency which intends to add a routine use, or amend an existing one, in a system of records it maintains, shall, in accordance with 5 U.S.C. 552a(e)(11), insure that 30 days advance notice of such action is given by publication in the Federal Register and an opportunity provided for interested persons to submit written data, views or arguments to the agency.

(b) Any agency which intends to establish a new system of records, or to alter any existing system of records, shall insure that adequate advance notice is provided to Congress and the Office of Management and Budget to permit an evaluation of the probable or potential effect of such action on the

privacy and other personal or property rights of individuals or the disclosure of information relating to such individuals, and its effect on the preservation of the constitutional principles of federalism and separation of powers. Such notice is required for any new system of records and for any alteration in an existing one which will:

(1) Increase the number or types of individuals on whom records are maintained;

(2) Expand the type or amount of information maintained;

(3) Increase the number or categories of agencies or other persons who may have access to those records;

(4) Alter the manner in which the records are organized so as to change the nature or scope of those records (e.g., the combining of two or more existing systems);
(5) Modify the way the system operates at

its location(s) in such a manner as to alter the procedures which individuals can exercise their rights under this Subpart; or

(6) Change the equipment configuration on which the system is operated so as to create the potential for greater access (adding a telecommunications capability)

SEC. 3 Accounting of Certain Disclosures Each agency, with respect to each system of records under its control, shall:

(a) Except for disclosures made under 5 U.S.C. 552a(b)(1) and (2), keep an accurate account of:

(1) the date, nature, and purpose of each disclosure of a record to any person or agency outside the Department; and

(2) the name and address of the person or agency to whom the disclosure is made;

(b) Retain the accounting made under paragraph (a) of this section for the longer of a period of five years, after the date of the disclosure for which the accounting is made, or the life of the record disclosed;

(c) Except for disclosures made under 5 U.S.C. 552a(b)(7), make the accounting above available to the individual named in

the record at his request.

SEC. 4. Government Contractors. When an agency within the Department provides by a contract for the operation by or on behalf of the agency of a system of records to accomplish an agency function, the agency shall, consistent with its authority, cause the requirements of this Subpart to be applied such system. For purposes of 5 U.S.C. 552a(i) any such contractor or any employee of such contractor, if such contract is agreed to on or after September 27, 1975, shall-be considered to be an employee of an agency and therefore subject to the criminal penalties set forth in that section.

SEC. 5 Mailing Lists. No agency within the Department shall sell or rent any individual's and address unless such action is specifically authorized by law. This section shall not be construed to require, or to authorize, the withholding of names and addresses whose disclosure is required by 5

U.S.C. 552

Snc. 6 Social security account numbers. (a) No agency shall deny, or permit any State of local government with whom it is involved in a cooperative venture to deny, to any individual any right, benefit, or privilege pro-vided by law because of such individual's refusal to disclose his social security account number.

(b) The provisions of paragraph (a) of this Section shall not apply with respect to

(1) any disclosure required by Federal statute; or

(2) any disclosure to any agency relating to a system of records it maintained prior to January 1, 1975, if such disclosure was required under statute or regulation adopted prior to that date, to verify the identity of an individual.

(c) Any agency in the Department which requests an individual to disclose his social security account number shall inform that individual whether the disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and what uses will be made of it. The agency shall also insure that this information is provided by a State or local government with whom it is involved in a cooperative agreement.

Szc. 7. Annual report. Each agency in the Department shall submit to the Office of the General Counsel prior to March 30 of each year (beginning March 30, 1976) a report containing the following information related to implementation of 5 U.S.C. 552a;

(a) a summary of major accomplishments; (b) a summary of major plans for activi-

ties in the upcoming year;

(c) a list of the systems which were exempted during the year from any of the operative provisions of this Subpart pursuant to 5 U.S.C. 552a (j) and (k), whether or not the exemption was effected during that year, the number of instances with respect to each system exempted in which the exemption was invoked to deny access, and the reasons for invoking the exemption;

(d) a brief summary of changes to the total inventory of personal data system subject to this Subpart including reasons for

major changes; and

(e) a general description of operational experiences including estimates of the number of individuals (in relation to the total number of records in the system) :

(1) requesting information on the exist-

ence of records pertaining to them;

(2) refusing to provide information; (3) requesting access to their records;

(4) appealing initial refusals to amend records; and

(5) seeking redress through the courts. SEC. 8 Effect of 5 U.S.C. 552. No agency in the Department shall rely on any exemption in 5 U.S.C. 552 to withhold from an individual any record which is otherwise accessible to such individual under the provisions of

(5 U.S.C. 301, 552a).

5 U.S.C. 552a and this Subpart.

Effective date: September 27, 1975.

Done at Washington, D.C., this 23rd day of September 1975.

> EARL L. BUTZ. Secretary.

[FR Doc.75-25795 Filed 9-25-75;8:45 am]

Title 8-Aliens and Nationality

CHAPTER I-IMMIGRATION AND NATU-RALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

Implementation of Privacy Act of 1974

Reference is made to the Notice of Proposed Rule Making which was published in the FEDERAL REGISTER of August 27, 1975 (40 FR 39423) pursuant to section 553 of Title 5 of the United States Code (80 Stat, 383) and in which there were set forth the proposed amendments to 8 CFR Part 103 in implementation of the Privacy Act of 1974 (P. L. 93-579), including provisions for individuals to seek access to records pertaining to them contained in the system of records of the Service and to seek correction or

amendment of those records. These regulations are intended to be read as a supplement to the regulations of the Department of Justice in implementation of the Privacy Act of 1974.

No representations were received in response to the proposed rules of August 27, 1975. In addition to numerous nonsubstantive changes of an editorial or clarifying nature, the proposed rules have been modified in the following respects for the purpose of conforming Service regulations to the regulations of the Department of Justice in implementation of the Privacy Act of 1974:

1. Proposed § 103.21(b) (2) is amended by adding the words "place of birth," immediately following the words "date

of birth,".

2. In proposed § 103.21(c), the first sentence is amended to modify the meaning of parent and child. The terms parent and child are no longer restricted to the definitions of those terms as contained in the Immigration and Nationality Act. Proposed § 103.21(c) is also amended to provide that a parent or guardian of a child or of a person judicially determined to be incompetent, shall establish his own identity, as well as the identity of the child or other person he represents. Proposed § 103.21(c) is further amended by deleting the last sentence thereof which reads: "In the case of a stepchild or illegitimate child, sufficient evidence must be presented to establish the relationship.

3. Proposed § 103,22(a) is amended by adding "or (k)(3) or (k)(4)" immediately following "5 U.S.C. 552a(j)"

4. The last sentence of proposed §§ 103.22(b) (2) and (3) is revised to read as set forth below.

5. Proposed § 103.23(a) has been revised in its entirety to read as set forth below.

6. In proposed § 103.28(a), the first sentence is amended by inserting at the beginning thereof, the clause: "Unless a record is exempted from correction.'

7. In proposed § 103.28(f), the first sentence is revised to read as set forth

below. 8. In proposed § 103.30(b), the last sen-

tence is deleted. The proposed rules, as modified and as set forth below, are hereby adopted:

In Part 103, new §§ 103.20 through 103.36 are added to read as follows:

§ 103.20 Purpose and scope.

(a) Sections 103.20 through 103.36 comprise the regulations of the Service implementing the Privacy Act of 1974. P.L. 93-597. The regulations apply to all records contained in systems of records maintained by the Service which are identifiable by individual name or identifier and which are retrieved by individual name or identifier, except those personnel records governed by Civil Service Commission regulations. The regulations set forth the procedures by which individuals may seek access to records pertaining to themselves and request correction of those records. The regulations also set forth the requirements applicable to Service employees maintaining, collecting, using or disseminating such records.

(b) The Associate Commissioner, Management, shall provide that the provisions of §§ 103.20 through 103.36 of this chapter and 28 CFR 16.40 through 16.56, and any revisions thereof, shall be brought to the attention of and made available to:

(1) Each employee at the time of issuance of the aforesaid regulations and any amendment thereto; and

(2) Each new employee at the time of

employment.

(c) The Associate Commissioner, Management, shall be responsible for insuring that employees of the Service are trained in the obligations imposed by the Privacy Act of 1974 and by these regulations.

Access by individuals to rec-8 103.21 ords maintained about them.

(a) Access to available records. An individual seeking access to records about himself in a system of records, which have not been exempted from access pursuant to the Privacy Act of 1974, shall present his request in person or in writing to the manager of the particular system of records to which he seeks access. Systems managers are identified in the 'Notice of Systems of Records" published by the National Archives and Records Service, General Services Administration. Access to records in multiple systems of records shall be addressed to the Office of the Associate Commissioner, Management, which shall assist the requester in identifying his request more precisely and shall be responsible for forwarding the request to the appropriate system man-

(b) Verification of identity. The following standards are applicable to any individual who requests records concerning himself, unless other provisions for identity verification are specified in the published notice pertaining to the partic-

ular system of records.

(1) An individual seeking access to records about himself in person shall establish his identity by the presentation of a single document bearing a photograph (such as a passport, alien registration receipt card or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear both a name and address (such as a driver's license, or credit

(2) An individual seeking access to records about himself by mail shall establish his identity by a signature, address, date of birth, place of birth, alien or employee identification number, if any, and one other identifier such as a photocopy of an identifying document.

(3) An individual seeking access to records about himself by mail or in person who cannot provide the necessary documentation of identification may provide a notarized statement swearing or affirming to his identity and to the fact that he understands the penalties for false statements pursuant to 18 U.S.C. 1001. Forms for such notarized statements may be obtained on request

from the office of the system manager of a system of records at a system location listed in the "Notice of Systems of published in the PEDERAL Records" REGISTER.

(c) Verification of guardianship. The parent or guardian of a child or of a person judicially determined to be incompetent and seeking to act on behalf of such child or incompetent, shall, in addition to establishing his own identity, establish the identity of the child or other person he represents as required in paragraph (b) of this section, and establish his own percentage or guardianship of the subject of the record by furnishing either a copy of a birth certificate showing parentage or a court order establishing the guardianship.

(d) Accompanying persons. An individual seeking to review records pertaining to himself may be accompanied by another individual of his own choosing. Both the individual seeking access and the individual accompanying him shall be required to sign the required form indicating that the Service is authorized to discuss the contents of the subject record in the presence of both in-

dividuals.

(e) Specification of records sought. Requests for access to records, either in person or by mail, shall describe the nature of the records sought, the approximate dates covered by the record, the system in which it is thought to be included as described in the "Notice of Systems of Records" published in the Peperal Register, and the identity of the individual or office of the Service having custody of the system of records. In addition, the published "Notice of Systems of Records" for individual systems may include further requirements of specification, where necessary, to retrieve the individual record from the system.

§ 103.22 Records exempt in whole or in part.

an individual (a) When requests records about himself which have been exempted from individual access pursuant to 5 U.S.C. 552a(j) or (k) (3) or (k) (4) or which have been compiled in reasonable anticipation of a civil action or proceeding either in a court or before an administrative tribunal, the Service will neither confirm nor deny the existence of the record but shall advise the individual only that there is no record which is available to him pursuant to the Privacy Act of 1974.

(b) Individual requests for access to records which have been exempted from access pursuant to 5 U.S.C. 552a(k) shall

be processed as follows:

(1) Requests for information classified by the Service pursuant to Executive Order 11652 require the Service to review the information to determine whether it continues to warrant classification under the criteria of sections 1 and 5(B), (C), (D), and (E) of the Executive Order. Information which no longer warrants classification under these criteria shall be declassified and made available to the individual, if not otherwise exempt. If the information continues to warrant classification, the individual

shall be advised that the information sought is classified; that it has been reviewed and continues to warrant classification; and that it has been exempted from access pursuant to 5 U.S.C. 552a (k) (1). Information which has been exempted pursuant to 5 U.S.C. 552a(j) and which is also classified shall be reviewed as required by this paragraph but the response to the individual shall be in the form prescribed by paragraph (a) of this section.

(2) Requests for information which has been exempted from disclosure pursuant to 5 U.S.C. 552a(k) (2) shall be responded to in the manner provided in paragraph (a) of this section unless a review of the information indicates that the information 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. In that event, the individual shall be advised of the existence of the record and shall be provided the information except to the extent it would identify a confidential source. If and only if information identifying a confidential source can be deleted or the pertinent parts of the record summarized in a manner which protects the identity of the confidential source, the document with deletions made or the summary shall be furnished to the requester.

(3) Information compiled as part of an employee background investigation which has been exempted pursuant to 5 U.S.C. 552a(k)(5) shall be made available to an individual upon request except to the extent that it identifies a confidential source. If and only if information identifying a confidential source can be deleted or the pertinent parts of the record summarized in a manner which protects the identity of the confidential source, the document with deletions made or the summary shall be furnished to the requester.

(4) Testing or examination material which has been exempted pursuant to 5 U.S.C. 552a(k)(6) shall not be made available to an individual if disclosure would compromise the objectivity or fairness of the testing or examination process but shall be made available if no such compromise possibility exists.

(5) The Service records which are exempted and the reasons for the exemptions are enumerated in 28 CFR 16.99.

§ 103.23 Special access procedures.

- (a) Records of other agencies. When information sought from a system of records of the Service includes information:
- (1) That has been classified pursuant to Executive Order 11652, the request shall be referred to the appropriate classifying authority pursuant to 28 CFR 17.61 and the individual requesting the record shall be so advised unless the record is also exempt from disclosure pursuant to 5 U.S.C. 552a (j) or (k);
- (2) That has been furnished by ananother component of the Department of Justice, the request shall be referred to the component originating the informa-

tion for a decision as to access or correction:

(3) That has been furnished by another agency, the Service shall consult the other agency before granting access or making a correction and may refer the request to the other agency if referral will provide more expeditious access or correction, but the requester shall be notified of the referral.

(b) Medical records. When an individual requests medical records concerning himself, which are not otherwise exempt from disclosure, the system manager shall, if deemed necessary, advise the individual that records will be provided only to a physician designated in writing by the individual. Upon receipt of the designation, the system manager will permit the physician to review the records or to receive copies of the records by mail, upon proper verification of identity, The determination of which records should be made available directly to the individual and which records should not be disclosed because of possible harm to the individual shall be made by the physician.

§ 103.24 Requests for accounting of record disclosure.

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 Department of Justice. Requests for accounting shall be directed to the appropriate system manager listed in the "Notice of Systems of Records". 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) A disclosure with respect to which no accounting need be kept (see § 103.30(c) of this part); (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).

§ 103.25 Notice of access decisions; time limits.

(a) Responsibility for notice. The system manager of the system from which information is sought or his delegate has responsibility for determining whether access to records is available under the Privacy Act and for notifying the individual of that determination in accordance with these regulations. If access is denied because of an exemption, the responsible person shall notify the individual that he may appeal that determination to the Deputy Attorney General within thirty working days of the receipt of the determination.

(b) Time limits for access determinations. The time limits provided by 28 CFR 16.45 shall be applicable to requests for access to information pursuant to the

Privacy Act of 1974.

§ 103.26 Fees for copies of records.

The fees charged by the Service under the Privacy Act shall be those specified in 28 CFR 16.46. Remittances shall be made in accordance with § 103.7(a) of this part.

§ 103.27 Appeals from denials of access.

An individual who has been denied access by the Service to the records concerning him may appeal that decision in the manner prescribed in 28 CFR 16.47.

§ 103.28 Requests for correction of records.

(a) How made. Unless a record is exempted from correction, an individual may request amendment or correction of a record concerning him by addressing his request to the system manager of the system in which the record is maintained either in person or by mail, his identity to be established as provided in § 103.21 of this part. The request must indicate the particular record involved, the nature of the correction sought, and the justification for the correction or amendment. Requests made by mail should be addressed to the system manager at the address specified in the "Notice of Systems of Records" published by the General Services Administration and shall be clearly marked on the request and on the envelope "Privacy Correction Request." Where the individual cannot determine the precise system manager or believes that the same record appears in more than one system, he may address his request to the office of the Associate Commissioner, Management, Immigration and Naturalization Service, 425 I Street NW., Washington, D.C. 20536, which shall assist him in identifying the system or systems in which the record is located

(b) Initial determination. Within 10 working days of the receipt of the request, the appropriate Service official shall advise the individual that his request has been received. If the record is to be amended or corrected, the system manager may so advise the individual but if correction is refused, in whole or in part, it must be done by the head of the component in which the record is located, or his designee. If a correction is to be made, the individual shall be advised of his right to obtain a copy of the corrected record upon payment of the standard fee, established in 28 CFR 16.46. If a correction or amendment is refused, in whole or in part, the individual shall be so advised, shall be given reasons for the refusal, and shall be advised of his right to appeal to the Deputy Attorney General in accordance with the procedures set forth in 28 CFR 16.48.

(c) Appeals. A refusal, in whole or in part, to amend or correct a record may

be appealed as provided in 28 CFR 16.48.
(d) Appeal determinations. 28 CFR

16.48 provides for appeal determinations.

(e) Statements of disagreement.

Statements of disagreement may be furnished by the individual in the manner prescribed in 28 CFR 16.48.

(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 Service giving reasons for refusing to correct shall be included in the file.

§ 103.29 Records not subject to correction.

The following records are not subject to correction or amendment by individuals:

(a) Transcripts or written statements made under oath;

(b) Transcripts of Grand Jury Proceedings, judicial or quasi-judicial proceedings which form the official record of those proceedings;

(c) Pre-sentence reports comprising the property of the courts but main-

tained in Service files; and

(d) Records duly exempted from correction by notice published in the Feneral Register.

§ 103.30 Accounting for disclosures.

(a) As soon as possible, but not later than September 27, 1975, the Service shall establish a system of accounting for all disclosures of records, either orally or in writing, made outside the Department of Justice. Accounting procedures may be established in the least expensive and most convenient form that will permit the system manager to advise individuals, promptly upon request, of the persons or agencies to which records concerning them have been disclosed.

(b) Accounting records, at a minimum, shall include the identification of the particular record disclosed, the name and address of the person or agency to which disclosed, and the date of the disclosure. Accounting records shall be maintained for at least 5 years, or until the record is destroyed or transferred to the Archives, whichever is later.

(c) Accounting is not required to be kept for disclosures made within the Department of Justice or disclosures made pursuant to the Freedom of Information Act.

§ 103.31 Notices of subpoents and emergency disclosures.

(a) Subpoenas. When records concerning an individual are subpoenaed by a Grand Jury, court, or a quasijudicial agency, the official served with the subpoena shall be responsible for assuring that notice of its issuance is provided to the individual. Notice shall be provided within 10 days of the service of the subpoena or, in the case of a Grand Jury subpoena, within 10 days of its becoming a matter of public record. Notice shall be mailed to the last known address of the individual and shall contain the following information: the date the subpoena is returnable, the court in which it is returnable, the name and number of the case or proceeding, and the nature of the information sought. Notice of the issuance of subpoenas is not required if the system of records has been exempted from the notice requirement pursuant to 5 U.S.C. 552a(j), by a Notice of Exemption published in the FEDERAL REGISTER.

(b) Emergency disclosures. If information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety, the individual shall be notified at his last known address within 10 working days of the disclosure. Notification shall include the following information: the nature of the information disclosed, the person or agency to whom it was disclosed, the date of the disclosure, and the compelling circumstances justifying the disclosure. Notification shall be given by the officer who made or authorized the disclosure.

§ 103.32 Information forms.

(a) Review of forms. The Service shall be responsible for the review of forms it uses to collect information from and about individuals.

(b) Scope of review. The Service Forms Control Unit shall review each form to assure that it complies with the requirements of 28 CFR 16.52.

§ 103.33 Contracting Record Systems.

Any contract by the Service for the operation of a record system shall be in compliance with 28 CFR 16.53.

§ 103.34 Security of Records Systems.

The security of records systems shall be in accordance with 28 CFR 16.54.

§ 103.35 Use and collection of Social Security numbers.

The use and collection of Social Security numbers shall be in accordance with 28 CFR 16.55.

§ 103.36 Employee standards of conduct with regard to privacy.

Service employee standards of conduct with regard to privacy shall be in compliance with 28 CFR 16.56.

(Sec. 103, 86 Stat. 173; 8 U.S.C. 1103)

The basis and purpose of the aboveprescribed regulations are to set forth the procedures by which individuals may seek access to records pertaining to themselves and request correction of those records, as well as set forth the requirements applicable to Service employees maintaining, collecting, using or disseminating such records, in implementation of the Privacy Act of 1974.

Compliance with the provisions of 5 U.S.C. 553 as to delayed effective date is impracticable because these regulations are in implementation of the Privacy Act of 1974 (Pub. L. 93-579) which becomes effective September 27, 1975.

Effective date. These regulations shall become effective September 27, 1975.

Dated: September 23, 1975.

L. F. CHAPMAN, Jr. Commissioner of Immigration and Naturalization

[FR Doc.75-25779 Filed 9-25-75;8:45 am]

Title 10—Energy CHAPTER I—NUCLEAR REGULATORY COMMISSION

PART 9—PUBLIC RECORDS Privacy Act Regulations

Notice is hereby given that the Nuclear Regulatory Commission has adopted amendments to its regulations in 10 CFR Part 9, Public Records, set forth below to implement the provisions of the Privacy Act of 1974, Public Law 93-579,

enacted December 31, 1974, including, in particular, those provisions of the Privacy Act which require the promulgation

of agency rules.

On August 12, 1975, the Nuclear Regulatory Commission published in the FEDERAL REGISTER (40 FR 33833-33838) for public comment, proposed amendments to 10 CFR Part 9, Public Records. Interested persons were invited to submit comments or suggestions for consideration in connection with the proposed amendments by September 12, 1975. Two responses concern § 9.95 of the regulations which relates to specific exemptions. A clarifying change in the wording of § 9.95 suggested by one commenter has been adopted in substance. A suggestion that § 9.95 be revised to describe the exemptions in each of the systems of records affected with greater specificity and that the revision be renoticed for further public comment has not been adopted. The Commission is of the opinion that it is impractical at this time to specify the exempt portions of records more precisely. In addition, the Commission has also made a number of minor clarifying changes in the text of the amendments. These changes are more particularly described as follows:

1. In § 9.54, the heading of paragraph (c) is changed to read "Verification of parentage or guardianship" in order to identify the subject of the paragraph more precisely. For purposes of further clarifying the text of paragraph 9.54(c), the word "legal" is inserted immediately before the word "guardian" where the latter word first appears and the word "of" is inserted immediately before the words "an individual judicially determined to be incompetent." The typographical errors in this paragraph are

also corrected.

2. The following changes are made in § 9.65 for the purposes of accuracy and completeness. In paragraph (a), the last sentence is revised by inserting the words "or deny" between the words "grant access" and by changing the term "30 days" to read "30 working days." In the first sentence of paragraph (b), the term "30 days" is changed to read "30 working days." In paragraph (c) (1), the phrase "The Executive Director for Operations" is changed to read "The Executive Director for Operations, or his designee," In paragraph (c) (2) the phrase "Executive Director for Operations" is changed to read "Executive Director for Operations, or his designee," wherever it appears.

3. In § 9.66, immediately following the first sentence in paragraph (a) (1), a new sentence is added for consistency which reads, "Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to authorize or refuse correction or amendment of a record within 30 working days after re-

ceipt of the request."

4. In paragraph 9.66(b) the term "30 days" is changed to read "30 working days".

5. The following changes are made in paragraph 9.66(c) for purposes of consistency and completeness. In paragraph 9.66(c)(1), the phrase "The Executive Director for Operations" is changed to read "The Executive Director for Operations, or his designee,". Paragraph 9.66 (c) (2) is redesignated as paragraph 9.66 (c) (3), and the phrase "the Executive Director for Operations" in that para-graph is changed to read "the Executive Director for Operations, or his designee, Immediately following paragraph 9.66 (c) (1), a new paragraph (c) (2) is added which reads as set forth below.

6. In paragraph (a) of § 9.67, the term "30 days" is changed to read "30 work-

ing days".

7. For purposes of clarification and accuracy, paragraph (a) of § 9.69 is revised to read as set forth below.

8. In § 9.80, in the last sentence of paragraph (a) (7), the words "or if" immediately following the words "Federal REGISTER" are deleted and are replaced by the word "and"

9. A centerhead "FEES" is inserted immediately preceding "§ 9.85 Fees."

10. In § 9.90, a typographical error in

paragraph (a) is corrected.

11. For purposes of clarification and the following changes are accuracy, made in § 9.95. In the first sentence, the phrase "and from the provisions of this part other than § 9.61:" is reworded to read "and are subject to the provisions of § 9.61 of this part:" In paragraphs (a), (b), (d), (f) and (j) the names of the systems of records are corrected to read as set forth below.

In accordance with the requirements of the Privacy Act of 1974, the amendments adopted herein must be in effect on or before September 27, 1975. In view of these requirements and in view of the fact that the amendments do not impose obligations on persons other than the Commission, the Commission has found that good cause exists for making the amendments effective without the customary 30 day notice.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552, 552a and 553 of Title 5 of the United States Code, the amendments to Title 10, Chapter I, Code of Federal Regulations, Part 9, set forth below are published as a document subject to codification.

EFFECTIVE DATE. These amendments become effective on September 27, 1975. Dated at Bethesda, Maryland, this 19th

day of September, 1975. For the Nuclear Regulatory Commis-

> LEE V. GOSSICK, Executive Director for Operations.

1. The table of contents, citation of authority and §§ 9.1 and 9.2 are revised and a new § 9.1a is added, to read as follows:

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APPENDIX A-REQUESTS FOR DECLASSIFICATION REVIEW

AUTHORITY: Sec. 161, Pub. L. 83-703, 68 Stat. 948, (42 U.S.C. 2201); Sec. 201, Pub. L. 93-438, 88 Stat. 1242 (42 U.S.C. 5841); Sub-part A also issued under 5 U.S.C. 552; Subpart B also issued under 5 U.S.C. 552a.

§ 9.1 Scope.

The regulations in this part implement: (a) The provisions of the Freedom of Information Act, 5 U.S.C. 552, with respect to the availability to the public of Nuclear Regulatory Commission records for inspection and copying; and (b) the provisions of the Privacy Act of 1974, Pub. L. 93-579, with respect to disclosure and availability of certain Nuclear Regulatory Commission records maintained on individuals.

§ 9.1a Subparts.

Subpart A sets forth special rules applicable to matters pertaining to the Freedom of Information Act. Subpart B sets forth special rules applicable to matters pertaining to the Privacy Act of 1974.

§ 9.2 Definitions.

As used in this part:

(a) "NRC" means the Nuclear Regulatory Commission, established by the Energy Reorganization Act of 1974.

(b) "NRC personnel" means employees, consultants, and members of advisory boards, committees and panels of the NRC; members of boards designated by the Commission to preside at adjudicatory proceedings; and officers or employees of Government agencies, including military personnel, assigned to duty at the NRC.

(c) "Commission" means the commission of five members or a quorum thereof sitting as a body, as provided by section 201 of the Energy Reorganization

Act of 1974.

(d) "Government agency" means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.

(e) "Working days" means Monday through Priday, except legal holidays.

2. A new subpart heading is added following § 9.2, § 9.3 is revised and a new § 9.3a is added, to read as follows:

Subpart A—Freedom of Information Act Regulations

§ 9.3 Scope of subpart.

This subpart prescribes procedures under which NRC records are made available to the public for inspection and copying pursuant to the provisions of 5 U.S.C. 552. This subpart does not affect the dissemination or distribution of NRC originated, or NRC contractor originated, information to the public pursuant to any NRC public, technical, or other information program or policy, nor is it intended to restrict or limit the free flow of information between the NRC and its contractors and subcontractors, or between the NRC and a Government agency. Except where specifically noted otherwise, this subpart applies to all records whether they predate or postdate July 4, 1967.

§ 9.3a Definitions.

As used in this subpart:

(a) "Office", unless otherwise indicated, means all offices and divisions of the NRC reporting to or through the Executive Director for Operations, except for the Office of the Executive Legal Director.

(b) "Record" means any book, paper, map, photograph, brochure, punch card, magnetic tape, paper tape, sound recording, pamphlet, slide, motion picture, or other documentary material regardless of form or characteristics, made by, in the possession of, or under the control of the NRC pursuant to Federal law or in connection with the transaction of public business as evidence of NRC organization, functions, policies, decisions, procedures, operations, programs or other activities. "Records" do not include objects or articles such as structures, furniture, tangible exhibits or models, or vehicles and equipment.

3. A new subpart B following § 9.16 is added to read as follows:

Subpart B-Privacy Act Regulations

§ 9.50 Scope of subpart.

This subpart implements the provisions of section 3 of the Privacy Act of 1974, Pub. L. 93-579, 5 U.S.C. 552a, with respect to (a) the procedures by which individuals may determine the existence of, seek access to and request correction of NRC records concerning themselves, and (b) the requirements applicable to NRC personnel with respect to the use and dissemination of such records. The regulations in this subpart apply to all records which are retrievable from a system of records under the control of the Nuclear Regulatory Commission by the use of an individual's name or of an identifying number, symbol, or other identifying particular assigned to such individual. Except where specifically provided otherwise, this subpart applies to all NRC records maintained on individuals whether they predate or postdate September 27, 1975.

§ 9.51 Definitions.

As used in this subpart:

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

(b) The term "maintain" includes maintain, collect, use or disseminate.

(c) "Record' means any item, collection or grouping of information about an individual that is maintained by the NRC, including, but not limited to, his education, financial transactions, medical history, employment history or criminal history, and that contains the individual's name, or the identifying number, symbol or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(d) "System manager" means the NRC official responsible for maintaining

a system of records.

(e) "Systems of records" means a group of records under the control of the NRC from which information is retrieved by the name of an individual or by an identifying number, symbol, or other identifying particular assigned to an individual.

(f) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by the Census Act, 13 U.S.C. 8.

(g) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected, as described in a notice published in the Federal Register.

PROCEDURES APPLICABLE TO REQUESTS BY INDIVIDUALS FOR INFORMATION, ACCESS OR AMENDMENT OF RECORDS MAINTAINED ABOUT THEM

PRESENTATION OF REQUESTS

§ 9.52 Types of requests.

(a) Individuals may make the following requests respecting records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974;

 Request a determination whether a record about the individual is contained

in a system of records.

(2) Request access to a record about the individual. Access requests may include requests to review the record and to have a copy made of all or any portion thereof in a form comprehensible to the individual.

(3) Request correction or amendment

of a record about the individual.

(b) Requests for accounting of disclosures. Individuals may, at any time, request an accounting by NRC of disclosures to any other person or Government agency of any record about themselves contained in a system of records controlled by NRC, except the following: (1) Disclosures made pursuant to the Freedom of Information Act, 5 U.S.C. 552; (2) disclosures made within the Nuclear Regulatory Commission; (3) disclosures made to another Government agency or instrumentality for an authorized law enforcement activity pursuant to 5 U.S.C. 552a(b)(7); (4) disclosures expressly exempted by NRC regulations from the requirements of 5 U.S.C. 552a(c)(3) pursuant to 5 U.S.C. 552a(k).

§ 9.53 Requests: how and where presented.

(a) Requests may be made in person or in writing. Assistance regarding requests or other matters relating to the Privacy Act of 1974 may be obtained by writing to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Requests relating to records in multiple systems of records should be made to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. The Director, or his designee, shall assist the requestor in identifying his request more precisely and shall be responsible for forwarding the request to the appropriate system manager.

(b) All written requests shall be made to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and shall clearly state on the envelope and on the letter, as appropriate: "Privacy Act Rêquest", "Privacy Act Disclosure Accounting Request", "Privacy Act Correction Request".

(c) Requests may be made in person during official hours at the U.S. Nuclear Regulatory Commission office where the record is located, as listed in the "Notice of System of Records" for the system in which the record is contained.

§ 9.54 Verification of identity of individuals making requests.

(a) Identification requirements in paragraphs (a) (1) and (2) of this section are applicable to any individual who makes requests respecting records about himself, except that no verification of identity shall be required if the records requested are available to the public under the provisions of the Freedom of Information Act. With respect to certain sensitive records, additional requirements for verification of identity stated in the appropriate published "Notice of System of Records" may be imposed.

(1) Written requests. An individual making a written request respecting a record about himself may establish his identity by a signature, address, date of birth, employee identification number if any, and one other item of identification such as a photocopy of a driver's license

or other document.

(2) Requests in person. An individual making a request in person respecting a record about himself may establish his identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear a name, address and signature (such, as a driver's license or credit card).

(b) Inability to provide requisite documentation of identity. An individual making a request in person or in writing respecting a record about himself who cannot provide the necessary documentation of identity may provide a notarized statement, swearing or affirming to his identity and to the fact that he understands that penalties for false statements may be imposed pursuant to 18 U.S.C. 1001, and that penalties for obtaining a record concerning an individual under false pretenses may be imposed pursuant to 5 U.S.C. 552a(i)(3). Forms for such notarized statements may be obtained on request from the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(c) Verification of parentage or guardianship. In addition to establishing the identity of the minor, or other individual he represents as required in paragraph (a) of this section, the parent or legal guardian of a minor or of an individual judicially determined to be incompetent shall establish his status as parent or guardian by furnishing a copy of a birth cerificate of the minor showing parentage or a copy of a court order establish-

ing guardianship.

§ 9.55 Specification of records.

(a) (1) Requests relating to records shall, insofar as practicable, specify the nature of the record sought, the approximate dates covered by the record, the system of records in which the record is thought to be included and the system manager having custody of the record system as shown in the annual compilation, "Notices of Records Systems", published by the General Services Administration. Requests shall, in addition, comply with any additional specification

requirements contained in the published "Notice of System of Records" for that

(2) Requests for correction or amendment of records shall, in addition, specify the particular record involved, state the nature of the correction or amendment sought and furnish justification for the

correction or amendment.

(b) Requests which do not contain information sufficient to identify the record requested will be returned promptly to the requestor, with a notice indicating what information is lacking. Individuals making requests in person will be informed of any deficiency in the specification of records at the time the request is made. Individuals making requests in writing will be notified of any such deficiency when their request is acknowledged.

§ 9.56 Accompanying persons.

An individual requesting access to records about himself may be accompanied by another individual of his own choosing. Both the individual requesting access and the individual accompanying him shall sign the required form indicating that the Nuclear Regulatory Commission is authorized to discuss the contents of the subject record in the presence of both individuals.

NRC PROCEDURES FOR PROCESSING REQUESTS

§ 9.60 Acknowledgment of requests.

(a) Written requests by individuals to verify the existence of, obtain access to or correct or amend records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974, shall be acknowledged in writing by the Director, Office of Administration, or his designee, within ten working days after date of actual receipt. The acknowledgment shall advise the requestor if any additional information is needed to process the request. Wherever practicable, the acknowledgment shall notify the individual whether his request to obtain access to the record or to correct or amend the record has been granted or denied.

(b) When an individual requests access to records or permission to correct or amend records in person, every effort will be made to make an immediate determination as to whether access or correction or amendment should be granted. If an immediate determination cannot be made, the request will be processed in the same manner as a written request. Records will be made available for immediate inspection whenever possible.

§ 9.61 Procedures for processing requests for records exempt in whole or in part.

(a) When an individual requests information concerning the existence of, or access to, records about himself which have been compiled in reasonable anticipation of a civil action or proceeding in either a court or before an administrative tribunal, the NRC shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(b) Specific exemptions pursuant to 5 U.S.C. 552a(k). Individual requests for access to records which have been exempted from access pursuant to the provisions of 5 U.S.C. 552a(k) and § 9.95 shall be processed as follows:

(1) Information classified pursuant to Executive Order 11652 and exempted pursuant to 5 U.S.C. 552a(k)(1). Requested information classified by NRC will be reviewed by the responsible official of the NRC to determine whether it continues to warrant classification under the criteria of sections 1 and 5 (B), (C), (D), and (E) of Executive Order 11652. Information which no longer warrants classification under these criteria shall be declassified and made available to the individual. If the requested information has been classified by another agency, the responsible official of the NRC will request the classifying agency to review the information to ascertain if classification is still warranted. If the information continues to warrant classification, the individual shall be advised that the information sought is classified, that it has been reviewed and continues to warrant classification, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k)(1).

(2) Investigatory material compiled for law enforcement purposes exempted pursuant to 5 U.S.C. 552a(k)(2), Requests shall be responded to in the manner provided in paragraph (a) of this section unless a review of the information indicates that the information 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. In that event, the individual shall be advised of the existence of the information and shall be provided the information except to the extent it would reveal the identity of a confidential source. Information that would reveal the identity of a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the

requesting individual.

(3) Material within a system of records required by statute to be maintained and used solely as statistical records and exempted pursuant to 5 U.S.C. 552a(k)(4). The exempted information requested will be reviewed by the responsible official of the NRC to determine whether it continues to warrant exemption. Information which no longer warrants exemption shall be made available to the individual. If the information continues to warrant exemption, the individual shall be advised that the information sought is exempt from disclosure, that it has been reviewed and continues to warrant exemption, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k) (4).

(4) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information and exempted pursuant to 5 U.S.C. 552a(k) (5). Information exempted pursuant to 5 U.S.C. 552a(k) (5) shall be made available to an individual upon request except to the extent that the information would reveal the identity of a confidential source. Material that would reveal the identity of a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(5) Testing or examination material exempted pursuant to 5 U.S.C. 552a(k)
(6). Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service which has been exempted pursuant to 5 U.S.C. 552a(k)
(6) shall not be made available to an individual if disclosure would compromise the objectivity or fairness of the testing or examination process but may be made available if no possibility of such compromise exists.

§ 9.62 Special procedures.

(a) Medical records under the control of NRC. Requests received by NRC pertaining to medical records under the control of NRC, with the exception of radiation exposure records, will be made available to a physician of the requesting individual's choosing. Both the physician and the requestor shall first sign the required form indicating that NRC is authorized to disclose the contents of the record to the physician. Radiation exposure records will be made available directly to the requesting individual pursuant to § 19.13 of this chapter.

(b) Records under the control of another government agency. (1) Medical records. Requests received by NRC pertaining to medical records under the control of the U.S. Public Health Service or another Government agency will either be referred to the appropriate agency or returned to the requestor with the name of the controlling Government agency, if known, within ten working days after receipt by NRC. NRC will inform the requestor of any referral of his request to another Government agency at the time the referral is made.

(2) Nonmedical records. Requests received by NRC pertaining to nonmedical records under the control of another Government agency will be returned to the requestor with the name of the controlling Government agency, if known, within ten working days after receipt by NRC.

DETERMINATION AND APPEALS

§ 9.65 Access determinations; appeals.

(a) Initial determinations. The Director, Office of Administration, or his designee, with the advice of the system manager having control of the record to which access is requested, shall determine whether access to the record is available under the Privacy Act and notify the requesting individual in person or in writing of that determination. Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to grant or deny access within 30 working days after receipt of the request.

(1) Notices granting access shall inform the individual when and where the requested record may be seen, how copies may be obtained, and of any fees or anticipated charges which may be incurred pursuant to § 9.85 of this subpart.

(2) Notices denying access shall state the reasons for the denial, and advise the individual that he may appeal the denial to the Executive Director for Operations in accordance with the procedures set

forth in this section.

(b) Appeals from denials of access. Within 30 working days of the receipt of an initial determination denying access to a record, an individual may request a final review and determination of his request by the Executive Director for Operations. Requests for final review shall be in writing, shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and shall be clearly marked on the request and on the envelope "Privacy Act Appeal—Denial of Access".

(c) Final determinations. (1) The Executive Director for Operations, or his designee, shall make a final determination within 30 working days of receipt of the request for final review, unless he extends the time for good cause shown such as the need to obtain additional information, the volume of records involved or the complexity of the issue. The extension of time shall not exceed 30 additional working days. The requestor shall be advised in advance of any extension of time and of the

reasons therefor.

(2) If the Executive Director for Operations, or his designee, determines that access was properly denied because the information requested has been exempted from disclosure, he shall undertake a review of the exemption to determine whether the information should continue to be exempt from disclosure. The Executive Director for Operations, or his designee, shall notify the individual in writing of his final determination to grant or deny the request for access. Notices denying access shall state the reasons therefor and shall advise the individual of his right to judicial review pursuant to 5 U.S.C. 552a(g).

§ 9.66 Determinations authorizing or denying correction of records; appeals.

(a) Initial determinations. (1) The Director, Office of Administration, or his designee, with the advice of the system manager having control of the record, shall determine whether to authorize or refuse correction or amendment of a record. Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to authorize or refuse correction or amendment of a record within 30 working days after receipt of the request. In making this determination, the Director, or his designee, shall be guided by the following standards:

(i) Records shall contain only such information about an individual as is

relevant and necessary to accomplish an NRC function required to be accomplished by statute or by executive order of the President;

(ii) Records used by NRC in making any determination about any individual shall be as accurate, relevant, current, and complete as is reasonably necessary to assure fairness to the individual in

the determination:

(iii) No record shall describe how any individual has exercised rights guaranteed by the First Amendment unless such record is expressly authorized by statute or by the individual about whom the record is maintained, or is pertinent to and within the scope of an authorized law enforcement activity.

(2) If correction or amendment of a record is authorized, the Director, Office of Administration, or his designee, shall correct or amend the record, notify the requesting individual in writing that the correction or amendment has been made and provide the individual with a courtesy copy of the corrected record.

(3) If correction or amendment of a record is refused, the Director, Office of Administration, or his designee, shall notify the requesting individual in writing of the refusal and the reasons therefor, and shall advise the individual of his right to request a review of the refusal by the Executive Director for Operations in accordance with the procedures

set forth in this section.

(b) Appeals from initial adverse determinations. Within 30 working days of the receipt of an initial determination of refusal to amend or correct a record in whole or in part, an individual may request a final review and determination of his request by the Executive Director for Operations. Requests for final review shall be in writing, shall be addressed to the Executive Director for Operations. U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and shall be clearly marked on the request and on the envelope "Privacy Act Correction Appeal". Requests for final review shall set forth the specific item of information sought to be corrected or amended and the individual's documentation justifying the correction or amendment.

(c) Final determinations. (1) The Executive Director for Operations, or his designee, shall make a final determination within 30 working days of receipt of the request for final review unless, for good cause shown such as the need to obtain additional information, the volume of records involved or the complexity of the issue, he extends the time for making the final determination. The extension of time shall not exceed 30 additional working days. The requestor shall be advised in advance of any extension of time and the reasons therefor.

(2) If the Executive Director for Operations, or his designee, makes a final determination that an amendment or correction of the record is warranted on the facts, he shall notify the Director, Office of Administration, to correct or amend the record pursuant to the procedures in § 9.66(a) (2).

(3) If the Executive Director for Operations, or his designee, makes a

final determination that an amendment or correction of the record is not warranted on the facts, he shall notify the individual in writing of his refusal to authorize correction or amendment of the record in whole or in part, and of the reasons therefor, and shall advise the individual of his right to provide a "Statement of Disagreement" for the record and of his right to judicial review pursuant to 5 U.S.C. 552a(g).

§ 9.67 Statements of disagreement.

(a) Written "Statements of Disagree-ment" may be furnished by the individual within 30 working days of the date of receipt of the final adverse determination of the Executive Director for Operations. "Statements of Disagreement" shall be addressed to the Executive Director for Operations, U.S. Nu-clear Regulatory Commission, Washing-ton, D.C. 20555, and shall be clearly marked on the statement and on the en-"Privacy Act Statement of velone Disagreement".

(b) The Executive Director for Operations, or his designee, shall be responsible for ensuring that: (1) The "State-ment of Disagreement" is included in the system or systems of records in which the disputed item of information is maintained; and (2) the original record is marked to indicate the information disputed, the existence of a "Statement of Disagreement", and the location of the "Statement of Disagreement" within the system of records.

§ 9.68 NRC Statements of Explanation.

The Executive Director for Operations, or his designee, may, if he deems it appropriate, prepare a concise statement of the reasons why the requested amendments or corrections were not made. Any NRC "Statement of Explanation" shall be included in the system of records in the same manner as the "Statement of Disagreement". Courtesy copies of the NRC statement and of the notation of dispute as marked on the original record shall be furnished to the individual who requested correction or amendment of the record.

§ 9.69 Notices of correction or dispute.

(a) When a record has been corrected upon request or when a "Statement of Disagreement" has been filed, the Director, Office of Administration, or his designee, shall, within 30 working days thereof, advise all prior recipients of the affected record whose identity can be determined pursuant to an accounting of disclosures required by the Privacy Act or any other accounting previously made, of the correction or of the filing of the "Statement of Disagreement"

(b) Any disclosure of disputed information occurring after a "Statement of Disagreement" has been filed shall clearly identify the specific information disputed and be accompanied by a copy of the "Statement of Disagreement" and a copy of any NRC "Statement of Explanation".

DISCLOSURE TO OTHERS OF RECORDS ABOUT INDIVIDUALS

§ 9.80 Disclosure of record to persons other than the individual to whom it pertains.

(a) NRC Commissioners and NRC personnel shall not disclose any record which is contained in a system of records maintained by NRC by any means of communication to any person, or to another Government agency, except pursuant to a written request by, or with the prior written consent of, the indi-vidual to whom the record pertains, unless disclosure of the record is:

(1) To NRC Commissioners and NRC personnel who have a need for the record in the performance of their duties:

(2) Required under 5 U.S.C. 552; (3) For a routine use published in the

FEDERAL REGISTER;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the United States Code:

(5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a satistical research or reporting record and the record is transferred in a form that is not individually identifiable. The advance written statement of assurance shall (i) state the purpose for which the record is requested, and (ii) certify that the record will be used only for statistical purposes. Prior to release for statistical purposes in accordance with the provisions of this paragraph, the record shall be stripped of all personally identifying information and reviewed to ensure that the identity of any individual cannot reasonably be determined by combining two or more statistical records;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or to the Administrator of General Services or his designee for evaluation to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the NRC specifying the particular portion of the record desired and the law enforcement activity for which the record is sought. A record may be disclosed to a law enforcement agency at the initiative of the NRC if criminal conduct is suspected, provided that such disclosure has been established as a routine use by publication in the Feberal REGISTER, and the instance of misconduct is directly related to the purpose for which the record is maintained;

(8) To any person upon a showing of compelling circumstances affecting the health or safety of any individual;

(9) To either House of Congress or, to the extent of matter within its jurisdic-

tion, to any committee or subcommittee thereof or to any joint committee of the Congress or to any subcommittee of such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office;

(11) Pursuant to the order of a court of competent jurisdiction.

§ 9.81 Notices of subpoenas.

When records concerning an individual are subpoenaed or otherwise disclosed pursuant to court order, the NRC officer or employee served with the subpoena shall be responsible for assuring that the individual is notified of the disclosure within five days after such subpoena or other order becomes a matter of public record. The notice shall be mailed to the last known address of the individual and shall contain the following information: (1) The date the subpoena is returnable; (2) the court in which it is returnable; (3) the name and number of the case or proceeding; and (4) the nature of the information sought.

§ 9.82 Notices of emergency disclosures.

When information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety, the NRC officer or employee who made or authorized the disclosure shall notify the individual at his last known address within five days of the disclosure. The notice shall contain the following information: (a) The nature of the information disclosed: (b) the person or agency to whom the in-formation was disclosed; (c) the date of the disclosure; and (d) the compelling circumstances justifying the disclosure.

8 9.85 Fees.

(a) When charged. Fees shall not be charged for search for or review of records requested pursuant to this subpart or for making copies or extracts of records in order to grant access to records and make them available for review. Fees established pursuant to 31 U.S.C. 483a and 5 U.S.C. 552a(f) (5) shall be charged according to the schedule contained in paragraph (b) of this section for actual copies of records requested by individuals pursuant to the Privacy Act of 1974, unless the Director, Office of Administration, or his designee, waives the fee because of the inability of the individual to pay. Fees shall not be charged where they would amount, in the aggregate, to less than \$3.

(b) Schedule of fees. Fees may only be assessed for reproduction charges for actual copies of records requested by individuals pursuant to the Privacy Act of 1974 in accordance with the following

schedule:

(1) Record sizes up to 81/2 x 14 inches made on office copying machines-\$0.10 per page copy.

(2) Record sizes greater than 81/2 x 14 inches-\$0.10 for each 81/2 x 14 inch unit or fraction thereof per page copy. (3) Microfiche-81/2 x 11 inches-

\$0.15 per page copy.

(4) The charge for reproducing records other than those specified above will be computed on the basis of NRC's

direct costs. (c) Notice of anticipated charges. When it is anticipated that fees chargeable under this section will amount to more than \$3, and the requestor has not indicated in advance his willingness to pay fees as high as are anticipated, the requestor shall be notified of the amount of the anticipated cost before copies are made. The notification shall offer the requestor the opportunity to confer with NRC personnel with the object of reformulating the request to meet the requestor's needs at lower cost.

(d) Form and place of payment. Fee payments shall be by check, draft or money order payable to the U.S. Nuclear Regulatory Commission. No employee of NRC is authorized to accept payment of

fees in cash.

(e) Advance deposit. Where the anticipated fee chargeable under this section exceeds \$25, an advance deposit of 25% of the anticipated fee or \$25, whichever is greater, may be required. Where a requestor has previously failed to pay a fee under this section, an advance deposit of the full amount of the anticipated fee may be required.

ENFORCEMENT

§ 9.90 Violations.

(a) An injunction or other court order may be obtained pursuant to 5 U.S.C. 552a(g) (1-3) to compel NRC to permit an individual to review, amend or copy a record pertaining to him, or to be accompanied by someone of his own choosing when he reviews his record. A court order may be obtained for the payment of a civil penalty imposed pursuant to 5 U.S.C. 552a(g) (4) if NRC intentionally or willfully fails to maintain a record accurately, or fails to comply with any provision of 5 U.S.C. 552a, or any provision of this subpart, if such failure results in an adverse determination or has an adverse effect on an individual. Court costs and attorney's fees may be awarded in civil actions.

(b) Any officer or employee of NRC who willfully maintains a system of records without meeting the notice requirements of 5 U.S.C. 552a(e)(4), or who willfully discloses information knowing such disclosure to be prohibited by 5 U.S.C. 552a or by any rules or regulations issued thereunder, may be guilty of a criminal misdemeanor and upon conviction may be fined up to \$5000. Any person who knowingly and willfully requests or obtains any record concerning an individual from NRC under false pretenses may be convicted of a criminal misdemeanor and upon conviction may be fined up to \$5000.

EXEMPTIONS

§ 9.95 Specific exemptions.

Pursuant to 5 U.S.C. 552a(k), portions of the following NRC systems of records are exempt from 5 U.S.C. 552a (c)(3); (d); (e)(1); (e)(4) (G), (H) and (I) and (f) and are subject to the provisions of § 9.61 of this part:

(a) Contracts Records Files

(b) Office of Inspector and Auditor In-dex File and Associated Records

(c) Development and Advancement for Regulatory Employees (DARE) Records

(d) Equal Employment Opportunity Records Files

- (e) General Personnel Records (Official Personnel Folder and Related Rec-
- (f) Personnel Security Files and Associated Records
- (g) Personnel Performance Appraisals (h) Personnel Research and Test Vali-
- dation Records (i) Recruiting, Examining and Place-
- ment Records (j) Secretariat Records Facility Files.

[FR Doc.75-25759 Filed 9-25-75;8:45 am]

Title 32-National Defense

CHAPTER I-OFFICE OF THE SECRETARY OF DEFENSE

PART 292a-PRIVACY ACT OF 1974

Adoption of Rules

In FR Doc. 75-22203 published in the FEDERAL REGISTER (40 FR No. 166, 37509 thru 37516) of August 26, 1975, the Defense Intelligence Agency, set forth the Proposed Rulemaking, prescribed by the Privacy Act of 1974, within the Defense Intelligence Agency. The Director, Defense Intelligence Agency, after providing due time for public comment and in accordance with 5 U.S.C. 553, subsections 3 and 4 of the Administrative Procedures Act and the Privacy Act of 1974; and, after receiving no public participation in the proposed rulemaking either in person or through the mail, written data, views or arguments, does hereby adopt and implement title 32 of the Code of Federal Regulations, Part 292a, effective September 27, 1975.

Dated: SEPTEMBER 18, 1975.

DANIEL O. GRAHAM, Lieutenant General, USA Director.

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

SEPTEMBER 18, 1975.

PART 292a-PRIVACY ACT OF 1974

Subpart A—Implementation of the Privacy Act of 1974

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AUTHORITY: 5 U.S.C. 522a (f), (j), and (k).

Subpart A-Implementation of the Privacy Act of 1974

§ 292a.1 Purpose.

To implement the "Privacy Act of 1974," 5 U.S.C. 552a and DoD Directive 5400.11, "Personal Privacy and Rights of Individuals Regarding Their Personal Records," within the DIA and outline policy and procedures governing the release of information maintained in records on individuals (a U.S. citizen or an alien lawfully admitted for permanent residence).

§ 292a.2 References.

(a) 5 U.S.C. 552a (Privacy Act of 1974)

(b) 5 U.S.C. 552 (Freedom of Information Act)

(c) 13 U.S.C. section 8,

(d) 18 U.S.C. section 3056.

(e) DoD Directive 5400.9, "Publication of Proposed and Adopted Regulations Affecting the Public," 23 December 1974.

(f) DOD Directive 5400.11, "Personal Privacy and Rights of Individuals Regarding Their Personal Records," 4 August 1975

(g) DoD 5200.1-R, "Information Security Program Regulation," November 1973.

(h) DoD Directive 5400.7, "Availability to the Public of Department of Defense Information," 14 February 1970.

(i) DoD Directive 7650.1, "General Accounting Office, Comprehensive Audits, 9 July 1958.

(j) Federal Personnel Manual.

(k) Executive Order 9397, 22 November 1943.

(1) DIAR 12-27, "Control and Protection of 'For Official Use Only' Information.

(m) DIAR 12-39, "Availability to the Public of Department of Defense Information.

§ 292a.3 Applicability.

This regulation applies to all DIA elements and governs the collection, use, maintenance, storage, destruction. amendment, appeal procedures, and release of records containing personal information. This regulation is effective 27 September 1975.

§ 292a.4 Policy.

Upon receipt of a written request, the DIA will release to individuals those records or reasonably segregable portions of records which are rightfully information which is releasable and applicable to the individual making the request. Generally, information, other than that exempted