

of such action. Such report shall further inform the Commission as to whether or not respondents have in inventory any product, fabric, or related material having a plain surface and made of paper, silk, rayon and acetate, nylon and acetate, rayon, cotton or any other material or combinations thereof in a weight of 2 ounces or less per square yard, or any product, fabric, or related material having a raised fiber surface. Respondents shall submit samples of not less than 1 square yard in size of any such product, fabric, or related material with this report.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: November 15, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
*Secretary.*

[FR Doc.71-18885 Filed 12-27-71;8:48 am]

## Title 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72-1]

#### PART 1—GENERAL PROVISIONS Customs Agency Service Districts

To provide for more effective enforcement, jurisdiction over Coos County, N.H., is transferred from the Special Agent in Charge, Boston, Mass., in Customs Agency District No. 1 to the Special Agent in Charge, Rouses Point, N.Y., in Customs Agency District No. 20.

To effect this change, the table in § 1.5 of the Customs Regulations is amended as follows:

##### In Customs Agency District No. 1:

Under "Customs Agency Service Districts and Suboffices," in the column headed "Area of Jurisdiction," the area of jurisdiction of the Special Agent in Charge, Boston, Mass., is revised to read:

The States of Maine, Massachusetts, and Rhode Island; the State of New Hampshire except for Coos County; and that part of the State of Connecticut east of a straight line (running north and south) midway between Bridgeport and New Haven.

##### In Customs Agency District No. 20:

Under "Customs Agency Service Districts and Suboffices," in the column headed "Area of Jurisdiction," the area of jurisdiction of the Special Agent in Charge, Rouses Point, N.Y., is revised to read:

The State of Vermont; that part of the State of New Hampshire comprising Coos County; and that part of the State of New York east of 77° west longitude and north of 43° north latitude.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

This amendment involves a matter relating to agency management and, therefore, is excepted from the requirements for notice and public procedure by 5 U.S.C. 553(a) (2).

*Effective date.* This amendment shall become effective on the date of its publication in the FEDERAL REGISTER (12-28-71).

[SEAL] LEONARD LEHMAN,  
*Acting Commissioner of Customs.*

Approved: December 13, 1971.

EUGENE T. ROSSIDES,  
*Assistant Secretary of the  
Treasury.*

[FR Doc.71-18867 Filed 12-27-71;8:46 am]

[T.D. 72-2]

#### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

##### Containers Arriving Empty to Pick Up Export Cargo; Use in Incidental Point-to-Point Local Traffic

Treasury Decision 69-216, dated September 19, 1969 (34 F.R. 14886), amended paragraph (f) of § 10.41a, Customs regulations, to permit containers arriving in the United States with cargo to be used in point-to-point local traffic in the United States on a reasonably direct route to, or nearer to, the place where export cargo is to be loaded or where the container is to be re-exported empty. Such local traffic must be incidental to the efficient and economical utilization of the containers in the course of their use in international traffic. A notice of a proposal to further amend paragraph (f) to provide that containers arriving empty to pick up export cargo may be used in incidental point-to-point local traffic was published in the FEDERAL REGISTER on August 24, 1971 (36 F.R. 16590). Consideration was given to all relevant matter presented in response to that notice, and it has been decided to adopt the proposed rule without change.

Accordingly, paragraph (f) of § 10.41a, Customs regulations, is amended to read as follows:

§ 10.41a Lift vans, cargo vans, shipping tanks, skids, pallets, and similar instruments of international traffic; repair components.

(f) Except as provided in paragraph (1) of this section, no part of this section precludes (1) the use of an instrument in picking up and delivering loads at intervening points in the United States while en route between the port of arrival and the point of destination of its imported cargo, (2) such use of the instrument while en route from such point of destination of imported cargo to a point where export cargo is to be loaded or to an exterior port of departure by a reasonably direct route to, or nearer to, the place of such loading or departure, or (3) such use of a "container", as defined in Article 1 of the Customs Convention on Containers (see paragraph (a) (3) of this section), which arrived empty while en route between the port of arrival and a point where export cargo is to be loaded or from that point to an exterior port of departure by a reasonably direct route to, or nearer to, the place of such loading or departure, provided such point-to-point traffic is incidental to the efficient and economical utilization of the instrument in the course of its use in international traffic. Such use does not constitute a diversion to unpermitted point-to-point local traffic within the United States or a withdrawal of an instrument in the United States from its use as an instrument of international traffic under this section.

(80 Stat. 379, R.S. 251, as amended, sec. 14, 67 Stat. 516; 5 U.S.C. 301, 19 U.S.C. 66, 1322)

The amendment will relax existing restrictions on the use of containers admitted as instruments of international traffic in point-to-point local traffic in the United States. Good cause is found, therefore, for dispensing with the delayed effective date provision of 5 U.S.C. 553(d).

*Effective date.* This amendment shall become effective on the date of its publication in the FEDERAL REGISTER (12-28-71).

[SEAL] MYLES J. AMBROSE,  
*Commissioner of Customs.*

Approved: December 13, 1971.

EUGENE T. ROSSIDES,  
*Assistant Secretary of the  
Treasury.*

[FR Doc.71-18368 Filed 12-27-71;8:46 am]

## Title 20—EMPLOYEES' BENEFITS

### Chapter V—Manpower Administration, Department of Labor

#### PART 616—INTERSTATE ARRANGEMENT FOR COMBINING EMPLOYMENT AND WAGES

Title 20 of the Code of Federal Regulations is hereby amended by adding thereto a new Part 616 dealing with the Interstate Arrangement for Combining Employment and Wages as approved in

accordance with section 3304(a) (9) (B) of the Internal Revenue Code of 1954, as amended by the Employment Security Amendments of 1970 (Public Law 91-373).

The provisions of 5 U.S.C. 553 which require notice of proposed rule making, public participation in their adoption, and delay in effective date are not applicable because the arrangement is not addressed primarily to members of the public but rather to the several States which must participate in and administer the arrangement, and further, notice, public participation, and delay in the effective date is found to be contrary to the public interest which in this instance makes desirable the prompt issuance of this new part so that States may have as much time as possible to prepare their procedures which must be in effect on and after January 1, 1972.

This new part shall become effective on the date of publication in the FEDERAL REGISTER (12-28-71).

As added, Part 616 reads as follows:

Sec.	
616.1	Purpose of arrangement.
616.2	Consultation with the State agencies.
616.3	Interstate cooperation.
616.4	Rules, regulations, procedures, forms—resolution of disagreements.
616.5	Effective date.
616.6	Definitions.
616.7	Election to file a combined-wage claim.
616.8	Responsibilities of the paying State.
616.9	Responsibilities of transferring States.
616.10	Reuse of employment and wages.
616.11	Amendment of arrangement.

**AUTHORITY:** The provisions of this Part 616 issued under sec. 3304(a) (9) (B), 84 Stat. 702; 26 U.S.C. 3304(a) (9) (B); Secretary's Order No. 20-71, August 13, 1971.

#### § 616.1 Purpose of arrangement.

This arrangement is approved by the Secretary under the provisions of section 3304(a) (9) (B) of the Federal Unemployment Tax Act to establish a system whereby an unemployed worker with covered employment or wages in more than one State may combine all such employment and wages in one State, in order to qualify for benefits or to receive more benefits.

#### § 616.2 Consultation with the State agencies.

As required by section 3304(a) (9) (B), this arrangement has been developed in consultation with the State unemployment compensation agencies. For purposes of such consultation in its formulation and any future amendment the Secretary recognizes, as agents of the State agencies, the duly designated representatives of the Interstate Conference of Employment Security Agencies.

#### § 616.3 Interstate cooperation.

Each State agency will cooperate with every other State agency by implementing such rules, regulations, and procedures as may be prescribed for the operation of this arrangement. Each State agency shall identify the paying and the transferring State with respect to Combined-Wage Claims filed in its State.

#### § 616.4 Rules, regulations, procedures, forms—resolution of disagreements.

All State agencies shall operate in accordance with such rules, regulations, and procedures, and shall use such forms, as shall be prescribed by the Secretary in consultation with the State unemployment compensation agencies. All rules, regulations, and standards prescribed by the Secretary with respect to intrastate claims will apply to claims filed under this arrangement unless they are clearly inconsistent with the arrangement. The Secretary shall resolve any disagreement between State agencies concerning the operation of the arrangement, with the advice of the duly designated representatives of the State agencies.

#### § 616.5 Effective date.

This arrangement shall apply to all new claims (to establish a benefit year) filed under it after December 31, 1971.

#### § 616.6 Definitions.

These definitions apply for the purpose of this arrangement and the procedures issued to effectuate it.

(a) *State*. "State" includes the States of the United States of America, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) *State agency*. The agency which administers the unemployment compensation law of a State.

(c) *Combined-Wage Claim*. A claim filed under this arrangement.

(d) *Combined-Wage Claimant*. A claimant who has covered wages under the unemployment compensation law of more than one State and who has filed a claim under this arrangement.

(e) *Paying State*. (1) The State in which a Combined-Wage Claimant files a Combined-Wage Claim provided he (i) is qualified for unemployment benefits in that State, or (ii) is not qualified in any State.

(2) If the State in which a Combined-Wage Claim is filed is not the paying State under the criteria set forth under subparagraph (1) of this paragraph then that State where the Combined-Wage Claimant was last employed in covered employment among the States in which he qualifies.

(f) *Transferring State*. A State in which a Combined-Wage Claimant had covered employment and wages in the base period of a paying State, and which transfers such employment and wages to the paying State for its use in determining the benefit rights of such claimant under its law.

(g) *Employment and wages*. "Employment" refers to all services which are covered under the unemployment compensation law of a State, whether expressed in terms of weeks of work or otherwise. "Wages" refers to all remuneration for such employment.

(h) *Secretary*. The Secretary of Labor of the United States.

(i) *Base period and benefit year*. The base period and benefit year applicable under the unemployment compensation law of the paying State.

#### § 616.7 Election to file a Combined-Wage Claim.

(a) Any unemployed individual who has had employment covered under the unemployment compensation law of two or more States, whether or not he is monetarily qualified under one or more of them, may elect to file a Combined-Wage Claim. He may not so elect, however, if he has established a benefit year under any State or Federal unemployment compensation law and:

(1) The benefit year has not ended, and

(2) He still has unused benefit rights based on such benefit year.<sup>1</sup>

(b) For the purposes of this arrangement, a claimant will not be considered to have unused benefit rights based on a benefit year which he has established under a State or Federal unemployment compensation law if:

(1) He has exhausted his rights to all benefits based on such benefit year; or

(2) His rights to such benefits have been postponed for an indefinite period or for the entire period in which benefits would otherwise be payable; or

(3) Benefits are affected by the application of a seasonal restriction.

(c) If an individual elects to file a Combined-Wage Claim, all employment and wages in all States in which he worked during the base period of the paying State must be included in such combining, except employment and wages which are not transferrable under the provisions of § 616.9(b).

(d) A Combined-Wage Claimant may withdraw his Combined-Wage Claim within the period prescribed by the law of the paying State for filing an appeal, protest, or request for redetermination (as the case may be) from the monetary determination of the Combined-Wage Claim, provided he either

(1) Repays in full any benefits paid to him thereunder, or

(2) Authorizes the State(s) against which he files a substitute claim(s) for benefits to withhold and forward to the paying State a sum sufficient to repay such benefits.

(e) If the Combined-Wage Claimant files his claim in a State other than the paying State, he shall do so pursuant to the Interstate Benefit Payment Plan.

#### § 616.8 Responsibilities of the paying State.

(a) *Transfer of employment and wages—payment of benefits*. The paying

<sup>1</sup>The Federal-State Extended Unemployment Compensation Act of 1970, Title II, Public Law 91-373, section 202(a) (1), limits the payment of extended benefits with respect to any week to individuals who have no rights to regular compensation with respect to such week under any State unemployment compensation law or to compensation under any other Federal law and in certain other instances. This provision precludes any individual from receiving any Federal-State extended benefits with respect to any week for which he is eligible to receive regular benefits based on a Combined Wage Claim. (See section 5752, Part V of the Employment Security Manual.)

State shall request the transfer of a Combined-Wage Claimant's employment and wages in all States during its base period, and shall determine his entitlement to benefits (including additional benefits, extended benefits and dependents' allowances when applicable) under the provisions of its law based on employment and wages in the paying State, if any, and all such employment and wages transferred to it hereunder. The paying State shall apply all the provisions of its law to each determination made hereunder, even if the Combined-Wage Claimant has no earnings in covered employment in that State, except that the paying State may not determine an issue which has previously been adjudicated by a transferring State. Such exception shall not apply, however, if the transferring State's determination of the issue resulted in making the Combined-Wage Claim possible under § 616.7(b) (2). If the paying State fails to establish a benefit year for the Combined-Wage Claimant, or if he withdraws his claim as provided herein, it shall return to each transferring State all employment and wages thus unused.

(b) *Notices of determination.* The paying State shall give to the claimant a notice of each of its determinations on his Combined-Wage Claim that he is required to receive under the Secretary's Claim Determinations Standard and the contents of such notice shall meet such Standard. When the claimant is filing his Combined-Wage Claims in a State other than the paying State, the paying State shall send a copy of each such notice to the local office in which the claimant filed such claims.

(c) *Redeterminations.* Redeterminations may be made by the paying State in accordance with its law based on additional or corrected information received from any source, including a transferring State, except that such information shall not be used as a basis for changing the paying State if benefits have been paid under the Combined-Wage Claim.

(d) *Appeals.* (1) Except as provided in subparagraph (3) of this paragraph, where the claimant files his Combined-Wage Claim in the paying State, any protest, request for redetermination or appeal shall be in accordance with the law of such State.

(2) Where the claimant files his Combined-Wage Claim in a State other than the paying State, or under the circumstances described in subparagraph (3) of this paragraph, any protest, request for redetermination or appeal shall be in accordance with the Interstate Benefit Payment Plan.

(3) To the extent that any protest, request for redetermination or appeal involves a dispute as to the coverage of the employing unit or services in a transferring State, or otherwise involves the amount of employment and wages subject to transfer, the protest, request for redetermination or appeal shall be decided by the transferring State in accordance with its law.

(e) *Recovery of prior overpayments.* If there is an overpayment outstanding

in a transferring State and such transferring State so requests, the overpayment shall be deducted from any benefits the paying State would otherwise pay to the claimant on his Combined-Wage Claim except to the extent prohibited by the law of the paying State. The paying State shall transmit the amount deducted to the transferring State or credit the deduction against the transferring State's required reimbursement under this arrangement. This paragraph shall apply to overpayments only if the transferring State certifies to the paying State that the determination of overpayment was made within 3 years before the Combined-Wage Claim was filed and that repayment by the claimant is legally required and enforceable against him under the law of the transferring State.

(f) *Statement of benefit charges.* (1) At the close of each calendar quarter, the paying State shall send each transferring State a statement of benefits charged during such quarter to such State as to each Combined-Wage Claimant.

(2) Each such charge shall bear the same ratio to the total benefits paid to the Combined-Wage Claimant by the paying State as his wages transferred by the transferring State bear to the total wages used in such determination. The computation of such ratio shall be to the nearest full percentage point.

§ 616.9 Responsibilities of transferring States.

(a) *Transfer of employment and wages.* Each transferring State shall promptly transfer to the paying State the employment and wages the Combined-Wage Claimant had in covered employment during the base period of the paying State. Any employment and wages so transferred shall be transferred without restriction as to their use for determination and benefit payments under the provisions of the paying State's law.

(b) *Employment and wages not transferable.* Employment and wages transferred to the paying State by a transferring State shall not include:

(1) Any employment and wages which have been transferred to any other paying State and not returned unused, or which have been used in the transferring State as the basis of a monetary determination which established a benefit year.

(2) Any employment and wages which have been canceled or are otherwise unavailable to the claimant as a result of a determination by the transferring State made prior to its receipt of the request for transfer, if such determination has become final or is in the process of appeal but is still pending. If the appeal is finally decided in favor of the Combined-Wage Claimant, any employment and wages involved in the appeal shall forthwith be transferred to the paying State and any necessary redetermination shall be made by such paying State.

(3) Any employment and wages which would be canceled under the law of the transferring State, if its law does not permit noncharging of benefits paid

thereon, except that this paragraph shall not apply to requests for transfer made after June 30, 1973, or after amendment of the law to provide for noncharging, whichever is earlier.

(c) *Reimbursement of paying State.* Each transferring State shall, as soon as practicable after receipt of a quarterly statement of charges described herein, reimburse the paying State accordingly.

§ 616.10 Reuse of employment and wages.

Employment and wages which have been used under this arrangement for a determination of benefits which establishes a benefit year shall not thereafter be used by any State as the basis for another monetary determination of benefits.

§ 616.11 Amendment of arrangement.

Periodically the Secretary shall review the operation of this arrangement, and shall propose such amendments to the arrangement as he believes are necessary or appropriate. Any State unemployment compensation agency or the ICESA may propose amendments to the arrangement. Any proposal shall constitute an amendment to the arrangement upon approval by the Secretary in consultation with the State unemployment compensation agencies. Any such amendment shall specify when the change shall take effect, and to which claims it shall apply.

Signed at Washington, D.C., on this 17th day of November 1971.

MALCOLM R. LOVELL, Jr.,  
Assistant Secretary for Manpower,  
U.S. Department of Labor.

[FR Doc. 71-18371 Filed 12-27-71; 8:47 am]

Title 39—POSTAL SERVICE

Chapter I—U.S. Postal Service

PART 911—RULE MAKING PROCEDURES OF THE POST OFFICE DEPARTMENT

PART 926—RULES OF PRACTICE IN PROCEEDINGS TO REVOKE ORDERS CHANGING THE MODE OF TRANSPORTATION OF PERIODICAL MAIL OF THE SECOND CLASS

PART 936—RULES OF PROCEDURE FOR CONTRACT FINANCING

Revocation of Parts

I. Procedural regulations set out in Parts 911 and 926 of Title 39, Code of Federal Regulations, are outmoded, in view of the enactment of the Postal Reorganization Act (Public Law 91-375). Accordingly, Parts 911 and 926 are revoked.

II. Part 936 has been superseded. (See 36 F.R. 12451.) Accordingly, Part 936 is revoked.

(39 U.S.C. 401, 410)

LOUIS A. COX,  
Solicitor.

[FR Doc. 71-18351 Filed 12-27-71; 8:46 am]