

BOOK 1 OF 2 BOOKS
FRIDAY, MARCH 4, 1977



highlights

**PRINCIPAL EXECUTIVE BRANCH OFFICIALS
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CARTER (appointed January 20-March 1,
1977)**

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The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
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Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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INFORMATION AND ASSISTANCE

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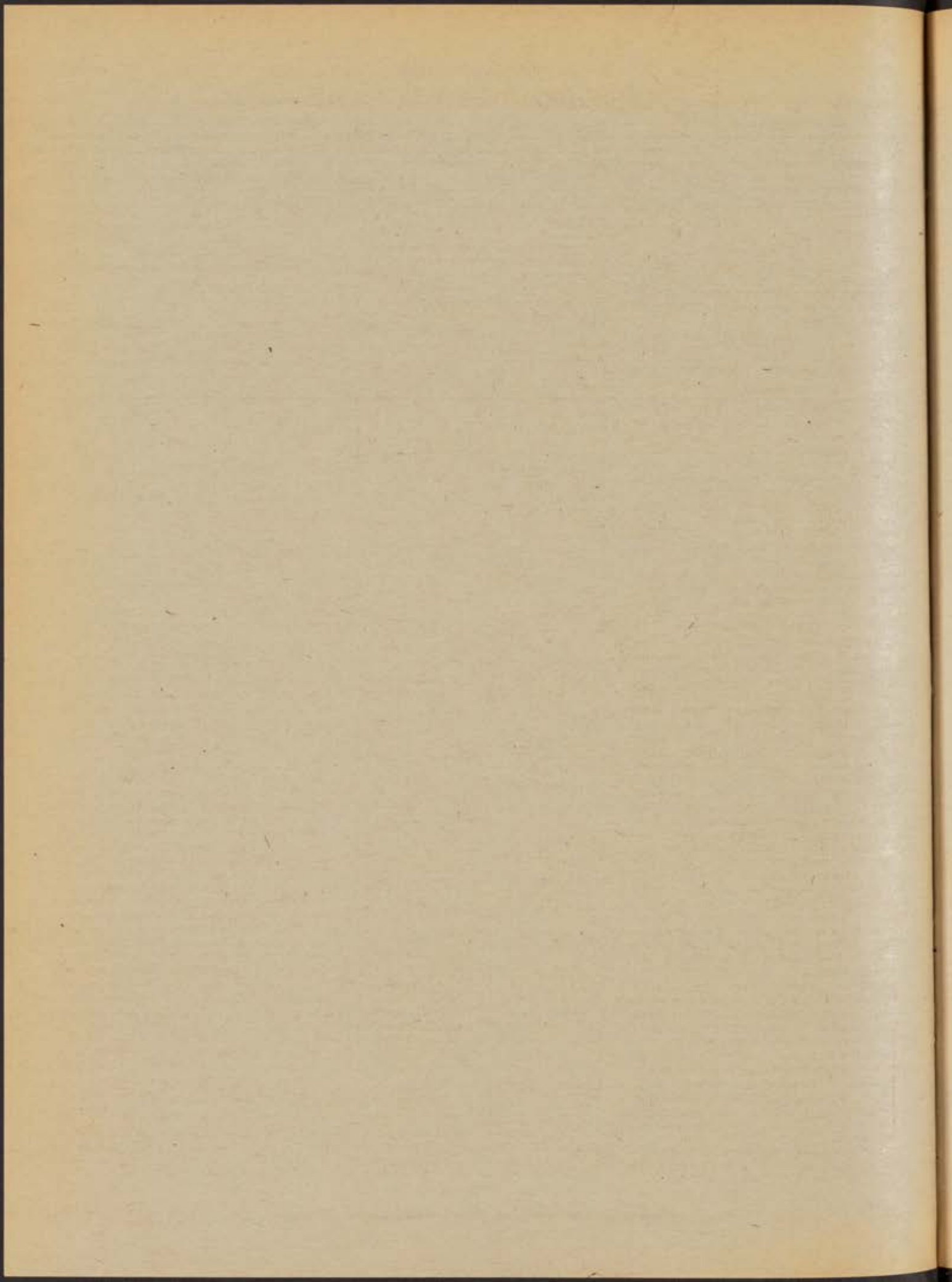
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rules and regulations

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 82]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period March 6-12, 1977. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.382 Lemon Regulation 82.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(3) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues good this week. Average f.o.b. price was \$5.00 per carton the week ended February 26, 1977, compared to \$4.90 per carton the previous week. Track and rolling supplies at 140 cars were the same as last week.

(4) Having considered the recommendation and information submitted by the

committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 1, 1977.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period March 6, 1977, through March 12, 1977, is hereby fixed at 220,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: March 3, 1977.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 77-6745 Filed 3-3-77; 11:50 am]

[Amdt. 1]

PART 959—ONIONS GROWN IN SOUTH TEXAS

Handling Regulation

This amendment relieves container requirements for onions packed for export shipments and clarifies the safeguard requirements when such shipments are exempted from the Sunday packaging or loading prohibition.

Findings. (a) Pursuant to Marketing Agreement No. 143 and Order No. 959, both as amended (7 CFR Part 959), regulating the handling of onions grown in designated counties of South Texas, it is hereby found that the amendment to the handling regulation, hereinafter set forth, will tend to effectuate the declared policy of the act. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The amendment is based upon recommendations and information submitted by the South Texas Onion Committee, established pursuant to said marketing agreement and order, and upon other available information.

During the course of the marketing season, export shipments to Europe and other areas often provide an important outlet for onions grown in the production area. The committee has recommended that container restrictions for export orders be eliminated so that handlers are better able to provide the kind of packaging requested by importers in various countries.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, or to engage in public rulemaking procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) this amendment must become effective on March 7, 1977, if producers are to derive maximum benefit therefrom, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the proposed amendment has been made available to producers and handlers in the production area and (4) this amendment relieves restrictions on the handling of onions grown in the production area.

Section 959.317 (42 FR 4395) is amended by revising paragraphs (c) (3), (f) (4) and amending paragraph (f) (5) as follows:

§ 959.317 Handling regulation.

(c) * * *

(3) These container requirements shall not be applicable to onions sold to Federal agencies or for export.

(f) ***

(4) *Export shipments.* (i) Upon approval of the committee, the prohibition against packaging or loading onions on any Sunday may be modified or suspended to permit the handling of onions for export provided such handling complies with the procedures and safeguards specified by the committee.

(ii) A handler desiring to make such export shipments shall first notify the committee. Following approval, if the handler grades, packages and ships onions for export on any Sunday, such handler shall on the first workday following such shipment, cease all grading, packaging and shipping operations for the same length of time as the handler so operated on Sunday. Upon completion of such shipments, the handler shall report thereon as prescribed by the committee.

(iii) Export shipments shall also be exempt from all container requirements of this section.

(5) *Onions failing to meet requirements.* Onions failing to meet the grade, size and container requirements of this section and not exempt under paragraphs (e) or (f) (4) of this section may be handled only pursuant to § 959.126.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated: March 1, 1977, to become effective March 7, 1977.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 77-6616 Filed 3-3-77; 8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

Immigrant Status for Citizens of Cambodia, Vietnam, and Laos

Reference is made to the Notice of Proposed Rule Making published in the *FEDERAL REGISTER* of November 11, 1976 (41 FR 49827) pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383), in which it was proposed to amend 8 CFR 245.4 by adding a new paragraph (b) pertaining to eligibility for seventh-preference immigrant status for citizens of Cambodia, Vietnam and Laos.

The proposed new paragraph provides that citizens of Cambodia, Vietnam and Laos paroled into the United States as refugees will be ineligible for classification as seventh-preference immigrants under the proviso to section 203(a) (7) of the Immigration and Nationality Act (8 U.S.C. 1153(a) (7)) until they have

been continuously physically present in the United States for a period of at least two years subsequent to such parole; and that citizens of those countries who entered the United States as nonimmigrants prior to the fall of those countries to the communists and were subsequently permitted to remain in this country indefinitely as refugees will be ineligible for classification as seventh-preference immigrants under the proviso to section 203(a) (7) of the Act until they have been continuously physically present in the United States for two years after the dates their respective countries capitulated and became communist-dominated.

In response to the Notice, five representations were received, and they have all been carefully considered.

Three representations opposed the proposed rule on the grounds that the language of section 203(a) (7) of the Act did not require that an alien seeking adjustment of status as a seventh-preference immigrant had to be physically present in the United States for two years after the fall of his country to the Communists and that the proposed regulation was contrary to the statute. Section 203(a) (7) of the Act provides that 10,200 aliens who are refugees from communism, certain areas of the Middle East, or a natural calamity may be permitted to enter the United States as conditional entrants each year. The section further provides that in lieu of conditional entries 5,100 of these numbers may be used to adjust the status of refugees who have been continuously physically present in the United States for two years prior to application for adjustment of status. The statute is silent as to whether such continuous physical presence must occur after an alien refugee fled from communism or whether such presence must occur immediately preceding the date of application for adjustment of status. Thus the issue concerning exactly when the two year physical presence in the United States must take place is not clearly specified, and under the circumstances, the matter becomes one of statutory interpretation.

While the general rule regarding statutory interpretation is that a statute must be given a strict literal interpretation, a justifiable basis for departing from that general rule exists where such literal interpretation would lead to an absurd, unjust, or unreasonable result. The Service believes that to be the case in this instance. More than 15,000 natives of Vietnam, Cambodia and Laos entered the United States as nonimmigrants prior to the capitulation of those countries to the communists. Most of these aliens have now been here for more than two years. It would be unjust to accord them eligibility for seventh preference immigrant classification before such status may be granted to those refugees of Cambodia, Vietnam and Laos who actually physically fled from the invading communist forces. There are only 5,100 seventh preference immigrant visa numbers available annually for the adjustment of status of refugees who are na-

tives of the Eastern Hemisphere. The use of such numbers by nonimmigrants who entered the United States from Indochina prior to the fall of their countries to the communists would likely exhaust the available numbers and thereby preclude the adjustment of status of an equal number of paroled refugees who had actually fled the communist forces but who were not eligible to apply for seventh preference classification because they have not been physically present in the United States for two years.

Another letter in opposition to the proposed rule contended that the adoption of the proposed amendment would deprive of benefits alien military personnel who were brought here by the United States Government from Cambodia and Vietnam six months prior to the capitulation of their countries to the communists. In response to this objection we wish to point out that adoption of the proposed regulation will do no more than provide such alien military personnel the same benefits which will be accorded all other Indochinese refugees.

Finally, one representation in support of the regulation suggested that the numerical limitations set forth in the Immigration and Nationality Act not be imposed against Indochinese refugees who apply for adjustment of status to that of permanent residents in a fashion similar to that of the "Cuban Program". It will not be possible to adopt this suggestion because such a procedure is precluded by the statute.

In the light of the foregoing, the proposed rule, as set forth below, is hereby prescribed. Section 245.4 of Chapter I, Title 8 of the Code of Federal Regulations is hereby amended by designating the existing paragraph thereof as paragraph (a), and by adding a new paragraph (b) to read as follows:

§ 245.4 Adjustment of status of aliens within the proviso to section 203(a) (7) of the Act.

(a) ***

(b) Citizens of Cambodia, Vietnam, and Laos who have been paroled into the United States as refugees are ineligible for classification as seventh preference immigrants under the proviso to section 203(a) (7) of the Act until they have been continuously physically present in the United States for a period of at least two years subsequent to such parole. Citizens of Cambodia, Vietnam, and Laos who entered the United States as nonimmigrants and were subsequently granted permission to remain in the United States indefinitely as refugees are ineligible for classification as seventh preference immigrants under the proviso to section 203(a) (7) until they have been continuously physically present in the United States for two years after their respective countries capitulated and became Communist-dominated. For the purpose of computing that period of two years, citizens of Cambodia, Vietnam, and Laos may count only the time accumulating after April 17, 1975, April 30, 1975, and December 4, 1975, respectively; the dates when such countries capitulated and became Communist-dominated.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103.)

The basis and purpose of the rule prescribed in this order is to provide that in the case of citizens of Cambodia, Vietnam and Laos who entered this country as nonimmigrants prior to the dates their respective countries capitulated and became communist dominated, computation of the two year residence requirement necessary to qualify for adjustment of status as a seventh-preference immigrant under the proviso to section 203(a)(7) of the Immigration and Nationality Act does not begin until the dates their respective countries capitulated and became communist dominated.

It is necessary that a distinction be made between citizens of Cambodia, Vietnam and Laos who entered this country as nonimmigrants prior to the dates their respective countries capitulated and became communist dominated, and citizens of those countries who actually fled from communist forces, because the Congress did not intend the proviso to apply to nonimmigrant aliens who left a noncommunist country prior to the time it became communist dominated. Also, a failure to distinguish between the two groups would create a situation in which those individuals who came from those countries as nonimmigrants would be eligible to adjust their status as seventh-preference immigrants under the proviso before those who actually fled the communist forces.

Effective date: The amendment contained in this order shall become effective on April 4, 1977.

Dated: March 1, 1977.

L. P. CHAPMAN, Jr.,
Commissioner,

Immigration and Naturalization.

[FR Doc. 77-6547 Filed 3-3-77; 8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 78—BRUCELLOSIS

Subpart D—Designation of Brucellosis Areas, Specifically Approved Stockyards, and Slaughtering Establishments

BRUCELLOSIS AREAS

The amendments delete the following areas from the list of Modified Certified Brucellosis Areas in § 78.21 and add such areas to the list designated as Noncertified Areas in § 78.22 because it has been determined that they no longer come within the definition of a Modified Certified Brucellosis Area in § 78.1(m):

Morgan County in Missouri.

The amendments delete the following areas from the list of Noncertified Areas in § 78.22 and add such areas to the list designated as Certified Brucellosis-Free Areas in § 78.20 because it has been determined that they again come within

the definition of a Certified Brucellosis-Free Area in § 78.1(1):

Clay and Montgomery Counties in Iowa.

The amendments delete the following areas from the list of Certified Brucellosis-Free Areas in § 78.20 and add such areas to the list designated as Modified Certified Brucellosis Areas in § 78.21 because it has been determined that they now come within the definition of a Modified Certified Brucellosis Area in § 78.1(m):

Yell County in Arkansas; Teton County in Idaho; and Jefferson County in Iowa.

The amendments delete the following areas from the list of Modified Certified Brucellosis Areas in § 78.21 and add such areas to the list designated as Certified Brucellosis-Free Areas in § 78.20 because it has been determined that they now come within the definition of a Certified Brucellosis-Free Area in § 78.1(1):

Ada County in Idaho; Brown and Hardin Counties in Illinois; Cherokee County in Iowa; and Guaynabo Municipality in Puerto Rico.

Accordingly, §§ 78.20, 78.21, and 78.22 of Part 78, Title 9, Code of Federal Regulations, designating Certified Brucellosis-Free Areas, Modified Certified Brucellosis Areas, and Noncertified Areas, respectively, are amended to read as follows:

§ 78.20 Certified Brucellosis-Free Areas.

The following States, or specified portions thereof, are hereby designated as Certified Brucellosis-Free Areas:

(a) *Entire States.* Arizona, California, Connecticut, Delaware, Hawaii, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, Washington, West Virginia, Wisconsin, Virgin Islands.

(b) *Specific Counties within States.* Alabama. Dale, Etowah, Geneva, Henry, Lee.

Arkansas. Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Clay, Cleveland, Columbia, Dallas, Drew, Fulton, Garland, Grant, Greene, Jackson, Johnson, Lafayette, Madison, Marion, Monroe, Montgomery, Newton, Ouachita, Perry, Pike, Polk, Prairie, Searcy, Sharp, Stone, Union, Woodruff.

Colorado. Adams, Alamosa, Arapahoe, Archuleta, Baca, Bent, Boulder, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Custer, Delta, Denver, Dolores, Douglas, Eagle, Elbert, El Paso, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, Kiowa, Kit Carson, Lake, La Plata, Larimer, Las Animas, Lincoln, Logan, Mineral, Moffat, Montezuma, Montrose, Morgan, Otero, Ouray, Park, Phillips, Pitkin, Prowers, Pueblo, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Sedgwick, Summit, Teller, Washington, Weld.

Florida. Baker, Bay, Brevard, Calhoun, Dade, Dixie, Escambia, Franklin, Gadsden, Gulf, Hamilton, Holmes, Jack-

son, Leon, Liberty, Monroe, Okaloosa, Orange, Pasco, Santa Rosa, Seminole, Sumter, Taylor, Wakulla, Walton, Washington.

Georgia. Appling, Atkinson, Bacon, Banks, Brantley, Bryan, Bulloch, Burke, Butts, Camden, Candler, Charlton, Chat-ham, Chattahoochee, Clarke, Clayton, Cook, Crawford, Dawson, De Kalb, Echols, Effingham, Evans, Fannin, Franklin, Glascock, Glynn, Greene, Habersham, Henry, Jeff Davis, Johnson, Jones, Lanier, Laurens, Liberty, Long, McIntosh, Monroe, Peach, Rabun, Richmond, Schley, Screven, Stephens, Taylor, Telfair, Toombs, Treutlen, Twiggs, Upson, Ware, Washington, Wayne, Wheeler, White, Wilkinson.

Idaho. Ada, Adams, Bear Lake, Benewah, Blaine, Boise, Bonner, Boundary, Camas, Canyon, Caribou, Clearwater, Custer, Idaho, Jerome, Kootenai, Latah, Lemhi, Lewis, Nez Perce, Oneida, Owyhee, Payette, Power, Shoshone, Valley, Washington, Yellowstone National Park.

Illinois. Adams, Alexander, Bond, Boone, Brown, Bureau, Calhoun, Carroll, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumberland, De Kalb, De Witt, Douglas, Du Page, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Fulton, Gallatin, Greene, Grundy, Hamilton, Hancock, Hardin, Henderson, Henry, Iroquois, Jackson, Jasper, Jefferson, Jersey, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lawrence, Lee, Livingston, Logan, Macon, Macoupin, Madison, Marion, Marshall, Mason, Massac, McDonough, McHenry, McLean, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Ogle, Peoria, Perry, Piatt, Pike, Pulaski, Putnam, Randolph, Richland, Rock Island, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermillion, Wabash, Warren, Washington, Wayne, White, Whiteside, Will, Winnebago, Woodford.

Iowa. Adair, Adams, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cass, Cedar, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Dallas, Davis, Des Moines, Dickinson, Dubuque, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Hamilton, Hancock, Hardin, Henry, Howard, Humboldt, Ida, Iowa, Jackson, Johnson, Keokuk, Kossuth, Lee, Linn, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Montgomery, Muscatine, O'Brien, Osceola, Page, Palo Alto, Pocahontas, Polk, Pottawattamie, Poweshiek, Plymouth, Scott, Shelby, Tama, Taylor, Van Buren, Wapello, Warren, Washington, Webster, Winnebago, Winneshiek, Woodbury, Worth, Wright.

Kansas. Comanche, Doniphan, Ford, Gove, Graham, Greeley, Haskell, Hodgeman, Johnson, Lane, Logan, Marshall, Pawnee, Phillips, Riley, Scott, Sheridan, Thomas, Trego, Wallace, Washington.

Kentucky. Bell, Breathitt, Campbell, Clay, Edmondson, Floyd, Harlan, Jackson, Johnson, Kenton, Knott, Knox,

Lawrence, Lee, Leslie, Letcher, Lewis, Magoffin, Martin, McCreary, Menifee, Morgan, Owsley, Pendleton, Perry, Pike, Robertson, Trimble, Whitley, Wolfe.

Mississippi. Alcorn, Hancock, Harrison, Jackson, Stone, Tishomingo.

Missouri. Audrain, Dallas, Douglas, Dunklin, Franklin, Gasconade, Hickory, Iron, Jackson, Laclede, Lewis, Miller, Moniteau, Montgomery, Perry, Platte, Pulaski, St. Louis, Schuyler, Shelby.

New Mexico. Bernalillo, Catron, Colfax, Dona Ana, Grant, Harding, Hidalgo, Lincoln, Los Alamos, Luna, McKinley, Otero, Rio Arriba, Sandoval, San Juan, Santa Fe, Sierra, Socorro, Taos, Torrance.

South Dakota. Aurora, Beadle, Bennett, Bon Homme, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Clay, Codrington, Corson, Custer, Davison, Day, Deuel, Dewey, Douglas, Edmunds, Fall River, Faulk, Grant, Gregory, Haakon, Hamlin, Hand, Hanson, Harding, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Kingsbury, Lake, Lawrence, Lincoln, Lyman, Marshall, McCook, McPherson, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Roberts, Sanborn, Shannon, Spink, Sully, Todd, Tripp, Turner, Union, Walworth, Washabaugh, Yankton, Ziebach.

Tennessee. Anderson, Blount, Campbell, Carter, Cheatham, Claiborne, Davidson, Decatur, Dickson, Fentress, Grainger, Greene, Grundy, Hancock, Hardin, Jefferson, Johnson, Knox, Lake, Meigs, Morgan, Polk, Roane, Robertson, Rutherford, Scott, Sequatchie, Sevier, Sullivan, Union, Warren, White.

Texas. Brewster, Childress, Comal, Crane, Ector, Gray, Hansford, Hartley, Hemphill, Irion, Jeff Davis, Kerr, Kimble, Lipscomb, Llano, Loving, Mason, Newton, Pecos, Reagan, Roberts, Sterling, Terrell, Val Verde, Ward, Winkler.

Utah. Beaver, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, Weber.

Wyoming. Albany, Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Johnson, Laramie, Natrona, Niobrara, Park, Platte, Sheridan, Sublette, Sweetwater, Teton, Uinta, Washakie, Weston.

Puerto Rico. Adjuntas, Aguada, Aguadilla, Aguas Buenas, Aibonito, Anasco, Arroyo, Barceloneta, Barranquitas, Bayamon, Cabo Rojo, Caguas, Camuy, Canovanas (Loiza), Catano, Cayey, Ceiba, Ciales, Cidra, Coamo, Comerio, Corozal, Culebra, Dorado, Fajardo, Guanica, Guayama, Guaynabo, Guayanilla, Gurabo, Hormigueros, Humacao, Isabela, Jayuya, Juana Diaz, Juncos, Lajas, Lares, Las Marias, Luquillo, Manati, Maricao, Maunabo, Mayaguez, Moca, Morovis, Naranjito, Orocuivi, Patillas, Penuelas, Ponce, Quebradillas, Rincon, Rio Grande, Rio Piedras, Sabana Grande, Salinas, San German, San Juan, San Lorenzo, San Sebastian, Santa Isabel, Toa Alta, Toa Baja, Trujillo Alto, Utuado,

Vega Alta, Vega Baja, Villalba, Yabucoa, Yauco.

§ 78.21 Modified Certified Brucellosis Areas.

The following States, or specified portions thereof, are hereby designated as Modified Certified Brucellosis Areas:

(a) *Entire States.* Alaska, Louisiana, Nebraska, Oklahoma.

(b) *Specific Counties within States.*
Alabama. Autauga, Baldwin, Barbour, Bibb, Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dallas, De Kalb, Elmore, Escambia, Fayette, Franklin, Greene, Hale, Houston, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Lowndes, Macon, Madison, Marengo, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Perry, Pickens, Pike, Randolph, Russell, St. Clair, Shelby, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, Wilcox, Winston.

Arkansas. Arkansas, Ashley, Chicot, Clark, Cleburne, Conway, Craighead, Crawford, Crittenden, Cross, Dasha, Faulkner, Franklin, Hempstead, Hot Spring, Howard, Independence, Izard, Jefferson, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Nevada, Phillips, Polk, Pope, Pulaski, Randolph, Saline, Scott, St. Francis, Sebastian, Sevier, Van Buren, Washington, White, Yell.

Colorado. Mesa, Yuma.
Florida. Alachua, Bradford, Broward, Charlotte, Citrus, Clay, Collier, Columbia, De Soto, Duval, Flagler, Gilchrist, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Lee, Levy, Madison, Manatee, Marion, Martin, Nassau, Okeechobee, Osceola, Palm Beach, Pinellas, Polk, Putnam, St. Johns, St. Lucie, Sarasota, Suwanee, Union, Volusia.

Georgia. Baker, Baldwin, Barrow, Bartow, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Carroll, Catoosa, Chattooga, Cherokee, Clay, Clinch, Cobb, Coffee, Colquitt, Columbia, Coweta, Crisp, Dade, Decatur, Dodge, Dooly, Dougherty, Douglas, Early, Elbert, Emanuel, Fayette, Floyd, Forsyth, Fulton, Gilmer, Gordon, Grady, Gwinnett, Hall, Hancock, Haralson, Harris, Hart, Heard, Houston, Irwin, Jackson, Jasper, Jefferson, Jenkins, Lamar, Lee, Lincoln, Lowndes, Lumpkin, Macon, Madison, Marion, McDuffie, Meriwether, Miller, Mitchell, Montgomery, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pierce, Pike, Polk, Pulaski, Putnam, Quitman, Randolph, Rockdale, Seminole, Spalding, Stewart, Sumter, Talbot, Tallahassee, Tuttnall, Terrell, Thomas, Tift, Towns, Troup, Turner, Union, Walker, Walton, Warren, Webster, Whitfield, Wilcox, Wilkes, Worth.

Idaho. Bannock, Bingham, Bonneville, Butte, Cassia, Clark, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Lin-

coln, Madison, Minidoka, Teton, Twin Falls.

Illinois. Pope, Williamson.

Iowa. Allamakee, Appanoose, Cerro Gordo, Crawford, Decatur, Delaware, Guthrie, Harrison, Jasper, Jefferson, Jones, Monroe, Ringgold, Sac, Sioux, Story, Union, Wayne.

Kansas. Allen, Anderson, Atchison, Barber, Barton, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Clay, Cloud, Coffey, Cowley, Crawford, Decatur, Dickinson, Douglas, Edwards, Elk, Ellis, Ellsworth, Finney, Franklin, Geary, Grant, Gray, Greenwood, Hamilton, Harper, Harvey, Jackson, Jefferson, Jewell, Kearny, Kingman, Kiowa, Labette, Leavenworth, Lincoln, Linn, Lyon, Marion, McPherson, Meade, Miami, Mitchell, Montgomery, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osage, Osborne, Ottawa, Pottawatomie, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Sedgwick, Seward, Shawnee, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Wabunsee, Wichita, Wilson, Woodson, Wyandotte.

Kentucky. Adair, Allen, Anderson, Ballard, Barren, Bath, Boone, Bourbon, Boyd, Boyle, Bracken, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Carroll, Carter, Casey, Christian, Clark, Clinton, Crittenden, Cumberland, Daviess, Elliott, Estill, Fayette, Fleming, Franklin, Fulton, Gallatin, Garrard, Grant, Graves, Grayson, Green, Greenup, Hancock, Hardin, Harrison, Hart, Henderson, Henry, Hickman, Hopkins, Jefferson, Jessamine, Larue, Laurel, Lincoln, Livingston, Logan, Lyon, Madison, Marion, Marshall, Mason, McCracken, McLean, Meade, Mercer, Metcalfe, Monroe, Montgomery, Muhlenberg, Nelson, Nicholas, Ohio, Oldham, Owen, Powell, Pulaski, Rockcastle, Rowan, Russell, Scott, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Union, Warren, Washington, Wayne, Webster, Woodford.

Mississippi. Adams, Amite, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Claiborne, Clarke, Clay, Coahoma, Copiah, Covington, De Soto, Forrest, Franklin, George, Greene, Grenada, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lafayette, Lamar, Lauderdale, Lawrence, Leake, Lee, LeFlore, Lincoln, Lowndes, Madison, Marion, Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Panola, Pearl River, Perry, Pike, Pontotoc, Prentiss, Quitman, Rankin, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tate, Tippah, Tunica, Union, Walthall, Warren, Washington, Wayne, Webster, Wilkinson, Winston, Yalobusha, Yazoo.

Missouri. Adair, Andrew, Atchison, Barry, Barton, Bates, Benton, Bollinger, Boone, Buchanan, Butler, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Carter, Cass, Cedar, Chariton, Christian, Clark, Clay, Clinton, Cole, Cooper, Crawford, Dade, Daviess, De Kalb, Dent, Gentry, Greene, Grundy, Harrison, Henry, Holt, Howard, Howell, Jasper, Jefferson,

Johnson, Knox, Lafayette, Lawrence, Lincoln, Linn, Livingston, Macon, Madison, Maries, Marion, McDonald, Mercer, Mississippi, Monroe, New Madrid, Newton, Nodaway, Oregon, Osage, Ozark, Pemiscot, Pettis, Phelps, Pike, Polk, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Clair, St. Francois, St. Genevieve, Saline, Scotland, Scott, Shannon, Stoddard, Stone, Sullivan, Taney, Texas, Vernon, Warren, Washington, Wayne, Webster, Worth, Wright.

New Mexico. Chaves, Curry, De Baca, Eddy, Guadalupe, Lea, Mora, Quay, Roosevelt, San Miguel, Union, Valencia.

South Dakota. Jones, Stanley.

Tennessee. Bedford, Benton, Bledsoe, Bradley, Cannon, Carroll, Chester, Clay, Cocke, Coffee, Crockett, Cumberland, DeKalb, Dyer, Fayette, Franklin, Gibson, Giles, Hamblen, Hamilton, Hardeman, Hawkins, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Jackson, Lauderdale, Lawrence, Lewis, Lincoln, Loudon, Macon, Madison, Marion, Marshall, Maury, McMinn, McNairy, Monroe, Montgomery, Moore, Obion, Overton, Perry, Pickett, Putnam, Rhea, Shelby, Smith, Stewart, Sumner, Tipton, Trousdale, Van Buren, Washington, Wayne, Weakley, Williamson, Wilson.

Texas. Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Bowie, Brazoria, Brazos, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Chambers, Cherokee, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comanche, Concho, Cooke, Coryell, Cottle, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, De Witt, Dickens, Dimmitt, Donley, Duval, Eastland, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Fort Bend, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Gillespie, Glasscock, Goliad, Gonzales, Grayson, Gregg, Grimes, Guadalupe, Hale, Hall, Hamilton, Hardeman, Hardin, Harris, Harrison, Haskell, Hays, Henderson, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Hutchinson, Jack, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kennedy, Kent, King, Kinney, Kleberg, Knox, Lamar, Lamb, Lampasas, La Salle, Lavaca, Lee, Leon, Liberty, Limestone, Live Oak, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Matagorda, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Navarro, Nolan, Nueces, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Polk, Potter, Presidio, Rains, Randall, Real, Red River, Reeves, Refugio,

Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Starr, Stephens, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Van Zandt, Victoria, Walker, Waller, Washington, Webb, Wharton, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wilson, Wise, Wood, Yoakum, Young, Zapata, Zavala.

Utah. Box Elder, Cache.

Wyoming. Lincoln.

Puerto Rico. Arecibo, Carolina, Hatillo, Las Piedras, Naguabo.

§ 78.22 Noncertified areas.

The following States, or specified portions thereof, are hereby designated as Noncertified Brucellosis Areas:

- (a) *Entire States.*
- (b) *Specific Counties within States.*

Missouri. Morgan.
Puerto Rico. Vieques.
(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, 125, 134b, 134f; 37 FR 28464, 28477; 38 FR 19141, 9 CFR 78.25.)

Effective date: The foregoing amendments shall become effective March 4, 1977.

The amendments impose certain restrictions necessary to prevent the spread of brucellosis in cattle and relieve certain restrictions presently imposed. They should be made effective promptly in order to accomplish their purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 28th day of February 1977.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

PIERRE A. CHALOUX,
Acting Deputy Administrator,
Veterinary Services.

[FR Doc. 77-6502 Filed 3-3-77; 8:45 am]

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, MEAT AND POULTRY INSPECTION, DEPARTMENT OF AGRICULTURE

PART 331—SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES, AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGER PUBLIC HEALTH AND FOR SUCH DESIGNATED ESTABLISHMENTS

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Designation of the State of Ohio

AGENCY: Department of Agriculture, Animal and Plant Health Inspection Service, Meat and Poultry Inspection.

ACTION: Final Rule.

SUMMARY: The Secretary of Agriculture hereby designates the State of Ohio as required under section 301(c)(3) of the Federal Meat Inspection Act and section 5(c)(3) of the Poultry Products Inspection Act. The Governor of Ohio has advised this Department that the State of Ohio is no longer in a position to continue administering the State meat and poultry inspection programs after March 31, 1977.

EFFECTIVE DATE: March 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. J. K. Payne, Federal-State Relations Officer, Field Operations, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250. (202-447-6313).

SUPPLEMENTARY INFORMATION. The Governor of the State of Ohio has advised this Department that the State of Ohio is no longer in a position to continue administering the State meat inspection program after March 31, 1977, and has requested the Department to assume the responsibility for carrying out the provisions of titles I and IV of the Federal Meat Inspection Act, with respect to establishments within the State at which cattle, sheep, swine, goats, or equines are slaughtered or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning meat products and other articles and animals subject to the Federal Meat Inspection Act, and persons, firms, and corporations engaged therein.

Also, the Governor of the State of Ohio has advised this Department that the State of Ohio is no longer in a position to continue administering the State poultry inspection program after March 31, 1977, and has requested the Department to assume the responsibility for carrying out the provisions of sections 1-4, 6-

10, and 12-22 of the Poultry Products Inspection Act with respect to establishments within the State at which poultry are slaughtered or poultry products are processed for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning products and other articles and animals subject to the Poultry Products Inspection Act, and persons, firms, and corporations engaged therein.

The Secretary heretofore determined that the State of Ohio had developed and activated requirements at least equal to the requirements under titles I and IV of the Federal Meat Inspection Act and sections 1-4, 6-10, and 12-22 of the Poultry Products Inspection Act. However, such titles and sections contemplate continuous, ongoing programs, and in view of the termination date now applicable to the Ohio programs, it is hereby determined that Ohio is not effectively enforcing requirements at least equal to those imposed under titles I and IV of the Federal Meat Inspection Act and sections 1-4, 6-10, and 12-22 of the Poultry Products Inspection Act. Therefore, notice is hereby given that the Secretary of Agriculture designates said State under section 301(c)(3) of the Federal Meat Inspection Act and section 5(c)(3) of the Poultry Products Inspection Act.

On April 3, 1977, the provisions of titles I and IV of the Federal Meat Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Federal Meat Inspection Act, and any establishment in the State of Ohio which conducts any slaughtering or preparation of carcasses or parts or products thereof of cattle, sheep, swine, goats, horses, mules, or other equines, must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 23(a) or 301(c) of the Federal Meat Inspection Act.

Also, on April 3, 1977, the provisions of sections 1-4, 6-10, and 12-22 of the Poultry Products Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Poultry Products Inspection Act, and any establishment in the State of Ohio which conducts any slaughtering or processing of poultry or poultry products must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 15 or 5(c)(2) of the Poultry Products Inspection Act.

Therefore, the operator of each such establishment who desires to continue any such operations after March 31, 1977, should immediately communicate with the Regional Director for Meat and Poultry Inspection, as listed below, for

information concerning the requirements and exemptions under the Acts and application for inspection and survey of the establishment:

Dr. L. H. Burkert, Director, North Central Meat and Poultry Inspection Program, U.S. Courthouse Building, East First and Walnut Streets, Des Moines, Iowa 50309 (Telephone: 515-284-4042).

Accordingly, the table in § 331.2 of the Federal meat inspection regulations (9 CFR 331.2) is amended as follows:

1. In the "State" column, "Ohio" is added immediately below "North Dakota."

2. In the "Effective date of application of Federal provisions" column, "April 3, 1977" is added on the line with "Ohio."

(Secs. 21 and 301(c), 34 Stat. 1260, as amended; 21 U.S.C. 621, 661(c); 37 F.R. 28464, 28477.)

Further, the table in § 381.221 of the poultry products inspection regulations (9 CFR 381.221) is amended as follows:

1. In the "State" column, "Ohio" is added immediately below "North Dakota."

2. In the "Effective date of application of Federal provisions" column, "April 3, 1977" is added on the line with "Ohio."

(Secs. 5(c) and 14, 71 Stat. 441, as amended; 21 U.S.C. 464(c), 463; 37 F.R. 28464, 28477.)

These amendments of the Federal meat inspection regulations and the poultry products inspection regulations are necessary to reflect the determination of the Secretary of Agriculture under section 301(c) of the Federal Meat Inspection Act and section 5(c) of the Poultry Products Inspection Act. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Secretary. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such public procedure is impracticable and unnecessary.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Done at Washington, D.C., on March 2, 1977.

DONALD L. HOUSTON,
Acting Administrator, Animal and
Plant Health Inspection Service.

[FR Doc. 77-6588 Filed 3-2-77; 9:45 am]

SUBCHAPTER C—MANDATORY POULTRY PRODUCTS INSPECTION

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Suspension or Other Withdrawal of Inspection Service

* **Purpose:** To change the rules on Suspension or Other Withdrawal of Inspection Service to conform with the Department's Uniform Rules of Practice and the Supplemental Rules of Prac-

tice Under the Poultry Products Inspection Act.

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to the authority in the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), the Animal and Plant Health Inspection Service is amending § 381.29 of the poultry products inspection regulations (9 CFR Part 381), to conform with the Department's Uniform Rules of Practice and the Supplemental Rules of Practice governing proceedings under the Poultry Products Inspection Act.

Statement of Consideration. The Department of Agriculture has promulgated Uniform Rules of Practice governing many formal adjudicatory, administrative proceedings including those under the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) as Subpart H of Part I, Subtitle A of Title 7 of the Code of Federal Regulations on January 4, 1977, in Vol. 42, No. 2 of the FEDERAL REGISTER (42 FR 743-749). These rules became effective on February 1, 1977. All Rules of Practice now in existence which are in conflict with the Uniform Rules were superseded. The Administrators of the agencies administering the programs involved are required to publish documents revoking any rules or regulations superseded by the new Rules of Practice. They must also promulgate additional supplemental rules relating to particular circumstances arising in connection with the proceedings under the statutes and regulations administered by them. Supplemental Rules of Practice governing programs administered by APHIS are published in a separate document in this volume of the FEDERAL REGISTER.

Section 381.29 of the regulations under the Poultry Products Inspection Act (9 CFR 381.29) must be amended to conform with the new rules.

Therefore, § 381.29 of the poultry product inspection regulations (9 CFR 381.29) is hereby revised to read as follows:

§ 381.29 Suspension or other withdrawal of inspection service.

(a) Inspection service may be withdrawn in accordance with section 18 of the Act and the applicable rules of practice.

(b) During a period of withdrawal, no processing of poultry or poultry products subject to the inspection requirements of the Act shall be carried on in the official establishment. However, any product which was inspected and passed prior to the withdrawal may be shipped from the official establishment, provided its identity was maintained, and it has not become adulterated or misbranded.

(c) Inspection may be suspended, revoked, or terminated as provided in subsection 21(b) of the Federal Water Pollution Control Act, as amended.

(d) The assignment of inspectors may be temporarily suspended, in whole or in part, by the Administrator, to the extent he determines necessary to avoid impairment of the effective conduct of the inspection service when the operator

of any official establishment or any subsidiary therein, or any officer, employee, or agent of any such operator or any subsidiary therein, acting within the scope of his office, employment, or agency, threatens to forcibly assault or forcibly assaults, intimidates, or interferes with any inspection service employee in or on account of the performance of his official duties under the Act, unless promptly upon the incident being brought by an authorized supervisor of the Inspection Service employee to the attention of the operator of the establishment the operator (1) Satisfactorily justifies the incident, (2) Takes effective steps to prevent a recurrence, or (3) Provides acceptable assurance that there will not be any recurrences. The suspension shall remain in effect until one of such actions is taken by the operator: *Provided*, That upon request of the operator he shall be afforded an opportunity for an expedited hearing to show cause why the suspension should be terminated.

This amendment is required so that the poultry products inspection regulations will conform with the Department's Uniform Rules of Practice and the Supplemental Rules of Practice published under the Poultry Products Inspection Act. Therefore, public participation in this rulemaking proceeding is unnecessary, and under the administrative procedure provisions in 5 U.S.C. 553, good cause is found for making this amendment effective less than 30 days after publication in the *FEDERAL REGISTER*.

NOTE.—The Animal and Plant Health Inspection Service has determined this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

The foregoing amendment shall become effective March 4, 1977.

Done at Washington, D.C., on February 24, 1977.

HARRY C. MUSSMAN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 77-6217 Filed 3-3-77; 8:45 am]

Title 12—Banks and Banking

CHAPTER IV—EXPORT-IMPORT BANK OF THE UNITED STATES

PART 407—REGULATIONS GOVERNING PUBLIC OBSERVATION OF EXIMBANK MEETINGS

Implementation of Government in the Sunshine Act

AGENCY: Export-Import Bank of the United States (Eximbank).

ACTION: Final Regulations.

SUMMARY: These regulations implement sections (b) through (f) of the Government in the Sunshine Act, 5 U.S.C. 552b(b) through (f) and they are made pursuant to section (g) of the Government in the Sunshine Act, 5 U.S.C. 552b(g). They were first published in the *FEDERAL REGISTER* on Janu-

ary 28, 1977. Written comments were invited from interested persons and were to be received no later than February 28, 1977.

EFFECTIVE DATE: March 12, 1977.

FOR FURTHER INFORMATION CONTACT:

Warren W. Glick, General Counsel, Export-Import Bank of the United States, 811 Vermont Avenue, NW., Washington, D.C. 20571 (202-382-1493).

SUPPLEMENTARY INFORMATION: The final regulations are the same as the proposed regulations with several exceptions:

1. Section 407.2(b) is revised to read as follows: "Inasmuch as opening any regularly scheduled meeting, or any portion thereof, to public observation will be likely to result in the disclosure of the kind of information set forth in subparagraphs (4), (8), (9) (i) or (10), or any combination thereof, of § 407.2 (a), the Board of Directors expects to close all regularly scheduled meetings to the public." This change in wording makes clear that the actual vote to close a regularly scheduled meeting will be made pursuant to § 407.3(b).

2. The phrase "prior to such meeting" is inserted following the phrase "the General Counsel of Eximbank will be asked to certify" in Section 407.5 to make clear that the General Counsel will be asked to make such a certification before a meeting is actually held.

3. Subsection (b) of Section 407.6 is deleted and Section 407.7 is amended to read as follows: "Nothing in this part expands or limits the present rights of any person under Part 404, except that the exemptions contained in Section 407.2 above shall govern in the case of any request made pursuant to Part 404 to copy or inspect the transcripts, recordings or minutes described in Section 407.6 above." These changes will insure that the procedures set forth in the Freedom of Information Act will govern any request for the transcripts, electronic recordings or minutes made of any meeting, while the decision to withhold or disclose them will be made on the basis of the exemptions set forth in the Government in the Sunshine Act.

4. The second sentence of Section 407.6 has been revised to read as follows: "The entire transcript, electronic recording or set of minutes of a meeting will be made promptly available to the public for inspection and copying in the Office of the Secretary." This change was made to conform the language of the regulations to that of the statute and thereby avoid any inference that the scope of the former was intended to be different from that of the latter. It also permits the more explicit time periods of the Freedom of Information Act to govern requests for transcripts, recordings and minutes in conformity with the changes noted in paragraph 3 above.

5. Section 407.6 has been further revised to require a request to inspect or

have copies made of transcripts, recordings or minutes to be made in writing directly to the General Counsel. This change will reduce the amount of time needed to process such requests, since the General Counsel will be making the decision on whether or not to release such materials.

Eximbank was also asked to make explicit provisions for closing a meeting in two stages. That is, Eximbank was requested to determine whether a meeting comes within a particular exemption, and then to determine whether the public interest nevertheless requires that the meeting be open. Based upon a careful reading of the statute and the legislative history, however, Eximbank has concluded that such a procedure is not warranted, inasmuch as a prior public interest determination will be implicit in any decision by the Board of Directors to make use of the exemptions likely to be applicable to Eximbank activities.

Finally, Eximbank received a comment suggesting that it could not make use of exemption 9(A) of the Government in the Sunshine Act. While Eximbank is not "an agency which regulates currencies, securities, commodities or financial institutions," it may receive information from such an agency, the premature disclosure of which would be likely to have the effect described in the exemption. Accordingly, Eximbank has retained Section 407.2(a) (9) (i).

WARREN W. GLICK,
General Counsel.

Sec.	
407.1	Purpose, scope and definitions.
407.2	Closing meetings.
407.3	Procedures applicable to regularly scheduled meetings.
407.4	Procedures applicable to other meetings.
407.5	Certification by General Counsel.
407.6	Transcripts, recordings and minutes of closed meetings.
407.7	Relationship to Freedom of Information Act.

AUTHORITY: Sec. (g) Government in the Sunshine Act, 5 U.S.C. 552b(g); secs. (b) through (f), 5 U.S.C. 552b.

§ 407.1 Purpose, scope and definitions.

(a) Consistent with the principles that (1) the public is entitled to the fullest practicable information regarding the decision-making processes of the Federal Government and (2) the rights of individuals and the ability of the Export-Import Bank of the United States to carry out its statutory responsibilities should be protected, this Part is promulgated pursuant to the directive of section (g) of the Government in the Sunshine Act, 5 U.S.C. 552b(g), and specifically implements sections (b) through (f) of said Act, 5 U.S.C. 552b (b) through (f).

(b) The term "meeting" means any meeting of the Board of Directors of Eximbank at which a quorum is present or any meeting of the Executive Committee of the Board of Directors where deliberations of the Board of Directors or the Executive Committee determine or result in the joint conduct or disposition of official Eximbank business.

(c) The term "regularly scheduled meeting" means meetings of the Board of Directors or the Executive Committee which are held at 10:00 a.m. on Tuesday and Thursday of each week.

(d) The term "General Counsel" means the General Counsel and his or her designees.

§ 407.2 Closing meetings.

(a) Except where Eximbank finds that the public interest requires otherwise, a meeting, or any portion thereof, may be closed to the public, where the Board of Directors or the Executive Committee determines that such meetings, or any portion thereof, or information pertaining to such meeting, or any portion thereof, is likely to:

(1) Disclose matters that are (i) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (ii) in fact properly classified pursuant to such Executive order;

(2) Relate solely to the internal personnel rules and practices of Eximbank or any other agency;

(3) Disclose matters specifically exempted from disclosure by statute (other than section 552 of Title 5 of the United States Code), provided that such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) Involve accusing any person of a crime, or formally censuring any person;

(6) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(7) Disclose investigatory records compiled for law enforcement purposes, or information which if written would be contained in such records, but only to the extent that the production of such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) constitute an unwarranted invasion of personal privacy, (iv) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (v) disclose investigative techniques and procedures, or (vi) endanger the life or physical safety of law enforcement personnel;

(8) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions;

(9) Disclose information the premature disclosure of which would—

(i) In the case of an agency which regulates currencies, securities, commodities, or financial institutions, be likely to (A) lead to significant financial speculation in currencies, securities, or commodities, or (B) significantly endanger the stability of any financial institution; or

(ii) In the case of Eximbank or any other agency, be likely to significantly frustrate implementation of a proposed agency action;

except that subparagraph (ii) shall not apply in any instance where the agency has already disclosed to the public the content or nature of its proposed action, or where the agency is required by law to make such disclosure on its own initiative prior to taking final agency action on such proposal; or

(10) Specifically concern Eximbank's issuance of a subpoena, or Eximbank's participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration.

(b) Inasmuch as opening any regularly scheduled meeting, or any portion thereof, to public observation will be likely to result in the disclosure of the kind of information set forth in subparagraphs (4), (8), (9) (i) or (10), or any combination thereof, of § 407.2(a), the Board of Directors expects to close all regularly scheduled meetings to the public.

(c) Any other meeting of Eximbank, or any portion thereof, will be open to public observation except where the Board of Directors determines that such meeting, or any portion thereof, is likely to disclose information of the kind set forth in any subparagraph of § 407.2(a). In the event that the Board of Directors closes such meeting, or any portion thereof, by virtue of subparagraphs (4), (8), (9) (A) or (10) of § 407.2(a), or any combination thereof, the procedures set forth in § 407.3 below will apply, and in the event that the Board of Directors closes such meeting, or any portion thereof, by virtue of any of the remaining subparagraphs of § 407.2(a), or any combination thereof, the procedures set forth in § 407.4 will apply.

§ 407.3 Procedures applicable to regularly scheduled meetings.

(a) *Announcements.* Regularly scheduled meetings of the Board of Directors or the Executive Committee will be held at 10:00 a.m. every Tuesday and Thursday in the Board Room (Room 1141) of the Bank's headquarters. In the event that a regularly scheduled meeting is rescheduled, public announcement of the time, date and place for such meeting will be made at the earliest practicable time in the form of a notice posted in the Office of the Secretary. An agenda setting forth the subject matter of each regularly scheduled meeting will be made available in the Office of the Secretary (Room 1012, telephone number (202) 382-2289) at the earliest practicable time, *Provided*, That individual items

may be added to or deleted from any agenda at any time. Inquiries from the public regarding any regularly scheduled meeting shall be directed to the Office of the Secretary.

(b) *Voting.* At the beginning of each regularly scheduled meeting, the Board of Directors or the Executive Committee will vote by recorded vote on whether to close such meeting. No proxy votes will be permitted. A record of such vote indicating the vote of each Director will be posted in the Office of the Secretary immediately following the conclusion of such meeting.

§ 407.4 Procedures applicable to other meetings.

(a) *Amendments.* (1) For every meeting which is to be open to public observation or which is to be closed pursuant to any subparagraph of § 407.2(a) other than subparagraphs (4), (8), (9) (i) or (10), or any combination thereof, public announcement will be made at least one week before the meeting of the time, place, and the agenda setting forth the subject matter of such meeting, and whether the meeting, or any portion thereof, is to be open or closed to the public.

(2) Inquiries from the public regarding any such meeting shall be directed to the Office of the Secretary.

(3) The one-week period for the announcement required by paragraph (a) (1) of this section may be reduced if the Board of Directors or the Executive Committee determines by a recorded vote that Eximbank business requires such meeting to be called at an earlier date. Public announcement of the time, place, and subject matter of such meeting, and whether open or closed to the public, will be made at the earliest practicable time.

(4) The time or place of a meeting may be changed following the announcement required by paragraph (a) (1) of this section only if public announcement is made of such change at the earliest practicable time.

(5) The subject matter of a meeting or the determination of the Board of Directors or the Executive Committee to open or close a meeting, or any portion thereof, to the public, may be changed following the announcement required by paragraph (a) of this section only if:

(i) A majority of the entire voting membership of the Board of Directors or the Executive Committee determines by a recorded vote that Eximbank business so requires and that no earlier announcement of the change was possible; and

(ii) The Board of Directors or the Executive Committee announces such change and the vote of each Director upon such change at the earliest practicable time.

(6) Individual items may be added to or deleted from any agenda at any time.

(7) The announcements required pursuant to this subsection shall be made in the form of a notice posted in the Office of the Secretary. In addition, immediately following each announcement required by this subsection, notice of (i)

the time, place and subject matter of a meeting which is to be open to public observation or which is to be closed pursuant to any subsection of § 407.2(a) other than subparagraphs (4), (8), (9) (i) or (10), or any combination thereof, (ii) the decision to open or close such meeting, or any portion thereof, or (iii) any change in any announcement previously made shall be submitted for publication in the FEDERAL REGISTER.

(8) The information required by this subsection shall be disclosed except to the extent that it is exempt from disclosure under any subsection of § 407.2 (a).

(b) *Voting.* (1) Action to close a meeting, or any portion thereof, pursuant to any subsection of § 407.2(a), other than subparagraphs (4), (8), (9) (i), or (10), or any combination thereof, shall be taken only when a majority of the entire voting membership of the Board of Directors or the Executive Committee votes to take such action.

(2) A separate vote of the Board of Directors or the Executive Committee shall be taken with respect to each meeting, or any portion thereof, which is proposed to be closed to the public pursuant to any subsection of § 407.2(a) other than subparagraphs (4), (8), (9) (i) or (10), or any combination thereof, or with respect to any information which is proposed to be withheld under any subsection of § 407.2(a), other than subparagraphs (4), (8), (9) (i) or (10), or any combination thereof.

(3) A single vote of the Board of Directors or the Executive Committee may be taken with respect to a series of meetings, or any portion thereof, which are proposed to be closed to the public pursuant to any subparagraph of § 407.2(a), other than subparagraphs (4), (8), (9) (i) or (10), or combination thereof, or with respect to any information concerning such series of meetings, so long as each meeting in such series involves the same particular matters and is scheduled to be held no more than 30 days after the initial meeting in such series.

(4) Whenever any person whose interests may be directly affected by any portion of a meeting which is to be open to public observation submits a request in writing to the Office of the Secretary that the Board of Directors or the Executive Committee close such portion to the public under subparagraphs (5), (6) or (7) of § 407.2(a), the Board of Directors or the Executive Committee, shall vote by recorded vote on whether to close such portion.

(5) No proxy vote will be permitted for any vote required under this subsection.

(6) A record of each vote indicating the vote of each Director pursuant to paragraphs (b) (1), (b) (2), (b) (3) or (b) (4) of this section will be posted in the Office of the Secretary within one day after it has been taken. *Provided,* That if a meeting or portion thereof is to be closed, such record shall be accompanied by (1) a full written explanation of the reasons for closing such meet-

ing or portion thereof and (ii) a list of all persons expected to attend such meeting or portion thereof and their affiliation.

§ 407.5 Certification by General Counsel.

For every meeting closed pursuant to any subparagraph of § 407.2(a), the General Counsel of Eximbank will be asked to certify prior to such meeting that in his or her opinion such meeting may properly be closed to the public, and to state which of the exemptions set forth in § 407.2(a) he or she has relied upon. A copy of such certification will be posted in the Office of the Secretary. The original certification together with a statement from the presiding officer of such meeting setting forth the time, date and place of such meeting and the persons present will be retained by Eximbank as part of the transcript, recording or minutes of such meeting described below.

§ 407.6 Transcripts, recordings and minutes of closed meetings.

Eximbank will maintain a complete transcript or electronic recording of the proceedings of every meeting or portion thereof closed to the public. *Provided, however,* That if any meeting or portion thereof is closed pursuant to subparagraphs (8), (9) (i), or (10) of § 407.2(a), Eximbank may maintain a set of detailed minutes for such meetings in lieu of a transcript or electronic recording. The entire transcript, electronic recording or set of minutes of a meeting will be made promptly available to the public for inspection and copying in the Office of the Secretary. Copies of such transcript or minutes, as well as copies of the transcription of such recording disclosing the identity of each speaker, will be furnished to any person at the actual cost of duplication or transcription. However, Eximbank will not make available for inspection or copying the transcript, electronic recording or minutes of the discussions of any item on the agenda of such meeting which contains information of the kind described in § 407.2(a). Requests to inspect or to have copies made of any transcript, electronic recording or set of minutes of any meeting or item(s) on the agenda thereof should be made in writing to the General Counsel and if possible, identify the time, date and place of such meeting and briefly describe the item(s) being sought. Eximbank will maintain a complete verbatim copy of the transcript, a complete electronic recording or a complete copy of the minutes of each meeting, or portion thereof, closed to the public for two years after such meeting or one year from the date of final action of the Board of Directors or the Executive Committee on all items on the agenda of such meeting, whichever occurs later.

§ 407.7 Relationship to Freedom of Information Act.

Nothing in this part expands or limits the present rights of any person under Part 404, except that the exemptions contained in § 407.2 shall govern in the

case of any request made pursuant to Part 404 to copy or inspect the transcripts, recordings or minutes described in § 407.6.

[FR Doc. 77-6514 Filed 3-3-77; 8:45 am]

Title 13—Business Credit and Assistance

CHAPTER III—ECONOMIC DEVELOPMENT ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 306—BUSINESS DEVELOPMENT PROGRAM

PART 315—ADJUSTMENT ASSISTANCE FOR FIRMS AND COMMUNITIES

Fees on Guaranteed Loans

Pursuant to the authority vested in it by section 701 of the Public Works and Economic Development Act of 1965, as amended (PWEDA), and section 262 of the Trade Act of 1974, the Economic Development Administration (EDA) hereby amends 13 CFR Part 306 and 13 CFR Part 315 for the purpose of revising its regulations which affect business development assistance and adjustment assistance for firms and communities. These regulations are being revised to reflect a change in policy with respect to the administration of the guaranteed loan program.

Section 306.11(d) is deleted and § 315.61 is amended by substituting "may" for "shall" in the first line of the section. These changes reflect a decision by EDA to eliminate the requirement of fees on loans guaranteed by EDA. Although this fee is charged to the lender, EDA has found in administering the program that this fee is often passed on to the borrower through the rate of interest he must pay on the loan. Since this fee may impose an additional burden on the borrower, EDA is deleting § 306.11(d) and is amending § 315.61 of the regulations to make the imposition of such a fee discretionary. Since § 306.11(d) was based on policy considerations, it is hereby deleted in accord with the change in policy. Since § 315.61 is based on specific discretionary authority provided by section 255(g) of the Trade Act of 1974, § 315.61 is amended to conform to the discretionary wording of the statute. By making these changes, EDA can assure that the borrower obtains the maximum amount of assistance available under the provisions of the Trade Act and PWEDA.

In that the material contained herein relates to the EDA grant and loan program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of the proposed rule-making, opportunity for public participation, and delay in effective date are inapplicable. However, in accordance with the spirit of public policy set forth in 5 U.S.C. 553, interested persons may submit written comments or suggestions regarding these amendments to the Assistant Secretary for Economic Development, U.S. Department of Commerce, Room 7800B, Washington, D.C. 20230, on or before April 4, 1977. Until such time as further changes are made, these amendments shall remain in effect thus

permitting the public business to proceed more expeditiously.

Consideration has been given as to whether the material set forth in these regulations constitutes a major proposal with an inflationary impact within the meaning of OMB Circular No. A-107 and the interpretative guidelines issued by the Department of Commerce. It has been determined that these regulations do not constitute action requiring an economic impact statement.

In consideration of the foregoing, 13 CFR Chapter III is hereby amended as follows:

§ 306.11 [Amended]

1. Section 306.11(d) is deleted.

2. Section 315.61 is amended by striking "shall" and inserting in lieu thereof "may". As amended, § 315.61 reads as follows:

§ 315.61 Fees.

The Assistant Secretary may charge a fee to a lender which makes a loan guaranteed under this subpart in such amount as is necessary to cover the cost of administration of such guarantee.

(Sec. 701, Pub. L. 89-136, 79 Stat. 570 (42 U.S.C. 3211); sec. 262, Pub. L. 94-618 (January 3, 1976) 19 U.S.C. 2352, 88 Stat. 2034; Department of Commerce Organization Order 10-4, 40 FR 56702 as amended at 40 FR 58878.)

Effective date: This amendment becomes effective on March 4, 1977.

(The Economic Development Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 as amended by Executive Order 11949 and OMB Circular No. A-107.)

Dated: February 25, 1977.

J. W. EDEN,
Assistant Secretary
for Economic Development.

[FR Doc. 77-6516 Filed 3-3-77; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS
BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-987, Docket 20776, Amdt. 32]

PART 221—CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Reexamination of Board's Policies Concerning Deliberate Overbooking and Oversales

Adopted by the Civil Aeronautics Board at this office in Washington, D.C., February 28, 1977.

By notice of proposed rulemaking EDR-303,¹ the Civil Aeronautics Board proposed to amend Part 221 of its Economic Regulations (14 CFR Part 221) to require air carriers having tariff provisions giving constructive notice of the practice of deliberate overbooking to give additional notice of that practice through the display of signs and the dis-

tribution of ticket notices. The proposed rule was issued contemporaneously with the Board's suspension of certain carriers' tariff rules giving notice of overbooking,² and was designed to enable passengers whose rights might be affected by the existence of a carrier's tariff rule to receive actual notice of that carrier's overbooking practices. We emphasized in EDR-303 that the rule is intended to be applicable only on an interim basis until the Board has completed rulemaking proceedings in Docket 29139, which is a complete reexamination of the Board's policies relating to deliberate overbooking and oversales.

Pursuant to the Notice, comments were filed by Air Transport Association of America (ATA), jointly for 18 carriers,³ American Airlines, Inc., American Society of Travel Agents, Inc. (ASTA), Aviation Consumer Action Project (ACAP), Indianapolis Airport Authority, International Air Transport Association (IATA), for 14 member carriers,⁴ Lufthansa German Airlines and Philippine Air Lines, jointly, Northwest Airlines, Inc., the Board's Office of Consumer Advocate (OCA), Office of Consumer Affairs of the Department of Health, Education, and Welfare, Honorable Kenneth Robinson, Trans World Airlines, Inc., Travel and Transport, Inc., Richard Leonard, Esq. and 218 other individual members of the public. The commenters varied widely in their views of the proposed rule, and several changes were recommended.

Upon consideration, the Board has decided to adopt the proposed rule with certain modifications discussed below. The tentative findings and conclusions set forth in EDR-303 are incorporated and made final, except as modified, and all requests contained in the comments are denied unless specifically granted herein.

In general, nearly all carriers argued that, while they should be permitted freely to utilize tariff rules to protect themselves against common law liability for fraudulent misrepresentation, by giving constructive notice of their overbook-

ing practice, they do not object to the basic concept of also giving some sort of actual notice, on an interim basis, but in a more relaxed manner than proposed in EDR-303. On the other hand, ACAP, ASTA, OCA, and many individual commenters urged the Board to impose even more stringent requirements of actual notice than EDR-303 proposed, on the ground that tariff notice is insufficient to warn passengers either that overbooking is practiced or that some persons may be denied boarding.

Upon consideration of the comments, the Board adheres to the view expressed in EDR-303 that, while we find nothing unlawful in a carrier's attempt to insulate itself against a common law action of fraudulent misrepresentation by filing a tariff rule, such carrier and its agents should be required to provide the passenger with actual notice of its overbooking practices. Although, as the carriers point out, a passenger may be legally presumed to have knowledge of a carrier's tariffs, it is clearly unrealistic to expect passengers to have actual knowledge of the contents of tariffs. We thus consider it unreasonable to allow a carrier to avail itself of a technical legal device in order to defeat a passenger's common law cause of action, unless that carrier has made some attempt to provide the passenger with actual notice of its overbooking practices.

The proposed rule would therefore have required every such carrier and its agents to give actual notice, both by conspicuously displayed signs at ticket counters and by notices printed on a separate piece of paper included with the passenger's ticket.

The commenters expressed broad differences of opinion as to the particulars of the proposed forms of nontariff notice. Several commenters favored the proposed display of signs as an effective form of actual notice, while others objected on the ground that counter signs would generally go unnoticed and would only add to the clutter of ticket offices and airports. ATA argued that ticket notice is the best form of nontariff notice since it is less cumbersome and readily available for the passenger's reference. OCA and ACAP, on the other hand, urged the Board to go beyond the proposed rule and require carriers' agents to give oral notice of overbooking in the course of telephone reservations. ACAP further suggested that carriers be required to also include such notice in all their printed advertisements and that the prescribed text of the notice should be significantly revised.

Upon full consideration of the issues herein, in light of the comments, the Board believes that, consistent with the limited scope and interim nature of this proceeding, the most appropriate forms of nontariff notice are signs and ticket notices, substantially as proposed in EDR-303. We believe that ticket notice alone, as ATA advocates, is inadequate to alert many passengers to the practice of overbooking. With respect to oral notice, the comments have not persuaded us to alter our tentative view, as ex-

¹ Order 76-9-72, September 14, 1976. The tariff rules were filed in response to the Supreme Court's holding in *Nader v. Allegheny Airlines*, 426 U.S. 290, 96 S. Ct. 1078 (1976) that an action against an airline for fraudulent misrepresentation, based on the failure to give notice of overbooking practices, may be cognizable in a court of law and, further, that punitive damages may be recoverable. The Court noted that the presence of notice in a carrier's tariff might provide a defense to such an action.

² The carriers joining in ATA's comments were Alaska Airlines, Allegheny Airlines, Braniff Airways, Continental Airlines, Delta Air Lines, Eastern Air Lines, Frontier Airlines, Hawaiian Airlines, Hughes Aircraft, National Airlines, North Central Airlines, Ozark Air Lines, Pan American World Airways, Piedmont Airlines, Southern Airways, United Air Lines, Western Air Lines, and Wien Air Alaska.

³ The member carriers joining in IATA's comments were Aerolineas Argentinas, Air India, Alitalia, Iberia, KLM Royal Dutch Airlines, Lufthansa, Mexicana, Philippine Air Lines, Qantas Airways, Scandinavian Airlines System, South African Airways, Transportes Aereos Portugueses, VARIG, and Yugoslav Airlines.

⁴ Dated September 14, 1976, 41 FR 40500.

plained in EDR-303, that any benefits accruing to the passenger from a verbal notice given in the course of telephone reservations would be outweighed by the confusion and delay which would very likely result. We also reject ACAP's suggestion of requiring additional overbooking notices in printed advertisements.

In short, we have determined to adhere to the position stated in our proposed rule, that the notice procedures prescribed herein should be "substantially the same as those which our existing rules require as appropriate means for apprising passengers of certain basic limitations on a carrier's obligation, such as monetary limits on a carrier's liability." (EDR-303, p. 1.)

However, consistent with that approach, upon consideration of the comments, we have modified the rule in regard to its applicability and the text of the notice. The most significant of these modifications is that we have determined that a common form of notice, without reference to any particular carrier, should be included with tickets issued by, and displayed at the U.S. ticket offices of all carriers and their agents.

The proposed rule would have required the display of separate signs and ticket notices for each carrier that had filed a tariff notice of its overbooking practices, but would have excluded any carrier that had not filed such a tariff (even if that carrier did engage in deliberate overbooking) from the requirement of giving actual notice of its own overbooking procedures. Upon further reflection, and in light of the comments, we have decided to delete the name of the carrier from the notice and to require that the notice be given by all carriers, not merely by those that file overbooking tariffs. We are inclined to agree with the comments of ASTA, ATA, and IATA, among others, that the requirement of identifying the carrier on the notice would have been somewhat impracticable to implement, in that each carrier (insofar as it acts as agent for numerous other carriers) and travel agency would have had to display a multitude of signs. The final rule avoids this problem by requiring each ticket agent to post only a single sign, which refers to "airline flights" in general, rather than to the flights of a particular carrier.⁴ In this regard, the rule is patterned after our existing rules governing public notice of monetary limits of liability, which generally require only the display of a standard sign not specifying the name of a particular carrier.⁵

Moreover, if we were to require only certain carriers (those that had filed tariff notices) to be identified on the signs and ticket notices as engaging in overbooking, the public might very well

be misled into believing that other carriers do not overbook. Since virtually all carriers do engage in overbooking, we believe that a form of notice which more accurately discloses that fact will better serve the traveling public. Indeed, we think it significant that even those seven ATA members and fourteen IATA members who have not filed overbooking tariffs joined in supporting a common form of notice to be displayed by all carriers. The net effect of the common form of notice on these carriers is to alleviate the burden which would have been placed on them by the proposed rule, since they will now be required to issue and post only one common form of notice. Under the proposed rule a carrier who had not filed tariff notice of overbooking would nevertheless have been required to display numerous signs—and to issue separate ticket notices—with respect to each carrier having such tariff for whom it acted as agent.⁶

We will also modify the text of the standard form of notice, in response to suggestions contained in the comments, in a number of respects that are intended to increase its clarity and accuracy. These changes include replacing the phrase "there will not be space" with "a seat will not be available"; replacing the phrase "may receive a compensatory payment" with "may be entitled to a compensatory payment"; and eliminating the phrases "if (name of carrier) cannot arrange alternate transportation" and "(a) written statement".

In response to a suggestion of ATA, we have also changed the text of the notice to reflect the fact that copies of carriers' denied boarding compensation statements are required to be kept available only at airports, and not at carriers' or agents' ticket offices.

We have amended the text of paragraph (b) to make it clear that this rule is intended to apply only to tickets sold in the United States. This should eliminate potential problems, raised by IATA in its comments, of placing carriers in the position of being subjected to conflicting directives by the governmental authorities of more than one country.⁷ We have also changed the text of paragraph (b) so as to give carriers the option of printing the ticket notice on the stock, the ticket envelopes, or on separate pieces of paper. One of these three methods of giving notice may be more efficient than the others for different carriers, and we do not believe that the efficacy of any one of these three options is so clearly superior to the others.

⁴Of course, any carrier that does not engage in overbooking practices on its own flights anywhere on its system is free to so advise the public through a display of separate signs or in some other manner, and such a carrier could also apply for permission to deviate from the form of required notice pursuant to the provisions of paragraph (d) of our rule.

⁵By deciding to avoid such problems in this interim rule we do not prejudge how the problem may be resolved in Docket 29139.

at least for this interim basis, that its exclusive use should be mandatory.

We are adopting proposed paragraph (c) to make it clear that all carriers, U.S.-flag and foreign, are responsible for their agents' compliance with these rules. Some carriers objected to any requirement that they be responsible for their agents' compliance with these rules. However, paragraph (c) is simply adapted from the explicit assertion of this kind of duty to ensure an agent's compliance, as set forth in 14 CFR 221.176(d), and we see no reason to anticipate that it will create any untoward problems here.

ACAP's comment also expressed concern that applications under paragraph (d), for distinctive wording of notices, might be granted without opportunity for public participation. We do not anticipate that any changes in the notice text will be permitted, under the provision, except in circumstances where the need for such relief is so clearly demonstrated (as in the case of a carrier which does not engage in deliberate overbooking, and wishes to advise the public of that fact), or the requested change is so clearly innocuous, that there is no need to establish an elaborate set of procedures for public participation in the disposition of these applications. Here again, a similar procedure has been available under our existing notice rules (14 CFR 221.176(e)), and we are not aware of any difficulties in its administration that warrant establishing formal procedures in this instance.

We have determined not to adopt a number of other suggested language changes, and will briefly state the reasons for these decisions below:

1. ACAP has suggested that we add a statement to the notice, to the effect that the carrier's overbooking practices are under investigation by the Board. We will not do so since, while the statement is true, it is somewhat beside the point in describing the carriers' present practices.

2. ACAP also asks that we adopt a rule to the effect that carriers cannot rely on their overbooking tariff in an action at law unless they have complied with our notice rules. That would clearly be outside the scope of this narrow proceeding, even if it were within our jurisdiction to so infringe upon procedural and substantive issues involved in actions at law.

3. ATA has suggested that we change the title of the notice to "Overbooking Disclosure Notice," eliminating the word "Deliberate," arguing that the denied boarding compensation rules apply whether or not a bumping incident is caused by deliberate overbooking. We will not incorporate this suggestion in this interim rule, since the basic intent of the notice is to apprise consumers of carriers' deliberate overbooking practices, and the reference to the denied boarding rules is merely supplementary to that basic intent.

4. ACAP has also asked that we eliminate the word "slight" from the text of the notice. We have chosen not to do

¹E.g., 14 CFR 221.174-176.

²The same will be true for ticket notices, i.e., the ticket agent will be required to distribute only a single notice with each ticket, even if the ticket involves interline connections on different carriers.

³See 14 CFR 221.176, 221.176 (a) and (b).

so, since, in the limited context of this proceeding, we are not persuaded that we should insist that the notice be worded in a manner that might needlessly alarm members of the traveling public.

Finally, we are aware that, as previously explained, this final rule varies from our proposed rule in that it now applies to all carriers subject to Part 221 of our Economic Regulations (14 CFR Part 221), whether or not they have filed tariffs describing their overbooking practices. We do not believe that this variation in the applicability of the rule is significant enough to warrant republication of the rule for further public comment, particularly since the carriers that have not filed such tariff rules would have been subject to our rule as proposed in any event, in their capacity as interline agents. Additionally, both ATA and IATA, acting for many of these same carriers, have themselves suggested this change. In order to ensure that our action in this respect is not taken without opportunity for comment, however, we will permit petitions for reconsideration from any interested person, directed to this issue, to be filed within ten days of the service of this final rule.

In consideration of the foregoing, the Board hereby amends Part 221 of its Economic Regulations (14 CFR Part 221) effective April 3, 1977, as follows:

1. Amend the Table of Contents by adding § 221.177 to the sections listed under Subpart N, as follows:

Subpart N—Posting Tariff Publications for Public Inspection
Sec.

221.177 Notice of deliberate overbooking.

2. Amend § 221.4 to read in pertinent part as follows:

§ 221.4 Definitions.

"Class rate" means . . .
"Deliberate overbooking" means the practice of knowingly confirming reserved space for a greater number of passengers than can be carried in the specific class of service on the flight and date for which confirmation is given.
"Fare" means . . .

Subpart N—Posting Tariff Publications for Public Inspection

3. Amend Subpart N of Part 221 by adding a new § 221.177 to read as follows:

§ 221.177 Notice of deliberate overbooking.

(a) Each air carrier and foreign air carrier subject to this part shall cause to be displayed continuously in a conspicuous public place at each desk, station, and position in the United States which is in the charge of a person employed exclusively by it or by it jointly with another person, or by any agent employed by such air carrier or foreign air carrier to sell tickets to passengers, a sign, located so as to be clearly visible and clearly readable to the traveling public, which shall have printed thereon

the following statement in bold-face type at least one-fourth of an inch high:

DISCLOSURE NOTICE—DELIBERATE OVERBOOKING

Airline flights may be overbooked, and there is a slight chance that a seat will not be available on a flight for which a person has a confirmed reservation. A person denied boarding on a flight may be entitled to a compensatory payment. The rules for denied boarding compensation are available at all airport ticket counters.

(b) Each air carrier and foreign air carrier subject to this part shall include with each ticket sold in the United States the notice set forth in paragraph (a) of this section, printed in at least 12-point type in ink contrasting with the stock. The notice may be printed on a separate piece of paper, on the ticket stock, or on the ticket envelope.

(c) It shall be the responsibility of each carrier to ensure that travel agents authorized to sell air transportation for such carrier comply with the notice provisions of paragraphs (a) and (b) of this section.

(d) Any air carrier or foreign air carrier subject to the provisions of this section that wishes to use a disclosure notice of its own wording, but containing the substance of the language prescribed in paragraph (a) of this section, may substitute a notice of its own wording upon approval by the Board. Applications for such approval shall be filed with the Board (Attention: Director, Bureau of Economics).

(Secs. 204, 403, 404, 411, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758, 760, 769 (49 U.S.C. 1324, 1373, 1374, 1381).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 77-6583 Filed 3-3-77; 8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 34-13156A, 35-19853A, IC-9604A, AS-206A]

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

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Adoption of Amendments of Certain Forms and Related Rules; Correction

In FR Doc. 77-2225 appearing at page 4424 in the FEDERAL REGISTER of January 25, 1977 (Release Nos. 34-13156, 35-19853, IC-9604, AS-206, January 13, 1977), the following corrections should be made:

I. On page 4430, column 1, the penultimate sentence of paragraph (a) to Item 2 of the Form 8-K should be changed by adding the word "case" immediately following the words "in which" and immediately before the words "the identity of such bank" so that the sentence reads as follows:

If the transaction being reported is an acquisition, identify the source(s) of the

funds used unless all or any part of the consideration used is a loan made in the ordinary course of business by a bank as defined by Section 3(a)(6) of the Act in which case the identity of such bank shall be omitted provided a request for confidentiality has been made pursuant to Section 13(d)(1)(B) of the Act.

II. On page 4430, column 3, the last sentence of paragraph (d) of Item 4 of the Form 8-K should be changed so that the paragraph refers to General Instruction E rather than to General Instruction F.

III. On page 4431, column 2, the General Instructions to the Form 10-Q should be changed by transferring the caption and paragraph in General Instruction E to new General Instruction F and substituting therefor the following as General Instruction E:

E. Notice of Intention to File a Registration Statement on Form S-7 or Form S-16. If, at the time of filing its quarterly report on Form 10-Q, registrant intends to file, in the near future, a registration statement on either Form S-7 or Form S-16 under the Securities Act of 1933, registrant is requested to advise the staff of such intention in the transmittal letter accompanying the report on Form 10-Q (with a copy under separate cover to the Branch Chief in the Division of Corporation Finance who regularly reviews registrant's filings), and to indicate a contemplated filing date for the registration statement. Such pre-filing notice is intended to assist the Commission's staff in its processing of registration statements and is optional on the part of the registrant. Providing such pre-filing notice to the staff is not a condition to the use of Form S-7 and Form S-16.

General Instruction F now discusses the signature and filing of the report.

IV. On page 4433, column 2, the following should be added as General Instruction I of the General Instructions to the Form 10-K:

I. Notice of Intention to File a Registration Statement on Form S-7 or Form S-16. If, at the time of filing its annual report on Form 10-K, the registrant intends to file, in the near future, a registration statement on either Form S-7 or Form S-16 under the Securities Act of 1933, the registrant is requested to advise the staff of such intention in the transmittal letter accompanying the report on Form 10-K (with a copy under separate cover to the Branch Chief in the Division of Corporation Finance who regularly reviews registrant's filings), and to indicate a contemplated filing date for the registration statement. Such pre-filing notice is intended to assist the Commission's staff in its processing of registration statements and is optional on the part of the registrant. Providing such pre-filing notice to the staff is not a condition to the use of Form S-7 or Form S-16.

V. On page 4434, column 1, Instruction 1 of Item 6(c) to the Form 10-K should be changed so that the instruction refers to "paragraph (c)" rather than "paragraph (b)."

GEORGE A. FITZSIMMONS,
Secretary.

FEBRUARY 28, 1977.

[FR Doc. 77-6559 Filed 3-3-77; 8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

PART 295—EMERGENCY REGULATIONS

Order No. 4-A

Subparagraph (c) of Paragraph No. (2) of Order No. 4 is amended by substituting for "Mcf" in the first line the term "MMBtu".

Paragraph No. (2) of Order No. 4 is hereby amended by redesignating subparagraph (g) as subparagraph (h) and inserting a new subparagraph (g) as follows:

(g) The amount and method of determination of any broker's fees, commissions, or finder's fees paid in relation to the transaction;

RICHARD L. DUNHAM,
Administrator.

MARCH 1, 1977.

[FR Doc.77-6655 Filed 3-3-77;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

[Docket No. 76N-0414]

PART 2—ADMINISTRATIVE PRACTICES AND PROCEDURES

Subpart D—Public Hearing Before a Public Advisory Committee; Clarification of Device Committee Names

The Food and Drug Administration (FDA) issued final procedures for holding a public hearing before a public advisory committee, published in the FEDERAL REGISTER of November 26, 1976 (41 FR 52148).

Section 2.340 (21 CFR 2.340) lists all FDA standing advisory committees, including statements of function and the date the committee was established where appropriate. The panel names for medical device panels listed under § 2.340 (d) are not consistent with the names under which the panels were chartered. Therefore, the Commissioner has decided that it is reasonable to revise § 2.340(d) to change the names of the medical device panels listed to coincide with the original panel charters where appropriate.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))), and under authority delegated to the Commissioner (21 CFR 5.1), Part 2 is amended by revising § 2.340(d) (1) (i) through (xix) to read as follows:

§ 2.340 List of standing advisory committees.

(d) Bureau of Medical Devices and Diagnostic Products. (1) Advisory review panels for medical devices, and dates established.

(i) Anesthesiology Device Classification Panel. Established August 9, 1976.

(ii) Cardiovascular Device Classification Panel. Established August 9, 1976.

(iii) Clinical Chemistry Device Classification Panel. Established August 10, 1976.

(iv) Clinical Toxicology Device Classification Panel. Established August 10, 1976.

(v) Dental Device Classification Panel. Established August 9, 1976.

(vi) Ear, Nose, and Throat Device Classification Panel. Established August 9, 1976.

(vii) Gastroenterological and Urological Device Classification Panel. Established August 9, 1976.

(viii) General and Plastic Surgery Device Classification Panel. Established August 9, 1976.

(ix) General Hospital and Personal Use Device Classification Panel. Established August 9, 1976.

(x) Hematology Device Classification Panel. Established August 10, 1976.

(xi) Immunology Device Classification Panel. Established August 10, 1976.

(xii) Microbiology Device Classification Panel. Established August 10, 1976.

(xiii) Neurological Device Classification Panel. Established August 9, 1976.

(xiv) Obstetrical and Gynecological Device Classification Panel. Established August 9, 1976.

(xv) Ophthalmic Device Classification Panel. Established August 9, 1976.

(xvi) Orthopedic Device Classification Panel. Established August 9, 1976.

(xvii) Pathology Device Classification Panel. Established August 10, 1976.

(xviii) Physical Medicine Device Classification Panel. Established August 9, 1976.

(xix) Radiological Device Classification Panel. Established August 9, 1976.

Since this amendment merely sets forth the advisory committee names as they were formally chartered, notice and public procedure and delayed effective date are unnecessary for its promulgation.

Effective date. This amendment shall be effective March 4, 1977.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))).

Dated: March 1, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.77-6711 Filed 3-3-77;8:45 am]

[Docket No. 76C-0434]

PART 8—COLOR ADDITIVES

PART 9—COLOR CERTIFICATION

D&C Yellow No. 11; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration confirms the effective date of December 20, 1976 of an order con-

cerning the use of D&C Yellow No. 11 in externally applied drugs and cosmetics.

DATE: Effective date confirmed: December 20, 1976.

FOR FURTHER INFORMATION CONTACT:

Gerard McCowin, Bureau of Foods, (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, D.C. 20204. (202-472-5740).

SUPPLEMENTARY INFORMATION:

An order was published in the FEDERAL REGISTER of November 19, 1976 (41 FR 51008) that added §§ 8.4182 and 8.7262 (21 CFR 8.4182 and 8.7262) to provide for safe use of D&C Yellow No. 11 in externally applied drugs and cosmetics and amended § 8.501 (21 CFR 8.501) by deleting D&C Yellow No. 11 for the provisionally listed colors in paragraph (b). The order also amended Part 9 by revoking § 9.134 (21 CFR 9.134).

An objection was filed in response to the order. (No person requested a formal evidentiary hearing.) A letter was received from a copetitioner for the color additive, objecting to the specifications of D&C Yellow No. 11 that restricted the level of lead to 10 parts per million (ppm). The copetitioners requested that the specification for lead for D&C Yellow No. 11 be restricted to 20 ppm to be consistent with levels imposed on other D&C colors and noncertified colors intended for use in externally applied drugs or cosmetics.

After evaluating the objection and reviewing the matter, the Commissioner notes that the level of 10 ppm appeared in the listing regulation for D&C Yellow No. 11 by error and should have been 20 ppm as stated in the copetitioner's letter. Accordingly, the Commissioner concludes that the regulation should be corrected as stated in the objection. Published elsewhere in this issue of the FEDERAL REGISTER is a document changing the limitation for lead to 20 parts per million.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), and (d), 74 Stat. 399-403 (21 U.S.C. 376 (b), (c), and (d))) and under authority delegated to the Commissioner (21 CFR 5.1), notice is given that there being no other objections or any requests for hearing in response to the order of November 19, 1976, the amendments promulgated thereby became effective on December 20, 1976.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.77-6486 Filed 3-3-77;8:45 am]

[Docket No. 76C-0433]

PART 8—COLOR ADDITIVES**PART 9—COLOR CERTIFICATION**

Ext. D&C Violet No. 2; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration confirms the effective date of December 27, 1976, of an order concerning the use of Ext. D&C Violet No. 2 in externally applied cosmetics.

DATE: Effective date confirmed: December 27, 1976.

FOR FURTHER INFORMATION CONTACT:

Gerard McCowin, Bureau of Foods, (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204. (202-472-5740).

SUPPLEMENTARY INFORMATION: An order was published in the FEDERAL REGISTER of November 23, 1976 (41 FR 51594) that amended Part 8 by adding § 8.7223 (21 CFR 8.7223) to provide for safe use of Ext. D&C Violet No. 2 in externally applied cosmetics and amended Part 9 by revoking § 9.411 (21 CFR 9.411). It also amended § 8.501 (21 CFR 8.501) by deleting Ext. D&C Violet No. 2 from the provisionally listed colors in paragraph (c).

Under the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), and (d), 74 Stat. 399-403 (21 U.S.C. 376 (b), (c), and (d))) and under authority delegated to the Commissioner (21 CFR 5.1), notice is given that no objections or requests for hearing were filed in response to the order of November 23, 1976. Accordingly, the amendments promulgated thereby became effective on December 27, 1976.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6488 Filed 3-3-77; 8:45 am]

[Docket No. 76C-0434]

PART 8—COLOR ADDITIVES**PART 9—COLOR CERTIFICATION**

Listing of D&C Yellow No. 11 for Use in Externally Applied Drugs and Cosmetics; Correction

In FR Doc. 76-33996 appearing at page 51008 in the FEDERAL REGISTER of Friday, November 19, 1976, the following change is made:

On page 51008, the specifications of D&C Yellow No. 11 in paragraph (b) of § 8.4182 D&C Yellow No. 11 is corrected by revising the limitation for "Lead (as

Pb)" to read as follows: "Lead (as Pb), not more than 20 parts per million."

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6487 Filed 3-3-77; 8:45 am]

[Docket No. 76C-0425]

PART 8—COLOR ADDITIVES**PART 9—COLOR CERTIFICATION**

Listing of D&C Red No. 34 for Use in Externally Applied Drugs and Cosmetics; Stay of Effectiveness

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) stays the effectiveness of an order published in the FEDERAL REGISTER of November 23, 1976 (41 FR 51592) concerning the use of D&C Red No. 34 in externally applied drugs and provides for its continued use under provisional listing.

EFFECTIVE DATE: March 4, 1977.

FOR FURTHER INFORMATION CONTACT:

Gerard L. McCowin, Division of Food and Color Additives (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204. (202-472-5740).

SUPPLEMENTARY INFORMATION: In the FEDERAL REGISTER of November 23, 1976 (41 FR 51592), the Commissioner of Food and Drugs issued an order listing D&C Red No. 34 for use in externally applied drugs and cosmetics under new §§ 8.4128 and 8.7195 (21 CFR 8.4128 and 8.7195). The order also deleted the color from provisional listing in § 8.501(b) and revised the specifications prescribed in § 9.179 for D&C Red No. 34 to reference the new § 8.4128.

A comment was filed in response to the proposal, published in the FEDERAL REGISTER of September 23, 1976 (41 FR 41860), concerning the extension of the closing date for the provisionally listed color additives. The comment objected to the listing of azo dyes of which D&C Red No. 34 is one. Citing a reference from "Occupational and Environmental Cancers of the Urinary System," the comment stated that according to Dr. Hueper, there is reason to believe that azo dyes contain various carcinogenic amines, including β -naphthylamine.

The Commissioner discussed this possibility in the preamble to the regulation, published in the FEDERAL REGISTER of February 4, 1977 (42 FR 6992), finalizing the September 23, 1976 proposal.

The Commissioner concurs with the comment's statement that β -naphthylamine is considered to be a carcinogen.

Two colors, Ext. D&C Yellow No. 9 and Ext. D&C Yellow No. 10, which were synthesized from β -naphthylamine, were prohibited by FDA from use in drugs and cosmetics because of a finding that they might contain β -naphthylamine. Accordingly, the Commissioner views with concern the possibility that any color additive for food, drug, or cosmetic use might contain the impurity.

β -Naphthylamine is an intermediate that is used in the production of diazotized compounds for industrial use. These compounds are not, however, used in the production of colors intended for use in food, drugs, or cosmetics. β -Naphthylamine is not expected to be present in color additives, therefore, except as a contaminant. * * *

However, upon further review of the data on each of the azo dyes, the Commissioner concludes that there are five colors that could possibly contain low levels of β -naphthylamine as impurities—D&C Red No. 10, D&C Red No. 11, D&C Red No. 12, D&C Red No. 13, and D&C Red No. 34. These colors are synthesized from 2-amino-1-naphthalenesulfonic acid, which may contain β -naphthylamine.

To resolve the questions raised by this comment, the Commissioner has requested that the petitioners promptly provide to FDA data about the possible contamination of 2-amino-1-naphthalenesulfonic acid and each of the five colors with β -naphthylamine.

Furthermore, in view of the concern that β -naphthylamine may be present in the color additives, FDA has initiated immediate action to investigate the possibility. It will promptly conduct analyses of samples of each of the five colors and 2-amino-1-naphthalenesulfonic acid using very sensitive methods. The Commissioner is continuing the provisional listing for D&C Red No. 10, D&C Red No. 11, D&C Red No. 12, and D&C Red No. 13 because the short period of time required to resolve this question will not present a hazard to the public health. If data become available, either from investigation by FDA or from the petitioners, that indicate that β -naphthylamine may be present in any of the color additives, the Commissioner will take immediate action to protect the public health.

As concerns the listing of D&C Red No. 34, the Commissioner concludes that it would be inappropriate, pending resolution of the questions concerning β -naphthylamine, to confirm the effectiveness of the order "permanently" listing D&C No. 34 for use in externally applied drugs and cosmetics.

Although the comment concerning β -naphthylamine was directed at the proposal concerning extension of the closing date for the provisional list, the Commissioner concludes that it also constitutes a valid objection to the listing order for D&C Red No. 34. This is appropriate in view of the criticism of azo

dyes, the timeliness of the objection, and because the comment raises genuine questions of fact. The filing of this objection automatically served to stay the effectiveness of the order of November 23, 1976 because the objection challenges its primary finding, i.e., that there are safe conditions of use for D&C Red No. 34.

An order was published in the *FEDERAL REGISTER* of February 4, 1977, (42 FR 6992), extending the closing dates for the provisionally listed color additives. The stay of effectiveness of the order listing D&C Red No. 34 results in its being retained on the provisional list under § 8.501 (21 CFR 8.501). The Commissioner is extending the closing date for provisional listing of D&C Red No. 34 until July 1, 1977, unless action is taken to terminate the provisional listing before then. The identity and specifications that were to be established in the new § 8.4128 have been incorporated into § 9.179 to provide specifications for the certification of the color. The Commissioner advises that the question concerning β -naphthylamine will be resolved by July 1, 1977 and concludes that the provisional listing of D&C Red No. 34 for this short period will not present a hazard to the public health. The Commissioner will take immediate action to protect the public health if the data indicate that D&C Red No. 34 might contain β -naphthylamine.

In accordance with 5 U.S.C. 553(d) (1) and (d) (3), the amendments set forth below are effective on March 4, 1977 to permit the uninterrupted use of the affected color additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701(e), 706 (b), (c), and (d), 70 Stat. 919 as amended, 74 Stat. 399-403 (21 U.S.C. 371(e), 376 (b), (c), (d))) and the transitional provisions of the Color Additive Amendments of 1960 (Title II, Pub. L. 86-618, sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note)) and under authority delegated to the Commissioner (21 CFR 5.1), notice is given that the effective date of December 27, 1977 for the order amending Part 8 by adding new §§ 8.4128 and 8.7195 listing D&C Red No. 34 for use in externally applied drugs and cosmetics and by deleting D&C Red No. 34 from the list in § 8.501 and amending Part 9 by revising § 9.179 is stayed by the filing of timely and valid objections. Further, Parts 8 and 9 of Chapter I of Title 21 of the Code of Federal Regulations are amended as follows:

§ 8.501 [Amended]

1. Part 8 is amended in paragraph (b) of § 8.501 *Provisional lists of color additives*, by inserting alphabetically an entry for D&C Red No. 34 with a closing date of "July 1, 1977" and restriction of "External use only."

2. Part 9 is amended by revising § 9.179 to read as follows:

§ 9.179 D&C Red No. 34.

Calcium salt of 3-hydroxy-4-[(1-sulfo-2-naphthalenyl) azo] - 2-naphthalene-carboxylic acid.

Sum of volatile matter (at 135° C) and chlorides and sulfates (calculated as sodium salts), not more than 15 percent.

2-Amino-1-naphthalenesulfonic acid, calcium salt, not more than 0.2 percent.

3-Hydroxy-2-naphthoic acid, not more than 0.4 percent.

Subsidiary colors, not more than 4 percent.

Total color not less than 85 percent.

Effective date: This regulation is effective March 4, 1977.

(Secs. 701(e), 706, 70 Stat. 919 as amended, 74 Stat. 399-403 (21 U.S.C. 371(e), 376 (b), (c), and (d)); Title II, Pub. L. 86-618, sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note).)

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6485 Filed 3-3-77; 8:45 am]

[Docket No. 76C-0468]

PART 8—COLOR ADDITIVES

Iron Oxides; Confirmation of Effective Date
AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration confirms the effective date of January 3, 1977, of an order concerning use of iron oxides in cosmetics generally, including those intended for use in the area of the eye.

DATE: Effective date confirmed: January 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Gerard McCowin, Bureau of Foods (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, (202) 472-5740.

SUPPLEMENTAL INFORMATION: An order was published in the *FEDERAL REGISTER* of November 30, 1976 (41 FR 52445) that added § 8.8009 (21 CFR 8.8009) to provide for safe use of iron oxides in cosmetics, generally, including those intended for use in the area of the eye. The order also amended § 8.501 (21 CFR 8.501) by deleting iron oxides from the provisionally listed colors in paragraph (g).

Two objections were filed in response to the order. (No person requested a formal evidentiary hearing). The objections received and the Commissioner's final action upon the objections are discussed below.

1. Both letters objected to the limitations placed on the level of lead in iron oxides and stated that it should be 20 parts per million (ppm) instead of 10 ppm. The objections stated that, historically, industry guidelines have allowed lead to be present at 20 ppm and that this level is consistent with existing regulations for other colors.

The Commissioner concludes that no basis has been presented for changing

the limitation on the level of lead to 20 ppm. He would agree that 20 ppm would be an appropriate limit on the level of lead if the product were to be used only in externally applied cosmetics. The objectors, apparently, do not realize that the order permits the use of the color additive in cosmetics that may be ingested. The petition was amended, as cited in the filing notice, published in the *FEDERAL REGISTER* of March 5, 1976 (41 FR 9584), to request listing of the color additive for use in all ingested cosmetics. Accordingly, the order of November 30, 1976, in response to this petition, as amended, listed the color additive for use in cosmetics generally, which includes those cosmetics that might be subject to ingestion, and incorporated the limit for lead of 10 ppm that was proposed by the petitioner. The Commissioner points out that the limit of 10 ppm for lead in cosmetics that may be ingested is consistent with the limit prescribed for synthetic iron oxides under § 8.6001 (21 CFR 8.6001) for use in ingested or topically applied drugs.

2. One of the letters objected to the identity of the order under § 8.8009(a), which states that the color "is free from admixture with other substances." The objector stated that this phrase should be deleted since the color is normally supplied as a mixture with talc (5 to 75 percent) or other ingredients that are regulated by FDA as cosmetic ingredients.

The Commissioner disagrees with this objection, noting that the objector has apparently misunderstood the purpose of § 8.8009(a). This paragraph was used to describe specifically the identity of the particular color that is the subject of the regulation, i.e., iron oxides. It was not intended to identify those particular substances that might be used as diluents along with the color additive to prepare color additive mixtures, as would be suggested by the objector. Proposed regulations are being prepared concerning the use of diluents in color additive mixtures for cosmetic use and will include a request for public comment on the use of various diluents in color additive mixtures for coloring cosmetics.

The Commissioner concludes that neither of the objections presents sufficient cause for revising or staying the effective date of the provisions of the order listing iron oxides.

(Sec. 706 (b), (c), and (d), 74 Stat. 399-403 (21 U.S.C. 376 (b), (c), and (d)) and under authority delegated to the Commissioner (21 CFR 5.1).)

There being no other objections or any request for a hearing in response to the order of November 30, 1976, the amendments promulgated thereby became effective on January 3, 1977.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6494 Filed 3-3-77; 8:45 am]

[Docket No. 76C-0441]

PART 8—COLOR ADDITIVES**PART 9—COLOR CERTIFICATION****D&C Brown No. 1; Confirmation of Effective Date**

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration is confirming the effective date of December 27, 1976 of an order concerning the use of D&C Brown No. 1 in externally applied cosmetics.

DATE: Effective date confirmed: December 27, 1976.

FOR FURTHER INFORMATION CONTACT:

Gerard McCowin, Bureau of Foods (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, (202) 472-5740.

SUPPLEMENTARY INFORMATION:

An order was published in the *FEDERAL REGISTER* of November 23, 1976 (41 FR 51593) that amended Part 8 by adding § 8.7061 (21 CFR 8.7061) to provide for safe use of D&C Brown No. 1 in externally applied cosmetics and amended Part 9 by revoking § 9.230 (21 CFR 9.230). It also amended § 8.501 (21 CFR 8.501) by deleting D&C Brown No. 1 from the provisionally listed colors in paragraph (b).

Under the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), and (d), 74 Stat. 399-403 (21 U.S.C. 376 (b), (c), and (d))) and under authority delegated to the Commissioner (21 CFR 5.1), notice is given that no objections or requests for hearing were filed in response to the order of November 23, 1976. Accordingly, the amendments promulgated thereby became effective on December 27, 1976.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6492 Filed 3-3-77; 8:45 am]

[Docket No. 76C-0427]

PART 8—COLOR ADDITIVES**PART 9—COLOR CERTIFICATION****D&C Green No. 8; Confirmation of Effective Date**

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration confirms the effective date of December 20, 1976 of an order concerning the use of D&C Green No. 8 in externally applied drugs and cosmetics.

DATE: Effective date confirmed: December 20, 1976.

FOR FURTHER INFORMATION CONTACT:

Gerard McCowin, Bureau of Foods (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, (202) 472-5740.

tion, and Welfare, 200 C St. SW., Washington, DC 20204, (202) 472-5740.

SUPPLEMENTARY INFORMATION: An order was published in the *FEDERAL REGISTER* of November 19, 1976 (41 FR 51006) that added §§ 8.4072 and 8.7102 (21 CFR 8.4072 and 8.7102) to provide for the safe use of D&C Green No. 8 in externally applied drugs and cosmetics and amended § 8.501 (21 CFR 8.501) by deleting D&C Green No. 8 from the provisionally listed colors in paragraph (b). The order also amended Part 9 by revoking § 9.106 (21 CFR 9.106).

Two objections were filed in response to the order. (No person requested a formal evidentiary hearing.) The objections received and the Commissioner's final actions upon the objections are discussed below.

1. Two letters were received objecting to the identity and specifications for D&C Green No. 8 in the order of November 19, 1976. The objectors stated that the proposal was in error in that § 8.4072 (a) and (b) were not descriptive or applicable for identity and specifications for D&C Green No. 8. One of the objectors requested a correction document for these items; the other objector recommended republication of a corrected proposal and extension of the comment period for the corrected proposal.

After evaluation, the Commissioner concurred that the cited identity and specifications were wrong. Accordingly, a correction was published in the *FEDERAL REGISTER* of December 21, 1976 (41 FR 55509) to provide the proper identity and specifications for D&C Green No. 8. The Commissioner regarded the request for republication of the proposal and additional time for comment as an invalid objection—a letter, dated December 17, 1976, from the primary manufacturer stated that the corrected regulation, with an exception, appeared to be adequate.

2. An objection received in response to the correction document requested amendment of the specifications under § 8.4072(b) to include the phrase "subsidiary colors other than those named, not more than 2.0 percent." An additional objection was raised by this letter, to the effect that no extension to the original December 20, 1976 effective date was included in the correction document to allow an additional comment period.

The Commissioner disagrees that it is necessary to include the phrase concerning subsidiary colors as a specification in the regulation. The specifications as stated in the correction are currently used for certification of batches of D&C Green No. 8, and certified batches of the color meet the specifications as corrected.

Further, the Commissioner is unaware of any data demonstrating the presence of subsidiary colors other than those identified within the specifications, and accordingly he cannot reasonably incorporate the recommended change. Therefore, the Commissioner concludes that the specifications for the color as stated in the correction are the appropriate specifications.

If the need for the requested addition to the specifications—"subsidiary colors

other than those named, not more than 2.0 percent"—can be demonstrated, then a petition should be submitted containing data identifying the subsidiary colors and providing appropriate chemical and toxicological data.

The Commissioner concludes that further formal extension of the December 20, 1976 effective date to receive comments is not warranted. The Commissioner notes that although objectors have had adequate time—since the December 21, 1976 correction until publication of this order—to submit any additional comments, none have been submitted. The letter of December 17, 1976 supports the confirmation of effective date because it states that the corrected specifications appear to be in order. In view of the above information and because batches of D&C Green No. 8 presently submitted for certification comply with the stated specifications, the Commissioner concludes that there is no further need to extend the comment period. (Sec. 706 (b), (c), and (d), 74 Stat. 399-403 (21 U.S.C. 376 (b), (c), and (d))) and under authority delegated to the Commissioner (21 CFR 5.1).

There being no other objections or any requests for hearing in response to the order of November 19, 1976, the amendments promulgated thereby became effective on December 20, 1976.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner,
for Compliance.

[FR Doc. 77-6493 Filed 3-3-77; 8:45 am]

SUBCHAPTER C—DRUGS: GENERAL

[Docket No. 75N-0056]

PART 210—CURRENT GOOD MANUFACTURING PRACTICES IN MANUFACTURING, PROCESSING, PACKING, OR HOLDING OF DRUGS: GENERAL**PART 225—CURRENT GOOD MANUFACTURING PRACTICE FOR MEDICATED FEEDS****Medicated Feeds: Current Good Manufacturing Practice; Correction**

In FR Doc. 76-34796 appearing on page 52612 in the *FEDERAL REGISTER* of Tuesday, November 30, 1976 (41 FR 52612), the Food and Drug Administration issued revised regulations regarding current good manufacturing practice in the production of medicated feeds. The last sentence of item 3 in the preamble stated that § 225.10(b)(2) was being deleted. The section as published inadvertently deleted § 225.10(b)(3)—paragraph (b)(3) was to have been redesignated as paragraph (b)(2). Therefore, § 225.10 is corrected by revising paragraph (b)(2) to read as follows:

§ 225.10 Personnel.

(b) (1) * * *

(2) The manufacturer shall provide an on-going program of evaluation and

supervision of employees in the manufacture of medicated feeds.

Dated: March 1, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6710 Filed 3-3-77; 8:45 am]

SUBCHAPTER E—ANIMAL FEEDS, DRUGS, AND
RELATED PRODUCTS

[FRL 694-6; OPP-260025]

PART 561—TOLERANCES FOR PESTICIDES
IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL
PROTECTION AGENCY

Aluminum Phosphide; Correction

On October 11, 1974 (39 FR 36582), § 121.281 Aluminum phosphide was amended to permit direct contact of the subject pesticide with animal feed and to increase the tolerance from 0.01 to 0.1 part per million (ppm). The subsequent recodification of Chapter I of Title 21 changing § 121.281 to § 561.40 failed to incorporate the October 11, 1974, amendment. The amended text and the section in its entirety are set forth below:

Dated: February 24, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator
for Pesticide Programs.

§ 561.40 Aluminum phosphide.

The food additive aluminum phosphide may be safely used in accordance with the following prescribed conditions:

(a) It is used to generate phosphine in the fumigation of animal feeds.

(b) To assure safe use of the additive, it is used in compliance with label and labeling conforming to that registered with the U.S. Environmental Protection Agency. Labeling shall bear a warning to aerate the finished feed for 48 hours before use.

(c) Residues of phosphine in or on animal feeds do not exceed 0.1 part per million.

[FR Doc. 77-6489 Filed 3-3-77; 8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY
AND HEALTH ADMINISTRATION DEPARTMENT OF LABOR

PART 1951—GRANTS FOR
IMPLEMENTING APPROVED STATE PLANS

Miscellaneous Changes

On April 6, 1976, notice of a proposed rulemaking amending this Chapter by adding a new Part 1956 was published in the FEDERAL REGISTER (41 FR 14542). The new Part 1956, adopted elsewhere herein (42 FR 12429), provides criteria and procedures for the approval, amendment, evaluation, and withdrawal of approval of State plans for the development and enforcement of State standards applicable to employment and places of employment of State and local government employees in States without private employee plans, in accordance with section 18 of the Occupational Safety and Health

Act of 1970 (29 U.S.C. 667) (hereinafter called the Act). As set out in the preamble to the adoption of this proposal (42 FR 12429), the new Part 1956 adapted the criteria and procedures required by section 18 of the Act for State regulation of the occupational safety and health conditions of private employees to the regulation of public employment. Upon meeting the requirements for approval under Part 1956, a plan covering only public employees is eligible for approval under section 18(c) of the Act and, upon approval, receipt of Federal financial assistance under section 23(g) of the Act. Therefore, in view of the adoption of Part 1956, Part 1951 of this Chapter is hereby amended, effective March 4, 1977, to specify that State plans approved under Part 1956 will be eligible to receive the financial support accorded State plans approved under section 18 of the Act as follows:

§ 1951.1 [Amended]

1. Section 1951.1(b) is amended by changing the words "Part 1902 of this chapter" to read "Parts 1902 and 1956 of this chapter."

§ 1951.2 [Amended]

2. Section 1951.2(b) is amended by changing the words "Part 1902 of this chapter" to read "Parts 1902 and 1956 of this chapter."

(Secs. 8(g)(2), 23(g); 29 U.S.C. 657(g)(2), 672(g).)

Signed at Washington, D.C. this 24th day of February 1977.

B. M. CONCKLIN,
Acting Assistant
Secretary of Labor.

[FR Doc. 77-6537 Filed 3-1-77; 3:27 pm]

PART 1952—APPROVED STATE PLANS
FOR ENFORCEMENT OF STATE STANDARDS

Vermont: Certification of Completion of
Developmental Steps

1. *Background.* Subpart D of Part 1902 of Title 29, Code of Federal Regulations (40 FR 54780) sets out procedures under which the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary) will make a determination under section 18(e) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) whether, on the basis of actual operations under a State plan, the criteria in section 18(c) of the Act are being applied under the plan. Such a determination may not be made until at least three years after commencement of operations under the plan and, in the case of a developmental plan, until the State has satisfactorily completed all developmental steps and the Assistant Secretary has had at least one additional year to evaluate the plan on the basis of actual operations. Upon making a determination under section 18(e) that the requirements of section 18(c) are being applied, Federal enforcement of standards and Federal standards (except with re-

gard to on-going cases) cease to apply in the State with respect to any occupational safety and health issue covered under the determination.

Section 1902.34 of Subpart D provides that the evaluation of a State's fully operational program, preparatory to an 18(e) determination, shall commence upon publication in the FEDERAL REGISTER of a certification that all developmental steps have been completed. Such certification must list the developmental steps, including approved amendments thereto, and the dates their approvals were published in the FEDERAL REGISTER; approved substantive changes in the State plan, and the dates they were published in the FEDERAL REGISTER; documentation that the State merit system has been approved and found acceptable; and a description of the occupational safety and health issues covered by the certification. If the Assistant Secretary finds that the State has completed all the developmental steps specified in the plan, he shall give notice of same by publishing the certification in the FEDERAL REGISTER and amend the appropriate Subpart of Part 1952 of this Chapter to reflect this finding.

On October 16, 1973, notice was published in the FEDERAL REGISTER (38 FR 28658) of the approval (signed October 1, 1973) of the Vermont plan and of the adoption of Subpart U of Part 1952 containing the decision and describing the plan. During the three-year period, ending September 30, 1976, following commencement of State operations, Louis Lavin, Commissioner, Vermont Department of Labor and Industry, submitted documentation attesting to the completion of each State developmental commitment for review and approval as provided in 29 CFR Part 1953. Following Departmental review, opportunity for public comment, and subsequent modification of the State's submissions, as deemed appropriate, the Assistant Secretary has approved the completion of all individual Vermont developmental steps.

2. *Notice of certification of completion of developmental steps.* In accordance with the provisions of 29 CFR 1902.34, notice is given that the Vermont plan is hereby certified, effective February 24, 1977, as having completed all the developmental steps specified in the plan as approved October 11, 1973, on or before September 30, 1976 (see Subpart U of 29 CFR Part 1952) as follows:

(a) All developmental steps specified in the plan and amendments thereto have been completed:

(1) The amendments to the Vermont occupational safety and health legislation (Vermont Bill S. 196) included, among other things, the authority for the designee to seek a court order to compel an individual to testify, a provision for mandatory employee participation during inspections, a provision for anonymous employee complaints, the right for employees to be informed of imminent danger situations and general protections under the Vermont Act, penalty revisions, amendment of the judicial review procedures, and provisions for

employee discrimination complaints. These amendments were approved as the completion of a developmental step by the Assistant Secretary on December 16, 1974 (39 FR 44201, December 23, 1974);

(2) The Vermont Field Operations Manual (compliance manual) covers such topics as the duties and responsibilities of the designee, compliance officer procedures, complaint handling procedures, citation and penalty processing, occupational health, and voluntary compliance. The State Field Operations Manual was approved as a developmental step by the Assistant Secretary on February 25, 1977 (42 FR 10988, February 25, 1977);

(3) The rules governing the operation of the Vermont Occupational Safety and Health Review Board were adopted (under Section 230 of the Vermont Act) effective January 1974, and were approved by the Assistant Secretary as a developmental step on December 16, 1974 (39 FR 44201, December 23, 1974). Actual implementation of these regulations in the operations of the Review Board were acknowledged by the Assistant Secretary in the FEDERAL REGISTER of January 11, 1977 (42 FR 2313);

(4) Vermont's implementation of its Public Employee Program under specific rules of procedure was approved as a developmental step by the Assistant Secretary on February 25, 1977 (42 FR 1098, February 25, 1977). This program consists of two parts: the State Agency Program, implemented by the State by July 1, 1974, and the Public Agency (Municipal and Local Government) Enforcement Program, implemented by November 12, 1973;

(5) The Vermont Voluntary Compliance Program including, among other things, a training program for employers and employees, was developed and implemented by the State by February 1974, and was approved as a developmental step by the Assistant Secretary on February 25, 1977 (42 FR 10988 February 25, 1977);

(6) The Vermont Standards Advisory Committee was established and began operations in January 1974, and was approved as a developmental step by the Assistant Secretary on January 4, 1977 (42 FR 2313, January 11, 1977);

(7) Vermont occupational safety and health standards identical to Federal standards were promulgated prior to, and approved with the State plan (38 FR 28658, October 16, 1973). All Federal standards promulgated subsequent to the date of plan approval have been in turn promulgated by the State, approved by the Regional Administrator for Occupational Safety and Health on January 22, 1976 (41 FR 11635, March 1976) and on July 8, 1976 (41 FR 39113, September 14, 1976);

(8) Vermont Rules and Regulations comparable to the Federal regulations 29 CFR Parts 1903 (Inspections, Citations, and Proposed Penalties), 1904 (Recordkeeping and Reporting Occupational Injuries and Illnesses), and 1905 (Variances, Limitations, Tolerances, and Exemptions) were approved with the

plan on October 1, 1973 (38 FR 28658, October 16, 1973);

(9) Vermont has developed a State poster to inform both public and private sector employees of their obligations and protections under the Vermont Act, including, among other things, their right to request anonymous workplace inspections, their right to participate in inspections, their protection against discharge or discrimination for exercising their rights under the Federal or State laws, and their right to file complaints with the Occupational Safety and Health Administration concerning the administration of the State program. A prototype of the State poster was approved by the Assistant Secretary on October 13, 1976 (41 FR 46066, October 19, 1976) and the existing State poster, as amended by an attachment informing the public of its right to complain about State program administration was approved on February 15, 1977 (42 FR 9168, February 15, 1977);

(10) Vermont's Affirmative Action Plan was approved with the State plan on October 1, 1973 (38 FR 28658, October 16, 1973);

(11) Vermont's manual Management Information System was approved with the State plan on October 1, 1973 (38 FR 28658, October 16, 1973);

(12) Vermont's regulations for Recordkeeping and Reporting of Occupational Injuries and Illnesses were implemented in both the public and the private sectors on November 12, 1973, and were acknowledged as a completed developmental step by the Assistant Secretary on January 4, 1977 (42 FR 2313, January 11, 1977);

(13) The Vermont program for the enforcement of the State's occupational safety and health standards was implemented on November 12, 1973, and acknowledged as a completed developmental step by the Assistant Secretary on January 4, 1977 (42 FR 2313, January 11, 1977);

(14) Written procedures for coordination between Vermont's Division of Occupational Safety and Division of Occupational Health were formulated in June 1975, revised in September 1975, and acknowledged as a completed developmental step by the Assistant Secretary on January 4, 1977 (42 FR 2313, January 11, 1977).

(b) The personnel operations of the Vermont Department of Labor and Industry and the servicing merit system agency have been found to be in substantial conformity with the "Standards for a Merit System of Personnel Administration" (45 CFR Part 70) by the U.S. Civil Service Commission by letter dated August 10, 1976.

(c) This certification covers all occupational safety and health issues covered under the Federal program except for the longshoring and maritime standards found in 29 CFR Parts 1915, 1916, 1917, and 1918 (longshoring, ship repairing, shipbuilding, shipbreaking) as they relate to employment under the exclusive jurisdiction of the Federal government on the navigable waters of the United States including dry docks, grav-

ing docks, and marine railways. In addition, the State program covers State and local government employees.

3. *Location of the plan and its supplements for inspection and copying.* A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Directorate of Federal Compliance and State Programs, Occupational Safety and Health Administration, Room N-3608, 200 Constitution Avenue, N.W., Washington, D.C. 20210; Office of the Regional Administrator, Occupational Safety and Health Administration, Room 1804, John F. Kennedy Building, Boston, Massachusetts 02203; Department of Labor and Industry, State Office Building, Montpelier, Vermont 05602.

4. *Effect of certification.* The operation of the Vermont occupational safety and health program will be monitored and evaluated for a period of not less than one year after publication of this certification, to determine whether the State program in operation is at least as effective as operations under the Federal program in order to make a determination under section 18(e) of the Act that Federal enforcement authority and standards should cease to apply in issues covered under the plan.

In accordance with 29 CFR 1902.35 Federal enforcement authority under sections 5(a)(2), 8, 9, 10, 13 and 17 of the Act (29 U.S.C. 654(a)(2), 657, 658, 659, 662, and 666), and Federal standards authority under section 6 of the Act (29 U.S.C. 655) will not be relinquished during this evaluation period. However, under the terms of the operational agreement entered into with Vermont on February 19, 1975 (40 FR 20627, May 12, 1975), the exercise of this authority by the U.S. Department of Labor will continue to be limited to, among other things: complaints filed with the U.S. Department of Labor about violations of the discrimination provisions of section 11(c) of the Act; enforcement of new Federal standards, such as emergency temporary standards, promulgated under section 6 of the Act where necessary to protect employees until such time as the State shall have promulgated equivalent standards; enforcement of Federal standards in the maritime and longshoring issues of 29 CFR Parts 1915, 1916, 1917 and 1918 as they relate to employment under the exclusive jurisdiction of the Federal government on the navigable waters of the United States, including dry docks, graving docks, and marine railways; and investigations and inspections for the purpose of the evaluation of the Vermont plan under section 18(e) and (f) of the Act.

In accordance with this certification, 29 CFR 1952.274 is hereby amended to reflect successful completion of the developmental period by changing the title of the section and by adding a paragraph (i) as follows:

§ 1952.274 Completion of developmental steps and certification.

(i) In accordance with 29 CFR 1902.34, the Vermont occupational safety and

health plan was certified, effective as of the date of publication on March 4, 1977, as having completed all developmental steps specified in the plan (as approved on October 1, 1973) on or before September 30, 1976.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).)

Signed at Washington, D.C. this 24th day of February 1977.

B. M. CONCKLIN,
Acting Assistant
Secretary of Labor.

[FR Doc. 77-6544 Filed 3-3-77; 8:45 am]

PART 1956—STATE PLANS FOR THE DEVELOPMENT AND ENFORCEMENT OF STATE STANDARDS APPLICABLE TO STATE AND LOCAL GOVERNMENT EMPLOYEES IN STATES WITHOUT APPROVED PRIVATE EMPLOYEE PLANS

Approval, Evaluation, Amendment, and Withdrawal of Approval of State Plans Covering Public Employees Only

1. *Background.* On April 6, 1976, the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary) issued a notice of a proposed rulemaking (41 FR 14542) to amend Chapter XVII of Title 29 of the Code of Federal Regulations by adding a new Part 1956 providing criteria and procedures for the approval, amendment, evaluation, and withdrawal of approval of State plans for the development and enforcement of State standards applicable to employment and places of employment of State and local government employees in States without approved private employee plans. In accordance with section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act), provision for such public employee only plans under section 18 of the Act, was discussed by the National Advisory Committee on Occupational Safety and Health at its meetings of February 26, 1976, which recommended publication of proposed regulations to provide such coverage.

In making the proposal it was pointed out that under section 18(a) of the Act, States, due to the absence of Federal regulation of the occupational safety and health conditions of State and local government employers, are not precluded from providing their own occupational safety and health coverage for public employees where no State plan covering private employees has been approved under section 18. Where such an approved plan exists, a required element of the plan is establishment and maintenance of an effective and comprehensive occupational safety and health program applicable to all public agencies of the State and its political subdivisions, which is "as effective as the standards contained in an approved plan." (Sec. 18(c)(6)). Section 18(c) requires the designated agency to be "responsible for administering the plan throughout the State." In this respect Section 18 differs from Section 19 of the Act, where responsibility for the Feder-

al employee program is placed in agency heads. In addition, the Assistant Secretary must continue to evaluate the actual operations of State programs, including public employee programs and proceed to withdraw approval and concomitant funding should there be failure to comply substantially with any provision of the plan, or any assurances contained therein. It is to the designated agency that he must look to respond with necessary legal authority and qualified personnel to evaluate any findings.

In addition, section 18(c)(6) requires that the public employee components of a State plan covering private employers be "as effective as" the standards (for private employment) contained in the plan. Guidelines for determining this required effectiveness for 18(c)(6) public employee programs are set out in 29 CFR 1952.11. The guidelines allow flexibility in meeting the effectiveness requirement, but require retention in the designated agency of responsibility and authority to ensure the effectiveness of public employee programs. Political subdivisions of a State may have responsibility for, and be encouraged to undertake, self-inspection programs to ensure compliance with occupational safety and health standards without waiting for external enforcement. Such self-inspection programs, however, are supplementary, and not substitutive, to the responsibility and authority of the designated agency to adopt standards and compel compliance with them. Although this responsibility and authority may be delegated, such delegation is subject to the requirements placed by section 18(c) on the designated agency, including the requirement for qualified personnel. Generally, such requirements operate against other than functional delegations to Statewide agencies with specific occupational safety and health responsibilities or expertise.

As also pointed out in the notice of the proposal, a State plan covering public employees without coverage of private employees, must satisfy all the criteria of section 18(c), as does a State plan covering private employees with a public employee component. As one of the criteria is that of section 18(c)(6), that section must also be met, which means that the public employee program must cover all public employees to the extent the State may legislatively do so. The legislative history of the phrase "to the extent permitted by its law" in section 18(c)(6) is to the effect that it was adopted specifically to recognize that in some cases States do not have legislative authority to regulate occupational safety and health conditions in certain political subdivisions. Thus, where a State wishes to receive Federal financing for occupational safety and health coverage of its public employees, it must provide a plan addressing all the criteria of section 18(c), including the coverage requirements of section 18(c)(6).

In framing the proposal to adapt the criteria and procedures applicable to private employee plans, to coverage of public employees, it was recognized that consideration should be given to State

public agency relationships in providing effective enforcement. For instance, the fining of one agency by another, where commercial interests are not involved, may not always be as effective as with regard to private employers. Another factor bearing on adaptation of the criteria and procedures, is the lack of the operation of Federal preemption, whereby Federal regulation applies in the absence of approved State regulation, on coverage of State and local government employees. The lack of such Federal protection both precludes the operation of a concurrent jurisdiction under section 18(e) of the Act and makes necessary the encouragement through Federal funding conditions of effective coverage by the States.

2. *Public comments.* Contemporaneously with its submission for public comment, the proposal was submitted to the Advisory Commission on Intergovernmental Relations. Comments were received from the Public Employee Department, American Federation of Labor-Congress of Industrial Organizations (P.E.D.); AFL-CIO Standing Committee on Occupational Safety and Health (AFL-CIO); the American Federation of State, County, and Municipal Employees (AFSCME); International Association of Firefighters; Keith Brooks, Inc.; L. H. McCormack, Employee Relations Specialist; the New York Department of Labor; the Georgia State Clearinghouse; the Pennsylvania Department of Environmental Resources; the District of Columbia Industrial Safety Division; the New Jersey State Safety Council; and the U.S. Civil Service Commission. There were no objections to the purpose of the proposal to provide Federal support and criteria for State plans covering public employees only. Union spokesmen objected to any delegation of authority to generate and enforce standards to different governmental agencies (Public Employee Dept., AFL-CIO; AFL-CIO; NAFF); alternatives to monetary sanctions (P.E.D., (AFL-CIO)); the 3-year period to complete development (AFL-CIO), (AFSCME); and pointed out the need to specify alternatives for monetary sanctions (AFL-CIO). The District of Columbia also urged the requirement of monetary penalties and specification of types of sanctions that would be acceptable. The Georgia representative also urged that a single unit be responsible for development and enforcement of standards. Both New York and Pennsylvania urged that the State public employee program not be required to be as effective as the Federal program in the private sector, but as the Federal program for Federal employees. New Jersey, New York, and the AFL-CIO, P.E.D. urged permitting coverage of local public employees even if no coverage of State employees is provided. The U.S. Civil Service Commission pointed out that the requirements for merit staffing of all persons in local government agencies engaged in the administration of the plan under proposed 29 CFR 1956.10(g) could not be assured, and recommended that such require-

ment be limited to State agencies, with the understanding that a very small number of employees would be engaged in administration of the program in a State or local agency other than the designated agency.

3. *Discussion.* (a). *Coverage and developmental period.*—Recommendations on these two subjects are considered together because they are interdependent. As pointed out in 1. above, the plans must meet the requirements of section 18(c), including those of 18(c)(6) requiring coverage of all public employees where the State is legislatively empowered to do so. At the same time, it is recognized that a reasonable time frame should be allowed to accomplish this in stages. Thus, where a State could not implement protection to State employees upon approval, but could for certain local government employees, it appears that it should have the same time frame available under State plans generally (three years) in achieving such complete coverage. The 3-year developmental period, therefore, is retained. It is pointed out, however, that under current 18(c) plan approval policy, States have been required to have enabling legislative or executive authority under which the development of the plan will be carried out substantially in place as a condition of developmental plan approval. This policy appears particularly appropriate to ensure adequate protections to State and local government employees under Federal grant conditions, since no Federal protections are available to these employees and it is adopted.

b. *Delegation to administer and enforce the "at least as effective as" standard.*—Under section 18(c)(6), the standard for public employee plans is that they be at least as effective as the standards applicable to private employment in the State. In addition, under section 18(c)(1), the designated agency or agencies must be responsible for administering the plan throughout the State. This responsibility is not placed in heads of independent agencies, as provided by Congress with respect to the Federal employee program under section 19 of the Act. In addition, the designated agency must have the legal authority and qualified personnel necessary for the enforcement of the standards and comply with the Assistant Secretary's reporting requirements. Therefore, any delegation to administer and enforce a public employee program would be controlled by the requirements for the designated agency under sections 18(c)(1), (4), and (8); as well as the necessity for adequate authority in that agency to insure the commitments of the State under the plan will be fulfilled. In connection with the comments of the U.S. Civil Service Commission, delegations by the designated agency for administration and enforcement of the program must ensure that the authority receiving the delegation, itself, has qualified personnel, and operates under the legal authority and obligations of the designated agency. Generally such requirements operate against other than

functional delegation to State-wide agencies with specific occupational safety and health responsibilities or expertise.

c. *Enforcement mechanisms.*—As pointed out above, assessment of monetary penalties although presently operating in several States with approved private employee plans, may not in all cases be the most effective means of achieving compliance by public employers with occupational safety and health requirements. The State may demonstrate that, in lieu of enforcement through monetary penalties, increased emphasis on other enforcement tools and rights may be as effective in achieving compliance in public employment. Such other tools and rights could include additional judicial and administrative remedies available to the designee (e.g. injunction and red tag authority), and employee rights generally not available in a penalty enforcement scheme, such as right to contest citations as well as abatements. A systematic program for voluntary compliance involving public agency programs for self-inspection, employee complaint resolution, training, and consultation could be an added factor in overall compliance effectiveness.

d. *Changes to proposal.*—1. It was pointed out (AFL-CIO) (PED) that the possibility existed under the proposal where a State with an approved private employee plan would choose to eliminate such coverage and continue with a plan covering public employees only and that important employee protections would be diminished by the possibility of extending a developmental period under the new arrangement. This could also happen where a State would assume private employee coverage after an approved public employee plan. In such circumstances, the developmental period of the earlier plan should be controlling over the public employee component. Section 1956.2 has been amended to make this clear. However, a State may, for good cause, demonstrate that an additional period of time is required to make adjustments on account of the transition.

2. As discussed above, delegations by the designated agency of authority to administer and enforce a public employee plan cannot diminish the primary authority and commitments of the designated agency to administer the plan throughout the State. Any such delegations, whether by contract, regulation, or statute are under and subject to this authority and commitments. Generally, such requirements operate against other than functional delegations to State wide agencies with specific occupational safety and health responsibilities or expertise. Section 1956.10(b)(3) of the proposal has been amended to specify conditions for these delegations.

3. Section 1956.11(c)(2)(x) has been amended to indicate alternatives to enforcement through monetary penalties.

4. Section 1956.10(g) has been amended to reflect the concerns of the U.S. Civil Service Commission that because Federal evaluation of local govern-

ment merit systems is not available, delegation of enforcement and standards authority will not be made to such agencies. The section has also been amended to incorporate staff adequacy guidelines and the results of evaluation as a component of the standard for adequately trained and qualified personnel, as is required under the Federal program for private employees. Other aspects of a public employee program which are not primarily direct enforcement but a means of enhancing compliance, such as self-inspection, in-house complaint resolution are viewed as additions to a public employee plan which may go beyond the Federally funded requirements on the designated agency.

5. The provisions of §1956.10(c)(2) of the proposal requiring that each plan list the State and local government agencies covered by the State's legislative authority and all Federal standards applicable to hazards in each such public agency has been deleted as unduly onerous in the preparation and submission of a plan. As pointed out, all public employees in a State must be covered by the plan developmentally or otherwise, unless the State is not constitutionally able to do so. Where variations in the application of State standards comparable to the Federal standards promulgated under section 6 of the Act are proposed, the State must show the reason for the variation; e.g., no public employees engaged in agriculture.

6. Section 1956.11(a)(2) has been amended by deleting the phrase "to the extent practicable". As discussed, it is recognized that variations from a private employee plan called for by the nature of public employment may be considered, but any such variations must be evaluated under the requirements of section 18(c) of the Act.

7. Section 1956.11(c)(2)(iv) has been amended by deleting the phrase "substantially similar to". The phrase was included in recognition of the fact that Federal employment discrimination provisions are not applicable to State and local government employees. This is the case with or without the deleted phrase.

8. Section 1956.22 has been amended to eliminate the reference to Phase II monitoring. When a public employee plan has completed its development, it will be monitored continuously under section 18(f) of the Act.

Accordingly, Title 29 of Chapter XVII of the CFR is hereby amended effective March 4, 1977 as follows:

Subpart A—General	
Sec.	
1956.1	Purpose and scope.
1956.2	General policies.
Subpart B—Criteria	
1956.10	Specific criteria.
1956.11	Indices.
Subpart C—Approval, Changes, Evaluation and Withdrawal of Approval Procedures	
1956.20	Procedures for submission, approval and rejection.
1956.21	Procedures for submitting changes.
1956.22	Procedures for evaluation and monitoring.

1956.23 Procedures for certification of completion of development and determination on application of criteria.

1956.24 Procedures for withdrawal of approval.

Subpart D—General Provisions and Conditions [Reserved]

Subpart E—Decisions of Approval [Reserved]

AUTHORITY: Secs. 8(g) (2), 18, Pub. L. 91-598, 84 Stat. 1600, 1608 (29 U.S.C. 657(g) 667).

Subpart A—General

§ 1956.1 Purpose and scope.

(a) This Part sets forth procedures and requirements for approval, continued evaluation, and operation of State plans submitted under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) for the development and enforcement of State standards applicable to State and local government employees in States without approved private employee plans. Although section 2(b) of the Act sets forth the policy of assuring every working man and woman safe and healthful working conditions, State and local government agencies are excluded from the definition of "employer" in section 3(5). Only under section 18 of the Act are such public employees ensured protection under the provisions of an approved State plan. Where no such plan is in effect with regard to private employees, State and local government employees have not heretofore been assured any protections under the Act. Section 18(b), however, permits States to submit plans with respect to any occupational safety and health issue with respect to which a Federal standard has been promulgated under section 6 of the Act. Under § 1902.2(c) of this Chapter, an issue is defined as "any * * * industrial, occupational, or hazard grouping that is found to be administratively practicable and * * * not in conflict with the purposes of the Act." Since Federal standards are in effect with regard to hazards found in public employment, a State plan covering this occupational category meets the definition of section 18 and the regulations. It is the purpose of this Part to assure the availability of the protections of the Act to public employees, where no State plan covering private employees is in effect, by adapting the requirements and procedures applicable to State plans covering private employees to the situation where State coverage under section 18(b) is proposed for public employees only.

(b) In adopting these requirements and procedures, consideration should be given to differences between public and private employment. For instance, a system of monetary penalties applicable to violations of public employers may not in all cases be necessarily the most appropriate method of achieving compliance. Further, the impact of the lack of Federal enforcement authority application to public employers requires certain adjustments of private employer plan procedures in adapting them to plans covering only public employees in a State.

§ 1956.2 General policies.

(a) *Policy.* The Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary) will approve a State plan which provides an occupational safety and health program for the protection of State and local government employees (hereinafter State and local government employees are referred to as public employees) that in his judgment meets or will meet the criteria set forth in § 1956.10. Included among these criteria is the requirement that the State plan for public employees (hereinafter such a plan will be referred to as the plan) provides for the development and enforcement of standards relating to hazards in employment covered by the plan which are or will be at least as effective in providing safe and healthful employment and places of employment for public employees as standards promulgated and enforced under section 6 of the Act. In determining whether a plan satisfies the requirement of effectiveness, the Assistant Secretary will measure the plan against the indices of effectiveness set forth in § 1956.11.

(b) *Developmental plan.* (1) A State plan for an occupational safety and health program for public employees may be approved although, upon submission, it does not fully meet the criteria set forth in § 1956.10, if it includes satisfactory assurances by the State that it will take the necessary steps to bring the program into conformity with these criteria within the 3-year period immediately following the commencement of the plan's operation. In such a case, the plan shall include the specific actions the State proposes to take, and a time schedule for their accomplishment which is not to exceed 3 years, at the end of which the plan will meet the criteria in § 1956.10. A developmental plan shall include the dates within which intermediate and final action will be accomplished. Although administrative actions, such as stages for application of standards and enforcement, related staffing, development of regulations may be developmental, to be considered for approval, a State plan for public employees must contain at time of plan approval basic State legislative and/or executive authority under which these actions will be taken. If necessary program changes require further implementing executive action by the Governor or supplementary legislative action by the State, a copy of the appropriate order, or the bill or a draft of legislation that will be or has been proposed for enactment shall be submitted, accompanied by:

(i) A statement of the Governor's support of the legislation or order and (ii) a statement of legal opinion that the proposed legislation or executive action will meet the requirements of the Act and this Part in a manner consistent with the State's constitution and laws.

(2) On the basis of the State's submission, the Assistant Secretary will approve the plan if he finds that there is

a reasonable expectation that the plan for public employees will meet the criteria in § 1956.10 within the indicated 3 year period. In such a case, the Assistant Secretary shall not make a determination that a State is fully applying the criteria in § 1956.10 until the State has completed all the developmental steps specified in the plan which are designed to make it at least as effective as the Federal program for the private sector, and the Assistant Secretary has had at least 1 year to evaluate the plan on the basis of actual operations following the completion of all developmental steps. If at the end of 3 years from the date of commencement of the plan's operation, the State is found by the Assistant Secretary, after affording the State notice and an opportunity for a hearing, not to have substantially completed the developmental steps of the plan, he shall withdraw the approval of the plan.

(3) Where a State plan approved under Part 1902 of this chapter is discontinued, except for its public employee component, or becomes approved after approval of a plan under this Part, the developmental period applicable to the public employee component of the earlier plan will be controlling with regard to any such public employee coverage. For good cause, a State may demonstrate that an additional period of time is required to make adjustments on account of the transfer from one type of plan to another.

(c) *Scope of a State plan for public employees.* (1) A State plan for public employees must provide for the coverage of both State and local government employees to the full extent permitted by the State laws and constitution. The qualification "to the extent permitted by its law" means only that where a State may not constitutionally regulate occupational safety and health conditions in certain political subdivisions, the plan may exclude such political subdivision employees from coverage.

(2) The State shall not exclude any occupational, industrial, or hazard grouping from coverage under its plan unless the Assistant Secretary finds that the State has shown there is no necessity for such coverage.

Subpart B—Criteria

§ 1956.10 Specific criteria.

(a) *General.* A State plan for public employees must meet the specific criteria set forth in this section.

(b) *Designation of State agency.* (1) The plan shall designate a State agency or agencies which will be responsible for administering the plan throughout the State.

(2) The plan shall also describe the authority and responsibilities vested in such agency or agencies. The plan shall contain assurances that any other responsibilities of the designated agency shall not detract significantly from the resources and priorities assigned to the administration of the plan.

(3) A State agency or agencies must be designated with overall responsibility for administering the plan throughout the State. Subject to this overall responsibility, enforcement of standards may be delegated to an appropriate agency having occupational safety and health responsibilities or expertise throughout the State. Included in this overall responsibility are the requirements that the designated agency have, or assure the provision of necessary qualified personnel, legal authority necessary for the enforcement of the standards and make reports as required by the Assistant Secretary.

(c) *Standards.* The State plan for public employees shall include, or provide for the development or adoption of, standards which are or will be at least as effective as those promulgated under section 6 of the Act. The plan shall also contain assurances that the State will continue to develop or adopt such standards. Indices of the effectiveness of standards and procedures for the development or adoption of standards against which the Assistant Secretary will measure the plan in determining whether it is approvable are set forth in § 1956.11 (b).

(d) *Enforcement.* (1) The State plan for public employees shall provide a program for the enforcement of the State standards which is, or will be, at least as effective in assuring safe and healthful employment and places of employment as the standards promulgated by section 6 of the Act; and provide assurances that the State's enforcement program for public employees will continue to be at least as effective in this regard as the Federal program in the private sector. Indices of the effectiveness of a State's enforcement plan against which the Assistant Secretary will measure the plan in determining whether it is approvable are set forth in § 1956.11(c).

(2) The plan shall require State and local government agencies to comply with all applicable State occupational safety and health standards included in the plan and all applicable rules issued thereunder, and employees to comply with all standards, rules, and orders applicable to their

(e) *Right of entry and inspection.* The plan shall contain adequate assurances that inspectors will have a right to enter covered workplaces which is at least as effective as that provided in section 8 of the Act for the purpose of inspection or monitoring. Where such entry is refused, the State agency or agencies shall have the authority through appropriate legal process to compel such entry.

(f) *Prohibition against advance notice.* The State plan shall contain a prohibition against advance notice of inspections. Any exceptions must be expressly authorized by the head of the designated agency or agencies or his representative and such exceptions may be no broader than those authorized under the Act and the rules published in Part 1903 of this chapter relating to advance notice.

(g) *Personnel.* The plan shall provide assurances that the designated agency or

agencies and all government agencies to which authority has been delegated, have, or will have, a sufficient number of adequately trained and qualified personnel necessary for the enforcement of standards. For this purpose, qualified personnel means persons employed on a merit basis, including all persons engaged in the development of standards and the administration of the plan. Subject to the results of evaluations, conformity with the Standards for a Merit System of Personnel Administration, 45 CFR Part 70, issued by the Secretary of Labor, including any amendments thereto, and any standards prescribed by the U.S. Civil Service Commission, pursuant to section 208 of the Intergovernmental Personnel Act of 1970, modifying or superseding such standards, and guidelines on "at least as effective as" staffing derived from the Federal private employee program will be deemed to meet this requirement.

(h) *Resources.* The plan shall contain satisfactory assurances through the use of budget, organizational description, and any other appropriate means, that the State will devote adequate funds to the administration and enforcement of the public employee program. The Assistant Secretary will make periodic evaluations of the adequacy of the resources the State has devoted to the plan.

(i) *Employer records and reports.* The plan shall provide assurances that public employers covered by the plan will maintain records and make reports on occupational injuries and illnesses in a manner similar to that required of private employers under the Act.

(j) *State agency reports to the Assistant Secretary.* The plan shall provide assurances that the designated agency or agencies shall make such reasonable reports to the Assistant Secretary in such form and containing such information as he may from time to time require. The agency or agencies shall establish specific goals consistent with the goals of the Act, including measures of performance, output, and results which will determine the efficiency and effectiveness of the State program for public employees, and shall make periodic reports to the Assistant Secretary on the extent to which the State, in implementation of its plan, has attained these goals. Reports will also include data and information on the implementation of the specific inspection and voluntary compliance activities included within the plan. Further, these reports shall contain such statistical information pertaining to work-related deaths, injuries and illnesses in employments and places of employment covered by the plan as the Assistant Secretary may from time to time require.

§ 1956.11 Indices of effectiveness.

(a) *General.* In order to satisfy the requirements of effectiveness under §§ 1956.10 (c) (1) and (d) (1), the State plan for public employees shall:

(1) Establish the same standards, procedures, criteria, and rules as have been established by the Assistant Secretary under the Act; or

(2) Establish alternative standards, procedures, criteria, and rules which will be measured against each of the indices of effectiveness in paragraphs (b) and (c) of this section to determine whether the alternatives are at least as effective as the Federal program for private employees, where applicable, with respect to the subject of each index. For each index the State must demonstrate by the presentation of factual or other appropriate information that its plan for public employees will, to the extent practicable, be at least as effective as the Federal program for private employees.

(b) *Standards.* (1) The indices for measurement of a State plan for public employees with regard to standards follow in paragraph (b) (2) of this section. The Assistant Secretary will determine whether the State plan for public employees satisfies the requirements of effectiveness with regard to each index as provided in paragraph (a) of this section.

(2) The Assistant Secretary will determine whether the State plan for public employees:

(i) Provides for State standards which are or will be at least as effective as the standards promulgated under section 6 of the Act. In the case of any State standards dealing with toxic materials or harmful physical agents, they should adequately assure, to the extent feasible, that no employee will suffer material impairment of health or functional capacity, even if such employee has regular exposure to the hazard dealt with by such standard for the period of his working life, by such means as, in the development and promulgation of standards, obtaining the best available evidence through research, demonstration, experiments, and experience under this and any other safety and health laws.

(ii) Provides an adequate method to assure that its standards will continue to be at least as effective as Federal standards, including Federal standards which become effective subsequent to any approval of the plan.

(iii) Provides a procedure for the development and promulgation of standards which allows for the consideration of pertinent factual information and affords interested persons, including employees, employers and the public, an opportunity to participate in such processes, by such means as establishing procedures for consideration of expert technical knowledge, and providing interested persons, including employers, employees, recognized standards-producing organizations, and the public, an opportunity to submit information requesting the development or promulgation of new standards or the modification or revocation of existing standards and to participate in any hearings. This index may also be satisfied by such means as the adoption of Federal standards, in which case the procedures at the Federal level before adoption of a standard under section 6 may be considered to meet the conditions of this index.

(iv) Provides authority for the granting of variances from State standards upon application of a public employer or

employers which correspond to variances authorized under the Act, and for consideration of the views of interested parties, by such means as giving affected employees notice of each application and an opportunity to request and participate in hearings or other appropriate proceedings relating to applications for variances.

(v) Provides for prompt and effective standards setting actions for the protection of employees against new and unforeseen hazards, by such means as the authority to promulgate emergency temporary standards. Such authority is particularly appropriate for those situations where public employees are exposed to unique hazards for which existing standards do not provide adequate protection.

(vi) Provides that State standards contain appropriate provision for the furnishing to employees of information regarding hazards in the workplace, including information about suitable precautions, relevant symptoms, and emergency treatment in case of exposure; by such means as labelling, posting, and, where appropriate, results of medical examinations, being furnished only to appropriate State officials and, if the employee so requests, to his physician.

(vii) Provides that State standards, where appropriate, contain specific provision for the protection of employees from exposure to hazards, by such means as containing appropriate provision for the use of suitable protective equipment and for control or technological procedures with respect to such hazards, including monitoring or measuring such exposure.

(c) **Enforcement.** (1) The indices for measurement of a State plan for public employees with regard to enforcement follow in paragraph (c)(2) of this section. The Assistant Secretary will determine whether the plan satisfies the requirements of effectiveness with regard to each index as provided in paragraph (a) of this section.

(2) The Assistant Secretary will determine whether the State plan for public employees:

(i) Provides for inspection of covered workplaces in the State by the designated agency or agencies or any other agency which is duly delegated authority, including inspections in response to complaints where there are reasonable grounds to believe a hazard exists, in order to assure, so far as possible, safe and healthful working conditions for covered employees by such means as providing for inspections under conditions such as those provided in section 8 of the Act.

(ii) Provides an opportunity for employees and their representatives, before, during, and after inspections, to bring possible violations to the attention of the State or local agency with enforcement responsibility in order to aid inspections, by such means as affording a representative of the employer, and a representative authorized by employees, an opportunity to accompany the inspector during the physical inspection of the workplace, or where there is no authorized representative, provide for consultation by the

inspector with a reasonable number of employees.

(iii) Provides for notification of employees, or their representatives, when the State decides not to take compliance action as a result of violations alleged by such employees or their representatives, and further provides for informal review of such decisions, by such means as written notification of decisions not to take compliance action and the reasons therefor, and procedures for informal review of such decisions and written statements of the disposition of such review.

(iv) Provides that public employees be informed of their protections and obligations under the Act, including the provisions of applicable standards, by such means as the posting of notices or other appropriate sources of information.

(v) Provides necessary and appropriate protection to an employee against discharge or discrimination in terms and conditions of employment because he has filed a complaint, testified, or otherwise acted to exercise rights under the State program for public employees for himself or others, by such means as providing for appropriate sanctions against the State or local agency for such actions, and by providing for the withholding, upon request, of the names of complainants from the employer.

(vi) Provides that public employees have access to information on their exposure to toxic materials or harmful physical agents and receive prompt information when they have been or are being exposed to such materials or agents in concentrations or at levels in excess of those prescribed by the applicable safety and health standards, by such means as the observation by employees of the monitoring or measuring of such materials or agents, employee access to the records of such monitoring or measuring, prompt notification by a public employer to any employee who has been or is being exposed to such agents or materials in excess of the applicable standards, and information to such employee of corrective action being taken.

(vii) Provides procedures for the prompt restraint or elimination of any conditions or practices in covered places of employment which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures otherwise provided for in the plan, by such means as immediately informing employees and employers of such hazards, taking steps to obtain immediate abatement of the hazard by the employer, and, where appropriate, authority to initiate necessary legal proceedings to require such abatement.

(viii) Provides that the designated agency (or agencies) and any agency to which it has duly delegated authority, will have the necessary legal authority for the enforcement of standards by such means as provisions for appropriate compulsory process to obtain necessary evidence or testimony in connection with inspection and enforcement proceedings.

(ix) Provides for prompt notice to public employers and employees when an alleged violation of standards has occurred, including the proposed abatement requirements, by such means as the issuance of a written citation to the public employer and posting of the citation at or near the site of the violation; further provides for advising the public employer of any proposed sanctions, wherever appropriate, by such means as a notice to the employer by certified mail within a reasonable time of any proposed sanctions.

(x) Provides effective sanctions against public employers who violate State standards and orders, or applicable public agency standards, such as those prescribed in the Act. In lieu of monetary penalties a complex of enforcement tools and rights, such as various forms of equitable remedies available to the designee including administrative orders; availability of employee rights such as right to contest citations, and provisions for strengthened employee participation in enforcement may be demonstrated to be as effective as monetary penalties in achieving compliance in public employment. In evaluating the effectiveness of an alternate system for compelling compliance, elements of the enforcement educational program such as a system of agency self inspection procedures, and in-house training programs, and employee complaint procedures may be taken into consideration.

(xi) Provides for an employer to have the right of review of violations alleged by the State or any agency to which it has duly delegated authority, abatement periods and proposed penalties, where appropriate, for employees or their representatives to challenge the reasonableness of the period of time fixed in the citation for the abatement of the hazard, and for employees or their representatives to have an opportunity to participate in review proceedings, by such means as providing for administrative review, with an opportunity for a full hearing on the issues.

(xii) Provides that the State will undertake programs to encourage voluntary compliance by public employers and employees by such means as conducting training and consultation with such employers and employees, and encouraging agency self-inspection programs.

(d) **Additional indices.** Upon his own motion, or after consideration of data, views, and arguments received in any proceedings held under Subpart C of this Part, the Assistant Secretary may prescribe additional indices for any State plan for public employees which shall be in furtherance of the purpose of this section.

Subpart C—Approval, Change, Evaluation and Withdrawal of Approval Procedures

§ 1956.20 Procedures for submission, approval and rejection.

The procedures contained in Subpart C of Part 1902 of this Chapter shall be applicable to submission, approval, and rejection of State plans submitted under

this Part, except that the information required in § 1902.20(b)(1)(iii) would not be included in decisions of approval.

§ 1956.21 Procedures for submitting changes.

The procedures contained in Part 1953 of this Chapter shall be applicable to submission and consideration of developmental, Federal program, evaluation, and State-initiated change supplements to plans approved under this Part.

§ 1956.22 Procedure for evaluation and monitoring.

The procedures contained in Part 1954 of this Chapter shall be applicable to evaluation and monitoring of State plans approved under this Part, except that the decision to relinquish Federal enforcement authority under section 18(e) of the Act is not relevant to Phase II and III monitoring under § 1954.2 and the guidelines for exercise of Federal discretionary enforcement authority provided in § 1954.3 are not applicable to plans approved under this Part. The factors listed in § 1902.37(b) of this Chapter, except those specified in § 1902.37(b)(11) and (12), which would be adapted to the State compliance program, provide the basis for monitoring.

§ 1956.23 Procedures for certification of completion of development and determination on application of criteria.

The procedures contained in §§ 1902.33 and 1902.34 of this Chapter shall be applicable to certification of completion of developmental steps under plans approved in accordance with this Part. Such certification shall initiate intensive monitoring of actual operations of the developed plan, which shall continue for at least a year after certification, at which time a determination shall be made under the procedures and criteria of §§ 1902.38, 1902.39, 1902.40 and 1902.41, that on the basis of actual operations, the criteria set forth in §§ 1956.10 and 1956.11 of this Part are being applied under the plan. The factors listed in § 1902.37(b) of this Chapter, except those specified in § 1902.37(b)(11) and (12) which would be adapted to the State's compliance program provide the basis for making the determination of operational effectiveness.

§ 1956.24 Procedures for withdrawal of approval.

The procedures and standards contained in Part 1955 of this Chapter shall be applicable to the withdrawal of approval of plans approved under this Part 1956, except that (because these plans, as do public employee programs approved and financed in connection with a State plan covering private employees, must

cover all employees of State and local agencies in a State whenever a State is constitutionally able to do so, at least developmentally), no industrial or occupational issues may be considered a separable portion of a plan under § 1955.2(a)(10); and, as Federal standards and enforcement do not apply to State and local government employers, withdrawal of approval of a plan approved under this Part 1956 could not bring about application of the provisions of the Federal Act to such employers as set out in § 1955.4 of this Chapter.

Subpart D—General Provisions and Conditions [Reserved]

Subpart E—Divisions of Approval [Reserved]

Signed at Washington, D.C. this 24th day of February, 1977.

B. M. CONCKLIN,
Acting Assistant Secretary of Labor.
[FR Doc. 77-6538 Filed 3-1-77; 3:28 pm]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 76-01]

PART 258—REGULATIONS GOVERNING SECTION 505 OF THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976

Procedures for Computing the Internal Rate of Return on Projects; Correction

In FR Doc. 77-2342 appearing at page 4652 in the FEDERAL REGISTER of Tuesday, January 25, 1977, the phrase "Subpart C of Part" in the second sentence of paragraph (a)(4)(v) of § 258.7 is corrected to read "subpart C of part".

Dated February 28, 1977.

BRUCE M. FLOHR,
Deputy Administrator,
Federal Railroad Administration.
[FR Doc. 77-6512 Filed 3-3-77; 8:45 am]

[Docket No. 76-02]

PART 260—REGULATIONS GOVERNING SECTION 511 OF THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976

Procedures for Computing the Internal Rate of Return on Projects; Correction

In FR Doc. 77-2363 appearing at page 4652 in the FEDERAL REGISTER of Tuesday, January 25, 1977, the following changes should be made:

1. Section 260.35 appearing on pages 4653 and 4654 is corrected as follows:

(a) In line 17 of paragraph (a)(2) the phrase "(not requiring major invest-

ment)" is changed to read "(requiring little or no investment)";

(b) In line 4 of paragraph (a)(3) the word "affect" is changed to read "affects";

(c) In line 13 of paragraph (a)(4) the word "should" is changed to read "must";

(d) In line 1 of paragraph (b)(1)(ii) the word "a" is deleted; and

(e) In line 16 of paragraph (b)(2)(i) the word "inflow" is changed to read "flow".

2. In line 14 of the section titled "Characteristic Actions" under "Use of Assets" of Appendix A to subpart C appearing on page 4655 the word "tract" is corrected to read "track".

3. The following sections under "Labor Requirements" of Appendix A to subpart C appearing on page 4655 are corrected:

(a) In line 5 of "Characteristic Actions" the word "and" is deleted;

(b) In line 4 of "Monetary Value" the comma immediately following the word "overtime" is deleted;

(c) In line 6 of "Monetary Value" the word "affects" is changed to read "affect";

(d) In line 3 of the second paragraph of "Monetary Value" the comma immediately following the word "done" is deleted; and

(e) In line 7 of the fourth paragraph of "Monetary Value" the word "should" is changed to read "can".

4. The following sections under "Locomotive Requirements" of Appendix A to subpart C appearing on page 4656 are corrected:

(a) In line 8 of "Physical Units" the word "it" is changed to read "applicant";

(b) In line 1 of the third paragraph of "Monetary Value" the word "Calculating" is changed to read "Calculate"; and

(c) In line 6 of the fourth paragraph of "Monetary Value" the symbols "r" and "n" are changed to read "r" and "n", respectively.

5. In line 4 of the section titled "Special Features" under "Salvage Value" of Appendix A to subpart C appearing on page 4657 the phrase "well maintained" is corrected to read "well-maintained".

6. In Form V of Appendix B to subpart C appearing on page 4659 the heading in the upper right hand corner which reads,

Date _____
Sheet No. _____ of _____

is changed to read,

Applicant _____
Project _____
Date _____
Sheet No. _____ of _____

Dated: February 28, 1977.

BRUCE M. FLOHR,
Deputy Administrator,
Federal Railroad Administration.
[FR Doc. 77-6513 Filed 3-3-77; 8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection
Service

[9 CFR Part 325]

DENATURING STANDARD

Notice of Proposed Rulemaking

• **Purpose.** The purpose of this document is to propose to establish a minimum required darkness for carcasses, parts thereof, or meat food products (other than rendered animal fats) denatured by charcoal or other black dyes. •

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553 that the Animal and Plant Health Inspection Service is considering amending Part 325 of the Federal meat inspection regulations (9 CFR 325), pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), for the purpose set forth above.

Statement of considerations. It appears that carcasses, parts thereof, or meat or meat food products (other than rendered animal fats) darkened by charcoal or other black dyes would be deterred for use as human food if they contain at least that degree of darkness depicted by diagram 1 of the Meat Denaturing Guide (MP Form 91). Copies of MP Form 91 may be obtained, without charge, by writing to the Administrative Operations Branch, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, 123 East Grant Street, Minneapolis, Minnesota 55403.

Accordingly, it is proposed to amend § 325.13(a) of the Federal meat inspection regulations (9 CFR 325.13(a)) by adding a new subparagraph (7) to read as follows:

§ 325.13 Denaturing procedures.

(a) * * *

(7) Carcasses, parts thereof, or meat or meat food products (other than rendered animal fats) darkened by charcoal or other black dyes shall be deemed to be denatured pursuant to this section only if they contain at least that degree of darkness depicted by diagram 1 of the Meat Denaturing Guide (MP Form 91).¹

¹ Copies of MP Form 91 may be obtained, without charge, by writing to the Administrative Operations Branch, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, 123 East Grant Street, Minneapolis, Minnesota 55403. Diagrams 2 and 3 of the Meat Denaturing Guide are for comparison purposes only. The Meat Denaturing Guide has been approved for incorporation by reference by the Director, Office of the Federal Register, and is on file at the Federal Register library.

Any person wishing to submit written data, views, or arguments concerning the proposed amendment may do so by filing them, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, or if the material is deemed to be confidential, with the Inspection Standards and Regulations Staff, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, by June 2, 1977.

Persons desiring opportunity for oral presentation of views should address such requests to the Staff identified in the preceding paragraph, so that arrangements may be made for such views to be presented prior to the date specified in the preceding paragraph. A record will be made of all views orally presented.

All written submissions and records of oral views made pursuant to this notice will be made available for public inspection in the Office of the Hearing Clerk during regular hours of business, unless the person makes the submission to the Staff identified in the preceding paragraph and requests that it be held confidential. A determination will be made whether a proper showing in support of the request has been made on grounds that its disclosure could adversely affect any person by disclosing information in the nature of trade secrets or commercial or financial information obtained from any person and privileged or confidential. If it is determined that a proper showing has been made in support of the request, the material will be held confidential; otherwise, notice will be given of denial of such request and an opportunity afforded for withdrawal of the submission. Requests for confidential treatment will be held confidential (7 CFR 1.27(c)).

Comments on the proposal should bear a reference to the date and page number of this issue of the FEDERAL REGISTER.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

NOTE.—Incorporation by reference provisions approved by the Director of the Federal Register, December 17, 1976.

Done at Washington, D.C., on February 28, 1977.

F. J. MULHERN,
Administrator, Animal and
Plant Health Inspection Service.

[FR Doc.77-6501 Filed 3-3-77; 8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SMALL BUSINESS SIZE STANDARDS

Request for Information on Offshore Marine Services

AGENCY: Small Business Administration.

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: Concerns rendering "offshore marine services" generally support the oil and construction industry at sea with freight and passenger transportation, rig towing, anchor handling, and other logistical services. These activities embody the characteristics of both transportation and the provision of services. The present financial assistance size standards (definitions of small business) for these two activities are, respectively, gross receipts for a concern's most recently completed fiscal year not exceeding \$1.5 million and \$2 million (see 13 CFR 121.3-10 (d) and (f), Revision 13, Amendment 5, 40 FR 32824, as corrected at 40 FR 36310).

It has been suggested that a specific definition of small business for the purpose of receiving Small Business Administration financial assistance should be established for concerns primarily engaged in rendering offshore marine services.

In order to acquire information to determine the exact nature of this activity and an appropriate small business size standard, the Small Business Administration solicits the views of interested parties. Specifically, the SBA is concerned with finding out the size of concerns that are primarily engaged in the performance of offshore marine services, whether such activities are more accurately characterized as transportation, as services, or in a new category altogether, and whether either of the current size standards is appropriate.

DATE: Comments must be received on or before May 1, 1977.

ADDRESSES: Send comments to William L. Pellington, Director, Size Standards Division, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT:

Harvey D. Bronstein, (202) 653-6373.

Dated: February 25, 1977.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.77-6474 Filed 3-3-77; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 270]

[Release No. IC-9633—File No. S7-675]

REGISTERED MANAGEMENT COMPANIES

Proposed Regulations Regarding Use of Depository Systems

Correction

In FR Doc. 77-4417, appearing at page 8666 in the issue for Friday, February 17, 1977, make the following changes:

1. On page 8670, in the second column, the third line of the second paragraph should read "direct use of a depository, that when the company is a direct participant in the depository, the . . ."

2. In § 270.17f-4(b)(4)(vi), on page 8672, the fourth line should read "counting, system, the internal accounting control, and procedures for . . ."

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 2]

[Docket No. 76N-0478]

ADMINISTRATIVE PRACTICES AND PROCEDURES

Publicity Policy

The Food and Drug Administration (FDA) is proposing regulations describing the current policies and procedures governing the issuance of publicity by the agency. These proposed regulations were developed as a part of an FDA program to codify all of its administrative and regulatory procedures; they also respond to the recommendations of the Administrative Conference of the United States (hereafter, the Administrative Conference) concerning adverse publicity (1 CFR 305.73-1). Interested persons have until May 3, 1977 to file comments on the proposal.

The Department of Health, Education, and Welfare (HEW) issued adverse publicity regulations under 45 CFR Part 17 in the FEDERAL REGISTER of January 2, 1976 (41 FR 2) that provide for the issuance of additional clarifying regulations by principal operating components of HEW. The regulations proposed in this document are consistent with the recommendations of the Administrative Conference and regulations established by HEW, but they are broader in scope, applying to all publicity rather than solely to adverse publicity.

The Commissioner believes that the proposed regulations will provide the needed safeguards for the public, the agency, and the manufacturers of regulated products while allowing the agency to issue publicity to inform the public of agency actions and to serve other purposes.

Publicity is an increasingly important means of making the decisionmaking processes of FDA open to public review. Every citizen is affected by how FDA carries out its responsibilities to ensure the safety and nondeceptive labeling of the nation's supply of foods, drugs, de-

vices, and cosmetics. The Food and Drug Administration has adopted the basic philosophy that "the public's business must be and will be conducted in public." In implementing this philosophy, FDA has adopted regulations under Part 4 (21 CFR Part 4) that make the large majority of agency records available under the Freedom of Information Act, and has established regulations under Subpart A of Part 2 (21 CFR Part 2), in the FEDERAL REGISTER of January 25, 1977 (42 FR 4680) that are designed to ensure that agency decisionmaking processes are open. It is not enough, however, that agency activities be passively open to public scrutiny. The Food and Drug Administration believes it has an affirmative obligation to see that the public knows about and understands the agency's actions and has an opportunity to participate in decisions affecting the public health and the honest marketing of products. Issuing publicity is important to FDA fulfillment of this commitment.

Publicity is also of increasing importance as a means of consumer education. Well-informed and well-educated consumers can better protect themselves against deceptions or hazards and can participate better in public policy decisions. The Food and Drug Administration seeks publicity for several purposes, among which are:

1. To warn against the use of marketed products that may be hazardous.
2. To warn against gross economic deception.
3. To encourage public comment on proposed regulations or actions and other public participation in FDA activities.
4. To report to the public on adjudicated court proceedings.
5. To present to the public FDA's views on matters of public interest.
6. To report on studies or investigations that may form the basis for an FDA regulatory action.

Despite these positive objectives of publicity, there are occasions when publicity can have a negative or adverse effect. For example, an excess of negative information could make the public indifferent or insensitive to important warnings about a potentially dangerous product. Adverse publicity may prejudice a defendant's right to a fair trial in a criminal prosecution, or might improperly influence civil litigation. Under certain circumstances, the issuance of publicity could create a greater hazard than that posed by a particular violation by causing a panic-type reaction. Adverse publicity can cause economic harm to both individuals and firms. For example, one type of publicity often considered to be adverse by manufacturers of regulated products is that which accompanies a product recall. Publicity resulting from recalls is more fully considered in the proposed regulations relating to recalls published in the FEDERAL REGISTER of June 30, 1976 (41 FR 26924).

The Administrative Conference has expressed concern over the use of adverse

publicity by regulatory agencies. The Administrative Conference's Recommendation 73-1 was published in the FEDERAL REGISTER of June 27, 1973 (38 FR 16839). The general recommendation reads as follows:

Each agency should state in its published rules the procedures and policies to be followed in publicizing agency action or policy, and internal operating practices should assure compliance. In the adoption of such procedures and policies, each agency should balance the need for adequately serving the public interest and the need for adequately protecting persons affected by adverse agency publicity . . .

This general statement was followed by a series of specific recommendations, discussed in more detail below.

DEFINITION

The proposed regulations are intended to cover all efforts by FDA to provide information to the mass media or trade publications with the expectation that they will disseminate the information to the public.

One dictionary defines publicity as "the state of being brought to public notice by announcements (aside from advertisements), by mention in the press, on the radio or television . . ." Another dictionary defines publicity as "the measures, process or business of securing public notice." For purposes of these regulations, such definitions are overly general. A more suitable definition has been prepared and appears in proposed § 2.703(a) (21 CFR 2.703(a)), which defines publicity as being limited to press releases, press conferences, and mass media interviews. A media interview refers to a dialogue between a mass media representative and an FDA spokesman in which the agency's position on one or more issues is presented or explained in some detail. A response by an agency spokesman to media requests for information that does not require discussion or opinions is not considered an interview and is not considered publicity for purposes of this proposed regulation.

There has been some confusion in the past about an FDA internal document known as a "Talk Paper." This document discusses the response that may be given by FDA personnel to public inquiries on specific matters. It is designed to promote uniform responses to possible questions.

A "Talk Paper" is only used to respond orally to unsolicited questions. It is not distributed to the media or any other person except in response to a Freedom of Information Act request. To ensure that there is no confusion between press releases and "Talk Papers," FDA has adopted different formats for the two and labeled the "Talk Papers" prominently as "For Internal Distribution Only." Thus, "Talk Papers" are not considered publicity subject to this proposal.

The release of agency records under the Freedom of Information Act, providing materials to Congress in response to specific requests, or responding to an unsolicited request for information are not considered publicity because no intent to

achieve public notice is involved in these actions.

The Food and Drug Administration recognizes a clear distinction between publicity that involves the mass media and materials issued to inform and/or educate the public. Considerable information about FDA and its activities is contained in publications or audio-visual materials produced by the agency. These include brochures, pamphlets, journals, films, posters, technical data, and similar items. Among the regularly issued publications are the FDA Consumer (the agency's official monthly magazine) that contains the "Notices of Judgment" (a report to the public on adjudicated court cases), the FDA Drug Bulletin (distributed to physicians and other health professionals whenever FDA considers it necessary to bring information to their attention), the BRH Bulletin (provided to professionals and members of the public interested in radiological health), the New Drug Approval List (a weekly listing of new drug applications approved by the agency), and the FDA Enforcement Report (a weekly compilation of legal actions taken by FDA and of recalls initiated by, or reported to, the agency).

The Food and Drug Administration does not issue any of these publications or provide any of this information for the purpose of seeking publicity in the news media. For purposes of this regulation, these publications are not considered to be publicity. Similarly, public appearances by FDA employees at public meetings are not considered to be publicity. The Commissioner or a representative often is called to testify before congressional committees, and such appearances customarily are covered by the news media. These appearances and any subsequent release, by the committee or its staff, of materials provided to support such testimony are not publicity within the scope of these regulations.

Notwithstanding these exclusions from publicity subject to these regulations, the Commissioner recognizes that the obligation to the principles of truthfulness and accuracy and to the retraction of erroneous information applies to all public statements and publications of the agency.

FDA POLICY ON PUBLICITY

The Commissioner agrees with the recommendation by the Administrative Conference that all adverse publicity should be factual in content and accurate in description. He has established numerous systems for assuring that such information issued by FDA meets these criteria. An extensive program of communicating current decisions and policies to all employees of the agency provides facts on current issues to all persons being interviewed by members of the mass media. This is done to assure that all such statements are factual and accurate and placed in proper context.

To assure accuracy, all proposed press releases are cleared initially with the program experts most familiar with the subject. Releases ordinarily are personally approved by the Assistant Commis-

sioner for Public Affairs and the Commissioner. There are times when FDA will confine issuance of a press release to a certain geographic area. Such a release would be issued by the FDA field office responsible for that area. The responsibility for authorizing all FDA press releases, however, whether by a field office or a headquarters office, remains in the Office of Public Affairs. It also is responsible for complying with any relevant clearance procedures required by the Assistant Secretary for Public Affairs of HEW.

The Administrative Conference also recommended that disparaging terminology should be avoided in the issuance of adverse publicity. The Commissioner believes there is no way that such terminology can be entirely avoided when the purpose of the publicity is to warn of a threat to the public health or to report to the public about an action taken by FDA against a firm or product. The agency agrees that personally disparaging or gratuitously critical remarks, not required in reporting the facts of a situation, should be and will be avoided.

Issuance of information that may be adverse to an individual, firm, or product is justifiable when it is needed to fulfill the agency's primary mission. Adverse publicity also may be an unavoidable consequence of information issued for an appropriate agency purpose. In issuing press releases relating to actions of a general nature (such as rule making), specific persons, firms, or products will be named only if the Commissioner determines it is necessary to explain fully the background or consequences of the action being discussed. It is essential to recognize, however, that the nature and amount of such publicity that eventually reaches the public, based on information supplied by FDA, is often beyond the control of the agency. The media may give greater publicity to a particular story than FDA thinks necessary. On other occasions, media coverage of a problem or action may, in FDA's judgment, be insufficient.

Publicity about regulated products or agency actions may appear in mass media or elsewhere without any direct input by FDA. Such publicity may result from the mass media reporting about the agency. The Food and Drug Administration releases considerable information pursuant to requests under the Freedom of Information Act (5 U.S.C. 552) and the agency's implementing regulations, and any such information may result in unintended publicity. The agency cannot control the use by others of properly available information. All persons subject to regulatory proceedings involving the agency should recognize that publicity may result from any such proceedings, even when not issued by FDA.

The Food and Drug Administration will continue to seek publicity, when appropriate, even if there is the possibility that the information may be ignored, misinterpreted, oversimplified, overstated, or misunderstood by the media or by the public. Failure to promote the wide public use of valuable information

would violate the public trust inherent in the agency's responsibilities.

In deciding whether and when to seek publicity, FDA takes into account both its regulatory obligations and the individual circumstances of the situation. The primary mission of FDA is the protection of the consuming public, and whatever publicity-seeking measures are appropriate and necessary to achieve this objective in individual cases will be taken.

AUTHORITY FOR ISSUING PUBLICITY

The authority of the Commissioner to issue publicity comes from several sources, some explicitly based in statutory provisions and some implicit. The Commissioner is explicitly authorized to issue publicity under section 705 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 375). This section requires the publication of reports about court decisions rendered under the act, an obligation FDA carries out by the publication of "Notices of Judgment" in the FDA Consumer. The section also expressly authorizes publicity about imminent dangers to health and gross deceptions. The Food and Drug Administration's exercise of this authority has been upheld, and in one case has been termed "commendable" (*United States v. Diapulse Manufacturing Co.*, 262 F. Supp. 728 (D. Conn. 1967); *Hoxsey v. Folsom*, 155 F. Supp. 376 (D.D.C. 1957)). In section 705 of the act, Congress also recognizes that FDA may issue publicity concerning its investigations. In the *Diapulse* case, the court interpreted this section as authorizing factual statements about pending litigation and the description of pending litigation in periodic reports summarizing enforcement actions. The Commissioner also has been delegated the authority in § 5.1 (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), conveyed by sections 301 and 310 of the Public Health Service Act (42 U.S.C. 241, 242o), to publicize information on research activities and matters related to the public health insofar as they pertain to foods, drugs, devices, and cosmetics.

The Supreme Court has recognized that Federal agencies have implicit authority to issue public statements respecting agency policy on matters of wide public interest (*Barr v. Matteo*, 360 U.S. 564 (1959)). The lower Federal Courts have also recognized that FDA has implicit authority to issue publicity. They have upheld the issuance of warnings to consumers about products and press releases about actions taken in an administrative proceeding on the basis of FDA's implicit authority to disseminate information to the public, as well as on the basis of the explicit authority conveyed by section 705 of the act (*Ajay Nutrition Foods v. FDA*, 378 F. Supp. 210 (D.N.J. 1974), *aff'd without opinion*, 513 F. 2d 625 (3d Cir. 1975); *Hoxsey Cancer Clinic v. Folsom*, *Supra.*; *cf. FTC v. Cinderella Career and Finishing Schools*, 404 F. 2d 1308 (D.C. Cir. 1968)).

The issuance of publicity aids FDA in providing notice to interested persons

and to the public of proceedings in which they may participate; see, for example, section 701(e) of the act (21 U.S.C. 371 (e)) and 5 U.S.C. 553. The Administrative Conference has endorsed the use of publicity to provide notice and encourage public participation in agency proceedings; see Recommendation 73-1, Adverse Agency Publicity (1 CFR 305.73-1) and Recommendation 71-6 (1 CFR 305.71-6).

Accordingly, the Commissioner believes that he has the authority to issue publicity whenever, in the sound exercise of discretion, he finds that the publicity is necessary to carry out FDA's obligations under the acts to protect the public.

LITIGATION, ADMINISTRATIVE HEARINGS, AND INVESTIGATIONS

Agency publicity relating to court actions, certain administrative hearings, and related law enforcement investigations would be subject to special limitations. These limitations would limit publicity that may interfere with a party's right to a fair judicial trial or administrative hearing. The issuance of publicity that is potentially prejudicial to a defendant's right to a fair trial in a criminal prosecution may lead to a dismissal of the complaint or necessitate special measures to impanel a jury unaffected by the publicity (*United States v. Abbott Laboratories, Inc.*, 505 F.2d 565 (4th Cir., 1974)).

Accordingly, FDA—on behalf of the public—has an interest in assuring that no information is issued that may endanger its ability to pursue a warranted prosecution or other appropriate enforcement action. It also has an interest in guarding against injury from unwarranted publicity about agency charges of law violations prior to the completion of administrative proceedings to resolve disputes related to the validity of the charges.

The Commissioner is not proposing to bar release of all information about court proceedings, hearings, and supporting investigations. While a total prohibition would effectively forestall any possibility of unwarranted or prejudicial publicity, it would not be in the public interest. Publicity serves various purposes, as explained before in this document, and the need to issue publicity to promote these purposes may arise in connection with a matter that is the subject of a court proceeding, hearing, or investigation. For example, the agency may need to issue publicity to effect a public warning or to provide notice to affected persons.

The proposed regulations seek to achieve a fair balance between the competing interests by ensuring that the agency will give careful attention to the need to avoid publicity that may be prejudicial or cause needless injury before it issues publicity about certain proceedings or supporting investigations. These limitations are in addition to, and supplement, the general criteria proposed for all publicity and are intended to assure that the information is accurate and fairly reflects the context of the events or circumstances described.

The proposed provisions relating to publicity about litigation, administrative hearings, and related investigations would not in any way restrict the issuance of warnings to protect the public health or to avoid substantial economic harm, even if there is a possibility the publicity might prejudice a pending or future criminal trial or other proceeding. The Commissioner believes that his obligations to protect the public are paramount. If publicity were in fact prejudicial, it might be possible to cure its effects by impaneling a jury unaffected by the publicity or by other measures; but the Commissioner believes that, if need be, he must risk dismissal of a prosecution because of the impact of publicity, rather than fail to issue a warning that he believes is needed to protect the public. In an analogous circumstance, the Justice Department has recognized the overriding importance of the need to protect the public, since an exception is provided in the Justice Department guidelines (28 CFR 50.2) for publicity issued to aid apprehension of a fugitive from justice.

The proposed regulations relating to publicity about criminal trials and civil litigation closely parallel the Justice Department guidelines (28 CFR 50.2). In the case of criminal actions, the guidelines limit the issuance of publicity that reasonably may be expected to influence the outcome of a pending or future criminal trial. With respect to civil actions, the guidelines restrict release of certain information not in the public record that may interfere with a fair trial. Provisions that are clearly inappropriate to FDA matters have been omitted, e.g., prohibitions on release of information on the use of fingerprints, polygraph tests, and similar tests and the provisions on release of information about the circumstances of an arrest. The Food and Drug Administration proceedings are unlikely to involve such tests, and rarely commence with an arrest.

Publicity about law enforcement investigations that are likely to lead to litigation is covered by § 2.744(c) of the proposed regulations. Generally, FDA will not issue information about an investigation that may result in court enforcement action while the investigation is under way. Furthermore, the agency's public information regulations under § 4.64 (21 CFR 4.64) provide for the withholding of any records in an open investigatory file that are requested under the Freedom of Information Act, unless the Commissioner determines that there is a compelling public interest in their disclosure. These proposed regulations will apply the same standard to the issuance of publicity about such investigations; i.e., information will not be issued unless the Commissioner determines that a compelling public interest so requires, and if issued, will be subject to the same standards that apply to the case of judicial proceedings. Proposed § 2.744(c) does not, however, apply to publicity issued in relation to a recall,

which is covered by the agency's proposed regulations on recalls published in the *FEDERAL REGISTER* of June 30, 1976 (41 FR 26924).

Proposed § 2.744(d) contains a separate provision governing publicity that may affect a future or pending proceeding, even though it does not specifically relate to the proceeding or the supporting investigation. An example will illustrate the special concerns presented by this type of publicity. If a substantial portion of the food supply were to be accidentally contaminated with a potentially deleterious substance, FDA might initiate a law enforcement investigation and enforcement proceeding. In addition, the agency might have to issue publicity to alleviate public concerns, which could affect the law enforcement proceeding even though the proceeding was not mentioned. The obligations of the agency are not confined to law enforcement. The agency has continuing responsibility to the public to protect consumers from potential hazards or deception presented by products that may be widely distributed and to inform the public about matters of general concern relating to regulated products. Publicity may help the agency in meeting these responsibilities. The special limitations in proposed § 2.744 do not apply to publicity related to, but not specifically concerning, an investigation, so long as it is not intended to affect a hearing or trial, and so long as the official issuing the publicity takes all feasible measures to minimize any possible interference with any pending or expected proceeding. If such publicity would reduce the risk of interfering with the proceeding or hearing, it should specifically state that it is directed at a general problem and that any related proceeding or investigation presents distinct issues.

The proposed criteria applicable to publicity about certain administrative hearings and related investigations are based on HEW regulations under 45 CFR Part 17, and also reflect the Administrative Conference recommendations on adverse agency publicity under 1 CFR 305.73-1. The HEW regulations and the Administrative Conference recommendations provide that publicity about regulatory investigations and pending agency trial-type hearings should be issued only in limited circumstances in accordance with specified criteria. Both HEW and the Administrative Conference have criteria governing the issuance of publicity needed for warnings of risks to the public health or safety, or of substantial economic harm, and for the provision of notice to interested persons. In addition, the Administrative Conference recommended criteria providing for issuance of agency publicity to the extent necessary to foster agency efficiency, public understanding, or the accuracy of news coverage if information about the agency action is available to the public regardless of its own publicity measures and is likely to result in media coverage.

The HEW regulations, following the Administrative Conference's recommen-

datations, urge that measures be taken to prevent unwarranted publicity about "trial type" administrative proceedings. Formal evidentiary public hearings are clearly of this type. Regulatory hearings conducted pursuant to Subpart F of Part 2 of the FDA procedural regulations are intended to be informal adjudications, but they involve individualized determinations concerning the application of law or regulations to specific fact situations. The Commissioner believes, therefore, that the same limitations should apply to both types of regulatory hearings.

The proposed regulation is broader in another respect than the comparable provision in the Administrative Conference recommendations and the HEW regulations concerning publicity about regulatory investigations and trial-type proceedings. The proposal applies to publicity about specifically identified products as well as specifically identified persons and firms. The Commissioner believes that publicity about products may cause injury to the person or firm making the product and, accordingly, proposes to adopt the same policy with respect to all such publicity.

The special limitation in proposed § 2.744(e) do not apply to rule making or to investigations in support of a rule making proceeding, even though a formal evidentiary hearing is statutorily available if objections to the rule were filed, e.g., objections to food additive regulations under section 409 of the act (21 U.S.C. 348). The proposal applies only to "law enforcement" investigations, a term that does not include an investigation leading to a rule making proceeding. Rules apply generally and affect a wide number of persons. It would be inappropriate to place strict limits on the agency's ability to issue public statements on such matters. Any publicity that is not subject to the special limitations in proposed § 2.744 will continue to be subject to the general limitations in the proposal that are designed to assure that all publicity issued by the agency is accurate, serves an appropriate purpose, and fairly reflects the context of the action being taken.

The HEW regulations state that publicity about investigations and trial-type proceedings should be issued "only in limited circumstances," in accordance with specified criteria. The Commissioner interprets this provision to mean that restraint should be exercised in determining the purposes for which such publicity may be issued and that these purposes be limited to the extent possible consistent with the public interest. The HEW regulations state that operating components of HEW may adopt publicity regulations adapted to their particular concerns. The Secretary of Health, Education, and Welfare stated, however, in the Federal Register of January 2, 1976 (41 FR 2) that it was HEW policy to avoid publicity that might adversely affect persons or organizations "where a reasonable and equally effective alternative is available." The Commissioner proposes to adopt this general standard

to govern the issuance of publicity about regulatory investigations and administrative hearings.

The Administrative Conference recommended that public warnings be withheld " * * * where public harm can be avoided by immediate discontinuance of an offending practice * * *." Proposed § 2.744 provides that warnings are to be issued when necessary. The Commissioner points out that there are very few situations where the mere discontinuance of an action by a firm is sufficient to avoid public "harm." The agency's concern is often with products already in market channels, or in people's homes. A more acceptable basis for modifying or withholding a public warning in FDA's area of responsibility would be the discontinuance of a violative practice, combined with an effective recall of violative products from the marketplace.

The Commissioner has adopted the criteria recommended by the Administrative Conference to govern the issuance of publicity in anticipation of media coverage. The HEW regulations do not specifically establish criteria permitting publicity for this purpose, but the Commissioner believes it is useful to do so because of the direct impact of FDA responsibilities upon consumers and business activities. On a number of occasions, FDA has issued publicity to prevent rumors and confusion. The Commissioner believes that the Administrative Conference recommendation identifies suitable criteria to govern this publicity and recognizes that agency publicity for this purpose is in the public interest.

The Commissioner has also provided for the issuance of publicity if necessary to achieve a compelling public interest when no other reasonable and equally effective alternative exists to issuing publicity. These circumstances are unlikely to arise, but if they were, the Commissioner believes he should not be foreclosed from issuing publicity.

ADVANCE NOTICE

The Administrative Conference recommended that agencies should provide advance notice of adverse agency publicity when "practicable and consistent with the nature of the proceeding." The HEW regulations provide for such notice, but provide no additional definitions. For purposes of clarification, the Commissioner is establishing guidelines for FDA's issuance of advance notice relating to adverse publicity.

The proposed regulations under § 2.703 (p) also define what is actually meant by "advance notice." The release of the actual text of a press release to the affected firm or individual, without making the text available upon request to all persons, would be inconsistent with the principle of equal access to public information followed by the Commissioner in administering the Freedom of Information Act under 21 CFR 4.21. To make the actual text available to the firm or individual and the mass media simultaneously would defeat the practical dif-

ficulties in making the exact text available in advance. The proposed regulations attempt to solve this dilemma by providing notice to a firm or individual that publicity on a given subject is to issue without providing the exact text. Because of the varying degrees of public hazard that may exist in different situations, specific time frames for advance notice are not proposed.

Advance notice of FDA's plans to seek publicity that may be adverse is appropriate when needed to enable affected persons to make a timely response of their own to the press. Advance notice of publicity usually will not be given to selected persons or firms regarding the agency's initiation of proposed rule making. Since rule making proposals affect classes of products, advance notice and opportunity to comment are routinely provided to all affected persons prior to final action. Advance notice of the initiation by FDA of enforcement action in the courts is not appropriate since it would require a prior notification about the underlying action. Disclosure of those plans in some instances might lead to the removal of products about to be seized or to the destruction or loss of evidence relating to an imminent injunction.

A media interview may lead to adverse publicity that was not planned by the agency. In such instances, it is impractical to provide advance notice. Advance notice will be provided only in those few personal appearance circumstances where the Commissioner determines that the prepared text meets the requirement of § 2.745 of these proposed regulations.

The Commissioner points out that, frequently, affected persons are aware of the nature of an impending FDA action. Accordingly, they have little need of advance notice to prepare a reply. Even when advance notice is not necessary to enable a person to prepare a response under this section, the agency will, upon request, make available a copy of its statement to those affected by it at the time of issuance so that they will know, in fact, that a statement has been issued, and so that they can deal with press inquiries in light of the exact text of FDA's release.

RETRACTION AND CORRECTION

The fifth and final specific recommendation by the Administrative Conference calls for a retraction or correction of adverse agency publicity where it is shown to be erroneous or misleading, and when a person named in the publicity requests a retraction or correction. The Food and Drug Administration concurs in this recommendation, and both the HEW regulations and the proposed regulations provide for such corrections or retractions.

In the event that materially erroneous or materially misleading information, which is seriously adverse to a person or firm, is issued by FDA (including recall notices), the Commissioner will promptly issue a retraction or a correction.

The agency's procedural regulations in § 2.7 (21 CFR 2.7), provide a mechanism by which a person (or corporation) may petition for a change in agency actions or policies, including a retraction or a correction of erroneous or misleading adverse publicity. The agency will expedite the handling of such petitions since the time required by such a procedure may vitiate any corrective value from the resulting retraction or correction.

In cases where information issued by FDA has been misinterpreted by other persons or presented by the media in such a way as to be misleading to the public, the agency will consider the issuance of clarifying information. Although the agency is not responsible for publicity generated by an outside source that is adverse to a firm or product, the Commissioner may seek corrective publicity at his own discretion, or at the request of the adversely affected party, if the agency has information available that would indicate that such publicity was grossly misleading to the public and that it would be in the public interest.

The Commissioner has carefully considered the environmental effects of the proposed regulation and, because the proposed action will not significantly affect the quality of the human environment, has concluded that an environmental impact statement is not required. A copy of the environmental impact assessment is on file with the Hearing Clerk, Food and Drug Administration.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701, 705, 52 Stat. 1055-1056 as amended, 1057-1058 (21 U.S.C. 371, 375) and the Public Health Service Act (secs. 301, 310, 58 Stat. 691, 695, as amended, 84 Stat. 1308, (42 U.S.C. 241, 242)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), it is proposed that Part 2 be amended in Subpart N, as proposed and published in the FEDERAL REGISTER of April 7, 1976 (41 FR 14769), as follows:

1. In § 2.703 by adding new paragraphs (o) and (p) to read as follows:

§ 2.703 Definitions.

(o) "Publicity," for the purpose of this regulation, means any notice, statement, or release issued to the mass media by the Food and Drug Administration for the purpose of inviting public attention to an action, event, or circumstance. Press releases, press conferences, and interviews with media representatives are used to issue publicity.

(p) "Advance notice," as used in this part, means notification to an individual or firm that publicity is to be issued on a stated matter. The actual text of the publicity need not be provided in advance.

2. By adding new §§ 2.741 through 2.746 to read as follows:

§ 2.741 Scope and policy.

(a) This section and §§ 2.742 through 2.746 describe the practices and proce-

dures applied by the Food and Drug Administration in all of its activities that are intended to result in publicity. The regulations in Subpart N define publicity, describe how the Food and Drug Administration publicizes certain mandated reports, explain when and how the agency provides advance notices of publicity, describe the corrective actions to be taken if errors occur, and explain the limitations to be exercised in issuing publicity about court actions, administrative hearings, and law enforcement investigations.

(b) Publicity may be issued when, in the judgment of the Commissioner of Food and Drugs, it is necessary or appropriate to carry out his responsibilities under the laws administered by him. Any publicity issued by the agency shall be accurate and relevant to the purpose for which it is released and shall reflect the context fairly. Disparaging terminology, not essential to the purpose of the publicity, shall be avoided. The manner in which such publicity is issued will be commensurate with the purpose it is to achieve, the urgency and importance of the need to publicize, and the public interest in the matter. Publicity may be distributed on a limited geographical basis or to a limited audience if this is adequate, in the judgment of the Commissioner, to achieve the purpose for which it is issued.

(c) Nothing in these regulations shall prevent the Commissioner from issuing publicity to warn the public of a significant risk to the public health, a gross economic deception, or for any other compelling reason in the public interest even though such publicity may prejudice a legal proceeding.

§ 2.742 Publicity: limits on applicability.

(a) Publicity, as defined in § 2.703(o), does not include the following:

(1) The release of records pursuant to the Freedom of Information Act (5 U.S.C. 552) and the public information regulations in Part 4 of this chapter.

(2) Administrative action by the Food and Drug Administration or any issuance of measures legally necessary to effect an action.

(3) Responses to congressional requests for information.

(4) Placing papers on public file with the Hearing Clerk.

(b) Public statements relating to recalls issued pursuant to the recall regulations under §§ 2.715 through 2.724 are not subject to this subpart, except that the retraction and correction procedures in § 2.746 shall apply to such statements.

§ 2.743 Statutory provisions relating to publicity.

(a) Section 705(a) of the Federal Food, Drug, and Cosmetic Act requires the Commissioner to publish reports summarizing all judgments, decrees, and court orders that have been rendered under the act. This requirement is met by the publication of the "Notices of Judgment" in the FDA official publication, "FDA Consumer".

(b) Section 705(b) of the Federal Food, Drug, and Cosmetic Act provides authority for reporting "imminent danger to health, or gross deception" and for "collecting, reporting, and illustrating the results of the investigations of the Department. Similar authority is contained in sections 301 and 310 of the Public Health Service Act. These sections authorize the Commissioner to provide the public with information that comes to its attention that will assist the public in self protection.

§ 2.744 Publicity concerning litigation, administrative hearings, and law enforcement investigations.

(a) *Criminal trials.* (1) The Food and Drug Administration shall not issue publicity for the purpose of influencing the outcome of a criminal trial, nor shall it issue publicity that may reasonably be expected to influence the outcome of a pending or future criminal trial.

(2) (i) Publicity containing the following information may be released subject to specific limitations imposed by law or court rule or order:

(A) The defendant's name, age, residence, employment, marital status, and similar background information.

(B) The substance or text of the charge, such as a complaint, indictment, or information.

(C) The length or scope of an investigation.

(ii) Disclosures should include only incontrovertible, factual matters, and should not include subjective observations. In addition, where background information or information relating to the circumstances of an arrest or investigation would be highly prejudicial or where the release thereof would serve no law enforcement function, such information should not be made public.

(3) The Food and Drug Administration shall not disseminate any information concerning a defendant's prior criminal record.

(4) Because of the particular danger of prejudice resulting from statements in the period approaching and during trial, such statements ought to be strenuously avoided during that period. Any such statement or release shall be made only on the infrequent occasion when circumstances absolutely demand a disclosure of information and shall include only information that is clearly not prejudicial.

(5) The release of certain types of information generally tends to create dangers of prejudice without serving a significant law enforcement function. Therefore, the Food and Drug Administration should refrain from making available the following:

(i) Observations about a defendant's character.

(ii) Statements, admissions, confessions, or alibis attributable to a defendant, or the refusal or failure of the accused to make a statement.

(iii) Statements concerning the identity, testimony, or credibility of prospective witnesses.

(iv) Statements concerning evidence or arguments in the case, whether or not

it is anticipated that such evidence or argument will be used at the trial.

(v) Any opinion as to the accused's guilt, or the possibility of a plea of guilty to the offense charged, or the possibility of a plea to a lesser offense.

(b) *Civil litigation.* The Food and Drug Administration shall not during the investigation or litigation of a civil court action issue publicity that contains information, other than a quotation or reference to public records, if there is a reasonable likelihood that such information will interfere with a fair trial, and which relates to:

(1) Evidence regarding the occurrence or transaction involved.

(2) The character, credibility, or criminal records of a party, witness, or prospective witness.

(3) An opinion as to the merits of the claims or defenses of a party, except as required by law or administrative rule.

(4) Any other matter reasonably likely to interfere with a fair trial of the action.

(c) *Investigation leading to litigation.*

(1) The Food and Drug Administration will not ordinarily issue publicity specifically about a law enforcement investigation that it expects may lead to a criminal trial or civil action before the case is filed in court. Such publicity, however, may be issued if the Commissioner determines that there is a compelling public interest purpose in doing so.

(2) Any publicity specifically concerning an open law enforcement investigation that may lead to litigation shall comply with the standards in paragraph (a) or (b) of this section governing publicity about the type of proceeding to which the investigation is expected to lead.

(d) *Publicity indirectly related to litigation.* Other publicity not specifically and directly concerning court litigation or an investigation leading to litigation may bear on the general circumstances giving rise to the action, or be otherwise indirectly related to it. Such publicity may be issued so long as it is not intended to affect pending or future litigation. In such publicity, the Food and Drug Administration will avoid any unnecessary statements that might prejudice a fair trial or judicial hearing.

(e) *Administrative hearings and related investigations.* Publicity specifically concerning a pending formal evidentiary hearing pursuant to Subpart B of this part or a regulatory hearing before the Food and Drug Administration pursuant to Subpart F of this part, or concerning any law enforcement investigation that the agency expects will lead to the initiation of such a proceeding, may be issued in accordance with the following criteria when no other reasonable and equally effective alternative to the issuance of publicity exists:

(1) Where the publicity is necessary to notify the public of a significant risk that the public health or safety may be impaired, or substantial economic harm may occur unless the public is notified immediately, or

(2) Where the publicity is required to bring notice of pending agency adjudication to persons likely to desire to participate therein or likely to be affected by that or a related adjudication, or

(3) When the publicity is necessary to foster public understanding or accuracy with respect to publicity concerning the agency action that is likely to result regardless of agency publicity measures, or

(4) When the Commissioner determines that the publicity is necessary to achieve a compelling public interest objective.

(f) *Disclosure of context.* If any publicity about a proceeding, hearing, or investigation to which this section applies is based on allegations subject to subsequent adjudication, this fact shall be clearly stated.

(g) *Limitations of applicability.* Nothing in this section is intended to prevent the Commissioner from issuing publicity that he determines to be necessary to warn the public about a significant risk to the public health or a risk of substantial economic harm.

§ 2.745 Advance notice.

(a) Any respondent in an agency proceeding whom the Commissioner believes may be adversely affected shall, if practicable and consistent with the nature of the proceeding, be given advance notice, as defined in § 2.703(p), that the agency plans to release publicity about the proceeding.

(b) Advance notice need not be provided if a respondent is already aware that the agency is considering the action which is the subject of the publicity, and that publicity may be issued.

(c) Advance notice of publicity to be issued in conjunction with proposed rule making or with the initiation of court proceedings by the Food and Drug Administration will not ordinarily be given.

(d) Advance notice of the release of publicity that may be adverse to a specific product or firm named in the release shall be given to each adversely affected party, except where such publicity involves a product class or large segments of industry, and individual notification would be impractical or impossible.

§ 2.746 Retractions or corrections.

(a) When the Commissioner finds that the agency has issued materially erroneous or misleading information, the Commissioner will issue a retraction or correction, unless this would be likely to cause greater harm to additional persons.

(b) A request for retraction or correction may be made in the form of a citizen petition in the manner provided in § 2.7.

(c) If the timing of the correction is critical, the request can be made via a telegram or written request addressed to the Assistant Commissioner for Public Affairs, stating that timely action is important. The request shall otherwise be in the form required for a citizen petition and will be treated as such a petition.

(d) A retraction or correction issued by the agency pursuant to this section will be issued in a manner likely to reach

those persons who received the original information to the extent this is reasonably feasible.

(e) If a petition for retraction or correction is denied by the Commissioner, the petitioner will be provided with written notice of the refusal, which will include the reason for denial.

Interested persons may, on or before May 3, 1977, submit to the Hearing Clerk, Food and Drug Administration, RM. 4-65, 5600 Fishers Lane, Rockville, MD 20857, written comments (preferably in quintuplicate and identified with the Hearing Clerk docket number found in brackets in the heading of this document) regarding this proposal. Received comments may be seen in the above office between the hours of 9 a.m. and 4 p.m., Monday through Friday.

NOTE.—The Food and Drug Administration has determined that this document does not contain a major proposal requiring preparation of an inflation impact statement under Executive Order 11821 and OMB Circular A-107. A copy of the inflation impact assessment is on file with the Hearing Clerk, Food and Drug Administration.

Dated: February 18, 1977.

SHERWIN GARDNER,
Acting Commissioner
of Food and Drugs.

[FR Doc. 77-6462 Filed 3-3-77; 8:45 am]

[21 CFR Parts 606, 640]

[Docket No. 75N-0316]

WHOLE BLOOD AND COMPONENTS OF WHOLE BLOOD INTENDED FOR TRANSFUSION

Donor Classification Labeling Requirements Correction

In FR Doc. 77-5534 appearing at page 11018 in the issue of Friday, February 25, 1977, in the third column on page 11018, first complete paragraph the date now reading, "June 27, 1977" in the last line should be corrected to read, "120 days after the date of publication of a final regulation in the FEDERAL REGISTER".

On page 11022, third column, the paragraph following § 640.51(c) (1) should be corrected to read as follows:

"To provide adequate time for the printing and required approval of labels, the Commissioner intends to make the proposed labeling requirements effective 120 days after the date of publication of the final order in the FEDERAL REGISTER."

[21 CFR Part 1020]

[Docket No. 75N-0331]

DIAGNOSTIC X-RAY SYSTEMS AND THEIR MAJOR COMPONENTS

Image Receptor Supports

The Food and Drug Administration is proposing to amend the regulations on diagnostic x-ray systems by providing for image receptor support devices. The proposal clarifies a previous proposal on field limitation and alignment, x-ray beam

transmission, and exposure reproducibility, which was published in the *FEDERAL REGISTER* of February 23, 1976 (41 FR 7957). Comments are due by April 4, 1977.

Pursuant to the authority of the Public Health Service Act as amended by the Radiation Control for Health and Safety Act of 1968 (Pub. L. 90-602, 42 U.S.C. 263b et seq.), the Commission of Food and Drugs proposed to amend § 1020.31 (21 CFR 1020.31) regarding requirements for field limitation and alignment, x-ray beam transmission, and exposure reproducibility. Sixteen letters were received on this notice of proposed rulemaking. Several of the letters noted problems with the wording of the proposal that could lead to misinterpretations. Particular confusion was expressed about the meaning and intent of field limitation and alignment and x-ray beam transmission for mammographic x-ray systems. Consequently, a public meeting with manufacturers and interested persons to consider the reasonableness and technical and clinical feasibility of the proposal was announced in the *FEDERAL REGISTER* of July 19, 1976 (41 FR 29739).

As a result of the comment letters and the public meeting, several changes in the proposed amendments are being considered for inclusion in the final rule. Among the changes are two that relate to the proposal for a limit on the x-ray beam transmitted through the image receptor support device for x-ray systems designed only for mammography. It was noted in several comment letters and at the public meeting that the term "image receptor support" was not defined and hence might be subject to misinterpretation. To avoid confusion, the Commissioner is proposing to define this component and, so that performance requirements for the image receptor support may be adequately enforced, is proposing to add it to the list of components to which the diagnostic x-ray equipment performance standard is applicable (21 CFR 1020.30(a)). This is a further amendment to § 1020.30(a), which was totally revised by publication in the *FEDERAL REGISTER* of February 25, 1977 (42 FR 10983). He also notes that addition of a component to this list means that the component must be certified by the manufacturer as meeting all those requirements of the performance standard relating to that component. In this case, the only requirements besides those required of all certified components would be the x-ray beam transmission limit and a permanent marking indicating the maximum image receptor size for which the image receptor support is designed.

The Commissioner notes that the previously proposed transmission limit for the primary x-ray beam was meant to be imposed upon diagnostic x-ray systems designed only for mammography. For such systems, the image receptor support could be any table or holder for the image receptor provided with the system or a combination of these that intercepts the primary beam after it passes through the image receptor.

Because the proposed changes below derive from previous public comments and a public meeting, the Commissioner has determined that a comment period of 30 days is sufficient for proper review.

The environmental and inflationary effects of the February 23, 1976 proposal were considered before publication, and the Commissioner concluded that such effects were not significant. This proposal in no way alters that conclusion. Copies of the FDA environmental and inflation impact assessments and other pertinent background data on which the Commissioner relies in proposing this regulation are on file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857.

Therefore, under the Public Health Service Act, as amended by the Radiation Control for Health and Safety Act of 1968 (sec. 358, 82 Stat. 1177-1179 (42 U.S.C. 263f) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the *FEDERAL REGISTER* of June 15, 1976 (41 FR 24262)), it is proposed that Part 1020 be amended in § 1020.30 by adding new paragraphs (a)(1)(v) and (b)(54) to read as follows:

§ 1020.30 Diagnostic x-ray systems and their major components.

- (a) * * *
- (1) * * *
- (v) Image receptor support devices for mammographic x-ray systems manufactured after March 4, 1978.
- * * *
- (b) * * *
- (54) "Image receptor support" means, for mammographic systems, that part of the system designed to support the image receptor in a horizontal plane during a mammographic examination.

Interested persons may, on or before April 4, 1977, submit to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, written comments (preferably in quintuplicate and identified with the Hearing Clerk docket number found in brackets in the heading of this document) regarding this proposal. Received comments may be seen in the above office between the hours of 9 a.m. and 4 p.m., Monday through Friday.

The Food and Drug Administration has determined that this document does not contain a major proposal requiring preparation of an inflation impact statement under Executive Order 11821 and OMB Circular A-107. A copy of the inflation impact assessment is on file with the Hearing Clerk, Food and Drug Administration.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6489 Filed 3-3-77; 8:45 am]

[21 CFR Part 808]

[Docket No. 76P-0344]

MEDICAL DEVICES

Proposed Action on State of California Application for Exemption From Preemption of Requirements

Correction

In FR Doc. 77-4655 appearing at page 9186 in the issue for Tuesday, February 15, 1977, a line should be inserted between the 24th and 25th lines of the last paragraph of the second column, which reads, "otherwise, one would have to assume that".

DEPARTMENT OF LABOR

Assistant Secretary for Labor-Management Relations, Office of Labor-Management Relations Services

[29 CFR Part 215]

PROPOSED GUIDELINES, SECTIONS 3(e) (4) AND 13(c), URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED

Extension of Comment Period on Proposed Guidelines

On January 18, 1977, a notice of proposed guidelines was published in the *FEDERAL REGISTER* (42 FR 3319), to amend 29 CFR Chapter 2, by adding a new part 215. The guidelines were to provide information concerning the Department of Labor's administrative procedures in processing applications for assistance under the Urban Mass Transportation Act, and certification by the Secretary of Labor of acceptable employee protective arrangements. The Notice invited interested persons to submit written comments regarding the proposed amendments on or before March 4, 1977.

On the basis of a request for additional time, I hereby extend the period for public comment by 30 days until April 3, 1977. Accordingly, any interested person may submit comments concerning the proposed guidelines before April 3, 1977 to the Assistant Secretary for Labor-Management Relations, United States Department of Labor, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed this 1st day of March, 1977.

JACK A. WARSHAW,
Acting Assistant Secretary
for Labor-Management Relations.

[FR Doc. 77-6597 Filed 3-3-77; 8:45 am]

DEPARTMENT OF THE INTERIOR

Mining Enforcement and Safety Administration

[30 CFR Parts 55, 56, 57]

NEW AND REVISED HEALTH AND SAFETY STANDARDS

Notice of Proposed Rulemaking

Correction

In FR Doc. 77-2462, appearing at page 5546, in the issue for Friday, January 28, 1977, make the following corrections:

1. On page 5546, in the third line of the fourth paragraph in the third column, insert the number "259" between the numbers "258" and "291".

2. On page 5547 in the third column, in the second line of the paragraph numbered 14, change the number "55.3-57" to read "55.3-56".

3. On page 5548, in the third column, in the first line of the sixth paragraph, change the number "55.12-18", to read "55.12-28".

4. On page 5549, in the eighteenth paragraph of the first column, change "MNMAC", appearing in the first line to read, "MNMSAC".

5. Also on page 5549, in the second column, add the word "strength." to the end of the fourth line of 55.19-16 (a).

6. On page 5553, in the first column, in 56.12-69, in the eighth line, change the word "conducted" to read "connected".

7. On page 5554, change the number "56.19-35" appearing in the second line of the first paragraph, to read "56.19-36".

8. On page 5555, in the second column, under 56.19-135, the portion of the fourth line beginning with the letter "N.", and all of the fifth line should be set out in a separate paragraph as amendatory language.

9. On page 5557, in the first column, in the paragraph numbered 204, change the number "57.3-3", to read "57.3-53".

10. Also on page 5557, in the first column, change the first line of 57.3-55 which presently reads "57.3-53 Mandatory. MNMSAC.—Rock-bolt", to read "57.3-55 Mandatory. MNMSAC.—In in-".

11. On page 5559, change the word "quality", appearing in the seventh line of 57.4-92 (d) (4), to read "quantity".

12. On page 5563, in the first column, change the word "declaration", appearing in the fifth line of 57.19-62 to read "deceleration".

13. Also on page 5563, in the second column, change the first line of 57.19-91, which presently reads, "57.19-93 Mandatory. MNMSAC.—A man-", to read "57.19-91 Mandatory. MNMSAC.—Holst-men shall not".

DEPARTMENT OF DEFENSE

Corps of Engineers

[33 CFR Part 207]

OKEECHOBEE WATERWAY, FLA.

Proposed Navigation Regulation

Notice is hereby given that pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1) the regulations set forth below in tentative form are proposed by the Secretary of the Army (acting through the Chief of Engineers) to govern the use, administration and navigation of a lock on the Okeechobee Waterway at Port Mayaca, Florida. This proposal would establish a schedule of operation for the Port Mayaca Lock 33 CFR 207.170e.

The Port Mayaca Lock and Spillway is currently under construction and is scheduled for completion the end of

February, 1977. This proposed schedule is similar to the operating schedules for the other four locks on the Okeechobee Waterway.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions or objections which are submitted in writing to the Office of the Chief of Engineers, Forrestal Building, Washington, D.C. 20314, Attention DAEN-CWO-N on or before 31 March 1977.

§ 207.170e Okeechobee Waterway, navigation lock on east side of Lake Okeechobee at Port Mayaca, Florida; use, administration and navigation.

(a) The lock shall be operated from 6:00 a.m. to 10:00 p.m. daily. During these hours the lock shall be opened upon demand for the passage of vessels.

(b) The District Engineer, U.S. Army Engineer District, Jacksonville, Florida, shall place signs at each side of the lock indicating the nature of the regulations in this section.

NOTE.—The Department of the Army has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

(40 Stat. 266; 33 U.S.C. 1.)

Dated: February 14, 1977.

MARVIN W. REES,

Colonel, Corps of Engineers,
Executive Director of Civil Works.

[FR Doc.77-6533 Filed 3-3-77;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[49 CFR Part 258]

[Docket No. 76-01]

RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976, AS AMENDED

Proposed Standards for Evaluation and Other Miscellaneous Amendments; Correction

In FR Doc. 77-2341, appearing at page 4660 in the FEDERAL REGISTER of Tuesday, January 25, 1977, the following changes should be made:

1. On page 4661, 3d column, 1st full paragraph, line 14, the word "its" should be inserted in lieu of the word "his".

2. On page 4661, 3d column, 2nd full paragraph, line 2, the phrase ", as amended" should be inserted after the word "Act".

3. On page 4663, the last full paragraph in column 1 should be deleted.

4. On page 4663, 3d column, paragraph number 6 should read:

"6. Section 258.7(a)(8) is revised to read:

§ 258.7 Form and content of application.

(a) * * *

(8) Detailed assessment of the impact of the project on the environment, in the

general format and including the information set forth in the appendix to this part."

5. On page 4664, 3d column, a semicolon should be inserted in lieu of the period at the end of subparagraph (1) of § 258.21(a).

6. On page 4665, 3d column, § 258.25 (a), last line, the number "505(b)(2)(B)" should be inserted in lieu of "505(b)(2)(b)".

7. On page 4667, 3d column, line 5 should read: "April 4, 1971.)"

Dated: February 28, 1977.

BRUCE M. FLOHR,

Deputy Administrator,

Federal Railroad Administration.

[FR Doc.77-6470 Filed 3-3-77;8:45 am]

[49 CFR Part 258]

[Docket No. 76-01]

RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976, AS AMENDED

Proposed Standards for Evaluation and Other Miscellaneous Amendments

Correction

In FR Doc. 77-2341 appearing at page 4660 of the issue for Tuesday, January 25, 1977, make the following changes:

1. In the headings, the title of the Act should include the words "as amended", as set forth above.

2. The last line of § 258.7(a)(10)(ii), third column, page 4663, now reading "base identified in (a)(i) of this section" should read "base identified in subparagraph (i) of this paragraph."

3. The quoted portion of § 258.9(c), first column, page 4664, should end with a colon instead of a period.

4. In the second line of amendatory paragraph 12, middle column, page 4664, "258-17" should read "258.17".

5. In the heading above the table of contents for Subpart B, middle column, page 4664 "Evaluation" should read "Evaluations".

6. In the authority citation immediately below the table of contents for Subpart B, middle column, page 4664, "(Pub. L. 94-210, as amended)." should read "(Pub. L. 94-210, as amended.)".

7. Paragraph (D)(i) of Part II of the Appendix, third column, page 4667, should end with a period instead of a colon.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR Part 280]

PACIFIC TUNA FISHERIES

Miscellaneous Amendments

The Resolution adopted by the Inter-American Tropical Tuna Commission for 1977 recommended to continue in 1977 the experimental fishing program in effect since 1969. The Commission's resolution for 1977, as in 1976, allows vessels

of less than 400 short tons carrying capacity to fish for yellowfin tuna within the regulatory area during the closed season under such restrictions as may be made necessary to limit the catch of yellowfin tuna by such vessels to 6000 short tons during 1977. An additional 700 tons of yellowfin tuna which was thought to be available from the unused portion of the overall country 15 percent incidental catch has traditionally been allotted by the National Marine Fisheries Service to these vessels.

An examination of the allotment status of the vessels under 400 short tons carrying capacity reveals: (1). During the period 1971 to 1976 the average unused portion of the overall country incidental catch has not been the 700 short tons allotted but has averaged 400 tons; (2), during 1975 and 1976 neither the small seiners nor the bait and jig boats fully utilized their allotments; and (3), during 1976 three of the small seiners were lost to the fishery totalling approximately 700 tons of carrying capacity. Consideration of these three factors indicates that the overall allotment should be 6400 tons rather than 6700 short tons and that the 300 short ton reduction should come from the seiners under 400 short tons carrying capacity with no change made in the allotment to the bait boats and jig boats. This change would maintain apportionment of the allotment between the two categories on approximately the same allotment per registered ton carrying capacity ratio as in 1975 and 1976. Taking additional note of the fact that for the past two years, the allotments have not been fully utilized, the National Marine Fisheries Service will entertain suggestions from the industry or other interested persons for alternate methods of taking the special allocations. In the absence of any proposed workable alternatives, the incidental catch rates will remain the same as in 1976. The proposed allotments and the 1976 incidental catch rates are:

(a) Bait and jig boats: Allocation 2,800 short tons; catch rate—50 percent of vessels registered carrying capacity; and

(b) Purse seiners of 400 short tons carrying capacity or less: Allocation—3,600 short tons; catch rate—for vessels under 300 short tons carrying capacity, 60 percent by round weight of total catch; for vessels 301-400 short tons carrying capacity, 40 percent by round weight of total catch.

In addition to a review of special allocations the following amendments to the regulations are proposed:

Section 280.7 "Closed Season Restrictions Applicable to Fishing Vessels" has become cumbersome because of its length and complexity. Therefore, we propose to incorporate three new sections in lieu of the existing § 280.7 and to amend § 280.6 by including parts of § 280.7 and retitling it. The new sections are as follows:

Sec.
280.6 Provisions for fishing inside and outside CYRA on open season trips.
280.7 Provisions for fishing inside CYRA on closed season trips.

280.8 Provisions for fishing outside CYRA on closed season trips.

280.9 Reports required prior to unloading from closed season trips.

The new sections would consist of the former § 280.6 and § 280.7 as follows:

280.6: 280.6 (a), (b), 280.7 (a), (k).
280.7: 280.7 (b), (c), (j), (k).
280.8: 280.7 (d), (d) (1), (e), (e) (1), (e) (2), (f), (k), (l).
280.9: 280.7 (g), (h), (i), (k).

As part of this reorganization, we propose to renumber the former § 280.8 through § 280.14 and reserve 3 numbers for any future changes.

This proposed change does not make any substantive changes in the regulations. It is for clarity and convenience. Accordingly, we have not attempted to discuss each modification in detail.

During the past year, an increasing number of U.S. vessels have been unloading in foreign ports. Some of these vessels are failing to provide, in a direct and timely manner, the proper notification and the required reports. We therefore propose to add three new sections, § 280.9 (b) and (e), and § 280.17 (a) (3) to the regulations. Subsection 280.9 (b) would strengthen our ability to properly document foreign unloadings. Section 280.9 (e) would indicate the penalties provided in the Act for failure to follow the required procedures and file the required reports. Section 280.17 (a) (3) would clarify the requirement to report all unloadings whether domestic or foreign. The proposed changes are as follows:

§ 280.9 (b): "Any fishing vessel wishing to unload its catch at more than one location shall notify the Regional Director 48 hours prior to the commencement of each unloading, giving the date of the unloading and the estimated tonnage by species to be unloaded at each location."

§ 280.9 (e): "Any person failing to follow the procedures or to make the reports required by this subsection may be subject to the criminal penalties provided for in the Act in addition to other restrictions which may apply."

§ 280.17 (a) (3): "The requirements of this section shall apply to the sale or delivery of a catch of tuna regardless of whether the transaction occurs in a U.S. or a foreign port."

Should the present reporting procedures fail to prevent any instances of landings of closed season yellowfin tuna from the CYRA in excess of 15 percent by U.S. vessels in foreign ports the NMFS is prepared to adopt more stringent regulatory measures.

During the past years the NMFS has performed tuna vessel well inspections in the United States, Costa Rica and the Canal Zone. Experience gained during this period indicates a need to clarify and strengthen the current policy. We, therefore, propose the following:

§ 280.10 (b) (1): "The National Marine Fisheries Service will provide two inspections per month in foreign ports from June 1 through December 1 in the Canal Zone and Puntarenas, Costa Rica. These inspections will be provided upon advanced notification on the first and second and the fifteenth and sixteenth day of each month, respectively, at no cost to the requestor. Inspection service

may be provided in foreign ports at other times at the expense of the requesting vessel. Such additional inspections will be provided subject to advance notification, availability of personnel, immigration clearances and approval of the Regional Director. Well inspections will be provided at U.S. ports as they are needed subject to proper notification."

The term Greenwich Mean Time (G.M.T.) has been changed to Coordinated Universal Time (C.U.T.). We, therefore, propose to amend the former § 280.6 (b) and § 280.8 (a) to reflect this change.

We propose, as technical and conforming changes, that the dates in the former §§ 280.6 (b), 280.7 (a), 280.1 (g), and 280.7 (d) be amended to reflect the appropriate years ("1976" to be changed to "1977" and "1975" to "1976").

The NMFS Suspense Account Number has been changed from 14X6875 (17) to 13X6875 (17). We proposed to amend § 280.16 (c) accordingly.

Before final adoption of amendments, consideration will be given to data, views, or arguments pertaining thereto which are submitted to the Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731, on or before March 15, 1977.

Interested persons will also be afforded an opportunity to comment orally on the proposed amendments at a public hearing to be held in the United Portuguese Club, 2818 Addison Street, San Diego, California, beginning at 9:30 a.m., March 10, 1977. Any person who intends to testify at the hearing is requested to furnish in writing, prior to the hearing, his name and the name of the organization he represents, if any, to the Regional Director.

The proposed amendments are issued under the authority contained in subsection (c) of section 6 of the Tuna Conventions Act of 1950, as amended, 16 U.S.C. 955 (c), and Reorganization Plan No. 4 of 1970, effective October 3, 1970, 35 FR 15627.

Issued at Washington, D.C., and dated February 28, 1977.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

In consideration of the foregoing, Part 280 is revised to read as follows:

Sec.	Definitions.
280.1	280.2 Basis and purpose.
280.2	280.3 Catch limits.
280.3	280.4 Open season.
280.4	280.5 Closed season.
280.5	280.6 Provisions for fishing inside and outside CYRA open season trips.
280.6	280.7 Provisions for fishing inside CYRA on closed season trips.
280.7	280.8 Provisions for fishing outside CYRA on closed season trips.
280.8	280.9 Reports required prior to unloading from closed season trips.
280.9	280.10 Provisions for well inspections during closed season.
280.10	280.11 [Reserved].
280.11	280.12 [Reserved].
280.12	280.13 [Reserved].
280.13	280.14 Emergency action by Service director.

280.15	Restrictions applicable to cargo vessels.
280.16	Restrictions applicable to purchasers.
280.17	Recordkeeping and written reports.
280.18	Persons and vessels exempted.
280.19	National Oceanic and Atmospheric Administration Employee designated as enforcement agents.
280.20	State Officers designated as enforcement agents.

AUTHORITY: 64 Stat. 777, as amended (16 U.S.C. 951), as modified by Reorganization Plan No. 4, effective Oct. 3, 1970 (35 FR 15627).

§ 280.1 Definitions.

For the purposes of this part, the following terms shall be understood to mean:

(a) *United States*. All areas under the sovereignty of the United States, the Trust Territory of the Pacific Islands, and the Canal Zone.

(b) *Convention*. The Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, D.C., May 31, 1949, by the United States of America and the Republic of Costa Rica (1 U.S.T. 230).

(c) *Commission*. The Inter-American Tropical Tuna Commission established pursuant to the Convention.

(d) *Director of investigations*. The Director of Investigations, Inter-American Tropical Tuna Commission, La Jolla, California.

(e) *Service director*. The Director of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce.

(f) *Regional director*. The Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California, telephone number, area code, 213, 548-2575.

(g) *Regulatory area*. All waters of the eastern Pacific Ocean bounded by the mainland of the Americas and the following lines: Beginning at a point on the mainland where the parallel of 40° north latitude intersects the coast; thence due west to the meridian of 125° west longitude; thence due south to the parallel of 20° north latitude; thence due east to the meridian of 120° west longitude; thence due south to the parallel of 5° north latitude; thence due east to the meridian of 110° west longitude; thence due south to the parallel of 10° south latitude; thence due east to the meridian of 90° west longitude; thence due south to the parallel of 30° south latitude; thence due east to a point on the mainland where the parallel of 30° south latitude intersects the coast. For 1976 only, exclude from the regulatory area on an experimental basis the two areas defined as follows:

(1) The area encompassed by a line drawn commencing at 110° W. longitude and 5° N. latitude extending east along 5° N. latitude to 95° W. longitude; thence south along 95° W. longitude to 3° S. latitude; thence east along 3° S. latitude to 90° W. longitude; thence south along 90° W. longitude to 10° S. latitude; thence west along 10° S. latitude to 110° W. longitude; thence north along 110° W. longitude to 5° N. latitude and (2)

the area encompassed by a line drawn commencing at 115° W. longitude and 5° N. latitude extending west along 5° N. latitude to 120° W. longitude; thence north along 120° W. longitude to 20° N. latitude; thence east along 20° N. latitude to 115° W. longitude; thence south along 115° W. longitude to 5° N. latitude.

(h) *Yellowfin tuna*. No other fishes except the species *Thunnus albacares*.

(i) *Mingled species*. (1) Any species of billfish or shark; and (2) No other species of the family Scombridae except: Skipjack (*Genus Euthynnus*), bigeye (*Thunnus obesus*), bluefin (*Thunnus thynnus*), albacore (*Thunnus alalunga*), or bonito (*Sarda chiliensis*).

(j) *Fishing vessel*. All watercraft subject to the jurisdiction of the United States which are used for catching or processing fish, except purse seine skiffs.

(k) *Fishing voyage*. The period between the date a fishing vessel departs from any port to carry out fishing operations and the date such vessel unloads any of its catch or the date such vessel returns to any port for the express purpose of receiving an inspection by a designated agent of the National Marine Fisheries Service.

(l) *Cargo vessel*. All watercraft which are used for transporting fish or fish products, except fishing vessels.

(m) *Person*. Individual, association, corporation, or partnership subject to the jurisdiction of the United States.

(n) *Open season*. The time during which yellowfin tuna may lawfully be captured without limitation by any fishing vessel operating within the regulatory area.

(o) *Closed season*. The time during which yellowfin tuna may not be captured in the regulatory area, except in limited quantities as an incident to fishing for species with which yellowfin may be mingled.

(p) *Port facility in the Americas*. All port facilities in North, South and Central America, including all the Caribbean ports, but excluding ports in Argentina, Brazil and Uruguay.

§ 280.2 Basis and purpose.

(a) At a special meeting held at Long Beach, Calif., on September 14, 1961, the Commission recommended to the Governments of Costa Rica, Ecuador, Panama, and the United States of America, parties to the Convention, that they take joint action to limit the annual catch of yellowfin tuna from the eastern Pacific Ocean by fishermen of all nations during the calendar year 1962. This recommendation was made pursuant to paragraph 5 of Article II of the Convention on the basis of scientific investigations conducted by the Commission over a period of time dating from 1951. The most recent years of this period were marked by a substantial increase in fishing effort directed toward the yellowfin tuna stocks, resulting in a rate of exploitation of these stock greater than that at which the maximum sustainable yield may be obtained. The Commission's recommendation for joint action by the parties to regulate the yellowfin tuna fishery has

as its objective the restoration of these stocks to a level of abundance which will permit maximum sustainable catch and the maintenance of the stocks in that condition in the future.

(b) At each annual meeting held since 1962, the Commission affirmed its conclusions regarding the need for regulating the yellowfin tuna fishery in the eastern Pacific Ocean and at each meeting recommended to the parties to the Convention that they take joint action to:

(1) Establish a prescribed tonnage limit on the total catch of yellowfin tuna by the fishermen of all nations during each calendar year from an area of the eastern Pacific Ocean defined by the Commission;

(2) Establish open and closed seasons for yellowfin tuna under prescribed conditions;

(3) Permit the landing of an incidental catch by weight of yellowfin tuna when landed with one or more of the following fishes usually caught mingled with yellowfin tuna, that are taken on a fishing trip begun after the close of the yellowfin tuna fishing season: Skipjack tuna, bigeye tuna, bluefin tuna, albacore tuna, bonito, the billfishes, and the sharks; and

(4) Obtain from governments not parties to the Convention, but having vessels which operate in the fishery, cooperation in effecting the recommended conservation measures.

(c) The regulations in this part are designed to implement the Commission's recommendations for the conservation of yellowfin tuna so far as they affect vessels and persons subject to the jurisdiction of the United States.

§ 280.3 Catch limits.

The annual limitation on the quantity of yellowfin tuna permitted to be taken from the regulatory area by the fishing vessels of all nations participating in the fishery will be fixed and determined on the basis of recommendations made by the Commission pursuant to paragraph 5 of Article II of the Convention. Upon approval by the Secretary of State and the Secretary of Commerce of the recommended catch limit, announcement of the catch limit thus established shall be made by the Service Director through publication of a suitable notice in the *FEDERAL REGISTER*. The Service Director, in like manner, shall announce any revision or modification of an approved annual catch limit which may subsequently enter into force.

§ 280.4 Open season.

The open season for yellowfin tuna fishing shall begin annually at 0001 hours on the first day of January and terminate at 0001 hours on a date to be announced as provided in § 280.5. Time in hours shall refer to local time in the area affected.

§ 280.5 Closed season.

Pursuant to authority granted by the Commission, the Director of Investigations will determine the date on which he deemed the yellowfin fishing season should close and will promptly notify

the Service Director of such date. The Service Director shall then announce the season closure date thus established by publication of a notice in the *FEDERAL REGISTER*. The closure date so announced shall be final except that if it shall at any time become evident to the Director of Investigations that the closure date initially determined had been affected by changed circumstances, he may substitute another date which shall be announced by the Service Director in like manner as provided for the date originally determined.

§ 280.6 Provisions for fishing inside and outside CYRA on open season trips.

(a) During the open yellowfin tuna season, every fishing vessel operating within the regulatory area shall transmit once each calendar week a message between 0900 and 2100 hours local California time. The message shall be transmitted directly to the Director of Investigations through the shore representative of the fishing vessel and shall state: the name of the reporting vessel and the tonnage by species of fish aboard. The above reporting procedure shall go into effect on a date to be announced by the Service Director through publication of a notice in the *FEDERAL REGISTER*.

(b) During the open yellowfin tuna season, every fishing vessel operating in the Pacific Ocean, but outside the regulatory area, shall transmit daily a message between 1600 Coordinated Universal Time (C.U.T.) and 1800 C.U.T. This requirement will also apply, for 1977 only, to every fishing vessel operating in the area described in the second sentence of paragraph (g) of § 280.1. The message shall be transmitted directly to Coast Guard Radio San Francisco (NMC) on frequency 16,565.0, 12,421.0, or 8,281.2 KHz and shall state: "This message is being transmitted in compliance with the U.S. eastern tropical Pacific yellowfin tuna regulations and confirms that the vessel (name of reporting vessel) is fishing in the Pacific Ocean, but outside the regulatory area as of this date (give date)".

(c) Any fishing vessel which has departed port to engage in tuna fishing, prior to the date of closure of the yellowfin season, may continue to capture yellowfin tuna within the regulatory area without restriction until the fishing voyage has been completed.

(1) In addition, for 1977, only, any fishing vessel which is in port at the closure and has either (i) completed a voyage in the regulatory area during the 1977 open season or (ii) completed a voyage in the regulatory area during 1975 will be allowed one additional unrestricted fishing voyage provided that departure is made within 30 days thereafter: *Provided, however*, That if the Director of Investigations, as a result of emergency measures adopted at a special meeting of the Commission, notifies the Contracting Government to the Convention that further unrestricted fishing for yellowfin tuna shall cease, or that other measures

must be taken to protect the stocks, every fishing vessel at sea, having yellowfin tuna aboard in excess of the incidental catch limitations provided in § 280.7(a), shall return directly without delay to its home port, port of departure, or such other port as may be designated by the Regional Director to unload or to receive an inspection by a designated agent of the National Marine Fisheries Service. This requirement shall take effect upon publication of notice in the *FEDERAL REGISTER* by the Service Director, or on a date to be specified in such notice. Any vessel failing to comply with the above requirements shall be restricted to the incidental catch limitations of § 280.7(a) for its entire fishing voyage; vessels in port on the effective date of such notice will not be allowed an additional unrestricted fishing voyage, but shall be subject to the incidental catch limitations of § 280.7(a). Other, less restrictive measures may be specified, in the manner provided above, as necessary to implement the notification from the Director of Investigations.

(2) A vessel which is determined by the Regional Director to be in the Atlantic ocean or the Caribbean sea or west of 150° W. longitude in the Pacific ocean at the closure shall, for the purpose of paragraph (a)(1) of this section only, be considered to be "in port": *Provided, however*, That a vessel located west of 150° W. longitude in the Pacific ocean shall, in order to be so considered, observe the following procedure:

(i) Prior to the closure, notify the Regional Director of the vessel's intent to engage in the one additional unrestricted fishing voyage in the regulatory area permitted by paragraph (a)(1) of this section; and

(ii) Report as required by paragraph (a) of this section (open season) or § 280.7(d) (closed season), as appropriate; and

(iii) If transit of the regulatory area is required to reach the port from which the vessel will depart for such additional unrestricted fishing voyage, enter the regulatory area north of 25° N. latitude and proceed directly without delay to port.

(3) For the purpose of the above, departure refers to the date a vessel leaves port prepared to carry out fishing operations. A stopover at a single intermediate port, not exceeding 48 hours, may, however, be made to meet deficiencies in outfitting, supplying, fueling, provisioning or manning needs for a fishing voyage. Remaining in excess of 48 hours shall constitute a new fishing voyage corresponding to the delayed departure date.

(4) Any vessel which, solely by reason of seizure or other enforcement activity of a foreign government against such vessel, is unable to reach the port of its choice prior to the closure of the yellowfin fishing season shall be allowed, subject to written approval by, and under conditions set by, the Regional Director, to proceed to another port for the purpose of unloading and still qualify for the one additional unrestricted fishing voyage, subject to the restrictions of

paragraphs (c) (1) and (2) of this section except for the in-port requirement.

(d) All reports required in this section, except messages transmitted directly to Coast Guard Radio San Francisco, shall be telephoned to area code 714, telephone number, 233-5511. Such reports, which must be delivered within the time limits specified, may be made by prepaid commercial radio message or relayed through the shore representative of the reporting vessel.

§ 280.7 Provisions for fishing inside CYRA on closed season trips.

Except as otherwise provided in § 280.6 (c) and this section, after notice has been published in the *FEDERAL REGISTER* announcing closure of the yellowfin season, it shall be unlawful for any person or fishing vessel to land yellowfin tuna captured from within the regulatory area in any port or place until the season reopens on the following January 1.

(a) Any fishing vessel which departs port on a fishing voyage after closure of the yellowfin season, except as provided in § 280.6(c), may land yellowfin tuna captured from within the regulatory area in limited quantities as provided in paragraphs (a) (1) to (3) of this section as an incident to fishing for species with which yellowfin may be mingled. The Service Director may, however, through publication of a notice in the *FEDERAL REGISTER* adjust the incidental catch limitations to assure that the special allotments designated for vessels of 400 short tons carrying capacity or less are not underutilized and the 15 percent overall incidental catch for the entire tuna fleet is not exceeded. Any quantity of yellowfin tuna landed in excess of the limitations provided in (a) (1) to (a) (3) of this section shall be subject to seizure and forfeiture pursuant to the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-961).

(1) Purse seiners over 400 short tons carrying capacity may land in any port or place yellowfin tuna captured from within the regulatory area as an incident to fishing for species with which yellowfin may be mingled, but in no event shall any such vessel be permitted to land yellowfin tuna in excess of 15 percent by round weight of its total catch.

(2) Purse seiners of 400 short tons carrying capacity or less may land in any U.S. port yellowfin tuna captured from within the regulatory area as an incident to fishing for species with which yellowfin may be mingled, but in no event shall any vessel of 301-400 short tons carrying capacity be permitted to land yellowfin tuna in excess of 40 percent by round weight of its total catch: *Provided, however*, That any vessel of 301-400 short tons carrying capacity which is on a fishing voyage longer than 70 days may land 20 percent yellowfin tuna by round weight of its established short ton carrying capacity. Nor shall any purse seiner of 300 short tons carrying capacity or less be permitted to land yellowfin tuna in excess of 60 percent by round weight of its total catch: *Provided, however*, That any such vessel that is at

sea longer than 50 days may land 25 percent yellowfin tuna by round weight of its established short ton carrying capacity. That local wet fish seiners may accumulate the 60 percent allowance by weight for the separate period from the date of closure of the yellowfin fishing season until the end of that month, and for each separate period consisting of one calendar month thereafter provided such vessels have not landed any yellowfin tuna during the open season and make deliveries only on a daily basis. When the catch of yellowfin tuna by purse seiners of 400 short tons carrying capacity or less reaches 3900 short tons, the amount of yellowfin tuna which any such vessel may lawfully land will revert to 15 percent by round weight of its total catch. After a date to be announced through publication of a notice in the FEDERAL REGISTER by the Service Director, any vessel departing on a fishing voyage shall be subject to this revision limitation of 15 percent.

(3) Bait and jig boats may land in any U.S. port fellowfin tuna captured from within the regulatory area, but in no event shall any such vessel be permitted to land yellowfin tuna in excess of 50 percent by round weight of its short ton carrying capacity once established in accordance with paragraph (a) (4) of this section. When the catch of yellowfin tuna by bait and jig boats collectively reaches 2800 short tons, the amount of yellowfin tuna which any such vessel may lawfully land will revert to 15 percent by round weight of its total catch. During the period of the closed season that bait and jig boats are fishing for their allotments, all such boats must notify the Regional Director when they depart port on a fishing voyage. After a date to be announced through publication of a notice in the FEDERAL REGISTER by the Service Director, any vessel departing on a fishing voyage shall be subject to this revision limitation of 15 percent.

(4) The short ton capacity of vessels will be determined from tables prepared by the Commission which relate carrying capacity to registered tonnages and from official unloading records available to the National Marine Fisheries Service.

(i) Managing Owners of purse seine vessels of 400 short tons carrying capacity or less will be notified by registered mail that their vessels are in this category and is subject to the provisions of paragraph (a) (2) of this section.

(ii) Except as provided below for bait and jig boats, managing owners not receiving notification by registered mail can assume that their vessel is over 400 short tons carrying capacity and is subject to the provisions of (a) (1) of this section.

(iii) To qualify for the bait and jig boat yellowfin allocation, managing owners of such vessels shall supply the Regional Director documentation concerning the gross and net tonnage of their vessels together with records of prior unloadings. This information will be used by the Regional Director to establish the short ton carrying capacity

of each vessel. Failure to comply shall result in each such vessel being limited to 15 percent yellowfin tuna by round weight of its total catch. This 15 percent limitation shall remain in effect until the aforesaid documentation is furnished by the vessel's managing owner.

(5) The tonnage limitations specified in (a) (2) and (3) of this section may be adjusted upward or downward. Any such adjustment will be based upon the estimated use of the incidental catch allowances, and shall be apportioned as determined by the Service Director. Announcement of such adjustment shall be made by publication of a notice in the FEDERAL REGISTER by the Service Director.

(b) Any fishing vessel operating within the regulatory area which began its fishing voyage during the closed season and is restricted to the catch limitations as provided in paragraph (a) of this section shall be subject to such limitation regardless of its arrival date in port. In

addition, any vessel so restricted which discharges some but not all of its catch, shall be subject to the same restrictions upon completion of its next fishing voyage.

(c) All fishing vessels that are permanently based in a foreign country, which elect to participate in the allocation provisions for vessels of 400 tons carrying capacity or less, shall (1) unload in a U.S. port after each voyage begun during the closed season, or (2) transship all fish taken on such voyages to a U.S. port in accordance with paragraph (i) of this section. Any vessel failing to follow the procedures of this paragraph shall be limited to an incidental rate of yellowfin tuna not to exceed 15 percent by round weight of its total catch.

NOTE.—The amount of yellowfin tuna that may be legally landed by a vessel subject to a specified percent incidental catch rate of yellowfin tuna based upon the round weight of the total catch is determined by the following formula:

$$\text{Quantity of legal yellowfin tuna} = \frac{(\text{Quantity of mingled species}) \times (\text{Specified incidental catch rate in percent})}{(100 \text{ percent}) - (\text{Specified incidental catch rate in percent})}$$

For Example, if the incidental catch rate of yellowfin tuna is 15 percent, then:

$$\text{Quantity of legal yellowfin tuna} = \frac{(\text{Quantity of mingled species}) \times (15)}{85}$$

(d) All reports required in this section, shall be telephoned to area code 714, telephone number, 233-5511. Such reports, which must be delivered within the time limits specified, may be made by prepaid commercial radio message or relayed through the shore representative of the reporting vessel.

§ 280.8 Provisions for fishing outside CYRA on closed season trips.

(a) Any fishing vessel electing to fish exclusively in the Pacific Ocean, but outside the regulatory area, shall report to the Regional Director, within 48 hours before leaving port, giving name of the reporting vessel and the port of departure; within 24 hours before leaving the regulatory area, giving the latitude of departure and the approximate time of departure; and within 24 hours before returning to the regulatory area, giving the latitude of reentry, the approximate time of reentry, and the tonnage by species aboard. For 1977 only, the area described in the second sentence of paragraph (g), § 280.1, is considered to be outside the regulatory area.

(1) In addition, every fishing vessel operating in the Pacific Ocean, but outside the regulatory area, shall transmit daily a message between 1600 coordinated universal time (c.u.t.) and 1800 c.u.t. This message shall be transmitted directly to Coast Guard Radio San Francisco (NMC) on frequency 16.565.0, 12.421.0, or 8.281.2 KHz and shall state: "This message is being transmitted in compliance with the U.S. eastern tropical Pacific yellowfin tuna regulations, and confirms that the vessel (name of reporting vessel) is fishing in the Pacific Ocean but outside the regulatory area as of this date (give date)". Any vessel failing to receive acknowledgement from Coast Guard San Francisco, must trans-

mit the same message on the following day. Should the vessel fail to receive acknowledgement within three consecutive days, the vessel's radio equipment shall be considered inoperative and the vessel shall return directly to port without delay to unload or to receive an inspection by a designated agent of the National Marine Fisheries Service.

(b) Any fishing vessel electing to fish exclusively in the Pacific Ocean, but outside the regulatory area, shall proceed without delay to waters outside the regulatory area and upon reentering the regulatory area shall proceed directly to port without delay.

(1) If a vessel must, however, make an emergency port call, it shall proceed directly to port without delay and shall notify the Regional Director, not less than 48 hours prior to arrival, giving the name of the port to be entered. If the vessel elects to resume fishing outside the regulatory area, it must follow the procedures required in paragraph (a) of this section and shall proceed without delay directly to waters outside the regulatory area.

(c) Any fishing vessel which on the same voyage operates within and outside this paragraph shall be restricted to the incidental catch limitations as set forth in § 280.7(a) of this section, unless such vessel is made available for inspection as provided in § 280.9.

(d) All reports required in this section, except messages transmitted directly to Coast Guard Radio San Francisco, shall be telephoned to area code 714, telephone number, 233-5511. Such reports, which must be delivered within the time limits specified, may be made by prepaid commercial radio message or relayed through the shore representative of the reporting vessel.

(e) Any vessel sighted inside the regulatory area while reporting its position as outside the regulatory area shall return to port for inspection or to a U.S. port for unloading within ten days after receipt by the owner of the vessel or his agent of a certified letter from the Regional Director advising him of such sighting.

(f) Any vessel failing to file the reports and to follow the procedures of this paragraph, shall be restricted to the incidental catch limitations set forth in paragraph (b) of § 280.7, for its entire fishing voyage.

§ 280.9 Restrictions applicable to cargo vessels.

(a) All fishing vessels shall notify the Regional Director not less than 48 hours prior to any sale or delivery in a foreign country, of fish caught in the Pacific Ocean from within or outside the regulatory area. Such reports shall include the tonnage by species unloaded and whether such fish were caught in or out of the regulatory area.

(b) Any fishing vessel wishing to unload its catch at more than one location shall notify the Regional Director 48 hours prior to the commencement of each unloading, giving the date of the unloading and the estimated tonnage by species to be unloaded at each location.

(c) All fishing vessels shall notify the Regional Director not less than 48 hours prior to transferring fish caught in the Pacific Ocean from within or outside the regulatory area to another vessel for the purpose of transshipment. Such reports shall include the date and place of unloading, name and destination of the oncarrying vessel, tonnage by species of fish transferred and whether the transferred fish were caught in or outside the regulatory area.

(d) All fishing vessels, except vessels proceeding directly to Puerto Rico or to any other U.S. port for unloading, shall notify the Regional Director not less than 48 hours prior to leaving the regulatory area via the Panama Canal. In addition, all fishing vessels, except vessels without fish aboard, shall notify the Regional Director not less than 48 hours prior to entering the regulatory area via the Panama Canal. Each report shall include the name of the reporting vessel, the tonnage by species of fish aboard and whether the fish were caught in or outside the regulatory area in Pacific waters or from Atlantic waters. Any vessel failing to file the reports and to follow the procedures of this paragraph, shall be restricted to the incidental catch limitations set forth in § 280.7(a) for its entire fishing voyage, regardless of its arrival date in port.

(e) Any person failing to follow the procedures or to make the reports required by this section may be subject to the criminal penalties provided for in the Act in addition to other restrictions which may apply.

(f) All reports required in paragraphs (c) to (d) of this section, shall be telephoned to area code 714, telephone number, 233-5511. Such reports, which must

be delivered within the time limits specified, may be made by prepaid commercial radio message or relayed through the shore representative of the reporting vessel.

§ 280.10 Provisions for well inspection during closed season.

(a) Any fishing vessel having incidentally caught yellowfin tuna aboard may, begin fishing on January 1 for yellowfin tuna without restriction, provided such vessels are made available for inspection during the period December 27 through December 31. A request for the designation of an inspection port shall be made to the Regional Director on or before December 23. Upon notification by the Regional Director of the availability of an inspection port, each vessel shall proceed to such port for inspection by a designated agent of the National Marine Fisheries Service. Official seals will be affixed to wells containing incidentally caught yellowfin tuna and the same will be noted in the vessel's log. Fish in the wells at the time of inspection shall be subject to the incidental catch limitations as set forth in paragraph (b) of this section, regardless of the date of unloading. In addition, the Regional Director shall be notified not less than 48 hours in advance of the date and place of any unloadings from inspected vessels. Upon arrival at point of sale or delivery, the official seals will be removed by a designated agent of the National Marine Fisheries Service. Inspected vessels shall not be allowed to leave port to resume fishing activity until 0001 hours, January 1.

(1) Any fishing vessel electing to change fishing areas, without having that portion of its catch taken outside the regulatory area restricted to such incidental catch limitations, shall request inspection services from the Regional Director. Vessels within the regulatory area shall report not less than 48 hours prior to electing to leave the area, stating their intention and requesting the designation of an inspection port. Vessels outside the area shall report within 24 hours before returning to the regulatory area, stating their intention, requesting the designation of an inspection port, and giving the latitude of reentry, the approximate time of reentry and the tonnage by species of fish aboard. Upon notification by the Regional Director of the availability of an inspection port, each vessel shall proceed directly without delay to such port for inspection by a designated agent of the National Marine Fisheries Service. Official seals will be affixed to wells containing fish captured within or outside the regulatory area as appropriate, and the same will be noted in the vessel's log. In addition, the Regional Director shall be notified not less than 48 hours in advance of the date and place of unloadings from inspected vessels. Upon arrival at point of sale or delivery, the official seals will be removed by a designated agent of the National Marine Fisheries Service.

(1) The National Marine Fisheries Service will provide two inspections per

month in foreign ports from June 1 through December 1 in the Canal Zone and Puntarenas, Costa Rica. These inspections will be provided upon advanced notification on the first and second and the fifteenth and sixteenth day of each month, respectively, at no cost to the requestor. Inspection service may be provided in foreign ports at other times at the expense of the requesting vessel. Such additional inspections will be provided subject to advance notification, availability of personnel, immigration clearances and approval of the Regional Director. Well inspections will be provided at U.S. ports as they are needed subject to proper notification.

(2) Any vessel failing to file the reports and to follow the procedures of this paragraph shall be restricted to the incidental catch limitation set forth in § 280.7(a) for its entire fishing voyage.

§ 280.11 [Reserved]

§ 280.12 [Reserved]

§ 280.13 [Reserved]

§ 280.14 Emergency action by Service Director.

If during the closed yellowfin season, the Service Director finds that the provisions relating to the fishing outside the regulatory area are inadequate to insure that the recommendations of the Commission are met, he shall announce such findings through publication of a notice in the *FEDERAL REGISTER* and immediately thereafter:

(a) Every fishing vessel at sea, having yellowfin tuna aboard in excess of the incidental catch limitations as provided in § 280.7(b) which is claimed to have been captured outside the regulatory area, but in the Pacific Ocean, shall return directly without delay to its home port or port of departure to unload or to receive an inspection by a designated agent of the National Marine Fisheries Service. Any vessel failing to comply with the above requirements, shall be restricted to the incidental catch limitations set forth in § 280.7(b) for its entire fishing voyage.

(b) Any fishing vessel which has operated in the regulatory area at any time during the calendar year and which departs on any fishing voyage within the Pacific Ocean after the notice described in this section is published in the *FEDERAL REGISTER*, shall be restricted to the incidental catch limitations as provided in § 280.7(b).

§ 280.15 Restrictions applicable to cargo vessels.

(a) Any fishing vessel shall be deemed to have completed a fishing voyage whenever any part of its catch is transferred to a cargo vessel in conformity with the requirements of this section.

(b) In keeping with the provisions of 46 U.S.C. 251, no foreign-flag vessel, whether documented as cargo vessel or otherwise, is permitted to land in port of the United States any fish or fish products taken on board such vessel on the high seas.

(c) The transfer of fish from a fishing vessel to a cargo vessel while in a foreign country or in waters over which each country has recognized jurisdiction is subject to the applicable laws and regulations of such foreign country.

(d) During the closed yellowfin tuna season, no fishing vessel shall transfer on the high seas any part of its catch to a cargo vessel documented under the laws of the United States and no such cargo vessel shall receive, possess, or bring to any place in the United States, fish taken on board on the high seas from a fishing vessel unless the cargo vessel shall hold a permit issued in conformity with paragraph (e) of this section.

(e) Upon written application made to him, the Regional Director may issue a permit authorizing a cargo vessel documented under the laws of the United States to receive, possess, transport to the United States, fish transferred from fishing vessels on the high seas during the closed yellowfin tuna season. Such permit may authorize the possession and transportation of yellowfin tuna by a cargo vessel without regard to the quantities of fish received, but it shall contain restrictions as the Regional Director shall determine to be necessary to achieve compliance with the regulations in this part and the objectives of the yellowfin tuna conservation program.

(f) Any cargo vessel seeking permission to enter into the United States a cargo of round tuna (that is, tuna that has not been gilled, gutted, or beheaded) any part of which was received ex-vessel through a port facility in the Americas shall provide to the nearest Customs Office as a prerequisite to obtaining such permission from Customs the following information with respect to the part of such cargo received ex-vessel through a port facility in the Americas:

(1) Name, official number, and flag of each fishing vessel (including, for purposes of this paragraph, any foreign flag fishing vessel) from which was received any tuna that is aboard the cargo vessel at the time the aforesaid permission to enter is sought;

(2) Date and location of such receipt of tuna; and

(3) Certification from the master of each such fishing vessel setting forth, as to tuna received by the cargo vessel:

(i) Tonnage by species of tuna caught inside the regulatory area;

(ii) Tonnage by species of tuna caught in waters west of the regulatory area to the meridian of 150° west longitude;

(iii) Tonnage by species of tuna caught in other waters; and

(iv) As to each category, the dates of the fishing voyages on which the tuna were caught.

(g) Any cargo of round tuna for which permission to enter into the United States is sought by a cargo vessel shall be accompanied by a bill of lading indicating whether the tuna was received ex-vessel through a port facility (and, if so, from what vessels and what ports) or by other named means, such as from

freezer or other storage facilities, and such bill of lading shall be provided to Customs at the time permission to enter is sought.

(h) Any cargo vessel failing to provide the documentation required by paragraphs (f) and (g) of this section shall be denied permission to enter into the United States undocumented lots of round tuna. If tuna is denied entry under the provisions of these regulations, the District Director of Customs shall refuse to release the tuna for entry into the United States and shall issue a notice of such refusal to the importer or consignee. Provided, however, that the tuna not accompanied or covered by the required documentation or certification when offered for entry may be entered into the United States if the importer or consignee gives a bond on Customs Form 7551, 7553, or 7595 for the production of the required documentation or certification. The bond shall be in the amount required under 19 C.F.R. 113.14. Within 90 days after such Customs entry, or such additional period as the District Director of Customs may allow for good cause shown, the importer or consignee shall deliver a copy of the required documentation and certification to the District Director of Customs, and the original of the required documentation and certification to the Regional Director of the National Marine Fisheries Service. If such documentation and certification is not delivered to the District Director of Customs for the port of entry of such fish within 90 days of the date of Customs entry or such additional period as may have been allowed by the District Director of Customs for good cause shown, the importer or consignee shall redeliver or cause to be redelivered to the District Director of Customs those fish which were released in accordance with this paragraph. In the event that any such tuna is not redelivered within five days following the date specified in the preceding sentence, liquidated damages shall be assessed in the full amount of a bond given on Form 7551. When the transaction has been charged against a bond given on Form 7553 or 7595, liquidated damages shall be assessed in the amount that would have been demanded under the preceding sentence under a bond given on Form 7551. Tuna refused entry or released for entry into the United States through the use of bonding procedure provided in this paragraph may be subject to the forfeiture provisions of the Tuna Conventions Act of 1950 as is any other tuna imported into the United States in violation of the Act. Tuna which is denied entry or which is redelivered in accordance with the above and which is not exported under Customs supervision within 90 days from the date of notice or refusal of admission or date of redelivery shall be disposed of under Customs laws and regulations.

(i) Any person who knowingly enters or permits the entering of round tuna from a cargo vessel in violation of paragraph (f) or (g) of this section, or who knowingly provides false information with respect to the requirements of para-

graph (f) or (g) of this section, shall, as well as the cargo of tuna, be subject to the penalties provided in the Tuna Conventions Act of 1950 (16 U.S.C. 951-961).

§ 280.16 Restrictions applicable to purchasers.

(a) Except as provided in paragraphs (b) and (d) of this section, it shall be unlawful for any person knowingly to receive, purchase, sell, offer for sale, import, export, or have in custody, possession, or control any yellowfin tuna taken or retained by a fishing vessel in violation of the regulations in this part.

(b) In view of the perishable nature of yellowfin tuna when not processed otherwise than by chilling or freezing, and persons authorized to enforce the regulations in this part may cause to be sold, and any person may purchase, for not less than its reasonable market value such quantities of perishable yellowfin tuna as may be seized and forfeited pursuant to the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-956).

(c) The proceeds of any sale made pursuant to paragraph (b) of this section after deducting the reasonable costs of the sale, if any, shall be remitted by the purchaser to the Regional Director for deposit and retention in the Suspense Account of the National Marine Fisheries Service (Account No. 14X6875 (17)) pending judgment of the court or other disposition of the case.

(d) If a duly constituted official acting under authority and in behalf of a State of the United States, of the Commonwealth of Puerto Rico, or of American Samoa seized any yellowfin tuna under the applicable laws or regulations of such government, such yellowfin tuna may be forfeited and sold or otherwise disposed of pursuant to such laws or regulations. Any yellowfin tuna so seized by an official of State, the Commonwealth of Puerto Rico or American Samoa shall not be seized by an officer or employee of the Federal Government unless it is voluntarily turned over to him to be processed against under applicable Federal laws or regulations.

§ 280.17 Recordkeeping and written reports.

(a) The master or other person in charge of a tuna vessel or such person as may be authorized in writing to serve as the agent of either of such persons shall throughout the open and closed yellowfin tuna fishing seasons:

(1) Keep an accurate log of all operations conducted from the vessel entering therein for each day the date, noon position (stated in latitude and longitude or in relation to known physical features), and the tonnage of fish aboard by species. The record and bridge log maintained at the request of the Commission shall be sufficient to comply with this paragraph provided the items of information specified herein are fully and accurately entered in such log.

(2) Furnish on form obtainable from the Regional Director, following the sale or delivery of a catch of fish made by such vessel, a report, certified to be correct as to facts within the knowledge of

the reporting individual giving the name and official number of the fishing vessel, the dates of beginning and ending of the fishing voyage, the port of departure, and a listing separately by species of the round weight quantities (pounds or short tons) of fish sold or delivered. At the option of the vessel master or other person in charge, a copy of the fish ticket, weighout slip, settlement sheet, or similar record issued by the fish dealer or his agent may, however, be used for reporting purposes in lieu of the form obtainable from the Regional Director, if such alternate record is similarly certified and contains all items of information required by this paragraph. In addition, any vessel landing its catch in California and reporting by means of a copy of the California fish ticket, the California Fish and Game boat number may be indicated in lieu of the vessel's official number. Such sale and delivery reports shall be delivered or mailed to the Regional Director within 72 hours after weighout has been completed.

(3) The requirements of this section shall apply to the sale or delivery of a catch of tuna regardless of whether the transaction occurs in a U.S. or a foreign port.

(b) Any person authorized to carry out enforcement activities under the regulations in this part and any person authorized by the Commission shall have power, without warrant or other process to inspect, at any reasonable time, log books, catch reports, statistical records, or other reports as required by the regulations in this part to be made, kept or furnished.

§ 280.13 Persons and vessels exempted.

Nothing contained in § 280.2 to § 280.11 shall apply to:

(a) Any person or vessel authorized by the Commission, the Service Director, or any State of the United States to engage in fishing for research purposes.

(b) Any person or vessel engaged in sport fishing for personal use.

§ 280.19 National Oceanic and Atmospheric Administration Employees designated as enforcement agents.

Any employee of the National Oceanic and Atmospheric Administration duly appointed and authorized to enforce Federal laws and regulations administered by the National Oceanic and Atmospheric Administration is authorized and empowered to carry out enforcement activities under the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-961).

§ 280.20 State Officers designated as enforcement agents.

Any officer or employee of a State of the United States, of the Commonwealth of Puerto Rico or of American Samoa who has been duly designated by the Service Director or his delegate with the consent of the Government concerned is authorized to function as a Federal law enforcement agent and to carry out enforcement activities under the Tuna Convention Act of 1950, as amended (16 U.S.C. 951-961).

[FR Doc. 77-6478 Filed 3-3-77; 8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

CIVIL AERONAUTICS BOARD

HOUSTON/NEW ORLEANS—YUCATAN ROUTE PROCEEDING

[Docket No. 29789]

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on March 28, 1977, at 9:30 a.m. (local time) in Room 1003, Hearing Room D, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before the undersigned Administrative Law Judge.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., February 28, 1977.

ARTHUR S. PRESENT,
Administrative Law Judge.

[FR Doc. 77-6582 Filed 3-3-77; 8:45 am]

[Docket No. 28004]

PACIFIC OVERSEAS FARES INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in this proceeding is assigned to be held before the Board on March 30, 1977, at 10:00 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue N.W., Washington, D.C.

Dated at Washington, D.C., February 28, 1977.

HENRY M. SWITKAY,
Acting Chief Administrative
Law Judge.

[FR Doc. 77-6581 Filed 3-3-77; 8:45 am]

[Docket 29123, Agreement C.A.B. 26203,
Order 77-2-140]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fares Agreement; Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 28th day of February, 1977.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic

Regulations between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). Adopted at the 1976 Miami Composite Passenger Traffic Conference held during September/October, the agreement has been assigned the above C.A.B. agreement number.

The agreement would permit each member carrier to set forth on its tickets and baggage checks a disclosure notice of its own choosing to passengers concerning the status of reservations due to any overbooking practices on the carrier's own services. We will approve the agreement. IATA indicates that most, if not all, of its active members engage in planned overbooking procedures, and we believe that the notice to consumers of this practice is in the public interest. We would note, however, that we are concurrently herewith issuing a new rule,¹ ER-987, adopted February 28, 1977, which amends Part 221 of the Board's Economic Regulations so as to require all air carriers, foreign air carriers, and their agents selling tickets for air transportation in the United States to give actual notice to ticket purchasers of prevailing overbooking practices by means of ticket counter signs and printed ticket notices employing prescribed language.

To the extent that the instant agreement is inconsistent with ER-987 or any other rule then, of course, the Board's rules are controlling.

The Board, acting pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204(a), and 412 thereof, does not find Agreement C.A.B. 26203 to be adverse to the public interest and in violation of the Act.

Accordingly, It is ordered, That: Agreement C.A.B. 26203 be and hereby is approved.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 77-6584 Filed 3-3-77; 8:45 am]

¹ The rule is being issued in Docket 29776, which proceeding is separate from the rule-making proceeding entitled Reexamination of the Board's Policies Concerning Deliberate Overbooking and Oversales, Docket 29139 initiated by EDR-296 dated April 13, 1976. In the latter proceeding the Board is examining all the policy issues raised by the practice of overbooking, including its acceptability and any substantive restraints that should be applied to it.

CIVIL SERVICE COMMISSION

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Secretary, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc. 77-6384 Filed 3-3-77; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Special Assistant to the Secretary for Civil Rights and Deputy Director, Office for Civil Rights, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc. 77-6385 Filed 3-3-77; 8:45 am]

DEPARTMENT OF THE INTERIOR

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Bureau Director, Bureau of Sport Fisheries and Wildlife.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc. 77-6386 Filed 3-3-77; 8:45 am]

EXPORT-IMPORT BANK OF THE UNITED STATES

Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Export-Import Bank of the United States to fill by noncareer executive assignment in the excepted service the position of Assistant to the President and Chairman for Transition Planning, Office of the President and Chairman.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.77-6383 Filed 3-3-77;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

NATIONAL INDUSTRIAL ENERGY COUNCIL

Meeting, Postponement

On Monday, February 14, 1977, a notice appeared in the *FEDERAL REGISTER* (42 FR 30 9049), announcing a meeting of the National Industrial Energy Council for Tuesday, March 8, 1977, from 1:30 pm to 3:30 pm in Conference Room 4830, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

This meeting of the National Industrial Energy Council has been postponed and will be rescheduled at a later date with appropriate notice in the *FEDERAL REGISTER*.

R. DENNIS O'CONNELL,
Executive Director, National
Industrial Energy Council.

FEBRUARY 28, 1977.

[FR Doc.77-6476 Filed 3-3-77;8:45 am]

Maritime Administration

[Docket No. S-547]

AMERICAN EXPORT LINES, INC.

Notice of Application

Notice is hereby given that American Export Lines, Inc., a New York Corporation, has filed an application dated February 10, 1977, as amended February 17, 1977, with the Maritime Subsidy Board pursuant to Title VI (46 U.S.C. 1171-1183) of the Merchant Marine Act, 1936, as amended (the Act), for a long-term operating differential subsidy contract for the operation of a U.S.-flag freight service described as follows:

A maximum of 25 sailings annually, with six existing C3 type vessels, between U.S. Atlantic ports (Maine-Atlantic Coast of Florida to, but not including, Key West) and, via the Suez Canal, ports in the Gulf of Suez, Red Sea; Gulf of Aden, West Pakistan, India, Bangladesh, Burma and Sri-Lanka, plus service to a port or ports in the Mediterranean Sea

east of 29 degrees longitude, a port or ports in the Mediterranean Sea west of 29 degrees longitude (provided that calls may not be made at United States Atlantic ports south of Virginia to discharge Mediterranean cargo before the discharge of inbound cargo at United States North Atlantic ports, or to load Mediterranean cargo after departure outbound from United States North Atlantic ports, and further provided that on outbound voyages, calls to discharge U.S. commercial cargo at a port or ports in the foreign area of Trade Route 10 west of 29 degrees longitude may be made only with the prior approval of the United States), a port or ports in the U.S. Gulf and a port or ports in the Persian Gulf and Gulf of Oman.

If awarded, the Operating-Differential Subsidy Contract which is the subject of this application would become effective upon the expiration of American Export Lines, Inc.'s, present Contract No. FMB-87 on December 31, 1979, and would succeed that portion of FMB-87 which concerns American Export Lines service on Trade Route 18.

Interested parties may inspect this application in the Office of the Secretary, Maritime Subsidy Board, Room 3099-B, Department of Commerce Building, 14th and E Streets NW., Washington, D.C. 20230.

Any person, firm or corporation having an interest in such application who desires to offer views and comments thereon for consideration by the Maritime Subsidy Board should submit such views and comments in writing, in triplicate, to the Secretary, Maritime Subsidy Board, by the close of business on March 17, 1977. The Maritime Subsidy Board will consider such views and comments, and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504, Operating-Differential Subsidy (ODS).)

Dated: February 28, 1977.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.77-6515 Filed 3-3-77;8:45 am]

National Bureau of Standards

CHANNEL LEVEL POWER CONTROL INTERFACE

Proposed Federal Information Processing Standard

Under the provisions of Pub. L. 89-306 and Executive Order 11717, the Secretary of Commerce is authorized to establish uniform Federal Automatic Data Processing (ADP) Standards. A proposed standard for Channel Level Power Control Interface is being recommended for use whenever Federal agencies are acquiring ADP Systems and components under the provisions of the proposed Federal Information Processing Standard I/O Channel Interface (proposed FIPS PUB ----). The technical specifications

contained in this proposed standard were developed under the auspices of the American National Standards Institute, Technical Subcommittee X3T9, and have been published in ANSI document number X3T9/666, Rev. 2, entitled "Draft Proposed American National Standard Specifications for Power Control Interface".

Prior to the submission of this proposal to the Secretary of Commerce for approval, it is essential to assure that proper consideration is given to the needs and views of manufacturers, the public, and state and local governments. The purpose of this notice is to solicit such views.

This proposed Federal Information Processing Standard contains two basic sections: (1) an announcement section which provides information concerning the applicability and implementation of the standard, and (2) a specification section which defines the technical parameters of the standard. Only the announcement section is provided in this notice.

Interested parties may obtain copies of the specification section from and submit their comments to the Associate Director for ADP Standards, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234. Comments to be considered must be submitted on or before May 31, 1977.

Dated: February 28, 1977.

ERNEST AMBLER,
Acting Director.

FEDERAL INFORMATION, PROCESSING STANDARDS
PUBLICATION ----

(Date)

ANNOUNCING THE STANDARD FOR CHANNEL
LEVEL POWER CONTROL INTERFACE

Federal Information Processing Standards Publications are issued by the National Bureau of Standards pursuant to the Federal Property and Administrative Services Act of 1949, as amended, Public Law 80-306 (79 Stat. 1127), Executive Order 11717 (38 FR 12315, dated May 11, 1973), and Part 6 of Title 15 Code of Federal Regulations (CFR). Name of Standard, Channel Level Power Control Interface (FIPS PUB ----).

Category of Standard, Hardware Standard, Interface.

Explanation. This standard is one of a family of standards that defines the functional, electrical, and mechanical interface specifications of a Power Control Interface for attaching computer peripheral devices through their control units to the input/output channel of an ADP system. When employed with the Federal Information Processing Standard I/O Channel Interface (FIPS PUB ----), this standard will enable a greater degree of interchangeability of components at the I/O channel interface level. In order to achieve full plug to plug interchangeability, additional standards (such as operational specifications) are needed; these specifications are presently being developed and will be considered for future adoption as Federal Information Processing Standards.

This series of standards is intended to facilitate the economic procurement and effective utilization of Federal ADP systems by enabling these systems to be configured with components:

(1) Procured from independent competitive sources.

(2) Drawn from the Federal inventory. When acquiring ADP systems and components under the provisions of Federal Information Processing Standard I/O Channel Interface (FIPS PUB ----), Federal agencies shall reference this standard for specifying the Channel Level Power Control Interface.

Approving Authority. Secretary of Commerce.

Maintenance Agency. Department of Commerce, National Bureau of Standards (Institute for Computer Sciences and Technology).

Cross Index. (1) American National Standards Institute document X3T9/666, Rev. 2, Draft Proposed American National Standard Specifications for Power Control Interface.

(2) Federal Information Processing Standard I/O Channel Interface (FIPS PUB ----). **Applicability.** This Standard is applicable to all automatic data processing systems acquired for the Federal Government whenever the provisions of the Federal Information Processing Standard I/O Channel Interface (FIPS PUB ----) are cited.

Specifications. This standard incorporates by reference the technical specifications described in ANSI document X3T9/666, Rev. 2, affixed.

Implementation. The provisions of this standard are effective January 1, 1978. All applicable equipment ordered on or after this date must conform to the provisions of this standard unless a waiver has been granted in accordance with the procedure described elsewhere in this publication.

Exceptions. Exceptions to the provisions of this FIPS PUB are made in the following cases:

a. For equipment installed on or order prior to the effective date of this standard.

b. Where procurement actions are in the solicitation phase (i.e., Requests for Proposals or Invitations for Bids have been issued) and the alteration of the procurement would be detrimental to the acquisition process.

c. Where provisions of the Federal Information Processing Standard I/O Channel Interface (FIPS PUB ----) have been waived in accordance with the waiver procedure described in that publication.

Waivers. Heads of agencies are permitted to waive the requirements stated in this publication provided a comparative analysis shows that the advantages inherent in the use of Federal Standards Channel Level Power Control Interface are clearly offset by an even greater advantage obtainable through the use of an alternative standard or specification. Consideration of any alternative should be made consistent with the Government's overall objectives for the economic acquisition and efficient utilization of ADP systems employed by the Federal Government.

Proposed waivers to Federal Standard Channel Level Power Control Interface shall be coordinated in advance with the National Bureau of Standards. Letters should be addressed to the Associate Director for ADP Standards, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234. They should describe the nature of the waiver and set forth the reasons therefor. The supporting information should include:

a. Relevant documentation considered by the head of the agency in authorizing the waiver.

b. Detailed technical specifications of the components for which the deviation is sought.

c. Possible recommendations for action by NBS concerning the improvement or future development of Computer Peripheral Interface standards, relative to the waiver.

Sixty days should be allowed for review and response by the National Bureau of Standards. However, the final decision for granting the waiver is the responsibility of the agency head.

Where to Obtain Copies. Copies of this publication are for sale by the National Technical Information Service, U. S. Department of Commerce, Springfield, Virginia 22161. When ordering, refer to Federal Information Processing Standards Publication ---- (NBS-FIPS-PUB- ----), title, and Accession Number. When microfiche is desired, this should be specified. Payment may be made by check, money order, or deposit account.

[FR Doc.77-6580 Filed 3-3-77;8:45 am]

AQUARIUM OF NIAGARA FALLS, INC.

Receipt of Application for Public Display Permit

Notice is hereby given that the following Applicant has applied in due form for a Permit to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407); and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

Aquarium of Niagara Falls, Inc., 701 Whirlpool Street, Niagara Falls, New York 14301, to take two (2) California sea lions (*Zalophus californianus*) for public display.

The requested animals will be captured by a professional collector on or near Santa Cruz or San Miguel Islands off Santa Barbara, California, with a hoop net on land or with a modified gill net in the water.

The animals will be acclimated at the collector's facility then shipped to the Niagara Falls facility by commercial aircraft and truck.

At the facility, the animals will be displayed in a trapezoidal shaped pool. The front and back wall are 13 feet, 8 inches, and 18 feet in height, with the length 11 feet and the depth 4 feet. The facility provides holding pools and haul-out areas for the animals.

The facility is a profit making organization open daily to the public, with an estimated 200,000 annual visitors.

The staff has over 12 years experience working with display animals.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Documents submitted in connection with the above application are available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.;

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731; and

Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Written views or data, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before April 4, 1977. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: February 23, 1977.

ROBERT J. AYERS,
Acting Assistant Director for
Fisheries Management, National
Marine Fisheries Service.

[FR Doc.77-6522 Filed 3-3-77;8:45 am]

MARINE ATTRACTIONS, INC.

Modification of Permit

Notice is hereby given that, pursuant to the provisions of §§ 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), the Public Display Permit issued to Marine Attractions, Inc., P.O. Box 6086, St. Petersburg Beach, Florida 33736, on March 3, 1975, is modified in the following manner:

The period of validity, during which the authorized marine mammals and specimen materials may be taken, is extended from December 31, 1976, to December 31, 1978.

The Modification is effective on March 4, 1977.

The Permit, as modified, and documentation pertaining to the modification is available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.; and
Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Dated: February 9, 1977.

WINFRED H. MEIBOHM,
Associate Director,
National Marine Fisheries Service.
[FR Doc.77-6519 Filed 3-3-77;8:45 am]

MYSTIC MARINELIFE AQUARIUM

Issuance of Permit To Take Marine Mammals

On October 6, 1976, notice was published in the FEDERAL REGISTER (41 FR 44062), that an application had been filed with the National Marine Fisheries Service

ice by Mystic Marinellife Aquarium, Mystic, Connecticut, 06355, for a Permit to take five (5) California sea lions (*Zalophus californianus*), three (3) Northern elephant seals (*Mirounga angustirostris*), and two (2) gray seals (*Halichoerus grypus*), for the purpose of public display.

Notice is hereby given that on February 25, 1977, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a Permit for the above taking to Mystic Marinellife Aquarium subject to certain conditions set forth therein. The Permit is available for review by interested persons in the following offices:

Director, National Marine Fisheries Service,
3300 Whitehaven Street NW., Washington,
D.C.;
Regional Director, National Marine Fisheries
Service, Northeast Region, Federal Building,
14 Elm Street, Gloucester, Massachusetts
01930; and
Regional Director, National Marine Fisheries
Service, Southwest Region, 300 South Ferry
Street, Terminal Island, California 90731

Dated: February 25, 1977.

WINFRED H. MEIBOHM,
Associate Director,
National Marine Fisheries Service.

[FR Doc.77-6517 Filed 3-3-77; 8:45 am]

SEALAND OF CAPE COD, INC. Issuance of Permit To Take Marine Mammals

On September 20, 1976, notice was published in the FEDERAL REGISTER (41 FR 40529), that an application had been filed with the National Marine Fisheries Service by Sealand of Cape Cod, Inc., Route 6A, Brewster, Massachusetts 02631, for a Permit to take Three (3) harbor seals (*Phoca vitulina*) and two (2) bottlenose dolphins (*Tursiops truncatus*) for the purpose of public display.

Notice is hereby given that on February 18, 1977, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a Permit for the above taking to Sealand of Cape Cod, Inc., subject to certain conditions set forth therein. The Permit is available for review by interested persons in the following offices:

Director, National Marine Fisheries Service,
3300 Whitehaven Street NW., Washington,
D.C.;
Regional Director, National Marine Fisheries
Service, Southeast Region, Duval Building,
9450 Gandy Boulevard, St. Petersburg,
Florida 33702; and
Regional Director, National Marine Fisheries
Service, Northeast Region, Federal Building,
14 Elm Street, Gloucester, Massachusetts
01930.

Dated: February 18, 1977.

WINFRED H. MEIBOHM,
Associate Director,
National Marine Fisheries Service.

[FR Doc.77-6518 Filed 3-3-77; 8:45 am]

SEA WORLD, INC.

Receipt of Application for Scientific Research and Public Display Permit

Notice is hereby given that the following Applicant has applied in due form for a Permit to take and import marine mammals for scientific research and public display as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407); and the Regulations Governing the Taking and Importing of Marine Mammals.

Sea World, Incorporated, 1720 South Shores Road, San Diego, California 92109, to take, over a 5-year period from various areas around the world, up to 10 false killer whales (*Pseudorca crassidens*).

The marine mammals to be collected would be utilized as follows:

Opportunistic field research will be conducted on the ten (10) animals taken. Of the animals collected, up to four (4) will be immediately released or held up to 90 days; up to six (6) will be maintained for twelve months or more and of these six, two (2) will be released. The remaining four (4) animals will be maintained indefinitely.

All animals that will be maintained will be for the purpose of public display and opportunistic research.

Areas of opportunistic research may include, but will not necessarily be limited to:

1. Tissue sampling;
2. Age/growth determination studies;
3. Breeding research studies;
4. The use of experimental husbandry practices, in order to lengthen longevity, continue states of health, and establish successful reproduction in captive marine mammals;
5. A cryogenic marking investigation.

The animals will be taken by means of a breakaway hoop net, from various areas around the world, with primary emphasis on the Florida coast, Florida Keys, Bahamas, as well as the waters of the Pacific coast, particularly California, Hawaii, and Japan. The animals will be transported to the San Diego, California, Cleveland, Ohio; and/or Orlando, Florida, facilities, by means of trucks, or charter or commercial airplane.

The requested animals would be maintained at any of the following Sea World facilities in any of the holding and display tanks indicated below:

Sea World of Ohio:
(a) Whale/Dolphin Performing Tank—227,000 gallons, 40 feet wide, 75 feet long, 18 feet deep;

(b) Holding Tank—62,000 gallons, 35 feet in diameter, 4 feet deep.

Sea World of Florida:
(a) Whale/Dolphin Performance Pool—534,000 gallons, 105 feet 10 inches long, 45 feet wide, 24 feet deep.

(b) Whale Holding Tank—93,000 gallons, 35 feet in diameter, 12 feet deep.

Sea World of San Diego:
(a) Holding Tanks (6)—from 6,700 to 190,000 gallons each; from 15 feet in diameter, 5 feet deep to 60 feet in diameter, 13 feet deep.

(b) Underwater Theater Tank—165,000 gallons, 44 feet in diameter, 13 feet deep;

(c) Performance Pool—620,000 gallons, 125 feet by 50 feet by 25 feet deep.

The requested animals are desired to provide sufficient flexibility in the Sea World marine mammal inventory to permit alternation of display programs, and variations in the nature of the displays. Since the opening of the first park in 1964, Sea World has hosted 25 million visitors. In addition, over 500,000 school children have participated in Sea World's educational programs.

The Applicant states that in the event an animal dies during the collection, maintenance, or research of any kind, a complete autopsy will be conducted. Results of such studies will be forwarded to the Director, National Marine Fisheries Service, and any useful remains will be forwarded to the Smithsonian Institution, Dr. James Meak, Curator, or other suitable bona fide research personnel and/or institutions.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Documents submitted in connection with the above application are available for review in the following offices:

Director, National Marine Fisheries Service,
3300 Whitehaven Street, N.W., Washington,
D.C.;
Regional Director, National Marine Fisheries
Service, Southwest Region, 300 South Ferry
Street, Terminal Island, California 90731;
Regional Director, National Marine Fisheries
Service, Northeast Region, Federal Building,
14 Elm Street, Gloucester, Massachusetts
01930;
Regional Director, National Marine Fisheries
Service, Southeast Region, Duval Building,
9450 Gandy Boulevard, St. Petersburg,
Florida 33702;
Regional Director, National Marine Fisheries
Service, Northwest Region, 1700 Westlake
Avenue North, Seattle, Washington 98109;
and
Regional Director, National Marine Fisheries
Service, Alaska Region, P.O. Box 1668,
Juneau, Alaska 99802.

Written data or views, or requests for a public hearing on this application, should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before April 4, 1977. The holding of such a hearing is at the discretion of the Director. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate.

All statements and opinions contained in this notice in support of this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: February 25, 1977.

ROBERT J. AYERS,
Acting Assistant Director for
Fisheries Management, National Marine Fisheries Service.

[FR Doc.77-6521 Filed 3-3-77; 8:45 am]

STEINHART AQUARIUM

Notice of Modification of Permit

Notice is hereby given that, pursuant to the provisions of §§ 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), the public display Permit issued to Steinhart Aquarium, Golden Gate Park, San Francisco, California 94118, on May 12, 1975, is modified in the following manner:

The period of validity, during which the authorized marine mammals and specimen materials may be taken, is extended from December 31, 1976, to December 31, 1978.

This modification is effective on March 4, 1977.

The Permit, as modified, and documentation pertaining to the modification is available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.; and

Regional Director, Northeast Region, National Marine Fisheries Service, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Dated: February 7, 1977.

WINFRED H. MEIBOHM,
Associate Director, National
Marine Fisheries Service.

[FR Doc.77-6520 Filed 3-3-77; 8:45 am]

TULSA ZOOLOGICAL PARK

Receipt of Application for Public Display Permit

Notice is hereby given that the following Applicant has applied in due form for a permit to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216):

Tulsa Zoological Park, Parks and Recreation Department, 5701 E. 36th Street North, Tulsa, Oklahoma 74115, to take one (1) California sea lion (*Zalophus californianus*) for public display.

The requested animal will be taken by a professional collector, off the Channel Islands, Santa Barbara, California. The animal will be shipped to the Tulsa facility by Commercial plane and truck.

At the Facility, the animal will be displayed with other sea lions in a pool 110 feet long by 50 feet wide, with a maximum depth of 12 feet. The perimeter of the pool serves as a haul-out area; in addition there are two islands located within the pool. One of the two islands provides a winter shelter area.

The sea lion is desired to provide recreational and educational benefits to the 250,000 visitors that visit the facility annually. The facility is a non-profit organization. The facility has three experienced zoo keepers and a curator that will provide for the care and maintenance of the animal.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammal involved.

Documents submitted in connection with the above application are available for review in the following offices:

Director, National Marine Fisheries Service, 3330 Whitehaven Street NW., Washington, D.C.;

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Perry Street, Terminal Island, California 90731; and

Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Written views or data, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before April 4, 1977. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such such a hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: February 23, 1977.

ROBERT J. AYERS,
Acting Assistant Director for
Fisheries Management, National Marine Fisheries Service.

[FR Doc.77-6524 Filed 3-3-77; 8:45 am]

ZOOLOGICAL SOCIETY OF SAN DIEGO

Receipt of Application for Public Display Permit

Notice is hereby given that the following Applicant has applied in due form for a Permit to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407); and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216):

Zoological Society of San Diego, P.O. Box 551, San Diego, California 92112, to maintain two (2) Pacific harbor seals (*Phoca vitulina richardii*) for public display.

The facility acquired the animals from the Alaska Department of Fish and Game, who had rescued the beached and

stranded animals and transported them to the San Diego facility. Under an agreement with the Alaska Department of Fish and Game, the facility was to maintain the animals until such time they were suitable for release. The animals are now in good health and condition and are being maintained at the facility in a 7,000 gallon pool.

The Applicant states that since the animals have acclimated to captivity, it would be in the best interest and well-being of the animal to remain in captivity.

The facility requests to maintain the animals in order to provide recreational and educational benefits to the 3.25 million annual visitors to the facility. The facility is a non-profit corporation with a full-time staff who have had many years of experience in maintaining marine mammals.

Documents submitted in connection with the above application are available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.;

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Perry Street, Terminal Island, California 90731; and

Regional Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before April 4, 1977. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: February 25, 1977.

ROBERT J. AYERS,
Acting Assistant Director for
Fisheries Management, National Marine Fisheries Service.

[FR Doc.77-6523 Filed 3-3-77; 8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1977

Deletions

Notice of proposed deletions from Procurement List 1977, November 18, 1976 (41 FR 50975) was published in the Fed-

ERAL REGISTER on January 7, 1977 (42 FR 1501).

After consideration of all the relevant data presented, the Committee has determined that the commodities listed below are no longer suitable for procurement by the Government under Public Law 92-28, 85 Stat. 77. Accordingly, they are hereby deleted from the Procurement List.

Class 7210

Bedspring:

7210-00-559-5085.

7210-00-559-6025.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc. 77-6535 Filed 3-3-77; 8:45 am]

PROCUREMENT LIST 1977 Proposed Addition

Notice is hereby given pursuant to Section 2(a)(2) of Public Law 92-28; 85 Stat. 77, of the proposed addition of the following commodity to Procurement List 1977, November 18, 1976 (41 FR 50975).

Class 8115

Box Wood, Household Goods: 8115-00-537-6681.

If the Committee approves the proposed addition, all entities of the Government will be required to procure the above commodity from workshops for the blind or other severely handicapped.

Comments and views regarding the proposed addition may be filed with the Committee on or before April 7, 1977. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled six months from the date of this FEDERAL REGISTER.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc. 77-6536 Filed 3-3-77; 8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 76-11]

A. BRANDT COMPANY, INC., AND
PAUL BRANDT

Prehearing Conference

On December 22, 1976, the Commission issued a Notice of Enforcement with attached supporting exhibits charging respondents in the above entitled proceeding with having violated the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), the Standard of the Flammability of Mattresses (FF 4-72), (16 CFR Part 1632, Subparts A and B) and the implementing regulations thereunder (16 CFR 1632.31) and the Federal Trade Commission Act (15 U.S.C. 41 et seq.). More particularly, respondents were charged with failing to conduct required flammability

tests on mattresses manufactured since December 23, 1973, and failing to maintain all the records pertaining to the manufacture, flammability testing and sale of such mattresses. By way of sanction, it is proposed that respondents be ordered to cease and desist from said violations in the future and, in addition, to notify all customers who have purchased or received mattresses since December 23, 1973 that such mattresses do not comply with the Mattress Standard and implementing regulations, and that all such customers may return their mattresses for complete refund or replacement at respondents' option, plus an allowance for reasonable transportation costs.

On January 19, 1976, respondents filed an answer denying all charges in the Notice of Enforcement and denying any personal liability on the part of the individual respondent, Paul Brandt.

Issue having been joined, a prehearing conference by conference telephone will be held at 11:00 a.m., (e.s.t.) (10:00 a.m., c.s.t.) on March 22, 1977. The appropriate telephone numbers are: Administrative Law Judge Paul N. Pfeiffer—(202) 634-7171; DeForrest Tiffany, Esquire, Counsel for Respondents—(817) 926-5141; James Wood, Esquire, Enforcement Counsel—(202) 492-6626.

The conference will include a discussion of the following subjects:

- (1) The scope of the issues to be heard and the positions of the parties thereon.
- (2) Whether, and to what extent, the parties may enter into a stipulation of facts.
- (3) The need for discovery, by interrogatories, depositions, requests for admissions of fact, if any.
- (4) The possibility of entering into a consent agreement and order disposing of the issues in the proceeding without the necessity of a hearing.
- (5) The scheduling of future procedural steps including the establishment of a date, time, and place for hearing.

Any person desiring to participate in the forthcoming hearing should file a petition for leave to intervene in accordance with § 1025.33 of the Commission's Interim rules of practice for Adjudicative Proceedings.

Dated: February 28, 1977.

PAUL N. PFEIFFER,
Administrative Law Judge.

[FR Doc. 77-6481 Filed 3-3-77; 8:45 am]

[CPSC Docket No. 76-9]

NATIONAL MATTRESS CO. AND E. N. THEISS

Prehearing Conference

On December 7, 1976, the Commission issued a Notice of Enforcement with attached supporting exhibits charging respondents in the above entitled proceeding with having violated the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), the Standard of the Flammability of Mattresses (FF 4-72), (16 CFR Part 1632, Subparts A and B) and the imple-

menting regulations thereunder (16 CFR 1632.31) and the Federal Trade Commission Act (15 U.S.C. 41 et seq.). More particularly, respondents were charged with failing to conduct required flammability tests on mattresses manufactured since December 23, 1973, and failing to maintain all the records pertaining to the manufacture, flammability testing and sale of such mattresses. By way of sanction, it is proposed that Respondents be ordered to cease and desist from said violations in the future and, in addition, to notify all customers who have purchased or received mattresses since December 23, 1973 that such mattresses do not comply with the Mattress Standard and implementing regulations, and that all such customers may return their mattresses for complete refund or replacement at respondents' option, plus an allowance for reasonable transportation costs.

On January 19, 1976, respondents filed an answer denying all charges in the Notice of Enforcement, and denying that the Commission has the legal power to order recall of any mattresses.

Issue having been joined, a prehearing conference by conference telephone will be held at 1:00 p.m., (e.s.t.) (10:00 a.m., p.s.t.) on March 24, 1977. The appropriate telephone numbers are: Administrative Law Judge Paul N. Pfeiffer, (202) 634-7171; Paul Sorensen, Esquire, Counsel for Respondents, (702) 385-1125; Claire Marcus, Esquire, Enforcement Counsel, (202) 492-6626.

The conference will include a discussion of the following subjects:

- (1) The scope of the issues to be heard and the positions of the parties thereon.
- (2) Whether, and to what extent, the parties may enter into a stipulation of facts.
- (3) The need for discovery, by interrogatories, depositions, requests for admissions of fact, if any.
- (4) The possibility of entering into a consent agreement and order disposing of the issues in the proceeding without the necessity of a hearing.
- (5) The scheduling of future procedural steps including the establishment of a date, time, and place for hearing.

Any person desiring to participate in the forthcoming hearing should file a petition for leave to intervene in accordance with § 1025.33 of the Commission's Interim rules of practice for Adjudicative Proceedings.

Dated: February 28, 1977.

PAUL N. PFEIFFER,
Administrative Law Judge.

[FR Doc. 77-6480 Filed 3-3-77; 8:45 am]

[HP-77-8]

PETITION ON "TRIS" TREATED SLEEPWEAR Meeting

This notice announces a meeting between the Consumer Product Safety Commission and representatives of the Environmental Defense Fund (EDF) Tuesday, March 8, 1977 at 10:00 a.m., in the 3rd floor hearing room, 1111 18th

St. NW., Washington, D.C. EDF requested the meeting to discuss its petition for the Commission to take regulatory action on the flame-retardant chemical Tris (2,3-dibromopropyl) phosphate, used on children's sleepwear.

Under requirements of the Government in the Sunshine Act and the Commission's Rules on Meetings (16 CFR Part 1012), the meeting is open to the public. For additional information on the meeting, interested persons can contact Sheldon D. Butts, Assistant Secretary, Office of the Secretary, 1111 18th Street NW., Washington, D.C. 20207, telephone (202) 634-7700.

Dated: February 28, 1977.

SADYE E. DUNN,
Secretary.

[FR Doc.77-6479 Filed 3-3-77;8:46 am]

REVISED AGENDA FOR BRIEFING MEETING

This notice announces a Commission decision to revise the agenda for its March 2, 1977 briefing meeting and add a briefing on the flame-retardant "Tris" presented by Dr. Marvin Schneiderman of the National Cancer Institute. The briefing, which is open to the public, is scheduled for 3:30 p.m. in the 3rd floor hearing room, 1111-18th St. NW., Washington, D.C. The original notice of the meeting was published in the FEDERAL REGISTER on February 25, 1977 (42 FR 11033).

As provided in its regulations implementing the Government in the Sunshine Act (16 CFR 1012), the Commission has, by majority vote, on March 1, 1977 determined that Agency business requires this agenda change, and that no earlier announcement of the change was possible. The Commission has previously scheduled and announced a meeting with representatives of the Environmental Defense Fund (EDF) to discuss EDF's petitions on "Tris." This meeting, also open to the public, is scheduled for March 8, 1977, at 10:00 a.m., in the 3rd floor hearing room, 1111-18th St. NW., Washington, D.C.

For additional information on these meetings, interested persons can contact Sheldon D. Butts, Assistant Secretary, Suite 300, 1111-18th Street NW., Washington, D.C. 20207, telephone (202) 634-7700.

Dated: March 2, 1977.

SADYE E. DUNN,
Secretary.

[FR Doc.77-6636 Filed 3-3-77;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY ENVIRONMENTAL IMPACT STATEMENTS AVAILABILITY

Environmental impact statements received by the Council on Environmental Quality from February 21 through February 25, 1977. The date of receipt for each statement is noted in the statement

summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (April 18, 1977). The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250, 202-447-3965.

FOREST SERVICE

Draft

Upper Rock Creek Unit Plan, Deerlodge National Forest, Granite County, Mont., February 23: The proposed action is the implementation of a revised Multiple Use Plan for the Upper Rock Creek Planning Unit of the Phillipsburg Ranger District, Deerlodge National Forest. This action divides the 215,666 acre unit into sixteen management areas and provides general and specific guidance for the management of each. Also included is a change in management direction for 2,650 acres of land in the Moose Creek Planning Unit of the Sula Ranger District, Bitterroot National Forest. Alteration of 21,810 acres of inventoried roadless area and a reduced annual harvest of timber will result. (ELR Order No. 70250.)

Placid-Blanchard Unit Plan, Lolo National Forest, Missoula County, Mont., February 23: Proposed is the implementation of a revised Multiple Use Plan for the Placid-Blanchard Planning Unit, Seeley Lake Ranger District, in Lolo National Forest. The plan recommends that 25,210 acres be managed in various combinations for recreation, aesthetics, fisheries, wildlife, watershed, timber, and range. Another 3,510 acres, 150 of the essentially roadless area, and a near natural area of 3,460 acres, will be managed with only minimum development for back-country recreation, aesthetics, fisheries, wildlife, and watershed. Natural conditions will be modified on 7,970 acres. (ELR Order No. 70262.)

Ochoco National Forest, Timber Management Plan, Oregon, February 23: The proposed action is a revision of the 10-year Timber Management Plan for the Ochoco National Forest. The preferred alternative states a potential allowable harvest level for the next decade that is attainable under the most intensive management that would be technologically feasible over the next 10 years. A potential yield of 147.5 million board feet per year is established. Road construction needed for timber harvest will permanently remove land from production. (ELR Order No. 70246.)

Final

Beartrap-Dutchler Planning Unit, Salmon National Forest, Lemhi County, Idaho, February 23: Proposed is the implementation of a land use plan for the Beartrap-Dutchler Planning Unit which contains approximately 169,000 acres in Lemhi County, Idaho. Adverse impacts include the alteration of wildlife habitat and the subsequent loss of species that are affected by habitat loss. Soil erosion also will occur in areas of timber harvest until revegetation and regeneration of timberstands is accomplished.

Comments made by: EPA, DOI, DOC, HUD, AHP, USDA, State and local agencies, concerned groups and persons. (ELR Order No. 70245.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Plant Schere, Units 1, 2, 3, and 4. Several Counties in Georgia, February 23: Proposed is the use of guaranteed loan funds to finance a 30 percent ownership in Plant Schere and an undetermined interest in the four 500 kV transmission lines from the plant, located 60 miles south of Atlanta, Georgia. The transmission lines include two lines 5.54 miles long, looping the existing Klon-dike-Bonaire line; a line 54 miles long, to O'Hara Substation; and a line 44 miles long to the existing Bonaire Substation. The transmission lines from the 3,240 MW coal-fired generating plant will traverse Clayton, Fayette, Spalding, Pike, Lamar, Monroe, Bibb, Crawford, Peach, and Houston Counties. Oxides of nitrogen and sulfur will be released. (ELR Order No. 70259.)

Chalk Point-Lexington Park, 230 kV Trans Line, Prince Georges, St. Mary's, and Calvert Counties, Maryland, February 23: Proposed is the granting by REA of a loan application to Southern Maryland Electric Cooperative, Inc. to finance 20 miles out of a total of approximately 38.6 miles of double-circuit 230 kV transmission line from Chalk Point, Prince Georges County, to Lexington Park, St. Mary's County, via Calvert County. Plans also call for three new switching substations at Chalk Point, Holland Cliff, and Calvert Cliffs. The proposed project will cross 1.1 miles of Maryland National Capital Park and Planning Commission land in Prince Georges County. (ELR Order No. 70261.)

DEPARTMENT OF DEFENSE

AIR FORCE

Contact: Dr. Billy Welch, Room 4D 873, The Pentagon, Washington, D.C. 20330, 202-697-9297.

Final

Craig AFB and Webb AFB, Closure, Alabama and Texas, February 23: This statement proposes two major actions: to close Craig AFB, Selma, Alabama and Webb AFB, Big Spring, Texas. The Flying Training Wing at each base would be inactivated and the pilot training mission would be redistributed among the five remaining Undergraduate Pilot Training bases (Williams AFB, AZ, Laughlin AFB, TX, Vance AFB, OK, Reese AFB, TX, and Columbus AFB, MS) during FY 1977. Concurrent with the termination of the flying training mission, a caretaker force of approximately 320 military and civilian positions would be established at Craig and Webb AFBs. Severe socio-economic impacts will result. Comments made by: HUD, EPA, COE, DOT, VA, HEW, State and local agencies, concerned groups and citizens. (ELR Order No. 70239.)

Kincheloe Air Force Base, Closure, Michigan, February 23: The U.S. Air Force has proposed the following candidate action designed to reduce excess capability and result in substantial resource savings. The action is to inactivate the 449th Bombardment Wing and its supporting organizations, close Kincheloe AFB, MI by the end of FY 1977, and declare the base excess to Air Force requirements. The 16 B-52H aircraft assigned to Kincheloe AFB would be relocated and transferred to the Air Reserve Forces. As a result of base closure, the natural environment is expected to improve. Comments made by: HEW, COE, HUD, DOT, DOI, EPA, State and local agencies, concerned citizens. (ELR Order No. 70240.)

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Development, Attention: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-6795.

Draft

Santa Ana R. Main Stem (2), Orange, Riverside, and San Bernardino Counties, Calif., February 23: The proposed improvement project concerns the Santa Ana River Main Stem, California, including Santiago Creek and Oak Street Drain. The plan calls for: (a) construction of a new reservoir upstream from Prado Dam; (b) flood plain management, Mentone Dam-Prado Dam; (c) improvement of Oak Street Drain in Corona; (d) modification of Prado Dam and expansion of Prado Reservoir; (e) improvement of the Santa Ana River flood control channel and the lower Santiago Creek channel; and (f) acquisition and preservation of a 92-acre salt marsh area. As many as 154 homes will be displaced. (Washington, D.C. Office.) (ELR Order No. 70247.)

Bel Marin Keys IV-Ignacio Industrial Park 3, Marin County, Calif., February 23: This statement concerns the granting of a regulatory permit to Jack West and Solland and Associates for the Bel Marin Keys Unit IV-Ignacio Industrial Park Unit 3. The proposed project calls for the excavation and filling of an approximate 99-acre area for proposed lagoon, adjacent lots and streets, and the construction of individual boat docking facilities for each of the single-family detached residences as part of the development of Bel Marin Keys Unit IV. Excavation and filling will also take place on an approximate 40-acre area for development of an industrial/commercial complex as part of the development of Ignacio Industrial Park Unit 3. (San Francisco District.) (ELR Order No. 70251.)

Crooked River Lock and Weir O&M, Alanson, Emmet County, Mich., February 22: The proposed action includes operations and structural maintenance of the Federal lock and weir on the Crooked River of the Inland Route at Alanson, Michigan. Structural maintenance and operations are required to insure the continuance of vessel passage along the Inland Route. Long-term impacts attributable to the Federal structures would be the increased development in the watershed area brought about by the sustained desirability of the project area for water recreation. Water quality would be temporarily affected during the infrequent structural repairs to the revetments, dike, weir and lock chamber pilings. (Detroit District.) (ELR Order No. 70237.)

Okanoson River Urban Levee Project, Okanogan County, Wash., February 23: The proposed action is the improvement of an existing levee system in Okanogan County, Washington. Plans call for a total of 14,100 feet of levee, including 550 feet of flood wall, to be constructed on both banks of the Okanogan River at Omak. The project provides protection from floods having a one percent chance of occurring in any one year. Adverse effects include increased turbidity and total vegetation loss on 19.7 acres. (Seattle District.) (ELR Order No. 70257.)

Final

Pascagoula River, Maintenance, Mississippi, February 22: The proposed action consists of the maintenance of 74 miles of Pascagoula River channel. Project measures will include the removal of obstructions by snagging, and dredging the mouth of the project. Most of the snagging is required in the upper half of the river and the snags will be deposited along the banks. Wildlife habitat

will be disrupted by the snagging operations. Comments made by: EPA, DOI, DOC, USDA, DOT, State and local agencies, concerned citizens. (ELR Order No. 70238.)

NAVY

Draft

Naval Petroleum Reserve No. 4, Alaska, February 25: Proposed is the continuation of exploratory drilling for petroleum at 19 additional sites within Naval Petroleum Reserve No. 4 in northern Alaska. The purpose of the project is to explore, inventory, and evaluate the petroleum potential of NPR-4. Exploration activity will result in the removal, due to borrow, of as much as 350 acres of sand dune, gravel bar, or gravel beach habitat; and the covering, in the form of drill pads, airstrips, and access roads, of as much as 255 acres of tundra habitat with this borrow material. (ELR Order No. 70267.)

FEDERAL ENERGY ADMINISTRATION

Contact: Dr. Robert Stern, Director, Office of Environmental Impact, Federal Energy Administration, New Post Office Building, Room 7119, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461, 202-566-9760.

Draft

Coal Conversion Program (2), February 23: This statement proposes FEA's issuance of orders to fossil fuel-fired facilities prohibiting them from burning natural gas or petroleum products as their primary energy source and requiring facilities in the early stages of planning to be built with the capability of burning coal. The following impacts are generally associated with coal burning and vary in degree from site to site: 1) an increase in emissions of air pollutants, 2) increases in solid waste generation, 3) potential increases in land requirements, 4) increases in water pollution, and 5) increases in coal mining, processing, and transport. (ELR Order No. 70260.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Brown, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410, 202-755-6308.

Draft

Rancho San Diego Development, San Diego County, Calif., February 23: Proposed is the development of Rancho San Diego, located in San Diego, California. The 1049-acre project consists of 3,368 dwelling units, with an ultimate population of about 10,000. Plans include allotment of space for a small amount of commercial development, some open space area, and a lake. Adverse impacts include loss of plant and animal life, increases in air and noise pollution, and increased pressure on existing facilities in the area. (ELR Order No. 70249.)

Old Mill Park Subdivision, Marion County, Ind., February 25: The proposed action consists of an application for mortgage insurance under section 203(b) of the National Housing Act for the Old Mill Park Subdivision, Indianapolis, Indiana. The total development will include single family detached dwellings with 565 lots on 226 acres and no multi-family or commercial lots. Construction of the development will result in increases in air and noise pollution and loss of farm land (ELR Order No. 70256.)

Shepard Park West, St. Paul, Ramsey County, Minn., February 23: This statement proposes the approval of mortgage insurance interest reduction and rent subsidy for Shepard Park West in St. Paul, Minnesota. The project will provide 168 apartment units for elderly persons in an eleven story building. Long-term adverse effects include: Increases in noise, air pollution, and vehicular

traffic, reduction of scenic views from the bluff above W. 7th St., and incompatibility of scale with remaining residential structures by the planned multi-story structures. (ELR Order No. 70248.)

Verdemar Housing Complex, Humacao, Puerto Rico, February 25: Proposed is the construction of the Verdemar housing project in Humacao, Puerto Rico. The residential complex will occupy 96 cuerdas (93.2 acres) of land and will consist of 761 dwelling units. Plans also call for the construction of playlots, parks, lakes, and a cultural center. Adverse impacts include degradation of air and some damage to the biological community. (ELR Order No. 70265.)

Atascocita Forest Subdivision, Harris County, Tex., February 25: Proposed is the development of the 632-acre Atascocita Forest Subdivision in Harris County, Texas. The project includes 3,570 living units, both single- and multi-family. The development will provide a wide range of living accommodations for 11,773 people. The transition of the site from a natural to an urban area will result in loss of vegetation, elimination of a number of species, and the rechannelization of William's Gully. (ELR Order No. 70264.)

Section 104(h)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD.)

Draft

Coalinga Sewer Line Extension, Fresno County, Calif., February 22: Proposed is the extension of an existing sewer line from Maple Street north to Phelps Avenue (including an inverted siphon under Los Gatos Creek) in Fresno County, California. This extension will make approximately 160 acres of land available for development, including: limited industrial, service and commercial, recreational, light density residential, and park land uses. Present plans call for the property to be annexed to the City of Coalinga prior to construction of any facilities. Adverse effects include the loss of agricultural land and the displacement of some wildlife. (ELR Order No. 70236.)

Helena, Mont., Eastside No. 2 Sanitary Sewer, February 25: The proposed action is the installation of 7,300 feet of sanitary sewer main in Helena, Montana. The sewer main, which varies in diameter from 12 to 24 inches, is an extension of an existing main, and will tie into a major outfall main 24 inches in diameter. Sewerage collected by the proposed facility flows to a sewage plant and is discharged, after secondary treatment, into Lake Helena. (ELR Order No. 70269.)

Memphis, Tenn., New Chicago Area, February 24: Proposed are a number of improvements to the New Chicago area in Memphis, Tennessee. Plans include improvements to streets, curbs, gutters, and structures. The 2689-acre project area is in north Memphis, bounded by Wolf River on the north, Chelsea Avenue on the south, North Cypress Creek on the east, and an industrial complex on the west. No adverse effects are anticipated. (ELR Order No. 70263.)

Final

Jackson County, Ark., Breckenridge-Union Water System, February 23: Proposed is the construction of the Breckenridge-Union Water System to provide potable water facilities for So. Jackson County, Arkansas. Plans call for the construction of a new well and water treatment plant, 2 75,000-gallon

elevated storage tanks, and water distribution lines parallel to and across Hwys. 14, 17, 22 and 224. The communities of Erwin, Auvergne, Shoffner, Weldon, Island, and Tupelo will be served by the system. Adverse effects include soil movement, loss of crop land, and changes in characteristic landscape. Comments made by: EPA, DOI, state and local agencies, concerned citizens. (ELR Order No. 70255.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room T260, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF RECLAMATION

Draft

Squatzel Coulee Wasteway, Franklin County, Wash., February 23: The proposed project would enlarge 3.2 miles of constructed temporary channel of the Squatzel Coulee Wasteway in Franklin, Washington. The constructed reach would be extended .9 mile downstream and 1.5 miles of constructed channel upstream from the reach would be abandoned. Five thousand linear feet of unstable banks in the natural reaches of the wasteway would be sloped and stabilized. Adverse impacts include reduction of vegetation at borrow sites; displacement of 85 acres of agricultural land and 10 acres of undisturbed land; and acquisition of 300 acres of farm land and 1,500-2,000 acres of rangeland. (ELR Order No. 70258.)

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Contact: Mr. Nathaniel Cohen, Director, Office of Policy Analysis, National Aeronautics and Space Administration, 400 Maryland Avenue, Washington, D.C. 20546.

Supplement

Langley Research Center, NTP (S-2), York County, Va., February 25: This statement supplements a final EIS filed with CEQ in August, 1971. Proposed is the construction at Langley Research Center, Virginia, of the National Transonic Facility (NTP) for testing a broad spectrum of commercial and military aircraft and space vehicles up to full-scale Reynolds numbers. The facility will incorporate a cryogenic approach to achieve high Reynolds numbers by using the evaporation of liquid nitrogen to obtain a low temperature test medium. Adverse effects include discharge of cold gaseous nitrogen and increase in noise due to the nitrogen vent system and tunnel drive fan. (ELR Order No. 70268.)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. Benard Rersche, Director of Division of Reactor Licensing, P-722, NRC, Washington, D.C. 20555, 301-492-7373.

Final

Montague Nuclear Power Station, Units 1 and 2, Franklin County, Mass., February 23: The proposed action is the issuance of construction permits to the Northeast Nuclear Energy Company for the construction of the Montague Nuclear Power Station, Units 1 and 2, located on the Connecticut River in the Town of Montague. The plant will employ two boiling-water reactors to produce up to 3,579 megawatts thermal each and 1,150 MWe each. A design power level of 3,759 MWT and 1,220 MWe for each unit is anticipated. Construction will require the disturbance of 200 acres of the 1,900-acre site. Cooling water will be drawn from and discharged to the Connecticut River. Approximately 118 miles of transmission lines will be constructed. Comments made by: USDA, COE,

DOC, HEW, HUD, DOI, DOT, EPA, FPC, and State and local agencies, concerned citizens. (ELR Order No. 70254.)

Phipps Bend Nuclear Plant, Units 1 and 2, Hawkins County, Tenn., February 23: Proposed is the issuance of construction permits to the Tennessee Valley Authority for the construction of the Phipps Bend Nuclear Plant Units 1 and 2. The plant will employ two boiling water reactors to produce up to 3,579 megawatts thermal (MWT) from each unit. Steam turbine generators will use this heat to provide 1,233 MWe of electrical power capacity. The exhaust steam will be cooled by natural-draft cooling towers. Adverse effects include disturbance of 406 acres. Comments made by: USDA, HUD, HEW, DOT, TVA, DOI, EPA, ERDA, FPC, and State and local agencies, concerned citizens. (ELR Order No. 70242.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590, 202-426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

Canton Rd. Relocation, I-75 to Marietta, Cobb County, Ga., February 23: Proposed is the construction of a four lane facility to connect S.R. 5, I-75, and U.S. 41 with north Marietta at Church and Cherokee Streets, Cobb County, Georgia. The project commences on Church and Cherokee Streets and traverses northeasterly 1.5 miles, terminating at the I-75 interchange. Construction of the facility will result in the generation of higher levels of noise and air pollution. (Region 4.) (ELR Order No. 70253.)

U.S. 421 Improve, Purdue University—U.S. 20, LaPorte County, Ind., February 23: This project, designated Federal-Aid Primary Route P-0830, calls for the improvement of a section of U.S. 421 from the Purdue University North Central Campus to U.S. 20 in LaPorte County. Four alternatives are currently being considered for the approximately 6.6 mile improvement in an effort to provide increased access to the University and to recreational and industrial sections in this rapidly growing area. Right-of-way requirements would displace some residences and businesses and sever some agricultural land. (Region 5.) (ELR Order No. 70241.)

Bailey Ave., Peter-Neatum Streets, Hinds County, Miss., February 23: The proposed construction project is located within the city limits of Jackson, Mississippi. The project is approximately 1,878 feet in length and extends in a northerly direction from Peter to Neatum Streets. Construction is to take place on existing right-of-way where feasible; however, approximately 2.2 acres of right-of-way will be required. The completed project will provide a basic four-lane facility meeting criteria for an arterial. (Region 4.) (ELR Order No. 70252.)

I-279, U.S. 19 Interchange—I-79 Interchange, Allegheny County, Pa., February 23: The proposed action is the construction of Legislative Route 1021, Interstate 279, from its interchange with Perry Highway (U.S. 19) in northern Pittsburgh; north through Ross Township, Ohio Township and Franklin Park Borough; to its interchange with Interstate 79 in the area known as Five Points. The roadway section is 7.9 miles long; six lanes wide for its southern 5.2 miles, and four lanes wide for the remaining 2.7 miles. Homes and businesses will be relocated and an additional 666-729 acres of land will be committed to transportation purposes. (Region 3.) (ELR Order No. 70243.)

L.R. 1013, Lackawanna Valley and Carbon-dale, Lackawanna County, Pa., February 23:

The proposed project is a four-lane, divided, limited access facility 17 miles long, located in Lackawanna County. The Lackawanna Valley Expressway is 12 miles in length, beginning in Scranton and terminating in Mayfield Borough with a connection to the Carbondale Bypass. The Carbondale Bypass is 5 miles in length, beginning in Mayfield Borough and terminating in North Carbondale on U.S. Route 6. Both projects would be on new right-of-way. Adverse effects include displacement of individuals and construction disruption. (Region 3.) (ELR Order No. 70244.)

Final

Piilani Highway, Maui, Maui County, Hawaii, February 23: The project involves the construction of the Piilani Highway which will be located in the Kihei-Makena area on the Island of Maui, Maui County. The 12.6 mile long highway will have two lanes with a basic 100 feet right-of-way. The terminal points will be at the vicinity of Mokulele Highway-Kihei Road intersection and the Makena Road-Kula Road intersection. One residence will be displaced and the general alignment will pass mainly through agricultural grazing land. (Region 9.) Comments made by: COE, DOD, DOT, HUD, USDA, HEW, EPA, DOI, State agencies, and concerned citizens. (ELR Order No. 70256.)

DAVID W. TUNDERMANN,
Acting General Counsel.

[FR Doc. 77-6476 Filed 3-3-77; 8:45 am]

INTERAGENCY COMMITTEE ON PRIORITY CHEMICALS TESTING

Meeting

This notice is intended to advise all interested persons of the schedule for the meetings of the Interagency Committee on Priority Chemicals Testing established under Section 4(e) of the Toxic Substances Control Act for the purpose of making recommendations to the Administrator of the Environmental Protection Agency regarding priorities for issuance of requirements for testing of chemical substances and mixtures.

In accordance with the schedule established at the Committee's February 24 meeting, a meeting will be held Thursday, March 10, 1977, at 9:00 a.m. in Room 5104, New Executive Office Building, 726 Jackson Place, Washington, D.C.

All interested persons are invited to attend.

Dated: March 2, 1977.

WARREN R. MUIR,
Interim Chairman.

[FR Doc. 77-6693 Filed 3-3-77; 8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force PRIVACY ACT OF 1974 New Systems of Records

The Department of the Air Force systems of records notices as prescribed by the Privacy Act of 1974 have been published in the FEDERAL REGISTER as follows:

FR Doc. 75-21075 (40 FR 35403) August 18, 1975.

FR Doc. 75-22752 (40 FR 39677) August 28, 1975.

FR Doc. 75-22754 (40 FR 39711) August 28, 1975.
 FR Doc. 75-26296 (41 FR 2954) January 20, 1976.
 FR Doc. 76-21185 (41 FR 30979) July 26, 1976.

Notice is hereby given that the Department of the Air Force has submitted two proposed new systems of records on January 26, 1977 pursuant to the provisions of Office of Management and Budget (OMB) Circular No. A-108, Transmittal Memorandum No. 1, dated September 30, 1975 and Transmittal Memorandum No. 3, dated May 17, 1976, which provide supplemental guidance to Federal agencies regarding the preparation and submission of reports of their intention to establish or alter systems of personal records as required by the Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a(o)). This OMB guidance was set forth in the FEDERAL REGISTER (40 FR 45877) on October 3, 1975.

The Department of the Air Force invites public comment to be considered on all parts of the following proposed new records systems. Interested persons are invited to submit written data, views and arguments to the system manager identified in the particular record system notice on or before April 4, 1977. The systems will be effective as proposed without further notice, unless comments are received which result in a contrary determination.

F03504 OYUEBLC

System name:

Air Traffic Control (ATC) Personnel Reporting.

System location:

Headquarters, Air Force Communications Service (AFCS), DCS/P, Richards-Gebaur AFB MO 64030. AFCS Sub-commands.

Categories of individuals covered by the system:

Air Force active duty officer and enlisted personnel in the Air Traffic Control career field.

Categories of records in the system:

Contains name, social security account number (SSAN), unit number, grade, Air Force specialty code (AFSC), available status, status date, date assigned, facility assigned, duty assignment within facility, current facility rating/position certification held, previous facility ratings held, and Terminal Instrument Procedures (TERPS) qualifications.

Authority for maintenance of the system:

10 U.S.C. 8012.

Routine use of records maintained in the system, including categories of users and the purposes of such uses:

To effect close managerial control over assignment and utilization of personnel in the Air Traffic Control career field. To provide a real time personnel reporting system to insure continuity of operations. To provide a common data base for use in daily coordination between command and sub-command levels on

manning related problems, thereby precluding the need for separate real time air traffic control manning reports at each sub-command. To provide a data base for establishing and analyzing manning trends in the Air Traffic Control officer and enlisted career fields. To provide a consolidated listing of statistical data, not available in a single reference. Used by Major Air Command and Sub-command (AFCS areas and independent groups.) Provides users with the capability for daily tracking of personnel resources. Provides users with real time information on a unit's usable (facility rated/position certified) controller strength by facility. Allows users to more accurately project usable controller strength for a facility by use of estimated facility rating/position certification and upgrade time. Provides information to users which cannot be extracted from other files to include: facility assigned, duty assignment, facility rating/position certification in training for, estimated completion date for facility rating/position certification training, Air Traffic Control school graduation date, estimated upgrade date, current facility rating/position certifications held, previous facility ratings held and Terminal Instrument Procedures (TERPS) qualifications. Allows users to more accurately verify manning assistance requests, emergency manning level and air traffic control service curtailment reports, manning waiver requests and special projects as required by Deputy Chief Staff Air Traffic Services. Allows users to establish and analyze trends in the Air Traffic Control officer and enlisted manning posture; e.g., average experience levels, time on station, and number of personnel in training by command, sub-command or unit as required.

Policies and practices for storing, retrieving, accessing retaining, and disposing of records in the system:

Storage:

Maintained on computer magnetic tapes, disks, and computer paper printouts.

Retrievability:

Social security account number (SSAN), or other identification number or system identifier.

Safeguards:

Records are accessed by persons responsible for servicing the record system in performance of their official duties. Records are accessed by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in locked cabinets, rooms, or buildings.

Retention and disposal:

Retained in office files until superseded, obsolete, no longer needed for reference, then destroyed by tearing into pieces, shredding, pulping, macerating, burning, or erasing in the case of magnetic media.

System manager(s) and address:

Deputy Chief Staff, Air Traffic Services, Headquarters, Air Force Communications Service and intermediate level.

Air Traffic Control Operations Division at group and squadron level.

Chief, Personnel Data Systems Division, Headquarters, Air Force Communications Service, Richards-Gebaur AFB MO 64030.

Notification procedure:

Request from individuals should be addressed to the system manager. Specific information required from requesting individuals to determine whether or not the system contains a record about them are Air Force Specialty Code (AFSC), social security account number (SSAN), unit number. Offices which the requester may visit to obtain information on whether or not the system contains records pertaining to him or her—Air Traffic Services, Air Traffic Control Operations Division, Personnel Data Systems Division, Hq Air Force Communications Service.

Record access procedures:

Individual can obtain assistance in gaining access from the Manager Systems.

Contesting record procedures:

The Air Force's rules for access to records and contesting and appealing initial determinations by the individual concerned may be obtained from the Systems Manager.

Record source categories:

Information obtained from individuals and automated systems interface.

Systems exempted from certain provisions of the act:

None.

21401 OJ SSFK

System name:

Kindergarten Student File.

System location:

3380 Air Base Group/SSFK, Keesler AFB MS 39534.

Categories of individuals covered by the system:

Children enrolled in kindergarten and their parents.

Categories of records in the system:

Registration forms, enrollment contract, parent authorizations for testing/field trips/forwarding of school records, child/family background questionnaire, test results, and student progress reports.

Authority for maintenance of the system:

10 U.S.C. 8012; 5 U.S.C. 301; and EO 9397.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used by kindergarten personnel to understand and determine special needs

of children, to locate parents in case of emergency, to make progress reports to parents, to establish contractual obligations between kindergarten and parents, and to set up car pool listings. Any records in the system may be disclosed as a routine use to other components of the Department of Defense if necessary and relevant for the performance of a lawful function. The records may also be forwarded to any other school at the written request of the parents.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records maintained in file folders and locked in desks or rooms.

Retrievability:

Filed by student name.

Safeguards:

Records are accessed by the kindergarten principal and kindergarten counselor.

Retention and disposal:

Retained in office files for one year after child leaves program or until parent requests transfer of records to another school, whichever comes first. In the event the records are not transferred to another school, they are destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

Systems manager and address:

Kindergarten Principal, 3380 ABGP/SSFK, Keesler AFB MS 39534.

Notification procedure:

Requests from individuals should be addressed to the systems manager. The full name of the student will be required to determine if the system contains a record about him or her. The requester may visit the kindergarten to obtain information on whether the system contains records pertaining to an individual. As proof of identity the requester must present either a current military identification card or driver's license.

Record access procedures:

Individuals can obtain assistance in gaining access from the systems manager.

Record source categories:

Information obtained from parents; test results; student evaluations by kindergarten personnel.

Systems exempted from certain provisions of the act:

None.

MAURICE W. ROCHE,
Director, Correspondence and
Directives, OASD (Comptroller).

MARCH 1, 1977.

[FR Doc.77-6500 Filed 3-3-77; 8:45 am]

FEDERAL MARITIME COMMISSION

AMERICAN WEST AFRICAN FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before March 24, 1977. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement filed by:

John K. Cunningham, Chairman, American West African Freight Conference, 67 Broad Street, New York, New York 10004.

Agreement No. 7680-35, entered into by the member lines of the American West African Freight Conference, amends Article 8a of the conference agreement by increasing the admission fee for membership into the Conference from \$7,500.00 to \$25,000.00.

Dated: March 1, 1977.

By Order of the Federal Maritime Commission.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc.77-6562 Filed 3-3-77; 8:45 am]

CHICAGO REGIONAL PORT DISTRICT NORTH PIER TERMINAL CO. AND CERES, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as

amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before March 14, 1977. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Maxim M. Cohen, General Manager, Chicago Regional Port District, Butler Drive, Lake Calumet Harbor, Chicago, Illinois 60633.

Agreement No. T-3400-1, among the Chicago Regional Port District (Port), North Pier Terminal Company (NPTC) and Ceres, Inc., (Ceres), is an assignment of the basic agreement between the Port and NPTC providing for the Port's two-year lease to NPTC of certain premises, including Transit Shed No. 1, at the west end of the Lower Anchorage Basin on Lake Calumet, Chicago, Illinois, to be used for the purpose of operating a ship, barge, railroad and truck terminal, and warehouse, and for the handling of goods and merchandise in connection therewith. Agreement No. T-3400-1 provides for the assignment to Ceres of NPTC's right, title and interest under Agreement No. T-3400.

By Order of the Federal Maritime Commission.

Dated: February 28, 1977.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc.77-6560 Filed 3-3-77; 8:45 am]

CITY OF OAKLAND AND SEA-LAND SERVICE, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to

section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before March 24, 1977. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated herein-after) and the statement should indicate that this has been done.

Notice of agreement filed by:

J. Kerwin Rooney, Port Attorney, Port of Oakland, P.O. Box 2064, 66 Jack London Square, Oakland, California 94604.

Agreement No. T-1768-7, between the City of Oakland (City) and Sea-Land Service, Inc., (Sea-Land) modifies the parties' basic agreement which provides for the preferential assignment of certain marine terminal facilities to Sea-Land. The purpose of the modification is to provide for maintenance and repair of the premises and the cranes.

By Order of the Federal Maritime Commission.

Dated: March 1, 1977.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc. 77-6561 Filed 3-3-77; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. ER77-89]

CENTRAL ILLINOIS PUBLIC SERVICE CO. Order Granting in Part and Denying in Part Application for Rehearing

FEBRUARY 25, 1977.

On January 27, 1977, Central Illinois Public Service Company (CIPS) filed an application for rehearing of the Commission's order issued December 30, 1976, in this docket.

On December 1, 1976, CIPS filed proposed increases in three separate rates:

1. Rate W-1, for electric service to cooperatives;
2. Rate W-2, for electric service to municipalities; and

3. Rate W-3, for electric service to wholesale customers purchasing partial requirements to supplement self-generation.

On December 28, 1976, the Village of Rantoul, Illinois (Rantoul) filed a motion to reject, protest and petition to intervene. Rantoul maintained that CIPS failed to provide proper notice and service of its proposed rate increase. As a result, Rantoul requested that CIPS' filing be rejected, or in the alternative, suspended for five months.

Our December 30, 1976 order in this proceeding suspended CIPS' proposed rates for one day and set the matter for hearing.

CIPS posits that its proposed increases are modest, no customers complained of the increases in Rates W-1 and W-2,¹ and that the Commission's decision to suspend the rates was activated by Rantoul's filing. CIPS maintains that adequate notice was given to Rantoul and that its motion to reject and protest is without merit. It requests that the Commission cancel the hearing in this docket, find all tendered rate schedules just and reasonable, and terminate this proceeding.

Eleven cooperatives are currently being served under Rate W-1 contained in CIPS FPC Electric Tariff Original Volume No. 1. Five municipal customers are presently served under CIPS FPC Electric Tariff Original Volume No. 2 (Rate W-2) and three under individual contracts. CIPS renders partial requirements service to two customers under FPC Electric Tariff Original Volume No. 3 (Rate W-3). Revised Rates W-1, W-2 and W-3 were proposed to become effective on January 1, 1977; and to the municipalities with contracts, upon expiration of the respective contracts.

CIP's filing indicates that all of the cooperative customers agreed to the charges proposed in revised Rate Schedule W-1. No protest or petition to intervene was filed with respect to proposed Rates W-1 and W-2. Commission review indicates that proposed Rates W-1 and W-2 would not result in excess revenues. We shall therefore grant rehearing in part and terminate the suspension with respect to proposed Rates W-1 and W-2, allowing these rates to become effective without condition. Rates W-1 and W-2 are hereby eliminated as issues in the forthcoming hearing in this docket. CIP's application, to the extent that it requests terminating the proceeding with respect to proposed Rate W-3 is hereby denied.

On January 28, 1977, Rantoul filed a petition for rehearing. It alleges that it was not given adequate and proper notice of CIPS proposed rates and has been denied basic due process. Rantoul states that CIPS only supplied it with a comparison of billings under the old and proposed wholesale rate, a copy of the proposed schedule of rates for W-3 service, and an indication that the total increase to the wholesale class was \$441,190; CIPS

did not serve Rantoul with all the material it had submitted to the Commission.

Rantoul subsequently requested that CIPS provide it with a complete copy of the filing. The material was received by Rantoul on December 22, 1976. Rantoul maintains that because of other pending FPC matters and the Christmas holiday period, the filing was not examined until December 27, 1976, the day before the expiration of the comment period. Rantoul requests that CIPS' filing of December 1, 1976, be rejected.

CIPS states that it complied with all provisions of the Federal Power Act and the Commission's Regulations, gave Rantoul actual notice of the filing as early as November 23, 1976, and supplied it with all of the information it was entitled to at the time of filing. CIPS further states that additional information was supplied to Rantoul immediately upon its request.

Rantoul points to Section 35.8(a) of our Regulations to support its contention that it was not afforded adequate notice. Section 35.8(a) requires the public utility to file a notice suitable for publication in the FEDERAL REGISTER. The regulation provides the basic form for the notice. The model notice in § 35.8(a) states in relevant part:

Copies of the filing were served upon the public utilities jurisdictional customers, (other parties the public utility served, inter alia, state public service commissions, other government agencies, etc.).

CIPS included with its filing a notice containing the following language:

Copies of the filing were served upon the Company's jurisdictional customers.

It appears that CIPS complied with Section 35.8(a). Of course, the question of whether or not CIPS actually served complete copies of its filing on Rantoul remains.

CIPS maintains that Rantoul received complete notice of the proposed change in rates. In its answer to Rantoul's petition to intervene it states in part:

Rantoul was provided with a comparison of billings to it under both the current and proposed rates, and a copy of the proposed rate itself and a notice of the filing. Actual notice of the filing was given as early as November 23, 1976. Nothing in the Commission's regulations requires that other material called for in Section 35.13 in its entirety be served upon all customers. Nevertheless, CIPS did furnish this material to counsel for Rantoul on the very day following Rantoul's belated request for that material.²

The above passage indicates that a complete filing was not sent to Rantoul initially but only after a specific request was made. Rantoul did not receive the complete filing until December 22, 1976, six days before the expiration of the comment period. Prior to that time it was notified that CIPS was filing for a rate increase, presented with a comparison of billings under the old and proposed wholesale rate, a copy of the pro-

¹ Only Rantoul objected to the W-3 schedule.

² Answer of Central Illinois Docket No. ER77-89 filed on December 30, 1976.

posed schedule of rates for W-3 service, and an indication that the total increase to the wholesale class was \$441,190. In addition, as of December 1, 1976, the date of the filing, complete copies of CIPS' submittal have been on file at the Commission for public inspection. Based on the foregoing considerations, Rantoul was afforded adequate notice and was provided with a reasonable opportunity to respond to CIPS's filing.

CIPS' filing should not be rejected. It substantially complies with the Commission's regulations governing filing of rate schedules. The Commission, after consideration of all relevant factors, has determined that a one day suspension is appropriate in this case. Length of a suspension period is a matter committed to agency discretion. *Municipal Light Boards v. FPC*, 450 F.2d 1341 (D.C. Cir. 1971).

The Commission finds:

(1) Good cause exists to deny in part and grant in part CIP's application for rehearing. Our order of December 30, 1976 should be modified to terminate the suspension of Rates W-1 and W-2.

(2) Rantoul's application for rehearing presents no legal arguments or facts which would warrant any change or modification of the Commission's order of December 30, 1976, in this docket.

The Commission orders:

(A) CIPS's application for rehearing is denied in part and granted in part as more fully set forth above. Our order of December 30, 1976 is hereby modified to terminate the suspension of Rates W-1 and W-2.

(B) Rantoul's application for rehearing is hereby denied.

(C) CIPS is no longer required to file the report on billing determinants and revenues pursuant to Section 35.19a of the Commission's Regulations for Rate Schedules W-1 and W-2. However CIPS shall continue such reporting for Rate W-3.

(D) The Secretary shall cause prompt publication of this order be made in the FEDERAL REGISTER.

By the Commission,

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-6506 Filed 3-3-77;8:45 am]

[Docket No. CP77-147]

FT. PIERCE UTILITY AUTHORITY, ET AL.

Notice of Petition and Complaint

FEBRUARY 28, 1977.

Ft. Pierce Utility Authority of the City of Ft. Pierce, Gainesville Alachua County Regional Electric Water and Sewer Utilities, Sebring Utilities Commission, City of Homestead, City of Kissimmee, City of Lakeland, City of Starke, City of Tallahassee, Complainants v. Florida Gas Transmission Company, Florida Power & Light Company, Florida Power Corporation, Amoco Production Company, Austral Oil Company, Inc., Defendants.

Take notice that on January 18, 1977, Ft. Pierce Utility Authority of the City of Ft. Pierce, 311 North Indian River

Drive, Ft. Pierce, Florida 33450, Gainesville Alachua County Regional Electric Water and Sewer Utilities, P.O. Box 490, Gainesville, Florida 32601, Sebring Utilities Commission, South Commerce Avenue, Sebring, Florida 33870, and the Cities of Homestead, 790 North Homestead Boulevard, Homestead, Florida 33030, Kissimmee, P.O. Box 590, Kissimmee, Florida 32741, Lakeland, 1000 East Parker Street, Lakeland, Florida 33801, Starke, City Hall, Starke, Florida 32901, and Tallahassee, Route 4, Box 450, Tallahassee, Florida 32301 (Florida Cities) filed in Docket No. CP77-147 a petition pursuant to Sections 1.6 and 1.7 of the Commission's Rules of Practice and Procedure (18 CFR 1.6 and 1.7) that on a temporary and permanent basis (1) the Commission order a curtailment of the transportation gas on the Florida Gas Transmission Company (FGT) system to help meet certain grants of extraordinary relief and (2) the Commission order, as a condition of continued transportation, that the T-3 contract volumes be curtailed proportionately with the volumes to which the direct preferred interruptible customers would be otherwise entitled, all as more fully set forth in the petition and complaint which is on file with the Commission and open to public inspection.

Florida Cities assert the following are statements of facts supporting their request:

1. Each of Florida Cities generates electricity for the benefit of its taxpayers and rate payers. Florida Cities range in approximate size from Starke, with a population of 5,210 and installed capacity of 10.79 mw, to Tallahassee, with a population of 86,404 and installed capacity of 277.77 mw. In 1975, Florida Cities' combined generating capacity was 987.97 mw. Each of the Florida Cities purchases natural gas from FGT under a direct preferred interruptible contract, and Ft. Pierce and Starke also purchase gas for resale distribution under firm wholesale for resale contracts with FGT.

2. FGT, a Delaware corporation operating an interstate pipeline from Texas to southern Florida, is a wholly owned subsidiary of Florida Gas Company, a Florida holding company.

3. Florida Power and Light Company (FPL) and Florida Power Corporation (Florida Power) are two large Florida electric public utilities that purchase gas directly from natural gas producers at the wellhead, with the gas being delivered to FGT for transportation by FGT and redelivery to the power companies in Florida.

4. There are three transportation contracts between FGT and the power companies. The first arrangement, T-1, was entered into in 1957 by FGT's predecessor company and Florida Power. Florida Power buys natural gas from Sun Oil Company and Pure Oil Company at the wellhead. This gas purchase contract calls for a daily contract quantity of 50,000 Mcf over a term of 20 years; it expires in 1979. The gas delivered pursuant to this contract is commingled in

FGT's pipeline and transported interstate for delivery to Florida Power.

The T-2 contract was entered into by FGT and FPL. FPL purchases gas directly from Sun Oil Company. Under the contract deliveries to FPL average 100,000 Mcf per day on terms and conditions similar to those in the T-1 contract.

The T-3 contract was entered into by FGT and FPL in 1965 and provides for the interstate transportation of gas by Pan American Petroleum Corporation (now Amoco Production Company (Amoco)) and Austral Oil Company (Austral). This contract specifies deliveries of the thermal equivalent of 200,000 million Btu's per day over a 20-year term, expiring in 1987.

None of the gas transported pursuant to these three contracts has been curtailed.

FGT transports approximately 350,000 Mcf of gas per day under these contracts with the capacity of the FGT pipeline being approximately 725,000 Mcf per day. During 1976, total deliveries averaged about 625,000 Mcf per day, with gas transported pursuant to these transportation contracts accounting for well over half of FGT's total deliveries.

5. FGT has a final gas curtailment plan resulting from a system-wide settlement approved by the Commission in Florida Gas Transmission Co., et al. Docket No. RP66-4, et al. (50 FPC 239). The transportation gas is not subject to curtailment.

6. The FGT curtailment plan gives the highest sales priority to resale firm service, i.e., service to small residential and commercial users. A few direct firm customers and beneficiaries of extraordinary relief orders have priority over interruptible gas uses. Gas purchased for resale interruptible customers has priority over gas purchased directly from the pipeline by interruptible customers. Lower priority categories of interruptible gas use are presently being completely curtailed.

FLORIDA CITIES STATE THEIR POSITION AS FOLLOWS

Florida Cities purchase most of their gas under direct preferred interruptible contracts with FGT and the latter's failure to deliver gas in the quantities contracted for has seriously and adversely affected Florida Cities.

Florida Cities have been denied access to nuclear power and because of their small size, they have been unable to build independently nuclear plants, and, until recently, neither FPL nor Florida Power has been willing to participate in a joint nuclear project. While Florida Power has entered into a participation agreement whereby a number of cities and Seminole Electric Cooperative, Inc., own a small undivided share of Florida Power's Crystal River Unit No. 3, FPL still adamantly refuses to grant participation rights in either its operating nuclear units or in units under construction or in the planning phase.

With an insignificant exception affecting two small unrelated cities in the northwestern part of the state, hydro-

electric power is unavailable in Florida and Florida Cities do not have access to coal resources. While some of the cities may be able to construct and operate coal fired units in the future, conversion of existing units is impractical. Moreover, since most of the cities are located inland and since Florida has no coal resources of its own, the transportation of coal to these cities presents numerous problems. Thus, the alternatives to natural gas available to Florida Cities are, as a practical matter, limited to imported oil, which is expensive and of uncertain supply.

Testimony and exhibits presented in recent Commission proceedings involving Florida Cities and FGT show that, apart from other disadvantages resulting from FGT's failure to deliver gas, to the extent Florida Cities have not received gas they have had to purchase oil at approximately three times the price of gas. While recent gas price increases ordered by the Commission are likely to reduce the differential Florida Cities and their ratepayers are suffering and, without relief, would continue to suffer severe economic hardship as a result of FGT's curtailment of their gas supply.

FP&L, the state's largest electric utility, generates approximately 25 percent of its energy with natural gas, obtained pursuant to its T-2 and T-3 contracts with FGT. An additional 25 percent of its generation is nuclear-powered, with the result that FP&L is able to generate about half of its total energy at costs substantially lower than the costs incurred by Florida Cities, which must rely almost solely upon fuel oil.

As a result of the above factors, it has been contended by some that presently independent municipally owned and operated electric systems would be forced to sell their systems. Natural gas should not be allocated in such a way that only the ratepayers of small utilities are deprived of the economic and other benefits of gas-generated electricity, particularly where such deprivation may significantly contribute to the elimination of those systems as competitive entities.

Florida Cities do not believe there is legal or equitable justification sufficient for continuation of the present T-3 arrangement. Terms of the T-3 contract are, in many respects, similar to those contained in the "warranty" contract between Amoco and FGT which accounts for a major portion of the gas available to FGT for its own customers. At the very least, commercial legal principles require that available gas be apportioned among competing buyers with similar claims. It is demonstrable that FGT purportedly gave up gas rights under its warranty contract with Amoco in connection with the negotiation of the T-3 contract. These circumstances do not support FP&L's enjoyment of a continued and uncurtailed supply of natural gas at the expense of Florida Cities and other customers.

To the best of Florida Cities knowledge, similar specific problems are not posed by the T-1 and T-2 contracts. Unlike the case of the T-3 contract, Flor-

ida Cities have no evidence that FGT's entering into the T-1 and T-2 contracts had a direct and demonstrable effect upon the gas supply available to FGT to meet its contract obligations to its own customers. Thus, absent a general review of FGT's curtailment plan and because of the desirability of maintaining approved commercial arrangements, Florida Cities do not seek a general curtailment of T-1 and T-2 gas at this time. Should the Commission find the present curtailment plan to be discriminatory, however, the status of all the transportation gas, including gas being delivered pursuant to the T-1 and T-2 contracts, would have to be reviewed. Where a new curtailment plan ordered, Florida Cities believe that all T-gas would have to be proportionately curtailed.

Finally, to the extent applications for extraordinary relief have been granted, thereby upsetting expectations reasonably assumed under the existing curtailment plan, transportation gas users should help provide the gas thus allocated to customers found to have higher priorities.

FLORIDA CITIES PRESENT THE FOLLOWING ARGUMENTS

ARGUMENT I

The transportation contracts should bear their fair share of curtailments ascribable to extraordinary relief orders. FGT's curtailment plan results from a settlement approved by the Commission. Agreements between a pipeline and its customers should be given great weight. It is wholly reasonable that parties be expected to honor agreements upon which not only are claims settled, but upon which reliance and expectations concerning future performances are created.

Where an order for extraordinary relief has the practical effect of modifying an established curtailment plan, the expectations of all parties to the agreement are upset. Had customers been able to foresee such modifications in curtailment plans, they might, for instance, have entered into contracts for a class of service different from that they in fact chose or have sought different arrangements. Before severe curtailments, Florida Cities were gas-reliant to a far greater extent than the large investor-owned utilities with whom they compete. Within this context it is discriminatory and inequitable that extraordinary relief volumes should come from "purchase" gas customers and not at all from transportation customers.

The Commission has granted in whole or in part five applications for extraordinary relief filed by industrial customers on the FGT pipeline system, involving annual deliveries of the thermal equivalent of about 4 trillion Btu's. In each of these dockets, Florida Cities requested the Commission to consider whether the transportation gas should be insulated from the impact of special relief orders and whether relief ordered should be taken solely from FGT's direct and resale classes of customers.

In these extraordinary relief proceedings, Florida Cities have argued, inter alia, that undue discrimination results from allowing extraordinary relief gas to be allocated solely from the preferred interruptible class and to a lesser extent, from the resale interruptible class in all relevant functional aspects. In the course of the extraordinary relief proceedings, Florida Cities did not seek a change in FGT's curtailment plan, nor did they seek to enlarge their own rights as against FGT's other customers. However, after a reallocation of gas has been ordered to give applicants for extraordinary relief volumes of gas additional to those they are entitled to under their contracts and FGT's tariff and settlement agreements, the burden of that reallocation though not to be borne solely by the direct preferred interruptible and resale interruptible classes.

Under the status quo, gas transported for FP&L and Florida Power is not subject to curtailment. However, Florida Cities' rights under their contracts and settlements and under FGT's curtailment plan presume an equality of treatment with other direct preferred interruptible customers. These rights have been altered by the Commission's orders granting extraordinary relief. Florida Cities asserts that the United States Court of Appeals for the Fifth Circuit decision in *Ft. Pierce Utility Authority of the City of Ft. Pierce, et al. v. FPC*, 526 F.2d 993, 997 (1976), shows that the FPC has jurisdiction to include transportation gas in curtailment programs and that the Commission has jurisdiction to correct inequities that arise from forced transfers of gas to meet preferred needs.

Since the Commission has refused to consider the equities involved in insulating the transportation sales from the impact of orders granting extraordinary relief within the context of the extraordinary relief proceedings themselves, as Florida Cities consider appropriate, Florida Cities petition that the Commission institute separate proceedings, pursuant to Sections 1.6 and 1.7 of the Commission's Rules of Practice and Procedure as may be appropriate, wherein such equities may be considered.

ARGUMENT II

The Commission should make the T-3 gas subject to curtailment.—A. Louisiana Power & Light establishes the authority of the Commission to curtail T-gas. The Commission has jurisdiction to curtail the transportation gas in its entirety. *FPC v. Louisiana Power & Light Co.*, 406 U.S. 621 (1972). FGT transports such gas as part of a commingled gas stream. *California v. Lovaca Pipe Line Co.*, 379 U.S. 365 (1965).

Since the Commission's jurisdiction over curtailment stems not from its regulatory authority over "sales for resale," but from its control over transportation, *FPC v. Louisiana Power & Light Company, supra*, the Commission has the jurisdiction to make continued transportation of gas by FGT conditional upon its agreement to curtail (or upon FP&L's acceptance of such condition). Further,

while the transportation gas has been finally certificated such final certification cannot be controlling vis-a-vis the Commission's power to curtail. *FPC v. Louisiana Power & Light Co., supra*. Florida Cities also assert that the courts have held repeatedly, private contracts cannot defeat the Commission's jurisdiction to implement equitable curtailment plans.

Moreover, in *Florida Economic Advisory Council v. FPC*, 251 F. 2d 643 (1957), certiorari denied, 356 U.S. 959 (1958), involving the original certification of the T-1 and T-2 contracts, the Commission and courts specifically left open the question of jurisdictional status of the contracts and in certifying the T-3 contract, the Commission held that contract to be nonjurisdictional as to rates. However, it made expressly clear that the jurisdiction over transportation remained. Since *Louisiana Power & Light Co., supra*, and *Pt. Pierce Utilities Authority, supra*, confirm the Commission's jurisdiction to regulate gas allocations through its "transportation" authority, there is no legal prohibition against curtailment of the T-gas. Since the gas is transported by FGT there is a right of curtailment as a condition of continued transportation.

The question is one, therefore, not of the authority of the Commission to curtail the transportation contracts, but of the equities of curtailment, it is stated.

B. T-3 gas should be curtailed on the same basis as direct preferred interruptible gas. Three individual factors warrant curtailment of the T-3 gas as part of the direct preferred interruptible class:

1. Use characteristics are exactly analogous.
2. The impact of not curtailing the transportation gas may be to jeopardize certain independent individual electric systems.

3. Unbeknownst to the Florida Cities and Commission, the T-3 contract was secured at the price of FGT's attempted sacrifice of obligations to its customers.

The similarities in use characteristic of FP&L and the direct preferred interruptible customers are noted and Florida Cities state that there is no equitable reason why FP&L's electric customers should be advantaged through its access to inexpensive and environmentally compatible fuel supply to the exclusion of Florida Cities' customers.

Unless FPL is willing to sell base load power based upon its costs of gas and nuclear generation separately, the failure of the Commission to curtail natural gas deliveries to FP&L must inevitably erode Florida Cities' competitive position. This problem is illustrated by the fact that FP&L is contemplating acquisitions of existing systems.

Faced with the historic refusals to deal by Florida Power and FP&L, Florida Cities attempted to protect themselves by entering into long-term contracts for natural gas supplies, it is asserted. In 1972, Florida Cities entered into a stipulation and consent decree before the District Court under which FGT stated specifically amounts of gas estimated to be available to Florida Cities, *City of Ft.*

Pierce, et al. v. Florida Gas Transmission Co., S.D. Fla., Miami Division, Case No. 74-1494-CIV-CA (August 31, 1972). As a part of the stipulation, FGT also obligated itself to use its "best efforts" to provide Florida Cities with the amounts and percentages of gas deliveries reflected in the stipulation. Florida Cities state that for the instant purposes, without discussing the causes of a failure of gas deliveries by FGT, no reason is presented why the expectations of FP&L alone should be met, especially since it is best able to fend for itself.

While the above factors are relevant to the question of curtailment of T-gas in its entirety, the circumstances surrounding the T-3 contract are such to warrant immediate corrective action, it is stated. Florida Cities assert that a major portion of FGT's gas supply available for its customers comes from 100,000 Mcf per day warranty contract between Amoco and Austral and FGT and if taken at maximum deliveries, this contract alone would provide about 1/3 of FGT's current gas deliveries exclusive of transportation gas. However, on information and belief, it is indicated that Amoco and Austral are now delivering less than 15,000 Mcf per day; therefore, it can be seen that a major reason for the shortfall of gas deliveries to Florida Cities results from the limited deliveries under this one contract. It is stated that for years FGT referred to this source of gas supply as a major basis for its secured position.

Florida Cities indicates that the essential background to the underdeliveries is as follows:

In 1967, Amoco and Austral entered into a separate warranty contract with FP&L to supply FP&L with 200,000 Mcf per day. This is the T-3 contract.

In Docket No. CP74-192, wherein FGT seeks authorization to abandon substantial existing pipeline transportation facilities due to a claimed lack of gas supply and sell those facilities to a wholly affiliated company for products transportation, it was uncovered that the reason purportedly justifying Amoco's underdeliveries to FGT was a secret agreement entered into between Amoco and FGT under which Amoco was allowed to limit gas deliveries to FGT, it is asserted, and according to FGT, said agreement was entered into to prevent Amoco and Austral from pulling out of the T-3 warranty contract, it is further asserted.

Florida Cities indicate that the matter is illustrated in a May 27, 1971, memorandum to files from H. L. Wilhite, with copies to Florida Gas Company's top management wherein it is stated (1) the agreement had been entered into to further a proposed pipeline expansion to serve FP&L with Amoco gas and (2) that the Company believed that despite the agreement it retained the legal right to request 100,000 Mcf per day.

It is indicated that in order to protect the gas deliveries to FP&L, FGT was purchasing gas that it did not need, apparently at the expense of later deliveries and that insofar as other gas customers, apart from FP&L are concerned, they are doubly damaged since they are receiving underdeliveries from the Amoco-Austral

warranty contract and, at the same time, FGT's reserves sold to Transcontinental Gas Pipe Line Corporation (to allow for greater initial takes from Amoco-Austral) were depleted.

It is alleged that the underlying T-3 contract was a result of FGT's deliberate sacrificing of its rights to its customers for the benefit of FP&L and that under these circumstances, there is no reason or basis to continue the discriminatory deliveries to FP&L as against FGT's other customers. It is further alleged that even absent this history, under common law, if Amoco did not have enough gas to serve both its warranty obligations to FGT and to FP&L, it would have had to apportion between them.

Florida Cities states that while there are substantial reasons for curtailing the T-1 and T-2 gas, they do not now request such curtailments, unless the full curtailment plan is to be reviewed, but that the circumstances surrounding the T-3 contracts clearly warrant curtailment. However, since the totality of the circumstances surrounding the T-3 contracts were not present for the T-1 and T-2 contracts, Florida Cities do not now press the issue, it is said, and, further, it is said, that if the T-3 contract were curtailed, Florida Cities' and FP&L's reasonable commercial expectations would be fulfilled in some degree.

In conclusion Florida Cities state: In view of the compelling equitable circumstances surrounding the T-3 contract, the similar or lower end-use priorities of T-3 gas and direct preferred interruptible gas and the anti-competitive results from failure to curtail, Florida Cities seek immediate pro rata curtailment of the T-3 gas. If the Commission were to order a revamping of the FGT curtailment plan in the "Lehigh Portland Cement" case, Docket No. RP75-79, or otherwise, thereby limiting past reliance, then the T-gas in its entirety should be subject to curtailment. Since the extraordinary relief applications effectively change the FGT permanent curtailment plan, thereby upsetting existing expectations, and in view of the factors discussed in the instant petition, to the extent of such extraordinary relief orders, Florida Cities request immediate curtailment of T-gas.

Any person desiring to be heard or to make any protest with reference to said petition and complaint should on or before March 31, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMS,
Secretary.

[FR Doc. 77-6509 Filed 3-3-77; 8:45 am]

[Docket Nos. E-9091, ER76-397, E-9521 and E-9522]

GEORGIA POWER CO.

Order Accepting Proposed Settlement Agreement Consolidating for Limited Purposes and Terminating Investigations

FEBRUARY 25, 1977.

This order approves a settlement agreement which terminates these dockets.

On October 31, 1974, Georgia Power Company (Georgia Power) tendered for filing in Docket No. E-9091 proposed increases in its rates for firm power service to the City of Dalton, Georgia (Dalton), Oglethorpe Electric Membership Corporation (Oglethorpe), and The Georgia Municipal Association, Inc. (Municipal). On November 26, 1974, Georgia Power submitted additional data to complete the filing requirements of the Commission's regulations. The proposed rates would have resulted in an increase in revenues of \$42,981,351 based upon the calendar year of 1975. By order issued December 26, 1974, the Commission accepted for filing and suspended the proposed rate increase to become effective May 26, 1975, subject to refund.

On October 6, 1975, as supplemented on November 25, 1975, Georgia Power filed revised tariff sheets setting forth rates reflecting the elimination of construction work in progress from its rate base in compliance with the Commission's order of August 5, 1975. The Commission accepted the revised tariff sheets in an order of December 24, 1975.

On December 29, 1975, as supplemented on February 20, 1976, Georgia Power tendered in Docket No. ER76-397 a proposed fuel adjustment clause to comport with the Commission's Order No. 517. In addition, to compensate for an alleged revenue loss occasioned by the elimination of the lag in the proposed clause, Georgia Power included a fuel adjustment surcharge of \$.00224 per kWh to be charged for a period of six months. By order issued March 19, 1976, the Commission accepted for filing and suspended the proposed changes in the fuel clause to become effective March 23, 1976, subject to refund, and consolidated Docket No. ER76-397 with Docket No. E-9091.

On June 30, 1975, Georgia Power tendered for filing in Docket Nos. E-9521 and E-9522 proposed new tariffs for partial requirements service (PR-1) and transmission service (TS-1) to Oglethorpe. By order issued September 11, 1975, the Commission accepted for filing the proposed PR-1 and TS-1 tariffs to become effective July 1, 1975, subject to refund and subject to stipulation that Georgia Power file substitute tariff sheets within thirty days of the issuance of the order. The July 1, 1975, effective date was requested because Oglethorpe began receiving output from its 30% ownership in the Hatch Nuclear Plant on July 1, 1975. As of July 1, 1975, Oglethorpe ceased to receive service under Georgia Power's full requirements tariff rate in Docket No. E-9091. The Municipal Electric Authority of Georgia (MEAG) in-

tervened in those two docketed proceedings.

By an order issued January 21, 1976, the Commission accepted for filing Georgia Power's revised tariff sheets which excluded construction work in progress from the rate base.

As a result of a settlement conference held on November 10, 1976, a proposed agreement concerning the above mentioned four dockets was reached. On November 30, 1976, Georgia Power submitted, "A Motion To Approve Settlement Agreement and Certify the Record to the Commission." It also filed a, "Motion to Consolidate for Limited Purpose and a Motion to Terminate Investigations."

Public notice of the proposed Settlement Agreement concerning all four dockets was issued on December 7, 1976, with comments, protests or petitions to intervene due on or before December 13, 1976. On December 10, 1976, the Staff filed comments indicating that the rates proposed in the Agreement were acceptable. No other responses were received pursuant to this notice.

Succinctly, the Settlement Agreement provides that: (1) upon receipt of FPC approval of the terms of this settlement, Georgia Power will request the U.S. Court of Appeals for the District of Columbia to dismiss with prejudice the petitions for review now before it of certain FPC orders in the following numbered court cases—75-1940, 75-2085, and 76-1365; (2) Georgia Power will retain all the revenues collected in Docket No. E-9091 under the WR-3 rate schedule as revised, which will reflect the exclusion of construction work in progress from rate base; (3) Georgia Power will refund to each municipality and to Dalton approximately 75% (all except the first \$1 million) of the revenues collected from each pursuant to the surcharge, with simple interest at 9%; (4) Georgia Power will refund to Oglethorpe \$5,310,000 (which includes simple interest at 9% per annum computed through November 8, 1976), plus simple interest at 9% per annum, on \$4,997,678 for November 9, 1976, to the date of the refund; (5) Georgia Power will amend Sections 1.01, 1.03, 1.07, 2.02, and 2.03 of the standard format of the Integrated Transmission System Agreement included in the TS-1 transmission tariff. These amendments are in the nature of clarification and definition. No change in the TS-1 tariff revenues where made by this Agreement (Docket No. E-9522).

In consideration of the Settlement Agreement, the Municipal Electric Authority of Georgia filed a Withdrawal of Interventions on November 30, 1976, withdrawing its Petition to Intervene in Docket Nos. E-9521 and E-9522, subject to the approval of the proposed Settlement Agreement. In addition, Oglethorpe filed on November 30, 1976, a Dismissal of Complaint therein dismissing with prejudice its Complaint filed on July 16, 1975 in Docket No. E-9521, subject to the approval by the Commission of the Settlement Agreement and the carrying out of such Settlement Agreement by the Georgia Power Company. We will treat this filing by Oglethorpe as a motion for

withdrawal of its Complaint in Docket No. E-9521. And finally, on December 1, 1976, the City of Dalton, Georgia filed a Conditional Motion of Dalton To Withdraw As Intervenor in Docket Nos. E-9521 and E-9522, respectively. Dalton states that in consideration of approval by this Commission of a final non-appealable order of the instant Settlement Agreement, it moves to withdraw in the above two dockets its intervention therein.

As mentioned earlier, Georgia Power filed with the Commission a Motion To Consolidate For Limited Purpose in which it requests the Commission to consolidate the above captioned four dockets for the limited purpose of approving the proposed Settlement Agreement discussed herein. In addition, Georgia Power filed a Motion to Approve Settlement Agreement. In the circumstances, we believe it is appropriate to favorably grant all of the above motions.

The Company also filed with this Commission a Motion To Terminate Investigations in which it requests that the Commission terminate its Section 206 investigations of the Company's PR-1 and TS-1 tariffs in Docket Nos. E-9521 and E-9522, respectively, in light of the proposed Settlement Agreement which encompasses these two dockets as well as Docket Nos. E-9091 and ER76-397. The Commission has determined that it is appropriate to grant the motion and terminate the investigations.

Upon review of the entire record in this consolidated proceeding, the Commission finds that the proposed Settlement Agreement represents a reasonable resolution of all the issues in this proceeding. Accordingly, the proposed Settlement Agreement shall be incorporated herein by reference and shall be approved and adopted.

The Commission orders: (A) The Settlement Agreement filed by the Georgia Power Company on November 30, 1976, is incorporated herein by reference and is approved and adopted.

(B) The respective motions filed by Georgia Power Company entitled Motion To Consolidate For Limited Purpose, Motion To Terminate Investigations, and Motion To Approve Settlement Agreement, all filed on November 30, 1976, are granted.

(C) The Withdrawal Of Interventions filed by the Municipal Electric Authority of Georgia in Docket Nos. E-9521 and E-9522, respectively, is hereby granted. The Dismissal Of Complaint filed by the Oglethorpe Electric Membership Corporation in Docket No. E-9521 is hereby granted. And finally, the Conditional Motion Of Dalton To Withdraw As Intervenor filed by the City of Dalton, Georgia in Docket Nos. E-9521 and E-9522, respectively, is hereby granted.

(D) In accordance with the terms of the Settlement Agreement, the Georgia Power Company shall refund within thirty days of the effective date of the order all amounts collected in excess of the settlement rates in Docket Nos. E-9091, ER76-397, and E-9521 with interest at 9% per annum.

(E) The Georgia Power Company shall file a compliance report within fifteen days after refunds have been made. Such report shall show monthly billing determinants and revenues under prior, present and settlement rates. The report shall also show the monthly settlement rate increase, the rate refund, and the monthly interest computation together with a summary of such information for the total refund period. A copy of such report shall also be furnished to each State Commission within whose jurisdiction the wholesale customers distribute and sell electric energy at retail.

(F) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by the Commission, and is without prejudice to any claim or contentions which may be made by the Commission, its Staff or any party or person affected by this order in any proceeding now pending or hereafter instituted by or against the Georgia Power Company or any person or party.

(G) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[PR Doc.77-6507 Filed 3-3-77; 8:45 am]

[Docket No. RP73-81; PGA77-2]

MCCULLOCH INTERSTATE GAS CORP.

Purchased Gas Adjustment Clause

FEBRUARY 24, 1977.

Take Notice that on February 15, 1977, McCulloch Interstate Gas Corporation ("McCulloch Interstate") tendered for filing copies of Tenth Revised Sheet No. 32 to its FPC Gas Tariff Original Volume No. 1, as required under the Commission's Rules and Regulations under the Natural Gas Act.

McCulloch Interstate's Tenth Revised Sheet No. 32 provides for a Purchased Gas Adjustment rate increase of 21.5¢ per MMBtu, effective April 1, 1977. McCulloch Interstate's filing is made in order to: (1) recover the balance in McCulloch's Unrecovered Purchased Gas Cost Account as of December 31, 1975 and December 31, 1976; (2) to provide for a current Gas Cost Adjustment in order to permit McCulloch to recover the higher cost of gas purchases, and (3) to recover a carrying surcharge of nine percent (9%) permitted under Ordering Paragraph (D) of Opinion 770.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, in accordance with Section 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 18, 1977. Protests will be considered by the Commission in determining the appropriate action to be

taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[PR Doc.77-6508 Filed 3-3-77; 8:45 am]

[Docket Nos. E-8586 and E-8587; Opinion No. 783-A]

PUBLIC SERVICE CO. OF INDIANA

Opinion and Order Granting Rehearing, In Part, and Modifying Opinion

FEBRUARY 25, 1977.

On November 10, 1976, the Commission issued Opinion No. 783¹ establishing just and reasonable rates governing Public Service Company of Indiana (PSCI) wholesale service to various customer classes. Applications for rehearing of Opinion No. 783 were filed on December 9, 1976, by PSCI² and on December 10, 1976, by PSCI's co-operative customers,³ its non-generating municipal customers,⁴ and by the City of Frankfort, Indiana.⁵ Virtually every issue addressed in Opinion No. 783, and disposed of therein, is challenged on rehearing by one or another of the parties to this proceeding, principally upon the same grounds urged upon the Commission through exceptions to the initial decision of Presiding Administrative Law Judge Walter T. Southworth.⁶ After due consideration, however, we have determined that Opinion No. 783 must be modified in certain important respects and that further amplification of the Commission's views on certain issues is necessary. Accordingly, we grant rehearing of Opinion No. 783, in part, and modify that Opinion to the extent found necessary

¹ Public Service Company of Indiana, Opinion No. 783, — F.P.C. — (November 10, 1976). (Hereafter "Opinion No. 783" or "Opinion".)

² "Petition for Rehearing * * *," Docket No. E-8586, et al., December 9, 1976, hereafter cited as "PSCI App." Concurrently, PSCI filed a motion to stay Opinion No. 783.

³ "Application for Rehearing", Docket No. E-8586, et al., December 10, 1976, hereafter "Coop. App." filed on behalf of Wabash Valley Power Ass'n et al., which are collectively referred to as the Cooperatives.

⁴ "Application of IMEA Cities for Rehearing of Opinion No. 783," Docket No. E-8586, et al., December 10, 1976, hereafter "IMEA App." filed on behalf of the Indiana Municipal Elec. Ass'n and its non-generating municipal system members which are collectively referred to as IMEA.

⁵ "Application for Rehearing of Commission Opinion and Order of November 10, 1976 * * *," Docket No. E-8586, et al., hereafter "Frankfort's App." This application is purportedly filed on behalf of the class of generating municipal customers, only one of which—Frankfort—remains affected by the outcome of this rate proceeding.

⁶ "Initial Decision In Rate Proceeding," Public Service Co. of Indiana, Docket Nos. E-8586 and E-8587, March 10, 1976, hereafter "Initial decision."

and appropriate, as is discussed herein after.⁷

I. THE SECTION 206(a) INVESTIGATION

PSCI requests rehearing of the Commission's conclusion that the record in this case will not support the finding that the fixed-rate contracts which govern PSCI's service to the Cities of Crawfordsville, Logansport, Peru and Washington, Indiana, are "so low as to adversely affect the public interest." *FPC v. Sierra Pacific Power Co.*, 350 U.S. 348, 355 (1956) PSCI erroneously suggests that Opinion No. 783 failed to make a finding as to whether "the existence of the fixed term contracts constitutes undue discrimination within the class of municipal customers with generation * * *." PSCI's App., pg. 18. As a matter of law, says PSCI, undue discrimination adversely affects the public interest (Id. at 20) and that the Commission erred in not finding that undue discrimination was traceable to the subject fixed-rate agreements. Id.

In Opinion No. 783 (at pg. 11) we reached "the conclusion that the extant fixed-rate contracts of the various 'Sierra' cities are not contrary to the public's interest because of a de facto discriminatory impact," and reversed the initial decision's finding to the contrary. In other words, the Commission held that the evidence of record would not permit the conclusion that any discriminatory potential resulting from a rate differential for service to the class of generating municipal customers was of a magnitude or quality necessary to find such difference to be unduly discriminatory within the meaning of the Sierra test. The Commission did not, therefore, fail to address the issue, as PSCI suggests.

PSCI's position is that Frankfort will suffer discrimination under present contractual arrangements, and that the Act will not permit such situation to exist unremedied.⁸ We give little credence to PSCI's argument, which is basically an in loco parentis assertion of Frankfort's interest, not PSCI's. This is so especially because Frankfort itself is an active party to this proceeding. While the public's interest is not invariably identified with any one private interest, we think it more rational to be attentive to that party which, it is alleged by all, will be the victim of the purported discrimination. PSCI's interest in pursuing this discrimination claim on rehearing in transparent; the company seeks to be excused from its fixed-rate contractual obligations. On rehearing, however, Frankfort contests only the reasonableness⁹ of the

⁷ Rehearing for purpose of further consideration was granted by Commission order, dated January 7, 1977. Substantive rehearing on the merits is undertaken pursuant to such order.

⁸ Assuming arguendo that this rate differential constitutes undue discrimination, PSCI does not even attempt to distinguish the remedy provided in *Otter Tail Power Co.*, 2 F.P.C. 134, 149 (1940).

⁹ Frankfort App., pp. 13-14.

rate increase approved in Opinion No. 783 as applicable to that customer. See, Frankfort's App., pg. 14.

On the basis of the record, we do not find that Frankfort's essentially private interest in attracting industrial customers in competition with the "Sierra" municipalities which are protected from resale rate increases by their contracts is sufficient reason to abrogate the fixed-rate protection as inimical to the public interest. The Act establishes a per se proscription against undue discrimination, but we are unable to find that the de facto rate differential which now exists by virtue of Frankfort's permissibly-increased rate is undue. Frankfort knowingly contracted to be governed by a "just and reasonable" rate. Moreover, there is no concrete evidence that Frankfort's alleged disability under such "just and reasonable" rate is undue or even significant; there is only speculation in this regard.

II. SECTION 205(b) DISCRIMINATION

The inquiry under section 206(a) of the Act, as interpreted by Sierra, is whether a contractually fixed rate is so low as to require alteration or reformation to a higher level in the interest of the public. Consequently, under section 206(a) in this proceeding we are not investigating whether the rate increase to Frankfort is too high to conform with the public interest. The latter inquiry, as Frankfort properly notes, is addressed within the confines of the general section 205 proceeding on the lawfulness of the increased rate level for service to Frankfort. Frankfort does suggest that any rate increase applicable to it would propound a competitive disadvantage and be, therefore, discriminatory under section 205(b), 16 U.S.C. 824d(b), but has failed to sustain its burden of proof on this allegation.¹²

The Section 205 proceeding is not governed by Sierra. The Commission held that the nature of the contract governing service is a relevant "factual" difference which may legitimize an apparently discriminatory rate differential within a particular class of service. See *Opinion* pg. 12; *St. Michaels Util. Com'n. v. FPC*, 377 F.2d 912, 915 (4th Cir. 1967). We therefore deny rehearing on the discrimination charge raised by Frankfort. See, Frankfort's App., pg. 14.

IMEA also has raised several issues of discriminatory treatment under section 205(b), specifically that the instant rate increase, as applied to IMEA, is unduly discriminatory viz a viz Hoosier and that the rate design change from KW to KVA

billing is discriminatory.¹³ On both subjects IMEA suggests that PSCI bears the impossible burden of proving the negative proposition that no such discrimination has been propounded. IMEA App., pp. 2, 5-6, 13. We affirm our findings that IMEA has failed to show the effect of these changes to be discriminatory and deny rehearing of these issues.

III. RATE OF RETURN

We preface our discussion of this issue by modifying certain arithmetical errors apparent on the face of Opinion No. 783. PSCI correctly points out that, upon the capitalization found appropriate in this proceeding, the company is entitled to an 8.51 percent overall rate of return on its jurisdictional rate base.¹⁴ This allowance would permit enough revenues and a fair and reasonable level of earnings, sufficient to sustain PSCI's market reputation and to attract the external financing which the record shows is necessary to enable the company to adequately serve the public.

In light of the above modifications, we turn to a discussion of the substantive challenges to Opinion No. 783. PSCI suggests that an overall rate of return of 8.51 percent is inadequate and confiscatory. PSCI App., pp. 11-17. Cooperatives, IMEA and Frankfort each suggest, on the other hand, that the Commission erred in finding a 13.00 percent return on common equity supported by the instant record. We feel that the analysis and reasoning of Opinion No. 783 is sufficient and supported by the record. We therefore deny rehearing on this issue, but avail ourselves of the opportunity for further comment.

The "End Result": In *FPC v. Hope Natural Gas Co.* 320 U.S. 591, 603 (1944), the Supreme Court held that,

[w]hen the Commission's order is challenged in the courts, the question (before the court) is whether that order "viewed in its entirety" meets the requirements of the Act. . . . Under the statutory standard of "just and reasonable" it is the result reached not the method employed which is controlling. (emphasis supplied).

It is clear that Hope's "end result" test is a standard of judicial review of the Commission's rate orders, not, as PSCI here argues, a statutory restriction on the Commission's exercise of expert judgment. Indeed, Hope itself states that the Commission is not bound by the statute to the service of any particular formula in determining rates. Hope, supra, at 602. To the extent that PSCI in this case suggests that the "end result" test, as interpreted by that party, is the ultimate test or formula that must be met, it is in error. The Commission is certainly concerned with the result reached, a result which must be reasoned and supported in its particulars by substan-

tial evidence of record. But the Commission's Opinion cannot be challenged on the grounds that, as a result, the rates found appropriate do not produce the alleged result which the company avers is necessary. Regulation is not a simplistic comparison between suggested end results, but a searching inquiry into the actual, legitimate cost of providing a public service.

In any event the "end result" test of Hope is intended for application to the Commission's rate order "in its entirety," not to any (and presumably every) element of such order, such as the allowed rate of return. That is to say that the rates approved as "just and reasonable" must be sufficient, not that a particular return allowance be singularly sufficient to meet a predetermined revenue requirement. PSCI contends that it needs a total of \$66,074,000 in return to pay its interest and dividends in the test period. PSCI App., pg. 13. As a matter of private business judgment, this is a perfectly legitimate goal. The Commission, however, cannot transform the goals of business management into a legitimate basis upon which to fix "just and reasonable" rates for the consumer. Not only would such practice eliminate all risk associated with the business, but it would completely jettison administrative regulation which is intended to protect the consumer from exploitation at the hands of public utilities. *FPC v. Natural Gas Pipeline Co.*, 315 U.S. 575, 590 (1941). We find no basis in law for the application of the so-called "end result" test as interpreted by PSCI.

PSCI also suggests that Hope's comparable earnings test requires, at minimum, a formulation which produces enough revenues (in dollars) "not only for operating expenses but also for the capital of the business." PSCI App., pp. 11-12, citing, Hope, supra, at 603. It is obvious at once that the approved rates must produce adequate revenues to cover "operating expenses" as well as capital costs, but that the comparable earnings and capital attraction standards of Hope relate to the return on common equity to be allowed. The only real question presented on rehearing, then, is the reasonableness of this Commission's allowance of a 13.00 percent return on PSCI's common equity. Cooperatives, IMEA and Frankfort argue that such allowance is excessive and not supported by record evidence; PSCI argues, on the other hand, that the return (not the rate of return) allowed is confiscatory.

An allowance of 13.00 percent return on equity to PSCI in this case is fully supported by the record, as both adequate and not excessive. PSCI cites "(t)he unprecedented conditions currently faced by electric utilities in competing for investors' funds" as justification for a greater return on common equity. See, PSCI App., pg. 12. The current economic factors which govern both the need for, and the success of, PSCI's attempts to attract capital and prevent disinvestment by investors were fully appreciated in the Commission's initial judgment on

¹² We note that the antitrust policy of the United States is intended to protect competition, not competitors. See, *Brown Shoe Co. v. United States*, 370 U.S. 294, 320 (1962). To the extent that Frankfort's position rests on allegations of competitive disadvantage viz a viz the other "Sierra" cities, it has failed to establish that competition in general, rather than its private competitive position, is adversely affected by the instant rate increase.

¹³ See, *Opinion*, pp. 5-6, 13-14. Compare, *St. Michaels Util. Com'n.*, supra.

¹⁴ In *Opinion* No. 783, one rate base adjustment—the disallowance of minimum bank balances—resulted in an appropriate rate base of \$739,327,000. *Opinion*, pg. 59. This figure will require further adjustment in accordance with the mandate of this order on rehearing.

this issue. Many factors converged in the ultimate conclusion as to the allowance on equity granted in this proceeding. Consideration was given Dr. Stolnitz's testimony based on earnings/price (E/P) ratios and his discounted cash flow (DCF) approach, even though in the final analysis his recommendations were found unpersuasive in determining the current earning expectancies of investors because of his use of long term averages in the face of radically changed contemporary economic and financial conditions.¹²

Consideration was given PSCI's escalating need to attract external capital by virtue of its necessary construction program. This consideration, however, must be viewed in terms of PSCI's current reputation in the market and its financial stature. PSCI will not have difficulty per se in attracting capital, insofar as this record shows; IMEA and the other intervenors quite accurately characterize PSCI's position as enviable among utilities. There is no warrant on this record, therefore, in an inordinate concern with PSCI's present capital attractiveness. But the pressing need of this utility for additional funds must be considered. It would be short-sighted indeed to fail to recognize or appreciate this fact and reflect to some degree this circumstance in the return on equity which is allowed.¹⁴ A critical consideration, therefore, is the amount of capital that PSCI must attract and the practical ramifications of this fact.

Opinion No. 783 found, in any event, that the range of reasonableness under contemporary circumstances is quite wide. Staff's so-called opportunity cost of capital evidence while inconsistent with the ultimate recommendation based thereon, shows that 13.00 percent return on common equity is within the range of earnings experienced by other enterprises of similar risk. Dr. Langum's testimony even more graphically demonstrates, and with a fuller appreciation of

those economic factors influencing the prospective investor's perception of risk, that a 13 percent return is comparable and fully sufficient to attract the investor's dollar in competition with other similarly-risked companies in the amount required, while preventing disinvestment. We emphasize that the return on equity allowed in this case is, and must be, forward looking, oriented toward that return which is required now to enable the utility to successfully fulfill its public obligations, both now and in the immediate future. Long-term historical averages or returns which were competitive in the past (even the relatively recent past) are unreliable gauges in and of themselves, if not tempered with consideration of the contemporary economic and financial climate as well as the particular needs of the applicant public utility.

On balance, and on the basis of the evidentiary record, we find that an allowable return to common equity of 13.00 percent is fully supported by the instant record and necessary to maintain the financial ability of PSCI to effectively pursue its public duties. The rate allowed represents a Commission judgment on the record and, in consideration of all relevant factors, is that figure (within a range of reasonable figures) best calculated to protect the investor's interest without being excessive to cover speculative — although possible — economic reverses.

One last point raised on rehearing merits consideration. Cooperatives suggest, economic conditions having changed since the close of the record in this proceeding, that "in Opinion No. 783, the Commission is living in 1974 and not in December of 1976." Coop. App., pg. 47. It appears that the cooperatives aver that the Commission should tread outside the record, and, by ignoring the clear weight of the evidence in this record, posit an allowed return on our independent assessment of the economic conditions as of the date of rehearing. However, as Cooperatives themselves are at pains to point out, these rates have become locked-in as of March 31, 1976. Cooperatives offer no persuasive reason that a 13.00 percent allowance to equity is not within the range reasonably required by PSCI during the period of their effectiveness. The economic and financial uncertainty reflected on the record prevailed throughout the effective period, as did PSCI's need to pursue a massive expansion of facilities in anticipation of a growing demand and market. Of course, the electric utility industry was not the only one affected during this period by "severe financial strain" or economic problems, but such industry (and PSCI within that industry) is one invested with a public interest and with which this Commission is charged by Congress to regulate in the public's interest. We see no possible relevance to the proper discharge of our regulatory duties of the charge that "everybody had the same problem."

PSCI also accuses the Commission of adopting a constitutionally confiscatory rate on equity because of "the substan-

tially higher rate * * * allowed on its retail business." PSCI App. pg. 16. Thus, PSCI concludes that the rate order of the Commission is discriminatory because it requires the company's retail ratepayers to subsidize a portion of capital costs allegedly attributable to wholesale service. On the contrary, the Commission has allowed 13.00 percent on equity as that rate of return which is fair and reasonable; the Indiana Commission may disagree with this finding, as is its prerogative, but earnings at this level (8.51 percent based on 13.00 percent on equity) is deemed by the Commission to be fully adequate on this record. If, as applied to 85 percent of its business, PSCI is allowed in excess of this rate of earnings, it is none of our concern and of no-relevance whatsoever in this proceeding. The correctness of this Commission's judgment is not destroyed because, by happenstance, it differs from the conclusion of another independent agency.

IV. COST OF SERVICE ADJUSTMENT

Opinion No. 783 held that PSCI's use of its 1974 budget estimates in calculating its Period II cost of service "was a valid and accurate means to develop the desired Period II estimates." Opinion, pg. 17. Such estimating process was found reasonable on the basis of facts related to such process and was not undermined by various speculation as to inherent problems associated with budgeting as such. On rehearing IMEA and Frankfort challenge this conclusion. We find, however, that intervenor's restatement of this objection are not persuasive, and we reaffirm our finding of reasonableness.

On the ancillary of whether to compel adjustments to PSCI's proffered Period II cost of service, the Commission concluded in Opinion No. 793 that the various intervenors had failed to show that PSCI's cost of service was excessive when viewed as a whole. Opinion, pg. 19. It was considered irrelevant that a particular account—such as PSCI's estimated purchased power expense estimate—might have been variant from the subsequently-discovered actual operating experience unless the impact of the differential proved to exist was so substantial as to render the entire cost of service "unreliable for purposes of ratemaking."

On rehearing, IMEA assign error in the Commission's failure to adjust PSCI's test period cost of service. IMEA App. pp. 3-5. IMEA states that the Commission failed (1) to evaluate PSCI's Period II estimates in terms of Period I actual data; (2) to address IMEA's argument that the estimated demand allocation figures "were unsupported"; (IMEA App., pg. 4); (3) to conclude that a \$15,113,000 purchased power cost estimate is not supported by the evidence; and (4) that a budgeting error of \$1,051,000 in operating expense exclusive of fuel and purchased power is not supported by the evidence. The Cooperatives only request reconsideration of a proposed adjustment regarding the \$15,113,000 purchased power estimate. Coop App., pp. 5-11. Frankfort also assigns error in the Commission's failure

¹² IMEA suggests that "(t)he Commission ignores the main thrust of Dr. Stolnitz's testimony," said to be the essential need to adopt a long-run point of view. IMEA App., pg. 11. On the contrary, the Commission did not ignore this element of Dr. Stolnitz's testimony, but rejected it as an inappropriate element given contemporary circumstances.

¹⁴ In discussing the comparable earnings approach, Judge Harold Leventhal has stated that,

There is an overall question of public faith underlying rate regulation. Any company which does not provide comparable returns for its existing investors will eventually lose its working capital and fail to attract more. On the other hand, there may be situations in which it is necessary to attract capital even though the rate required to do so may be high compared with the rate properly calculable on the comparable-earnings standard. The higher rate might be paid, for example if rates are being set for a utility required to engage in unusually large expansion, or to negotiate large capital commitments substantially in advance of the period of the need for the service. (Leventhal, *Vitality of the Comparable Earnings Standard for Regulation of Utilities in a growth economy*, 74 Yale L.J. 989, 1017 (1965) (emphasis supplied).)

to adjust PSCI's purchased power estimate. Frankfort App. pp. 16-17.

Purchased Power Cost. The record shows that PSCI's purchased power commitment for 1974 (Period II) was fixed by contract (Tr. 514) and that PSCI did, in fact, purchase such power, resulting in this item of expense. See Oral Argument, Tr. 32. In other words, there is no permissible inference that PSCI's estimate was unfounded or arbitrary when the projected cost of service was developed by the company.

The intervenors do not challenge the fact that PSCI was contractually committed to purchase \$15,113,000 of power. Rather these parties argue that off-system resales by PSCI to other utilities—the revenues from which are not reflected in the company's projected cost of service for the test year—actually have already recouped the entire estimated purchased power expense. It is suggested that the Commission, in recognition of this actual operating experience, eliminate PSCI's purchased power expense, since the net expense would materialize as approximately zero. It is undisputed that PSCI failed to estimate any offsetting revenues projected to be recoverable from anticipated off-system sales. One question presented, then, is whether PSCI unreasonably failed to anticipate any off-system resales during the test period in its filed cost of service. By comparing PSCI's Period I data with its Period II data, it is clear that the company is familiar with the impact upon its cost of service of substantial off-system resales. During Period I the company indicated a net credit of \$7,632,000 in the purchased power account. The radical change from a net surplus capacity position in Period I to a substantial capacity deficit projected for Period II is, in the first place, the type of cost escalation which deserves particular attention by the Commission. The company has a particular responsibility to demonstrate on the record the causes of such escalation and, moreover, to substantiate the Period II figure in terms of its typicality not only for the test period but also for the projected effective term of the tendered rates.¹²

The purpose of the Commission's future test year regulations is to stabilize resale rates by predating such rates on costs which are established closer in time to the effective period of the rates in question. Order No. 487, 50 F.P.C. 125 (1973), *aff'd.* American Public Power

Ass'n. v. FPC, 522 F. 2d 142 (D.C. Cir. 1975). Estimated or projected costs are nonetheless costs which must be supported if expected to serve as a foundation for "just and reasonable" rates. In Order No. 487 (at pg. 127) the Commission stated that "[i]f such estimates can be shown . . . to be excessive, too speculative or conjectural, their appropriateness will be questioned." The purchased power expense estimated by PSCI clearly was not "too speculative or conjectural", as it was fixed by contract. Moreover, there is no sound basis in this record to question the company's good faith in developing this questioned estimate. It could, perhaps, be argued that PSCI's pool commitments coupled with its projected system demand made the likelihood of short-term resales during 1974 is improbable when the estimate was developed. But our statutory duty to insure "just and reasonable" rates requires the Commission to go beyond a mere examination of the soundness of the applicant's estimates in hindsight. A separate issue—the reasonableness of the validly-propounded estimate—is presented. PSCI has the burden of not only supporting the methods used to derive its estimates but also to defend and substantiate such estimates as reasonable cost approximations. This, of course, does not imply that estimates, produced in good faith and in a sound manner, must be prescient. But the company must demonstrate that particular cost estimates are within a reasonable range, such that the overall cost of service proffered can assuredly be found to be a reflection of those costs which will actually be incurred in providing service to the public.

Estimates, even though reasonable in conception, cannot be considered *pro tanto* impregnable. During hearing, a reasonable opportunity to challenge the costs submitted by the company must be provided in order to insure through the regulatory process that the rates which are approved are reasonable. Thus, the issue is raised whether PSCI's purchased power cost is a legitimate cost to be borne, *inter alia*, by the company's jurisdictional customers. In Opinion No. 783 we stated the general rule that "Period II estimated cost figures must be challenged, if at all, on the basis that the filing utility's method of projecting Period II cost of service was so entirely deficient in its anticipation of subsequent events as to render the entire estimation . . . suspect as the appropriate basis for determining a 'just and reasonable' rate to be charged . . ." Opinion pp. 17-18 (emphasis supplied). Upon reconsideration, we find this articulated standard too exacting in that (1) inaccurate or inflated estimates in one particular account should not place the entire cost of service (Period II) in jeopardy, and (2) that particular adjustments to the initial estimate proffered in a particular account is reasonable in terms of preserving the concept of an estimated test period cost of service. Thus, the standard applied must be un-

derstood to mean that particular items of expense, if challenged as excessive, must be demonstrated to have been substantially in error because of subsequent events which were not reasonably foreseeable at the time such estimate(s) were developed. We impose the requirement of substantiality because we feel that a certain degree of latitude is required in deference to the fact that unanticipated subsequent events normally cut both ways—i.e., that the overstated estimates will almost certainly be balanced by other offsetting understatements by the company. And, of course, on the issue of the accuracy of particular estimates the party challenging the item bears the burden of coming forward with the evidence. Cf., Opinion, p. 15 n. 15.

As noted, PSCI's contractual purchased power commitment is not challenged by any party; rather, the company's failure to estimate any short-term resale of power is challenged as unreasonable, given unanticipated subsequent events. The record indicates that the company not only engaged in substantial resales outside its power pool and its own system, but that recovered revenues were significant. (Tr. 512) The evidence of this fact, elicited on record from the company's own cost of service witness, Mr. Vernon Rhenstrom, provides a reasonably sound evidentiary basis upon which to predicate a finding that, insofar as purchased power expense was reasonably anticipated as a legitimate cost, this "cost" or expense, upon reexamination (by the company itself) was not expected to materialize. We find on rehearing no sound basis upon which to allow recovery of the original projected purchased power cost—a cost shown to have been recovered already from other resale customers—from PSCI's jurisdictional customers.

Under cross-examination, PSCI's cost of service witness, Vernon Rhenstrom, provided figures reflecting the company's actual experience during 1974. He testified that for the first nine months of 1974 "total sales outside of the KIP pool would be \$11,091,000." (Tr. 512) PSCI had not estimated any off-system short-term resales in their Period II cost of service. Mr. Rhenstrom further testified (Tr. 512) that at the end of the first nine months of the test period the net figure (which includes the contractual purchased power commitment estimated at \$15,113,000 as it is offset by short-term resales, *supra*) would be "a sale of \$1,729,000." On the basis of these figures reflecting actual experience for the first nine months of 1974, Mr. Rhenstrom projected that at the end of 1974 PSCI's net purchased power expense (or cost) would be zero. This testimony—which is an admission against interest and constitutes substantive evidence on the issue of this cost—was not explained further on redirect. Nor did the company make an effort to prove that, notwithstanding the favorable resale situation in 1974, it nevertheless reasonably projected substantial purchased power expenses

¹² We note the obvious at this point. Purchased power expense is a unique account in a cost of service, for utilities operating within a pool typically find themselves alternating from a surplus capacity position to a deficit from year to year. PSCI has failed to demonstrate that its projected \$15,113,000 expense for 1974 was expected to be typical, rather than an atypical expense due to the congruence between the test year and the planned pool sales. This defect is, however, not fatal, for the estimate tendered will stand (being supported by the contractual commitment) unless and until a party challenges it on the basis of its atypicality. But see, Tr. 511.

(\$15,113,000 or greater) in the next or subsequent years." Therefore, the only reasonable inference on the basis of this evidentiary record as a whole is that, while the purchased power estimate may have been made in good faith and that at the time the Period II cost of service was prepared there was no reasonable expectancy that the company would have substantial off-system resales, the \$15,113,000 estimate is excessive and unsupported on the record." The upshot is that some remedial action is necessary.

On the record we have the testimony of a company witness which indicates that the actual expense for the test period is expected to be zero. This evidence is not an actual figure, merely the expert projection of a qualified witness; as such, it is cognizable as evidence of a reasonable, adjusted cost estimate. This testimony is supported by the figures (for the nine month period) provided by that witness. There is, therefore, substantial evidence in this record for the Commission to assign a purchased power expense of zero, thereby requiring a cost of service adjustment by the company of \$15,113,000.

Under the Commission's regulations, the fact that a particular estimate is determined to be excessive does not require the substituted use of actual figures. On the contrary, the Commission is at liberty, on the basis of record evidence, to assign a more reasonable estimated cost with a view to assuring that the rates approved will be adequate not only for the test period but also for the subsequent period of their effectiveness. The actual cost data, if any, that appears on the record is, of course, relevant evidence which must be considered,

* See, Tr. 931-932; Oral Argument, Tr. 32-34. PSCI contends that its wholesale loads experienced an aggregate growth as projected, while its retail load had a decrease growth rate. Tr. 932. From this conclusory testimony, the company argues that the rate impact of an adjustment of projected net purchased power expense would be negligible if the demand allocation were also adjusted. There is, however, no evidence that the projected demand allocation as between wholesale and resale customers is substantially in error.

As previously mentioned, it is incumbent upon any party challenging a particular Period II projection—such as the demand allocation apparently challenged by PSCI—to come forward with substantive evidence to support a revised estimate. PSCI has simply not sustained this burden in regard to the alleged error in the projected demand allocation between its wholesale and retail business.

"In Order No. 487, 50 F.P.C. 125, 127 (1973), *aff'd American Pub. Power Ass'n.*, supra, the Commission stated unequivocally that "we will not approve rates based on unsubstantiated cost estimations. The burden will be on (applicant) companies to establish the validity and accuracy for each of their cost estimates." (emphasis supplied). This, of course, implies that the company also bears the burden of substantiating its failure to estimate offsetting revenues, such as those historically derived from off-system resales.

but it is not necessarily dispositive. Other evidence may be considered and given appropriate weight, such as evidence that the abnormal conditions which resulted in the necessary adjustment would be short-lived and that an adjustment to approximate actual test period operations would be equally aberrant and destructive of future rate stability. Upon reconsideration, we find that a reasonable estimate for use in PSCI's Period II cost of service is zero (\$0.00).

Other Proposed Adjustments: IMEA also seeks an adjustment in operating expense exclusive of fuel and purchased power costs of \$1,051,000, because estimated expenses (for the nine-month period ending September 30, 1974) were assertedly greater than actual expenses. See, Tr. 1266-67. The record is clear, however, that the approximation of the company, when compared to actual figures for nine months of the test period, was on the whole fairly close; while "other operations" expense was below estimates, maintenance expense was above estimates with the ultimate result that projected operating and maintenance expense was within a reasonably accurate range. On this item IMEA has clearly failed to demonstrate that PSCI's budgeting process "was so entirely deficient in its anticipation of subsequent events" (Opinion, pg. 17) such as to require adjustment of the particular item which is challenged. The estimated increase in "other operations" expense between Periods I and II (Tr. 1266) appears reasonable on its face. Moreover, the fact that a particular item within this cost category does not precisely conform to the company's estimate, even if this were definitively shown to be the case, would be unpersuasive in the absence of a showing that the estimated cost of service as a whole would become substantially excessive. See, Opinion, 19; See also, pg. 13, supra.

IMEA also challenges the estimated demand allocation figures used by PSCI on the apparent theory that the coincident demand figures applicable to Hoosier were overstated. This challenge, however, is another example of an attempt to discredit estimates solely on the latter-day wisdom of actual experience. There does not appear on the record any showing which will support the inference that PSCI did, or should have, estimated the diversity represented by Hoosier in a different manner. Nor is it shown that the allocation of costs as between PSCI's customer classes on the basis of projected coincident demand is so substantially in error that the estimates themselves can be said to be either irrational or to have become irrational because of significant, unanticipated subsequent events. Cited as the single factor which undermines PSCI's demand projections for the test period is the difference in the rate of growth of customer classes actually experienced during the test period. IMEA App. pg. 5. Rehearing on the merits of this argument is denied.

V. PLANT IN SERVICE

There is general dissatisfaction with the Commission's finding that PSCI's use of average of the beginning and ending plant balances was appropriate and capable of deriving a reasonable approximation of the company's continuous test period plant balance. The objective sought to be achieved by any adopted methodology concerning plant in service is the matching of the item of rate base investment with the revenues and the expenses incurred during the test period. Appalachian Power Co., 54 F.P.C. ____ (1975). Except in extraordinary circumstances, the Commission has required some averaging method as best calculated to achieve the desired matching.

PSCI's averaging technique differs from staff's proposed average of the thirteen-monthly balances, although both techniques do average net plant in service in contrast to the end of year balance which has infrequently been approved as reasonable. Where averaging is used, however, there is always a degree of impreciseness—that is, the degree of matching that is achieved is subject to question on some level. It is quite obviously correct, as the various intervenors point out, that an average of 13 monthly balances will be more precise than an average of beginning and ending plant account balances. The significance of this more precise degree of accuracy is said to rest in the fact that major plant investment added in the second half of the test period (Period II) has not been devoted to public use for sufficient duration to warrant assessing return equal to six-months on plant which was in service for a lesser period. Intervenor would presumably also insist on paying a return greater than the equivalent of six-months on plant placed in service in the first part of the test period.

The confluence of an estimated test period with the necessity to derive a reasonable approximation of composite plant in service persuaded us that the adoption by PSCI of the average of the beginning and ending (estimated) plant accounts would be reasonable in achieving the objective sought. This reasoning, of course, implies that PSCI's estimations of needed revenues and other expenses would be derived in a similar and complementary fashion. Underlying this analysis, however, was the presumption of good faith in the applicant public utility to select that averaging technique which would most accurately reflect composite plant in service during the test period—that is, to employ the more precise 13-monthly balance technique if disproportionately large investment is scheduled for service during the latter stages of the test period. Upon the record in this case, it seemed apparent (1) that the selected averaging technique was not disingenuously selected in spite of large scheduled additions in the latter half of the test period; (2) that planned in-service dates for major plant additions

were not a firm, evidentiary basis upon which to jettison the selected methodology; and (3) that the inherent nature of a test period under the forward-looking Period II regulations provides for a certain latitude in the approximation deemed reasonable.¹² Upon reflection and reconsideration of the assumptions underpinning our disposition of this issue in Opinion No. 783, we grant rehearing of this issue and require the use of the 13 monthly balance technique proposed originally by Commission staff.¹³

The question is a close one, necessitating a careful evaluation not only of the record in this case but also an appreciation of the operation of the estimated test period concept. In other portions of Opinion No. 783, we expressed the concern that the "moving target" of actual as opposed to estimated costs should not be permitted to intercede and undermine the estimated test period concept, at least unless a convincing showing has been made that subsequent (actual) events were so unique as could not have been anticipated by the filing utility or so substantial that estimates might be considered beyond the realm of "cost" estimates and instead to have become an unsupportable guess. See, pp. 10-15, *supra*. By the reality which seems to govern construction in these times, estimates of plant in-service dates are produced through best efforts. Unforeseeable delays will be common, but unless such delays are substantial, we would not be persuaded to adjust (as a single item or as a wholesale reworking) the utility's estimated composite rate base. It, however, becomes apparent that reliance must be placed on planned in-service dates as the gauge of the propriety of the averaged plant balance selected by PSCI, just as we must give credence to PSCI's planned purchased power commitments.¹⁴ It is clear from the planned in-service dates tendered by PSCI under staff's data request that the company did, in fact, anticipate a substantial portion of its plant investment to be placed in service on November 1, 1974, well into the second half of the test period. Notwithstanding that this investment in transmission might cause little distortion in the proper matching of expenses with productive investment, we find that PSCI's selection of the beginning and ending balance of its test period plant accounts was reasonably foreseeable by the company as distorting the return

revenues on rate base at the time the company's cost of service was prepared. Consequently, PSCI is required to use the more precise 13 monthly balance averaging technique to "time weight" new plant, as they should have done in the first instance by virtue of the fact that the company itself anticipated uneven addition of new plant for the test period.¹⁵

VI. AFUDC

Cooperative's take the initiative in challenging Opinion No. 783 as erroneous regarding the calculation of PSCI's AFUDC on construction work in progress.¹⁶ AFUDC is an allowance capitalized during the construction period and to be included in rate base only when construction is completed and the new plant becomes "used or useful" in service to the public. The problem with the computation of this allowance is the ascertainment of the source of the funds which are dedicated to construction by the utility, and, only then, the derivation of the appropriate allowance (or carrying cost) on such funds for the interim construction period.

Source of funds: Cooperatives state that a precise identification of funds used on particular construction is necessary, whereas in Opinion No. 783 the Commission held that it is "virtually impossible to 'dollar trace' the monies actually invested in plant under construction." Opinion, pg. 35. Cooperative's witness Gates is said to have provided such tracing (see Tr. 1418-36 and Exhibit 30) and that it was error for the Commission to "resort to reasoned assumptions regarding . . . the source of the invested funds." Opinion, pg. 35. A review of witness Gates' presentation indicates conclusively that this evidence is not in the nature of "dollar tracing"; rather it is based upon a series of assumptions—albeit different from the assumptions made by the Commission in Opinion No. 783, but assumptions nevertheless. However, we view Mr. Gates' assumptions as arbitrary, for they bear little, if any, relationship to the actual payment of funds by public utilities to finance ongoing construction. On the other hand, the assumptions used by the Commission are reasoned and calculated to arrive at a reasonably accurate approximation of the type of funds used to finance construction by the particular public utility.

Cooperatives further criticize Opinion No. 783 for referring to the Notice of Proposed Rulemaking, issued in Docket No. RM75-27 on May 20, 1975, which is concerned with the establishment of consistent practice regarding the derivation of

the AFUDC of jurisdictional public utilities.¹⁷ As was noted in our Opinion, this rulemaking had not become effective and, therefore, in this proceeding we place no controlling reliance on the elements set forth therein. Nevertheless, the proper computation of PSCI's AFUDC has been placed in issue in this proceeding, requiring the Commission to address the substantive issue. In our judgment—at least to the extent that we are herein required to locate the source of the funds upon which the allowance (carrying charges for such funds) is to be computed—the assumptions employed in Opinion No. 783 are fully justified, and supported both in logic and by the record. Thus, in the absence any convincing evidence which actually and literally traces the funds dedicated to PSCI's construction during the test period, and in recognition that external financing by public utilities cannot be traced according to any particular system, we reaffirm our conclusion on this issue.

Large construction budgets and the huge investment of funds in this utility operation, albeit with no inclusion in rate base or return available on such investment during the construction period, result in "serious problems of liquidity and weakened quality of earnings." Opinion, pg. 36, n. 21. Cooperatives do not dispute this fact; instead, they argue that this pressing problem can be somewhat mitigated by artificially depressing the allowed AFUDC and, as an alternative, reflecting the manufactured differential in an increased rate of return on presently useful investment. The theory seems to be that, since AFUDC is in essence bookkeeping income until particular CWIP is placed in service, that this "funny money" or "phantom income" creates a "false impression of the quality of the company's earnings." (Coop. App., pg. 34) and ultimately increases the cost of money to the utility because of its weakened quality of earnings.

Capitalization of construction in progress as well as the carrying charges for the funds used to finance construction, as a bookkeeping matter, produces earnings which are not in the form of revenues and, therefore, distorts somewhat the apparent liquidity of the company's current earnings. Therefore, when the sophisticated investor appreciates this fact, his perception of risk may increase and, consequently, the investor may demand a greater return for committing his capital to the enterprise. We agree with Cooperatives that the unprecedented scale of construction programs needed in anticipation of rapidly escalating demand may have these ramifications. We do not agree, however, that these facts warrant a disingenuous disallowance of an adequate AFUDC by this Commission in order to reflect an entirely bogus quality of earnings for the company. This would be truly dishonest, as it would disguise investment (and AFUDC is treated as investment which is capitalized) in the illusory cloak

¹² The investment placed in service in the latter half of the 1974 calendar year by PSCI was primarily transmission plant which has little associated expense, such as fuel or maintenance, that might be distorted by use of a less precise averaging technique. Thus, the primary concern would seem to be the revenues allowed in the way of return on such investment and a comparison of PSCI's Period I plant balance with that of Period II would tend to indicate that the increase in net plant in service was to be reasonably expected, especially given PSCI's huge and on going construction program. Thus, it did not appear that the result—the actual average balance achieved—was inflated or excessive.

¹³ See Staff Br. on Exceptions, pp. 1-3.

¹⁴ See, pg. 11, *supra*.

¹⁵ The cost of service impact of this required adjustment is to reduce rate base by \$5,795,000. See ID., pg. 10.

¹⁶ Coop. App., pp. 23-27.

¹⁷ Obviously, it would be irrational to assume a pro rata derivation of funds upon a basis other than the capitalization of the particular public utility under scrutiny. So too, it would be irrational to assume a particular level of short term borrowing which is completely unrelated to that experienced by the public utility during the test period.

¹⁸ But see, Order No. 561 — F.P.C. — (1977), Docket No. RM75-27, February 2, 1977.

of earnings, a disguise which could not easily be stripped away by even the most sophisticated investor. The inevitable result would be a depression in the real cash revenues earned on net plant.

Under the cooperatives' thesis, the legitimate carrying costs of financing new plant—those required to be capitalized as AFUDC—would be forever lost to the utility through the exclusion of this investment from rate base, not to mention the loss in the way of future return upon this interim investment even after the plant itself is subsumed in rate base. The short-term (and illusory) impact upon the quality of the company's earnings would, under the cooperatives' scenario, be achieved at the expense of the long-term financial soundness of the firm, simply because the utility would be forced to absorb an increment of its construction financing costs actually invested, if it AFUDC is artificially depressed.

It is clear, then, that the Commission's sole function under the present regulatory framework is to find, as a matter of fact, the cost to the company of financing its plant under construction. We are not persuaded that the Commission should manufacture an artificial cost allowance on the basis of the cooperative's aberrant policy considerations, or that extant legal precedent requires other than a straight-forward factfinding process regarding PSCI's computation of its allowance.

Cost of Funds. We turn now to that element labeled "[t]he most cardinal mistake of all" by the Cooperatives, to wit: the assignment of 13.00% as the "reasonable rate" attributable to the equity portion of PSCI's proprietary funds used for construction. Cooperatives aver that this treatment permits PSCI "to earn a return" on a portion of its financing costs before the plant is productive, a clear violation of existing Commission practice. We, however, disagree with this analysis. Clearly the Commission considered 13.00% as the reasonable cost of the funds devoted to construction which are derived from the company's equity capital, a cost which is not in any manner comparable to a return on non-productive investment. Until plant is placed in service the cost of financing that plant is accumulated as AFUDC and not currently reflected in the rates paid by consumers. AFUDC, then, is investment and is treated as such.

The sole aim of the instant exercise is to discover the cost (i.e. the amount of the investment) to be so accumulated and capitalized—a cost which logically must bear a relationship with the cost of equity capital. Assuming as we have, that a pro rata portion of the funds for construction is derived from equity capital in no way implies that revenues or earnings are being capitalized; rather, the carrying cost of the financing is the equivalent of the cost of equity capital, at least to the extent that a pro rata portion of such carrying costs can be attributed to equity funds. There is no earnings theory underlying this procedure,

merely a process to ascertain attributable cost. This does not ignore, let alone overturn sub rosa, existing Commission precedent. Cooperative's objections as to the cost components of PSCI's AFUDC computation are, therefore, rejected. The evidence of record supporting 13.00% as the return required to attract equity capital fully indicates that 13.00%, from the company's perspective, is the legitimate cost of currently non-productive equity funds.

Net-of-Tax Treatment: Cooperatives, IMEA and Frankfort again object on rehearing to the allowance for normalization of the tax effect of the debt component of PSCI's AFUDC. The necessity for, and propriety of, PSCI's normalization of this tax effect was fully and adequately addressed in Opinion No. 783 and warrants no further discussion herein. Cf. Opinion, pp. 24-25. Rehearing on the issue of normalization is denied.

In addition, intervenors separately object to the use of the net-of-tax technique to effectuate the approved normalization, rather than the deferred tax accounting (Account No. 282) practice.

As we recently held, there are two methods available by which the normalization of the tax effect of AFUDC may be accomplished. Florida Power & Light Co., Opinion No. 784, ____ F.P.C. ____ (December 15, 1976), mimeo pp. 19-20. The technique actually employed by the public utility, subject to certain express conditions, is essentially a matter of judgment, for either technique will accomplish the same result. It is at this point, however, that the cooperative's quality-of-earnings argument in our view becomes material. See, pp. 19, supra. A net-of-tax AFUDC will result in the capitalization of less carrying cost investment during the construction period. Thus, the bookkeeping earnings represented by capitalized AFUDC will be lessened by the immediate tax effect reduction, resulting in a somewhat better correlation of balance sheet earnings with cash flow. Moreover, once plant is placed in service, a smaller capitalized AFUDC is included in the company's rate base, resulting in a lesser return and depreciation expense than would be the case if Account 282 were employed. These salutary consequences both for the company, the customer and the prospective investor's perceptions support the use of the net-of-tax technique in this proceeding. Accordingly, we affirm our conclusions on this issue, and deny rehearing on the question.

VII. TRANSMISSION ALLOCATION

PSCI seeks rehearing of the Commission's decision to compel the use of the rolled-in method with respect to the allocation of PSCI's transmission plant, stating that the use of this method results in confiscation of the company's property (PSCI App., pp. 2-6) and that the Commission's decision on this issue is not supported by the evidentiary record. Id., pp. 6-10. In Opinion No. 783, we found no sufficient evidentiary predicate to allow the specific allocation of transmission investment. PSCI charac-

terizes its assignment of specific investment transmission as "no different from the development of a postage stamp rate for retail customers." PSCI App., pg. 7. In the same vein, PSCI attempts to distinguish its "specific or radial transmission lines" from its integrated system by comparison with a residential service drop. However, the attempt to literally analogize the allocation of transmission to the jurisdictional customers with the methods used in retail ratemaking regarding distribution facilities investment is not only inconsistent but also entirely inapposite.

On the one hand, PSCI suggests that a postage stamp rate for retail customers is used (a design which obviously does not account for specific assignment of costs) as apparent support for the specific assignment of transmission to particular classes of customers. The vaunted residential service drop serves the function of distribution and, quite properly, all such lines are considered "distribution" in developing the retail rate to be charged. On the other hand, the function of those increments of transmission sought to be specifically assigned in this proceeding is the transmission of bulk power to an integrated load center served by the utility. In the latter instance the function served by the facilities is clear, only the allocation as between wholesale customers is in question. Each wholesale class served by PSCI is integrated, regardless whether the particular load (or class of loads as a group) is served radially. See, *Municipal Light Boards, et al. v. Boston Edison Co.*, Opinion No. 729, 53 F.P.C. ____ (1975). PSCI does not maintain that these specific radial lines serve a distribution function; the theory, rather, is that particular customers (aggregated into their respective classes) have differing (and greater) transmission investment responsibility and each of such customer groups should properly pay a proportionally higher rate for service.

PSCI alleges that the Commission assumed (or speculated) what PSCI might do in the way of looping those lines which are presently radial in order to improperly include radial facilities as part of PSCI's integrated transmission network. PSCI App., pg. 9. The error in this, it is said, rests in both ignoring the facts of record and looking beyond the test period (Period II) to justify allocation of that period's costs. Neither of these grounds are sound.

Classified according to function, radial lines which are used to transmit power to a load center of the utility are presently integral portions of the public utility's transmission network. The relevance of the dynamic character of an integrated transmission system (Detroit Edison Company, Opinion No. 748, 54 F.P.C. ____ (December 30, 1975), mimeo, pg. 9) is only that radial lines are not necessarily permanently so classified. Basic equity demands that the company's investment dedicated to jurisdictional service be treated as recoverable from each wholesale customer through the rolled-in methodology.

PSCI argues that it has specifically assigned \$445,000 of "distribution" to the wholesale class, asserting that such "distribution" facilities are only used to serve wholesale customers. The upshot of the rolled-in method, says PSCI, will be to either exclude this \$445,000 entirely under the mandate of Opinion No. 783 or require the roll-in of all distribution facilities and allocation according to demand allocators. This argument is contrived, premised as it is on the absolute inviolability of PSCI's basically arbitrary classification of distribution according to voltage level. Those facilities which are legitimately classified as "distribution"—i.e., which serve a distribution rather than transmission function—are, of course, specifically assignable to the customer which such facility is employed to serve. Even Commission staff has specifically assigned legitimately classified "distribution." However, the overriding fact is that the radial facilities sought to be assigned specifically by PSCI to wholesale customers are for the most part not "distribution" at all, when properly viewed according to function. The "distribution" facilities which serve a transmission function should be so classified, and rolled-in with other transmission facilities to be allocated on the basis of demand allocators. Adjustment on the basis of staff's presentation is reasonable and necessary. In no manner does the use of the rolled-in methodology for allocation among wholesale customers support a confusion of the distribution with the transmission function any more than arbitrary definition of transmission at an extremely high voltage level would. Rehearing on this issue is denied.

VIII. STAY

Opinion No. 783 required PSCI to file with the Commission within 60 days of the issuance of the Opinion "a revised cost of service any necessary amendments to its rate schedules. . . . in accordance with the findings and conclusions of [the] decision." Opinion, p. 60. After Commission review and approval of substitute tariff sheets, PSCI was ordered to tender refunds within 30 days together with interest at a rate of nine percent per annum. On December 9, 1976, along with its application for substantive rehearing, PSCI requested by motion that the Commission stay ordering paragraphs (B) and (C) of Opinion No. 783 for the reason that various alleged errors challenged on rehearing by PSCI should be corrected and that compliance with ordering paragraphs in advance of substantive reconsideration by the Commission would be prejudicial and, perhaps, unnecessary. On December 28, 1976, intervenor IMEA answered PSCI's motion, opposing the requested stay and arguing that immediate refunds are required by the public interest. See "Answer of IMEA Cities to Motion for Stay of Order," Public Service Company of Indiana, Docket Nos. E-

8586 and E-8587, December 28, 1976. By order of January 7, 1977, we granted rehearing for purpose of further consideration and, additionally, granted the requested stay, stating that "it would be precipitous to require refunds in advance of substantive reconsideration."

Having addressed the arguments tendered by all parties on rehearing, we now dissolve the stay granted on January 7, 1977. PSCI shall, within 60 days of the issuance of this order on rehearing, file a revised cost of service and any necessary amendments to its wholesale tariffs in lieu of those tariffs and schedules at issue herein. Such revised cost of service and tariffs shall conform with the findings and conclusions set forth in Opinion No. 783, as such conclusions have been amended or modified by the instant decision. Thirty days subsequent to Commission approval of the proffered revised tariff sheets as conforming to the prescriptions of Opinion Nos. 783 and 783-A, PSCI shall refund to its customers all amounts, if any, collected in excess of those which would have been payable under the rates and charges approved as just and reasonable in Opinion No. 783, as modified on rehearing, together with interest computed at a rate of nine percent per annum for the period from March 14, 1974, in the case of Hoosier, or for the period from October 15, 1974, in the case of PSCI's other resale customers.

The Commission finds: The assignments of error and grounds for rehearing set forth in the various applications for rehearing of Opinion No. 783 present no facts or legal principles that would warrant any change in or modification of the Commission's Opinion No. 783, except to the extent specified in the body of this opinion and order.

The Commission orders: (A) The various petitions for rehearing on the merits filed by the parties to this proceeding are denied on the merits to the extent they are not explicitly granted in the body of the instant opinion and order.

(B) All arguments and/or assignments of error to Opinion No. 783 are denied on the merits to the extent that they are not addressed in the instant Opinion and Order, the discussion and conclusions reached in Opinion No. 783 being deemed adequate and fully sufficient by the Commission to dispose of the respective questions.

(C) The stay of Opinion No. 783, to the extent granted on January 7, 1977, by order of the Commission, is hereby vacated.

(D) Within 60 days of the date of issuance of this order, PSCI will file appropriate tariff sheets and a revised cost of service reflecting the mandate of the Commission in Opinion No. 783, as modified in Opinion No. 783-A.

(E) Within 30 days of the date of the Commission's approval of PSCI's substitute tariff sheets, PSCI shall refund to its customers any and all amounts collected in excess of those which would have been payable under the rates and charges approved as just and reasonable

See n. 7, supra.

in Opinion No. 783, as modified by Opinion No. 783-A, together with interest computed at the rate of nine percent per annum for the period during which such rates and charges were effective for each customer.

(F) PSCI shall file a report with this Commission attesting to its compliance with the refund obligations imposed in ordering paragraph (E), supra.

(G) The Secretary of the Commission shall cause prompt publication of this Opinion and Order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

Commissioner Watt's statement, concurring in part and dissenting in part, filed as part of the original.

[FR Doc. 77-6510 Filed 3-3-77; 8:45 am]

[Docket No. RP77-32]

SOUTH GEORGIA NATURAL GAS CO.

Order Accepting for Filing and Suspending Proposed Rate Increase and Establishing Procedures

FEBRUARY 28, 1977.

On February 1, 1977, South Georgia Natural Gas Company (South Georgia) tendered for filing in the above docket proposed changes to its FPC Gas Tariff¹ which would increase its revenues for jurisdictional natural gas sales and services by \$337,657 annually based on cost and sales volumes for the 12 months ended October 31, 1976, as adjusted for known and measurable changes through July 31, 1977. South Georgia requests the proposed increase be permitted to become effective on March 1, 1977. For the reasons stated below, the Commission shall accept the proposed rate increase for filing, suspend it for five months, and set the matter for hearing.

Public notice of South Georgia's filing was issued on February 9, 1977, providing for protests or petitions to intervene to be filed on or before February 23, 1977. South Georgia states the principal reasons for its proposed rate increase are increases in operating and maintenance expenses and taxes, a claimed rate of return of 10.98 percent, and a decline in sales volumes.

Based on a review of South Georgia's filing herein, the Commission finds that the proposed higher rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, the Commission shall accept South Georgia's proposed rate increase for filing, suspend its use for five months or until August 1, 1977, when it shall be permitted to become effective, subject to refund, and shall set the matter for hearing.

South Georgia requests waiver of the Commission's 30 day notice requirement

¹ Twenty-Fourth Revised Sheet No. 3A, Fourth Revised Sheet No. 19A, and Second Revised Sheet No. 19C to Original Volume No. 1.

² This motion was filed as Part II of PSCI's Application for Rehearing of Opinion No. 783.

so that its proposed increase can become effective on the same date as that proposed by its supplier, Southern Natural Gas Company, for its proposed rate increase in Docket No. RP77-31. South Georgia states that coincidental dates will avoid multiple filings by South Georgia and avoid confusion and inconvenience to South Georgia's customers. The Commission finds that good cause exists to grant the requested waiver.

The Commission finds: It is necessary and proper in the public interest and in carrying out the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the increased rates and charges proposed by South Georgia, and that the same be accepted for filing and suspended as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 8, and 15 thereof, and the Commission's rules and regulations, a public hearing shall be held concerning the lawfulness of the increased rates proposed herein by South Georgia.

(B) Pending hearing and decision, South Georgia's proposed rate increase is accepted for filing and suspended for five months, or until August 1, 1977, when it shall be permitted to become effective, subject to refund, upon motion filed by South Georgia in accordance with the provisions of the Natural Gas Act.

(C) The Commission's notice requirements are waived for purposes of the order in paragraph (B) above.

(D) The Commission staff shall prepare and serve top sheets on all parties on or before June 3, 1977.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (18 CFR 3.5(d)), shall convene a settlement conference in this proceeding to be held within 10 days after the service of top sheets by the staff, in a hearing or conference room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The Presiding Administrative Law Judge is authorized to establish such further procedural dates as may be necessary and to rule upon all motions (except motions to consolidate, sever, or dismiss), as provided for in the rules of practice and procedure.

(F) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[PR Doc.77-6504 Filed 3-3-77; 8:45 am]

[Docket No. RP77-31]

SOUTHERN NATURAL GAS CO.

Order Accepting for Filing and Suspending Proposed Rate Increase and Establishing Procedures

FEBRUARY 28, 1977.

On January 28, 1977, Southern Natural Gas Company (Southern Natural)

tendered for filing in the above docket proposed changes to its FPC Gas Tariff¹ which would increase its revenues for jurisdictional natural gas sales and services by \$37,971,081 annually based on costs and sales volumes for the 12 months ended October 31, 1976, as adjusted for known and measurable changes through July 31, 1977. Southern Natural requests the proposed increase be permitted to become effective on March 1, 1977. For the reasons stated below, the Commission shall accept the proposed rate increase for filing, suspend it for five months, and set the matter for hearing.

Public notice of Southern Natural's filing was issued on February 9, 1977, providing for protests or petition to intervene to be filed on or before February 22, 1977.

Southern Natural states the principal reasons for its proposed rate increase are increased capital expenditures for gas supply projects, increased costs of capital, increased costs of operation and maintenance, and a decline in the volume of gas supplies available for sale. Southern Natural claims a rate of return of 10.68 percent including a 14 percent allowance on common equity.

Based on a review of Southern Natural's filing herein, the Commission finds that the proposed higher rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, the Commission shall accept Southern Natural's proposed rate increase for filing, suspend its use for five months or until August 1, 1977, when it shall be permitted to become effective, subject to refund, and shall set the matter for hearing.

Southern Natural has included in its claimed rate base approximately \$35 million of uncompleted construction expenditures related primarily to the company's Muldon storage field. Southern Natural shall be required to file revised rates and supporting materials reflecting the elimination of costs associated with construction which remains incomplete as of the August 1, 1977, effective date of the rates in this docket.

The Commission finds: It is necessary and proper in the public interest and in carrying out the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the increased rates and charges proposed by Southern Natural, and that the same be accepted for filing and suspended as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 8, and 15 thereof, and the Commission's rules and regulations, a public hearing shall be held concerning the lawfulness of the increased rates proposed herein by Southern Natural.

(B) Pending hearing and decision, Southern Natural's proposed rate increase is accepted for filing and sus-

pended for five months, or until August 1, 1977, when it shall be permitted to become effective, subject to refund, upon motion filed by Southern Natural in accordance with the provisions of the Natural Gas Act.

(C) The Commission staff shall prepare and serve top sheets on all parties on or before June 3, 1977.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (18 CFR 3.5(d)), shall convene a settlement conference in this proceeding to be held within 10 days after the service of top sheets by the staff, in a hearing or conference room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The Presiding Administrative Law Judge is authorized to establish such further procedural dates as may be necessary and to rule upon all motions (except motions to consolidate, sever, or dismiss), as provided for in the rules of practice and procedure.

(E) Southern Natural shall file revised tariff sheets on or before August 1, 1977, reflecting the elimination of costs included in the proposed rates associated with facilities which have not been completed and placed in service by August 1, 1977. Southern Natural shall also submit supplemental cost and revenue data reflecting the elimination of such costs from its cost of service.

(F) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[PR Doc.77-6505 Filed 3-3-77; 8:45 am]

[Docket No. E77-38]

COLUMBIA GAS TRANSMISSION CORP.

**Emergency Natural Gas Act of 1977;
Emergency Order**

On February 28, 1977, Columbia Gas Transmission Corporation (Columbia) filed, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application for authorization to purchase up to 60,000 Mcfd of natural gas from Delhi Gas Pipe Line Corporation (Delhi) from the date of commencement of deliveries through July 31, 1977.¹

Columbia will purchase the gas at a price of \$2.25 per MMBtu, inclusive of all adjustments. Accordingly, I find the proposed price to be fair and equitable within the meaning of Order No. 2 and authorize the proposed purchase.

Delhi will deliver the gas to Northern Natural Gas Company (Northern) for the account of Columbia in Pecos County, Texas. Northern will deliver the gas to

¹ Columbia is currently purchasing 40,000 Mcfd from Delhi pursuant to § 157.29 of the Rules and Regulations of the Federal Power Commission (18 CFR 157.29). The term of this purchase ends at 8:00 a.m., Tuesday, March 1, 1977.

² Twenty-Fourth Revised Sheet No. 4A to Sixth Revised Volume No. 1, and Second Revised Sheet No. 242 to Original Volume No. 2.

Panhandle Eastern Pipe Line Company (Panhandle) at Mullenville, Kansas. Panhandle will deliver the gas to Columbia at Maumee, Ohio. The deliveries will be made through existing interconnections. Thus, there is no reason to require the construction and operation of facilities as permitted by Section 6(c) (1) of the Act (91 Stat. 4, 8).

Columbia has agreed to pay the following transportation charges: Northern—17.5 cents per Mcf plus 6 percent of the volumes delivered; Panhandle—23.25 cents per Mcf plus 11 percent of the volumes delivered.

Pursuant to Section 6(c) (1) of the Act, I hereby authorize and order (i) Delhi, Northern and Panhandle to transport up to 60,000 Mcfd of gas for Columbia on the terms and at the charges set forth, and (ii) Columbia pay the agreed upon transportation charges.

In the course of such transportation by Delhi from point of origin to destination, there may be a commingling of interstate natural gas with Delhi's normal system gas supplies or with volumes of gas owned by third parties. This order shall be considered as applying to all such commingled gas and, under the provisions of Pub. L. 95-2, the suppliers of such gas, which is so commingled, may not terminate existing contracts with such other parties, nor shall such other parties thereby become subject to the Natural Gas Act or to regulation as common carriers under any provision of State law. Contractual termination or prohibition provisions in any such contracts as referred to above are not enforceable by reason of Section 9 of Public Law 95-2 since Delhi is transporting gas for Columbia pursuant to Section 6(a) of that Act. Delhi and any third person whose gas is commingled with Columbia's gas shall refer all relevant information concerning any attempt to terminate existing contracts to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Delhi is not classified as a natural gas company within the meaning of the Natural Gas Act. Section 6(b) (1) of the Act provides in part that "[t]he provisions of the Natural Gas Act shall not apply . . . to any sale to an interstate pipeline . . . under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale . . ." 91 Stat. at 8. In addition, section 6(c) (2) provides:

Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, the sale, delivery and transportation of this gas will not subject Delhi to the provisions of the Natural Gas Act.

Columbia states that to the best of its "knowledge and belief" that its purchase complies with Order No. 6. I find that Columbia has complied with Order No. 6.

Columbia shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Columbia, Delhi, Northern, and Panhandle. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

March 1, 1977.

[FR Doc. 77-6597 Filed 3-3-77; 8:45 am]

[Docket No. E77-39]

DELHI GAS PIPE LINE CORP.

Emergency Natural Gas Act of 1977; Emergency Order

On March 1, 1977, Delhi Gas Pipe Line Corporation (Delhi) filed, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application to sell up to 61,000 Mcfd to Transcontinental Gas Pipe Line Corporation (Transco) on an "if, as and when available" basis subject to available pipeline capacity.

Delhi proposes to deliver approximately 1,000 Mcfd to Transco in Bee County, Texas, and approximately 60,000 Mcfd in Pecos County, Texas. The Bee County sale terminates July 31, 1977, and the Pecos County sale terminates April 30, 1977.

Transco will purchase the subject volumes at \$2.25 per MMBtu inclusive of all adjustments. I find such price to be fair and equitable in accordance with Order No. 2.

The gas will be delivered to Transco as follows. In Bee County, Delhi will deliver to United Gas Pipe Line Company (United) which will deliver to Transco through an existing interconnection in Victoria County, Texas. In Pecos County, Delhi will deliver to Northern Natural Gas Company (Northern) which will deliver equivalent volumes to Natural Gas Pipe Line Company of America (Natural) in Mills County, Iowa. Natural will deliver equivalent volumes to Transco at either the Cameron Plant, Cameron Parish, Louisiana, or the La Gloria Plant, Jim Wells County, Texas. Delhi will install or cause to be installed all necessary taps, valves and metering facilities to make the subject deliveries. Therefore, there is no reason to require Transco to pay the cost of such facilities as permitted by § 6(c) (1) of the Act (91 Stat. 4, 8). Transco shall, however, submit to the Administrator information regarding the transportation charges to be paid to United, Northern, and Natural.

In the course of such transportation and delivery by Delhi from point of origin to destination, there may be a commingling of interstate natural gas

with Delhi's normal system gas supplies or with volumes of gas owned by third parties. This order shall be considered as applying to all such commingled gas and, under the provisions of Pub. L. 95-2, the suppliers of such gas, which is so commingled, may not terminate existing contracts with such other parties, nor shall such other parties thereby become subject to the Natural Gas Act or to regulation as common carriers under any provision of State law. Contractual termination or prohibition provisions in any such contracts as referred to above are not enforceable by reason of section 9 of Pub. L. 95-2 since Delhi is transporting gas for Transco pursuant to section 6(a) of that Act. Delhi and any third person whose gas is commingled with Transco's gas shall refer all relevant information concerning any attempt to terminate existing contracts to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Delhi is not classified as a natural gas company within the meaning of the Natural Gas Act. Section 6(b) (1) of the Act provides in part that "[t]he provisions of the Natural Gas Act shall not apply . . . to any sale to an interstate pipeline . . . under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale . . ." 91 Stat. at 8. In addition, section 6(c) (2) provides:

Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, the sale, delivery and transportation of this gas will not subject Delhi to the provisions of the Natural Gas Act.

Therefore, I authorize Delhi to sell gas to Transco pursuant to the pricing provisions set forth above, and authorize United, Northern and Natural to transport this gas for Transco.

Transco shall submit weekly reports as required by Order No. 4 and shall certify, based upon information reasonably available to it at the time of the execution of the contract, that the proposed purchase complies with Order No. 6.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Delhi, Transco, United, Northern and Natural. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

MARCH 1, 1977.

[FR Doc. 77-6577 Filed 3-3-77; 8:45 am]

[Docket No. E77-37]

TENNESSEE GAS PIPELINE CO.

Emergency Natural Gas Act of 1977;
Emergency Order

On February 28, 1977, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), filed, pursuant to section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application for authorization to purchase up to 32,000 Mcfd of natural gas from Channel Industries Gas Company (Channel), an intrastate pipeline and an affiliate of Tennessee. Tennessee will purchase the subject gas at a price of \$2.25 per MMBtu in accordance with Order No. 2. Channel will sell this gas on a day to day basis, as available, for the effective period of the Act, and make delivery to Tennessee at the tailgate of Mobil Oil Corporation's Seeliger Plan, Jim Wells County, Texas, and Tenneco Oil Company's Leabo Plant, Matagorda County, Texas.

The proposed price for this sale is in accordance with Order No. 2 and I find such price to be fair and equitable. Further, since Tennessee advises that deliveries will be made through existing facilities, no reason exists to require the construction and operation of facilities as permitted under section 6(c)(1) of Pub. L. 95-2 (91 Stat. 4, 8).

Tennessee advises and I find that contractual provisions between Channel and its producers, transporters and other suppliers of gas prohibit the sale of natural gas in interstate commerce and the commingling of its intrastate pipeline system gas supplies with gas moving in interstate commerce. The transportation and delivery of gas for which Tennessee seeks approval may result in some commingling of interstate natural gas with Channel's normal intrastate pipeline system gas supplies and with gas owned by other third parties. This order shall be considered as applying to all such commingled gas. Under the provisions of § 9(b) Pub. L. 95-2 (91 Stat. at 9), the suppliers of such gas, which is so commingled, may not terminate existing contracts with such other parties, nor shall such other parties thereby become subject to the Natural Gas Act or to regulation as common carriers under any provision of State law. Contractual termination or prohibition provisions in any such contracts as referred to above are not enforceable by reason of section 9 of Pub. L. 95-2 since Channel is selling, delivering and transporting gas for Tennessee pursuant to section 6(a) of that Act. Channel and any third person whose gas is commingled with Tennessee's gas shall refer all relevant information concerning any attempt to terminate existing contracts to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Channel is not classified as a natural gas company within the meaning of the Natural Gas

Act. Section 6(b)(1) of the Act provides in part that "[t]he provisions of the Emergency Natural Gas Act shall not apply . . . under the authority of subsection (a) or to any transportation by an intrastate pipeline in connection with such sale . . ." 91 Stat. at 8. In addition § 6(c)(2) provides:

Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, the sale, delivery and transportation of this gas will not subject Channel to the provisions of the Natural Gas Act.

Therefore, I authorize Channel to sell gas to Tennessee pursuant to the pricing provisions set forth above, and authorize and order Channel to transport and deliver gas to Tennessee on the above-stated terms and conditions.

Tennessee advises that it is currently curtailing into Category 2 requirements and expects to continue such curtailment level in the near future. Order No. 6 provides in part that, subsequent to the date of the order, no interstate pipeline may contract for gas pursuant to § 6 of the Act if, contemporaneously with the execution of such contract, the pipeline is serving directly or indirectly any uses classified in Priorities 4 through 9 as defined by the Federal Power Commission in 18 CFR 2.78(a)(1)(iv)-(ix). While Tennessee's filing demonstrates that Tennessee will not be serving directly in uses in Priorities 4 through 9, it does not demonstrate that Tennessee will not serve such uses indirectly through the local distribution companies or other interstate pipelines to which Tennessee sells gas. Therefore, Tennessee's authority to purchase gas from Channel is conditioned upon Tennessee's submission of a sworn statement that based upon information reasonably available to it at the time of execution of the contract, it was not serving any uses classified in Priorities 4 through 9 indirectly as well as directly.

Tennessee shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Tennessee and Channel. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

MARCH 1, 1977.

[FR Doc. 77-6576 Filed 3-3-77; 8:45 am]

[Docket No. CP77-192]

NORTHERN NATURAL GAS CO.

Application

FEBRUARY 24, 1977.

Take notice that on February 7, 1977, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP77-192 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to continue to exchange natural gas with Cabot Corporation (Cabot) pursuant to a gas exchange agreement dated April 1, 1967, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to continue the exchange of natural gas with Cabot on a year-to-year basis. It is indicated that the exchange agreement requires that the party receiving gas endeavors in good faith to take all casinghead gas from designated oil wells and allowable production from designated gas well and that the party making deliveries to designated irrigation customers deliver all volumes required by the such customers. Applicant states that the volume of gas currently exchanged is approximately 3,500 Mcf per day. It is stated that delivery would be made at the following points in Texas:

Source of gas supply or name of irrigation customer to be supplied	Location of delivery point			
	Section	Block	Survey	County
Delivery points from Cabot to applicant				
Cabot's gathering system and Harlan No. 1 well.	14	M-5	WW&S	Hutchinson
Cabot's gathering system.	184	3	I&GN RR. Co.	Gray.
Robbins No. 1 and Montgomery No. 1 Wells.	112	7	do.	Carson.
Loyd Higgins No. 1 and Uter-Higgins No. 2 Wells.	109	7	do.	Do.
Neighbors No. 1 Well.	90	7	do.	Do.
Bobbitt No. 1, Rapetina No. 1 and Dauer No. 1 Wells.	65	7	do.	Do.
Benedict No. 1 Well.	24	7	do.	Do.
Frashier No. 1-E Well.	160	3	do.	Gray.
Emil Urbanosky.	108	3	do.	Do.
Jannet Robbins.	130	7	do.	Do.
O. W. Bobbitt.	245	B-2	I&GN RR. Co.	Do.
Gary Doss.	131	3	I&GN RR. Co.	Do.
Dean Burger.	106	B-2	H&GN RR. Co.	Do.
Marvin Keating.	22	R	D. B. Hill	Do.
Alvin Dauer.	160	B-2	H&GN RR. Co.	Do.

Delivery points from applicant to Cabot

Source of gas supply or name of irrigation customer to be supplied	Location of delivery point			
	Section	Block	Survey	County
Texasco-J.B. Bowers NCT-5 Well No. 1.....	119	B-2	H&G Ry. Co.....	Gray.
Dorchester-Williams No. 1 Well.....	150	B-2	do.....	Do.
Dorchester-Osborne No. 2 Well.....	109	3	I&GN RR. Co.....	Do.
Applicant's equalizing measuring station at Skelly Oil Company's Schafer No. 1 Gasoline Plant.....	88	4	do.....	Carson.
Applicant's equalizing station at the Kerr-McGee Oil Industries, Inc. (Portland) Plant.....	163	3	do.....	Gray.
Celanese Corporation (customer).....	133	3	do.....	Do.
Celanese Corporation (customer).....	156	3	do.....	Do.
Applicant's 20-inch transmission line.....	92	4	do.....	Carson.

[Docket No. E77-40]

CNG TRANSMISSION CO.

Emergency Order Pursuant to Emergency Natural Gas Act of 1977

It is said that there would be no monetary consideration between the parties, that the exchange would be on a gas-for-gas basis, and that no new facilities would be required to implement the exchange agreement. Applicant asserts that the exchange between the parties is mutually beneficial in that it has provided and would continue to provide a means for each party to connect remote sources of gas supply into its respective system while eliminating the need to construct duplicate facilities otherwise required.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 14, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein. If the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[PR Doc. 77-6300 Filed 3-3-77; 8:45 am]

On March 1, 1977, CNG Transmission Company (CNG) filed, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application for authorization to purchase up to 10,000 Mcfd from Onix Corporation (Onix) at a price of \$2.02 per Mcf from the date of initial deliveries through the earlier of the date the President terminates the emergency declared under section 3 of the Act (91 Stat. 4, 4-5) or July 31, 1977.

Order No. 2 stated that prior approval of the Administrator was not required if the proposed wellhead price did not exceed \$2.25 per MMBtu. CNG states that it will purchase the subject gas from Onix at a price of \$2.02 per Mcf. Therefore, I will approve the proposed purchase subject to the condition that the price paid to Onix not exceed \$2.25 per MMBtu.

CNG states that Onix will deliver the subject gas to Lone Star Gas Company (Lone Star) for delivery to Transcontinental Gas Pipe Line Corporation (Transco). Transco will deliver the gas to CNG. CNG has agreed to pay the transportation charges set forth below: Lone Star, 20.25 cents per Mcf; Transco, 22 cents per Mcf.

Pursuant to section 6(c) (1) of the Act (91 Stat. at 8), I hereby authorize and order (i) Lone Star and Transco to transport gas for CNG on the terms and at the charges set forth above and (ii) CNG to pay the agreed upon charges. Because the parties have agreed on the transportation charges to be paid, I find no reason to fix other charges at this time. If the transportation networks proposed herein and authorized become inadequate at any time during this transportation, the parties are hereby authorized to make alternative arrangements and notify the Administrator of such changes within seventy-two hours of the commencement of deliveries under new arrangements.

CNG advises and I find that contractual provisions between Lone Star and its producers, transporters and other suppliers of gas prohibit the sale of natural gas in interstate commerce and the commingling of its intrastate pipeline system gas supplies with gas moving in interstate commerce. The transportation and delivery of gas for which CNG seeks

approval may result in some commingling of interstate natural gas with Lone Star's normal intrastate pipeline system gas supplies and with gas owned by other third parties. This order shall be considered as applying to all such commingled gas. Under the provisions of section 9(b) P. L. 95-2 (91 Stat. at 9), the suppliers of such gas, which is so commingled, may not terminate existing contracts with such other parties, nor shall such other parties thereby become subject to the Natural Gas Act or to regulation as common carriers under any provision of State law. Contractual termination or prohibition provisions in any such contracts as referred to above are not enforceable by reason of Section 9 of Public Law 95-2 since Lone Star is selling, delivering and transporting gas for CNG pursuant to Section 6(a) of that Act. Lone Star and any third person whose gas is commingled with CNG's gas shall refer all relevant information concerning any attempt to terminate existing contracts to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Lone Star is not classified as a natural gas company within the meaning of the Natural Gas Act. Section 6(b) (1) of the Act provides in part that "(t)he provisions of the Natural Gas Act shall not apply * * * to any transportation by an intrastate pipeline in connection with such sale * * * 91 Stat. at 8. In addition section 6(c) (2) provides:

Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, Lone Star will not become subject to any provision of the Natural Gas Act or to regulation as a common carrier under State law because of its transportation of these gas volumes.

Order No. 6 provides in part that, subsequent to the date of the order, no local distribution company may contract for gas pursuant to section 6 of the Act if, contemporaneously with the execution of such contract, that company is serving directly or indirectly any uses classified in Priorities 4 through 9 as defined by the Federal Power Commission in 18 CFR 2.78(a) (1) (iv)-(ix). CNG's filing does not demonstrate that CNG will not serve such uses directly or indirectly. Therefore, CNG's authority to purchase gas from Onix is conditioned upon CNG's submission of a sworn statement that based upon information reasonably available to it at the time of execution of the contract, it was not serving any uses classified in Priorities 4 through 9 directly or indirectly.

CNG shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon CNG, Onix, Lone Star and Transco. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

MARCH 2, 1977.

[FR Doc. 77-6689 Filed 3-3-77; 8:45 am]

[Docket No. E77-33]

UNITED GAS PIPE LINE CO.

Emergency Order Pursuant to Emergency Natural Gas Act of 1977

On February 25, 1977, United Gas Pipe Line Company (United) filed, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application requesting a determination that United continues to have the right to purchase gas under section 6 of the Act as long as United would be curtailing into Priority 3 or higher if its curtailment were pursuant to Federal Power Commission (FPC) Order No. 467 and that, in any event, that United may purchase those supplies for which an agreement to purchase had been reached but no formal contract had been executed by February 22, 1977. For the reasons set forth below, I deny United's request subject to certain exceptions.

United states that it is not operating under a curtailment plan which incorporates the exact curtailment priorities specified by the FPC in 18 CFR 2.78(a) (1)(i)-(ix). United is curtailing pursuant to a plan imposed by the United States Court of Appeals for the Fifth Circuit. This plan is based upon priorities significantly different from those specified in 18 CFR 2.78(a) (1)(i)-(ix). United further states that if it were curtailing in accordance with the FPC priorities it would be curtailing into Priority 2.

Order No. 6 specifies that, subsequent to February 22, 1977, no interstate pipeline or local distribution company may execute a contract for the purchase of gas pursuant to § 6 of the Act if, contemporaneously with the execution of the contract, the purchaser was serving directly or indirectly any uses specified in Priorities 4 through 9 (18 CFR 2.78(a) (1)(iv)-(ix)). Order No. 6 is based upon a defined set of priorities and uses rather than upon the priorities specified in the curtailment plans of various pipelines and permits an interstate pipeline or local distribution company to make new emergency purchases only if that company is not serving directly or indirectly certain uses as defined in that set of priorities. This set of priorities was adopted to determine the qualification to execute new contracts for purchases pursuant to section 6(a) of the Act to provide that available emergency supplies are utilized for only the higher priority uses for the near term. Because each of the pipeline curtailment plans approved by the FPC is based upon different priorities it is not practicable to

base the qualifying criteria upon those plans. Likewise, qualification may not be based upon what uses would be served if the pipeline's plan were based upon the specified priorities. Instead qualification to make such purchases must be based upon those uses actually being served to insure the implementation of the policy of Order No. 6.

Therefore if United is serving customers defined in Priorities 4 through 9, I cannot authorize United to make emergency purchases pursuant to section 6(a) of the Act unless and until, I find that Order No. 6 should be modified or rescinded.

United also states that with respect to a number of proposed purchases it had, prior to February 22, 1977, concluded negotiations and entered into an agreement for such purchase but not signed a formal written contract. United also advises that in a number of cases the seller had made expenditures to install facilities for the physical delivery of the gas volumes or obtain releases from intrastate contracts in order to make the emergency sales.

Order No. 6 does not prohibit the commencement of deliveries pursuant to formal written contracts executed prior to February 22, 1977, even if deliveries had not commenced prior to that date. United Gas Pipe Line Company, Docket No. E77-28 (February 26, 1977). In addition, where the proposed purchaser can demonstrate that pursuant to an oral agreement of sale either it or the seller made substantial expenditures to install facilities necessary to effectuate the emergency purchase prior to February 22, 1977, Order No. 6 does not automatically preclude the proposed purchase. Colorado Interstate Gas Company, Docket No. 77-31 (February 28, 1977). United also states that, in some cases pursuant to an oral agreement of sale, the proposed seller had secured the release of gas from intrastate commerce in order to make the emergency sale. I find that the purchase of such gas would not be precluded by Order No. 6 only if a formal written release had been executed prior to February 22, 1977, and such release specifically stated that the gas was being released for sale to interstate commerce. In any case where the type of detrimental reliance set forth above cannot be demonstrated, I conclude that the gas was not contracted for prior to February 22, 1977, and that the proposed purchase may be made only if the purchaser qualifies under Order No. 6.

Except as set forth above, United's request is denied. This order shall remain in effect unless and until Order No. 6 is modified or rescinded.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon United. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub.

L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

MARCH 2, 1977.

[FR Doc. 77-6688 Filed 3-3-77; 8:45 am]

[Docket No. E77-21]

COLUMBIA GAS TRANSMISSION CORP.

Emergency Natural Gas Act of 1977; Emergency Order

On February 15, 1977, Columbia Gas Transmission Corporation (Columbia), on behalf of itself and UGI Corporation (UGI), filed, pursuant to section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)), an application for authorization to purchase up to 100,000 Mcfd of natural gas from Pacific Gas and Electric Company (PG&E) with 75 percent of the volumes accruing to Columbia and 25 percent to UGI. The proposed sale is to continue until midnight March 10, 1977, or such later date agreed to by the parties during the period the Act is in effect. The total volumes to be delivered are 2.25 Bcf to Columbia and 0.75 Bcf to UGI.

The gas will be made available to PG&E at the Arizona-California border to El Paso Natural Gas Company (El Paso). El Paso will reduce deliveries to PG&E and deliver equivalent Btu's to Oasis Pipe Line Company (Oasis) in Pecos County, Texas. Oasis will transport and deliver equivalent Btu's to Bronco Pipeline Company and Tennesco, Inc. (Bronco-Tennasco) near Katy, Waller County, Texas, and Bronco-Tennasco will transport and deliver equivalent Btu's at a mutually agreeable point to Tennessee Gas Pipeline Company (Tennessee). Tennessee will transport the gas and deliver equivalent volumes in Mcf to Columbia Gulf Transmission Company, an affiliate of Columbia, at a point in Southern Louisiana. Columbia Gulf will transport the gas to Columbia and Columbia will deliver UGI's volumes at existing delivery points.

Columbia has agreed, for itself and UGI, to pay the following transportation charges: Oasis—13 cents per Mcf transported and 4 percent of the Btu's transported for fuel; Bronco-Tennasco—2 cents per Mcf transported; Tennessee—7.6 cents per Mcf plus 1.3 percent of the volume transported for fuel. Columbia will also pay (i) El Paso approximately \$144,000 to construct facilities to deliver the subject gas to Oasis, and (ii) Tennessee approximately \$440,000 to construct facilities to receive such gas from Bronco-Tennasco. In addition, UGI will pay applicable tariff and fuel charges to Columbia Gulf and Columbia.

Pursuant to section 6(c) (1) of the Act (91 Stat. 4, 8), I hereby authorize and order (i) El Paso, Oasis, Bronco-Tennasco, Tennessee, Columbia Gulf, and Columbia to transport up to 100,000 Mcfd of gas for Columbia and UGI on the terms and at the charges set forth, (ii) El Paso and Tennessee to construct and operate facilities necessary to de-

liver this gas to Columbia and UGI; and (iii) Columbia and UGI to pay the agreed upon transportation charges and reasonable actual costs of construction incurred by El Paso and Tennessee.

In the course of such transportation by Oasis and Bronco-Tenngasco from point of origin to destination, there may be a commingling of interstate natural gas with Oasis' or Bronco-Tenngasco's normal system gas supplies or with volumes of gas owned by third parties. This order shall be considered as applying to all such commingled gas and, under the provisions of Pub. L. 95-2, the producers, of such gas which is so commingled, may not terminate existing contracts with such other parties, nor shall such other parties thereby become subject to the Natural Gas Act or to regulation as common carriers under any provision of State law. Contractual termination or prohibition provisions in any such contracts as referred to above are not enforceable by reason of section 9 of Pub. L. 95-2 since Oasis and Bronco-Tenngasco are transporting gas for Columbia and UGI pursuant to section 6(a) of that Act. Oasis, Bronco-Tenngasco and any third person whose gas is commingled with Transco's gas shall refer all relevant information concerning any attempt to terminate existing contracts to the Administrator for appropriate action.

According to the official files of the Federal Power Commission, Oasis and Bronco-Tenngasco are not classified as Natural Gas Companies within the meaning of the Natural Gas Act. Section 6(c) (2) of Pub. L. 95-2 provides:

Compliance by any pipeline with any order under this subsection shall not subject such pipeline to regulation under the Natural Gas Act or to regulation as a common carrier under any provision of state law.

Thus, the transportation of this gas will not subject Oasis and Bronco-Tenngasco to the provisions of the Natural Gas Act. See also 6(b) (1) (A), 91 Stat. at 8.

Columbia and UGI will repay PG&E by delivering volumes of gas equal to the Btu's delivered by PG&E during the emergency sale. In addition, Columbia and UGI shall reimburse PG&E 35 cents per Mcf for general storage and transportation charges, and an amount of repayment gas equal 1 percent per month of the volumes to be repaid to PG&E commencing April 1, 1977, and thereafter on the outstanding volume to be repaid on the first of each month until repayment is complete. With the exception of 1 percent per month carrying charge in gas volumes, I find the terms and conditions of the proposed purchase to be fair and equitable in accordance with Order No. 2. I find no reason to approve a carrying charge expressed in gas volumes. I will, however, approve reasonable carrying charges expressed in monetary terms. If PG&E agrees to make this sale with the carrying charge expressed in monetary amounts rather than gas volumes, Columbia shall so notify the Administrator within seventy-two hours of the commencement of deliveries.

Columbia and UGI shall submit weekly reports as required by Order No. 4.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Columbia, UGI, PG&E, El Paso, Oasis, Bronco-Tenngasco, Tennessee, and Columbia Gulf. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

FEBRUARY 18, 1977.

[PR Doc. 77-6656 Filed 3-3-77; 8:45 am]

[Docket No. E77-19]

PHILLIPS PETROLEUM CO.

Emergency Natural Gas Act of 1977; Emergency Order

On February 16, 1977, Phillips Petroleum Company (Phillips) filed a telegram requesting authorization pursuant to section 6 of the Emergency Natural Gas Act of 1977, Pub. L. 95-2 (91 Stat. 4 (1977)), to make a sale of liquefied natural gas (LNG) from the Kenai LNG Plant, Kenai, Alaska, to Columbia Gas Transmission Corporation (Columbia). Phillips also requests confirmation that its sale of LNG to Columbia will not subject its LNG facilities to the jurisdiction of the Federal Power Commission (FPC) under the Natural Gas Act (15 U.S.C. 717, et seq.).

Phillips has agreed to sell its 70 percent share of 540,000 barrels of LNG to Columbia. The LNG price, F.O.B. Kenai LNG Plant, is \$1.55 per MMBtu.

Columbia will transport the LNG from Kenai using the *Kenai Multina*. Columbia has secured from the Secretary of the Treasury the necessary waivers of the Jones Act (46 U.S.C. § 883) to permit the *Kenai Multina*, a ship of Liberian registry, to engage in United States coastal trade as defined in the Jones Act.

Paragraph (1) of Order No. 2 established for wellhead sales a price of \$2.25 per MMBtu below which prior approval of the Administrator is not required. While the Kenai sale is not technically a wellhead sale, the sale is more similar to that type of sale than the other types of sales described in Order No. 2. Therefore, I will consider the proposed sale to be a wellhead sale. Given this treatment, I find the terms and conditions of the proposed sale are fair and equitable in accordance with Order No. 2.

I further find that Phillips' sale to Columbia will not itself subject Phillips' LNG facilities to the jurisdiction of the FPC or affect Phillips' status as an independent producer. In this regard, Section 6(b) (1) provides as follows (91 Stat. 4, 8):

The provisions of the Natural Gas Act shall not apply—

(A) To any sale of natural gas to an interstate pipeline or local distribution company under the authority of subsection (a) or to any transportation by an interstate pipeline in connection with any such sale; or

(B) To any natural gas company (within the meaning of the Natural Gas Act) solely by reason of any such sale or transportation.

Thus, even though Phillips' sale to Columbia might otherwise subject such sale and/or Phillips to the jurisdiction of the FPC, Pub. L. 95-2 specifically prohibits the assertion of such jurisdiction.

Section 6(b) (1) (A) provides that sales made pursuant to section 6(a) are not subject to the Natural Gas Act. Phillips' sale to Columbia is pursuant to section 6(a) (1); Phillips is a producer of natural gas, the gas is not produced from the Outer Continental Shelf, and the subject gas was not, prior to the execution of the Phillips-Columbia contract, certificated under the Natural Gas Act.

This order shall be served on Phillips, Columbia, and Marathon Oil Company. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

FEBRUARY 18, 1977.

[PR Doc. 77-6657 Filed 3-3-77; 9:58 am]

[Docket No. E77-4]

SOUTHERN NATURAL GAS CO.

Emergency Natural Gas Act of 1977; Supplemental Emergency Order

By telegram filed February 17, 1977, Southern Natural Gas Company (Southern) petitioned for clarification of the February 4 and 9, 1977 orders in this proceeding. Those orders provided that LoVaca Gathering Company (LoVaca) should transport gas for Southern from Knight Gas Processing Plant in Reeves County, Texas, to a mutually agreeable delivery point and that, if the parties were unable to agree, the compensation for such transportation would be fixed after a hearing. Southern states that LoVaca requests that those orders be clarified as follows:

(i) LoVaca may redeliver the subject gas to United Gas Pipe Line Company (United) at a point in Jackson County, Texas, for delivery to Southern through existing interconnections;

(ii) LoVaca may install a meter and valve to deliver such gas to United and recover from Southern its unrecovered expenses of such installation; and

(iii) LoVaca may deliver such gas on a best efforts basis for up to 60 days following commencement of deliveries at a charge.

¹ By letter dated February 17, 1977, the FPC advised Phillips that its sale to Columbia is not subject to the FPC's jurisdiction and that Phillips' status under the Natural Gas Act will not be affected by such sale.

of 25 cents per Mcf plus 2.7 percent of the delivered volumes for fuel.

The February 4 1977 order provided that LoVaca should receive gas at the Knight Plant, Reeves County, Texas, and transport such gas to a mutually agreeable redelivery point. Southern and LoVaca have determined that such point should be in Jackson County, Texas, where the gas will be delivered to United for Southern's account. Therefore, LoVaca is authorized and ordered to transport up to 45,000 Mcfd for Southern from the Knight Plant, Reeves County, Texas, to the agreed upon point in Jackson County Texas where such gas is to be delivered to United.

Second LoVaca requests authorization to install a meter and valve to deliver this gas to United and to recover from Southern the costs of such installation. Section 6(c) (1) of Pub. L. 95-2 (91 Stat. 4, 8) permits the Administrator to order any pipeline to construct facilities required to deliver gas purchased pursuant to section 6(a) (91 Stat. at 7-8) and to recover the cost of installing such facilities from the party receiving such natural gas. I authorize LoVaca to install and operate, at the agreed upon point in Jackson County, Texas, a meter and valve of sufficient size to permit the delivery of up to 45,000 Mcfd of gas to United for Southern's account. LoVaca is also authorized to recover the costs of such installation from Southern.

Third, LoVaca proposes to charge Southern 25 cents per Mcf plus 2.7 percent of the transported volumes for fuel. I find that the parties have agreed upon transportation charges of 25 cents per Mcf plus 2.7 percent of the transported volumes for full charges. Accordingly, LoVaca is entitled to recover the agreed upon charges.

Southern requests that it be authorized to recover all charges as set forth above in its rates. Section 6(b) (2) of Pub. L. 95-2 (91 Stat. at 8) provides that the Federal Power Commission "shall not disallow, in whole or in part, recovery by any interstate pipeline, through the rates and charges made demanded, or received by such pipeline the amounts actually paid by it for natural gas purchased, transported, or other costs incurred pursuant to" section 6(a).

This order shall be served upon Southern, LoVaca, United Gas Pipe Line Company, Texas Utilities Fuel Company, and El Paso Electric Company. The order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub.

L. 95-2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
Administrator.

FEBRUARY 18, 1977.

[FR Doc.77-6658 Filed 3-3-77;8:45 am]

VETERANS ADMINISTRATION

NEW YORK NATIONAL CEMETERY AT CALVERTON, NEW YORK (LONG ISLAND)

Availability of Draft Environmental Impact Statement

Notice is hereby given that a document entitled "Draft Environmental Impact Statement for the Proposed New York National Cemetery, Calverton, New York (Long Island)," dated January 1977, has been prepared as required by the National Environmental Policy Act of 1969.

The proposed National Cemetery is to be located on 900± acres near Calverton, New York (Long Island). This proposed development will provide burial space for approximately 500,000 gravesites and will have an administration building, a memorial center, a commitment service center and a maintenance complex to provide for all associated cemetery functions.

This Draft Statement discusses the environmental impact of the proposed New York National Cemetery. The document is being placed for public examination in the Veterans Administration Office in Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office: Mr. Jack Westall, Assistant Chief Medical Director for Administration (13), Room 600, Veterans Administration, 810 Vermont Avenue, N.W., Washington, D.C. 20420.

Single copies of the Draft Statement may be obtained on request to the above office.

Dated: February 28, 1977.

By direction of the Administrator.

A. J. SCHULIZ, Jr.,
Associate Deputy Administrator.

[FR Doc.77-6586 Filed 3-3-77;8:45 am]

FEDERAL TRADE COMMISSION

[File 752-3151, etc.]

DINERS' CLUB, INC., ET AL

Consent Agreements With Analysis To Aid Public Comment

Correction

In FR Doc. 77-5007, appearing at page 9715 in the issue for Thursday, February 17, 1977, make the following change:

1. On page 9720, in the middle column, 10th line of paragraph "C" should read "fund the entire amount requested, if owed, or furnish the customer with an individualized written ex- * * *".

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

ELECTRICAL SERVICE TO NORTHWEST ALLOYS MAGNESIUM PLANT, DRAFT ENVIRONMENTAL STATEMENT

Public Information Meeting

Notice of a public information meeting is hereby given by the Bonneville Power Administration (BPA) to solicit public comments on the Draft Environmental Statement on BPA Electrical Service to Northwest Alloys Magnesium Plant (INT DES 77-7). This draft statement was filed with the Council on Environmental Quality (CEQ) on February 15, 1977.

The Draft Environmental Statement on BPA Electrical Service to Northwest Alloys Magnesium Plant located in Addy, Washington, describes the environmental impact of the proposed delivery of power to Northwest Alloys, which would enable full and continued plant operations.

The purpose of this public information meeting is to present to the public a description of the proposal and impacts associated with it, and to solicit comments from the public with respect to the environmental impact of the proposal.

Copies of the draft environmental statement describing the proposal are available for inspection in the library of the Headquarters Office of BPA, 1002 NE. Holladay Street, Portland, Oregon 97232; the BPA Washington, D.C., Office in the Interior Building, Room 5600; and at the Spokane Area Office, Room 561, U.S. Court House, W. 920 Riverside Avenue, Spokane, Washington 99201.

A limited number of copies are also available and may be obtained by writing to the Environmental Office, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208 or to the Spokane Area Manager at the above address.

The meeting covering BPA Service to the Northwest Alloys Magnesium Plant will be held on Wednesday, April 6, 1977, at 7:00 p.m. in Library Room of the Colville City Hall, Washington. Those not able to attend the meeting may submit their comments in writing to the Environmental Office, Bonneville Power Administration, Portland, at the address above. All inquiries including any additional information on the meeting or the subject matter should also be directed to the Environmental Office. All written comments must be received by Friday, April 15, 1977. BPA will not be able to consider any written comments received after that date.

Dated: February 28, 1977.

WILLIAM H. CLAGETT,
Assistant Administrator.

[FR Doc.77-6499 Filed 3-3-77;8:45 am]

Bureau of Land Management

[OR 9851]

OREGON

Order Providing for Opening of Public Lands

Correction

In FR Doc. 77-3314, appearing on page 6645 in the issue for Thursday, February 3, 1977, the headings should read as set forth above and in the paragraph designated "2," the second complete word in the sixth line should read "rocky".

[M-141]

SOUTH DAKOTA

Transfer of Submarginal Lands Pine Ridge Indian Reservation

Correction

In FR Doc. 77-3486, appearing on page 6914 in the issue for Friday, February 4, 1977, the entry in line 33 of the third column on page 6914 which now reads "Sec. 17 N; and SE 1/4," should read "Sec. 17, N 1/2 and SE 1/4".

[F-19155-55, F-19155-77, F-19155-78,
F-19155-80, F-19155-81, F-19155-96]

ALASKA

Native Claims Selection

On December 18, 1975, Doyon, Limited filed regional selection applications F-19155-55, F-19155-77, F-19155-78, F-19155-80, F-19155-81 and F-19155-96 under the provisions of section 12(c) of the Alaska Native Claims Settlement Act for the surface and subsurface estates of certain lands located in the Kandik Basin.

The applications, as amended, are properly filed and meet the requirements of the act and of the regulations issued pursuant to it. The selected lands described below do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface and subsurface estates of the following described lands, aggregating approximately 130,991 acres, are considered proper for acquisition by Doyon, Limited, subject to valid existing rights, and are hereby approved for interim conveyance pursuant to section 14(e) of the act:

FAIRBANKS MERIDIAN, ALASKA (UNSURVEYED)

- T. 11 N., R. 26 E.,
All.
- T. 15 N., R. 27 E.,
All.
- T. 15 N., R. 28 E.,
All.
- T. 16 N., R. 27 E.,
All, excluding Native allotment application F-17132, Parcel B.
- T. 16 N., R. 28 E.,
All, excluding Native allotment application F-17133, Parcel A.
- T. 23 N., R. 28 E.,
Secs. 4 to 9, inclusive;
Secs. 16 to 36, inclusive.

The interim conveyance issued for the surface and subsurface estate of the lands described above shall contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945;

2. A right-of-way thereon for the construction of railroads, telegraph and telephone lines, as prescribed and directed by the act of March 12, 1914, 38 Stat. 305, 43 U.S.C. 975(d);

3. Pursuant to section 17(d) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, the following public easements referenced by easement identification number (EIN) on the easement maps in case files F-21779-55, F-21779-77, F-21779-78, F-21779-80, F-21779-81 and F-21779-96 are reserved to the United States and subject to further regulation thereby.

The following easement pertains to T. 23 N., R. 28 E., Fairbanks Meridian (F-21779-96):

(a) (EIN 1 C5, D1, D9.) A one hundred (100) foot easement for a proposed road crossing the selected area in a northeast-southwesterly direction providing access to public lands. The use of the road is to be controlled by applicable State or Federal law or regulation.

The following easements pertain to T. 15 and 16 N., R. 27 and 28 E., Fairbanks Meridian (F-21779-77, F-21779-78, F-21779-80, F-21779-81):

(b) (EIN 10 C5, G.) A streambed access easement along the Grayling Fork of Black River. The easement is from the mean high water line on the right bank of the stream to the mean high water line on the left bank of the stream. This is for access to public lands.

(c) (EIN 10 C4, C5, G (10a, 10d, 10e).) The following are one (1) acre site easements for camping and vehicle use and are necessary for access to public lands and waters. The site easements will be located on the Grayling Fork of Black River:

10a. One (1) acre site easement on the right bank of the stream, at the junction of the stream and an oxbow, in section 8, T. 16 N., R. 27 E., Fairbanks Meridian.

10d. One (1) acre site easement on the right bank of the stream, at its junction with Bull Creek, in section 4, T. 16 N., R. 28 E., Fairbanks Meridian.

10e. One (1) acre site easement on the right bank of the stream, at the upstream arm of an oxbow, in section 15, T. 16 N., R. 28 E., Fairbanks Meridian.

(d) (EIN 11 C5, D1, D9.) A streambed access easement along the Bull and Dempsey Creeks. The easement is from the mean high water line on the right bank of the streams to the mean high water line on the left bank of the streams. This is for access to public lands.

(e) (EIN 11 C5, D1, D9 (11a, 11b, 11c, 11d, 11e).) The following are one (1) acre site easements for camping and vehicle use and are necessary for access to public lands and waters. The sites will be

located along the streams and lakes of the Dempsey and Bull Creeks:

11a. One (1) acre site on the north shore of Vunvekottul Lake, in section 29, T. 15 N., R. 28 E., Fairbanks Meridian.

11b. One (1) acre site on the north shore of an unnamed lake near its outlet into Dempsey Creek, in section 27, T. 15 N., R. 28 E., Fairbanks Meridian.

11c. One (1) acre site on the left bank of Bull Creek where a small creek empties into Bull Creek, in section 2, T. 15 N., R. 28 E., Fairbanks Meridian.

11d. One (1) acre site on the left bank of Bull Creek where a small creek empties into Bull Creek, in section 27, T. 16 N., R. 28 E., Fairbanks Meridian.

11e. One (1) acre site on the left bank of Bull Creek where a small creek empties into Bull Creek, in section 16, T. 16 N., R. 28 E., Fairbanks Meridian.

(f) (EIN 12 C5, D1, D9.) A fifty (50) foot wide easement for a proposed trail crossing the selected area in an east-west direction. This is for access to public lands. The use of the trail is to be controlled by applicable State or Federal law or regulation.

(g) (EIN 12a C5, D1, D9.) A one (1) acre site easement located in section 22, T. 16 N., R. 27 E., Fairbanks Meridian, where the proposed trail (12) adjoins a lake. The site is for camping and vehicle use and is necessary to facilitate access to public lands and waters.

The following easement pertains to T. 11 N., R. 26 E., Fairbanks Meridian (F-21779-55):

(h) (EIN 17 C5, D1, D9.) A one hundred (100) foot easement for a proposed road crossing the northwest corner of the selected area. This is for access to public lands. The use of the road is to be controlled by applicable State or Federal law or regulation.

The following easements pertain to all lands described previously:

(i) (EIN 31 C.) The general right of the United States to enter upon the lands for cadastral, geodetic, or other survey purposes, together with the right to do all things necessary in connection therewith.

(j) (EIN 32 C.) Easements for the transportation of energy, fuel and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel and natural resources including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may

exercise the right of eminent domain if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.

The grant of lands by the interim conveyance shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands.

2. Valid existing rights therein, including but not limited to those created by any lease (including a lease issued under section 6(g) of the Alaska Statehood Act (72 Stat. 339, 341)), contract, permit, right-of-way, or easement and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges and benefits hereby granted to him.

3. The terms and conditions of the agreement of February 18, 1977, between Doyon, Limited and the Secretary of the Interior. A copy of the agreement will be attached and will become part of this conveyance document and be recorded therewith. A copy of the agreement is located in Bureau of Land Management files F-21779-55, F-21779-77, F-21779-78, F-21779-80, F-21779-81, and F-21779-96.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the FEDERAL REGISTER and once a week, for four (4) consecutive weeks, in the Fairbanks Daily News Miner. Any party claiming a property interest in land affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510 and with a copy served upon the Bureau of Land Management and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501; also:

1. Any party receiving actual notice of this decision shall have 30 days from the receipt of actual notice to file an appeal.

2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign a receipt for actual notice, shall have until April 3, 1977, to file an appeal.

3. Any party known or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived their rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of, and requirements for, filing an appeal may be obtained from the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

ROBERT E. SORENSON,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.77-6498 Filed 3-3-77;8:45 am]

[NM 29861 and 29864]

NEW MEXICO

Notice of Applications

FEBRUARY 25, 1977.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Transwestern Pipeline Company has applied for one 6-inch and one 4-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R. 26 E.,
Sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 17 S., R. 30 E.,
Sec. 29, N $\frac{1}{2}$ SW $\frac{1}{4}$.

These pipelines will convey natural gas across 0.368 of a mile of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested person desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of
Lands and Minerals Operations.

[FR Doc.77-6496 Filed 3-3-77;8:45 am]

[U-36319]

UTAH

Notice of Application

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Arlyne Lansdale has applied for a 2-inch welded natural gas pipeline right-of-way across the following lands:

SALT LAKE MERIDIAN, UTAH

T. 17 S., R. 25 E.,
Secs. 11 and 14.

The pipeline will convey gas from the Lansdale well 14-1, Grand County, Utah, to the existing gathering pipeline of Northwest Pipeline Corporation. The purpose of this notice is to inform the public that the Bureau will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved, and if so, under what terms and conditions.

Interested persons should express their interest and views to the Moab District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532.

PAUL L. HOWARD,
State Director.

FEBRUARY 25, 1977.

[FR Doc.77-6497 Filed 3-3-77;8:45 am]

[ES 15502]

MINNESOTA AND WISCONSIN

Proposed Withdrawal and Reservation of Lands

MARCH 2, 1977.

On February 4, 1977, the National Park Service, Department of the Interior filed completed application, serial No. ES 15502, to withdraw all lands within the boundaries of the Lower St. Croix National Scenic Riverway which are presently under the jurisdiction of the Bureau of Land Management from settlement, sale, location or entry under all of the general land laws, including the mining and mineral leasing laws, subject to valid existing rights. The lands would remain within the lower St. Croix National Scenic Riverway and would be administered in accordance with applicable laws and regulations for National Park Lands.

This action is requested in accordance with the provisions of the Wild and Scenic Rivers Act (82 Stat. 909), as amended, and the Lower Saint Croix River Act of 1972 (86 Stat. 1174), as amended, for the purpose of administration and preservation of the Lower Saint Croix National Scenic Riverway.

On or before April 4, 1977 all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management.

Notice of the public hearing will be published in the FEDERAL REGISTER giving the time and place of such hearing. The public hearing will be scheduled and conducted in accordance with BLM Manual, Section 2351(b).

The Department of the Interior's regulations provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

For a period of two years from the date of publication of this notice in the FEDERAL REGISTER, the lands will be segregated from entry as specified above unless the application is rejected or the withdrawal is approved prior to that date. If the withdrawal is approved by the Secretary, it will be for an indefinite period, and the lands will remain segregated.

The lands involved in the application are:

FOURTH PRINCIPAL MERIDIAN

T. 30 N., R. 19 W.

Section 6: Unsurveyed island in W $\frac{1}{2}$ W $\frac{1}{2}$, Wisconsin.

T. 30 N., R. 20 W.

Section 1: Lots 7, 8 and 16 in Minnesota; Lots 17 and 18 in Wisconsin.

Section 11: Lots 5 and 8 in Minnesota; Lots 6 and 7 in Wisconsin.

Section 12: Lots 7, 9 and 10 in Minnesota; Lot 6 in Wisconsin.

Section 14: Lots 8 and 9 in Minnesota; Lot 10 in Wisconsin.

T. 31 N., R. 19 W.

Section 6: Unsurveyed island in E $\frac{1}{2}$ SW $\frac{1}{4}$, Minnesota.

Section 7: Unsurveyed island in W $\frac{1}{2}$, Minnesota.

T. 32 N., R. 19 W.

Section 5: Unsurveyed island NE $\frac{1}{4}$ NW $\frac{1}{4}$, Minnesota. National Park Service Tract 05-101; Unsurveyed island NW $\frac{1}{4}$ NW $\frac{1}{4}$, Minnesota. National Park Service Tract 05-102.

Section 7: Unsurveyed island SE $\frac{1}{4}$, Wisconsin.

Section 31: Unsurveyed island NE $\frac{1}{4}$ NE $\frac{1}{4}$, Minnesota.

T. 33 N., R. 19 W.

Section 27: Unsurveyed island NW $\frac{1}{4}$, Minnesota. National Park Service Tract 04-101.

T. 34 N., R. 19 W.

Section 38: Unsurveyed island N $\frac{1}{2}$ N $\frac{1}{2}$, Minnesota. National Park Service Tract 01-101; Unsurveyed island NW $\frac{1}{4}$ SW $\frac{1}{4}$, Minnesota. National Park Service Tract 01-102.

The area aggregates approximately 85.73 acres.

All communications in connection with this withdrawal should be addressed to the Director, Eastern States Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

LOWELL J. UDY
Director, Eastern States.

[FR Doc. 77-6628 Filed 3-3-77; 8:45 am]

[M 141]

NORTH DAKOTA AND SOUTH DAKOTA
Transfer of Submarginal Lands, Standing Rock Indian Reservation

Correction

In FR Doc. 77-4309, appearing on page 8434 in the issue for Thursday, February 10, 1977, the next to the last line in the first column, reading "T. 122 N., R. 79 W." should be deleted.

[OR 12130]

OREGON

Order Providing for Opening of Public Lands

Correction

In FR Doc. 77-2488, appearing at page 4905, in the issue of Wednesday, January 26, 1977, in the third column on page 4905, under the centered heading

WILLAMETTE MERIDIAN

1. The first line of the first entry should be changed to read:

T. 30 $\frac{1}{2}$ S., R. 34 E.,

2. The fifth line of the third entry should be changed to read:

Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$.

National Park Service

INDIANA DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Indiana Dunes National Lakeshore Advisory Commission will be held at 10:00 a.m., CST, on Friday, March 25, 1977, at the Indiana Dunes National Lakeshore Tremont/Furnessville Visitor Center, Intersection of State Park Road and U.S. Highway 12, Chesterton, Indiana.

The Commission was established by Public Law 89-761 to meet and consult with the Secretary of the Interior on matters related to the administration and development of the Indiana Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. Harry W. Frey (Chairman),
Mrs. Anna R. Carlson,
Mr. John A. Hillenbrand II,
Mr. William L. Lieber,
Mr. Lawrence Miller,
Mr. John R. Schnurlein,
Mr. Norman E. Tufford,
Mr. George H. Williams (Secretarial Consultant).

Matters to be discussed at this meeting include:

1. The Commission's role regarding solid wastes produced by a coal-fired power plant in Porter County, Indiana, in accordance with Public Law 94-549, Section 6, Subsection (f).
2. Report on erosion status of Lake Michigan shoreline within Lakeshore.
3. Topics for subcommittee consideration.
4. Building demolition report.
5. Scope of study outline for Segments 11-A, 111-A, and 111-C in accordance with Public Law 94-549, Section 19.
6. Land Acquisition Report.

The meeting will be open to the public. It is expected that about 90 persons will be able to attend the session in addition to commission members. Interested persons may make written statements. Such requests should be made to the official listed below prior to the meeting.

Further information concerning this meeting may be obtained from James R. Whitehouse, Superintendent, Indiana Dunes National Lakeshore, Route 2, Box 139-A, Chesterton, Indiana 46304, telephone area code 219, 926-7561.

Minutes of the meeting will be available for public inspection three weeks after the meeting at the office of the Indiana Dunes National Lakeshore located at the intersection of State Park

Road and U.S. Highway 12, Chesterton, Indiana.

Dated: February 24, 1977.

MERRILL D. BEAL,
Regional Director,
Midwest Region.

[FR Doc. 77-6548 Filed 3-3-77; 8:45 am]

Office of the Secretary

OUTER CONTINENTAL SHELF ADVISORY BOARD—SOUTH ATLANTIC

Meeting

This notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Public Law No. 92-643, 5 U.S.C. App. I and the Office of Management and Budget's Circular No. A-63, Revised.

The South Atlantic Regional Board will meet during the period 10:00 a.m. to 3:00 p.m., March 22, 1977, in Room 605, Trinity Washington Building, 270 Washington Street, S.W., Atlanta, Georgia.

The meeting will cover the following principal subjects:

1. Consideration of resolutions concerning the transportation of OCS oil, lease stipulations, OCS operating orders and notices to lessees, and OCS policy.
2. Draft environmental impact statement for sale 43.
3. Regional oil spill contingency plans.
4. Response to Bureau of Land Management-Office of Coastal Zone Management final report on nearshore-onshore data needs.

This meeting is open to the public. Interested persons may make oral or written presentations to the Board. Such requests should be made by March 17 to the South Atlantic Board Chairman:

Lowell D. Evjen, Director of Planning, Office of Planning and Budget, 270 Washington Street, S.W., Room 613, Atlanta, Georgia 30334, 404-656-3861.

Minutes of the meeting will be available for public inspection and copying three weeks after the meeting at the Office of OCS Program Coordination, Room 4126, Department of the Interior, 18th and C Streets, N.W., Washington, D.C.

ALAN D. POWERS,
Director, Office of OCS
Program Coordination.

MARCH 2, 1977.

[FR Doc. 77-6594 Filed 3-3-77; 8:45 am]

Office of the Assistant Secretary Land and Water Resources

WATER PROJECTS

Notice of Public Hearings

Notice is hereby given that public hearings will be held for the purpose of receiving comments concerning eight Bureau of Reclamation water development projects deleted from the Fiscal Year 1978 Budget Request. In accordance with the President's directive, the Department will review and reevaluate the projects and make recommendations

on whether to continue each project, seek modification, or seek deauthorization by the Congress.

Public hearings offer opportunity for public involvement at an early stage in the Department's work and will provide information that will be useful in evaluating the water projects. Because of time constraints involved in the water projects review process, the Department has waived its policy of giving 30 days' notice in the *FEDERAL REGISTER* that a public hearing will take place.

The public hearings will be held at the Department of the Interior Auditorium, 19th and C Street NW., Washington, D.C. on March 21, 22, 24, and 25. Hearings will begin at 9:00 a.m. and continue until 5:00 p.m. on each of those days.

March 21—9:00 a.m.—12:00 noon, Central Arizona Project; 2:00 p.m.—5:00 p.m., Fruitland Mesa Project.

March 22—9:00 p.m.—12:00 noon, Savery-Pot Hook Project; 2:00 p.m.—5:00 p.m., Dolores Project.

March 24—9:00 a.m.—12:00 noon, Garrison Diversion Unit; 2:00 p.m.—5:00 p.m., Oahe Unit.

March 25—9:00 a.m.—12:00 noon, Bonneville Unit (Central Utah Project); 2:00 p.m.—5:00 p.m., Auburn-Folsom South Unit.

Individuals, representatives of organizations, and public officials who wish to make oral statements at one of the hearings should notify the Water Projects Review Office, Room 6616, Main Interior Building, U.S. Department of the Interior, Washington, D.C. 20240, no later than March 16. Individual testimony will be limited to ten minutes per person. Persons attending the hearings or those unable to be present may submit written comments to the Water Projects Review Office on or before April 1, 1977.

Dated: March 3, 1977.

CECIL D. ANDRUS,
Secretary.

[FR Doc.77-6740 Filed 3-3-77; 12:29 pm]

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-25]

CERTAIN ABOVE-GROUND SWIMMING POOLS

Notice and Order Concerning Procedure

Notice is hereby given that: 1. The Commission will hold a hearing beginning at 10 a.m., e.s.t., April 1, 1977, in the Commission's Hearing Room, 701 E Street NW., Washington, D.C., for the purposes of (1) hearing oral argument on both the recommended determination of the presiding officer, concerning whether there is a violation of section 337 of the Tariff Act of 1930; and (2) receiving information and hearing oral argument, as provided for in §210.14(a) of the Commission's Rules of Practice and Procedure (41 FR 17710), concerning relief, bonding, and the public interest factors set forth in section 337 (d) and (f) of the Tariff Act of 1930, as amended, which the

Commission is to consider in the event it determines that there is a violation of section 337 and determines that there should be relief.

Parties and agencies wishing to make oral argument with respect to the recommended determination shall be limited to no more than 30 minutes per party, 10 minutes of which may be reserved by Complainant for rebuttal; parties wishing to make oral argument with respect to relief shall be limited to no more than 15 minutes per party.

For the purpose of the part of the hearing on relief, bonding, and the public interest factors, each party, interested person, and agency will be limited to no more than 30 minutes for making its presentation; each participant will be permitted an additional 5 minutes for closing arguments after all the presentations have been concluded.

For the duration of this proceeding, all respondents will jointly share the time limits allocable to one party for the same reason.

Requests for appearances at the hearing should be filed, in writing, with the Secretary of the Commission at his office in Washington no later than noon, March 28, 1977. Requests should indicate the part of the hearing (i.e., with respect to the recommended determination; relief; or relief, bonding, and the public interest factors) in which the requesting person desires to participate.

2. Briefs concerning the recommended determination may be filed by any party or agency. Complainant's brief shall be filed not later than the close of business, Monday, March 14, 1977; respondents' briefs, briefs of the Commission investigative staff, and any other briefs (if any intervenors are later admitted) shall be filed not later than close of business, Monday, March 21, 1977; and complainant's reply brief shall be filed not later than Monday, March 28, 1977. Briefs shall be served on all parties of record on the date they are filed. The cover of complainant's brief shall be blue; respondents' briefs, red; the Commission investigative staff's briefs and intervenor's briefs (if any), green; and any reply briefs, gray. Concerned Government agencies may file briefs on any issue related to the recommended decision in the same style and at the same time as the Commission investigative staff.

3. Written comments and information are encouraged by any party, interested person, Government agency, or Government concerning relief, bonding, and the public interest factors set forth in section 337(d) and (f) of the Tariff Act of 1930, as amended (19 U.S.C. 1337), which the Commission is to consider in the event it determines that there should be relief. A proposed order granting relief, including a determination of bonding, if appropriate, shall be filed and served by complainant upon all parties at the same time as complainant's brief is filed; respondents and all other interested persons, Government agencies, and Governments shall file and serve upon all parties their comments and information or remedy, bonding, and the aforesaid public

interest factors not later than the date set out above on which respondents' briefs are due; and complainant shall file and serve upon all parties their comments and information on these matters not later than the date on which their reply briefs are due.

The Commission's investigative staff shall file and serve upon all parties a formal report reflecting its investigation of public interest factors to be considered by the Commission with the staff's recommendations and conclusions not later than Monday, March 21, 1977.

Notice of the Commission's institution of the investigation was published in the *FEDERAL REGISTER* on 41 FR 17975, April 29, 1976. A notice of preliminary conference was published on 41 FR 26958, June 30, 1976.

By order of the Commission.

Issued: March 1, 1977.

KENNETH R. MASON,
Secretary.

[FR Doc.77-6564 Filed 3-3-77; 8:45 am]

DEPARTMENT OF JUSTICE

Antitrust Division

UNITED STATES V. UNION CARBIDE CORP.

Proposed Consent Judgment and Competitive Impact Statement Thereon

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b) through (h), that a Proposed Consent Judgment and Competitive Impact Statement as set out below have been filed with the United States District Court for the Northern District of California in Civil No. C-76-854-SAW, *United States v. Union Carbide Corp.* Carbide has consented to the proposed judgment. The complaint in this action alleged that, in violation of the Sherman Act, Carbide had restrained the use and resale of technical carbaryl, the pure form of the pesticidal chemical carbaryl. The complaint also alleged that the second of Carbide's two patents relating to carbaryl was invalid on grounds of double patenting. The relief requested in the complaint concerning the patents has been effectively achieved through expiration of Carbide's first patent, and terminal disclaimer of its second patent. The judgment would substantially provide the rest of the relief requested in the complaint. It would: prohibit Carbide for 10 years from entering into any arrangement under which the resale or the utilization of Carbide's technical carbaryl or carbaryl products is restrained (except for agreements by which others would make carbaryl products for carbide to be sold under Carbide's labels); prohibit Carbide for 10 years from refusing to sell technical carbaryl to persons who refuse to enter into such restrictive agreements concerning technical carbaryl; eliminate for 10 years the restrictive effect of provisions in Carbide's present agreements for the sale of technical carbaryl; require Carbide for up to five years to sell

technical carbaryl to pesticide formulators; and require Carbide for up to five years to assist pesticide formulators in obtaining Environmental Protection Agency label registrations for their carbaryl products made from Carbide's technical carbaryl. The Competitive Impact Statement describes the anticipated effects of the proposed judgment on competition, and evaluates the alternative relief proposals actually considered by the United States. Public comment is invited on or before April 25, 1977. Such comments and responses thereto will be published in the FEDERAL REGISTER and filed with the Court. Comments should be directed to Richard H. Stern, Chief, Patent Section, Antitrust Division, Department of Justice, Room 910 McLachlen Building, Washington, D.C. 20530.

Dated: February 23, 1977.

CHARLES F. B. McALEER,
Assistant Chief, Judgments and
Judgment Enforcement Section.

UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF CALIFORNIA

United States of America, Plaintiff, v.
Union Carbide Corporation, Defendant.

Civil No. C-78-854 SAW.

Filed: February 23, 1977.

Entered: _____

Richard H. Stern, Patent Section, Antitrust Division, U.S. Department of Justice, Washington, D.C. 20530, 202/376-8600

Anthony E. Desmond, Antitrust Division, U.S. Department of Justice, 450 Golden Gate Avenue, San Francisco, California 94102, 415/556-6300

STIPULATION

It is stipulated by and between the plaintiff, the United States of America, and the defendant, Union Carbide Corporation, by their respective attorneys, that:

1. A Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of either party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. § 16), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court.

2. In the event plaintiff withdraws its consent or if the proposed Final Judgment is not entered pursuant to this stipulation, this stipulation shall be of no effect whatever and the making of this stipulation shall be without prejudice to plaintiff and defendant in this and any other proceeding.

Dated: February 23, 1977.

For the Plaintiff: Donald I. Baker, Assistant Attorney General; William E. Swope, Charles F. B. McAleer, Richard H. Stern, Bernard H. Meyers, Kenneth M. Frankel, Robert S. Schwartz, Bruce T. Reese, Attorneys, Antitrust Division, U.S. Department of Justice.

For the Defendant: Kirkland, Ellis & Rowe, by James M. Johnstone, Thomas C. Arthur, Robert K. Huffman, Beth Ann Auerbach; Morrison & Foerster, by Robert D. Raven, James J. Garrett, H. Preston Moore, Jr., Attorneys for Defendant, Union Carbide Corporation.

Stipulation approved for filing.

Dated: February 23, 1977.

STANLEY A. WEIGEL,
United States District Judge.

UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF CALIFORNIA

United States of America, Plaintiff, v.
Union Carbide Corporation, Defendant.

Civil No. C-78-854 SAW.

Filed: February 23, 1977.

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on April 28, 1976, and defendant having filed its answer on June 21, 1976, and plaintiff and the defendant by their respective attorneys having consented to the entry of this Final Judgment, without trial or adjudication of any issue of fact or law herein, and without this Final Judgment constituting evidence or an admission by any party consenting hereto with respect to any such issue:

Now, therefore, before any testimony or evidence has been taken herein and without trial or adjudication of any issue of fact or law herein, and upon the consent of parties hereto:

It is hereby ordered, adjudged and decreed as follows:

I

This Court has jurisdiction of the subject matter hereof and the parties hereto. The Complaint states a claim upon which relief may be granted against the defendant under Section 1 of the Sherman Act (15 U.S.C. § 1, as amended).

II

As used in this Final Judgment:

(A) "Defendant" means the defendant Union Carbide Corporation, a New York corporation.

(B) "Person" means an individual, partnership, firm, corporation, association, or other business or legal entity.

(C) "Carbaryl" means 1-naphthyl methylcarbamate.

(D) "Technical Carbaryl" means 1-naphthyl methylcarbamate in a form approximately 99 percent pure.

(E) "Carbaryl Product" means technical carbaryl or any product containing as an active ingredient carbaryl.

(F) "EPA" means United States Environmental Protection Agency, and any predecessors or successors thereof.

(G) "Formulator" means any person (other than a manufacturer of 1-naphthyl methylcarbamate) that regularly engages in the business of manufacturing pesticidal products; possesses, leases, or contracts for the use of facilities that are reasonably useable for producing pesticidal products from technical carbaryl and are registered as pesticide-producing establishments by the EPA; and possesses an EPA registered label or labels for one or more pesticidal products containing carbaryl.

(H) "Customer Formulator" means any formulator in the United States that, during the period November 1, 1975, to October 31, 1976, received technical carbaryl from defendant pursuant to a "Formulator Agreement" with defendant under which such formulator processed such technical carbaryl into a pesticidal product or products to be sold under the formulator's label.

(I) "Converter" means any person who has entered into an agreement with defendant to process technical carbaryl for defendant's account into a pesticidal product or products bearing defendant's label.

(J) "Registration" includes "reregistration."

III

The provisions of this Final Judgment applicable to the defendant shall apply to and only to such defendant; each of its officers, directors, agents, employees, subsidiaries, successors, and assigns; and all persons in active concert or participation with any of them that have received actual notice of this Final Judgment by personal service or otherwise. For the purpose of this Final Judgment, the defendant and its officers, directors, employees and subsidiaries, when acting in such capacity, shall be deemed to be one person.

IV

(A) Defendant is enjoined and restrained from:

(1) Entering into or renewing the "Formulator Agreements" in effect between defendant and customer formulators prior to November 1, 1976;

(2) Entering into, adhering to, maintaining, or claiming any rights under any contract, combination, conspiracy, agreement, or understanding, including but not limited to, any formulation allowance or similar program, with any person in the United States, prohibiting, limiting, or restraining such person from:

(a) Reselling any carbaryl product purchased in the United States from defendant, or

(b) Making any other product from a carbaryl product purchased in the United States from defendant;

(3) Refusing to sell technical carbaryl to any person in the United States for the reason that such person will not enter into, adhere to, or maintain any contract, combination, conspiracy, agreement, or understanding not to do one or more of the following:

(a) Resell technical carbaryl purchased in the United States from defendant;

(b) Make any other product from technical carbaryl purchased in the United States from defendant;

(4) Refusing to permit persons making or selling products containing SEVIN brand carbaryl manufactured by defendant to state on the label or in advertising that such products contain SEVIN carbaryl.

(B) Nothing in this Article IV shall in any way apply to or affect any right that defendant may have unilaterally to: establish prices, terms, and conditions (not prohibited by Paragraph (A) of this Article IV) on which defendant will sell carbaryl products; enter into or renew defendant's present converter agreements or any lawful arrangements with any person for the manufacture for defendant's account of carbaryl products bearing defendant's labels; or enter into and enforce any lawful agreement with any person requiring such person to maintain the confidentiality of defendant's trade secrets, technical data, "know-how," or other proprietary information with respect to any carbaryl product.

V

Defendant is ordered to send (within 60 days of the date this Judgment becomes final) letters to its customer formulators advising them that defendant will not enforce the following provisions of its "Carbaryl Insecticide Technical Grade Sales Agreements" effective November 1, 1976:

(A) Article 7, except the portion reading: "BUYER shall be entitled to an allowance of 20¢ per pound for each pound of Product";

(B) Exhibit B.

VI

(A) Defendant is ordered, for as long as it sells technical carbaryl in the United States to any formulator, but in no event more than five years after the date upon

which this Judgment becomes final, to sell technical carbaryl on non-discriminatory terms to any formulator in the United States making a written request therefor for delivery in the United States in quantities sufficient to meet such formulator's bona fide stated requirements in the United States for the period between the date of such request and the following October 31 for formulation of carbaryl products. Nothing in this Paragraph VI(A) shall prohibit defendant from offering to sell or selling technical carbaryl to any person on terms defendant sets in good faith to meet the terms of a competitor.

(B) Defendant shall not be obligated under this Article VI to sell technical carbaryl to any person who does not meet reasonable credit requirements (except if such person pays cash), or to ship technical carbaryl to, or for production into pesticidal products in, any establishment that the EPA has not registered as a pesticide producing establishment.

(C) Defendant may take reasonable and non-discriminatory steps consistent with this Final Judgment to protect itself from any risk of product liability (or other similar legal liability) suits, or violation of federal or state regulations or statutes, arising from any sales of technical carbaryl, including those sales required by this Article VI.

(D) If, at the time of any requests under this Article VI, defendant's production capacity is insufficient to meet such requests, defendant shall make a reasonable allocation among its own needs and those of its United States customers purchasing technical carbaryl, including customers purchasing under this Article VI. In case of such allocation, the class of formulators (other than customer formulators) purchasing under this Article VI shall have allocated to it during the year ending October 31 not less than 25% of the amount of technical carbaryl allocated to customer formulators during such year; except that no such allocation shall require defendant to sell to the class of formulators (other than customer formulators) purchasing under this Article VI, in any year ending October 31, more than 25% of the amount of technical carbaryl it shipped to customer formulators during the preceding year ended October 31.

VII

(A) During the period in which defendant is obligated under Article VI to sell technical carbaryl, whenever any formulator, or any person who would become a formulator upon obtaining registration of a carbaryl product, makes application to the EPA for registration (under the Federal Insecticide, Fungicide, and Rodenticide Act) of any carbaryl product made from defendant's technical carbaryl and in writing requests defendant's assistance in securing such registration, defendant shall:

(1) Authorize the EPA to utilize, in support of such application, any data that defendant submits or has submitted to the EPA in connection with the registration of any carbaryl product; and

(2) Identify such data to such applicant in sufficient detail to enable such applicant to comply with EPA requirements for data identification in connection with applications for registration.

(B) During such period, defendant shall not require compensation for such assistance, or for the utilization in support of such application of any such data that defendant permits or has permitted any formulator (or any person who would become a formulator upon obtaining registration of a carbaryl product) to utilize without compensation. Defendant may require any such applicant to pay reasonable and nondiscriminatory compensation for permitting utilization

of other such data in support of such application.

(C) Nothing in this Article VII shall in any way apply to or affect any right that defendant may have: (1) to assert to the EPA that any data are not subject to disclosure under the Freedom of Information Act, or otherwise, and to contest any contrary determination in any judicial proceeding; or (2) to require compensation for the utilization of any such data in circumstances not within the scope of Paragraphs (A)-(B) of this Article VII.

VIII

Except as may be required by Paragraph (A)(4) of Article IV or Article VII, nothing in this Final Judgment shall require defendant to license any person to use any trademark belonging to defendant or to disclose any trade secrets, technical data, "know-how," or other proprietary information to any person; or prohibit defendant from enforcing any rights it may have under present or future United States patents or trademarks, under any federal or state statute or common law provision protecting defendant's trade secrets or trademarks, or any lawful such provision protecting defendant against unfair competition.

IX

(A) For the purpose of determining or securing compliance with this Final Judgment and subject to any legally recognized privilege, from time to time:

(1) Fully authorized representatives of the Department of Justice shall, upon written request of the Attorney General or of the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the defendant made to its principal office, be permitted:

(a) Access during office hours of such defendant to inspect and copy all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of the defendant, who may have counsel present, relating to any of the matters contained in this Final Judgment; and

(b) Subject to the reasonable convenience of such defendant and without restraint or interference from it, to interview officers, employees, and agents of such defendant, who may have counsel present, regarding any such matters.

(2) Upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division made to the defendant's principal office, such defendant shall submit such written reports, under oath if requested, with respect to any of the matters contained in this Final Judgment as may be requested.

(B) No information or documents obtained by the means provided in this Article IX shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings in which the United States is a party, or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

(C) If at the time information or documents are furnished by the defendant to plaintiff, said defendant represents and identifies in writing the material in any such information or documents which is of a type described in Rule 26(c)(7) of the Federal Rules of Civil Procedure, and said defendant marks each pertinent page of such material, "Subject to Claim of Protection under the Federal Rules of Civil Procedure," then ten (10) days notice shall be given by plaintiff to such defendant prior to divulging such material in any legal proceeding (other than

a Grand Jury proceeding) to which that defendant is not a party.

X

Jurisdiction of this cause is retained for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate in relation to the construction of any of the provisions thereof, and for the purpose of the enforcement of compliance therewith and the punishment of violations thereof.

XI

Except insofar as shorter terms are expressly provided, this Judgment shall terminate ten (10) years after the date on which it becomes final.

XII

Entry of this Judgment is in the public interest.

Dated: _____

United States District Judge.

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

United States of America, Plaintiff, v. Union Carbide Corporation, Defendant.

Civil No. C-76-854 SAW.

Filed: February 23, 1977.

COMPETITIVE IMPACT STATEMENT

Richard H. Stern, Patent Section, Antitrust Division, U.S. Department of Justice, Washington, D.C. 20530, 202-376-8600.

Anthony E. Desmond, Antitrust Division, U.S. Department of Justice, 450 Golden Gate Avenue, San Francisco, California 94102, 415-556-6300.

Pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (15 U.S.C. § 16 (b)), the United States of America hereby submits this Competitive Impact Statement relating to the proposed consent judgment submitted for entry in this civil antitrust proceeding.

1. NATURE OF THE PROCEEDING

The government filed this civil action on April 28, 1976, alleging that the defendant, Union Carbide Corp. ("Carbide"), violated § 1 of the Sherman Act by restraining the use and resale of the chemical carbaryl (the substantially pure form of which is known as "technical carbaryl" or "technical grade carbaryl"), a pesticidal compound Carbide produces. The complaint also alleges that the second of two patents Carbide had relating to carbaryl was invalid on grounds of double patenting.

The prayer for relief sought: (1) an injunction against Carbide's maintaining or entering into new agreements having the restrictive effects challenged in the complaint; (2) compulsory sales of technical carbaryl; and (3) an injunction against the enforcement of Carbide's second patent relating to carbaryl and a declaration that the patent was invalid and unenforceable.

The relief that the government requested concerning the patent has been effectively obtained. In response to a government summary judgment motion on the patent issues, Carbide terminally disclaimed its only remaining patent, effective September 8, 1976. The only remaining part of the request for relief concerning the now-defunct patent, therefore, was a declaration that it was invalid. In ruling on the summary judgment motion, the trial court denied the government's request for a declaration of patent invalidity, on grounds of mootness due to the terminal disclaimer.

The proposed consent judgment provides the rest of the relief requested in the prayer

of the complaint—a prohibitory injunction and mandatory sales of technical carbaryl. It also establishes a means of by-passing, to a large degree, those regulatory complications at the Environmental Protection Agency ("EPA") that might slow or prevent technical carbaryl purchasers' attempts at rapid entry into the market place.

II. DESCRIPTION OF THE PRACTICES INVOLVED IN THE ALLEGED VIOLATION

Carbide is the only source of carbaryl for the United States. Since 1959, pursuant to "formulator agreements," Carbide has shipped some of its technical carbaryl to United States pesticide formulators for formulation into lower-strength carbaryl products. (Carbide also has had some of its technical carbaryl processed by other firms ("converters") into carbaryl products to be sold under Carbide's own labels.) Carbide did not allow the formulators to sell the technical carbaryl to others, and restricted the formulators to making only certain products directly from the technical carbaryl. Due to the resale restraint, third party pesticide manufacturers had to use pre-formulated carbaryl products to make their own line of carbaryl products. This limited the types of products they could make (since technical carbaryl is needed to make some relatively concentrated carbaryl products), and caused them to have to operate at higher materials costs (and resultant higher prices) than they would have if they had access to technical carbaryl.

Carbide defended the resale and use restraints on the theory that these agreements were actually "consignment" agreements, under which Carbide retained title to technical carbaryl until formulation was completed. Were this case to go to trial, the government would have argued that, under these formulator agreements, Carbide made de facto sales of technical carbaryl to the formulators, and illegally restrained the sale and use of the technical carbaryl by formulators.

After the complaint was filed, Carbide changed its formulator agreements, effective November 1, 1976, to provide explicitly for the sale of technical carbaryl to formulators. In November 1976, the government moved to amend the complaint to charge that the new formulator agreements also violate § 1 of the Sherman Act by illegally restraining the sale and use of technical carbaryl. This motion has not yet been heard.

The new formulator agreements provided for a 20-cents-per-pound "formulation allowance"—a rebate to be paid to the formulator only if he formulated the technical carbaryl into diluted carbaryl products. Were this case to go to trial, the government would have urged that the 20-cent formulation allowance continues and preserves the old illegal restraint on the resale of technical carbaryl, because the 20-cents-per-pound price differential (plus freight and profit), when passed on to prospective subvendees, makes the cost of the subvendees' carbaryl products high enough to prevent price competition between them and Carbide's formulators. Moreover, a monitoring provision in the new formulator agreements enabled Carbide to determine how much technical carbaryl a formulator has resold. Carbide could use this knowledge, the government would have contended, to cut the formulator off completely, or cut down his shipments so that he would have only enough technical carbaryl for his own use and have none for resale.

Under the terms of the trademark license agreement accompanying all the new formulator agreements, Carbide licensed the use

of its heavily-advertised trademark for carbaryl ("SEVIN") for only those carbaryl products specified in the agreement. Monitoring provisions in the formulator agreement ensured Carbide's knowledge of what specific products the formulators were making from the technical carbaryl. Were this case to go to trial, the government would have contended that Carbide can thus continue illegally to restrain the use of technical carbaryl by selectively withholding the trademark license from some products.

III. EXPLANATION OF THE PROPOSED CONSENT DECREE AND ITS ANTICIPATED EFFECT ON COMPETITION

The United States and Carbide have stipulated that the proposed consent judgment, in the form negotiated by and between the parties, may be entered by the Court at any time after compliance with the Antitrust Procedures and Penalties Act. The proposed judgment provides that there has been no admission by any party with respect to any issue of fact or law. Under the provisions of Section 2(e) of the Antitrust Procedures and Penalties Act, entry of the proposed judgment is conditioned upon a determination by the Court that the proposed judgment is in the public interest.

The proposed consent decree eliminates Carbide's challenged restrictions on formulators, and brings new competition into the market for carbaryl products. In order to do the latter, the decree provides for mandatory sales of technical carbaryl. Because federal statutes require registration of all pesticides sold in the United States, provisions are also included to simplify and expedite new pesticide registrations for purchasers of Carbide's technical carbaryl, so that they may quickly enter the market with their carbaryl products.

The major provisions of the judgment are discussed below.

Article IV would prohibit Carbide from entering into any arrangement (including the challenged agreements) under which the resale or the utilization of technical carbaryl or carbaryl products is in any way restrained (except for agreements by which others would make carbaryl products for Carbide to be sold under Carbide's labels). Carbide is also enjoined from refusing to sell technical carbaryl to persons who refuse to enter into such restrictive agreements.

Article V eliminates the restrictive effect of the formulation allowance rebate and the monitoring provisions of Carbide's new sales agreements. This is accomplished by forbidding Carbide to enforce the relevant provisions in the new contracts. The government took this approach, instead of ordering cancellation of the present contracts, to avoid making Carbide vulnerable to breach of contract claims by formulators who have already entered into these new agreements.

Article VI is the compulsory sales provision for technical carbaryl. The persons to whom Carbide must sell are all "formulators" (as defined in Article II); in effect, the only persons currently in the business of formulating pesticidal products who are excluded from this class of purchasers are competitive manufacturers of technical carbaryl. At present, there are no such persons in the United States. Persons purchasing technical carbaryl under this provision would be free to make carbaryl products for domestic or foreign consumption, or to resell the technical carbaryl domestically or in a foreign country.

Article VI also provides for an allocation of technical carbaryl to purchasers under Article VI who were not Carbide formulators in 1976, in the event that demand for carbaryl in the future exceeds Carbide's world production capacity. The allocation figure of 25% of the amount of technical carbaryl

shipped to its former formulators in the contract year, is equivalent to about 3% of Carbide's total world production of technical carbaryl in 1976. This 3% seems ample to supply any new customers who might come into the market under Article VI. In light of proposed expansion at existing Carbide facilities, and Carbide's plans for additional manufacturing sites, there is little chance that such allocation would ever be necessary.

Article VI calls for mandatory technical carbaryl sales for five years or as long as Carbide sells technical carbaryl to any formulator. If Carbide chooses to go completely "in house" with its carbaryl products (and there is a possibility that Carbide may follow this industry-wide trend), it would be relieved from the mandatory sales requirements. If Carbide continues to sell technical carbaryl to any formulator, however, it must sell to all.

Mach. 2

Article VII establishes a means by which purchasers under the mandatory sales provision, and other users of Carbide's technical carbaryl (including subvendees), can more easily and expeditiously obtain EPA registrations for their new carbaryl products. All pesticides marketed in the United States must be registered with the EPA. It has long been the practice of EPA (and its predecessor, USDA) to require data, proving the efficacy of the proposed product and its lack of potential adverse impact upon man and the environment, in support of each application for registration. Carbide has carbaryl data on file with the EPA that applicants for new carbaryl product EPA registrations may incorporate by reference to support their applications. By doing so, they avoid much of the time delay and expense otherwise involved in obtaining registrations. Article VII requires Carbide to permit such referencing, and allows Carbide to charge only reasonable and non-discriminatory fees for utilizing data that it never allowed others to use without compensation. Because applicants do not need to see Carbide's data, only the EPA is given access to it. Article VII generally parallels the legislative scheme (see the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 135, 136), but, for the purposes of this case, is superior to it. It prevents Carbide from tying up such referencing by claiming that the data contains or constitutes trade secrets (which may not be referenced under the legislative scheme), and from charging new formulators for data for which Carbide did not charge its existing formulators.

Article XI limits the duration of the judgment to ten years. It is very probable that the pesticide market will be substantially different ten years from now. Increased concern about environmental effects is causing more and more concentration in the industry, largely because fewer of the private label firms can afford the costs of operating in an increasingly-regulated industry. As stated earlier, there are indications that Carbide may cease marketing technical carbaryl through other manufacturers and instead formulate all carbaryl products itself. Moreover, in ten years, adequate competition in the manufacture of technical carbaryl may well have developed.

IV. REMEDIES AVAILABLE TO POTENTIAL PRIVATE PLAINTIFFS

Any potential private plaintiffs who might have been damaged by the alleged violations will retain the same right to sue for monetary damages, and any other legal or equitable relief to which they would have been entitled, as if the proposed judgment were not entered. This judgment may not be used as prima facie evidence in private litigation.

however, pursuant to Section 5(a) of the Clayton Act, as amended 15 U.S.C. § 16(a).

V. ALTERNATIVES TO THE PROPOSED JUDGMENT CONSIDERED BY THE UNITED STATES

A full trial on the merits was considered as an alternative to settlement. Because the relief in the proposed judgment would be substantially equivalent to that sought in the complaint, because significant relief would become effective upon entry of the judgment, and because appeals following a trial could delay the obtaining of effective relief for several years, the alternative of a trial on the merits was rejected.

In addition to considering provisions substantially similar to those contained in the proposed judgment, proposals considered by the government and then rejected included the following:

(a) During negotiations broader product scope (e.g., all agricultural chemicals, or all products) were discussed but later abandoned. Carbide's Agricultural Products Division President testified in a deposition that he might decide to use the challenged formulation agreements for other products, given appropriate circumstances. Nonetheless, the fact that the government challenged these agreements and Carbide's knowledge that it probably would challenge them again (if they were adopted) make it unlikely that Carbide would have cause to enter into similar restrictive contracts for the distribution of other products.

(b) The duration of compulsory sales was a substantial issue during negotiations. Five years was a compromise figure. Because of the relatively short start-up time required in the industry—a period shortened considerably by the EPA licensing provisions of Article VII—the government believes that the five-year period is adequate to attract and restore competition to the carbaryl pesticide market.

(c) Compulsory sales under Article VI are required only as long as Carbide continues to sell technical carbaryl to formulators in the United States. If Carbide should cease such sales, and process all of its technical carbaryl for the United States in in-house facilities, compulsory sales would not be required by Article VI. The government considered, but subsequently rejected, provisions requiring compulsory sales regardless of such circumstances. The government did not believe it appropriate in this case to prevent Carbide from moving toward full vertical integration.

(d) The government considered a provision requiring Carbide to make mandatory sales of technical carbaryl to all persons. Including persons other than pesticide formulators, however, was subsequently considered inappropriate in this case. Pesticide formulators are the ones who will make the technical carbaryl into useful formulations. Because pesticide formulators will be able to buy their technical carbaryl directly from Carbide, under the mandatory sales provision, there is no need to require Carbide to sell to brokers acting as middlemen between Carbide and formulators. Competing manufacturers of technical carbaryl were also excluded from the benefits of this decree, because there appeared to be no need to require Carbide to sell technical carbaryl to a competing manufacturer. EPA assistance under Article VII is also denied to such competing manufacturers. Because only Carbide's marketing restrictions on its own carbaryl were challenged, it is considered inappropriate to require Carbide to assist a competing manufacturer in obtaining EPA labeling for the competitor's carbaryl. (Such competitors already have the statutory right to reference some of Carbide's carbaryl data on file with the EPA.)

(e) During negotiations a question arose as to the necessity for a provision in Article VII enjoining Carbide from using for commercial purposes any trade secrets that might be revealed to it by applicants seeking Carbide's assistance under this article. Arguing against the inclusion of such a provision, Carbide's counsel has assured the government that: (1) few if any trade secrets would be divulged in the course of requesting assistance; (2) formulators are sophisticated enough to request trade secret agreements, if such are necessary; (3) Carbide's practice has been and will continue to be to enter into reasonable such trade secret agreements, when they are requested. Counsel also pointed out that Carbide might be in contempt of the judgment if it declined assistance to a formulator who refused to divulge (absent a trade secret agreement) trade secrets necessary to enable Carbide to assist him. Despite the fact that counsel declined to put his oral assurances into writing, on the basis of his reasoning and information the government has received from independent pesticide formulators, the government considered such a provision unnecessary.

(f) Originally the government considered a provision that would have prevented Carbide from requiring compensation for any carbaryl product data it files with the EPA. A compromise was reached, allowing Carbide to charge for the use of data for the use of which it did not, and will not in the future, charge other formulators. This compromise lets new formulators use, free of charge, all data that Carbide's existing and former formulators used in obtaining their registrations, and lets Carbide exercise its statutory right to collect compensation for some other classes of data.

(g) The government considered a provision requiring Carbide to grant formulators access to its confidential carbaryl product data on file with the EPA, as part of its assistance to such formulators. This provision was rejected as inappropriate, because several formulators told the government that they did not need to see the data, but merely needed to have the EPA look at it to support their applications.

(h) The government considered a provision requiring referencing of all of Carbide's carbaryl data submissions to other federal and state agencies. This was considered inappropriate in this case since the data filed with the EPA is the only significant regulatory requirement for selling carbaryl products in the United States. Once federal registration is obtained, state registrations are easily obtainable.

(i) The mandatory licensing of all Carbide's trade secrets concerning carbaryl products was also considered. The government subsequently deemed such relief inappropriate in this case, because Carbide has only a few proprietary carbaryl products that other pesticide formulators might not know how to prepare. In addition, the formulation now most sought by users is a liquid carbaryl formulation, which Carbide has not yet developed.

(j) The government also considered prohibiting Carbide from in any way refusing to deal with a person because he resells any of Carbide's carbaryl products, or makes any other product from any of Carbide's carbaryl products. Inclusion of this provision was subsequently considered inappropriate, and the part of the provision concerning refusal to deal was limited to refusals to sell technical carbaryl, because the practice with which the government was primarily concerned was that Carbide might perpetuate its restraints on technical carbaryl by refusals to sell technical carbaryl. The rest of the provision was limited to technical carbaryl, as well, as restraints on the resale and use only of technical carbaryl.

were alleged in the complaint. Such a limitation was considered completely adequate in view of the broad prohibitions of paragraph (A)(2) of Article IV.

(k) The definition of technical carbaryl was also an issue during negotiations. Technical carbaryl is defined in Article II as carbaryl of approximately 99% purity, which corresponds to Carbide's current specifications for technical carbaryl. Carbide assured the government that it would not tamper with the specifications or sell only lower concentrations of carbaryl, as a means of avoiding compliance with the judgment. On this basis the definition in the judgment was adopted.

VI. DETERMINATIVE DOCUMENTS

There are no materials or documents which the government considered determinative in formulating the proposed consent judgment. Therefore, none is being filed with this competitive impact statement.

VII. PROCEDURES AVAILABLE FOR MODIFICATION OF THE PROPOSED CONSENT JUDGMENT

The proposed consent judgment is subject to a stipulation between the United States and Carbide which provides that the United States may withdraw its consent to the proposed consent judgment at any time before the Court has found that entry of the judgment is in the public interest. The district court would retain jurisdiction of the case to permit any necessary construction or modification of the judgment, to enforce compliance and to punish any judgment violation.

As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed judgment should be modified may, during the sixty-day period prior to the effective date of the proposed judgment, submit written comments to the United States Department of Justice, Bernard M. Hollander, Chief, Judgments and Judgment Enforcement Section, Antitrust Division, Washington, D.C. 20530, which will file with the Court and publish in the Federal Register such comments and its response to them. The Department of Justice will thereafter evaluate any and all such comments and determine whether there is any reason for withdrawal of its consent to the proposed judgment.

Dated: February 23, 1977.

RICHARD H. STERN,
BERNARD H. MEYER,
KENNETH M. FRANKEL,
ROBERT S. SCHWARTZ,
BRUCE T. REESE,
Attorneys, Antitrust Division
Department of Justice.

[PR Doc. 77-6534 Filed 3-3-77; 8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration MINNESOTA Availability of Federal Supplemental Benefits

This notice announces the beginning of a new Federal Supplemental Benefit Period in the State of Minnesota effective February 27, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State

and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals will be up to 13 weeks or 26 weeks, depending upon the level of the rate of insured unemployment in the State.

There is a Federal Supplemental Benefit "on" indicator in a State for a week if the United States Secretary of Labor determines with respect to the State that, (a) there is a State or National "on" indicator for the week, as determined for the purposes of payment of extended benefits under the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and (b) the employment security agency of the State has determined that the average rate of insured unemployment in the State for the period consisting of that week and the immediately preceding twelve weeks equalled or exceeded 5.0 percent. The Federal Supplemental Benefit Period actually begins with the third week following the week for which there is an "on" indicator, and lasts for a minimum period of not less than 26 weeks.

Similarly, an "off" indicator ending a Federal Supplemental Benefit Period occurs in a week when the Secretary of Labor determines that the average rate of insured unemployment (as determined by the State employment security agency) for the period consisting of that week and the immediately preceding twelve weeks is less than 5.0 percent. The Federal Supplemental Benefit Period actually ends with the third week after the week in which there is an "off" indicator, but not earlier than the end of the twenty-sixth week of the period.

DETERMINATION OF "ON" INDICATOR

The Secretary of Labor has determined under section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and 20 CFR 615.13(a), (Title 20 of the Code of Federal Regulations, section 615.13 (a)), that there is a National "on" indicator in effect which is applicable to every State, as announced in the notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 7722. The employment security agency of the State of Minnesota has determined under the Act and 20 CFR 618.19(a) (2) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on February 12, 1977, and the immediately preceding twelve weeks equalled or exceeded 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19

(a), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "on" indicator in the State of Minnesota for the week ending on February 12, 1977, and that a Federal Supplemental Benefit Period therefore commenced in that State with the week beginning on February 27, 1977.

INFORMATION FOR CLAIMANTS

There will be a 5-per centum period in effect in the new Federal Supplemental Benefit Period, commencing at the beginning of the new period. During the 5-per centum period an individual who is eligible for Federal Supplemental Benefits will be entitled to a maximum amount of up to 13 times the individual's weekly benefit amount, or, if less, the balance in the individual's Federal Supplemental Benefit Account.

In the event that a 6-per centum period subsequently takes effect in the new Federal Supplemental Benefit Period, because the rate of insured unemployment in the State has risen to an average of 6.0 percent or more over a period of thirteen weeks, the maximum amount of Federal Supplemental Benefits payable to an eligible individual will increase. In that event, as the Act now provides, an eligible individual will be entitled to a maximum amount of Federal Supplemental Benefits of up to 26 times the individual's weekly benefit amount, or, if less, the balance in the individual's Federal Supplemental Benefit Account.

The State employment security agency will furnish a written notice of potential entitlement to Federal Supplemental Benefits to each individual who is an "exhaustee" (as defined in the Act and 20 CFR 618.5) of regular and extended benefits payable under State and Federal unemployment compensation laws, and to each individual who has a previously established Federal Supplemental Benefit Account in which there is any balance as of the beginning of the new Federal Supplemental Benefit Period. The State employment security agency also will furnish a written notice to each individual for whom a Federal Supplemental Benefit Account has been established, of the beginning or ending of a 6-per centum period in the new Federal Supplemental Benefit Period, and its effect on the individual's entitlement to Federal Supplemental Benefits.

The Act now provides that the program will expire with the last week which ends before April 1, 1977, at which time the Federal Supplemental Benefit Period will terminate. If the program is extended, individuals who may be entitled to Federal Supplemental Benefits will be notified by the State employment security agency.

Persons who believe they may be entitled to Federal Supplemental Benefits in the State of Minnesota, or who wish to inquire about their rights under this program, should contact the nearest Lo-

cal Office of the Minnesota Department of Employment Services in their locality.

Signed at Washington, D.C., on March 1, 1977.

WILLIAM B. HEWITT,
Acting Assistant Secretary
for Employment and Training.

[FR Doc. 77-6539 Filed 3-3-77; 8:45 am]

NORTH DAKOTA

Availability of Federal Supplemental Benefits

This notice announces the beginning of a new Federal Supplemental Benefit Period in the State of North Dakota effective February 27, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplemental unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals will be up to 13 weeks or 26 weeks, depending upon the level of the rate of insured unemployment in the State.

There is a Federal Supplemental Benefit "on" indicator in a State for a week if the United States Secretary of Labor determines with respect to the State that, (a) there is a State or National "on" indicator for the week, as determined for the purposes of payment of extended benefits under the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and (b) the employment security agency of the State has determined that the average rate of insured unemployment in the State for the period consisting of that week and the immediately preceding twelve weeks equalled or exceeded 5.0 percent. The Federal Supplemental Benefit Period actually begins with the third week following the week for which there is an "on" indicator, and lasts for a minimum period of not less than 26 weeks.

Similarly, an "off" indicator ending a Federal Supplemental Benefit Period occurs in a week when the Secretary of Labor determines that the average rate of insured unemployment (as determined by the State employment security agency) for the period consisting of that

week and the immediately preceding twelve weeks is less than 5.0 percent. The Federal Supplemental Benefit Period actually ends with the third week after the week in which there is an "off" indicator, but not earlier than the end of the twenty-sixth week of the period.

DETERMINATION OF "ON" INDICATOR

The Secretary of Labor has determined under section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and 20 CFR 615.13(a), (Title 20 of the Code of Federal Regulations, section 615.13(a)), that there is a National "on" indicator in effect which is applicable to every State, as announced in the notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 7722. The employment security agency of the State of North Dakota has determined under the Act and 20 CFR 618.19(a)(2) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on February 12, 1977, and the immediately preceding twelve weeks equalled or exceeded 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(a), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "on" indicator in the State of North Dakota for the week ending on February 12, 1977, and that a Federal Supplemental Benefit Period therefore commenced in that State with the week beginning on February 27, 1977.

INFORMATION FOR CLAIMANTS

There will be a 5-per centum period in effect in the new Federal Supplemental Benefit Period, commencing at the beginning of the new period. During the 5-per centum period an individual who is eligible for Federal Supplemental Benefits will be entitled to a maximum amount of up to 13 times the individual's weekly benefit amount, or, if less, the balance in the individual's Federal Supplemental Benefit Account.

In the event that a 6-per centum period subsequently takes effect in the new Federal Supplemental Benefit Period, because the rate of insured unemployment in the State has risen to an average of 6.0 percent or more over a period of thirteen weeks, the maximum amount of Federal Supplemental Benefits payable to an eligible individual will increase. In that event, as the Act now provides, an eligible individual will be entitled to a maximum amount of Federal Supplemental Benefits of up to 26 times the individual's weekly benefit amount, or, if less, the balance in the individual's Federal Supplemental Benefit Account.

The State employment security agency will furnish a written notice of potential entitlement to Federal Supplemental Benefits to each individual who is an

"exhaustee" (as defined in the Act and 20 CFR 618.5) of regular and extended benefits payable under State and Federal unemployment compensation laws, and to each individual who has a previously established Federal Supplemental Benefit Account in which there is any balance as of the beginning of the new Federal Supplemental Benefit Period. The State employment security agency also will furnish a written notice to each individual for whom a Federal Supplemental Benefit Account has been established, of the beginning or ending of a 6-per centum period in the new Federal Supplemental Benefit Period, and its effect on the individual's entitlement to Federal Supplemental Benefits.

The Act now provides that the program will expire with the last week which ends before April 1, 1977, at which time the Federal Supplemental Benefit Period will terminate. If the program is extended, individuals who may be entitled to Federal Supplemental Benefits will be notified by the State employment security agency.

Persons who believe they may be entitled to Federal Supplemental Benefits in the State of North Dakota, or who wish to inquire about their rights under this program, should contact the nearest Employment Office of the North Dakota Employment Security Bureau in their locality.

Signed at Washington, D.C., on March 1, 1977.

WILLIAM B. HEWITT,
Acting Assistant Secretary
for Employment and Training.

[FR Doc. 77-6540 Filed 3-3-77; 8:45 am]

WISCONSIN

Availability of Federal Supplemental Benefits

This notice announces the beginning of a new Federal Supplemental Benefit Period in the State of Wisconsin effective February 27, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals will be up to 13 weeks or 26 weeks, depending upon the level of the

rate of insured unemployment in the State.

There is a Federal Supplemental Benefit "on" indicator in a State for a week if the United States Secretary of Labor determines with respect to the State that, (a) there is a State or National "on" indicator for the week, as determined for the purposes of payment of extended benefits under the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and (b) the employment security agency of the State has determined that the average rate of insured unemployment in the State for the period consisting of that week and the immediately preceding twelve weeks equalled or exceeded 5.0 percent. The Federal Supplemental Benefit Period actually begins with the third week following the week for which there is an "on" indicator, and lasts for a minimum period of not less than 26 weeks.

Similarly, an "off" indicator ending a Federal Supplemental Benefit Period occurs in a week when the Secretary of Labor determines that the average rate of insured unemployment (as determined by the State employment security agency) for the period consisting of that week and the immediately preceding twelve weeks is less than 5.0 percent. The Federal Supplemental Benefit Period actually ends with the third week after the week in which there is an "off" indicator, but not earlier than the end of the twenty-sixth week of the period.

DETERMINATION OF "ON" INDICATOR

The Secretary of Labor has determined under section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and 20 CFR 615.13(a), (Title 20 of the Code of Federal Regulations, section 615.13(a)), that there is a National "on" indicator in effect which is applicable to every State, as announced in the notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 7722. The employment security agency of the State of Wisconsin has determined under the Act and 20 CFR 618.19(a)(2) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on February 12, 1977, and the immediately preceding twelve weeks equalled or exceeded 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(a), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "on" indicator in the State of Wisconsin for the week ending on February 12, 1977, and that a Federal Supplemental Benefit Period therefore commenced in that State with the week beginning on February 27, 1977.

INFORMATION FOR CLAIMANTS

There will be a 5 per centum period in effect in the new Federal Supplemental

Benefit Period, commencing at the beginning of the new period. During the 5 per centum period an individual who is eligible for Federal Supplemental Benefits will be entitled to a maximum amount of up to 13 times the individual's weekly benefit amount, or, if less, the balance in the individual's Federal Supplemental Benefit Account.

In the event that a 6 per centum period subsequently takes effect in the new Federal Supplemental Benefit Period, because the rate of insured unemployment in the State has risen to an average of 6.0 percent or more over a period of thirteen weeks, the maximum amount of Federal Supplemental Benefits payable to an eligible individual will increase. In that event, as the Act now provides, an eligible individual will be entitled to a maximum amount of Federal Supplemental Benefits of up to 26 times the individual's weekly benefit amount, or, if less, the balance in the individual's Federal Supplemental Benefit Account.

The State employment security agency will furnish a written notice of potential entitlement to Federal Supplemental Benefits to each individual who is an "exhausted" (as defined in the Act and 20 CFR 618.5) of regular and extended benefits payable under State and Federal unemployment compensation laws, and to each individual who has a previously established Federal Supplemental Benefit Account in which there is any balance as of the beginning of the new Federal Supplemental Benefit Period. The State employment security agency also will furnish a written notice to each individual for whom a Federal Supplemental Benefit Account has been established, of the beginning or ending of a 6-per centum period in the new Federal Supplemental Benefit Period, and its effect on the individual's entitlement to Federal Supplemental Benefits.

The Act now provides that the program will expire with the last week which ends before April 1, 1977, at which time the Federal Supplemental Benefit Period will terminate. If the program is extended, individuals who may be entitled to Federal Supplemental Benefits will be notified by the State employment security agency.

Persons who believe they may be entitled to Federal Supplemental Benefits in the State of Wisconsin, or who wish to inquire about their rights under this program, should contact the nearest District Office of the Wisconsin Job Service in their locality.

Signed at Washington, D.C., on March 1, 1977.

WILLIAM B. HEWETT,
Acting Assistant Secretary for
Employment and Training.

[FR Doc. 77-6541 Filed 3-3-77; 8:45 am]

MIGRANT AND OTHER SEASONALLY EMPLOYED FARMWORKER PROGRAMS

Grant Awards

The Secretary of Labor announces the award of grants for Program Year 1977 funded under provisions of the Compre-

hensive Employment and Training Act (CETA) of 1973, as amended, title III, section 303. The programs are administered by the Employment and Training Administration and provide manpower and other services for migrants and seasonal farmworkers.

Following is a list of grantees funded for Program Year 1977 and the total dollar amount of each grant award. These grants are for the Program Year January 1, 1977, through December 31, 1977. The dollar amount is comprised of Fiscal Year 1977 funds and funds carried over from Fiscal Year 1976. (The list does not include States or areas for which funding decisions have not been made. These are: Utah, Michigan, Montana, Oregon, South Carolina, and Wayne and Suffolk Counties of New York.) In addition, grants for South Dakota and Kentucky were extended utilizing unexpended Program Year 1976 funds.

ALABAMA

Alabama Migrant & Seasonal Farmworkers Council, Inc., 404 East South Boulevard, Montgomery, Alabama 36105—\$716,499.

ARIZONA

Migrant Opportunity Programs, 6611 South Central Avenue, Phoenix, Arizona 85040—\$1,555,570.

ARKANSAS

Arkansas Council for Farmworkers, Inc., 1200 Westpark Drive, Suite 400, P.O.B. 4241, Little Rock, Arkansas 72204—\$1,583,900.

CALIFORNIA

Orange County Manpower Commission, 433 Civic Center Drive, West Santa Ana, California 92701—\$288,700.

CET, 425 South Market Street, San Jose, California 95113—\$893,200.

Proteus Adult Training, Inc., 1640 West Mineral King, Suite 204, Visalia, California 93277—\$1,165,300.

County of Los Angeles, 2999 West Sixth Street, Los Angeles, California 90020—\$81,000.

Greater California Education Project, 1044 Fulton Mall, 6th Floor, P.O.B. 11067, Fresno, California 93721—\$3,643,500.

Inland Manpower Association, 336 North La-Cadena Drive, P.O.B. 350, Colton, California 92324—\$477,541.

North Bay Human Development Corporation, 2462 Mendocino Avenue, Santa Rosa, California 95202—\$1,192,100.

City of Stockton, City Hall—Farmworker Program, 425 El Dorado, Stockton, California 95202—\$565,186.

CONNECTICUT

New England Farmworkers Council, Inc., 3502 Main Street, Springfield, Massachusetts 01107—\$342,606.

COLORADO

Colorado Council on Migrant and Seasonal Agricultural Workers and Families, 665 Grant Street, Denver, Colorado 80203—\$767,700.

DELAWARE

Delmarva Ecumenical Agency, Rural Ministries Coalition, Blue Hen Mall—2nd Floor, Dover, Delaware 19901—\$149,772.

FLORIDA

Adult Migrant Program, Florida State Department of Education, 715 East Bird Street, Suite 309, Tampa, Florida 33604—\$4,055,000.

GEORGIA

Employment Security Agency, Room 417, Georgia Department of Labor, 501 Pulliam Street, S.W., Atlanta, Georgia 30312—\$1,939,400.

HAWAII

Office of the Governor, Department of Labor and Industrial Relations, OMP, 720 Kapiolani Blvd., Room 302, Honolulu, Hawaii 96813—\$565,346.

IDAHO

Idaho Migrant Council, 415 South 8th Street, Boise, Idaho 83706—\$603,397.

ILLINOIS

Illinois Migrant Council, 202 South State Street, Suite 1500, Chicago, Illinois 60604—\$1,123,151.

INDIANA

Indiana Office of Manpower Development, 150 West Market Street, 7th Floor, Indianapolis, Indiana 46204—\$818,000.

IOWA

Migrant Action Program, 230 East State Street, P.O.B. 778, Mason City, Iowa 50401—\$1,290,000.

OKLAHOMA

ORO Development Corporation, 1100 Classen Drive, P.O.B. 60126, Plaza Court Building, Suite 221, Oklahoma City, Oklahoma 73106—\$525,600.

LOUISIANA

Manpower Education and Training, P.O.B. 781, Jennings, Louisiana 70546—\$840,400.

MAINE

Penobscot County Manpower Administration, Symphony House, 166 Union Street, Bangor, Maine 04401—\$255,600.

MARYLAND

Migrant and Seasonal Farmworkers, Inc., 3939 Western Boulevard, P.O.B. 33315, Raleigh, North Carolina 27606—\$5,043,934.

MASSACHUSETTS

New England Farmworkers Council, Inc., 3502 Main Street, Springfield, Massachusetts 01107—\$342,606.

MINNESOTA

Minnesota Migrant Council, P.O.B. 1231, St. Cloud, Minnesota 56301—\$1,244,700.

MISSISSIPPI

Mississippi Delta Council for Farmworkers Opportunities, 1933 Fourth Street, Clarksdale, Mississippi 38614—\$1,267,900.

MISSOURI

Rural Missouri, Inc., 418 Madison Street, P.O.B. 204, Jefferson City, Missouri 65101—\$839,600.

NEBRASKA

State of Nebraska Department of Labor, P.O.B. 94600, 550 South 16th Street, 4th Floor, State House Station, Lincoln, Nebraska 68509—\$935,600.

NEVADA

State of Nevada, Office of State Manpower Services, State Mail Room, Carson City, Nevada 89710—\$149,763.

NEW JERSEY

Farmworkers Corporation of New Jersey, 36 West Landis Avenue, Vineland, New Jersey 08360—\$604,800.

NEW MEXICO

Home Education Livelihood Program, 5000
Marble, NE., Albuquerque, New Mexico
87110—\$802,100.

NEW YORK

Program Funding, Inc., Powers Bldg., Suite
730, Rochester, New York 14614—\$905,800.

NORTH CAROLINA

Migrant & Seasonal Farmworkers, Inc., 3929
Western Boulevard, P.O.B. 33315, Raleigh,
North Carolina 27606—\$5,043,934.

NORTH DAKOTA

North Dakota Migrant Council, 20 South
Fourth, Grand Forks, North Dakota 58201—
\$294,300.

OHIO

La Raza Unida de Ohio, 1007 Revere Drive,
Bowling Green, Ohio 43402—\$980,400.

OKLAHOMA

ORO Development Corporation, 1100 Classen
Drive, P.O.B. 60126, Plaza Court Building,
Suite 221, Oklahoma City, Oklahoma
73106—\$525,600.

PENNSYLVANIA

Pennsylvania Council of Farmworkers, Inc.,
1600 Lehigh Parkway, East (1-B), Allen-
town, Pennsylvania 18109—\$1,119,400.

PUERTO RICO

Commonwealth of Puerto Rico, Department
of Labor, 414 Barbosa Avenue, Hato Rey,
San Juan, Puerto Rico 00917—\$2,780,047.

RHODE ISLAND

New England Farmworkers Council, Inc.,
3502 Main Street, Springfield, Massachu-
setts 01107—\$342,600.

TENNESSEE

Tennessee Opportunity Program for Seasonal
Farmworkers, Inc., 2303 Foster Avenue,
Nashville, Tennessee 37211—\$751,128.

TEXAS

Associated City-County Economic Develop-
ment Corporation (Hidalgo Co.), 1304
South 25th Street, P.O. Box 1193, Edinburg,
Texas 78539—\$1,373,600.

Economic Opportunities Development Cor-
poration of San Antonio and Bexar Coun-
ties, 410 South Main Street, P.O. Box 9326,
San Antonio, Texas 78204—\$525,151.

Manpower Education & Training, Inc., 105
East, Houston Street, Cleveland, Texas
77327—\$4,210,700.

Community Action Council of South Texas,
420 East Main, P.O. Drawer S, Rio Grande
City, Texas 78582—\$365,000.

VIRGINIA

Migrant & Seasonal Farmworkers, Inc., 3929
Western Boulevard, P.O. Box 33315, Ra-
leigh, North Carolina 27606—\$5,043,934.

VERMONT

Agency of Human Services, Comprehensive
Employment and Training, 79 River Street,
Montpelier, Vermont 05602—\$298,450.

WASHINGTON

Northwest Rural Opportunities, 305 Euclid
Street, Grandview, Washington 98930—
\$1,513,800.

WEST VIRGINIA

Governor's Manpower Office, 5790-A Mac-
Corkle Avenue, S.E., Charleston, West Vir-
ginia 25305—\$204,600.

WISCONSIN

United Migrant Opportunity Services, 800
West Greenfield Avenue, Milwaukee, Wis-
consin 53204—\$1,512,900.

Signed at Washington, D.C., this 4th
day of February 1977.

PAUL A. MAYRAND,

Chief,

Division of Farmworkers Programs.

[FR Doc.77-6542 Filed 3-3-77; 8:45 am]

Occupational Safety and Health
AdministrationNATIONAL ADVISORY COMMITTEE ON
OCCUPATIONAL SAFETY AND HEALTH,
SUBGROUP ON COMPLIANCE

Meeting

Notice is hereby given that the Sub-
group on Compliance of the National Ad-
visory Committee on Occupational
Safety and Health (NACOSH) will meet
on March 23, 1977.

The National Advisory Committee was
established under section 7(a) of the Oc-
cupational Safety and Health Act of 1970
to advise the Secretary of Labor and the
Secretary of Health, Education, and
Welfare on matters relating to the ad-
ministration of the Act. The Committee
has established the Subgroup on Com-
pliance to assist in carrying out its re-
sponsibilities. The Subgroup meeting will
be held in Room N-4437, Department of
Labor Building, 3rd Street and Constitu-
tion Avenue, NW, Washington, D.C.
20210. The meeting will begin at 9 a.m.
The public is invited to attend.

The Compliance Subgroup will con-
tinue its discussion of new concepts in
compliance techniques and the system
for processing employee discrimination
complaints under Section 11(c) of the
Act.

For additional information contact:

Ken Hunt, Committee Management Office,
Room N-3635, Department of Labor-OSHA,
3rd Street and Constitution Avenue NW,
Washington, D.C. 20210. Phone: (202)
523-8024.

Any written data or views concerning
these agenda items or suggestions for
future agenda items which are received
by the Committee Management Office be-
fore the scheduled meeting date, prefera-
bly with 20 copies, will be presented to the
Subgroup and included in the official rec-
ord of the meeting.

Anyone wishing to make an oral
presentation should notify the Commit-
tee Management Office before the meet-
ing. The request should state the amount
of time desired, the capacity in which
the person will appear, and a brief out-
line of the content of the presentation.
Oral presentations will be scheduled at
the discretion of the Subgroup Chair-
man, depending on the extent to which
time permits.

Official records of the meeting will be
available for public inspection at the
above address.

Signed at Washington, D.C., this 28th
day of February 1977.

J. GOODELL,

Executive Secretary.

[FR Doc.77-6543 Filed 3-3-77; 8:45 am]

Office of the Secretary

[TA-W-1,629]

ALLIED TEXTILE PRINTERS CORP.

Investigation Regarding Certification of
Eligibility To Apply for Worker Adjust-
ment Assistance

On January 27, 1977 the Department
of Labor received a petition dated Jan-
uary 24, 1977 which was filed under Sec-
tion 221(a) of the Trade Act of 1974
("the Act") by the Textile Printing
Colorist Guild on behalf of the workers
and former workers of Allied Textile
Printers Corporation, Paterson, New
Jersey (TA-W-1,629). Accordingly, the
Director, Office of Trade Adjustment As-
sistance, Bureau of International Labor
Affairs, has instituted an investigation as
provided in Section 221(a) of the Act
and 29 CFR 90.12.

The purpose of the investigation is to
determine whether absolute or relative
increases of imports of articles like or
directly competitive with textile print-
ing for fabrics produced by Allied Textile
Printers Corporation or an appropriate
subdivision thereof have contributed im-
portantly to an absolute decline in sales
or production, or both, of such firm or
subdivision and to the actual or threat-
ened total or partial separation of a
significant number or proportion of the
workers of such firm or subdivision. The
investigation will further relate, as ap-
propriate, to the determination of the
date on which total or partial separa-
tions began or threatened to being and
the subdivision of the firm involved. A
group meeting the eligibility require-
ments of Section 222 of the Act will be
certified as eligible to apply for adjust-
ment assistance under Title II, Chapter
2, of the Act in accordance with the pro-
visions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the peti-
tioner or any other person showing a
substantial interest in the subject mat-
ter of the investigation may request a
public hearing, provided such request
is filed in writing with the Director, Of-
fice of Trade Adjustment Assistance, at
the address shown below, not later than
March 14, 1977.

Interested persons are invited to sub-
mit written comments regarding the sub-
ject matter of this investigation to the
Director, Office of Trade Adjustment
Assistance, at the address shown below,
not later than March 14, 1977.

The petition filed in this case is avail-
able for inspection at the Office of the
Director, Office of Trade Adjustment As-
sistance, Bureau of International Labor
Affairs, U.S. Department of Labor, 200
Constitution Avenue, N.W., Washington,
D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6246 Filed 3-3-77; 8:45 am]

[TA-W-1,630]

BEACON TEX-PRINT LTD.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 27, 1977 the Department of Labor received a petition dated January 24, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Textile Printing Colorist Guild on behalf of the workers and former workers of Beacon Tex-Print Ltd., Beacon, New York (TA-W-1,630). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textile printing for fabrics produced by Beacon Tex-Print Ltd. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200

Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6247 Filed 3-3-77; 8:45 am]

[TA-W-1,632]

BREWSTER FINISHING CO., INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 27, 1977 the Department of Labor received a petition dated January 24, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Textile Printing Colorist Guild on behalf of the workers and former workers of Brewster Finishing Company, Inc., Paterson, New Jersey (TA-W-1,632). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textile printing for fabrics produced by Brewster Finishing Company, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the

Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6248 Filed 3-3-77; 8:45 am]

[TA-W-1,633]

CONGRESS TEXTILE PRINTERS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 27, 1977 the Department of Labor received a petition dated January 24, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Textile Printing Colorist Guild on behalf of the workers and former workers of Congress Textile Printers, Inc., Hawthorne, New Jersey (TA-W-1,633). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textile printing for fabrics produced by Congress Textile Printers, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment As-

assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6249 Filed 3-3-77; 8:45 am]

[TA-W-1,640]

DIXON FORD SHOE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On February 7, 1977 the Department of Labor received a petition dated January 31, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Dixon Ford Shoe Company, Salinas, Puerto Rico (TA-W-1,640). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's work boots produced by Dixon Ford Shoe Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 9th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6250 Filed 3-3-77; 8:45 am]

[TA-W-1,634]

GENERAL ELECTRIC CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 10, 1977 the Department of Labor received a petition dated January 5, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio, and Machine Workers on behalf of the workers and former workers of Semiconductor Products Department of General Electric Company, Syracuse, New York (TA-W-1,634). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with transistors, diodes, and OPTO electronics produced by General Electric Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm, or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 5th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6251 Filed 3-3-77; 8:45 am]

[TA-W-1,638]

GENERAL ELECTRIC CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 21, 1977 the Department of Labor received a petition dated January 17, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical, Radio & Machine Workers on behalf of the workers and former workers of General Electric Company, Liverpool, New York (TA-W-1,638). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with special pick up tubes and light valve tubes produced by General Electric Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the

Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6252 Filed 3-3-77; 8:45 am]

[TA-W-1,635]

GREAT WESTERN SUGAR CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 25, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Western Conference of Teamsters on behalf of the workers and former workers of Brighton, Colorado plant of Great Western Sugar Company, Denver, Colorado, a wholly-owned subsidiary of Great Western United Corporation, Denver, Colorado (TA-W-1635). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with beet sugar produced by Great Western Sugar Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the

Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6253 Filed 3-3-77; 8:45 am]

[TA-W-1,636]

GREAT WESTERN SUGAR CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 25, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Western Conference of Teamsters on behalf of the workers and former workers of Longmont, Colorado plant of Great Western Sugar Company, Denver, Colorado, a wholly-owned subsidiary of Great Western United Corporation, Denver, Colorado (TA-W-1,636). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with beet sugar produced by Great Western Sugar Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the

Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6254 Filed 3-3-77; 8:45 am]

[TA-W-1,637]

GREAT WESTERN SUGAR CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 25, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Western Conference of Teamsters on behalf of the workers and former workers of Johnstown, Colorado plant of Great Western Sugar Company, Denver, Colorado, a wholly-owned subsidiary of Great Western United Corporation, Denver, Colorado (TA-W-1,637). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with molasses produced by Great Western Sugar Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the

Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6255 Filed 3-3-77; 8:45 am]

[TA-W-1,641]

HARMONY CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 25, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Piano & Musical Instrument Workers on behalf of the workers and former workers of The Harmony Company, Chicago, Illinois (TA-W-1,641). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with guitars, banjos & mandolins produced by The Harmony Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, Department of Labor, 200 Con-

stitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 9th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6256 Filed 3-3-77; 8:45 am]

[TA-W-1,628]

HULL DYE & PRINT WORKS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 27, 1977 the Department of Labor received a petition dated January 24, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Textile Printing Colorist Guild on behalf of the workers and former workers of Hull Dye & Print Works, Inc., Derby, Connecticut (TA-W-1,628). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the dyeing and textile printing for fabrics produced by Hull Dye & Print Works, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6257 Filed 3-3-77; 8:45 am]

[TA-W-1,624]

INTERNATIONAL SHOE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 25, 1977 the Department of Labor received a petition dated January 22, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Conway, Arkansas plant of International Shoe Company, St. Louis, Missouri, a division of Interco, Inc., St. Louis, Missouri (TA-W-1,624). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's dress and casual shoes produced by International Shoe Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6258 Filed 3-3-77; 8:45 am]

PALM LAND FASHIONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 17, 1977 the Department of Labor received a petition dated January 11, 1977 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing and Textile Workers Union on behalf of the workers and former workers of Palm Land Fashions, Inc., Miami, Florida, a wholly-owned subsidiary of Allied Artist Industries, Inc., New York, New York (TA-W-1,639). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's sport shirts produced by Palm Land Fashions, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6259 Filed 3-3-77; 8:45 am]

[TA-W-1,625]

SOUTH BEND TOY MANUFACTURING, CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 26, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Furniture Workers of America on behalf of the workers and former workers of South Bend Toy Manufacturing Company, South Bend, Indiana, a division of Milton Bradley Corp., Springfield, Massachusetts (TA-W-1,625). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with baby doll strollers produced by South Bend Toy Manufacturing Co. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200

Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6260 Filed 3-3-77; 8:45 am]

[TA-W-1,631]

UNION TEXTILE PRINTERS

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 27, 1977 the Department of Labor received a petition dated January 24, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Textile Printing Colorist Guild on behalf of the workers and former workers of Union Textile Printers, Secaucus, New Jersey (TA-W-1,631). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textile printing for fabrics produced by Union Textile Printers or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200

Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6261 Filed 3-3-77; 8:45 am]

[TA-W-1,627]

VULCAN CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 27, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Boot and Shoe Workers' Union on behalf of the workers and former workers of South Charleston, Ohio plant of Vulcan Corporation, Cincinnati, Ohio (TA-W-1,627). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with wood heels and wedges for shoes produced by Vulcan Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor,

200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6262 Filed 3-3-77; 8:45 am]

[TA-W-1,623]

ZURN INDUSTRIES, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 31, 1977 the Department of Labor received a petition dated January 5, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of Zurn Industries, Inc., Cast Metals Division, Erie, Pennsylvania (TA-W-1,623). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with cast metal valves, fittings and pumps produced by Zurn Industries, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc. 77-6263 Filed 3-3-77; 8:45 am]

[TA-W-1245]

FASTENER SALES CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-1245: investigation regarding certification of eligibility to apply for adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on November 8, 1976 in response to a worker petition received on that date which was filed by Mr. Eugene Dobish, owner of Fastener Sales Company, Chicago, Illinois, on his own behalf as a producer of parts for counter top fasteners at Fastener Sales Company, Chicago, Illinois.

The notice of investigation was published in the FEDERAL REGISTER on November 23, 1976 (41 FR 51629). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from Mr. Eugene Dobish of Fastener Sales Company, and from Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

If any one of the criteria is not met, a negative determination must be made.

The basic question in this case is whether Mr. Dobish is a "worker," employed by an employer for wages, within the meaning of the Trade Act of 1974.

Mr. Dobish is the self-employed owner of Fastener Sales Company. Mr. Dobish pays himself by making periodic withdrawals from the sales account of Fastener Sales Company. Rather than "wages," defined at 29 CFR 91.3 as "all

compensation for employment with an employer," Mr. Dobish's withdrawals from the Fastener Sales account serve as "remuneration"—defined in Section 247 of the Act as "wages and net earnings derived from services performed as a self-employed individual."

Section 232(a) of the Trade Act of 1974 draws a clear distinction between "remuneration" for services performed as a self-employed individual, and "wages". An individual whose weekly earnings are derived solely from remuneration as opposed to wages would not be eligible to receive trade readjustment allowances.

Although the Trade Act does not contain a definition of the term "worker" for purposes of Section 223(1), it is clear that the intent of the Act is to cover individuals earning compensation, in the form of wages, in return for employment with an employer.

After careful review of the issues, I have determined that as a self-employed individual Mr. Dobish, the self-employed owner of Fastener Sales Company, Chicago, Illinois is not a worker employed by an employer for wages within the meaning of Section 223(1) and Section 232(a) of the Trade Act of 1974.

Signed at Washington, D.C. this 22nd day of February 1977.

JAMES F. TAYLOR,
Director, Office of Management,
Administration and Planning.

[FR Doc. 77-6545 Filed 3-3-77; 8:45 am]

[TA-W-1,626]

ROHM AND HAAS NORTH CAROLINA, INC.
Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On January 28, 1977 the Department of Labor received a petition dated January 25, 1977 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Rohm and Haas North Carolina, Inc., Fayetteville, North Carolina, a wholly-owned subsidiary of Rohm and Haas Company, Philadelphia, Pa. (TA-W-1,626). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with textured polyester yarn produced by Rohm and Haas North Carolina, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations

began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 14, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of February 1977.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc. 77-6546 Filed 3-3-77; 8:45 am]

[TA-W-1,442]

U.S. STEEL CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 15, 1976 the Department of Labor received a petition dated November 15, 1976 which was filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of Lorain, Ohio plant of U.S. Steel Corporation, Pittsburgh, Pa. (TA-W-1,442). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with iron and steel products produced by U.S. Steel Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section

222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 17, 1977.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 17, 1977.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 15th day of December 1976.

NOTE.—This document was originally filed for public inspection on January 6, 1977. Due to an oversight it was not published in the FEDERAL REGISTER. Therefore it has been refiled for public inspection on March 3, 1977.

DOMINIC SORRENTINO,
Acting Director, Office
of Trade Adjustment Assistance.

[FR Doc. 77-687 Filed 3-3-77; 8:45 am]

Office of Pension and Welfare Benefit Programs

ADVISORY COUNCIL ON EMPLOYEE WELFARE AND PENSION BENEFIT PLANS

Meeting

Pursuant to Section 512 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1142) a meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held at 9:30 a.m. on Tuesday, March 22, 1977, in the Virginia Suite, Sheraton Park Hotel, 2660 Woodley Road N.W., Washington, D.C.

The meeting will be open to the public. The purpose of the meeting is to discuss the items listed in the following agenda:

1. Advisory Council Recommendations—Status Report.
2. Department of Labor Program Report Since Last Advisory Council Meeting.
3. Small Plans Impact Work Group Report.
4. Surety Bond Experience and Fiduciary Insurance Work Group Report.
5. Actuarial and Accounting Responsibilities Work Group Report.
6. Legislative Amendment Work Group Report.

Any member of the public may file a written statement concerning the topics under this agenda by submitting 30 copies on or before the close of business Monday, March 21, 1977 to the Administrator of Pension and Welfare Benefit Programs, New Department of Labor Building, Third Street and Constitution

Avenue, N.W., Room N4629, Washington, D.C. 20216.

Persons desiring to attend should notify Mr. Edward F. Lysczek, Executive Secretary of the Advisory Council, New Department of Labor Building, Third Street and Constitution Avenue N.W., Room N4629, Washington, D.C. 20216, or may call Area Code 202-523-8753.

Signed at Washington, D.C., this 28th day of February 1977.

J. VERNON BALLARD,
Acting Administrator of Pension
and Welfare Benefit Programs.

[FR Doc. 77-6587 Filed 3-3-77; 8:45 am]

NATIONAL SCIENCE FOUNDATION

NATIONAL SCIENCE BOARD

Meeting

The National Science Board, the policy-making body of the National Science Foundation, will meet on Thursday-Friday, March 17-18, 1977, in Room 540, 1800 G Street NW., Washington, D.C. 20550. Much of this meeting will be open to the public in keeping with the Government in the Sunshine Act. Attached is an agenda for the meeting. As indicated, the sessions of this meeting that will be open to the public are scheduled for Thursday, March 17, from 1:00 p.m. to 6:00 p.m. Should it be necessary to have an additional open session, such session shall commence at 12:30 p.m. on March 18.

The agenda also indicates the subjects to be discussed in both open and closed sessions.

Requests for information on the items may be directed to the Office of the National Science Board, Washington, D.C., which may be reached on 202/632-5840. If the person receiving your call is unable to answer your question, please ask for Miss Vernice Anderson, Executive Secretary, National Science Board.

The agenda is as follows:

THURSDAY, MARCH 17

OPEN SESSION

1:00 to 2:20 p.m.

1. Program Review—Science and Society.

2:20 to 2:40 p.m.

2. Report of Chairman, Advisory Committee for Science Education.

2:40 to 3:30 p.m.

3. Chairman's Report.
4. Director's Report.
- a. Report on Grant and Contract Activity—February 3-March 16.
- b. NSF Budget for Fiscal Year 1978.
5. Programs, Report, and Discussion Items.
- a. Astronomical, Atmospheric, Earth, and Ocean Sciences—Ocean Sciences. Report on Manganese Nodule Project, International Decade of Ocean Exploration.
- b. Mathematical and Physical Sciences, and Engineering.
- (1) Materials Research: (a) Establishment and Support of a National Research Facility for Small-Angle Neutron Scattering. (b) Policy for Terminal Funding of Materials Research Laboratories.

- (2) Physics: Institute for Theoretical Physics—Project Announcement.

- c. Scientific, Technological, and International Affairs—Science Information. Editorial Processing Center—Operational Evaluation.

3:30 to 3:45 p.m.

Recess.

3:45 to 5:00 p.m.

6. Board Committee Meetings.
7. Advisory Committees.
8. Annual Reviews of National Research Centers—Board Representation at Future Reviews.
9. Report on Industrial Support of Research and Development.
10. Agenda for April Board Meeting.
11. Other Business.
12. Next Meetings.

FRIDAY, MARCH 18

CLOSED SESSION

8:30 to 10:30 a.m.

- a. Minutes—Closed Session—187th Meeting.
- b. Grants and Contracts—Action Items.

10:30 to 10:45 a.m.

Recess.

- c. NSF Budget for Fiscal Year 1979.
- d. Draft Report—Science Indicators—1978.
- e. Committee Reports.

M. REBECCA WINKLER,
Acting Committee
Management Officer.

MARCH 1, 1977.

[FR Doc. 77-6585 Filed 3-3-77; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

AMETEX CORP.

Suspension of Trading

FEBRUARY 25, 1977.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Ametex Corp., being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors.

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 12:15 p.m., e.s.t., on February 25, 1977 through March 6, 1977.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-6549 Filed 3-3-77; 8:45 am]

[70-5981]

CONNECTICUT LIGHT & POWER CO. ET AL.

Proposed Sale and Leveraged Leaseback of Substation Equipment

FEBRUARY 25, 1977.

In the matter of The Connecticut Light & Power Company, Selden Street,

Berlin, Connecticut 06037, The Hartford Electric Light Company, 175 Cumberland Avenue, Wethersfield, Connecticut 06109, Western Massachusetts Electric Company, 174 Brush Hill Avenue, West Springfield, Massachusetts 01089, (70-5981).

Notice is hereby given that The Connecticut Light & Power Company ("CL&P"), The Hartford Electric Light Company ("HELCO") and Western Massachusetts Electric Company ("WMECO"), all of which are wholly owned subsidiaries of Northeast Utilities, a registered holding company, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 9(a), 10 and 12(d) of the Act as applicable to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

CL&P, HELCO and WMECO propose to sell and leaseback approximately \$14,200,000 worth of equipment ("Equipment") to replace and/or supplement like equipment in their respective electric utility operations. Various elements of such Equipment will be placed in service at irregular intervals during 1977 and 1978. The proposed transaction is being arranged by Interet Corporation pursuant to a proposal dated October 19, 1976. CL&P, HELCO and WMECO (collectively the "Lessees") propose to enter into a Participation Agreement with The Connecticut Bank and Trust Company, as trustee ("Trustee"), Ford Motor Credit Company ("Ford Credit") and Bankers Life Company ("Bankers Life"). The Participation Agreement provides that the Lessee on whose system the particular item of Equipment is to be installed will take delivery of the Equipment from the manufacturer and will install and test it. Immediately prior to putting the Equipment into service, the Lessee will sell the Equipment to the Trustee. The Lessee will then be reimbursed, in cash, for all of its estimated investment with respect to the Equipment prior to the Trustee's taking of title, including taxes and allowance for funds used during construction. The Trustee will hold legal title to the Equipment for the benefit of Ford Credit and Bankers Life pursuant to a Trust Agreement.

When the Equipment is delivered to and accepted by the Trustee ("Acceptance Date"), the Trustee will simultaneously lease back the Equipment to the applicable Lessee pursuant to that Lessee's Lease Agreement. The separate Lease Agreements to be entered into by the three Lessees (collectively the "Leases") provide for the execution of lease supplements as the Trustee takes title to and leases back additional Equipment throughout 1977 and 1978. Each Lessee will assume only those liabilities and obligations imposed by the Leases to which it is a party. The Trustee will finance its acquisition of the Equipment through a combination of an investment

of approximately 25 percent of the Trustee's cost by Ford Credit and of an issuance of secured notes to Bankers Life at an interest rate of 9 percent per annum in an amount equal to approximately 75 percent of the Trustee's cost. The secured notes will be without recourse to the Trustee or Ford Credit and will be collateralized by a perfected security interest in the Leases and the Equipment. The Lessees will be under an unconditional obligation to make semi-annual rental payments to the Trustee in amounts sufficient for the Trustee to pay off the secured notes. The lease term for each unit of the Equipment will be approximately 22 years with the Lessee having a right to renew the Lease for an additional five year period. The term for each unit of the Equipment will begin on the Acceptance Date of that unit. If a Lessee does not elect to renew a Lease at the end of the base term or any renewal term, it is expected that the Equipment will either be returned to the Lessor or purchased by the Lessee at its fair market value. Each Lease will provide that the Lessee will assume all costs of operating and maintaining the Equipment, including the payment of property taxes and insurance.

The proposed transaction will allow CL&P, HELCO and WMECO to obtain under favorable terms up to approximately \$14,200,000 of equipment necessary for their respective electric utility operations. CL&P, HELCO and WMECO state that the net lease approach is the most reasonable and least expensive method now available to them for the acquisition of the Equipment. It is estimated that the annual cost to Lessees to purchase the Equipment by conventional methods would be approximately 14 percent as opposed to approximately 8 percent for the rental charge. On an annual basis, the resulting savings to the Lessees will be at least \$735,000.

A statement of the fees and expenses to be incurred in connection with the proposed transaction will be filed by amendment. The Connecticut Public Utilities Control Authority has jurisdiction over the proposed transaction. It is stated that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 21, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-

declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-6550 Filed 3-3-77; 8:45 am]

[File No. 500-1]

FIVE STAR COAL CO., INC.

Suspension of Trading

FEBRUARY 25, 1977.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Five Star Coal Co., Inc., being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors.

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 12:20 p.m. e.s.t., on February 25, 1977 through March 6, 1977.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-6551 Filed 3-3-77; 8:45 am]

[70-5854]

INDIANA & MICHIGAN ELECTRIC CO.

Proposed Sale of Pollution Control Revenue Bonds

FEBRUARY 28, 1977.

Notice is hereby given that Indiana & Michigan Electric Company ("I&M"), 2101 Spy Run Avenue, Fort Wayne, Indiana 46801, an electric utility subsidiary company of American Electric Power Company, Inc., a registered holding company, has filed a post-effective amendment to a declaration previously filed with this Commission designating sections 9(a) and 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 44(b) (3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration and the post-effective amendment thereto, which are summarized below, for a complete statement of the proposed transactions.

I&M states that in order to comply with prescribed environmental quality control standards of the State of Indiana it has been and will be necessary to construct certain high efficiency electro-

static precipitators ("Project") for particulate emission control and related facilities at its Tanners Creek Plant. By resolution of October 15, 1973, the City of Lawrenceburg, Indiana ("City"), determined that it would authorize and issue one or more series of its pollution control revenue bonds ("Revenue Bonds"), to finance the cost of engineering, design, acquisition, and construction of the Project and to reimburse or repay I&M in connection with I&M's expenditures relating to the Project.

I&M has entered into an agreement of sale ("Agreement") with the City whereby the City will construct and equip the Project. To finance the Project, the City has issued Revenue Bonds in an initial principal amount of \$25,000,000 ("Series A Bonds"), (HCAR No. 19620, July 21, 1976), and will issue additional Revenue Bonds in principal amounts presently estimated not to exceed \$71,000,000 sufficient to cover construction costs of the Project. The City also entered into an indenture dated July 1, 1976 ("Indenture") with Lincoln National Bank and Trust Company of Fort Wayne, Indiana as trustee ("Trustee").

The Agreement and Indenture provide for the authorization and issuance by the City upon the request of I&M of additional Bonds sufficient to cover the cost of construction. In the Commission's order of July 21, 1976, jurisdiction was reserved over the issuance and sale of additional series of Revenue Bonds under the Agreement between I&M and the City. This post-effective amendment was filed pursuant to that reservation of jurisdiction. It is contemplated that an additional series of Revenue Bonds (the "Series B Bonds") in the aggregate principal amount of \$30,000,000 will be issued by the City pursuant to the Indenture and a First Supplemental Indenture of Trust between the City and the Trustee ("Supplemental Indenture") which will provide that the proceeds of the sale of the Series B Bonds will be deposited by the City with the Trustee and applied to payment of the cost of construction of the Project, which will include reimbursement of I&M for amounts it has previously expended, or will expend, to pay the cost of construction. I&M expects that at least \$28,950,000 of the proceeds of the Series B Bonds will be deposited in the construction fund pursuant to the Agreement. It is contemplated that the Series B Bonds will be sold by the City pursuant to arrangements with a group of underwriters represented by E. F. Hutton & Company, Inc. While I&M will not be a party to the underwriting arrangements for the Series B Bonds, the Agreement provides that the terms of the Series B Bonds shall be specified by I&M. The Series B Bonds will bear interest semi-annually. It is expected that the Series B Bonds will mature at a date or dates not less than five years nor more than 30 years from the date of their issuance. The Series B Bonds will be subject to mandatory redemption under the circumstances and terms of the Supplemental Indenture. The Series B Bonds will be on a parity with and secured in the same manner as the Series A Bonds.

The Agreement provides for the sale of the Project to I&M, the payment by I&M of the purchase price of the Project in semi-annual installments over a term of years, and the assignment and pledge to the Indenture Trustee of the City's interest in, and of the monies receivable by the City under, the Agreement.

The Agreement provides that each installment of the purchase price for the Project payable by I&M will be in such an amount (together with other monies held by the Trustee under the Indenture for that purpose) as will enable the City to pay, when due, (i) the interest on the Revenue Bonds, any additional bonds and any refunding bonds, (ii) the principal amount of the Revenue Bonds, any additional bonds and any refunding bonds payable at the time of their respective stated maturities and (iii) amounts, including any accrued interest, payable in connection with any mandatory redemption of the Revenue Bonds, any additional bonds or any refunding bonds. The Agreement also obligates I&M to pay the fees and charges of the Trustee, as well as certain administrative expenses of the City. The Agreement further provides that I&M may prepay the purchase price of the Project (i) by paying, under certain conditions, amounts sufficient to redeem all the Revenue Bonds then outstanding and all other amounts payable under the Indenture or (ii) at any time by depositing in the Indenture's Bond Fund or delivering to the Trustee amounts sufficient to provide for the release of the Indenture. Upon prepayment, I&M may terminate the Agreement.

I&M has been advised that the annual interest rates on obligations, interest on which is tax exempt, historically have been and can be expected at the time of issue of the Revenue Bonds to be 1½% to 2½% lower than the rates on obligations of like tenor and comparable quality, interest on which is fully subject to federal income tax.

A statement of the fees and expenses to be incurred, directly or indirectly, in connection with the proposed transaction will be filed by amendment. It is stated that the proposed transaction has been authorized by the Public Service Commission of Indiana and the Michigan Public Service Commission. It is further stated that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 21, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the post-effective amendment which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at

law, by certificate) should be filed with the request. At any time after said date, the post-effective amendment, as filed, or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6552 Filed 3-3-77; 8:45 am]

NORTH AMERICAN GROWTH FUND, INC.

Filing of Application of Act for Order Declaring That Company Has Ceased To Be Investment Company

FEBRUARY 25, 1977.

Notice is hereby given that North American Growth Fund, Inc. ("Applicant"), 1100 Security Life Building, Denver, Colorado 80202, registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified management investment company, filed an application on December 29, 1976, pursuant to section 8(f) of the Act, for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

The Applicant, a Colorado corporation, registered under the Act on November 22, 1971. The Applicant states that at a Special Meeting of the Shareholders held on December 20, 1976, 98.6 percent of the outstanding voting securities of Applicant were voted in favor of a plan of liquidation and dissolution (Plan). Pursuant to the Plan the Applicant's assets were liquidated at their current market value, the expenses of the Applicant paid and the net assets distributed on a pro-rata basis to the shareholders on December 27, 1976. No shares were voted against the Plan. None of the costs and expenses of implementation of the Plan were borne by the Applicant.

Applicant also states that in accordance with the provisions of the Plan all of the net assets of the Applicant have been distributed to the Shareholders, and active operations of it have ceased. In addition, it is alleged that all liabilities of Applicant have been paid. Applicant filed a Statement of Intent to Dissolve with the Secretary of State of Colorado on December 21, 1976. Applicant also filed a Certificate of Dissolution with the Secretary of State of Colorado on December 30, 1976, and will be finally dis-

solved in accordance with the requirements of Colorado law.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 22, 1977, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons, who request a hearing or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6554 Filed 3-3-77; 8:45 am]

[70-5977]

NORTHEAST UTILITIES

Proposed Issuance and Sale of Common Stock Pursuant to Dividend Reinvestment and Common Share Purchase Plan

FEBRUARY 28, 1977.

Notice is hereby given that Northeast Utilities ("Northeast", 74 Brush Hill Avenue, West Springfield, Massachusetts 01809, a registered holding company, has filed a declaration with this Commission pursuant to sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") regarding the following proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Pursuant to prior orders of the Commission (File Nos. 70-5539 and 70-5928), Northeast has been authorized to issue and sell from time to time through April 15, 1977, up to 2,000,000 shares of its

common stock, par value \$5.00 per share, under a voluntary dividend reinvestment and common share purchase plan ("Plan"). As of February 1, 1977, Northeast had issued and sold 1,479,794 of its authorized common shares pursuant to the Plan. The proceeds (approximately \$14,209,000) have been applied to the repayment of short-term borrowings incurred for capital contributions or advances to Northeast's subsidiaries to finance the cost of the continuing construction program of the Northeast system companies.

Northeast now proposes to issue and sell from time to time up to April 15, 1978, the 520,206 shares remaining from the 2,000,000 shares previously authorized, plus a maximum of 1,000,000 additional authorized but unissued shares. The purchase price for the 520,206 shares remaining from those previously authorized and for the additional common shares will be the average of the closing sales prices for common shares as reported by the Wall Street Journal as Composite Transactions during the fifteen trading days immediately preceding the dividend payment date. The proceeds from the sale of the balance of the shares pursuant to the revised Plan (estimated at approximately \$16,722,266, assuming all of the remaining 1,520,206 common shares are sold at a price of \$11 per share) will also be applied to the repayment of short-term borrowings incurred for capital contributions or advances to Northeast's subsidiaries to finance the cost of the continuing construction program of the Northeast system.

The Plan is being administered by The First National Bank of Boston ("Agent"), and all shares purchased are held for the exclusive benefit of the Plan participants. All record holders of Northeast's outstanding common stock are eligible to participate in the Plan and may join by executing an authorization form and returning it to the Agent. A participant may withdraw from the Plan at any time upon giving written notice to the Agent. Upon withdrawal, certificates for whole shares credited to a participant's account are issued and a cash payment is made for any fractional shares so credited. The Plan provides that a participant may also request that certificates for any number of full shares credited to his account be issued to him even though he wishes to remain in the Plan.

All costs for administering the Plan are paid by Northeast, and there are no brokerage fees when shares are purchased under the Plan; however, if a participant withdrawing from the Plan requests the Agent to sell his shares, there are brokerage commissions. The Agent does not vote any shares held by it under the Plan. Participants receive a single proxy with respect to full shares which they own of record or which are credited to their accounts under the Plan.

The fees, commissions, and expenses incurred or to be incurred in connection with the proposed transactions will be supplied by amendment. It is stated that

no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 24, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-8555 Filed 3-3-77; 8:45 am]

[70-5734]

NORTHEAST UTILITIES ET AL.

Notice of Post-Effective Amendment Regarding Financing of Nuclear Fuel Cores

FEBRUARY 28, 1977.

Notice is hereby given that Northeast Utilities ("Northeast"), P.O. Box 270, Hartford, Connecticut 06101, a registered holding company; The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company, public-utility subsidiary companies of Northeast; and Northeast Nuclear Energy Company ("NNEC") a subsidiary company of Northeast formerly known as The Millstone Point Company, have filed with this Commission a post-effective amendment to the application-declaration in this proceeding pursuant to sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") regarding the following proposed transactions. All interested persons are referred to the post-effective amendment to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By orders in this proceeding dated October 21, 1975, January 16, 1976, and

October 22, 1976 (HCAR Nos. 19218, 12346, and 19726), the Commission authorized NNEC to engage in certain financing of its nuclear fuel cores and related transactions, including the issuance and sale through March 31, 1977, of up to \$25,000,000 of short-term notes outstanding at any one time to a group of banks.

NNEC now requests an extension of time through March 31, 1978, and proposes to issue and sell notes to banks as previously authorized in the maximum aggregate amount of \$25,000,000 outstanding at any one time as a continuing component of the nuclear fuel financing program.

NNEC had \$23,000,000 of notes to banks outstanding at January 31, 1977. The proposed bank borrowings will be repaid in part from the proceeds of any future long-term nuclear financing; however, short-term borrowings will remain as a continuing part of the fuel financing program.

Although no formal commitments for NNEC's bank borrowings to be effected in continuance of the financing program have been made with any bank, NNEC expects that a portion of such borrowings will be effected from the following banks in the following maximum amounts:

	Maximum Amount
The Connecticut Bank & Trust Co., Hartford, Conn.	\$10,000,000
Hartford National Bank & Trust Co., Hartford, Conn.	7,000,000
The First National Bank of Boston, Mass.	7,000,000
The Colonial Bank & Trust Co., Waterbury, Conn.	3,000,000
Connecticut National Bank, Bridgeport, Conn.	2,500,000
	29,500,000

The bank notes will each be dated the date of issue, will have a maximum maturity date of nine months with right of renewal, will bear interest at the prime rate in effect from time to time at the lending bank adjusted as of the date of any change in such rate, will be subject to prepayment at any time at NNEC's option without premium, and will be subordinated to any secured notes issued by NNEC. Compensating balances of up to 10 percent of the credit line plus 10 percent of the average borrowings are required by the above banks. The effective interest rate for the borrowings would be 7.81 percent based on a 6.25 percent prime rate.

It is stated that expenses in the amount of \$500 will be incurred in connection with the proposed transactions and that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 24, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment to the application-declaration

which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as now amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-6556 Filed 3-3-77; 8:45 am]

[70-5974]

SOUTHWESTERN ELECTRIC POWER CO.

Proposed Charter Amendments To Increase Authorized Shares of Preferred Stock and Modify Calculation of Earnings for Purposes of Issuing Preferred Stock and for Purposes of Computing Common Stock Equity; Order Authorizing Solicitation of Proxies in Connection Therewith; Proposal To Issue Either Preferred Stock or Preferred Stock and First Mortgage Bonds

FEBRUARY 28, 1977.

Notice is hereby given that Southwestern Electric Power Company ("SWEPCO"), P.O. Box 21106, Shreveport, Louisiana 71156, an electric utility subsidiary of Central and South West Corporation, a registered holding company, has filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10, 12(c) and 12(e) of the Act and Rules 42, 50, 62 and 65 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

SWEPCO proposes to amend its charter to allow an increase in its total authorized preferred stock, \$100 par value, from 360,000 to 860,000 shares ("New Preferred Stock"). SWEPCO states that it currently has no authorized but unissued shares of preferred stock. SWEPCO further states that if the proposed

amendment increasing the authorized preferred stock is adopted, it proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 either (a) 300,000 shares of the New Preferred Stock at not less than \$100 per share nor more than \$102.75 per share or (b) 200,000 shares of New Preferred Stock and \$45,000,000 principal amount of its First Mortgage Bonds, Series 0, dated May 1, 1977 and to mature May 1, 2007 ("Bonds"). Alternative (b), above, will be used only if it is determined that it would be advantageous to refund SWEPCO's outstanding \$35,000,000 Series K bonds, due December 1, 1999. SWEPCO states that the net proceeds from the issue and sale of the securities will be used to pay a portion of the outstanding short-term borrowing, \$42,500,000 expected to be outstanding as of May 12, 1977, and if Bonds are sold, to refund the outstanding \$35,000,000 Series K First Mortgage Bonds. No funds generated from the sale of such securities nor any of the borrowings retired thereby will be or have been utilized to pay the cost of facilities which would be needed to provide service to customers of SWEPCO if it were not part of the Central and South West System. No expenditures will be made by SWEPCO for the construction or acquisition of any facility not so needed prior to the time all funds covered by this application-declaration have been expended.

Estimated construction and fuel exploration and development expenditures of SWEPCO for 1977 through 1979 are as follows:

	1977	1978	1979
Generation.....	\$59,701,000	\$62,908,000	\$67,922,000
Transmission.....	21,170,000	10,500,000	17,470,000
Distribution and other.....	15,456,000	16,234,000	17,306,000
Fuel exploration and development.....	12,617,000	10,836,000	12,240,000
Total.....	108,944,000	100,538,000	114,956,000

If Bonds are issued they will be issued and secured by the Company's Indenture, dated February 1, 1940, under which Continental Illinois National Bank and Trust Company of Chicago and M. J. Kruger are Trustee, as amended by the indentures supplemental thereto heretofore executed (the "Indenture"), and to be further amended by a proposed supplemental indenture to be dated May 1, 1977.

SWEPCO further proposes that its charter be amended to change the earnings test that must be satisfied as a precondition for the issuance of New Preferred Stock without the approval of holders of a majority of preferred stock then outstanding. The earnings test presently requires that SWEPCO's gross income for a period of 12 consecutive calendar months ending within the 15 calendar months immediately preceding the date of the issuance of any additional preferred stock must be 1½ times the sum of the annual interest charges on all of SWEPCO's debt securities and the

annual dividend requirement on all shares of its preferred stock or any prior or parity stock to be outstanding immediately after the issuance of the additional Preferred Stock. Gross income, for these purposes, excludes, among other things, a certain minimum aggregate amount for or on account of maintenance, repair, construction or acquisition of bondable property and the retirement of bonds. SWEPCO's first mortgage indenture requires such aggregate minimum amount to be not less in any calendar year, than 15 percent of gross operating revenues, less costs of power purchased for resale. SWEPCO states that due to the high recoveries yielded by the fuel adjustment clauses in its customers rate schedules, gross operating revenues have been inflated, which, if such trend continues, as SWEPCO believes it will, will make it difficult to satisfy the earnings test for issuance of additional preferred stock in the future. SWEPCO states that inasmuch as the increased revenue due to recovery of fuel costs has been out of proportion to increases in other areas, it is inappropriate to utilize operating revenues as a standard for determining expenditure requirements under the Indenture and the related earnings tests coverage requirements. The Indenture was previously amended, by substituting for the maintenance and renewal fund an annual retirement equal to 2.9 percent of depreciable bondable property and limited to construction and acquisition of bondable property and retirement of bonds. However, due to the provisions of the Indenture, this amendment will not be effective until all series of bonds issued prior to the amendment are retired. Therefore, SWEPCO proposes to change the amount deducted from gross income for depreciation, retirement, renewals and replacements and/or amortization to not less than 2.9 percent of the average amount of its depreciable bondable property during the period for which gross income is being determined. The amended provisions for a minimum deduction would relate solely to depreciation rather than maintenance, repair and depreciation. Calculation of the earnings test under the proposed amendment, based on 1976 figures, would result in a higher average ratio (2.09) than under the present charter provision (2.02).

SWEPCO further proposes modifying the minimum deduction required for maintenance repairs and depreciation in computing "Common Stock equity" for purposes of Common Stock dividend limitations while preferred stock is outstanding. At present, common stock equity is defined as stated capital plus surplus minus, among other things, the excess of, for the prescribed period involved, an amount equal to 15 percent of gross operating revenues over the aggregate amount charged on SWEPCO's books for maintenance, repairs and depreciation. The amendment would require instead, the deduction of the excess, if any, of an amount equal to 2.9

percent of the average depreciable bondable property under Indenture as of January 1, 1977 over the amount covered on SWEPCO's books for depreciation, retirements, renewals and replacements and/or amortization. SWEPCO states that this amendment is motivated by the same considerations relative to inflated gross revenues due to increased fuel recovery costs as described above and also relates solely to depreciation rather than maintenance, repair and depreciation.

Finally, SWEPCO proposes that the definition of common stock equity described in the prior amendment also apply for purposes of determining whether the liquidation amount for issuing preferred stock is sufficient. SWEPCO states that under its charter it may not issue additional preferred stock, without prior preferred shareholders approval, unless the common stock equity is more than the outstanding preferred stocks aggregate liquidation value and, if earned surplus is used to compute the liquidation amount required, dividends on common stock cannot be paid if they would have the effect of reducing the common stock equity to an amount less than the aggregate liquidation value of the outstanding preferred stock. SWEPCO states that its reasons for requesting this charter modification are the same as those set out above.

SWEPCO proposes to call a special meeting of its shareholders, both preferred and common, to be held on or about April 22, 1977 to consider and vote upon the adoption of the proposed amendments. SWEPCO proposes to solicit proxies through the use of proposed proxy soliciting material. Each share of common stock and of preferred stock is entitled to one vote with respect to each amendment. Adoption of the proposal to increase the total authorized Preferred Stock requires the affirmative vote of the holders of a majority of each of the Preferred and Common shares, voting as separate classes. Adoption of the other amendments requires the assent of the holders of two-thirds of the preferred shares and a majority of the holders of common shares, each voting as a class. Central and South West Corporation owns all of the outstanding shares of Common Stock and has stated its intention to vote the shares held by it in favor of all four amendments.

The fees and expenses to be incurred in connection with the proposed transaction are estimated at either \$126,000 if only New Preferred Stock is sold, including \$30,500 in legal fees or \$175,000 if New Preferred Stock and Bonds are sold, including \$35,500 in legal fees.

The Arkansas Public Service Commission and the Corporation Commission of Oklahoma have authority with respect to the issue and sale of the Bonds. No other state commission, and no federal commission other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 24, 1977, request in writing that a hearing be held on such matter, stat-

ing the nature of his interest, and reasons for such request, and the issues of fact or law raised by said application-declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant-declarant at the above-stated address and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It appearing to the Commission that the application-declaration, insofar as it proposes to solicitation of proxies from SWEPCO's stockholders, should be granted and permitted to become effective forthwith pursuant to Rule 62:

It is ordered that the application-declaration, regarding the proposed solicitation of proxies of SWEPCO stockholders be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62 and subject to the terms and conditions prescribed in Rule 24 under the Act.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6557 Filed 3-3-77;8:45 am]

[File No. SR-SCCP-76-4]

STOCK CLEARING CORPORATION OF PHILADELPHIA

Order Approving Proposed Rule Change Submitted

FEBRUARY 25, 1977.

On December 20, 1976, the Stock Clearing Corporation of Philadelphia ("SCCP"), 17th Street and Stock Exchange Place, Philadelphia, Pennsylvania 19103, submitted a proposed rule change, pursuant to section 19(b) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, extending the time during which SCCP will guarantee the delivery of securities in connection with tender offers.

In accordance with section 19(b) of the Act and Rule 19b-4 thereunder, notice of the proposed rule change was published in the FEDERAL REGISTER (42 FR 3043, January 14, 1977), and the public

was invited to submit comments. Notice of the filing and invitation for comments also appeared in Securities Exchange Act Release No. 13144, January 10, 1977. No letters of comment were received.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to registered clearing agencies.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the above-mentioned proposed rule change contained in File No. SR-SCCP-76-4 be, and hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-6558 Filed 3-3-77;8:45 am]

SMALL BUSINESS ADMINISTRATION

ADVISORY COUNCILS

Charter Renewals

Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, the following Small Business Administration District Advisory Councils have been renewed to May 4, 1977.

Albuquerque, Atlanta, Augusta, Baltimore, Birmingham, Boise, Boston, Casper, Clarksburg, Cleveland, Columbia, Columbus, Concord, Dallas, Denver, Des Moines, Montpelier.

The charter for the Small Business Administration National Advisory Council has been renewed to May 4, 1977.

Charters for the following Advisory Councils of the Small Business Administration have been renewed for two years and will expire on January 3, 1979, unless the council is dissolved before that date.

Minneapolis, New York, Spokane.

Dated: February 25, 1977.

ANTHONY S. STASIO,
Acting Assistant Administrator
for Advocacy and Public Communications, Small Business Administration.

[FR Doc.77-6472 Filed 3-3-77;8:45 am]

[License No. 04/04/0047]

CAMERON-BROWN CAPITAL CORP.

Approval of Application for Transfer of Control of a Licensed Small Business Investment Company

Pursuant to the provisions of § 107.701 of the Small Business Administration's (SBA) rules and regulations governing small business investment companies (13 CFR 107.701 (1976)) a proposed transfer of control of Cameron-Brown Capital Corporation, 4300 Six Forks Road, Raleigh, North Carolina 27609, to R. S. Dickson & Company, 2000 Jefferson First Union Plaza, Charlotte, North Carolina 28282, T/A as Ruddick Investment Company was published on page 3944 in the

FEDERAL REGISTER ON JANUARY 21, 1977.

Interested persons were given an opportunity to send their comments to SBA on the proposed transfer of control. No comments were received.

Upon consideration of the application and other relevant information, SBA hereby approves the transfer of control of Cameron-Brown Capital Corporation.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: February 24, 1977.

PETER F. McNEISH,
Deputy Associate Administrator
for Investment.

[FR Doc. 77-6473 Filed 3-3-77; 8:45 am]

[Proposed License No. 01/01-0283]

CHARLES RIVER RESOURCES, INC.

Application for a License to Operate Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing small business investment companies (13 C.F.R. 107.102(1976)), under the name of Charles River Resources, Inc. (Applicant), for a license to operate as a Small Business Investment Company under the provisions of the Small Business Investment Act of 1958, as amended, and the Rules and Regulations promulgated thereunder.

The Applicant was incorporated under the laws of The Commonwealth of Massachusetts on June 2, 1976, and it will commence operations with a capitalization of \$993,500.

The Charles River Partnership II (C.R.P. II) will be the Applicant's parent by virtue of its ownership of 100 percent of its issued and outstanding no par common shares. C.R.P. II is a Limited Partnership organized under the laws of The Commonwealth of Massachusetts on June 30, 1976, primarily for the purpose of making venture capital investments and making the investment of C.R.P. II in the Applicant.

Charles River G.P., a Massachusetts Limited Partnership, organized on December 31, 1976 will be the sole general partner as well as a limited partner of C.R.P. II. The general partners of Charles River G.P. are John H. Carter, John T. Neils and Richard M. Burnes, Jr. with First Chicago Investment Corporation as a limited partner.

The proposed officers and directors of the Applicant are:

Richard M. Burnes, Jr., President and Director, 17 Pinckney Street, Boston Massachusetts.

John T. Neils, Treasurer and Director, 126 Charles Court East, Needham, Massachusetts.

John H. Carter, Clerk and Director, Huckleberry Hill, Lincoln, Massachusetts.

The above three individuals also own all of the issued and outstanding capital stock and constitute all of the officers and directors of the C.R.P. Management Inc., a Massachusetts corporation, which will

serve as the Applicant's Investment Advisor.

The Applicant's office will be located at 575 Technology Square, Cambridge, Massachusetts 02139, and it will conduct operations principally within the six New England States.

Matters involved in SBA's consideration of the Applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the Applicant under their management, including adequate profitability and financial soundness in accordance with the Act and SBA Regulations.

Notice is hereby given that any person may, on or before March 21, 1977, submit written comments on the Applicant to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published by the Applicant in a newspaper of general circulation in Cambridge, Massachusetts.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: March 1, 1977.

PETER F. McNEISH,
Deputy Associate Administrator
for Investment.

[FR Doc. 77-6525 Filed 3-3-77; 8:45 am]

[Delegation of Authority No. 12-A, Rev. 1, Amdt. 4]

DIRECTOR, OFFICE OF COMMUNITY DEVELOPMENT

Delegation of Financial Assistance

Delegation of Authority No. 12-A, Revision 1 (39 FR 18595) as amended (40 FR 6395, 40 FR 10522, 41 FR 46665) is hereby further amended to delegate certain authorities to the Director, Office of Community Development.

Delegation of Authority No. 12-A (Revision 1) is amended to read as follows:

1. Pursuant to the authority delegated to the Administrator to the Associate Administrator for Finance and Investment in Delegation of Authority No. 12 (38 FR 13063) as amended (38 FR 16001, 38 FR 26509, 40 FR 8398, 40 FR 18054, 41 FR 42994 and 42 FR 10083), the following authority is hereby delegated to the specific positions as indicated herein:

F. Director, Office of Community Development * * *

10. To approve or decline applications for pollution control financing guarantees authorized to be made by the Agency including reconsiderations thereof and to execute commitments and modifications thereto and guarantees pertaining to such financings.

11. To determine eligibility and make size determinations of applicants for pollution control financing guarantees.

12. To take all necessary actions in connection with the servicing, adminis-

tration, collection and payment of claims arising under the guarantees upon default of the small business.

H. Chief, Underwriting Division * * *

6. To approve or decline applications for pollution control financing guarantees authorized to be made by the Agency including reconsiderations thereof and to execute commitments and modifications thereto and guarantees pertaining to such financings.

7. To determine eligibility and make size determinations of applicants for pollution control financing guarantees.

8. To take all necessary actions in connection with the servicing, administration, collection and payment of claims arising under the guarantees upon default of the small business.

(FR Doc. 77-5115 Filed February 17, 1977; 8:45 a.m.)

Effective date: March 1, 1977.

JOHN T. WETTACH,
Associate Administrator
for Finance and Investment.

[FR Doc. 77-6526 Filed 3-3-77; 8:45 am]

HATO REY DISTRICT ADVISORY COUNCIL Public Meeting

The Small Business Administration Hato Rey District Advisory Council and its Virgin Islands Branch will hold public meetings at 9:30 a.m., Tuesday, March 29, 1977, at the Bankers Club, Hato Rey, Puerto Rico, and at 10:00 a.m., Wednesday, March 30, 1977, at the Frenchman's Reef Holiday Inn, Charlotte Amalie, St. Thomas, U.S. Virgin Islands, to discuss such business as may be presented by members, the staff of the Small Business Administration and others attending. For further information, write or call Antonio Yordan, District Director, U.S. Small Business Administration, U.S. Courthouse & Federal Building, Carlos Chardon Avenue, 6th Floor, Room 691, Hato Rey, Puerto Rico 00918, (809) 753-4218.

Dated: February 28, 1977.

ANTHONY S. STASIO,
Acting Assistant Administrator
for Advocacy and Public Communications.

[FR Doc. 77-6527 Filed 3-3-77; 8:45 am]

MONTPELIER DISTRICT ADVISORY COUNCIL Public Meeting

The Small Business Administration Montpelier District Advisory Council will hold a public meeting at 11:30 a.m., Wednesday, April 13, 1977, at Royal's Hearthside Restaurant, 37 North Main Street, Rutland, Vermont to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call David C. Emery, District Director, U.S. Small

Business Administration, P.O. Box 605, Montpelier, Vermont 05602, (802) 223-7472.

Dated: February 28, 1977.

ANTHONY S. STASIO,
Acting Assistant Administrator
for Advocacy and Public
Communications.

[FR Doc.77-6528 Filed 3-3-77;8:45 am]

NEWARK DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Newark District Advisory Council will hold a public meeting at 9:30 a.m., Wednesday, May 4, 1977, at the Holiday Inn, Route 35, Hazlet, New Jersey, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For fur-

ther information, write or call Andrew P. Lynch, District Director, U.S. Small Business Administration, 970 Broad Street, Newark, New Jersey 07102, (201) 645-3580.

Dated: February 28, 1977.

ANTHONY S. STASIO,
Acting Assistant Administrator
for Advocacy and Public
Communications.

[FR Doc.77-6529 Filed 3-3-77;8:45 am]

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1976 Rev., Supp. No. 10]

CONSOLIDATED MUTUAL INSURANCE CO.

Surety Companies Acceptable on Federal Bonds: Termination of Authority

Notice is hereby given that the certificate of authority issued by the Treas-

ury to Consolidated Mutual Insurance Company, Brooklyn, New York, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated effective this date.

The company was last listed as an acceptable surety on Federal bonds at 41 FR 28241 July 8, 1976.

With respect to any bonds currently in force with Consolidated Mutual Insurance Company, bond-approving officers of the Government should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding.

Dated: February 25, 1977.

D. A. PAGLIAI,
Commissioner, Bureau of
Government Financial Operations.

[FR Doc.77-6511 Filed 3-3-77;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

MEXICAN BROADCAST STATIONS

Notification List

NOVEMBER 30, 1976.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Mexican standard broadcast stations modifying the assignments of Mexican broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Mexican List No. 277

Call letters	Location	Power watts	Antenna radiation millivolt/meter/kilowatt	Schedule	Class	Antenna height (feet)	Ground system Number of radials	Length (feet)	Proposed date of change or commencement of operation
XEGUZ	Cd. Guzman, Jal., N. 19°43' 14", W. 103°27'54"	300	550 kHz ND-D-175	D	III	358	120	358	1-30-77.
XE	Apatzingan, Mich., N. 19°04' 54", W. 102°15'31"	5,000	550 kHz DA-D	D	III				4-30-77.
XE	Tepic, Nay., N. 21°30'47", W. 104°53'42"	10,000D/150N	550 kHz DA-D ND-N-190	U	III	446	120	446	1-30-77.
XEHA	Tecate, Bcn., N. 29°43'00", W. 115°08'30"	250D/250N	550 kHz ND-U-175	U	III	279	50	279	10-30-76.
XEQAA	Chetumal, Q.R., N. 18°29'30", W. 88°17'56"	300	550 kHz ND-D-175	D	III	352	120	352	1-30-77.
XEYO	Huatabampo, Son., N. 28°49' 00", W. 109°38'00"	1,000D/1500N	550 kHz ND-U-175	U	III	394	180	446	10-30-76.
XEVJP	Villa de Juarez, Pue., N. 20°17'17", W. 97°38'48"	250	570 kHz ND-D-190	D	III	432	120	432	2-30-77.
XEPAC	Palenque, Chis., N. 17°33'10", W. 91°38'10"	3,000D/100N	600 kHz ND-U-175	U	III	328	120	345	6-1-77.
XEACM (PO-1/kW/D, 0.100/kw/N, ND-U-193.	Villahermosa, Tab., N. 17°39' 00", W. 92°55'45"	5,000D/100N	680 kHz DA-D ND-N-193	U	III	427	120	427	4-30-77.
XEPX	Guaymas, Son., N. 27°55'25", W. 110°54'32"	1,000D/250N	680 kHz ND-U-175	U	III	322	120	322	1-30-77.
XEFU (shares antenna system with XEQO, 989 kHz).	Cosamaloapan, Ver., N. 18° 20'37", W. 95°47'49"	5,000D/750N	680 kHz ND-U-183		III	315	120	394	1-30-77.
XEWM	S. Cristobal, L.C., Chis., N. 16°44'53", W. 92°38'45"	1,000	640 kHz ND-D-175	D	II	197	180	197	10-30-76.
XEVG	Merida, Yuc., N. 20°59'00", W. 89°38'43"	250	650 kHz DA-D	D	II				3-30-77.
XEFX	Durango, Dgo., N. 24°01'31", W. 104°40'11"	250	680 kHz ND-D-190	D	II	188	180	285	2-30-77.

Call letters	Location	Power (watts)	Antenna radiation millivolt/ meter/ kilowatt	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of change or commencement of operation
							Number of radials	Length (feet)	
XE (assignment deleted)	Atoyac De Alva, Gro., N. 17° 10'00", W. 100°25'40"	500	660 kHz	ND-D-190 D	II	367	120	367	
XE	Atoyac De Alva, Gro., N. 17° 10'00", W. 100°25'40"	500	670 kHz	ND-D-190 D	II	367	120	367	2-30-77
XE18 (PO 1 kW/D, ND-D 190)	Cd. Guzman, Jal., N. 19° 43'14", W. 103°25'54"	5,000	670 kHz	ND-D-190 D	II	367	120	367	1-30-77
XE	Los Mochis, Sin., N. 25°47'00" W. 109°00'00"	2,500	770 kHz	ND-D-190 D	II	322	120	322	10-30-76
XECOV	Coatzacoahuila, Ver., N. 20°20'00" W. 97°20'12"	250	780 kHz	ND-D-190 D	II	315	220	315	6-1-77
XERJ	Reynosa, Tama., N. 26°05'25" W. 98°10'20"	500	800 kHz	ND-D-180 D	II	218	90	918	Immediately
XE	Pico, Escarecoya, Camp., N. 18°36'25", W. 90°43'55"	750	880 kHz	ND-D-175 D	II	240	120	240	4-30-77
XEBA (PO 1 kW/D, ND-D 177, 280 120 230)	Guadalupe, Jal., N. 20°08' 34", W. 103°20'05"	10,000	880 kHz	DA-D D	II				1-30-77
XEVQ	Azueta, Sin., N. 24°45'25" W. 107°30'32"	1,000	890 kHz	ND-D-184 D	II	297	90	297	Immediately
XETBY	Tepic, Nayar., N. 21°30'47", W. 104°53'40"	500	890 kHz	ND-D-175 D	II	246	120	246	6-1-77
XEACF	Iranguito, Gto., N. 20°35'25" W. 101°21'08"	1,000	870 kHz	DA-D D	II				2-30-77
XEMST	Maseca, Jal., N. 20°31'15" W. 104°47'00"	500D/250N	910 kHz	ND-U-190 U	III	270	120	270	2-30-77
XELT (PO 1,000 kW/D, 0.250 kW/N, ND-U-190)	Guadalupe, Jal., N. 20°30' 44", W. 103°28'47"	50,000D/250N	920 kHz	DA-D U ND-N-190	III	267	120	267	10-30-76
XELCM	Lazaro Cardenas, Mich., N. 17°55'30", W. 102°11'40"	500	920 kHz	ND-D-190 D	III	267	120	267	10-30-76
XE	Jesus Carranza, Ver., N. 17°26'23", W. 95°02'58"	5,000	920 kHz	ND-D 190 D	III	267	120	267	4-30-77
XE	Tuxpan, Ver., N. 20°57'18", W. 97°23'50"	10,000	920 kHz	ND-D 190 D	III	267	120	267	4-30-77
XERLA	Santa Rosalia, Bex., N. 27°18' 38", W. 112°17'08"	1,000	930 kHz	DA-D D	III				6-1-77
XE	Toluca, Mex., N. 19°17'33", W. 99°39'28"	-0.000D/2,000N	930 kHz	DA-N N	III				4-30-77
XEYJ (PO 1 kW/D, 0.100 kW/ N)	Nueva Rosita, Coah., N. 27° 55'23", W. 101°14'45"	10,000D/10,000N	950 kHz	ND-D- 180 DA-N	III	264	90	264	5-30-77
XEEZ (PO 0.450 kW/D, 0.100 kW/N)	Caborca, Son., N. 30°43'00" W. 112°05'00"	500D/1,000N	970 kHz	ND-U- 175	III	223	90	227	5-30-77
XETU	Tampico, Tam., N. 22°12' 25", W. 97°29'55"	10,000D/1,000N	980 kHz	DA-D U ND-N- 190	III	441	120	428	Immediately
XELO	Chilpancingo, Chih., N. 28°28' 12", W. 106°04'42"	1,000	1010 kHz	ND-D- 190	II	244	120	244	6-1-77
XEFM (PO 1 kW/D, 0.200 kW/ N, ND-U-175)	Veracruz, Ver., N. 16°06'30" W. 96°08'30"	5,000D/1,000N	1010 kHz	ND-D- 175 DA-N	II	230	90	190	6-1-77
XEYN	Oaxaca, Oax., N. 17°33'43", W. 96°43'18"	2,000	1020 kHz	ND-D- 190	II	308	120	295	1-30-77
XEIO	Alamo, Ver., N. 20°55'00", W. 97°40'00"	500	1020 kHz	DA-D D	II				10-30-76
XEVP	Acapulco, Gro., N. 16°50'21", W. 99°55'01"	1,500	1030 kHz	ND-D- 190	II	240	90	240	2-30-77
XE	La Paz, Bex., N. 24°05'20", W. 110°20'00"	500	1040 kHz	ND-D- 190	II	237	120	237	6-1-77

Call letters	Location	Power watts	Antenna radiation millivolt/meter/kilowatt	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of change or commencement of operation
							Number of radials	Length (feet)	
XEVE	Colima, Col., N. 19°14'20", W. 103°43'41".	250	1040 kHz ND-D-190	D	II	230	120	230	10-30-76.
XESAO	Salamanca, Gto., N. 20°34'22", W. 101°11'39".	1,000	1040 kHz ND-D-190	D	II	237	120	237	6-1-77.
XECX	Tula, Jal., N. 20°40'37", W. 103°20'22".	500	1040 kHz DA-D	D	II				5-30-77.
XE	Chilpancingo, Sin., N. 24°48'36", W. 107°23'57".	1,000	1040 kHz ND-D-190	D	II	237	120	237	4-30-77.
XEZO	Guertero Negro, Ben., N. 27°59'58", W. 114°03'12".	1,000	1070 kHz ND-D-175	D	II	184	120	184	2-30-77.
XEEI	San Luis Potosí, Slp., N. 22°08'16", W. 100°58'38".	250	1070 kHz ND-D-190	D	II	197	90	197	10-30-76.
XEDC	Aguascalientes, Agu., N. 21°52'43", W. 102°18'04".	250	1080 kHz ND-D-175	D	II	230	120	230	1-30-77.
XE	Puerto Vallarta, Jal., N. 20°30'56", W. 105°14'42".	5,000	1080 kHz ND-D-224	D	II	410	120	228	2-30-77.
XE	Ixtapex, Oax., N. 16°23'30", W. 95°07'50".	5,000	1080 kHz ND-D-175	D	II	182	120	192	2-30-77.
XEMCA	Panuco, Ver., N. 22°02'32", W. 98°10'06".	5,000	1090 kHz ND-D-190	D	II	226	120	226	1-30-77.
XETAK	Tapachula, Chi., N. 14°54'00", W. 92°16'00".	750	1100 kHz ND-D-175	D	II	179	120	179	10-30-76.
XEPVJ	Pto. Vallarta, Jal., N. 20°26'56", W. 105°14'42".	1,000	1110 kHz ND-D-175	D	II	190	90	203	1-30-76.
XE	Caboera, Son., N. 30°43'50", W. 112°06'20".	250	1120 kHz DA-D	D	II				10-30-76.
XE	Zacatecas, Zac., N. 22°46'30", W. 100°04'45".	250	1120 kHz ND-D-175	D	II	220	90	180	2-30-77.
XECHG	Chilpancingo, Gro., N. 17°23'10", W. 99°20'02".	1,000	1130 kHz ND-D-190	D	II	218	120	218	6-1-77.
XE	Las Moctas, Sin., N. 25°47'00", W. 109°00'00".	500	1140 kHz ND-D-175	D	II	218	90	179	2-30-77.
XELAI	Morelia, Mich., N. 19°42'14", W. 101°06'28".	250	1140 kHz ND-D-175	D	II	166	90	166	10-30-76.
XEAD	Guadalajara, Jal., (N. 20°29'44", W. 103°25'47", (PO 0.500kW/D, 0.125kW/N).	20,000D/125N	1150 kHz DA-D ND-N-175	U	III	197	90	180	10-30-76.
XKTVR	Tuxpan, Ver., N. 20°57'18", W. 97°23'50".	250	1150 kHz ND-D-190	D	III	214	120	214	6-1-77.
XEMDA	Monclova, Coah., N. 26°53'30", W. 101°26'30".	300	1170 kHz ND-D-190	D	II	210	120	210	10-30-76.
XEYH	Bahía de Kino, Son., N. 28°49'43", W. 111°56'40".	1,000	1170 kHz ND-D-175	D	II	210	90	210	2-30-77.
XE	Tampico, Tama., N. 22°13'00", W. 97°51'19".	5,000	1190 kHz ND-D-190	D	II	207	120	207	3-30-77.
XE	Coahuiltepec, Ver., N. 18°08'56", W. 94°24'40".	2,000	1200 kHz DA-D	D	II				4-30-77.
XELD (PO 1kW/D, 0.100kW/N).	Auñan de Navar, Jal., N. 19°45'12", W. 104°22'20".	5,000D/100N	1220 kHz ND-U-180	U	IV	190	120	161	5-30-77.
XE	Kantunil Kin, Q.R., N. 21°06'14", W. 87°29'12".	250	1260 kHz ND-D-190	D	III	195	120	195	2-30-77.
XEHD	Durango, Dgo., N. 24°01'31", W. 104°40'11".	500	1270 kHz ND-D-175	D	III	155	120	155	10-30-76.
XEVHT	Villahermosa, Tab., N. 17°59'01", W. 92°54'31".	500D/125N	1270 kHz ND-U-175	U	III	154	120	161	10-30-76.
XESQ	San Miguel a, Gto., N. 20°54'49", W. 100°44'47".	500D/250N	1280 kHz ND-U-175	U	III	164	90	185	Immediately.

Call letters	Location	Power watts	Antenna radiation millivolt/ meter/ kilowatt	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of change or commencement of operation
							Number of radials	Length (feet)	
XE	Zihuatanejo, Gro., N. 17°38'-14", W. 101°33'48"	500	1280 kHz ND-D-175	D	III	131	120	169	2-30-77.
XEDB (PO 1/kW/D, 0.250/kW/N, ND-U-175)	Tonalá, Chis., N. 16°05'42", W. 93°45'42"	5,000D/250N	1290 kHz ND-U-175	U	III	239	90	150	6-1-77.
XEP	Cd Juárez, Chib., N. 31°42'-48", W. 106°20'45"	1,000D/500N	1300 kHz ND-U-179	U	III	194	90	164	Immediately.
XE	Tihosuco, Q. R., N. 20°14'00", W. 88°20'06"	250	1300 kHz ND-D-190	D	III	189	120	189	2-30-77.
XELE (PO 0.500/kW/D, 0.100/kW/N, ND-U-175)	Tampico, Tam., N. 22°12'37", W. 97°49'51"	1,000D/150N	1300 kHz ND-U-175	U	III	188	90	171	6-1-77.
XELPZ	La Paz, Bcs., N. 24°09'41", W. 110°20'44"	10,000	1310 kHz DA-D	D	III				2-30-77.
XEMAC	Manzanillo, Col., N. 19°08'15", W. 104°19'40"	500	1330 kHz ND-D-175	D	III	148	120	148	6-1-77.
XE (assignment deleted)	Apatzingán, Mich., N. 19°04'-54", W. 102°15'31"	1,000D/250N	1340 kHz ND-U-190	U	IV	184	120	184	Immediately.
XE	Yurucuaré, Mich., N. 20°19'-48", W. 102°17'54"	500	1350 kHz DA-D	D	III				1-30-77.
XE	J.M. Morelos, Q.R., N. 19°44'-42", W. 88°41'48"	250	1350 kHz ND-D-190	D	III	182	120	181	2-30-77.
XELS	Armeria, Col., N. 18°55'00", W. 103°57'35"	1,000D/160N	1360 kHz ND-U-175	U	III	165	90	163	5-30-77.
XE	Cd Valles, Slp., N. 21°59'04", W. 99°09'58"	5,000	1360 kHz ND-D-190	D	III	181	120	181	10-30-76.
XE (assignment deleted)	Tampico, Tam., N. 22°13'00", W. 97°51'19"	5,000D/250N	1370 kHz DA-2	U	III				Immediately.
XEOBS	Cd Obregon, Son., N. 27°29'-35", W. 109°56'00"	10,000D/5,000N	1370 kHz ND-D-175 DA-N	U	III	295	120	295	6-1-77.
XEPAB	La Paz, Bcs., N. 24°09'41", W. 110°20'44"	250D/250N	1380 kHz ND-U-190	U	III	177	120	177	6-1-77.
XEZW	Cd Hidalgo, Chis., N. 14°40'-57", W. 92°08'55"	1,000D/250N	1380 kHz ND-U-175	U	III	178	90	178	10-30-76.
XE	Apatzingán, Mich., N. 19°04'-54", W. 102°15'31"	1,000D/100N	1380 kHz ND-U-190	U	IV	178	120	178	6-1-77.
XEPIC	Tepe, Nay., N. 21°30'47", W. 104°53'42"	1,000D/500N	1380 kHz ND-U-190	U	III	178	120	178	2-30-77.
XERW (PO 1/kW/D, 350/kW/N, ND-U-189)	Leon, Gto., N. 21°07'12", W. 101°40'38"	5,000D/250N	1390 kHz ND-U-189	U	III	177	120	175	6-1-77.
XERUY (PO 1400 kHz, 1/kW/D, 0.5/kW/N, ND-U-185)	Nerida, Yuc., N. 20°59'00", W. 89°38'43"	10,000D/250N	1390 kHz DA-D ND-N-185	U	III	167	120	167	6-1-77.
XEOJ	Lázaro Cárdenas, Mich., N. 17°57'36", W. 102°08'38"	1,000D/100N	1400 kHz ND-U-170	U	IV	134	120	134	2-30-77.
XENAS	Navojón, Son., N. 27°04'52", W. 109°27'13"	500D/300N	1400 kHz ND-U-170	U	IV	134	120	134	6-1-77.
XEWV	Cuernavaca, Mor., N. 18°55'00", W. 94°14'00"	500D/250N	1420 kHz ND-U-175	U	III	194	90	150	Immediately.
XKEW	Matamoros, Tam., N. 25°51'38", W. 97°28'20"	1,000D/1,000N	1420 kHz DA-1	U	III				Do.
XESHT	Saltilla, Coah., N. 25°28'18", W. 100°50'40"	500	1430 kHz ND-D-190	D	III	171	120	171	1-30-77.
XECOC	Colima, Col., N. 19°15'08", W. 103°42'55"	1,500D/100N	1430 kHz ND-U-175	U	III	172	120	172	6-1-77.
XBMTJ	Mascota, Jal., N. 20°31'15", W. 104°47'00"	1,000	1430 kHz ND-D-175	D	III	188	120	144	10-30-76.

Call letters	Location	Power watts	Antenna radiation millivolt/meter/kilowatt	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of change or commencement of operation
							Number of radials	Length (feet)	
XE	Pinotepa, Oax., N. 16°18'45", W. 98°01'00"	500	1480 kHz ND-D-175	D	IV	136	120	145	10-30-76.
XEIX (PO 1kW/D, ND-D-175)	Matemorda, Slp., N. 23°37'22", W. 100°38'26"	1,000D/2,000N	1480 kHz ND-U-175	U	IV	164	120	121	6-1-77.
XE	Hermosillo, Son., N. 29°04'30", W. 110°57'40"	350	1480 kHz ND-D-175	D	IV	136	120	142	3-30-77.
XE	F. Carrillo Pto., Q. R., N. 19°34'50", W. 88°02'38"	1,000	1480 kHz ND-D-190	D	III	168	120	168	1-30-77.
XE	Nacoari, Son., N. 30°22'20", W. 109°41'28"	350	1480 kHz ND-D-190	D	III	168	120	168	3-30-77.
XEREC	Reforma, Chis., N. 17°50'02", W. 92°09'40"	500	1470 kHz ND-D-190	D	III	167	120	197	6-1-77.
XEQF	Loma Bonita, Oax., N. 18°06'00", W. 95°53'00"	5,000D/5,000N	1470 kHz ND-D-175 DA-N	U	III	262	90	262	2-30-77.
XEACE	Matatlan, Sln., N. 23°18'34", W. 106°28'17"	1,000	1470 kHz ND-D-206	D	III	167	120	246	Immediately.
XEHII (PO 1,000kW/D)	Cd Miguel a, Tam., N. 26°20'20", W. 99°05'55"	3,000D/2,500N	1470 kHz ND-U-196	U	III	197	120	164	10-30-76.
XEIP	Uruapan, Mich., N. 19°24'35", W. 102°03'46"	500	1480 kHz ND-D-190	D	III	166	120	165	1-30-77.
XECCQ	Cancun, Q. R., N. 21°04'52", W. 86°46'18"	350	1480 kHz ND-D-175	D	III	133	120	130	1-30-77.
XEHF	Chihuahua, Chih., N. 28°38'12", W. 106°04'42"	1,000D/2,500N	1480 kHz ND-U-175	U	IV	148	90	148	6-1-77.
XEHPC	Hdgo. Di Parral, Chih., N. 26°56'04", W. 105°39'58"	1,000D/2,000N	1480 kHz ND-E-175	U	IV	262	120	262	6-1-77.
XEPOP	Puebla, Pue., N. 19°03'04", W. 98°12'00"	5,000D/2,000N	1480 kHz ND-U-196	U	IV	177	90	99	1-30-77.
XEEBC	Ensenada, Bcn., N. 31°51'19", W. 116°38'09"	500	1500 kHz ND-D-175	D	II	262	120	262	10-30-76.
XEQI	Monterrey, N.L., N. 25°45'24", W. 100°17'54"	10,000	1510 kHz DA-D	D	II				4-30-77.
XEDCH	Cd Delicias, Chih., N. 28°11'27", W. 103°30'12"	1,000	1540 kHz ND-D-175	D	II	164	90	164	6-1-77.
XEDRD	Durango, Dgo., N. 24°01'21", W. 104°40'11"	250	1540 kHz ND-D-184	D	II	148	120	148	6-1-77.
XESTN	Santa Catarina, N.L., N. 25°38'01", W. 100°26'30"	5,000	1540 kHz ND-D-190	D	II	160	120	160	2-30-77.
XEPAY	Panuco, Ver., N. 22°03'33", W. 98°10'00"	3,000	1540 kHz ND-D-175	D	II	185	90	147	1-30-77.
XEZAJ	Zapopan, Jal., N. 20°40'34", W. 103°23'12"	500	1550 kHz ND-D-190	D	II	130	120	150	1-30-77.
XE (assignment deleted)	Los Mochis, Sln., N. 25°47'00", W. 109°00'00"	10,000	1550 kHz ND-D-190	D	II	143	120	143	Immediately.
XETAM	Cd. Victoria, Tam., N. 23°44'07", W. 99°07'52"	500	1550 kHz ND-D-190	D	II	159	120	159	1-30-77.
XELAC	Lazaro Cardenas, Mich., N. 17°53'30", W. 102°11'40"	5,000	1550 kHz ND-D-175	D	II	126	120	132	1-30-77.
XEGYS	Guaymas, Son., N. 27°53'30", W. 110°50'20"	350	1550 kHz ND-D-190	D	II	158	120	158	6-1-77.
XESAC	Saltillo, Coah., N. 25°26'37", W. 100°59'22"	350	1550 kHz ND-D-190	D	II	156	120	156	6-1-77.
XE	Cocula, Jal., N. 20°21'52", W. 103°49'24"	250	1580 kHz ND-D-175	D	II	125	120	129	1-30-77.
XE	Valle de Bravo, Mex., N. 19°11'28", W. 100°08'06"	250	1580 kHz ND-D-175	D	II	155	120	151	2-30-77.
XEST	Matatlan, Sln., N. 23°11'55", W. 106°25'20"	250	1580 kHz ND-D-190	D	II	136	120	156	10-30-76.

Call letters	Location	Power watts	Antenna radiation millivolt/meter/kilowatt	Schedule	Class	Antenna height (feet)	Ground system Number of radials	Length (feet)	Proposed date of change or commencement of operation
XETBV	Tierra Blanca, Ver., N. 18°27' 03", W. 96°21'28"	1,000	1580 kHz	ND-D-190	D	156	120	156	6-1-77.
XEIRG	Irapuato, Gto., N. 20°40'28", W. 101°20'51"	250	1590 kHz	ND-D-175	D	151	120	151	6-1-77.
XE	Apatzingan, Mich., N. 19°04' 54", W. 102°15'31"	250	1590 kHz	ND-D-190	D	155	120	155	4-30-77.
XEPNA	Tepic, Nay., N. 21°30'47", W. 101°33'42"	250	1590 kHz	ND-D-190	D	155	120	155	6-1-77.
XEMTS	Cd Madero, Tami., N. 22°14' 30", W. 97°50'10"	1,000	1590 kHz	DA-D	D				1-30-77.
XETUG	Tuxtla, Gtz., Chi., N. 16°45' 20", W. 93°06'46"	250	1600 kHz	ND-D-175	D	154	90	126	6-1-77.
XE	Puerto Vallarta, Jal., N. 20° 36'56", W. 105°14'42"	350	1600 kHz	ND-D-175	D	123	120	129	2-30-77.
XE	Toluca, Mex., N. 19°17'38", W. 99°29'38"	2,000	1600 kHz	DA-D	D				4-30-77.
XE	Istepec, Oax., N. 16°33'30", W. 95°07'50"	500	1600 kHz	ND-D-175	D	123	120	129	10-30-76.
XEJCT	Tehuacan, Pue., N. 18°25'51", W. 97°23'29"	250	1600 kHz	ND-D-175	D	154	90	126	6-1-77.
XEJAQ	Jalpan, Gro., N. 21°12'20", W. 99°28'00"	250	1600 kHz	ND-D-175	D	123	120	129	10-30-76.
XENAZ	Nacozari, Son., N. 30°22'25", W. 109°41'28"	1,000	1600 kHz	ND-D-175	D	123	120	129	6-1-77.
XE	Navojon, Son., N. 27°04'52", W. 109°27'13"	300	1600 kHz	ND-D-175	D	154	90	126	2-30-77.

WALLACE E. JOHNSON,

Chief, Broadcast Bureau, Federal Communications Commission.

[FR Doc. 77-6395 Filed 3-3-77; 8:45 am]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Assistant Secretary for Education

EDUCATION STATISTICS

Comments on Collection of Information
and Data Acquisition Activity

Pursuant to section 406(g)(2)(B), General Education Provisions Act, notice is hereby given as follows:

The U.S. Office of Education has proposed collections of information and data acquisition activities which will request information from educational agencies or institutions.

The purpose of publishing this notice in the FEDERAL REGISTER is to comply with paragraph (g)(2)(B) of the "Control of Paperwork" amendment which provides that each educational agency or institution subject to a request under the collection of information and data acquisition activity and their representative organizations shall have an opportunity, during a 30-day period before the transmittal of the request to the Director of the Office of Management and Budget, to comment to the Administrator of the National Center for Education Statistics on the collection of information and data acquisition activity.

These data acquisition activities are subject to review by the HEW Education Data Acquisition Council and the Office of Management and Budget.

Descriptions of the proposed collections of information and data acquisition activities follow below.

Written comments on the proposed activities are invited. Comments should refer to the specific sponsoring agency and form number and must be received on or before April 4, 1977, and should be addressed to Administrator, National Center for Education Statistics, Attn: Manager, Information Acquisition, Planning, and Utilization, Room 3001, 400 Maryland Avenue, SW., Washington, D.C. 20202.

Further information may be obtained from Elizabeth M. Proctor of the National Center for Education Statistics, 202-245-1022.

Dated: February 28, 1977.

MARIE D. ELDRIDGE,
Administrator, National
Center for Education Statistics.DESCRIPTION OF A PROPOSED COLLECTION OF
INFORMATION AND DATA ACQUISITION
ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Evaluation of the Emergency School Aid Act Nonprofit Organizations Program: Mail Questionnaires and Personal Interviews.

1. AGENCY/BUREAU/OFFICE

U.S. Office of Education, Office of Planning, Budgeting, and Evaluation.

2. AGENCY FORM NUMBER

OE 516-1; 516-2.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

"* * * The Secretary shall transmit (to specified committees of the Congress) an annual evaluation report which evaluates the

effectiveness of applicable programs * * * (20 U.S.C. 1226c.)

"* * * The Assistant Secretary is authorized to make grants * * * and contracts * * * for the purpose of evaluating programs and projects assisted under this chapter." (20 U.S.C. 1612.)

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Voluntary.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

The study purposes include:

Describing the operations of the ESAA-NPO program.

Evaluating the effectiveness of NPOs in facilitating desegregation or reducing the effects of minority isolation.

Describing the federal role in funding and assisting NPOs, to suggest alternative administrative strategies or changes in the ESAA legislation, program regulation or guidelines to facilitate increased effectiveness for NPOs.

Identifying characteristics associated with greater effectiveness of community organizations (not just NPOs) in facilitating desegregation or reducing the effects of minority isolation to suggest possible revisions of the ESAA legislation, program regulations or guidelines, to facilitate increased effectiveness for NPOs.

The results will be included in the Annual Evaluation Report to Congress (20 U.S.C. 1226c). Such results will be used as a part of a basis for legislative or executive proposals.

Summary results will be distributed to ESAA-NPO personnel, and to other interested parties.

7. DATA ACQUISITION PLAN

(a) Method of collection: Mail and personal interview.

(b) Time of collection: Spring, 1977.

(c) Frequency: 1977 only.

8. RESPONDENTS

- (a) Type: Nonprofit Organizations.
- (b) Number: 850.
- (c) Estimated average man-hours per respondent: 0.8.
- (d) Type: Principals (School).
- (e) Number: 30.
- (f) Estimated average man-hours per respondent: 0.5.
- (g) Type: Local Education Agencies.
- (h) Number: 30.
- (i) Estimated average man-hours per respondent: 0.5.
- (j) Type: Parents.
- (k) Number: 75.
- (l) Estimated average man-hours per respondent: 0.5.
- (m) Type: Students, public elementary/secondary schools.
- (n) Number: 30.
- (o) Estimated average man-hours per respondent: 0.5.
- (p) Type: Teachers, elementary/secondary.
- (q) Number: 300.
- (r) Estimated average man-hours per respondent: 0.5.
- (s) Type: Individuals.
- (t) Number: 150.
- (u) Estimated average man-hours per respondent: 1.
- (v) Type: Other (Regional Office Panelists).
- (w) Number: 70.
- (x) Estimated average man-hours per respondent: 0.75.

9. INFORMATION TO BE COLLECTED

Respondent type: Nonprofit Organizations.

Describe Emergency School Aid Act Nonprofit Organization operations including: Specific organizational characteristics, types of activities done, interactions with school districts or national organizations, and Regional Office operations.

Describe the ESAA funding process. Similar questions will be asked of Nonprofit Organizations which applied for ESAA funding but did not receive awards.

Discuss objectives of the organization, when and how it was established, role of the local education agency in the organizational structure, role of the national organization (if the organization is a chapter of a national organization) in organizational structure, access to local education agency officials.

Extent of political involvement of the organization, areas and overall impact of the organization in minority isolation/desegregation, effectiveness of activities carried out by the organization and the impact (results) of activities.

Respondent type: Principals (School). The effectiveness and impact of a specific activity carried out by a Nonprofit Organization when the respondent is involved in that activity.

Respondent type: Local Education Agencies.

Same as Principals (School).

Respondent type: Parents.

Same as Principals (School).

Respondent type: Students, public elementary/secondary schools.

Same as Principals (School).

Respondent type: Teacher, elementary/secondary.

Same as Principals (School).

Respondent type: Individuals.

Describe local context in which organizations operate, including: Economic health, level of involvement in civil affairs, political characteristics, characteristics of the school district (system quality, financial constraints, district decentralization, openness to change), and the desegregation environ-

ment of the district (level of support for desegregation, type of community group involvement in desegregation, the perceived inevitability of desegregation).

Respondent type: Other (Regional Office Panelists).

Assess the composition of the panels that review ESAA Nonprofit Organization proposals including demographic characteristics of panelists.

Describe procedures for the recruitment of panelists, training procedures, and perceptions of the review process.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

A Survey of Home Viewership of Television Series Sponsored by ESAA Legislation.

2. AGENCY/BUREAU/OFFICE

U.S. Office of Education, Office of Planning, Budgeting, and Evaluation.

3. AGENCY FORM NUMBER

OE 522-1, 522-2, 522-3, 522-4, 522-5.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

" * * * The Secretary shall transmit to (appropriate Congressional Committees) an annual evaluation report which evaluates the effectiveness of applicable programs * * * such report shall * * * contain information on progress being made * * * describe the cost and benefits of the applicable program * * * identify which sectors of the public receive the benefits of such program * * * " (20 U.S.C. 1226c.)

Section 713 of Title VII, Pub. L. 92-318 also provides a one percent administrative set-aside for evaluation purposes as part of the Emergency School Aid Act. (20 U.S.C. 1112.)

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Voluntary.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

This study is one component of the USOE effort to review and evaluate its sponsorship of educational television programs. This research will assess viewership of ESAA-TV programs. Data derived from this study will be utilized in a subsequent evaluation to assess the impact of ESAA programs and determine obstacles to increased viewership.

7. DATA ACQUISITION PLAN

- (a) Method of collection: Interviews and forms administered in class.
- (b) Time of collection: Spring 1977.
- (c) Frequency: One time only.

8. RESPONDENTS

- (a) Type: Principals of Elementary/Secondary Schools.
- (b) Number: 150.
- (c) Estimated average man-hours per respondent: 0.2.
- (d) Type: Teachers of Elementary/Secondary Schools.
- (e) Number: 400.
- (f) Estimated average man-hours per respondent: 0.2.
- (g) Type: Students in Public Elementary/Secondary Schools.
- (h) Number: 12,000.
- (i) Estimated average man-hours per respondent: 0.7.
- (j) Type: Parents of Students in Elementary/Secondary Schools.
- (k) Number: 1,200.
- (l) Estimated average man-hours per respondent: 0.4.
- (m) Type: Other—Preschool Siblings.
- (n) Number: 800.

- (o) Estimated average man-hours per respondent: 0.4.

9. INFORMATION TO BE COLLECTED

Principals: Size of student body; Attitudes toward educational television; Availability of viewing facilities in school; Awareness of ESAA programs; Viewership of ESAA programs.

Teachers: Attitudes toward educational television; Awareness of ESAA programs; Viewership of ESAA programs; Use of television in the classroom.

Students: Number of TV sets in home; General TV viewing habits; Programs watched by respondents; Programs preferred by respondents; Frequency of TV viewership by respondents; Who controls the selection of programs viewed by respondent; Awareness of ESAA programs; Viewership of ESAA programs; Demographics of respondents.

Parents: Availability of TV in home; General TV viewing habits; Programs watched by respondent and children; Programs preferred by respondent and children; Frequency of TV viewership by respondent and children; Who controls children's selection of TV programs; Awareness of ESAA programs; Viewership of ESAA programs; Demographics of respondent and household.

Pre-school Siblings: Programs watched by respondent; Programs preferred by respondent.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Evaluation of Communication Activities of Model Rural Career Education Program.

2. AGENCY/BUREAU/OFFICE

Office of Education/Office of Career Education.

3. AGENCY FORM NUMBER

OE 542.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

"(b) It is the purpose of this section to assist in achieving the policies set forth in subsection (a) by—

- (2) Promoting a national dialogue on career education * * *
- (3) Assessing the status of career education programs and practices * * *
- (4) Providing for the demonstration of the best career education programs and practices by the development and testing of exemplary programs and practices * * *

(Pub. L. 93-380, 20 U.S.C. 1865.)

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Voluntary.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

The data will be used by staff of the contractor (Cashmere School District No. 222, Cashmere, Washington) to improve the communication activities aimed at helping rural school districts implement career education. Data will be used to improve workshops and printed materials. The data will be used by the Office of Career Education, U.S. Office of Education, to assess the impact of this communication effort and to plan future communication efforts aimed at rural school districts.

7. DATA ACQUISITION PLAN

- (a) Method of collection: Mail.
- (b) Time of collection: Spring-Summer 1977.
- (c) Frequency: One-time data collection.

B. RESPONDENTS

- (a) Type: Principals (school), Teachers, elementary/secondary; and Counselors, elementary/secondary.
 (b) Number: Sample, 500.
 (c) Estimated average man-hours per respondent: 0.5.

9. INFORMATION TO BE COLLECTED

The same questionnaire will be used for all respondents. Information will be collected on the extent to which respondents have utilized a variety of products and activities sponsored by the rural career education model, including newsletters, handbook, and workshops. Data will also be collected on the perceived impact of these activities as reported by respondents. Some background data will be collected on size of respondent school system and system's prior involvement in career education to help determine the utility of the activities for systems/persons with various backgrounds.

DESCRIPTION OF A PROPOSED COLLECTION OF INFORMATION AND DATA ACQUISITION ACTIVITY

1. TITLE OF PROPOSED ACTIVITY

Student Application For A Federal Loan.

2. AGENCY/BUREAU/OFFICE

Office of Education/Office of Management/
Office of Guaranteed Student Loans.

3. AGENCY FORM NUMBER

OE 1154.

4. LEGISLATIVE AUTHORITY FOR THIS ACTIVITY

"* * * If, upon application by an eligible lender, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the applicant has made a loan to an eligible student which is insurable under the provisions of this part, he may issue to the applicant a certificate of insurance covering the loan and setting forth the amount and terms of the insurance. * * * (Pub. L. 89-329, sec. 429; 20 U.S.C. 1079(a)(1).)"

5. VOLUNTARY/OBLIGATORY NATURE OF RESPONSE

Required to obtain or maintain benefits.

6. HOW INFORMATION TO BE COLLECTED WILL BE USED

This information will be used to perform two primary program management functions:
 (1) To determine the insurability of the loan under statutory and regulatory guidelines;

(2) To determine if the applicant is eligible for Federal interest benefits (under which the Office of Guaranteed Student Loans pays all interest on the loan until the borrower begins repayment).

7. DATA ACQUISITION PLAN

- (a) Method of collection: Mail.
 (b) Time of collection: Usually Late Summer/Early Fall.
 (c) Frequency: Annually.

B. RESPONDENTS

- (a) Type: Students.
 (b) Number: 1,000,000.
 (c) Estimated average man-hours per respondent: $\frac{1}{2}$ hr.
 (d) Type: Parents (and/or spouse).
 (e) Number: 1,000,000.
 (f) Estimated average man-hours per respondent: $\frac{1}{12}$ hr.
 (g) Type: Financial Aid Officers.
 (h) Number: 10,000.
 (i) Estimated average man-hours per respondent: $\frac{1}{12}$ hr.

9. INFORMATION TO BE COLLECTED

Student: Identification and address information, financial information, references, educational cost information.

Parents (and/or spouse): Signatures and Social Security Numbers to certify income information.

Financial Aid Officer: School identification information, student eligibility information, costs of education and financial aid awarded to the student, analysis of need in some cases, recommended loan amount.

Financial Institution: Lender identification information, approved loan amount.

[FR Doc.77-6477 Filed 3-3-77;8:45 am]

Food and Drug Administration

SUBCOMMITTEE ON DEVELOPMENT OF GUIDELINES FOR EVALUATION OF HEPATOTOXICITY OF THE GASTROINTESTINAL DRUGS ADVISORY COMMITTEE

Notice of Rescheduling

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of January 18, 1977 (42 FR 3348), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act.

Notice is hereby given that the meeting of the Subcommittee on Development of Guidelines for Evaluation of Hepatotoxicity of the Gastrointestinal Drugs Advisory Committee scheduled for March 7 and 8, 1977, has been rescheduled for April 18 and 19, 1977, in Conference Rm. A, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD, with the open session beginning at 9 a.m.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.77-6491 Filed 3-3-77;8:45 am]

TOPICAL ANALGESIC PANEL

Notice of Rescheduling

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of February 11, 1977 (42 FR 8709), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act.

Notice is hereby given that the meeting of the Topical Analgesic Panel scheduled for March 22 and 23, 1977, has been rescheduled for April 13 and 14, 1977, in Conference Rm. A, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD, with the open session beginning at 9 a.m.

Dated: February 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.77-6490 Filed 3-3-77;8:45 am]

[Docket No. 76F-0392]

DENIAL OF PETITION FOR CYCLAMATE (CYCLAMIC ACID, CALCIUM CYCLAMATE, AND SODIUM CYCLAMATE)

Hearing

The Food and Drug Administration (FDA) is granting a formal evidentiary public hearing on factual issues raised by objections to the order of the Commissioner of Food and Drugs denying a petition for the use of cyclamic acid, calcium cyclamate, and sodium cyclamate (collectively, "cyclamate") as sweetening agents in food and for technological purposes in food other than for calorie reduction. The date for the hearing will be set at the prehearing conference to be held on April 20, 1977.

A notice of filing of the petition (FAP 4A2975) was published in the FEDERAL REGISTER of February 8, 1974 (39 FR 4935). The petition sought the issuance of a regulation, pursuant to section 409 (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(b)), that would authorize use of the additive in food. It was denied by order published in the FEDERAL REGISTER of October 4, 1976 (41 FR 43754), on the grounds of lack of evidence that cyclamate is safe for any of the proposed uses.

The petitioner, Abbott Laboratories, by letter received on November 3, 1976, and the Calorie Control Council, by letter of October 29, 1976, filed timely objections to the October 4 order; only Abbott, however, made particularized objections. Both Abbott and the Calorie Control Council requested a hearing. The objectors have adequately demonstrated that they will be adversely affected by the order. There were other responses to the order, but no other objections or requests for a hearing. Abbott's request for a hearing is being granted on the following stated objections:

1. Abbott Laboratories objects to the Commissioner's finding that the carcinogenic potential of cyclamate is unresolved and that further testing is necessary. Specifically, Abbott objects to the Commissioner's finding, based upon the Report of the National Cancer Institute's Temporary Committee for the Review of Data on the Carcinogenicity of Cyclamate, that there is a basis for concluding that cyclamate may be a carcinogen.

2. Abbott Laboratories objects to the Commissioner's finding that the testicular and reproductive effects observed in the test animals would dictate a maximum level of exposure that is too low to permit establishment of a tolerance for the use of cyclamate as an artificial sweetening agent that could be expected to be adhered to.

The Commissioner rejects Abbott's contention that he has no authority to decline to set a tolerance for a food additive because it has potential for non-addictive abuse (section 409(c)(5)(A) of the act (21 U.S.C. 409(c)(5)(A))). In any event, this is a question of law not appropriate for an evidentiary hearing. The Commissioner agrees, however, that the existence of such an abuse potential and its safety implications would be proper subjects of a hearing.

3. Abbott Laboratories objects to the Commissioner's conclusions that several studies suggest that cyclamate has the potential to cause genetic damage.

4. Abbott Laboratories objects to the Commissioner's use of 30 percent as the rate of conversion of cyclamate to cyclohexylamine, and to the use of a 100-fold safety factor for no-effect levels established with cyclohexylamine in computing acceptable daily intake for cyclamate.

The Commissioner points out that the 100-fold safety factor is an accepted conventional principle, and Abbott recorded no objection when this criterion was proposed for inclusion in FDA regulation, 21 CFR 121.5. He believes, however, that the appropriateness and applicability of this "standard," specifically in the case of cyclamate, should be an issue at the hearing.

Abbott Laboratories also objects to the Commissioner's alleged failure to evaluate fairly the evidence presented in support of the petition.

The Commissioner recognizes that the evidence conflicts in some instances and rarely is unequivocal. He was and is, however, of the opinion that, viewed as a whole, the available data do not prove to a reasonable certainty that cyclamate is safe for its petitioned uses. Since the sole subject of the hearing will be the safety of cyclamate, however, the process by which the Commissioner's decision was reached will not be an issue.

The Calorie Control Council has filed no specific objections but instead complained that the Commissioner has failed to identify reasons for the decision not to approve the cyclamate petition.

It is true that the Commissioner's order published October 4, 1976 (41 FR 43754), did not identify the reasons specifically; however, these reasons were set forth in detail in a letter dated May 11, 1976 from Mr. Richard Ronk of FDA to Abbott Laboratories. The letter was available to all members of the public pursuant to the Freedom of Information Act.

The granting of a hearing on the issues raised by Abbott's objections does not indicate that the Commissioner agrees with those objections.

Therefore, it is ordered, That a public hearing be held on the following issues related to the safety of cyclamate:

1. Whether data submitted by petitioner, in addition to other data before FDA, establish to a reasonable certainty that cyclamate is not a carcinogen in man or animals.

2. Whether data submitted by petitioner, in addition to other data before FDA, establish to a reasonable certainty that cyclamate does not cause genetic damage.

3. Apart from issues of carcinogenesis and mutagenesis, what do available data show is an acceptable daily intake level for cyclamate?

4. Whether, apart from issues of carcinogenesis and mutagenesis, because of any abuse potential, safe conditions of use of cyclamate can be prescribed.

The hearing will be held at the Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857. The presiding Administrative Law Judge will be Daniel Davidson. The hearing will convene on a date to be set at the prehearing conference. Written notices of participation must be filed with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, not later than April 4, 1977.

Published elsewhere in this issue of the FEDERAL REGISTER is a notice of prehearing conference on April 20, 1977 at 10 a.m.

Participants other than the Bureau of Foods shall submit written data, information, and views pursuant to 21 CFR 2.153 by May 3, 1977.

Parties to the hearing shall be the Bureau of Foods, Abbott Laboratories and the Calorie Control Council.

The contents of the portions of the administrative record which the Bureau of Foods deems relevant at this time include the following:

1. The food additive petition.
2. Scientific literature concerning the hearing issues listed above and component issues.
3. Data on the safety of cyclamate in the possession of the Bureau of Foods, which data are not part of the petition.
4. The Report of the National Cancer Institute's Temporary Committee for the Review of Data on the Carcinogenicity of Cyclamate.

These relevant portions of the administrative record are on display in the office of the Hearing Clerk, Food and Drug Administration, and additional copies need not be submitted by other parties or participants.

The hearing will be open to the public. Any participant may appear in person, or by or with counsel, or with other qualified representatives, and may be heard with respect to matters relevant to the issues under consideration.

Dated: February 28, 1977.

SHERWIN GARDNER,
Acting Commissioner
of Food and Drugs.

[FR Doc.77-6483 Filed 3-3-77;8:45 am]

[Docket No. 76F-0392]

DENIAL OF PETITION FOR CYCLAMATE (CYCLAMIC ACID, CALCIUM CYCLAMATE, AND SODIUM CYCLAMATE)

Prehearing Conference

Elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs is ordering that a formal evidentiary public hearing be held in the matter above.

Pursuant to 21 CFR 2.157 of the administrative practices and procedural regulations, a prehearing conference for the purposes set forth in 21 CFR 2.158 and for consideration of such other matters as may aid in the disposition of this proceeding will be held in Rm. 4A-35, Parklawn Bldg., 5600 Fishers Lane,

Rockville, MD 20857, beginning at 10 a.m. on April 20, 1977.

Dated: February 28, 1977.

DANIEL J. DAVIDSON,
Administrative Law Judge.

[FR Doc.77-6484 Filed 3-3-77;8:45 am]

ANESTHESIOLOGY ADVISORY COMMITTEE

Cancellation of Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of February 11, 1977 (42 FR 8709), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act.

Notice is hereby given that the meeting of the Anesthesiology Advisory Committee, which was incorrectly listed as the Anesthesiology Panel (see the FEDERAL REGISTER of February 25, 1977 (42 FR 11050) for a correction notice), scheduled for March 21, 1977, has been cancelled.

Dated: Feb. 28, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.77-6595 Filed 3-3-77;8:45 am]

RADIOLOGICAL HEALTH ADVISORY COMMITTEES

Request for Nominations for Members

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice requests nominations for new members for two radiological health advisory committees.

DATES: Nominations must be received by April 4, 1977.

FOR FURTHER INFORMATION CONTACT:

For the Technical Electronic Product Radiation Safety Standards Committee (TEPRSSC): Marshall S. Little, Executive Secretary, TEPRSSC, Food and Drug Administration, Bureau of Radiological Health (HFX-440), 5600 Fishers Lane, Rockville, MD 20857, (301-443-3429).

For the Medical Radiation Advisory Committee (MRAC): Norman C. Telles, Executive Secretary, MRAC, Food and Drug Administration, Bureau of Radiological Health (HFX-4), 5600 Fishers Lane, Rockville, MD 20857, (301-443-6220).

SUPPLEMENTARY INFORMATION: The Secretary of Health, Education, and Welfare and, by delegation, the Com-

missioner of Food and Drugs and the Director, Bureau of Radiological Health, are charged with the administration of those portions of the Public Health Service Act (42 U.S.C. 217a, 263b, 263f) that are designed to protect the public health from hazardous radiation emissions from electronic products.

The Technical Electronic Product Radiation Safety Standards Committee, established by the Secretary pursuant to section 358(f)(1)(A) of the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263f), must be consulted before the Secretary prescribes any performance standard for electronic product radiation safety.

The Medical Radiation Advisory Committee was established under the name Medical X-ray Advisory Committee on October 31, 1963, pursuant to section 222 of the Public Health Service Act (42 U.S.C. 217a). It was renamed the Medical Radiation Advisory Committee on June 25, 1970. The committee advises and consults with the Commissioner on the formulation of policy and development of a coordinated national program relating to application of ionizing radiation to obtain maximum diagnostic information and therapeutic benefit per unit of radiation exposure to the public.

NOMINATIONS, DUE DATE, AND ACCOMPANYING INFORMATION

All interested persons are invited to nominate qualified candidates for consideration as members of these two committees. To be considered for either of these two committees, each nomination of a qualified person must be received by April 4, 1977, and be accompanied by a curriculum vitae that states where the nominee may be contacted and provides detailed evidence of nominee qualifications, including current employment and professional affiliations. This information should be sent to the Executive Secretary of the committee for which the person is being nominated. Nominations must also state that the person nominated is aware of the nomination, is interested in becoming involved in the effort, and appears to have no conflict of interest. Potential candidates will be asked by the Food and Drug Administration to provide detailed information concerning financial holdings, consultancies, and research grants or contracts, to permit evaluation of possible sources of conflict of interest.

Further information on requirements for eligibility for membership on each committee is provided below, under the description of the respective committee.

The Commissioner requested, in a notice published in the *FEDERAL REGISTER* of February 23, 1976 (41 FR 7977), nominations of qualified persons to replace members of TEPRSSC and MRAC whose terms expired in 1976. Eligible individuals nominated in response to that publication who did not receive committee appointments will be reconsidered along with new nominations for the vacancies announced herein. The names and affiliations of those appointed pur-

suant to the February 23, 1976 request for nominations follow:

New members on the TEPRSSC are:

- (1) *Public sector.* Dr. Stephen F. Cleary, Associate Professor, Department of Biophysics, Medical College of Virginia, Richmond, Virginia, and Dr. Gerald M. McDonnell, Department of Radiology, Hospital of the Good Samaritan Medical Center, Los Angeles, California.

- (2) *Industrial sector.* Ms. Ellen M. Proctor, Manager Applications Laboratory, Xerox Corporation, Pasadena, California, and Dr. John F. Waymouth, Laboratory Director, Lighting Products Division, GTE Sylvania Incorporated, Danvers, Massachusetts.

- (3) *Government.* Dr. Robert T. Wangemann, Chief, Laser Microwave Division, U.S. Army Environmental Hygiene Agency, Aberdeen Proving Ground, Maryland.

New members appointed to the MRAC are:

- (1) Dr. John S. Laughlin, Chairman, Department of Medical Physics, Memorial Hospital, New York, New York.

- (2) Dr. Ervin E. Nichols, Director, Practice Activities, American College of Obstetricians and Gynecologists, Chicago, Illinois.

- (3) Dr. Holger Rasmussen, Doctor of Medicine Group Practice, Fremont, California.

TECHNICAL ELECTRONIC PRODUCT RADIATION SAFETY STANDARDS COMMITTEE

Since its inception in 1969, the TEPRSSC has provided valuable technical and scientific advice to the Bureau of Radiological Health, Food and Drug Administration, on the development of electronic product radiation safety performance standards. Thus far, regulatory performance standards have been issued under 21 CFR Chapter I, Subchapter J, for television receivers, cold-cathode gas discharge tubes, microwave ovens, diagnostic x-ray systems and their major components, cabinet x-ray equipment (including x-ray baggage inspection devices for use at airports and similar facilities), and laser products. The committee meets approximately twice each year and occasionally reviews documents transmitted by mail.

Other electronic products for which performance standards may be issued in the future include equipment used for ultrasound therapy, microwave diathermy, ultraviolet irradiation, radiation therapy, and general area, commercial and industrial illumination.

Pursuant to section 358(f) of the act, members will be appointed by the Commissioner after consultation with public and private agencies concerned with the technical aspect of electronic product radiation safety. Each member shall be technically qualified by training and experience in one or more fields of science or engineering applicable to electronic product radiation safety. As required by the act, the committee is composed of 15 members selected as follows:

1. Five from governmental agencies, including State and Federal governments;

2. Five from the affected industry, after consultation with industry representatives; and

3. Five from the general public, of which at least one shall be representative of organized labor. The representative of organized labor must also be technically qualified by education or experience in one or more fields of electronic product radiation safety.

Effective December 31, 1977, one member from industry, two members from the public sector, and one member from the governmental sector will complete their terms and may be replaced.

Nominations are solicited for engineers or scientists qualified in electronic product radiation safety to fill these vacancies for a 3-year term. Nominations are invited from consumer, industry, government, and professional organizations, and should be sent with accompanying curriculum vitae and other pertinent information to Mr. Marshall S. Little, Executive Secretary.

MEDICAL RADIATION ADVISORY COMMITTEE

MRAC meets approximately twice each year and has provided advice to the Bureau of Radiological Health, Food and Drug Administration, on programs related to medical and dental use of x-ray equipment, training of medical radiation users, nuclear medicine, and the development of policy statements on the effective use of medical radiation.

Among its current activities, the committee reviews qualifications of operators of x-ray equipment; reviews radiological training programs; advises on equipment requirements, guidelines and standards; and considers efficacy in relation to the reduction of unnecessary radiological examinations.

The committee consists of 13 members, including the chairman. Members are selected and the chairman is appointed by the Commissioner from those nominees who have expertise in the fields of medicine, dentistry, health sciences, engineering, public health, and related technology. For the 1977 membership, the MRAC will have particular need for candidates with knowledge of ultrasound and computerized tomography in medical diagnosis. Members are invited to serve 4-year terms. Effective July 1, 1977, there will be a total of two vacancies on this committee. Interested persons are invited to submit names of qualified candidates and accompanying curriculum vitae and other pertinent information to Dr. Norman C. Telles, Executive Secretary, MRAC, Food and Drug Administration, Bureau of Radiological Health (HFX-4), 5600 Fishers Lane, Rockville, MD 20857.

Dated: March 1, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc. 77-6712 Filed 3-3-77; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 338]

ASSIGNMENT OF HEARINGS

MARCH 1, 1977.

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-C-9033, Browning Freight Lines, Inc., et al. v. Northwest Transport Service, Inc., et al., now being assigned April 13, 1977 (2 days) at Salt Lake City, Utah, in a hearing room to be later designated.

I & SM 29341, Class Rate Restructuring, C & SMPTA, January 1977, now assigned March 8, 1977, at Washington, D.C., is cancelled the rates are being cancelled.

MC 127834 (Sub 115), Cherokee Hauling & Rigging, Inc. now being assigned April 12, 1977 (1 day) at Memphis, Tennessee in a hearing room to be later designated.

MC 115654 (Sub 56), Tennessee Cartage Co., Inc. now being assigned April 18, 1977 (2 days) at Memphis, Tennessee in a hearing room to be later designated.

MC-F-12803, Overnite Transportation Co.—Purchase—Southern Forwarding Co. and MC-FC-76677, Elizabeth C. Barnes, Ann Marie Torti and Melissa C. Barnes, Transferees, d.b.a. Southern Forwarding Co., Transferees now being assigned April 13, 1977 (3 days), at Memphis, Tennessee in a hearing room to be later designated.

MC 136273 (Sub-No. 6), Coronado Trucking Company, Inc., now assigned March 14, 1977, at San Francisco, Calif. is cancelled and application dismissed.

MC 105045 (Sub-No. 63), R. L. Jeffries Trucking Co., Inc., application dismissed.

MC 142134, Donald J. Bryden, d.b.a. Bryden Trucking now assigned March 8, 1977 at Seattle, Washington is cancelled, application dismissed.

MC 109533 (Sub-No. 76), Overnite Transportation Company, now being assigned for continued hearing on April 12, 1977 (2 days), at Birmingham, Ala., Kahler plaza, 808 South 20th Street.

MC 94350 (Sub 361), Transit Homes, Inc., MC 106398 (Sub 741), National Trailer Convoy, Inc., and MC 103993 (Sub 866), Morgan Drive-Away, Inc. now being assigned May 3, 1977 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 120472 (Sub 2), Gollot & Sons Transfer & Storage, Inc. now being assigned May 9, 1977 (1 week), at New Orleans, Louisiana in a hearing room to be later designated.

MC 119789 (Sub 290), Caravan Refrigerated Cargo, Inc. now being assigned May 4, 1977 (3 days), at Tampa, Florida in a hearing room to be later designated.

MC 119988 (Sub-No. 94), Great Western Trucking Co., Inc., now assigned March 14, 1977, at Denver, Colo. is cancelled and application dismissed.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6572 Filed 3-3-77; 8:45 am]

[Exemption No. 131; Amdt. 1; Ex Parte No. 241]

EXEMPTION UNDER MANDATORY CAR SERVICE RULES

Upon further consideration of Exemption No. 131 issued February 8, 1977.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 131 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire March 31, 1977.

This amendment shall become effective February 28, 1977.

Issued at Washington, D.C., February 25, 1977.

INTERSTATE COMMERCE
COMMISSION,
JOEL E. BURNS,
Agent.

[FR Doc. 77-6569 Filed 3-3-77; 8:45 am]

[Rev. Exemption No. 121; Amdt. 1; Ex Parte No. 241]

BALTIMORE & OHIO RAILROAD CO., ET AL.

Exemption Under Mandatory Car Service Rules

In the matter of the Baltimore and Ohio Railroad Company, the Chesapeake and Ohio Railway Company, Norfolk and Western Railway Company, Western Maryland Railway Company.

Upon further consideration of Revised Exemption No. 121 issued November 23, 1976.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 121 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire May 31, 1977.

This amendment shall become effective February 28, 1977.

Issued at Washington, D.C., February 25, 1977.

INTERSTATE COMMERCE
COMMISSION,
JOEL E. BURNS,
Agent.

[FR Doc. 77-6570 Filed 3-3-77; 8:45 am]

[Rev. Exemption No. 55; Amdt. 1; Ex Parte No. 241]

NORFOLK & WESTERN RAILWAY CO. AND CONSOLIDATED RAIL CORP.

Exemption Under Mandatory Car Service Rules

Upon further consideration of Revised Exemption No. 55 issued November 23, 1976.

It is ordered, That, under authority vested in me by Car Service Rule 19, Revised Exemption No. 55 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire August 31, 1977.

This amendment shall become effective February 28, 1977.

Issued at Washington, D.C., February 25, 1977.

INTERSTATE COMMERCE
COMMISSION,
JOEL E. BURNS,
Agent.

[FR Doc. 77-6571 Filed 3-3-77; 8:45 am]

[AB 52; Sub-No. 8; Finance
Docket No. 28300]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO.

Abandonment of Service

FEBRUARY 22, 1977.

The Interstate Commerce Commission hereby gives notice that its Section of Energy and Environment has concluded that the proposed abandonment by the Atchison, Topeka and Santa Fe Railway Company of its line between Richmond and Oakland, a distance of 9.2 miles, in Contra Costa and Alameda Counties, Calif., and the proposed acquisition of trackage rights by the Santa Fe over a line of the Southern Pacific Transportation Company between Richmond and Oakland, a distance of 8.5 miles, in Contra Costa and Alameda Counties, Calif., if approved by the Commission, do not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332 (2) (C) of the NEPA.

It was concluded, among other things, that the purpose of this action is to remove a rail line from a primarily residential area, and to transfer rail operations to a nearby parallel Southern Pacific line. Consequently, there will be no impact with regard to the diversion of overhead traffic from one line to the other. Only a minimal amount of local traffic will be affected, and there are alternate team track facilities available to handle this traffic. Public interest has been expressed in acquiring the subject right-of-way for recreational or other public purposes in connection with a linear park maintained by BART, and the line has been determined to be suitable for such public use.

This conclusion is contained in a staff-prepared environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-275-7011.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before April 5, 1977.

It should be emphasized that the environmental threshold assessment survey represents an evaluation of the environmental issues in the proceeding and does not purport to resolve the issue of whether the present or future public

convenience and necessity permit discontinuance of the line proposed for abandonment. Consequently, comments on the environmental study should be limited to discussion of the presence or absence of environmental impacts and reasonable alternatives.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6568 Filed 3-3-77; 8:45 am]

[AB 18; Sub-No. 17]

CHESAPEAKE AND OHIO RAILWAY CO.
Abandonment of Service

FEBRUARY 24, 1977.

The Interstate Commerce Commission hereby gives notice that its Section of Energy and Environment has concluded that the proposed abandonment by the Chesapeake and Ohio Railway Company (C&O) of its line of railroad between Valuation Station 161+43 at or near North Caldwell, to the end of the line at Valuation Station 5021+22 at or near Durbin, a distance of 92.04 miles, all in Greenbrier and Pocahontas Counties, W. Va., if approved by the Commission does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because alternative transportation in the region would still be available and the environmental effects attendant to the diversion of traffic from the line to motor carriers would be minimal. Overhead traffic will be rerouted to other nearby rail lines, generally resulting in less circuitous routings.

The proposed abandonment should not have a serious adverse impact on rural and community development in view of the fact that State plans call for reactivation of a portion of the transportation corridor for future direct rail service to principal shippers affected by the abandonment.

This conclusion is contained in a staff-prepared environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-275-7011.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before April 7, 1977.

It should be emphasized that the environmental threshold assessment survey represents an evaluation of the environmental threshold assessment survey represents an evaluation of the environmental issues in the proceeding and does not purport to resolve the issue of

whether the present or future public convenience and necessity permit discontinuance of the line proposed for abandonment. Consequently, comments on the environmental study should be limited to discussion of the presence or absence of environmental impacts and reasonable alternatives.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6575 Filed 3-3-77; 8:45 am]

[AB 12 Sub-No. 35]

SOUTHERN PACIFIC TRANSPORTATION CO.

Abandonment of Service

FEBRUARY 18, 1977.

The Interstate Commerce Commission hereby gives notice that its Section of Energy and Environment has concluded that the proposed abandonment by the Southern Pacific Transportation Company of its line extending from Susanville, in a westerly direction to Westwood, a total distance of 30.533 miles, in Lassen County, Calif., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the associated environmental impacts are not considered significant because there has been no traffic on the subject line for twenty years. The city of Susanville will continue to be served by the applicant, thus providing a rail transportation option for potential geothermal industries in the area. It should be noted, however, that abandonment will preclude the reinstitution of a more direct rail route west to California markets. Physical abandonment of the line, and subsequent salvage operations should have minimal environmental impacts, as long as conservation measures dictated by the U.S. Forest Service are followed. Finally, interest has been expressed in utilizing the right-of-way for public use if abandonment is granted.

This conclusion is contained in a staff-prepared environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-275-7011.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before April 4, 1977.

It should be emphasized that the environmental threshold assessment survey represents an evaluation of the environmental issues in the proceeding and does not purport to resolve the issue of whether the present or future public convenience and necessity permit discontinuance of the line proposed for aban-

donment. Consequently, comments on the environmental study should be limited to discussion of the presence or absence of environmental impacts and reasonable alternatives.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6576 Filed 3-3-77; 8:45 am]

[AB 12; Sub-No. 39]

SOUTHERN PACIFIC TRANSPORTATION CO.

Environmental Impact Determination

FEBRUARY 24, 1977.

The Interstate Commerce Commission hereby gives notice that comments received in response to the environmental threshold assessment survey (TAS) in the above-entitled proceeding have not caused the Commission's Section of Energy and Environment to modify its previous conclusion that this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.

Said comments have been responded to in an addendum to the TAS which is available upon request to the Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7011.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6565 Filed 3-3-77; 8:45 am]

[AB 33; Sub-No. 12]

UNION PACIFIC RAILROAD CO.

Abandonment of Service

FEBRUARY 18, 1977.

The Interstate Commerce Commission hereby gives notice that its Section of Energy and Environment has concluded that the proposed abandonment by the Union Pacific Railroad Company of a portion of its Lyman Branch from Milepost 5.04 near Hartman to Milepost 6.16 near Stegall, a distance of 1.12 miles, in Scotts Bluff County, Nebr., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the only environmental impacts associated with this abandonment will result from line dismantlement and removal of equipment stored on the line. There will be no diversion of traffic to motor carrier since there was no traffic handled on subject trackage in 1976. Because of this fact and the lack of developmental plants dependent on the subject rail line, the subject abandonment should not affect rural and community development.

This conclusion is contained in a staff-prepared environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-275-7011.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before April 4, 1977.

It should be emphasized that the environmental threshold assessment survey represents an evaluation of the environmental issues in the proceeding and does not purport to resolve the issue of whether the present or future public convenience and necessity permit discontinuance of the line proposed for abandonment. Consequently, comments on the environmental study should be limited to discussion of the presence or absence of environmental impacts and reasonable alternatives.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6567 Filed 3-3-77; 8:45 am]

[AB 69 Sub-No. 3]

WESTERN MARYLAND RAILWAY CO.

Abandonment of Service

FEBRUARY 22, 1977.

The Interstate Commerce Commission hereby gives notice that comments received in response to the environmental threshold assessment survey (TAS) in the above-entitled proceeding have not caused the Commission's Section of Energy and Environment to modify its previous conclusion that this proceeding does not represent a major Federal

action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.

Said comments have been responded to in an addendum to the TAS which is available upon request to the Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7011.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6566 Filed 3-3-77; 8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 1, 1977.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before March 21, 1977.

FSA No. 43329—Iron or Steel Pipe to Port Neches, Texas. Filed by Southwestern Freight Bureau, Agent, (No. B-657), for interested rail carriers. Rates on iron or steel pipe and related articles, in carloads, as described in the application, from points in official (including Illinois), southern and western trunk-line territories, to Port Neches, Texas.

Grounds for relief—Rate relationship and carrier competition.

Tariff—Supplement 117 to Southwestern Freight Bureau, Agent, tariff 259-F,

I.C.C. No. 5080. Rates are published to become effective on April 5, 1977.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 77-6574 Filed 3-3-77; 8:45 am]

[S.O. 1252; I.C.C. Order No. 24; Amdt. 2]

GREEN BAY & WESTERN RAILROAD CO.

Rerouting of Traffic

Upon further consideration of I.C.C. Order No. 24, (Green Bay and Western Railroad Company and the Ann Arbor Railroad), and good cause appearing therefor:

It is ordered, That:

I.C.C. Order No. 24 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., March 14, 1977, unless otherwise modified, changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., February 28, 1977, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 25, 1977.

INTERSTATE COMMERCE
COMMISSION,
JOEL E. BURNS,
Agent.

[FR Doc. 77-6573 Filed 3-3-77; 8:54 am]

FRIDAY, MARCH 4, 1977

PART II



**PRINCIPAL EXECUTIVE
BRANCH OFFICIALS
of the
ADMINISTRATION
of
JIMMY CARTER**

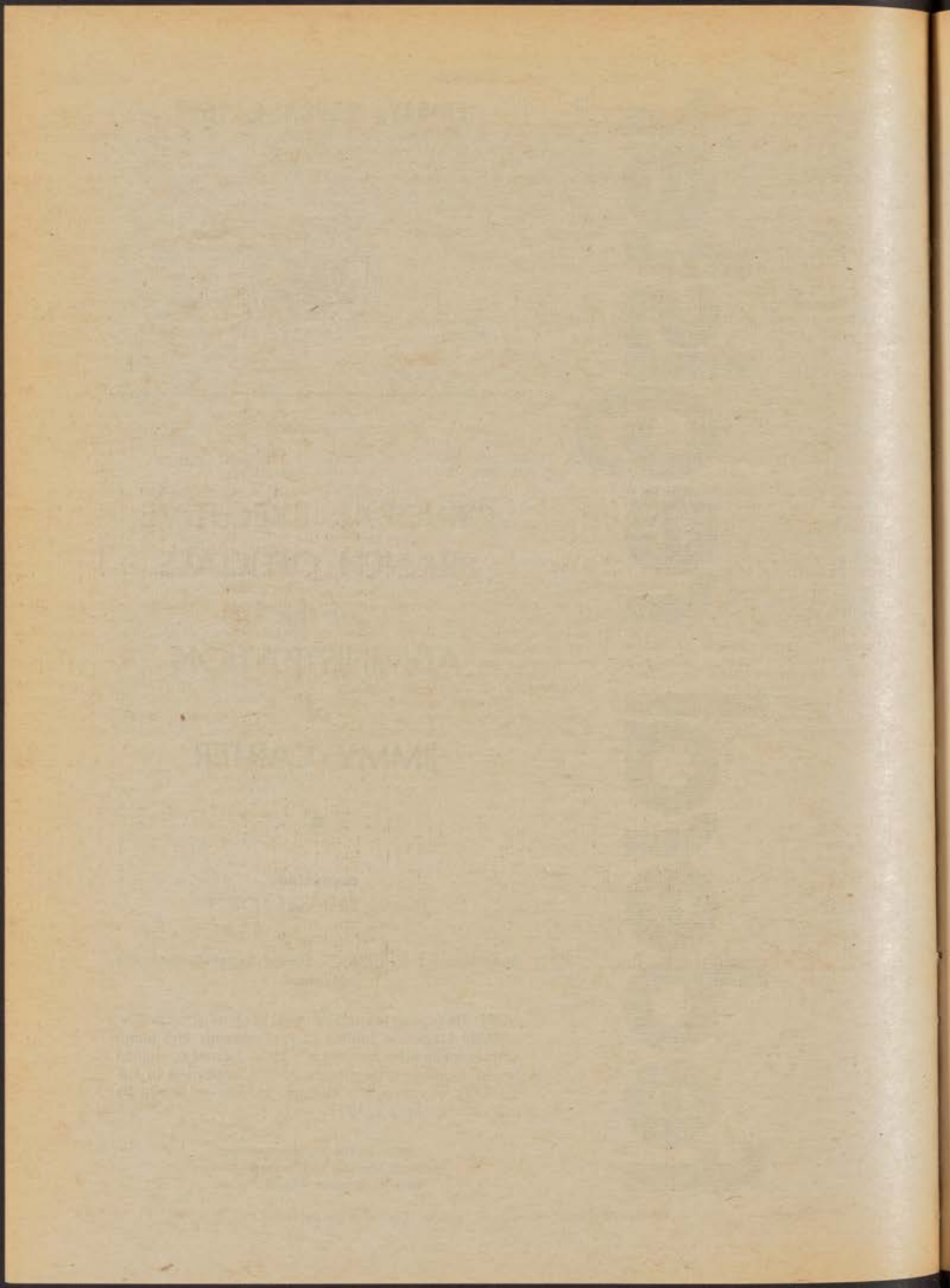


**appointed
January 20-March 1, 1977**

**Supplement 1 to 1976/77 United States Government
Manual**

NOTE: This special supplement to the United States Government Manual is limited to appointments and nominations made after January 20, 1977. Names contained herein replace corresponding names appearing in the 1976/77 edition of the Manual. Supplement 2 will be published on April 1, 1977.

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PRINCIPAL EXECUTIVE BRANCH OFFICIALS
of the
ADMINISTRATION OF JIMMY CARTER
appointed
January 20—March 1, 1977

PRESIDENT

Jimmy Carter

VICE PRESIDENT

Walter F. Mondale

MEMBERS OF THE CABINET

Secretary of Agriculture.....	BOB S. BERGLAND
Secretary of Commerce.....	JUANITA M. KREPS
Secretary of Defense.....	HAROLD BROWN
Secretary of Health, Education, and Welfare.....	JOSEPH A. CALIFANO, JR.
Secretary of Housing and Urban Development.....	PATRICIA ROBERTS HARRIS
Secretary of the Interior.....	CECIL D. ANDRUS
Attorney General.....	GRIFFIN B. BELL
Secretary of Labor.....	RAY MARSHALL
Secretary of State.....	CYRUS VANCE
Secretary of Transportation.....	BROCKMAN ADAMS
Secretary of the Treasury.....	W. MICHAEL BLUMENTHAL
Assistant to the President for National Security Affairs.....	ZBIGNIEW BRZEZINSKI
Director, Office of Management and Budget.....	THOMAS BERTRAM LANCE
Assistant to the President.....	JAMES R. SCHLESINGER
Chairman, Council of Economic Advisers.....	CHARLES L. SCHULTZE
United States Representative to the United Nations and Representative in the Security Council.....	ANDREW J. YOUNG

The Cabinet, a creation of custom and tradition dating back to George Washington's administration, functions at the pleasure of the President. Its purpose is to advise the President upon any subject on which he requests information (pursuant to Article II, section 2, of the Constitution).

The Cabinet is composed of the eleven executive departments listed above and certain other officials of the executive branch to whom the President has accorded Cabinet rank. The Vice President participates in all Cabinet meetings. Also, from time to time, others are invited to participate in a discussion of particular subjects.

EXECUTIVE OFFICE OF THE PRESIDENT

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Assistant to the President for Public Liaison	MARGARET COSTANZA
Assistant to the President for Domestic Affairs and Policy	STUART E. EISENSTAT
Assistant to the President	HAMILTON JORDAN
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Assistant to the President	JAMES R. SCHLESINGER
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Special Assistant to the President	JOSEPH W. ARAGON
Special Assistant to the President for Health Issues	PETER G. BOURNE
Special Assistant to the President for Administration	HUGH A. CARTER, JR.
Special Assistant to the President for Budget and Organization	RICHARD M. HARDEN
Special Assistant to the President for Media and Public Affairs	BARRY JAGODA
Special Assistant to the President for Personnel	JAMES B. KING
Special Assistant to the President for Appointments	TIMOTHY E. KRAFT
Special Assistant to the President for Special Projects	MARTHA M. MITCHELL
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Press Secretary to the First Lady and East Wing Coordinator	MARY FINCH HOYT
Personal Assistant to the First Lady	MADLINE F. MACBEAN
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Deputy Assistant	LONDON BUTLER
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Deputy Press Secretary	REX L. GRANUM
Deputy Counsel	MARGARET A. McKENNA
Deputy Assistant for Public Liaison	ROBERT NASTANOVICH
Deputy Assistant for Domestic Affairs and Policy	DAVID M. RUBENSTEIN
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Deputy Press Secretary to the First Lady	ANN M. ANDERSON
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Director, White House Military Office	WARREN J. GULLEY
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Chief Usher	REX W. SCOUTEN

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Chairman CHARLES L. SCHULTZ

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 The Vice President WALTER F. MONDALE
 Secretary of State CYRUS VANCE
 Secretary of Defense HAROLD BROWN

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Director ADM. STANSFIELD TURNER

Council on Environmental Quality

Chairman CHARLES H. WARREN
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Office of Drug Abuse Policy

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 (Nominated 2-7-77)
 Deputy Director LEE I. DOGOLOFF
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 Deputy Chief of Staff and Counsel to the Vice Pres-
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 Press Secretary and Special Assistant to the Vice
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 Executive Assistant to the Vice President JAMES JOHNSON
 Assistant to the Vice President for Congressional
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 Issues Director GAIL HARRISON
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 Appointments Secretary to the Vice President PENNY MILLER

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 (Nominated 2-24-77)
 Assistant Secretary for Policy JERRY J. JASINOWSKI
 (Nominated 2-25-77)
 Assistant Secretary for Economic Development ROBERT THALLON HALL
 (Nominated 3-1-77)

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Assistant Secretary of Defense (Manpower and Reserve Affairs).....	JOHN M. SULLIVAN (Nominated 2-25-77)
Assistant Secretary of Defense (International Security Affairs).....	DAVID E. MCGIFFERT (Nominated 2-25-77)
Assistant Secretary.....	GERALD P. DINNEEN (Nominated 2-25-77)

DEPARTMENT OF THE ARMY

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----------------------------	----------------------------

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Inspector General.....	THOMAS D. MORRIS (Nominated 2-24-77)
Assistant Secretary for Education.....	MARY BERRY (Nominated 2-24-77)
Assistant Secretary.....	ARABELLA MARTINEZ (Nominated 2-24-77)

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SECRETARY.....	PATRICIA ROBERTS HARRIS
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Solicitor.....	LEO M. KRULITZ (Nominated 2-24-77)

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Assistant Attorney General, Legislative Affairs.....

Assistant Attorney General, Civil Division.....

Assistant Attorney General, Civil Rights Division.....

Assistant Attorney General, Criminal Division.....

Assistant Attorney General.....

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WADE HAMPTON MCCREE, JR.

(Nominated 2-16-77)

PATRICIA M. WALD

(Nominated 2-16-77)

BARBARA BABCOCK

(Nominated 2-16-77)

DREW S. DAYS III

(Nominated 2-16-77)

BENJAMIN R. CIVILETTI

(Nominated 2-16-77)

DANIEL J. MEADOR

(Nominated 2-14-77)

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Under Secretary.....

Assistant Secretary for Employment Standards.....

Assistant Secretary for Employment and Training.....

Solicitor.....

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ROBERT J. BROWN

(Nominated 2-24-77)

DONALD ELISBURG

(Nominated 2-24-77)

ERNEST G. GREEN

(Nominated 2-24-77)

CARIN ANN CLAUS

(Nominated 2-24-77)

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Executive Secretary of the Department.....

Special Assistant to the Secretary for Narcotics

Matters.....

Ambassador at Large and Special Representative of

the President for the Law of the Sea Conference.....

Deputy Secretary of State.....

Deputy Under Secretary for Security, Science and

Technology.....

Director General of the Foreign Service.....

Assistant Secretary for Administration.....

Assistant Secretary for Economic and Business

Affairs.....

Director, Bureau of Intelligence and Research.....

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EVAN S. DOBELLE

C. ARTHUR BORG

MATHEA FALCO

ELLIOT L. RICHARDSON

WARREN M. CHRISTOPHER

JOSEPH SAMUEL NYE, JR.

CAROL C. LAISE

JOHN M. THOMAS

JULIUS L. KATZ

HAROLD H. SAUNDERS

United States Mission to the United Nations

United States Representative to the United Nations

and Representative in the Security Council.....

ANDREW J. YOUNG

United States Diplomatic Offices—Foreign Service

United States Ambassador to Lebanon.....

RICHARD B. PARKER

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SECRETARY OF TRANSPORTATION.....

Deputy Secretary.....

General Counsel.....

Assistant Secretary for Policy, Plans and Interna-

tional Affairs.....

Assistant Secretary for Congressional and Intergov-

ernmental Affairs.....

BROCKMAN ADAMS

ALAN A. BUTCHMAN

LINDA KAMM

CHESTER DAVENPORT

TERRENCE L. BRACY

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Deputy Under Secretary	C. FRED BERGSTEN (Nominated 2-7-77)
Assistant Secretary for Tax Policy	LAURENCE N. WOODWORTH

ACTION

Director	SAMUEL WINFRED BROWN, JR.
Deputy Director	MARY E. KING (Nominated 2-24-77)

ENVIRONMENTAL PROTECTION AGENCY

Administrator	DOUGLAS M. COSTLE (Nominated 2-16-77)
Deputy Administrator	BARBARA BLUM (Nominated 2-16-77)

FEDERAL ENERGY ADMINISTRATION

Administrator	JOHN F. O'LEARY
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GENERAL SERVICES ADMINISTRATION

Administrator of General Services	ROBERT T. GRIFFIN, Acting
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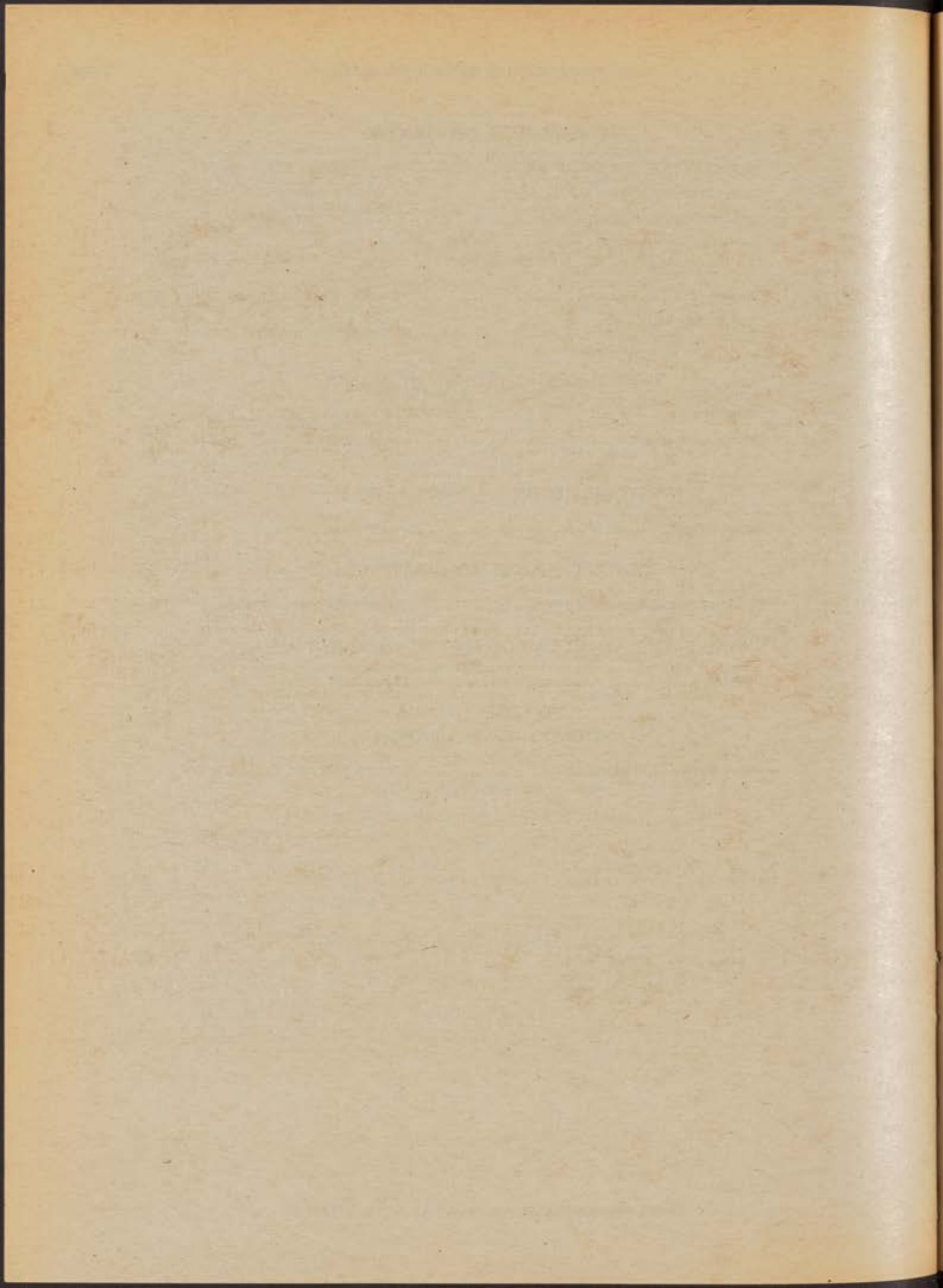
UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

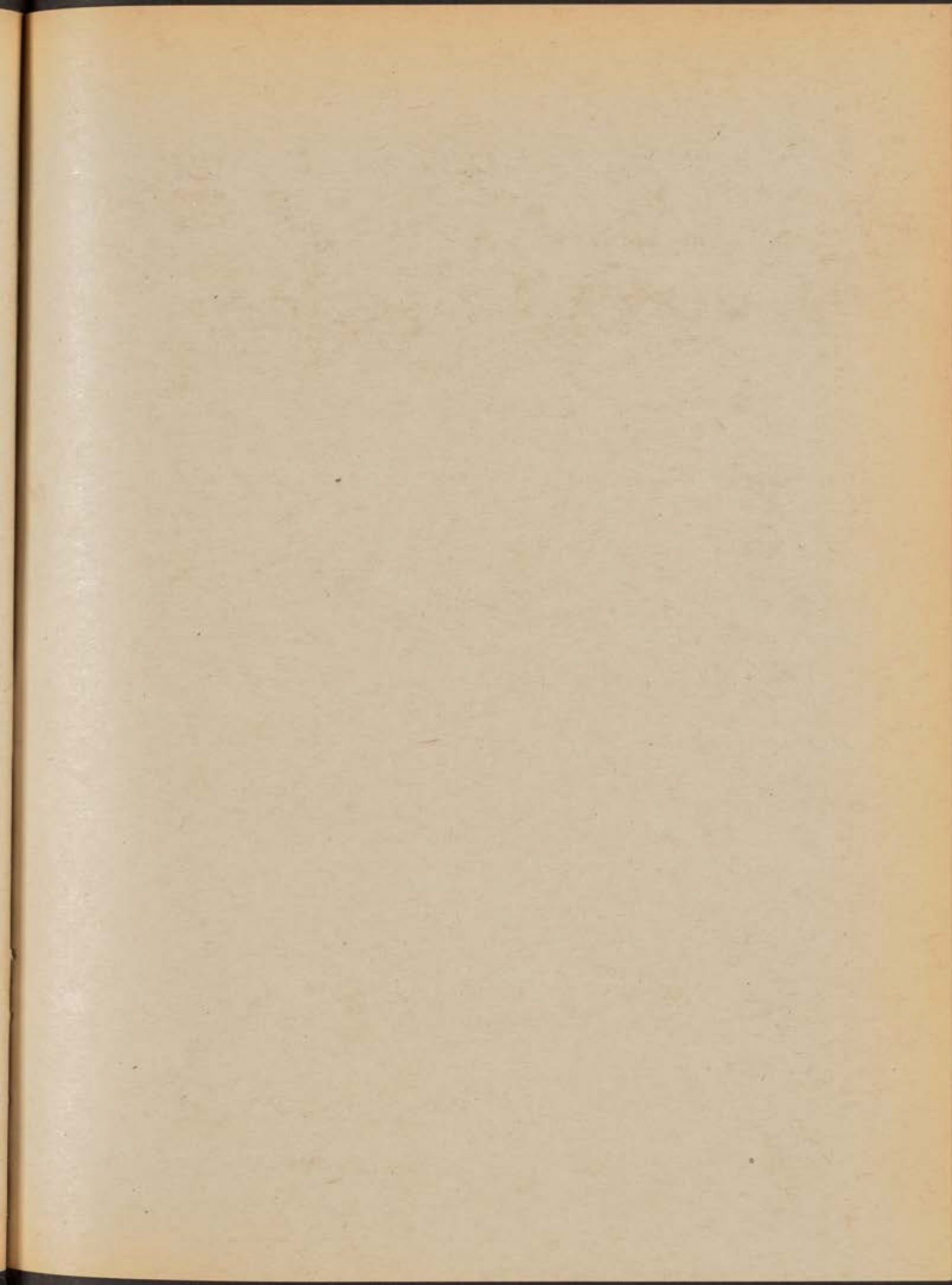
Director	PAUL C. WARNEKE (Nominated 2-4-77)
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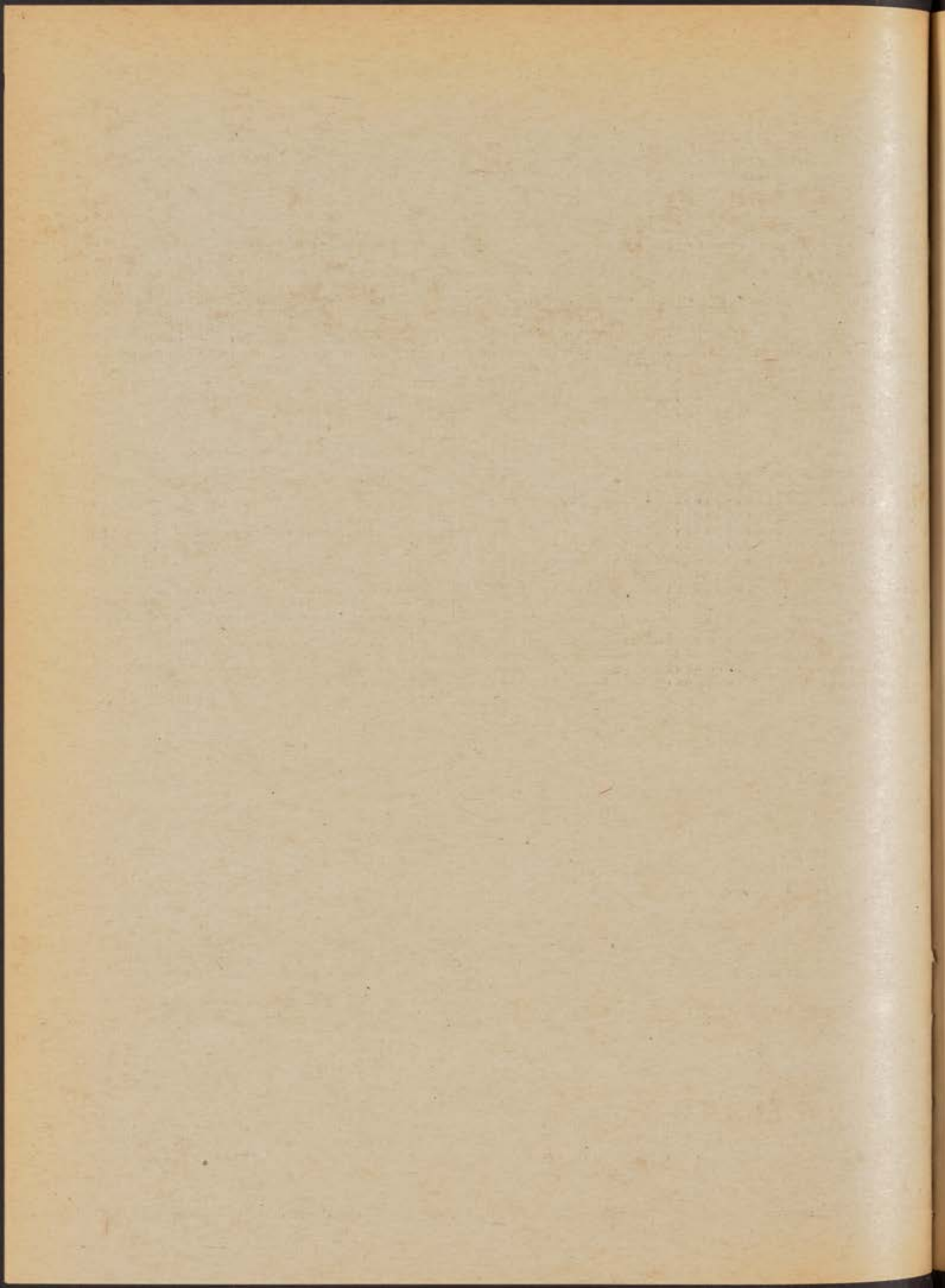
VETERANS ADMINISTRATION

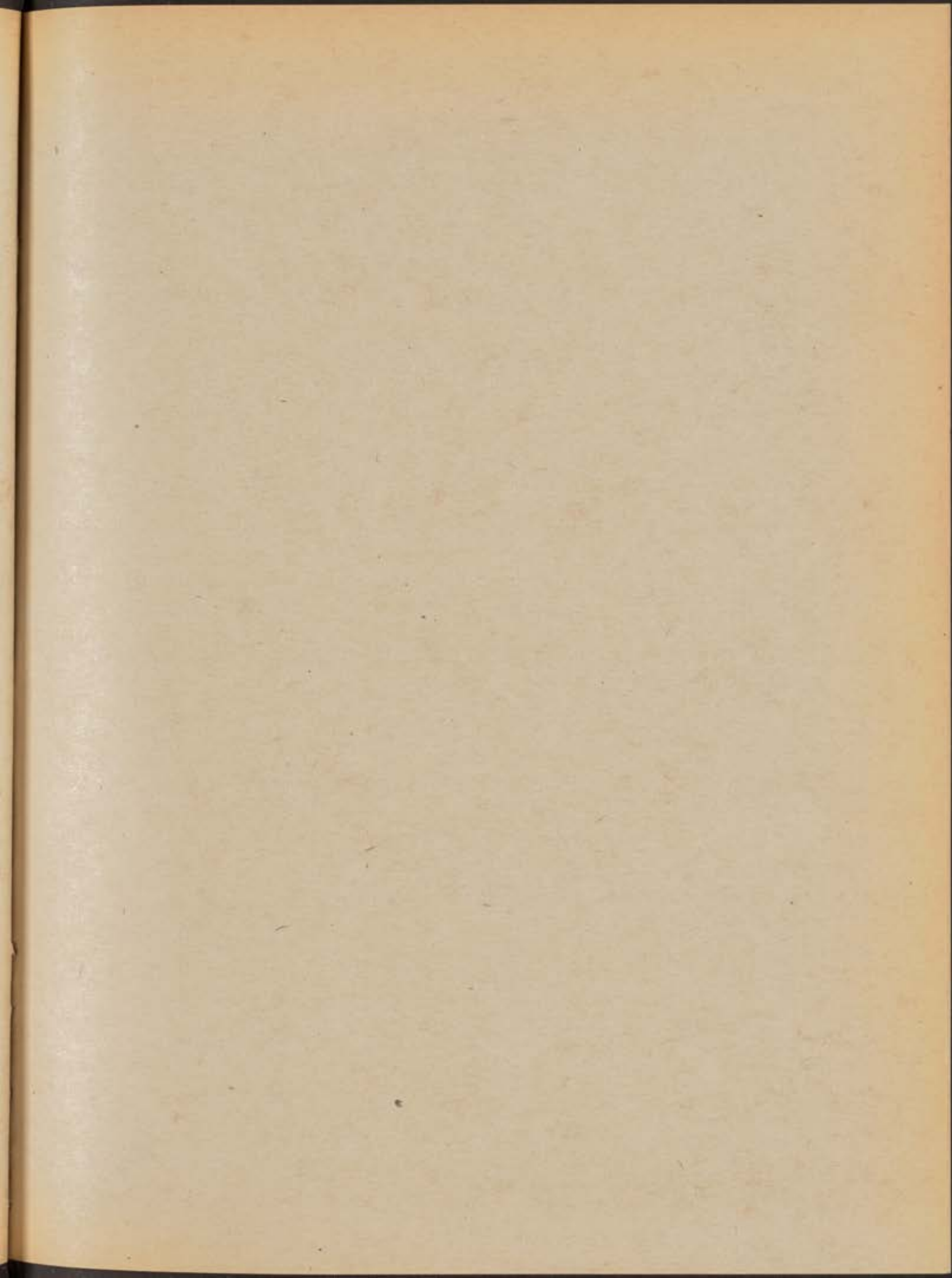
Administrator of Veterans Affairs	JOSEPH MAXWELL CLELAND
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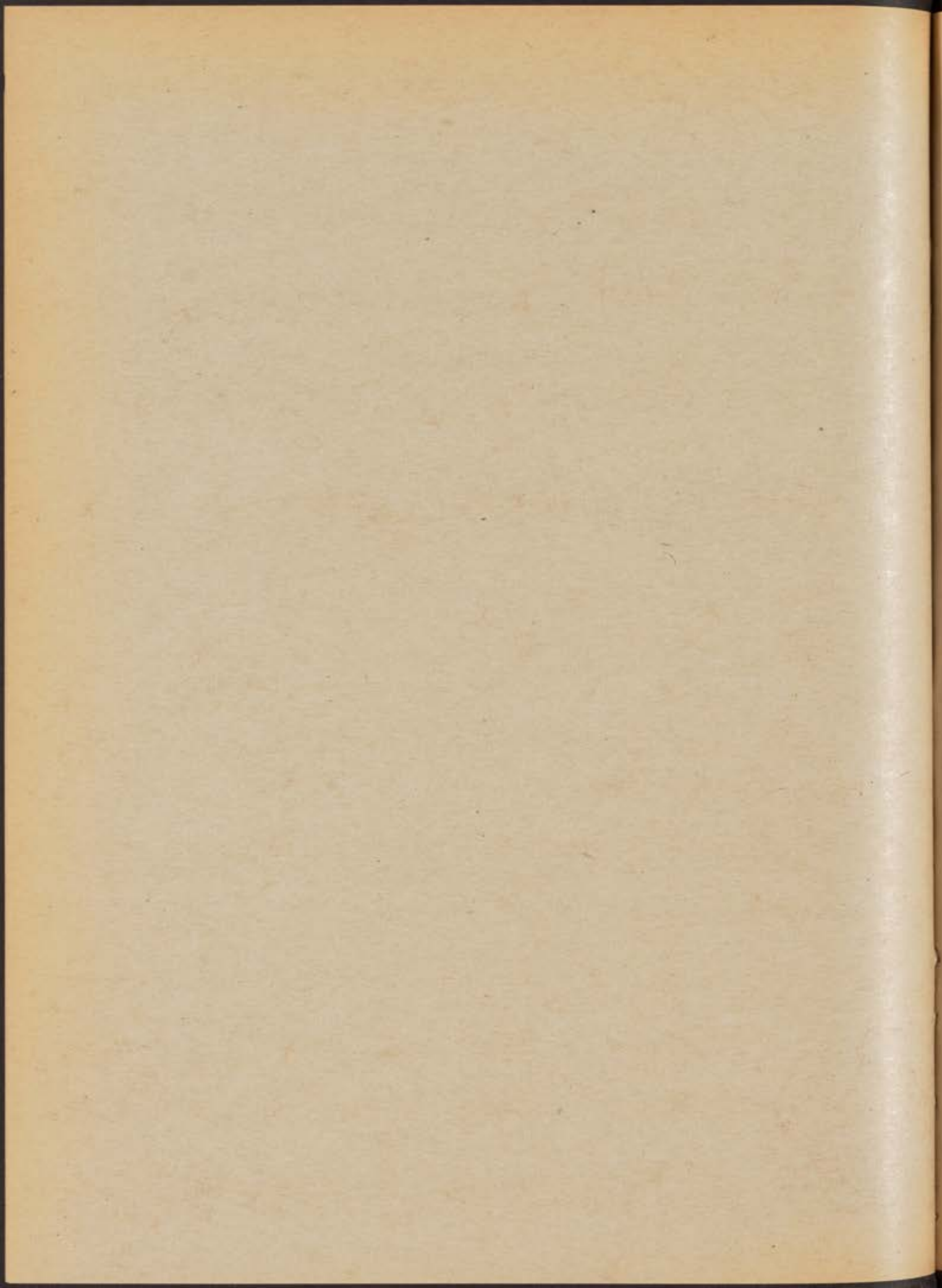
[FR Doc. 77-6301 Filed 2-28-77; 8:45 am]

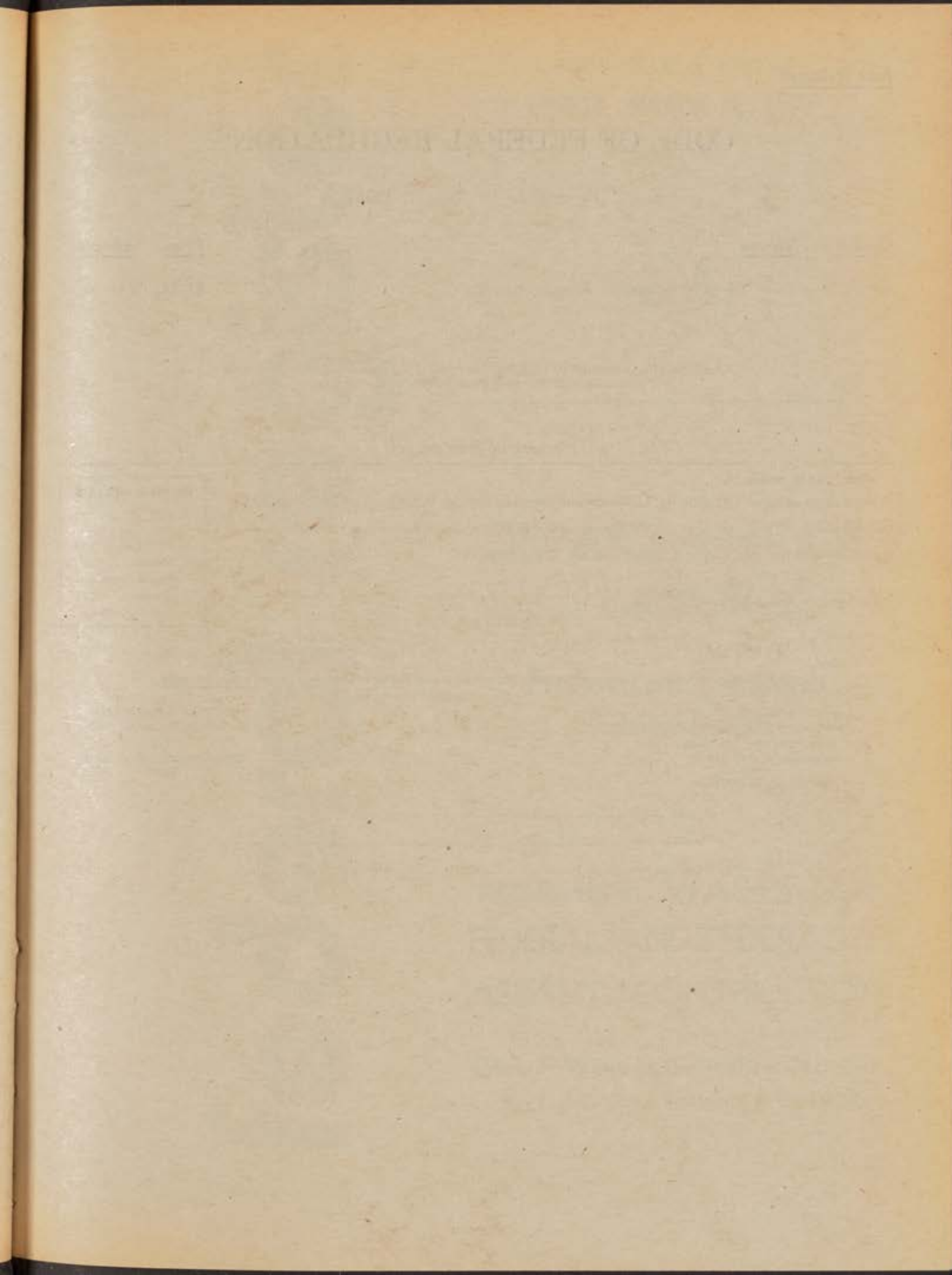












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Register Federal

BOOK 2 OF 2 BOOKS
FRIDAY, MARCH 4, 1977
PART III



DEPARTMENT OF LABOR

Employment Standards
Administration



MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions
and Index as of November 4, 1977

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 Predetermination 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 modifications 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 DECISIONS 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 pursuant 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.

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.

Alabama:	AL77-1006; AL77-1007	Jan. 28, 1977.
Alaska:	AK77-5009	Jan. 21, 1977.
Arizona:	AZ75-5109; AZ76-5110; AZ76-5111	Nov. 26, 1976.
Arkansas:	AR76-4130	July 23, 1976.
	AR76-4183	Nov. 19, 1976.
Colorado:	CO76-5106	Nov. 26, 1976.
Florida:	FL75-1083	Sept. 5, 1975.
Illinois:	IL76-2120	Oct. 1, 1976.
	IL76-2123	Oct. 8, 1976.
	IL76-2133	Oct. 22, 1976.
	IL76-2130; IL76-2132	Oct. 29, 1976.
	IL76-2153	Nov. 26, 1976.
Indiana:	IN76-2005	Jan. 23, 1976.
	IN77-2006	Feb. 4, 1977.
	IN77-2008; IN77-2017	Feb. 11, 1977.
Kentucky:	KY76-1129	Nov. 26, 1976.
Michigan:	MI76-2139	Nov. 19, 1976.
New Jersey:	NJ76-3248; NJ76-3249	Oct. 1, 1976.
	NJ76-3252	Oct. 29, 1976.
New Mexico:	NM76-4181	Nov. 12, 1976.
	NM77-4022	Feb. 18, 1977.
North Dakota:	ND77-5022	Do.
Ohio:	OH77-2005	Jan. 21, 1977.
Oklahoma:	OK76-4139	July 30, 1976.
	OK77-4002	Jan. 14, 1977.
Oregon:	OR77-5007	Feb. 11, 1977.
Pennsylvania:	PA76-3185	Apr. 30, 1976.
	PA76-3206	June 25, 1976.
	PA76-3211	July 30, 1976.
	PA76-3250; PA76-3251	Sept. 24, 1976.
South Carolina:	NC77-1019	Feb. 11, 1977.
Texas:	TX76-4118	July 16, 1976.
	TX76-4192	Dec. 17, 1976.
	TX76-4193; TX76-4194; TX76-4196; TX76-4197	Dec. 28, 1976.
Washington, D.C.:	DC76-3284	Nov. 19, 1976.

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:	AL76-1134 (AL77-1025)	Dec. 3, 1976.
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Hawaii:
HI77-5010 (HI77-5010) ---- Feb. 4, 1977.

Illinois:
IL76-2108 (IL77-2030) ---- Aug. 27, 1976.

Kansas:
KS76-4134 (KS77-4050) --- July 30, 1976.

Louisiana:
LA76-4187 (LA77-4052) --- Nov. 19, 1976.

Maryland:
AQ-2075 (MD77-3036) ---- Mar. 15, 1974.

Michigan:
AM-8041 (MI77-2035) ---- Dec. 17, 1971.

Minnesota:
AQ-3104 (MN77-2031) AQ-3105 (MN77-2032) AQ-3124 (MN77-2033) Mar. 8, 1974.

Missouri:
AR-3147 (MN77-2034) --- Oct. 11, 1974.

Montana:
MO76-4191 (MO77-4051) --- Dec. 17, 1976.

Montana:
MT76-5103 (MT77-5021) --- Nov. 19, 1976.

Nevada:
NV77-5004 (NV77-5029) --- Jan. 4, 1977.

North Carolina:
AR-4017 (NC77-1012) ---- Aug. 9, 1974.

Oklahoma:
OK77-4133 (OK77-4056) --- July 30, 1976.

South Dakota:
SD76-5093 (SD77-5027) Sept. 24, 1976.

Tennessee:
SD76-5094 (SD77-5028) --- May 14, 1976.

Tennessee:
TN76-1056 (TN77-1022) --- May 14, 1976.

Texas:
TX76-4115 (TX77-4055) --- July 16, 1976.

Texas:
TX76-4127 (TX77-4057) --- July 23, 1976.

Texas:
TX76-4170 (TX77-4054) --- Oct. 8, 1976.

Texas:
TX77-4006 (TX77-4083) --- Jan. 21, 1977.

Signed at Washington, D.C., this 25th day of February 1977.

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

MODIFICATIONS P. 2

DECISION NO. AK77-5009 - Mod. #2 (42 FR 4074 - January 21, 1977) Statewide, Alaska	Basic Monthly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation		
Change: ELECTRICIANS: Electricians, Equipment Operators, Technicians Cable Splicers LINE CONSTRUCTION: Groundman Equipment Operators; Linemen; Technicians Cable Splicers	\$16.95	.70	14+2.00			.15
	18.70	.70	14+2.00			.15
	14.95	.70	14+2.00			.15
	16.95	.70	14+2.00			.15
DECISION NO. A276-5109 - Mod. #2 (40 FR 52189 - November 26, 1976) Statewide, Arizona Change: Asbestos Workers	\$11.04	.50	\$1.10			.02
DECISION NO. A176-5110 - Mod. #2 (40 FR 52193 - November 26, 1976) Maricopa County, Arizona Change: Asbestos Workers	\$11.04	.50	\$1.10			.02
DECISION NO. A276-5111 - Mod. #2 (40 FR 52204 - November 26, 1976) Pima County, Arizona Change: Asbestos Workers Carpenters: Carpenters; Drywall Applicator Piledrivers; Floorlayer (finish) Millwrights	\$11.04	.50	\$1.10			.02

MODIFICATIONS P. 1

DECISION # AL77-1006 - Mod. # 1 (42 FR-5618 January 28, 1977) Madison County, Alabama Change: Laborers: Laborers, mason tenders Air tool operator (jackhammer, vibrator) mortar mixers	Basic Monthly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation		
Decision # AL77-1007 - Mod. # 1 (42 FR-5619 - January 26, 1977) Jefferson & Shelby Counties, Alabama. Change: Asbestos workers Bricklayers, painters, caulks- ers, stonemasons Carpenters: Carpenters, soft floor layers Piledrivers Plumbers, pipefitters Tile, marble, terrazzo helpers	4.72	.25	.40			
	4.97	.25	.40			
Decision # AL77-1007 - Mod. # 1 (42 FR-5619 - January 26, 1977) Jefferson & Shelby Counties, Alabama. Change: Asbestos workers Bricklayers, painters, caulks- ers, stonemasons Carpenters: Carpenters, soft floor layers Piledrivers Plumbers, pipefitters Tile, marble, terrazzo helpers	10.16	.45	.40			.05
	9.35	.25	.25			.12
Decision # AL77-1007 - Mod. # 1 (42 FR-5619 - January 26, 1977) Jefferson & Shelby Counties, Alabama. Change: Asbestos workers Bricklayers, painters, caulks- ers, stonemasons Carpenters: Carpenters, soft floor layers Piledrivers Plumbers, pipefitters Tile, marble, terrazzo helpers	8.35	.50	.25			.07
	8.55	.50	.25			.07
Decision # AL77-1007 - Mod. # 1 (42 FR-5619 - January 26, 1977) Jefferson & Shelby Counties, Alabama. Change: Asbestos workers Bricklayers, painters, caulks- ers, stonemasons Carpenters: Carpenters, soft floor layers Piledrivers Plumbers, pipefitters Tile, marble, terrazzo helpers	10.75	.58	.65			.09
	6.30					

MODIFICATIONS P. 4

DECISION NO., DATE - Mod. #	Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation	Education and/or App. Tr.		H & W	Pensions	Vacation	Education and/or App. Tr.	
DECISION NO. 4076-5106 - Mod. # 2 (41 FR 5225-November 26, 1976) Las Animas, Otero and Pueblo Counties, Colorado											
CHANGE: Plumbers: Zone I (0-15 miles from P.O.) Zone II (15-20 miles from P.O.) Zone III (20-40 miles from P.O.) Zone IV (Over 40 miles from P.O.)	\$10.97 11.54 11.97 12.995	.60 .60 .60 .60	.85 .85 .85 .85								.08 .08 .08 .08
Decision # PL75-1883 - Mod. # 3 (40 FR-41361 - September 5, 1975) Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Lee, Monroe, and Okeechobee Counties, Florida.											
ONITE Ironworkers, reinforcing	9.75	.75	.58								.08
ADD: Ironworkers, reinforcing (Collier County only)	9.75	.75	.58								.08

MODIFICATIONS P. 3

DECISION NO., DATE - Mod. #	Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation	Education and/or App. Tr.	
DECISION NO. 4876-4130 - Mod. #5 (41 FR 30509 - July 13, 1976) Conway, Faulkner, Perry, Van Buren & Cleburne Counties, Arkansas						
CHANGE: LINE CONSTRUCTION: Linenmen Cable splicers Operator	\$10.85 10.975 10.85		1% 1% 1%		3/8% 3/8% 3/8%	
ADD: MARBLE, TILE & TERRAZZO HELPERS	5.35					
DECISION NO. 4876-4183 - Mod. #3 (41 FR 51253 - November 19, 1976) Pulaski County, Arkansas						
CHANGE: LINE CONSTRUCTION: Linenmen Cable splicers Operator Groundmen (advanced) Groundmen (1st 6 months) Winch equipment	\$10.85 10.975 10.85 6.52JR 4.92JR 7.32JR		1% 1% 1% 1% 1% 1%		3/8% 3/8% 3/8% 3/8% 3/8% 3/8%	
ADD: MARBLE, TILE & TERRAZZO HELPERS	5.35					

MODIFICATIONS P. 6

DECISION #1126-2123 - Mod. #2 (41 FR 44620 - October 8, 1976) Bureau, LaSalle, Livingston, Marshall, Putnam & Woodford Counties, Illinois	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
CHANGE: Bricklayers & Stonemasons: LaSalle County Peru & Vicinity Streator & Vicinity Ottawa & Vicinity Bureau & Putnam Counties Livingston County Carpenters: LaSalle, Marshall & Bureau Counties; Northern 1/2 of Putnam Co; & Northeastern Corner of Livingston Co; Carpenters; Pile-drivers & Soft Floor Layers Millwrights Remainder of Livingston Co; Carpenters; Soft Floor Layers Millwrights & Pile-drivers Ironworkers: LaSalle, Bureau, Putnam & the Remainder of Marshall County Plasterers: Vicinity of LaSalle & Peru in LaSalle County Vicinity of Ottawa, Earl- ville, Seneca & Marseilles in LaSalle County Vicinity of Streator in LaSalle Co; & the Northern Part of Livingston County Putnam & Bureau Counties	\$10.65 10.30 11.00 11.00 11.00 10.25	.25 .40 .40 .35 .40	.50 .50 .50 .25 .50		
CHANGE: Carpenters: Carpenters, Soft Floor Layers, Millwrights & Pile-drivers: Kane, Kendall & McHenry Counties Grundy County Sheet Metal Workers Electricians: McHenry County & the north- ern 1/2 of Kane County Ironworkers: Will & Grundy Counties; DuPage (Argonne) County; & Southern 1/2 of Kendall County	10.58 11.225 10.88 12.50	.55 .55 .55 5%	.68 .53 .45 7%	.20	.03 .03 .05 .05 .02
CHANGE: Plasterers	99.45		1.00		.01
DECISION #1126-2123 - Mod. #4 (41 FR 44612 - October 8, 1976) DuPage, Grundy, Kane, Kendall, Lake, McHenry & Will Counties, Illinois	10.50	2.65	.325		.5 of 11

MODIFICATIONS P. 5

DECISION #1126-2123 - Mod. #2 (41 FR 43970 - October 1, 1976) Adams, Brown & Pike Counties, Illinois	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
CHANGE: Plasterers	99.45		1.00		.01
DECISION #1126-2123 - Mod. #4 (41 FR 44612 - October 8, 1976) DuPage, Grundy, Kane, Kendall, Lake, McHenry & Will Counties, Illinois	10.58 11.225 10.88 12.50	.55 .55 .55 5%	.68 .53 .45 7%	.20	.04 .5 of 11
CHANGE: Carpenters: Carpenters, Soft Floor Layers, Millwrights & Pile-drivers: Kane, Kendall & McHenry Counties Grundy County Sheet Metal Workers Electricians: McHenry County & the north- ern 1/2 of Kane County Ironworkers: Will & Grundy Counties; DuPage (Argonne) County; & Southern 1/2 of Kendall County	10.50	2.65	.325		.5 of 11

DECISION #1176-2125 - Mod. #2 (CONT'D)

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
ADD: Painters: Livingston County: Brush Structural Steel					
\$8.00 8.50					
DECISION #1176-2130 - Mod. #2 (41 FR 47724 - October 29, 1976) Henderson, Henry, Knox, Mercer, Rock Island, Stark & Warren Counties, Illinois CHANGE: Bricklayers: Henry County: Bricklayers, Stonemasons & Plasterers Cement Masons: Stark County & the Remainder of Henry County Electricians: Knox, Henderson, Warren Cos. Twp., of Ohio Grove, North Henderson & Susa in Mercer County Glaziers: Remainder of Counties Lathers: Rock Island, Mercer & Henry Counties					
10.60 10.15 10.45 9.00 10.70		.45 .45 .40 .55 .20			.25%

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #1176-2132 - Mod. #3 (41 FR 47729 - October 29, 1976) Alexander, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Polaski, Saline, Union, White & Williamson Counties, Illinois CHANGE: Cement Masons & Plasterers: Marion County: Centralia & Vicinity Cement Masons Plasterers Alexander, Jackson, Perry, Polaski & Union Counties Painters: Marion County: Centralia & Vicinity Brush Roller & Spray Structural Steel Plumbers & Steamfitters: Alexander, Hardin, Massac, Jackson, Johnson, Perry, Pope, Polaski & Union Counties Electricians					
\$10.25 10.35 8.90 8.00 9.25 10.00 11.40 11.45	.30			.40 .40 .40 .30 .40 .40 .40 .40	.01 .01 .08 1%

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
DECISION #1736-2133 - Mod. #2 (41 FR 46831 - October 22, 1976) Boone, Carroll, DeKalb, Jo- Daviss, Lee, Ogle, Stephenson, Whiteside & Minnesota Counties Illinois				
CHANGE: Bricklayers & Stonemasons: Lee & Whiteside Counties	.30	.40		
Carpenters: DeKalb Co; Ogle (East of Rwy. #51 incl. Rochelle City) Co; Lee (Eastern & of Co., incl. Roxbury & Compton) Co;				
Carpenters & Soft Floor Layers	.55	.25		
Millwrights & Piledrivers	.55	.25		
Electricians: Remainder of JoDaviss Co.	.30	.25		12
Painters: Minnebago, Boone & Stephe- nson Counties;				
Brush & Roller	.40			
Structural Steel & Sandblast	.40			
Spray	.40			
Roofers: Boone, Carroll, JoDaviss, Lee, Ogle, Stephenson, Winnebago, Whiteside (cities of Rock Falls, Sterling & U. Sterling) Co; DeKalb (Western 1/2 of County) Composition-Slate & Tile	.40			

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
DECISION #1736-2133 - Mod. #3 (41 FR 52253 - November 26, 1976) Clay, Crawford, Edwards, Effingham, Fayette, Hamilton, Jasper, Jefferson, Lawrence, Marion, Richmond, Wabash, Wayne & White Counties, Illinois				
CHANGE: Cement Masons: Wabash & Lawrence Counties, Southern Part of Crawford County	.60			
Northern Part of Crawford County			.50	
Northern Part of Fayette County	.40			
Wayne, Hamilton, Marion, Effingham, White, Jaffer- son, Clay, Jasper, Rich- land, Edwards & the Re- mainder of Fayette County	.60			

MODIFICATIONS P. 11

MODIFICATIONS P. 12

DECISION NO. INT6-2005 - Mod. #3
(41 FR 3502 - January 23, 1976)
Marion County, Indiana

Change:
Electricians, not exceed 2 1/2
stories above ground

DECISION NO. INT7-2006 - Mod. #2
(42 FR 7046 - February 4, 1977)
Allen, Bartholomew, Benton,
Dearborn, Delaware, Grant,
Marion, Monroe, Tippecanoe,
Vanderburgh, & Vigo Counties,
Indiana

Change:
Electricians:
Grant Co.
Ironworkers:
Dearborn County:
Ornamental; Structural
Sheet metal workers:
Vigo County

DECISION NO. INT7-2008 - Mod. #1
(42 FR 8908 - February 11, 1977)
Decatur County, Indiana

Change:
Ironworkers:
East 1/2 of Co.:
Ornamental; Structural

DECISION NO. INT7-2017 - Mod. #1
(42 FR 8520 - February 11, 1977)
Adams, Blackford, Delaith,
Buntington, Jay, Noble,
Stevens, Wabash, Wells, &
Whitley Counties, Indiana

Change:
Electricians:
Wabash County

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$6.05	4%	5%			3%
10.75	.60	1%+.30			.2%
11.08	.75	.85			.03
11.22	.3185	.45			.05
11.08	.75	.85			.03
10.75	.60	1%+.30			.2%

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
11.08	1.077	.80			.14
12.23	1.077	.80			.14
8.89	.50+.25	.65	.80		

DECISION #INT6-1129 - Mod. #4
(41 FR 52257 - November 26, 1976)
Hardin, Jefferson, and Meade
Counties, Kentucky

Change:
Sheet metal workers:
Zone 1
Jefferson County and Ft. Knox
Reservation in Hardin and
Meade Counties
Zone 2
Hardin and Meade Counties
excluding Ft. Knox Reser-
vation

DECISION #INT6-2139 - Mod. #5
(41 FR 51313 - November 19, 1976)
Macomb, Monroe, Oakland,
Washtenaw & Wayne Counties,
Michigan

Change:
Tile & Terrazzo Workers:
Remainder of Counties:
Tile Setters' Helpers

MODIFICATIONS P. 14

DECISION #8078-3248 (Cont'd)

Painters (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appl. Tr.
	H & W	Pensions	Vacation	
Spray rates:				
Any surface except steel	.40	.25		
Any surface except steel (exotic materials)	.40	.25		
Steel & swing	.40	.25		
Steel (exotic materials)	.40	.25		
Steel above 70' (exotic materials)	.40	.25		
Steel above 70' (exotic materials)	.40	.25		
Sandblasting rates:				
Any surface except steel	.40	.25		
Steel & swing	.40	.25		
Steel above 70'	.40	.25		
Vacuum blasting rates:				
Any surface except steel	.40	.25		
Steel & swing	.40	.25		
Steel above 70'	.40	.25		
Repaint work (except bridges, tank towers & all other open structural steel):				
Any surface (exotic materials)	.40	.25		

MODIFICATIONS P. 13

DECISION #8078-3243 - Mod. #6

(all FR 43595 - October 1, 1976)

Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Monmouth, Ocean, and Salem Counties, New Jersey

Changer:

Air conditioning & refrigeration mechanics:
 Installation of refrigeration equipment for any type of building where the combined compressor tonnage does not exceed 5 tons; installation of water-cooled air conditioning that does not exceed 10 tons (includes the piping of component system and the erection of the water tower); installation of air-cooled air conditioning that does not exceed 15 tons.

Boilermakers

Boilermakers' helpers

Painters:

Zone 5

New Construction & Major

Alteration work:

Brush & roller rates:

Any surface except steel

Any surface except steel

(exotic materials)

Steel & swing

Steel & swing (exotic materials)

Steel above 70'

Steel above 70' (exotic materials)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appl. Tr.
	H & W	Pensions	Vacation	
\$ 8.50	.045	.18		.04
10.57	8%	20%+.25	10%	.01
10.04	8%	20%+.25	10%	.01
8.75	.40	.25		
9.75	.40	.25		
9.00	.40	.25		
10.00	.40	.25		
9.40	.40	.25		
10.40	.40	.25		

MODIFICATIONS P. 15

DECISION #NJ76-3145 - Mod. #6
(41 FR 43813 - October 1, 1976)
Bergen, Essex, Hudson, Mont-
gomery, Middlesex, Morris, Passaic,
Somerset, Sussex, Union, &
Warren Counties, New Jersey

Change:
Air conditioning & refrigera-
tion mechanics:
Installation of refrigeration
equipment for any type of
building where the combined
compressor tonnage does not
exceed 5 tons; installation
of water-cooled air condi-
tioning that does not ex-
ceed 10 tons (includes the
piping of component system
and the erection of the
water tower); installation
of air-cooled air condition-
ing that does not exceed 15
tons.
Boilermakers
Boilermakers' helpers

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 8.50	.045	.18	=		.04
10.57	8%	20% + .25	10%		.01
10.04	8%	20% + .25	10%		.01

DECISION #NJ76-3252 - Mod. #3
(41 FR 47827 - October 29, 1976)
Bergen, Essex, Hudson & Passaic
Counties, New Jersey

Change:
Air conditioning & refrigera-
tion mechanics:
Installation of refrigeration
equipment for any type of
building where the combined
compressor tonnage does not
exceed 5 tons; installation

DECISION #NJ76-3252 (Cont'd)

Air conditioning & refrigera-
tion mechanics - (Cont'd):

of water-cooled air condi-
tioning that does not ex-
ceed 10 tons (includes the
piping of component system
and the erection of the
water tower); installation
of air-cooled air condition-
ing that does not exceed 15
tons.

Boilermakers
Boilermakers' helpers
Terrazzo workers
Terrazzo workers' helpers

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 8.50	.045	.18	1		.04
10.57	8%	20% + .25	10%		.01
10.04	8%	20% + .25	10%		.01
9.14	.76	1.95			

MODIFICATIONS P. 16

MODIFICATIONS P. 17

DECISION NO. NM76-4181 - Mod. #1
(61 FR 40140 - November 12, 1976)
Statewide, New Mexico

Basic Monthly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
CHANGE:				
LINE CONSTRUCTION (BERNALILLO CO.):				
Cable splicers	.60	15+.60		1/21
Linemen-Technicians	.60	15+.60		1/21
Equipment operators	.60	15+.60		1/21
Equipment mechanics	.60	15+.60		1/21
Powermen	.60	15+.60		1/21
Groundman & Jackhammer operators:				
1st 6 months	.60	15+.60		1/21
2nd 6 months	.60	15+.60		1/21
Experienced	.60	15+.60		1/21
LINE CONSTRUCTION (STATEWIDE EXCEPT BERNALILLO COUNTY):				
Cable splicers	.60	15+.60		1/21
Linemen-Technicians	.60	15+.60		1/21
Equipment operators	.60	15+.60		1/21
Equipment mechanics	.60	15+.60		1/21
Powermen	.60	15+.60		1/21
Groundman & Jackhammer operators:				
1st 6 months	.60	15+.60		1/21
2nd 6 months	.60	15+.60		1/21
Experienced	.60	15+.60		1/21

MODIFICATIONS P. 18

DECISION NO. NM77-4022 - Mod. #1
(42 FR 10243 - February 18, 1977)
Statewide, New Mexico

Basic Monthly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
CHANGE:				
ASBESTOS WORKERS				
ELECTRICIANS - ZONE IV				
4-A	.50	1.17a		.06
4-B	.60	3%		.01
4-C	.60	3%		.01
4-D	.60	3%		.01
CABLE SPlicERS - ZONE IV				
4-A	.60	3%		.01
4-B	.60	3%		.01
4-C	.60	3%		.01
4-D	.60	3%		.01
PLUMBERS-PIPEFITTERS: Residential	.63	.25		.12
LINE CONSTRUCTION: (Bernalillo County Only)				
Cable splicers	.60	15+.60		1/21
Linemen-Technicians	.60	15+.60		1/21
Equipment operators	.60	15+.60		1/21
Equipment mechanics	.60	15+.60		1/21
Powermen	.60	15+.60		1/21
Groundman & Jackhammer operator:				
1st 6 months	.60	15+.60		1/21
2nd 6 months	.60	15+.60		1/21
Experienced	.60	15+.60		1/21
LINE CONSTRUCTION: Statewide (Except Bernalillo Co.)				
Cable splicers	.60	15+.60		1/21
Linemen-Technicians	.60	15+.60		1/21
Equipment operators	.60	15+.60		1/21
Equipment mechanics	.60	15+.60		1/21
Powermen	.60	15+.60		1/21
Groundman & Jackhammer operator:				
1st 6 months	.60	15+.60		1/21
2nd 6 months	.60	15+.60		1/21
Experienced	.60	15+.60		1/21

MODIFICATIONS P. 19

DECISION NO. 8807-4022 - Mod. #1

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
CHANGE: BRICKLAYERS ZONE III DEFINITION to Read "DeBaca, Guadalupe and Quay Counties" BRICKLAYERS - ZONE VIII	\$ 7.765 .48				
ADD: BRICKLAYERS ZONE XI DEFINITION TO READ "Donna Ana County" Bricklayers XI SPRINKLER FITTERS	7.64 11.01 .60	.90			.08
CHANGE: ELEVATOR CONSTRUCTORS: Bernalillo, Catron, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Tolson, Torrance and Valencia Counties: Elevator construction Elevator constructors helper Elevator constructors prob.	10.42 70.18 50.18 .545 .545	.35 .35	48.44 40.44		.02 .02

MODIFICATIONS P. 20

DECISION 88077-2022 - Mod. #1
(42 FR 10355 - February 18, 1977)

Burleigh, Cass, Grand Fork, Morton, Richland, Steele, Walsh and Ward Counties, North Dakota

CHANGE:

ELECTRICIANS:

Burleigh, Morton and Ward Cos. Zone mileage from main P. O. in the Cities of Minot, Bismarck and Mandan

Zone (A) within 0-25 miles of each main P.O.

Electricians
Cable Splicers

Zone (B) Over 25 miles from main P.O.

Electricians
Cable SplicersBRICKLAYERS: Stonemasons:
Burleigh and Morton Counties

9.00

.40
.40
.40
.40
.1511
11
11
11
.5515%
15%
15%
15%DECISION NO. 88077-2025 - Mod. #2
(42 FR 4093 - January 21, 1977)

Clark, Franklin, Greene, Lawrence, Licking, Madison, Montgomery, Washington, Pickaway, Pike, Ross, & Scioto Counties, Ohio

CHANGE:

Painters:

Franklin, Madison, & Pickaway Cos.

Brush: Paperhanger: Roller: & Wall washing

Spray
Structural steel: & swing stage
Sandblasting: Steamcleaning: & Water tanks
Drywall capers & finishers9.65
9.55
9.75
10.15
9.85.55
.55
.55
.55
.55.55
.55
.55
.55
.55.55
.55
.55
.55
.55

DECISION NO. OR77-5007 - Mod. #1 (42 FR 830 - February 11, 1977) Stateside, Oregon	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or App. Tr.
<u>Change:</u> Line Construction: (All Counties except Malheur) Cable Splitters, Leadman Pole Sprayer Lineman, Pole Sprayer, Heavy Line Equipment Man, Certified Lineman Welder	\$12.23	.35	.14	.10	1/24
Tree Trimmer Line Equipment Man Head Groundman (chipper), Head Groundman, Powderman, Jackhammer Man Groundman, Tree Trimmer Helper	11.04 9.97 9.52	.35 .35 .35	.14 .14 .14	.10 .10 .10	1/24 1/24 1/24
	8.31	.35	.14	.10	1/24
	7.81	.35	.14	.10	1/24

Each classification will receive the base rate plus: Zone A - \$1.25,
Zone B - \$2.00, Zone C - \$2.75, Zone D - \$4.00

BASE ZONE - 0 to 3 miles radius from geographical center of towns listed below

ZONE A - 3 to 20 miles radius from geographical center of towns listed below.

ZONE B - 20 to 35 miles radius from geographical center of towns listed below.

ZONE C - 35 to 50 miles radius from geographical center of towns listed below.

ZONE D - In excess of 50 miles

Base hourly rate will be paid to all men working out of employers' permanent shop.

OREGON	WASHINGTON
Astoria	Spokane
Baker	Bellingham
Burns	Blaineburg
Butte	Ephrata
Bend	Everett
Eugene	Kanewick
Klamath Falls	Longview
Lakeview	Olympia
Medford	Corvallis
	Seattle
	Bellingham
	Silver
	Yakima
	Wenatchee
	Walla Walla
	Tacoma

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #PA76-3251 - Mod. # 4 (41 FR 42143 - Sept. 24, 1976) Elk, Forest, McKean & Warren Counties, Pennsylvania Change: Plumbers & Steamfitters: Zone 1	\$10.40	.73	.87		.21
DECISION #PA76-3165 - Mod. # 1 (41 FR 18274 - April 30, 1976) Blair County, Pennsylvania Change: Plumbers & Pipefitters	\$10.40	.73	.87		.21
DECISION #MCT7-1019 - Mod. # 1 (42 FR-8990 - February 11, 1977) Chester, Fairfield, and Lancaster Counties, South Carolina Change: Decision No. to SC77-1019					

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #PA76-3206 - Mod. # 4 (41 FR 26529 - June 25, 1976) Armstrong, Allegheny, Beaver, Butler, Fayette, Indiana, Washington & Westmoreland Counties, Pennsylvania Change: Bricklayers & Stonemasons: Zone 10 Plumbers: Zone 4 Steamfitters: Zone 2 & 5	\$10.48 10.40 10.40	.60 .73 .73	1.15 .87 .87		.21 .21
DECISION #PA76-3211 - Mod. # 4 (41 FR 32091 - July 30, 1976) Greene, Somerset & Potter Counties, Pennsylvania Change: Plumbers & Steamfitters: Zone 1	10.40	.73	.87		.21
DECISION #PA76-3250 - Mod. # 2 (41 FR 42131 - September 24, 1976) Bedford, Cambria, Cameron, Clarion, Clearfield, Jeffers- on, Crawford & Venango Counties, Pennsylvania Change: Plumbers & Steamfitters: Zone 4	10.40	.73	.87		.21

MODIFICATIONS P. 25

MODIFICATIONS P. 25

DECISION #76-4118 - Mod. #5 (41 FR 29005 - July 16, 1976) Ector & Midland Counties, Texas	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation	Education and/or Appr. Tr.		H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Change: Electricians: Zone 1 Zone 2 Painters: Brush Spray Tape & bed	\$ 9.05 9.35 6.55 7.30 6.675	.11 .11 .20 .20 .20	1/10% 1/10% .04 .04 .04	1/10% 1/10% .04 .04 .04						
DECISION #76-4192 - Mod. #2 (41 FR 55289 - December 17, 1976) Jefferson & Orange Cos., Texas	11.40 11.685 8.53	11.40 11.40 11.40	11.40 11.40 11.40	.06 1/2% 1/2%						
Change: Electricians Line Construction: Linemen Groundmen										
DECISION #76-4193 - Mod. #2 (41 FR 56394 - December 28, 1976) Ree, Elberg & Noyes Cos., Texas	10.75 10.875 5.28 5.91	.40 .40 .40 .40	.40 .40 .40 .40	1/2% 1/2% 1/2% 1/2%						
Change: Line Construction: Linemen Cable splicer Groundman (last year) Groundman										
DECISION #76-4194 - Mod. #3 (41 FR 55596 - December 28, 1976) El Paso County, Texas	\$ 8.11 7.16 6.40 6.40 4.43 6.40 4.43	.50 .57 .57 .57 .57 .57 .57	1.17 .20 .20 .20 .20 .20 .20	.03 .05 .05 .05 .05 .05 .05						
Change: Asbestos workers Bricklayers; Blocklayers; Rock masons; Stonemasons Marble masons Terrazzo workers Tile setters Tile setters' helpers										
DECISION #76-4196 - Mod. #1 (41 FR 56601 - December 28, 1976) Harrison County, Texas	8.60 9.00	.60 .60	1% 1%	1/4% 1/4%						
Change: Electricians: Electricians Cable splicers										
DECISION #76-4197 - Mod. #3 (41 FR 56602 - December 28, 1976) Lubbock County, Texas	6.55 7.30	.30 .30	.20 .20	.04 .04						
Change: Painters: Brush Spray										

MODIFICATIONS P. 27

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
DECISION #DC76-3284 - Mod. # 4 (41 FR 51368 - November 19, 1976) Washington, D. C.					
Change: Building and Heavy Construction, (Including WATA)					
Mosaic Workers	\$10.68	.50	.40		
DEMOLITION					
(Excluding - WATA - Rapid Rail Transit System Projects)					
Laborers	6.40	.35	.40		.05
Barriers	6.90	.35	.40		.05

SUPERSEDES DECISION

STATE: Alabama
 DECISION NO.: AL77-1025
 DATE: 12/14/76
 SUPERSEDES DECISION NO.: AL76-1114 dated December 3, 1976 in 41 FR-53239
 DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories)

COUNTIES: Lawrence, Limestone, Morgan

REMARKS: See below

AL77-1025 - (Cont'd)

*Counties: Lawrence, Limestone, Morgan

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
Asbestos workers	7.71	.30	.20			.05
Bricklayers:						
Bricklayers, Marble masons, Stonemasons, Pointers, Cleaners, & Caulkers	9.40					
Carpenters:	6.95	.30	.20			.03
Carpenters, & Soft floor layers	7.54	.30	.20			.03
Millwrights	7.36	.30	.20			.03
Pile drivers	8.65					
Cement masons	9.55	.40	.30			.10
Electricians:	9.80	.40	.30			.10
Electricians, linemen	8.55	.40	.30			.10
Cable splicers	8.02	.445	.29			.02
Groundmen	704JR	.445	.29			.02
Elevator Constructors	504JR					
Elevator Constructors' helpers						
Elevator Constructors' helpers (prob.)						
Ironworkers:						
Ornamental, reinforcing, structural	8.405	.40	.35			.03
Laborers (Lawrence County):						
Laborers, mason tenders, plasterers' tenders	5.15	.20	.30			
Air tool operator (jackhammer, vibrator), mortar mixers, pipelayers	5.35	.20	.30			
Laborers (Limestone & Morgan Counties):						
Laborers, mason tenders	4.72	.25	.40			
Air tool operator (jackhammer, vibrator), mortar mixers	4.97	.25	.40			
Plasterers & Troweling machine operator	8.30					
Plumbers, pipelayers, steamfitters:						
Lawrence Co. (Eastern portion of Co., north from intersection of State Rt. 33 & Rt. 20 to Wheeler Lake including Wootton & Wren, excluding Bankhead National Park), Limestone Co. & Morgan Co.	9.45	.45	.50	.25		.10

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
Plumbers, Steamfitters: Lawrence Co., (Remaining portion)	7.40	.35	.35	.45		.08
Roofers	6.45		.20			.05
Sheet metal workers	9.75	.65	.70			.05
Terrazzo workers & tile setters	8.55					
Truck Drivers:						
1/2 up to but not including 3 tons	3.70					
3 to 5 tons but including 5 tons	3.97					
5 tons and over including special equipment such as Euclids, dumpster, dumpsters, winch trucks, trailers, etc.	4.37					
Mechanic	4.37					
Warehouse & yard, material handler	3.92					
Scale man and/or weigher	4.07					

PAID HOLIDAYS:

A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

FOOTNOTES:

a. 5 paid holidays: A through F.

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

AL77-1025 - (Cont'd)

POWER EQUIPMENT OPERATORS

	Basic Hourly Rate	Fringe Benefits Payments			Education and/or Appr. Tr.
		M & W	Pensions	Vacation	
GROUP A	8.78	.30	.30		
GROUP B	7.44	.30	.30		
GROUP C	6.73	.30	.30		

GROUP A - Backhoe, bulldozer, crane, crane car, central mixing plant, concrete pump, derrick, dragline, dredge, drill, elevating grader, finishing machine (concrete), forklift, front end loader, gradall, grout pump, helicopter pilot, hoist, locomotive engineer, mechanic, motor patrol, mucking machine, piledriver, post hole digger, scraper (pull-type & self prop.) shovel, sweeper, tractor (spec. equip.), trenching machine, well point & winch truck operators

GROUP B - Bituminous dist., central air comp., concrete mixer (port.) fireman floating equip., front end loader, rubber tire, ½ cu. yd. & under, locomotive brakeman, locomotive flagman, locomotive switchman, oiler-driver (½ ton crane & over outboard motor boat (when used for towing), paving machine, portable hoist "Buck hoist type", post hole digger mounted on farm type tractor & walk behind type trenching machine operators

GROUP C - Air compressor (port.) conveyor, fireman stationary equip., mechanic helper, oiler, outboard motor boat & pump operators

Oiler driver - additional \$.10 per hour

All cranes, derricks & gantry operators operating such equipment with an overall height of 150', including jibs; all scraper operators - additional \$.25 per hour.

DECISION NO. H177-5010

SUPERSEDES DECISION

STATE: Hawaii
 COUNTY: Statewide
 DATE: Date of Publication
 DECISION NUMBER: H177-5010
 SUPERSEDES DECISION NO. H177-5010 dated February 4, 1977 in 42 FR 7042.
 DESCRIPTION OF WORK: Building (including single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dredging.

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS	\$9.03	.58	\$1.40			.05
BRICKLAYERS	9.73	.63	1.00			.03
BRICKLAYERS; Stonemasons	7.45	.65	.75			.10
CARPENTERS:						
Carpenters; Hardwood floorlayer;	8.64	.62	1.40	.85		.06
Patent scaffold erectors;	8.89	.62	1.40	.85		.06
Pneumatic nailer; Shinglers						
MILBRIGHTS	8.79	.62	1.40	.85		.06
Power saw operator (2 HP and above)						
CEMENT WORKERS:						
Cement masons	8.10	.85	1.00	.30		.10
Trowel machine operators	8.25	.85	1.00	.30		.10
DRAPEY INSTALLERS	6.45	.50	.40	.5		.06
DRUMM APPLICATOR	6.64	.62	1.40	.85		.06
ELECTRICIANS:						
Electricians; Linemen	10.04	.67	1.74+13%	11.2%		.20
Technicians	10.34	.67	1.74+13%	11.2%		.20
Line equipment men	9.04	.67	1.74+13%	11.2%		.20
Groundmen	7.53	.67	1.74+13%	11.2%		.20
Cable splicers	11.04	.67	1.74+13%	11.2%		.20
ELEVATOR CONSTRUCTORS	10.68	.67	1.74+13%	11.2%		.20
ELEVATOR CONSTRUCTORS' HELPERS	70.78	.495	.32	3% + a		.02
ELEVATOR CONSTRUCTORS' HELPERS (FOOT.)		.495	.32	3% + a		.02
FENCE ERECTORS (Chain link)	50.78					
GLAZIERS	4.70	.19	.24	.10		.04
IRONWORKERS:	9.64	.96	.85	.97		.12
Bridge; Ornamental; Reinforcing						
Structural	10.15	.85	1.27	.95		.10
LATERS	10.09	.85	1.25			.16
LINE CONSTRUCTION WORKERS:						
Electricians; Linemen	10.04	.67	1.74+13%	11.2%		.20
Technicians	10.34	.67	1.74+13%	11.2%		.20
Line equipment men	9.04	.67	1.74+13%	11.2%		.20
Groundmen	7.53	.67	1.74+13%	11.2%		.20
Cable splicers	11.04	.67	1.74+13%	11.2%		.20

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
MARBLE SETTERS	7.45	.65	.75		.10
PAINTERS:					
Brush	9.00	.68	2.00	.10	
Tapers	9.20	.68	2.00	.10	
Spray	9.50	.68	2.00	.10	
PLASTERERS	8.95	.85	1.00	.15	.16
PLASTERERS' HOD CARRIERS:					
Hod carriers	7.06	.59	.76	.33	.13
Mortar mixers	7.26	.59	.76	.33	.13
PLUMBERS; Steamfitters	9.80	1.09	1.70	1.25	.20
ROOFERS	9.15	.80	.50		.10
SHEET METAL WORKERS	10.05	.76	1.82+.40	.88	.32
SOFT FLOOR LAYERS	10.29	.60	.50	.15	.12
SPRINKLER FITTERS	11.26	.60	.90		.08
TERRAZZO WORKERS:					
Terrazzo workers and tile setters	7.45	.65	.75		.10
Terrazzo base grinder	7.19	.65	.75		.10
Terrazzo and tile helpers	6.14	.65	.75		.10
TRUCK DRIVERS:					
Flatbed	7.93	.65	.70		
Dump, 8 yds. and under; Water truck (up to and including 2000 gals.)	8.20	.65	.70		
Water truck (over 2000 gals.)	8.51	.65	.70		
Tandem, Semi-trailer or Semi-dump	9.16	.65	.70		
Slip-in or pump	9.48	.65	.70		
Eod dumps, unlicensed (Euclid, Mack, Caterpillar or similar); Tractor trailer (hauling equipment)	9.59	.65	.70		
BILOGERS; WELDERS: Receive rate prescribed for craft performing operation to which rigging or welding is incidental.					

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
FOOTNOTE:				
a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months' to 3 years' service as Vacation Pay Credit. Six Paid Holidays: A through E.				
PAID HOLIDAYS:				
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.				
b. Seven Paid Holidays: A through G. A-New Year's Day; B-Memorial Day; C-Kamehaha Day; D-Fourth of July; E-Labor Day; F-Thanksgiving Day; G-Christmas Day. In order to be eligible for a Paid Holiday, employees must work the last working day before the holiday and the first working day following the holiday. If the employee did not work either of these two days due to illness or layoff, he shall be entitled to holiday pay. In case of illness, the Company may require proof of illness.				

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.	
	H & W	Pensions	Vacation		
DECKING:					
Hydraulic suction dredges; Clanshell dredges; Boat operators; Derricks:					
Leverman	.65	\$ 1.70	.70	.15	
Operators (Derricks, Pile-drivers and Cranes)	.65	1.70	.70	.15	
Assistant Engineer (steam or electric)	.65	1.70	.70	.15	
Welder	.65	1.70	.70	.15	
Boat Operator	.65	1.70	.70	.15	
Deckmate; Barge Mate (sawgoing)	.65	1.70	.70	.15	
Winchman (stern winch on dredge)	.65	1.70	.70	.15	
Pileman	.65	1.70	.70	.15	
Officer; Deckhand (can operate anchor screw under direction of deckmate)	.65	1.70	.70	.15	
Boat Deckhand	.65	1.70	.70	.15	
Leverman; Bargeman	.65	1.70	.70	.15	
Master Boat Operator	.65	1.70	.70	.15	

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pension	Vacation	
LABORERS				
Group 1	7.61	1.06	.38	.13
Group 1-a	8.11	1.06	.38	.13
Group 1-b	8.31	1.06	.38	.13
Group 1-c	8.36	1.06	.38	.13
Group 1-d	8.36	1.06	.38	.13
Group 1-e	8.00	1.06	.38	.13
Group 2	7.86	1.06	.38	.13
Group 3	8.06	1.06	.38	.13
POWER EQUIPMENT OPERATORS (Except Pile-driving and Steel Erection)				
Group 1	7.40	1.70	.70	.15
Group 2	7.51	1.70	.70	.15
Group 3	7.68	1.70	.70	.15
Group 4	7.95	1.70	.70	.15
Group 5	8.26	1.70	.70	.15
Group 6	8.91	1.70	.70	.15
Group 7	9.23	1.70	.70	.15
Group 8	9.34	1.70	.70	.15
Group 9	9.45	1.70	.70	.15
Group 9-A	9.68	1.70	.70	.15
Group 10	9.74	1.70	.70	.15
Group 10-A	9.89	1.70	.70	.15
Group 11	10.04	1.70	.70	.15
Group 12	10.40	1.70	.70	.15
Asphalt Paving Group:				
Asphalt Packer	7.95	1.70	a	
Asphalt Roller	8.91	1.70	a	
Asphalt Spreader	9.23	1.70	a	
FOOTNOTE:				
a. An employee who has completed two to five years service shall receive a vacation of one week with pay; each additional year an additional one day vacation with pay; ten or more years, a vacation of two weeks each year; for each year of completed service thereafter up to and including fifteen years service, an addition of one day vacation with pay; fifteen or more years of service, a vacation of three weeks each year with pay.				

LABORERS

Group 1: All clean-up work of debris, grounds and buildings; Bridge Laborers; Construction Laborers; Dumpmen; General Laborers; Limbers; Brush Loaders and Fillets; Maintenance, repair (track and roadbeds)

Group 1-a: Mason Tenders

Group 1-b: High Scaler

Group 1-c: Gunnite Operator

Group 1-d: Powderman

Group 1-e: Landscape and Irrigation Laborers

Group 2: Asphalt Shovelers; Cement Dumpers; Choker Setter and Rigger (clearing work); Concrete Chipping; Driller's Helper; Chock Tender; Outside Nipper; Guinea Choker (Stakeman); High Pressure Kozlman-Hydraulic monitor (over 100# pressure) excluding levee work; Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete construction; Sloper; All pneumatic, gas and electric tools not listed in Group 1

Group 3: Asphalt Ironers and Rakers; Barko and similar type tampers; Buggymobile; Chainsaw, Puller, Logloader and Buckers; Concrete Laborers (wet or dry) including Bucket Tender for concrete; Concrete and Magnesite Mixer under 1/2 yard; Concrete Grinders; Concrete Pan Work; Concrete Saw (walking or hand type); Cribbers; Cut Granite Curb Setters; Form Raisers; Header Board; Mortar Mixers (block-brick-masonry); Jackhammer Operator; Jackson and similar type Compactors; Logging, Sheeting, Whaling, Stracing, Trench-jacking, Hand-guided Logging Hammer; Magnesite and Mastic workers (wet or dry); Mechanical Drillers not covered elsewhere; Pavement Breakers; Pipelayers; Chaulkers; Bander; Pipewrappers; Kettlemen, Potmen and men applying asphalt, Lay-told, Creosote and similar type materials; Post Hole Diggers (hand held - gas, air and electric); Blirap, Stonepaver and Rockslinger, including placing of sacked concrete (wet or dry); Rotary Scarifier; Robo-tiller; Sandblasters; Tank Cleaners; Tree Climbers; Vibra-screed (bull float in connection with Laborers' work); Vibrator, Burning, Welding, Signaling and Rigger in connection with Laborers' work; Concrete Pump Machine; Joy Drill Model T88-2A, Gardner, Denver DS-143 and similar type drills; Track Drillers, Diamond Core, Nagon Drillers and Davi. Trencher T-46 or similar types

POWER EQUIPMENT OPERATORS (Except Pile-driving and Steel Erection)

Group 1: Partisan (heavy duty shop parts room when needed); Repairman Helper

Group 2: Compressor, electrically, diesel or gas powered etc.; Hydraulic Monitor; Material Loader and/or Conveyor Operator (handling building materials); Mixer Box Operator (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power adjusted)

Group 3: Oiler; Fireman; Switchman; Brakeman; Deckhand; Tar Pot Fireman; Box Operator (bunker); Locomotive (up to and including 30 tons); Roller (5 tons and under); Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Tugger Hoist, single drum

Group 4: Boom Truck or Dual Purpose "A" Frame Truck; Fork Lift or Lumber Stacker (construction job site); Material Hoist (1 drum); Straddle Truck; Ross Carrier and similar (jobsite); Dinky Operator

Group 5: Concrete Mixer (up to 2 yards); Concrete Pumps or Pumpcrete Guns; Generators, gasoline or diesel driven (100 K.W.); Lubrication and Service Engineer (mobile and grease rack); Towermobile; Welding Machine (gasoline or diesel); Agri-cat (Mini Cat)

Group 6: Combination Loader and Backhoe including Hopto (up to and including 1/2 yard); Concrete Batch Plants (wet or dry); Concrete Saws and/or Grinder (self-propelled unit on streets, highways, airports and canals); Drilling Machinery (not to apply to waterlines, wagon drills or jackhammers); Highline Cable-way Signalman; Loader (up to and including 24 cu. yds.); Lull High Lift; Pavement Breaker; Maglinis Internal Roll Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (large Clary, Johnson Sidwell Bridge Deck or similar types); Mobile Crane Driver; Portable Crushers; Power Jumbo Operator (setting slip forms, etc. in tunnels); Rollers (over 5 tons); Self-propelled Compactor (single engine); Small Rubber-tired Tractors; Trencher (up to and including 6"); Slip Form Pumps (power driven hydraulic, electric, gas, etc., lifting device for concrete forms

POWER EQUIPMENT OPERATORS (Except Pile-driving and Steel Erection)

Group 7: Crusher Plant; Dual Drum Mixer; Grader; Hoist (2 drums); Loader (over 24 cu. yds. up to and including 5 cu. yds.); Mechanical Finisher or Spreader Machine; Asphalt (Barber Greene and similar) (Screedman required); Mine or Shaft Hoist; Pavement Breaker, Truck mounted, with Compressor combination; Pipe Wrapping Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Pipe Bending Machine (pipe lines only); Self-propelled Elevating Grader Plane; Slusher Operator; Trencher (over 6"); Water Tanker (pulled by Euclid, T-Pulls 10-15, 20, 21 or similar); Misemobile (over 5 tons); Small Tractor (with boom 6-6 or similar)

Group 8: Boring Machine; Cast-In-Place Pipe Laying Machine; Concrete Batch-Plant (multiple units); Combination Loader and Hydraulic Backhoe (over 1/2 yd. to and including 3/4 yd.); Conveyor (tunnel); Engineer, Locomotive (over 30 tons up to and including 100 tons); Finisher Machine Operator (airports and highways); Hydraulic Backhoe (over 1/2 yard to and including 3/4 yard); Rollman Loader; Mechanic Trench Shield; Mucking Machine; No-joint pipe Laying Machine; Portable Crushing and Screening Plants; Saurman type Dragline (under 5 yards); Self-propelled Boom type Lifting Device; Stationary Pipe Wrapping, Cleaning and Bending Machine; Surface Heater and Planer; Tunnel Booter; Tri-batch Paver

Group 9: Boom type Backfilling Machine; Combination Mixer and Compressor (gunite); Do-more Loader and Adams Eliegrader; Lull Hi-lift (40' or over); Rubber-tired Earthmoving Equipment (up to 12 cu. yds.); Wheel Trencher (over 6")

Group 9-A: Dozers; Heavy Duty Repairman or Welder; Push Cats; Scrapers; Self-propelled Compactor with dozer; Sheep Foot; Tractors; Tractors (with boom, larger than 6-6 and similar)

Group 10: Chicago Boom; Hoist (3 drums); Koberling Scooper; Loader (over 5 yards up to and including 12 yards); Locomotive (over 100 tons) (single or multiple units); Power Blade Operator; Rubber-tired Earthmoving Equipment (up to and including 35 cu. yds., Euclid, T-Pulls, 10-15, 20, 21 and similar); Saurman type Dragline (5 yards or over); Soil Stabilizer (P & H equal); Sub-grader (curries or other automatic type); Track-laying type Earthmoving Machine (single engine with tandem scraper); Tractor, Compressor, Drill Combination; Tractor (tandem scraper); Tractors (D-9 or equivalent)

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 10-A: Cranes (not over 25 tons); Power Shovels, Clamshells, Draglines, Backhoes, Grapplealls (up to and including 1 cu. yds.)

Group 11: Automatic Skip Paver (concrete or asphalt) (Grade-setter, Screedman required); Cranes (over 25 tons); DW-10, 20, etc. (Tandem); Earthmoving Machine (multiple propulsion power units and two or more scrapers) (up to and including 35 cu. yds. struck "NGC"); Highline Cableway; Lift Slab Machine; Loader (over 12 yards); Power Shovels, Clamshells, Draglines, Backhoes, Grapplealls (over 1 yard and up to 7 yards); Power Blade Operator (16 or over); Free-stress Wire Wrapping Machine; Self-propelled Compactor (with multiple propulsion power units); Single Engine Rubber Tired Earth Moving Machine (with tandem scraper); Tandem Cate; Tower Cranes, Mobile; Trencher (pulling attached shield); Universal, Liebherr, Linden and similar types of tower cranes; Wheel Excavator (up to and including 750 cu. yds. per hour)

Group 12: Road Wagon (in conjunction with wheel excavator); Derricks; Drill Rigs; Multi-propulsion Earth Moving Machines (2 or more scrapers) (over 35 cu. yds. "struck" "NGC"); Power Shovels and Draglines (7 cu. yds. and over); Rubber-tired Earthmoving Equipment (over 35 cu. yds. Euclid, 7-Palls, DW-10, 20, 21 and similar); Wheel Excavator (over 750 cu. yds.)

SUPERSEDING DECISION

PAGE 2

STATE: ILLINOIS
 DECISION NUMBER: IL77-2010
 DATE: Date of Publication
 Supersedes Decision No. 1176-2106, dated August 27, 1976 in 41 FR 36361
 DESCRIPTION OF WORK: BUILDING Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTIES: See Below

COUNTIES: Clark, Clay, Coles,
 Crawford, Cumberland, Douglas,
 Edgar, Edwards, Effingham,
 Fayette, Jasper, Lawrence,
 Richland, Wabash & Wayne

ASBESTOS WORKERS:

Fayette County
 Clark, Douglas & Edgar Counties
 Remainder of Counties
 SOLESMANERS
 BRICKLAYERS
 Fayette County:
 Bricklayers, Stonemasons,
 Cement Blocklayers, Pointers-
 Caulkers-Cleaners-Marble-Tile-
 Terrazzo Workers
 Coles & Cumberland Cos; Arcola &
 South thereof in Douglas County;
 Bricklayers & Stonemasons
 Edgar Co; & North of Arcola in
 Douglas County;
 Bricklayers & Stonemasons
 Remainder of Counties:
 Bricklayers, Stonemasons,
 Blocklayers, Pointers-
 Caulker, Cleaners-Marble-
 Tile-Terrazzo Workers

CARPENTERS:

Fayette County:
 Carpenters, Piledriverman &
 Soft Floor Layers
 Millwrights
 Crawford & Lawrence Cos; Eastern
 & of Jasper County:
 Carpenters & Soft Floor Layers
 Millwrights & Piledriverman
 Wayne Co.; Northwestern &
 Western & of Edwards County:
 Carpenters, Piledriverman &
 Soft Floor Layers
 Millwrights
 Clay, Richland & Wabash Cos;
 Southeastern part of Edwards
 County:
 Carpenters, Piledriverman &
 Soft Floor Layers
 Millwrights

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 12.18	.45	.62			
11.43	.50	.35			.05
10.70	.45	.40			.03
10.90	.65	1.20			.03
10.70	.35	.50			
9.65	.30				
10.62	.35				.03
10.25					
8.77	.45	.25			.02
9.11	.45	.25			.02
9.24	.50	.40			
9.64	.50	.40			
8.76	.45	.50			.02
9.11	.45	.50			.02
8.76	.45	.50			.02
9.11	.45	.50			.02

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CARPENTERS (CONT'D)

Coles, Clark, Cumberland,
 Edgar, Effingham Cos; Western
 & of Jasper Co., & Southern
 part of Douglas County:
 Carpenters & Soft Floor Layers
 Millwrights & Piledriverman
 Northern part of Douglas Co.,
 including Tuscola & Newman;
 Carpenters & Soft Floor Layers
 Millwrights & Piledriverman
 CEMENT MASONS & PLASTERERS
 Northern part of Fayette Co.
 Cement Masons & Plasterers
 Eastern part of Fayette Co.
 Cement Masons
 Clark, Edgar & Richland Cos;
 Cement Masons & Plasterers
 Crawford, Lawrence & Wabash Cos;
 Cement Masons & Plasterers
 Clay, Edwards & Jasper Cos; &
 Remainder of Wayne County:
 Cement Masons & Plasterers
 Coles, Cumberland & Effingham
 Cos; & Southern part of Douglas
 County:
 Cement Masons
 Plasterers
 Northern part of Douglas County
 including Tuscola & Newman:
 Cement Masons
 Plasterers
 S.W. Corner of Wayne County:
 Cement Masons & Plasterers

ELECTRICIANS:

Wabash County
 Coles & Cumberland Cos; Southern
 & of Douglas Co; Tops of
 Bishop, Douglas, Lucas, Moccasin,
 St. Francis, Summit and
 Teutopolis in Effingham County
 Edwards, Wayne & Clay Cos; &
 Remainder of Effingham &
 Fayette Counties

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$10.55	.45	.30			.07
11.05	.45	.30			.07
10.315	.35	.80			.08
10.815	.35	.80			.08
9.65	.30	.35			.02
8.40					
9.50		.50			.01
8.90		.60			.50
10.50					
9.35					.01
8.85					
10.975	.35	.25			.025
10.365	.35				.025
9.15					
11.15	.40	.18			.18
9.90	.40	.18-.20			.28
11.20	.40	.18			.18

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Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appt. Tr.
	H & W	Pensions	Vacation	
LABORERS (CONT'D)				
Clark, Douglas & Edgar Counties:				
Unskilled	.45	.48		.035
Semi-Skilled	.45	.48		.035
Skilled	.45	.48		.035
Remainder of Counties		.30		.035
LAYERS:				
Richland County	11.585		.65	.01
Fayette County	9.90			
Effingham County	9.95			
Coles, Crawford, Douglas & Edgar	10.14	.35	.20	.01
PAINTERS:				
Fayette County:				
Commercial	10.14	.45	.15	
Industrial	10.39	.45	.15	
Crawford County	8.05	.45		
Edgar & Clark Counties:	6.15			
Commercial & Industrial				
Edwards & Wayne Counties:	6.65			
Brush & Roller				
Clay County:				
Brush	8.00			
Roller	9.25			
Wabash County:				
Brush	7.75			
Roller	8.00			
Lawrence & Richland Counties:				
Brush	7.55			
Spray	8.55			
Remainder of Counties	9.97	.45	.40	.03
PLUMBERS & STEAMFITTERS:				
Clay & Fayette Counties	12.00	1.20	1.05	.15
Edwards & Wabash Counties	11.705	.50	.80	.06
Lawrence & Wayne Counties	11.60	.50	.55	.08
Clark, Crawford, Edgar & Richland Counties	11.25	.40	.80	.10
Remainder of Counties	9.75	.35	.80	.12

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DECISION NO. 1177-2010

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appt. Tr.
	H & W	Pensions	Vacation	
ELDMITCHIANS (CONT'D)				
Northern 1/2 of Douglas County	\$11.10	.40	18+.30	.38
Tygs, of Banner & Liberty in Effingham Co. Tygs, of Harrison, S. Harrison, Ramsey, Bowling Green, Carson & Loudon in Fayette County	11.00	.40	18+.35	.358
Remainder of Counties	11.00	.40	18+.50	.01
GLAZIERS:				
Fayette County	9.985	.45	.30	
Coles & Douglas	8.80	.25	.15	
Clark & Edgar Counties	10.84			
Edwards, Lawrence, Wabash & Wayne Counties	9.305	.48	.50	.25
IRONWORKERS:				
Coles, Cumberland, Douglas & Edgar Counties	10.05	.50	1.00	.08
Avena & North thereof in Fayette County & Remainder of Effingham County	10.35	.55	.75	.05
Fayette Co., (Southern 1/2 below Brownstown	11.00	.55	.75	
Clark, Jasper, Crawford Cos; Northern 1/2 of Lawrence Co., North of Olney in Richland Co., Deater & East thereof in Effingham Co; Remainder of Clay County	10.15	.75	1.70	.10
Wabash, Wayne, Edwards Cos; Louisville & South thereof in Clay Co; Olney & South thereof in Richland Co; Southern 1/2 of Lawrence Co., including Lawrenceville	8.15	.25	.25	
LABORERS:				
Fayette County	7.75	.30	.30	.035
Coles & Cumberland Counties:				
Unskilled	8.70	.55	.40	.035
Semi-Skilled	8.90	.55	.40	.035
Skilled	9.05	.55	.40	.035

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ROOFERS:

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
Payette County:				
Roofers	8.65	.47		.03
Kettlemoon	6.45	.47	1.00	
Edwards & Nabash Counties	9.23	.45	1.00	.03
Richland & Wayne Counties	7.85	.50	.40	
Caly, Effingham & Jasper Cos:				
Roofers	10.43	.30		
Helpers	608.78			
Coles, Cumberland & Douglas Cos:				
Roofers	10.90	.55	.30	.03
Helpers	804.78			
Remainder of Counties	9.35	.40	.20	
SHEET METAL WORKERS:				
Crawford County	8.90	.31	.45	.02
Clark, Coles, Cumberland, Edgar & Douglas Counties	10.99	.45	.35	.12
Remainder of Counties	10.68	.25	.25	.02
SPRINKLER FITTERS	11.40	.60	.50	.06

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

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POWER EQUIPMENT OPERATORS:
PAYETTE COUNTY

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
GROUP I	\$ 11.08	.42	.90	.05
GROUP II	10.25	.42	.90	.05
GROUP III	9.60	.42	.90	.05
GROUP IV	9.50	.42	.90	.05
GROUP V	9.25	.42	.90	.05
GROUP VI				
a.	13.23	.42	.90	.05
b.	13.53	.42	.90	.05
c.	11.35	.42	.90	.05
d.	11.85	.42	.90	.05

GROUP I Cranes, draglines, shovels, skimmer scoops, clamshells or derrick boats, pile drivers, crane-type backhoes, asphalt plant ops., plant ops., ditching machines or backfiller (requiring oilers), dredge, asphalt spreading machines, heavy duty mechanic, ass't. master mechanic, all locomotives, cableways or tower machines, hoists 2 drum or more (where oiler or fireman is required), hoists-2 drum or more (where oiler or fireman is not required) Hydraulic backhoes, ditching machines or backfiller (not concrete pavers, excavators, concrete breakers, concrete pumps, bulk cement plants, cement pumps, derrick-type drills, mixers (over 3 bags) and bread ops., (25' & over), Motor graders or subsoils, scoops or tournapulls, Bulldozers, endloaders or fork-lifts, power blade or elevating graders, winch cats, boom tractors, and pipe wrapping or painting machines, Drills (other than derrick type) 1-drum-boists, mud jacks, mixers (2 or 3 bags), conveyors (2), air compressors (2), water pumps regardless of size (2), welding machines (2) siphons or jet (2), winch heads or apparatuses (2) and light plants (2), Mixers (under 2 bags), all tractors regardless of size (Straight tractor only), firemen on stationary boilers, automatic elevators, form grading machines, finishing machines, power-sub-graded or ribbon machine, longitudinal, flats, boats ops., (under 25', conveyors (1), distribution ops., on trucks, siphons or jets (1) winch heads or apparatuses (1), light plant (1) mixers (under 2 bags)

GROUP II Air Compressor (1), water pumps regardless of size (1) welding machines (1)

GROUP III Firemen and asphalt spreader oiler

GROUP IV Heavy equipment oilers (trucks cranes, dredges, monigans, large cranes, etc.

GROUP V Oilers

GROUP VI

- a. Engineers operating under air pressure
- b. Engineers operating in air over 10 lbs. pressure
- c. Oilers operating under air pressure
- d. Oilers operating in air over 10 lbs. pressure

DECISION NO. HLT-77-2030

POWER EQUIPMENT OPERATORS (CONT'D)

CLASS IV - Concrete Mixers without Skips, Rock Crusher, Ditching Machine under 6', curbing Machine, One Drum Machines without mow or Boom, Air Tagger, Self Propelled concrete Saw, Machine Mounted post Hole Digger, Two to four Generators, Water Pumps, or Welding Machines, within 400 feet, Air Compressor 600 cu. ft. and under, Rollers on aggregate and Seal Coat Surfaces, Fork Lift, Concrete and Blacktop curb Machine, Farm Tractor with less than half yard Bucket, One Water Pump, Oilers, Air Valves or Steam Valves, One Welding Machine, Truck Jack, Mud Jack, Gunite Machine, House Elevators when used for hoisting Material, engine Tender, Fireman, Wagon Drill, Flex Plane, conveyor, Siphons and Pelometer, Switchman, Fireman on Pain Pots, Fireman on asphalt Plants, Distributor Operator on Trucks, Tampers, Self-Propelled Power Brooms, Stripping Machine (motor driven), Road Tapper, Seaman Tiller, Bulk Cement Plant Equipment (Greaser, Deck hands, Truck Crane, Oiler Driver, Cement Silos), Form Grader, Temporary Mat, Throttle Valve, Farm Tractor

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DECISION NO. HLT-77-2030

POWER EQUIPMENT OPERATORS:
Remainder of Counties

CLASS I
CLASS II
CLASS III
CLASS IV

Best Monthly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pension	Vacation		
\$11.00	.40	.75			.13
10.95	.40	.75			.13
10.75	.40	.75			.13
7.25	.40	.75			.13

POWER EQUIPMENT OPERATORS:

CLASS I - Master Mechanic

CLASS II - Utility Operator

CLASS III - Power Cranes, Draglines, Derricks, Shovels, Graders, Mechanics, Concrete Mixers with skip, trowelizer, Two Drum Machine, One Drum Hoists with tower or Booms, cableways, Tower Machines, Motor Patrol, Boom Tractor, Boom or Winch Truck, winch or Hydraulic Boom Truck, Truck Crane, Tournapull, Tractor Operating Scoops, Baller, Push Tractor, asphalt Planer, Finishing Machine on Asphalt, Large rollers on Earth, Rollers on asphalt Mix, Boss Carriers or similar Machine Gravel, Processing Machine, Asphalt Plant Engineer, Paver Operator, Farm Tractor w/half yard Bucket and/or Backhoe Attachment, Bredding Equipment or Dredge engineer or Dredge Operator, Central Mix Plant Engineer, CMI or similar type machine, Concrete Pump, Truck or Skid Mounted, Tower Crane, Engine or Rock Crusher Plant, Concrete plant engineer, Ditching Machine with dual attachment, Tractor Mounted Loaders, Cherry Picker, Hydro Crane, Standard or Dinky Locomotives, Scoopmobiles, Euclid Loader, Soil Cement Machine, Back Filler, elevating Machine, Power Blade, Drilling Machines, Incl. Well Testing, Calissons, shaft or any similar type drilling machines, Motor Driven Paint Machine, Pipe Cleaning Machine, Pipe Wrapping Machine, Pipe Bending Machine, Agroc Paver, Boring Machine, (Seed Equipment Greaser), Barber-Greene Loaders, Foraloss Paver, (Well Point System), Concrete Spreader, Hydra Ax, Resco Concrete Saw, Marine Scoops, Brush Mulcher, Brush Burner, Mesh Placer, Tree Mower, Helicopter Crew (3), Piledriver - Skid or Crawler, Stump Remover, Root Sake, Toy Boat Operator, Refrigerating Machine, Freezing Operator, Chair Cart - Self-Propelled, Hydra Seeder, Straw Blower, Power Sub Grader, Ball Float finishing Machine, Self-Propelled Pavement Breaker (Backhoe attached), Lull (or similar type machine), Two Air Compressors, Compressors hooked in manifold, Overhead Crane chip Spreader, Mud Cat, Sull-Air

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IL-82-TD 1-2-3

TRUCK DRIVERS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pension	Vacation	
GROUP I	\$ 9.60	.55	al4.00		
GROUP II	10.00	.55	al4.00		
GROUP III	10.20	.55	al4.00		

TRUCK DRIVERS

GROUP I: - Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehousemen, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; fork lifts up to 6,000 lbs., capacity.

GROUP II: 9.2 or 3 axle trucks hauling more than 9 tons, but hauling less than 16 tons; 2-frame winch trucks, hydraulic trucks, or similar equipment when used for transportation purposes; fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III: - 2,3 or 4 axle truck hauling 16 tons or more, drivers on oil distributors, water pails, mechanic & working foreman; 5-axle or more combination units; dispatchers

FOOTNOTES:

a. Per week Per Employee

STATE: Kansas
 COUNTIES: Douglas, Jefferson, Leavenworth, Miami & Shawnee
 DATE: Date of Publication
 SUPERSEDES DECISION NO. KS76-4134, dated July 30, 1976 in 41 FR 32127
 DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
CARPENTERS AND PILEDRIVERS:						
Zone 1	\$8.15	.35	.25			.05
Zone 2	7.75	.35	.25			.05
Zone 3	10.20	.50	.30			.05
Zone 4:						
Carpenters	9.95	.50	.30			.05
Piledrivers	10.20	.50	.30			.05
Zone 5	5.375	.275	.25			.05

AREAS COVERED BY CARPENTERS AND PILEDRIVERS ZONES

Zone 1 - Douglas and Shawnee Counties (includes Forbes Air Force Base and within the City of Topeka and the City of Lawrence and with 3 miles of the city limits of these cities)
 Zone 2 - Remainder of Douglas and Shawnee Counties
 Zone 3 - Leavenworth County
 Zone 4 - Miami County
 Zone 5 - Jefferson County

PAINT MASONS:						
Zone 1 - Leavenworth and Miami Counties	9.655	.40	.50	1.25		
Zone 2 - Douglas and Shawnee Cos.	8.40	.35	.35			
Zone 3 - Jefferson County	8.45	.40	.35			
ELECTRICIANS:						
Zone 1 - Leavenworth County (Delaware, High Prairie, Kickapoo and Leavenworth Townships)	11.22	.39	1.51	.80		.06
Zone 2 - Douglas, Jefferson, Miami, Shawnee and the remainder of Leavenworth Counties	11.35	.45	1.54	.35		.05
	9.60	.70	1.00	1.00		.05
IRONWORKERS:						
Group 1						
Zone 1	5.60	.40	.35			.05
Zone 2	6.40	.40	.35			.05
Zone 3	6.45	.35	.35			.05
Zone 4	4.625	.35	.35			.05

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pension	Vacation	
(Cont'd)					
LABORERS:					
Group 2	\$5.75	.40	.35		.05
Zone 1	6.55	.40	.35		.05
Zone 2	6.60	.35	.35		.05
Zone 3	4.775	.35	.35		.05
Group 3					
Zone 1	5.85	.40	.35		.05
Zone 2	6.65	.40	.35		.05
Zone 3	6.70	.35	.35		.05
Zone 4	4.875	.35	.35		.05
Group 4					
Zone 1	6.00	.40	.35		.05
Zone 2	6.80	.40	.35		.05
Zone 3	6.85	.35	.35		.05
Zone 4	5.025	.35	.35		.05
Group 5					
Zone 1	6.10	.40	.35		.05
Zone 2	6.90	.40	.35		.05
Zone 3	6.95	.35	.35		.05
Zone 4	5.275	.35	.35		.05

CLASSIFICATION DEFINITIONS

Laborers:
 Group 1 - Board mat weavers and cable tiers; Georgia buggy (manually operated); mixer-man-so skip lift; nailers; salamander tenders; track men; tractor swapper; truck dumper; wire mesh setter; water pump to to 4 inches; and all other general laborers including flagman
 Group 2 - Air tool operators; cement handlers (bulk); chain saw; Georgia buggy (mechanically operated); grade man; hot mastic kettlemen; crusher feeder; joint man; jute man; mason tender; material batch hopper and scale man; mixer man; pier hole man working 10 feet deep; pipelayer-drummer (concrete and/or corrugated metal); signal man (crane); truck dumper-dry batch; vibrator operator; wagon and churn drill operator
 Group 3 - Asphalt raker, barco tamper; concrete saw; creosote material-handling and applying; nozzle burner (cutting torch)
 Group 4 - Conduit pipe; tile and duct line setter; form setter and liner on concrete piling; powderman; sandblasting and gunnite mazzelman; sanitary sewer pipe layer
 Group 5 - Leadmen or pusher

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS:

Group 1 - Asphalt paver and spreader, asphalt plant console operator, auto grader, back hoe, blade operator, all types, boiler - 2; booster pump on dredge, boring machine (truck or crane mounted); bulldozer operator; clam-shell operator; compressor maintenance operator - 2; concrete plant operator-central mix, concrete mixer paver, crane operator; derrick or derrick trucks; ditching machine, dragline operator, dredge engine, dredge operator, drill-cat with compressor mounted on cat; drilling or boring machine, rotary, self-propelled, high loader-lift; locomotive operator, machine, pile driver. Mechanics and welders, maintenance operator, mucking machine, pile driver operator, pitman crane operator, pump-2; quad-trac; scoop operator - all types; scoops in tandem, self-propelled rotary drill (Leory or equal - not air trac); shovel operator, side discharge spreader; sideboom cat, skimmer scoop operator, slip-form paver (OMI, SDA, or equal); throttle man, truck crane, welding machine maintenance operator - 2; hoisting engine - 2 active drums

Group 2 - "A" frame truck, asphalt hot mix silo, asphalt plant fireman, drum or boiler, asphalt plant mixer operator, asphalt plant man, asphalt roller/backfiller operator; chip spreader, concrete batch plant, dry-power operator, concrete mixer operator, skip loader, concrete pump operator, crusher operator; elevating grader operator, graser, hoisting engine - 1 drum, Latourneau rooster, multiple compactor, pavement breaker, self-propelled of the hydrammer or similar type, power shield, pug mill operator, stump cutting machine, towboat operator, tractor operator - over 50 HP

Group 3 - Boilers - 1; chip spreader (front man) churn drill operator, compressor maintenance operator - 1; concrete saws, self-propelled, conveyor operator, distributor operator, finishing machine operator, fireman, rig, float operator, form grader operator, pump; pump maintenance operator, other than dredge; roller operator, other than high type asphalt; screening and washing plant operator; self-propelled street broom or sweeper; siphons and jets; sub-grading machine operator; tank car heater operator - combination boiler and booster; tractor - 50 HP or less without attachments; vibrating machine operator, hot hand; welding machine maintenance operator - 1

Group 4 - Mechanic's helper; oiler

Group 5 - Clamshells, 3 yd. capacity or over; crane or rigs, 80 ft. of boom or over (including jib); draglines, 3 yds. capacity or over; pile drivers, 80 ft. of boom or over (including jib); shovels, 3 yd. capacity or over

Group 6 - Crane or rigs, over 200 ft. of boom (including jib)

Group 7 - Hoists (each additional drum over 1 drum)

Group 8 - Oiler drivers, all types

Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) feet or more in length or depth will be paid fifty (50) cents per hour above the regular classification.

EMPLOYER (cont'd) AREA COVERED BY LAVERS	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocational	
Zone 1 - Jefferson County	10.56	.38	154.15		1/2
Zone 2 - Douglas and Shawnee Cos.	9.83	.38	154.15		1/2
Zone 3 - Leavenworth County	7.34	.38	154.15		1/2
Zone 4 - Miami County	6.87	.38	154.15		1/2
LINE CONSTRUCTION:	5.99	.38	154.15		1/2
Zone 1 - Remainder of Leavenworth Co.	8.62	.35	12		1/2
Lineman	9.05	.35	12		1/2
Cable splicers	5.39	.35	12		1/2
Groundman, over 1 year	4.11	.35	12		1/2
Groundman, 1st year	7.16	.35	12		1/2
Line Truck and Equipment Ops.:					
1st year	5.52	.35	12		1/2
2nd year	6.59	.35	12		1/2
Over 2 years' experience	7.16	.35	12		1/2
POWER EQUIPMENT OPERATORS:					
Zone 1 - Leavenworth County	10.10	.50	1.00	.75	.10
Group 1	9.85	.50	1.00	.75	.10
Group 2	9.60	.50	1.00	.75	.10
Group 3	8.60	.50	1.00	.75	.10
Group 4	10.35	.50	1.00	.75	.10
Group 5	10.60	.50	1.00	.75	.10
Group 6	10.10	.50	1.00	.75	.10
Group 7	9.10	.50	1.00	.75	.10
Group 8					

DECISION NO. R277-4050

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
8.50	.50	1.00	.75	
8.75	.50	1.00	.75	
9.10	.50	1.00	.75	
9.25	.50	1.00	.75	
9.50	.50	1.00	.75	
8.50	.50	1.00	.75	

TRUCK DRIVERS:

Zone 1 - Leavenworth and Miami

Counties

Group 1

Group 2

Group 3

Group 4

Group 5

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:

Group 1 - One team; station wagons; pickup trucks; material trucks, single axle; tank wagon drivers, single axle

Group 2 - Material trucks, tandems, two teams, semi-trailers, winch trucks; fork trucks; distributor drivers and operators; agitator and transit mix tank wagon drivers, single axle; tank wagon drivers; tandems or semi-trailer; insley wagons, dump trucks, excavator 3 cu. yds. and over; dumpsters; half-tracks; speeders; euclids and other similar excavating equipment

Group 3 - A-frame, towboy, boom truck drivers

Group 4 - Mechanics and welders

Group 5 - Mechanics' helpers, oilers and greasers

DECISION NO. R277-4050

POWER EQUIPMENT OPERATORS CONT'D

Zone 2 - Douglas, Jefferson,

Miami and Shawnee Counties

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
8.10	.50	1.00	.50	.10
7.85	.50	1.00	.50	.10
7.60	.50	1.00	.50	.10
7.35	.50	1.00	.50	.10
7.00	.50	1.00	.50	.10
7.10	.50	1.00	.50	.10

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS:

Group 1 - Master mechanic

Group 2 - Asphalt paver and spreader, backhoe, boring machine, blades, all types, clamshell, concrete mixer paver operator, concrete central plant operator (automatic), crane, truck crane, pitman crane, hydro crane or any machine with power swing, derrick or derrick trucks, dragline operator, dredge operator, dozer, ditching machine, euclid loader, hoist - 2 active drums; loader, all types, mechanic or welder, mixer, multi-unit scraper, piledriver operator, power shovel operator, quad track; scoop operators, all types; sideboom cat-cherry picker; skimmer scoop operator

Group 3 - Asphalt plant operator, elevating grader operator; pushcat operator

Group 4 - A-frame truck; asphalt roller operator; asphalt plant boiler fireman, backfiller operator, barge green loader, boiler - other than asphalt, hull float operator, chum still operator, compressor operator (1); concrete central plant operator, concrete mixer operator, ship; concrete pump operator, crusher operator, distributor operator, finish machine operator, fork lift, form grader, fireman other than asphalt, flex plane operator, fork lift, form grader operator; greaser hoist - 1 drum; jeep ditching machine; pavement breaker, self-propelled (of the hydra hammer or sigilar type); pump operator, 4" or over, two; pump operator, other than dredge; screening and wash plant operator, small machine operator; spreader box operator, self-propelled; tractor operator over 50 h.p.; self-propelled roller operator, other than asphalt; siphons and jets; subgrading machine operator, tank car heater operator, combination booster and boilers, towboat operator, vibrating machine operator, hot hand

Group 5 - Concrete gang saw, self-propelled (con-cut); conveyor operator; harrow, disc, seeder, oiler, tractor operator, 50 h.p. or less without attachments

Group 6 - Oiler, motor crane

DECISION NO. KS77-4050

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pension	Vacation	
6.50	.40	.35		
6.60	.40	.35		
6.75	.40	.35		

TRUCK DRIVERS: (Cont'd)

Zone 2 - Douglas and Shawnee Cos.

Group 1

Group 2

Group 3

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:

Group 1 - Pickups, panel trucks, station wagons, flat beds, dump and batch trucks single axle

Group 2 - Tandem trucks, warehousemen or partmen, mechanic helpers and servicemen

Group 3 - Lowboys; semi-trailers, all transit mixer trucks, (single or tandem axle); A-frame and winch trucks when used as such; euclid, end and bottom dump; tourmalockers; atneys, dumpsters and similar off-road equipment and mechanics on such equipment

DECISION NO. KS77-4050

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pension	Vacation	
4.22	.275	.25		
4.37	.275	.25		
4.42	.275	.25		
4.47	.275	.25		
4.65	.275	.25		
4.67	.275	.25		

TRUCK DRIVERS:

Zone 4 - Jefferson County

Group 1

Group 2

Group 3

Group 4

Group 5

Group 6

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:

Group 1 - Pickups, panel trucks, station wagons

Group 2 - Flat beds, dump and batch trucks, single axle

Group 3 - Tandem trucks

Group 4 - Lowboys, semi-trailers, all transit mixer trucks (single or tandem axle); A-frame and winch trucks when used as such

Group 5 - Euclid, end and bottom dump; tourmalockers; atneys; dumpsters and similar off-road equipment and mechanics on such equipment

Group 6 - Watchman or partmen; mechanic helpers; servicemen

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AREA COVERED BY BRICKLAYERS ZONES

ZONE 1 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, St. Helena, Tangipahoa, West Baton Rouge & West Feliciana Parishes
 ZONE 2 - Evangeline, Pointe Coupee & St. Landry Parishes
 ZONE 3 - Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 4 - Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany (extending northward to that part of St. Tammany Parish from the Tangipahoa Parish line on the west along U.S. Highway 190 through the lower limits of Covington, along State Highway 58, through the lower limits of Abita Springs & Tallahatchee and on a line due east from Tallahatchee to the Mississippi State Line) & Terrebonne Parishes
 ZONE 5 - St. Tammany (north half including Covington north of Highway 190) & Washington Parishes
 ZONE 6 - Avoyelles, Catahoula, Concordia, Grant, LaSalle & Rapides Parishes
 ZONE 7 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes
 ZONE 8 - Natchitoches & Sabine Parishes
 ZONE 9 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes
 ZONE 10 - Iberia, Lafayette, St. Martin, St. Mary & Vermilion Parishes

CARPENTERS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 8.44	.30			
ZONE 2	8.845	.35	.28		.05
ZONE 3	8.85	.35	.30		
ZONE 4	9.41	.30	.35		.04
ZONE 5	9.72	.35	.30		.04
ZONE 6	9.555	.35	.30		.04
ZONE 7	8.30				
ZONE 8	8.65	.35	.30		.06
ZONE 9	8.30				
ZONE 10	8.10	.35	.30		.05
ZONE 11	7.25				

AREA COVERED BY CARPENTERS ZONES

ZONE 1 - Acadia, Evangeline, Iberia (west of the Atchafalaya River), Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) & Vermilion Parishes
 ZONE 2 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 3 - Parts of St. Tammany & Tangipahoa (north of I-12 from the Mississippi State Line to the western boundary of Tangipahoa Parish) & Washington Parishes

SUPERSEDES DECISION

STATE: Louisiana
 DECISION NO.: LA77-4052
 DATE: Date of Publication
 Source: Decision No. LA76-4187, dated November 19, 1976, in 41 FR 51288.
 DESCRIPTION OF WORK: Building Construction in all Parishes, Residential Construction in Bossier, Caddo & Calcasieu Parishes and Construction of Highway, Roads, Streets and Parking Areas in All Parishes (except those let with a building contract)

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 9.845	.475	.70		.04
ZONE 2	9.38	.325	.655		.025
ZONE 3	9.05	.50	1.10		.05
ZONE 4	8.78	.45	.50		

ASBESTOS WORKERS

AREA COVERED BY ASBESTOS WORKERS ZONES

ZONE 1 - Acadia, Allen, Beauregard, Calcasieu, Cameron, Evangeline, Jefferson Davis, Rapides, Vermilion & Vernon Parishes
 ZONE 2 - Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Grant, Jackson, Lincoln, Natchitoches, Ouachita, Red River, Sabine, Union, Webster & Winn Parishes
 ZONE 3 - Ascension, Assumption, Avoyelles, Catahoula, Concordia, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafayette, Lafourche, LaSalle, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge & West Feliciana Parishes
 ZONE 4 - East Carroll, Franklin, Madison, Morehouse, Richland, Tensas & West Carroll Parishes

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$10.00	.50	1.00		.02
ZONE 2	9.66	.30	.25		.06
ZONE 3	8.15	.53			
ZONE 4	9.85	.48	.30		.02
ZONE 5	10.12	.35	.20		.035
ZONE 6	8.25	.53			
ZONE 7	8.15	.30	.45		.05
ZONE 8	8.90	.40	.30		.03
ZONE 9	8.25				
ZONE 10	9.05		.25		.025
ZONE 11	9.50				

ROUPEWORKERS

BRICKLAYERS & STONEMASONS

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AREA COVERED BY CARPENTERS ZONES (CONT'D)

ZONE 4 - Ascension (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge & West Feliciana Parishes

ZONE 5 - Ascension (south of the Mississippi River), Assumption, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James (south of the Mississippi River) & St. John the Baptist Parishes

ZONE 6 - Iberia (northeast of the Atchafalaya River), Lafourche, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Tammany (southern portion), Tangipahoa (remainder of Parish not covered by Zone 3) & Terrebonne Parishes

ZONE 7 - Avoyelles, Grant, LaSalle & Rapides Parishes

ZONE 8 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes

ZONE 9 - Natchitoches & Sabine Parishes

ZONE 10 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Texas, Union, West Carroll & Winn Parishes

ZONE 11 - Catahoula & Concordia Parishes

CEMENT MASONS (BUILDING CONSTRUCTION)	Fringe Benefits Payments				Education and/or Appr. Tr.
	Basic Hourly Rates	H & W	Pensions	Vacation	
ZONE 1	\$ 8.41				
ZONE 2	8.60				
ZONE 3	8.20	.30	.50		.05
ZONE 4	9.445	.35	.30		.04
ZONE 5	7.35				
ZONE 6	6.25	.35			
ZONE 7	7.95		.25		
ZONE 8	7.77		.30		
ZONE 9	6.50				

AREA COVERED BY CEMENT MASONS (BUILDING CONSTRUCTION) ZONES

ZONE 1 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James, Tangipahoa, West Baton Rouge & West Feliciana Parishes

ZONE 2 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes

ZONE 3 - Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary & Vermilion Parishes

ZONE 4 - Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany (the lower half) & Terrebonne Parishes

ZONE 5 - St. Tammany (northern half including Covington north of Highway 190) & Washington Parishes

ZONE 6 - Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle & Rapides Parishes

ZONE 7 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes

ZONE 8 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Texas, Union, West Carroll & Winn Parishes

ZONE 9 - Natchitoches & Sabine Parishes

CEMENT MASONS (HIGHWAY CONSTRUCTION)	Fringe Benefits Payments				Education and/or Appr. Tr.
	Basic Hourly Rates	H & W	Pensions	Vacation	
ZONE 1	\$ 7.25				
On concrete lined ditches	8.195				
ZONE 2	6.45				
ZONE 3	7.10	.30			
ZONE 4	6.50				
ZONE 5	6.30				
On concrete lined ditches	0.20	.30	.50		.05
ZONE 6	6.20				
ZONE 7	5.72				

AREA COVERED BY CEMENT MASONS (HIGHWAY CONSTRUCTION) ZONES

ZONE 1 - Jefferson, Orleans, Plaquemines, St. Bernard & St. Charles Parishes

ZONE 2 - Ascension, East Baton Rouge, U.S. Highway 61 in East Feliciana & West Feliciana Parishes

ZONE 3 - Bossier & Caddo Parishes

ZONE 4 - Calcasieu & Cameron Parishes

ZONE 5 - Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary & Vermilion Parishes

ZONE 6 - Allen, Assumption, Avoyelles, Beauregard, Bienville, Claiborne, DeSoto, East Feliciana (excluding U.S. Highway 61), Evangeline, Iberville, Jefferson Davis, Lafourche, Lincoln, Livingston, Madison, Natchitoches, Ouachita, Pointe Coupee, Rapides, Red River, Richland, St. Helena, St. John, St. John the Baptist, St. Tammany, Tangipahoa, Terrebonne, Vernon, Webster & West Baton Rouge Parishes

ZONE 7 - Caldwell, Catahoula, Concordia, East Carroll, Franklin, Grant, Jackson, LaSalle, Morehouse, Sabine, Texas, Union, Washington, West Carroll & Winn Parishes

ELECTRICIANS	Fringe Benefits Payments				Education and/or Appr. Tr.
	Basic Hourly Rates	H & W	Pensions	Vacation	
Electricians					
ZONE 1	\$11.10	5%	6%		3/10%
ZONE 2	10.00		1%		1/10%
ZONE 3	11.25	.35	1%+.20		
ZONE 4	11.15	.35	1%		.03
ZONE 5	10.60	.30	1%+.30		1/2%
ZONE 6	10.05	.45	1%		1%
ZONE 7	9.95	.85	1%	.30	1/2%
ZONE 8	10.25		1%		

FOOTNOTES FOR ELEVATOR CONSTRUCTORS

- a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate
 b - Paid Holidays: New Years' Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day

AREA COVERED BY ELEVATOR CONSTRUCTORS' ZONES

ZONE 1 - Acadia, Allen, Ascension, Assumption, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge & West Feliciana Parishes
 ZONE 2 - Acovelles, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Tensas, Union, Vernon, Webster, West Carroll & Winn Parishes

CLAYTENS	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 8.55				
ZONE 2	7.45				
ZONE 3	9.825	.17	.30		.01
ZONE 4	7.43				
ZONE 5	7.25				
ZONE 6	6.40				
ZONE 7	7.50				

AREA COVERED BY CLAYTENS ZONES

ZONE 1 - Allen (except northeast corner), Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 2 - Ascension (north & west of Highway 22), Assumption (north of Grand Bayou), East Baton Rouge, East Feliciana, Iberville, Livingston (north & west of Highway 29), Pointe Coupee, St. Helena, Tangipahoa (east of Highway 51), West Baton Rouge & West Feliciana Parishes
 ZONE 3 - Ascension (east & south of Highway 22), Assumption (south of Grand Bayou), Jefferson, Lafourche, Livingston (east & south of Highway 22), Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Mary, St. Tammany (southern portion) & Terrebonne Parishes
 ZONE 4 - Acadia, Iberia, Lafourche, St. Landry, St. Martin, St. Mary (except Morgan City Area) & Vermilion Parishes
 ZONE 5 - Bienville (western half), Bossier, Caddo, Claiborne, DeSoto, Natchitoches (to the city of Natchitoches), Red River & Webster Parishes
 ZONE 6 - Bienville (eastern half), Caldwell, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn (north half) Parishes
 ZONE 7 - St. Tammany (northern portion), Tangipahoa (east of Highway 51) & Washington Parishes

Cable splicers	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$11.35	5%	6%		3/10%
ZONE 2	10.50		1%		1/10%
ZONE 3	11.50	.35	15+10		
ZONE 4	11.40	.35	1%		
ZONE 5	10.60	.30	15+30		.03
ZONE 6	10.55	.45	1%		1/2%
ZONE 7	10.45	.85	1%		1%
ZONE 8	10.50		1%	.30	1/2%

AREA COVERED BY ELECTRICIANS ZONES

ZONE 1 - Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Landry, West Baton Rouge & West Feliciana Parishes
 ZONE 2 - St. Tammany, Tangipahoa & Washington Parishes
 ZONE 3 - Allen, Beauregard, Calcasieu, Cameron & Jefferson Davis Parishes
 ZONE 4 - Acadia, Iberia, Lafourche, St. Martin (northern segment), St. Mary (that portion southeast of the Atchafalaya River) & Vermilion Parishes
 ZONE 5 - Assumption, Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (southern segment), St. Mary (that portion northeast of the Atchafalaya River) & Terrebonne Parishes
 ZONE 6 - Acovelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Natchitoches (that portion southwest of the Red River), Rapides, Sabine, Vernon & Winn Parishes
 ZONE 7 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches (that portion northeast of the Red River), Red River & Webster Parishes
 ZONE 8 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes

ELEVATOR CONSTRUCTORS	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 9.285	.495	.32	42%+6	.02
Elevator constructors	700JR	.495	.32	42%+6	.02
Elevator constructors' helpers (prob.)	500JR				
ZONE 2	8.795	.545	.35	42%+6	.02
Elevator constructors	700JR	.545	.35	42%+6	.02
Elevator constructors' helpers (prob.)	500JR				

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IRONWORKERS (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 9.86	.43	.35		.04
ZONE 2	10.14	.45	.50		.04
ZONE 3	9.75	.45	.50		.04
ZONE 4	9.70	.45	.50		.04
ZONE 5	8.15	.30	.35		.04
ZONE 6	9.45	.35	.50		.025

AREA COVERED BY IRONWORKERS (BUILDING CONSTRUCTION) ZONES

ZONE 1 - All of Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist & St. Tammany Parishes; Parts of Lafourche, Livingston, St. James, Tangipahoa, Terrebonne & Washington Parishes (west of a straight line drawn from the Louisiana-Mississippi border, east of the city limits of Warren, Louisiana, southwest through Hammond, Louisiana to the Gulf of Mexico)

ZONE 2 - All of Ascension, Assumption, Avoyelles, East Baton Rouge, East Feliciana, Iberia, Iberville, Pointe Coupee, St. Helena, St. Martin, St. Mary, West Baton Rouge & West Feliciana Parishes; Parts of Acadia, Evangeline, Lafourche, St. Landry & Vermilion Parishes (east of a line drawn from the meeting point of the boundaries of the Parishes of Rapides, Avoyelles & Bienville, southwest along the western city limits of Abbeville, Louisiana, to the Gulf of Mexico); Parts of Lafourche, Livingston, St. James, Tangipahoa, Terrebonne & Washington Parishes (west of a straight line drawn from the Louisiana-Mississippi border, west of the city limits of Warren, Louisiana, southwest through Hammond, Louisiana to the Gulf of Mexico); Parts of Catahoula, Concordia, LaSalle & Rapides Parishes (south of a line drawn from the Mississippi southwest to the city of Boyce to the Natchitoches Parish boundary through the city of Boyce to the Natchitoches Parish boundary)

ZONE 3 - All of Bossier, Caddo, DeSoto, Red River & Webster Parishes; Parts of Bienville, Claiborne, Natchitoches & Winn Parishes (west of a line drawn directly south from the Arkansas-Louisiana border through the cities of Arcadia & Cloutiersville); Part of Sabine Parish (north of a line drawn from the Natchitoches Parish boundary west through the city of Heaton to the Texas-Louisiana border)

ZONE 4 - All of Caldwell, East Carroll, Franklin, Grant, Jackson, Lincoln, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes; Parts of Bienville, Claiborne, Natchitoches & Winn Parishes (east of a line drawn directly south from the Arkansas-Louisiana border through the cities of Arcadia & Cloutiersville); Parts of Madison Parish (except the cities of Mound, Delta & adjacent areas); Parts of Catahoula, Concordia, LaSalle & Rapides Parishes (north of a line drawn from Maches, Mississippi northwesterly to the city of Kolin, from there northwesterly through the city of Boyce to the Natchitoches Parish boundary)

ZONE 5 - That part of Madison Parish (including the cities of Mound, Delta & adjacent areas)

AREA COVERED BY IRONWORKERS (BUILDING CONSTRUCTION) ZONES (CONT'D)

ZONE 6 - All of Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes; Parts of Acadia, Evangeline, Lafourche, Rapides, St. Landry & Vermilion Parishes (west of a line drawn from the city of Kolin, southwest along the western city limits of Abbeville, Louisiana to the Gulf of Mexico and south-west of a line drawn from Kolin through Boyce to the Natchitoches-Rapides Parish boundary); Part of Sabine Parish (south of a line drawn from the Natchitoches Parish boundary west through the city of Heaton to the Texas-Louisiana border)

IRONWORKERS (HIGHWAY CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 8.72				
ZONE 2	8.48				
ZONE 3	8.70				
ZONE 4	8.30				
ZONE 5	9.76				
ZONE 6	6.99				
ZONE 7	6.45				
ZONE 8	5.84				

AREA COVERED BY IRONWORKERS (HIGHWAY CONSTRUCTION) ZONES

ZONE 1 - Jefferson & Orleans Parishes

ZONE 2 - Plaquemines, St. Bernard & St. Charles Parishes

ZONE 3 - East Baton Rouge Parish

ZONE 4 - Calcasieu Parish

ZONE 5 - Bossier & Caddo Parishes

ZONE 6 - Lafourche, Ouachita & Rapides Parishes

ZONE 7 - Acadia, Ascension, Bienville, Cameron, DeSoto, Iberia, Iberville, Jefferson Davis, Livingston, Red River, Richland, St. James, St. John the Baptist, St. Landry, St. Martin (that portion north of Iberia Parish), St. Tammany, Tangipahoa, Vermilion, Washington, Webster & West Baton Rouge Parishes

ZONE 8 - Allen, Assumption, Avoyelles, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Jackson, Lafourche, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Pointe Coupee, Sabine, St. Helena, St. Martin (that portion south of Iberia Parish), St. Mary, Tensas, Terrebonne, Union, Vernon, West Carroll, West Feliciana & Winn Parishes

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Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
ZONE 7					
GROUP 1	.15	.20			.05
GROUP 2	.15	.20			.05
GROUP 3	.15	.20			.05
ZONE 8					
GROUP 1	.15	.10			.05
GROUP 2	.15	.10			.05
GROUP 3	.15	.10			.05
GROUP 4	.15	.10			.05
GROUP 5	.15	.10			.05
ZONE 9					
GROUP 1	.15	.10			.05
GROUP 2	.15	.10			.05
GROUP 3	.15	.10			.05
GROUP 4	.15	.10			.05
ZONE 10					
GROUP 1	.15	.10			.05
GROUP 2	.15	.10			.05
GROUP 3	.15	.10			.05

CLASSIFICATION DEFINITIONS

LABORERS - ZONE 1
 GROUP 1 - Building and labor construction
 GROUP 2 - Stone mason helpers; mechanical tool operators; sewerman (bottom men, caulkers, tenders, joint wipers, hot pot, grade carriers, layers and ditchers 4 feet or over); tender of all crafts; sandblaster (nozzlemen); Sandblaster (pot tender); laying non-metallic pipe over 4 feet deep, including sewer pipe, drain pipe and underground tile; septic tank diggers and installers, over 4 feet deep; gas & oil pipeline laborers and wrappers
 GROUP 3 - Concrete tool operators

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Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
ZONE 1					
GROUP 1	.10				
GROUP 2	.10				
GROUP 3	.10				
ZONE 2					
GROUP 1	.15	.10			.05
GROUP 2	.15	.10			.05
ZONE 3					
GROUP 1	.15	.10			.05
GROUP 2	.15	.10			.05
GROUP 3	.15	.10			.05
GROUP 4	.15	.10			.05
GROUP 5	.15	.10			.05
GROUP 6	.15	.10			.05
GROUP 7	.15	.10			.05
ZONE 4					
GROUP 1	.15	.20			.05
GROUP 2	.15	.20			.05
GROUP 3	.15	.20			.05
ZONE 5					
GROUP 1	.15	.20			.05
GROUP 2	.15	.20			.05
GROUP 3	.15	.20			.05
ZONE 6					
GROUP 1	.15	.20			.05
GROUP 2	.15	.20			.05
GROUP 3	.15	.20			.05
GROUP 4	.15	.20			.05
GROUP 5	.15	.20			.05

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LABORERS - ZONE 2

GROUP 1 - Building laborers; rotary drill laborers; foundation drill crewmen
 GROUP 2 - Mason masons; plaster masons; mechanical tool operators; sandblasters; laying concrete pipe, clay pipe, plastic pipe, asbestos cement pipe, casing pipe and corrugated metal pipe, as sewer pipe, drain pipe, and underground tile (caulkers, joint wrappers, hot pot and pipe layers); gas and oil pipe-line laborers, wrappers and dopers

LABORERS - ZONE 3

GROUP 1 - Building and general laborers; tenders (carpenter, plaster, cement finisher, mason); tank and vessel cleaners
 GROUP 2 - Air tool operator (except jackhammer); interior of closed tanks and vessels power equipment
 GROUP 3 - Mortar mixers and jackhammer operators
 GROUP 4 - Blasters
 GROUP 5 - Blaster helpers; concrete cutters behind paving machine and puddlers; form setters and lines asphalt worker
 GROUP 6 - Wiping joints, laying pipe and tile from pumpcrete
 GROUP 7 - Interior of closed tanks and vessels manually

LABORERS - ZONES 4 & 5

GROUP 1 - Building and general laborers, carpenter tenders
 GROUP 2 - Power tool operators (hammer men, tamper, vibrators, power buggies, concrete chippers or cutters, chain saw operators, etc.); pipelayers (non-metallic)
 GROUP 3 - Mason tenders, plaster tenders, cement mix (wet or dry) tenders, hot carrier tender; mortar mixers & cement mixers (wet or dry)

LABORERS - ZONE 6

GROUP 1 - Building laborers
 GROUP 2 - Laborers handling steel pans, stone masons helpers, mechanical tool operators, sewermen (bottom men, caulkers, tenders, joint wrappers, hot pot, grade carriers, layers and ditchers & feet and over), sand blaster (concrete and pot tender); laying non-metallic pipe over 4 feet deep, septic diggers and installers over 4 feet deep, gas and oil pipeline laborers and wrappers
 GROUP 3 - Gunite tool operators
 GROUP 4 - Bricklayers tenders and mason tenders
 GROUP 5 - Hot carriers using prime mover to serve a bricklayer; mortar mixers

LABORERS - ZONE 7

GROUP 1 - Common laborers
 GROUP 2 - Jackhammermen, sewermen, mason tenders, plasterer tenders, stone mason helpers, vibratormen
 GROUP 3 - Mortar mixers

LABORERS - ZONE 8

GROUP 1 - Common laborers; carpenter helpers; mason tenders (other than cement); Plasterers' tenders; stone mason helpers; concrete workers; scaffold builders
 GROUP 2 - Air tool operators (jackhammer, vibrator, and tamper), sewer pipe joiners and setters; concrete cutters; hot carriers; concrete materials handlers; acid worker; mason tenders (cement); Mortar mixer (wet or dry); motorized buggy operator; water proofers (mastic); form setters (steel paving forms)
 GROUP 3 - Chain saw operator
 GROUP 4 - Asphalt raker, tamper, smoother and shovelers; sewer pipe layers; blaster helpers
 GROUP 5 - Powdermen

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LABORERS - ZONE 9

GROUP 1 - Building laborers
 GROUP 2 - Mason tenders, plasterer tenders; Asphalt takers, asphalt smoothers
 GROUP 3 - Mortar mixers
 GROUP 4 - Air jack operators, vibrator operators; Sewer pipe layers, sewer pipe wrappers

LABORERS - ZONE 10

GROUP 1 - Laborers, tenders (bricklayers, stone masons, cement masons, carpenter, plasterers); Stripping & dismantling; concrete form work; loading, unloading, carrying & handling steel & steel mesh; assisting to the setting of cut stone, granite or artificial stone; building scaffolds; shoring
 GROUP 2 - Mechanical tool operator (air, electric, motor, engine, etc.); Sewer pipe layers; mortar mixers (hand or machine); gunite operator
 GROUP 3 - Pipe dopers & burners

AREA COVERED BY LABORERS (BUILDING CONSTRUCTION) ZONES

ZONE 1 - St. Tammany (as far south as Bayou LaCade and east to the Mississippi State line at Washington), Tangipahoa (except that portion south of a line running due east from the western boundary of Tangipahoa Parish which follows the northern city limits of Independence, Louisiana to 20 miles east of U.S. Highway 51, then running south paralleling Highway 51 at a 20 mile distance to Lake Pontchartrain) & Washington Parishes
 ZONE 2 - Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary & Vermilion Parishes
 ZONE 3 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 4 - All of Ascension, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge & West Feliciana Parishes; Parts of Assumption, St. James, St. John the Baptist Parishes (north of a line drawn from the northern limits of the town of St. James in St. James Parish to the northern limits of the town of Napoleonville, in Assumption Parish & then directly west to the Parish line, all of St. James Parish except that part which is east of a line drawn from Lusher, Louisiana to U.S. Highway 61 (Airline Highway) then west on U.S. 61 to Blind River and on a direct line to Manchac, Louisiana)
 ZONE 5 - Livingston, St. Helena & Tangipahoa (south & west of a line running from the western parish line to a point directly east which touches the northern limits of the town of Independence, then directly south to Lake Pontchartrain) Parishes
 ZONE 6 - Jefferson (except Grand Isle), Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist (on the west bank of the Mississippi River and the portion of St. John the Baptist on the east bank of the Mississippi River as far as the Sycamore Inn at Lusher and north to Blind River and Manchac) & St. Tammany (north as far as Bayou LaCade, east to the Mississippi State line at Pearlman) Parishes
 ZONE 7 - Assumption (north of Napoleonville), Jefferson (Grand Isle), Lafourche, St. James (on the west bank and including the town of Vacherie) & Terrebonne Parishes
 ZONE 8 - Avoyelles, Evangeline, Grant, LaSalle, Natchitoches, Rapides & Winn Parishes
 ZONE 9 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, Sabine & Webster Parishes
 ZONE 10 - Caldwell, Catahoula, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes

CLASSIFICATION DEFINITIONS

GROUP 1 - Laborers, including but not limited to signalman, foundation driller, and demolishing and dismantling men
 GROUP 2 - Baker, concrete spreader, carpenters helpers, distributor men, finishers helpers, formsetters helpers, jackhammer operator, setting laborer, painters helpers, pit man, pipelayer or tile layer, power monkey helper, tamper, tree pruner, stone masons helper, molar, asphalt roller, concrete shovelers, power tool operator and motorized buggy operator
 GROUP 3 - Formsetter, head or master-high type pavement
 GROUP 4 - Foreman

AREA COVERED BY LABORERS (HIGHWAY CONSTRUCTION) ZONES

ZONE 1 - Jefferson, Orleans, Plaquemine, St. Bernard & St. Charles Parishes
 ZONE 2 - East Baton Rouge Parish
 ZONE 3 - Bossier & Calcasieu Parishes
 ZONE 4 - Calcasieu Parish
 ZONE 5 - Lafayette, Ouachita & Rapides Parishes
 ZONE 6 - Acadia, Ascension, Iberville, Cameron, DeSoto, Iberia, Thibault, Jefferson Davis, Livingston, Red River, Richland, St. James, St. John the Baptist, St. Landry, St. Martin (that portion north of Iberia Parish), St. Tammany, Terrebonne, Vermilion, Washington, Webster & West Baton Rouge Parishes
 ZONE 7 - Allen, Assumption, Avoyelles, Beauregard, Calcasieu, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Jackson, Lafourcade, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Pointe Coupee, Sabine, St. Helena, St. Martin (that portion south of Iberia Parish), St. Mary, Tensas, Terrebonne, Union, Vernon, West Carroll, West Feliciana & Winn Parishes

LATENTS	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vocational	
ZONE 1	\$ 8.90				.01
ZONE 2	8.88	.20	.30		.05
ZONE 3	9.905	.20			.01
ZONE 4	10.05				
ZONE 5	7.99				.01

AREA COVERED BY LATENTS ZONES

ZONE 1 - All of Acadia, Ascension, East Baton Rouge, East Feliciana, Iberia, Thibault, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, St. Martin, Vermilion, West Baton Rouge & West Feliciana Parishes; Parts of Assumption & St. James Parishes (up to a 40 mile radius of Baton Rouge); Parts of Evangeline & St. Mary Parishes (up to a 40 mile radius of Lafayette)
 ZONE 2 - All of Jefferson, Lafourcade, Orleans, Plaquemine, St. Bernard, Charles, St. John the Baptist, St. Tammany, Tangipahoa, Terrebonne & Washington Parishes; Parts of Assumption & St. James Parishes (beyond a 40 mile radius of Baton Rouge); Part of St. Mary Parish (beyond a 40 mile radius of Lafayette)
 ZONE 3 - Allen, Beauregard, Calcasieu, Cameron, Evangeline (that portion beyond a 40 mile radius of Lafayette), Jefferson Davis & Vernon Parishes
 ZONE 4 - Bienville, Bossier, Calcasieu, Claiborne, DeSoto, Lincoln, Natchitoches, Red River & Webster Parishes
 ZONE 5 - Rapides Parish

LATENTS (HIGHWAY CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vocational	
GROUP 1					
ZONE 1	\$ 5.10	.15	.10		.05
ZONE 2	4.80	.15	.10		.05
ZONE 3	4.15	.15	.10		.05
ZONE 4	5.85	.15	.10		.05
ZONE 5	4.10	.15	.10		.05
ZONE 6	3.85	.15	.10		.05
ZONE 7	3.75	.15	.10		.05
GROUP 2					
ZONE 1	5.20	.15	.10		.05
ZONE 2	4.90	.15	.10		.05
ZONE 3	4.25	.15	.10		.05
ZONE 4	5.95	.15	.10		.05
ZONE 5	4.20	.15	.10		.05
ZONE 6	3.95	.15	.10		.05
ZONE 7	3.85	.15	.10		.05
GROUP 3					
ZONE 1	5.65	.15	.10		.05
ZONE 2	5.35	.15	.10		.05
ZONE 3	4.70	.15	.10		.05
ZONE 4	6.40	.15	.10		.05
ZONE 5	4.65	.15	.10		.05
ZONE 6	4.40	.15	.10		.05
ZONE 7	4.30	.15	.10		.05
GROUP 4					
ZONE 1	5.90	.15	.10		.05
ZONE 2	5.60	.15	.10		.05
ZONE 3	4.95	.15	.10		.05
ZONE 4	6.65	.15	.10		.05
ZONE 5	4.85	.15	.10		.05
ZONE 6	4.60	.15	.10		.05
ZONE 7	4.50	.15	.10		.05

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appl. Tr.
	H & W	Pensions	Vacation	
ZONE 1 Linemen Operator hole digging equipment; operator, tractor with winch & derrick; operator line truck with winch & derrick working hot lines Operator using hole truck & trailer, or pole hauling & setting truck (not in energized lines) Operator using truck without winch; Groundman (starting rate to 1 1/2 years service or Groundmen (1 1/2 years service or over)	\$10.60 30 30 30 30 30 30	11+.30 11+.30 11+.30 11+.30 11+.30 11+.30 11+.30		.03 .03 .03 .03 .03 .03 .03
ZONE 2 Linemen, line equipment & line truck operators Cable splicers	11.10 11.35	6% 6%		3/10% 3/10%
ZONE 3 Linemen, equipment operators Cable splicers Groundmen	11.25 11.50 9.25	11+.20 11+.20 11+.20		1/10% 1/10% 1/10%
ZONE 4 Linemen & equipment operators Cable splicers Groundmen	11.15 11.40 50%JR	1% 1% 1%		
ZONE 5 Linemen & equipment operators Cable splicers Groundmen	10.25 10.50 60%JR	1% 1% 1%	.30 .30 .30	1/1% 1/1% 1/1%
ZONE 6 Linemen & equipment operators Cable splicers Groundmen, last 6 months Groundmen, 2nd 6 months Groundmen, after 1 year	10.05 10.55 2.85 3.44 3.73	1% 1% 1% 1% 1%		1/1% 1/1% 1/1% 1/1% 1/1%

LINE CONSTRUCTION

ZONE 1
Linemen
Operator hole digging equipment; operator, tractor with winch & derrick; operator line truck with winch & derrick working hot lines
Operator using hole truck & trailer, or pole hauling & setting truck (not in energized lines)
Operator using truck without winch; Groundman (starting rate to 1 1/2 years service or Groundmen (1 1/2 years service or over)

ZONE 2
Linemen, line equipment & line truck operators
Cable splicers

ZONE 3
Linemen, equipment operators
Cable splicers
Groundmen

ZONE 4
Linemen & equipment operators
Cable splicers
Groundmen

ZONE 5
Linemen & equipment operators
Cable splicers
Groundmen

ZONE 6
Linemen & equipment operators
Cable splicers
Groundmen, last 6 months
Groundmen, 2nd 6 months
Groundmen, after 1 year

AREA COVERED BY LINE CONSTRUCTION ZONES

ZONE 1 - Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (southern segment), St. Mary (that portion northeast of the Atchafalaya River) & Terrebonne Parishes
ZONE 2 - Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Police Compas, St. Helena, St. Landry, West Baton Rouge & West Feliciana Parishes
ZONE 3 - Allen, Beauregard, Calcasieu, Cameron & Jefferson Davis Parishes
ZONE 4 - Allen, Iberia, Lafayette, St. Martin (northern segment), St. Mary (that portion southwest of the Atchafalaya River) & Vermilion Parishes
ZONE 5 - Calcasieu, East Carroll, Franklin, Jackson, Lincoln, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes
ZONE 6 - Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Natchitoches (that portion southwest of the Red River), Rapides, Sabine, Vernon & Winn Parishes
ZONE 7 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches (that portion northeast of the Red River), Red River & Webster Parishes

MAJOR SETBACKS

ZONE 1
St. James, St. John the Baptist, St. Landry, St. Martin (southern segment), St. Mary (that portion northeast of the Atchafalaya River) & Terrebonne Parishes
ZONE 2
Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Police Compas, St. Helena, St. Landry, West Baton Rouge & West Feliciana Parishes
ZONE 3
Allen, Beauregard, Calcasieu, Cameron & Jefferson Davis Parishes
ZONE 4
Allen, Iberia, Lafayette, St. Martin (northern segment), St. Mary (that portion southwest of the Atchafalaya River) & Vermilion Parishes
ZONE 5
Calcasieu, East Carroll, Franklin, Jackson, Lincoln, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes
ZONE 6
Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Natchitoches (that portion southwest of the Red River), Rapides, Sabine, Vernon & Winn Parishes
ZONE 7
Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches (that portion northeast of the Red River), Red River & Webster Parishes

AREA COVERED BY MAJOR SETBACKS

ZONE 1 - Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Landry, St. Martin (southern segment), St. Mary (that portion northeast of the Atchafalaya River) & Terrebonne Parishes
ZONE 2 - Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Police Compas, St. Helena, St. Landry, West Baton Rouge & West Feliciana Parishes
ZONE 3 - Allen, Beauregard, Calcasieu, Cameron & Jefferson Davis Parishes
ZONE 4 - Allen, Iberia, Lafayette, St. Martin (northern segment), St. Mary (that portion southwest of the Atchafalaya River) & Vermilion Parishes
ZONE 5 - Calcasieu, East Carroll, Franklin, Jackson, Lincoln, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll & Winn Parishes
ZONE 6 - Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle, Natchitoches (that portion southwest of the Red River), Rapides, Sabine, Vernon & Winn Parishes
ZONE 7 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches (that portion northeast of the Red River), Red River & Webster Parishes

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MARLE SETTERS' HELPERS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appt. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 6.75	.25			.05
ZONE 2	5.55	.15	.10		
ZONE 3	3.00				

AREA COVERED BY MARLE SETTERS' HELPERS ZONES

ZONE 1 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemine, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Tammany (extending northward to that part of St. Tammany Parish from the Tangipahoa Parish line on the west along U.S. Highway 190 through the lower limits of Covington, along State Highway 59, through the lower limits of Abita Springs and Tallisheek and on a line due east from Tallisheek to the Mississippi State line), Tangipahoa, Terrebonne, West Baton Rouge & West Feliciana Parishes

ZONE 2 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll Parishes

ZONE 3 - Bienville, Bossier, Caddo, Claiborne, DeSoto, East River, Webster & Winn Parishes

MILLRIGHTS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appt. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$10.295	.35	.30		.05
ZONE 2	10.00				.04
ZONE 3	11.345				.06
ZONE 4	9.165	.30			
ZONE 5	9.05				.04
ZONE 6	9.25	.35	.30		
ZONE 7	9.05				.05
ZONE 8	9.00	.35	.20		
ZONE 9	10.50	.35	.30		
ZONE 10	8.15				

AREA COVERED BY MILLRIGHTS ZONES

ZONE 1 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes

ZONE 2 - Ascension (south of the Mississippi River), Assumption, Iberia (north-east of the Atchafalaya River), Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James (south of the Mississippi River), St. John the Baptist, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Mary (southern portion), Tangipahoa (remainder of Parish not covered by Zone 9) & Terrebonne Parishes

ZONE 3 - Ascension (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge & West Feliciana Parishes

ZONE 4 - Acadia, Evangeline, Iberia (west of the Atchafalaya River), Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) & Vermilion Parishes

AREA COVERED BY MILLRIGHTS ZONES (CONT'D)

ZONE 5 - Avoyelles, Grant, LaSalle & Rapides Parishes

ZONE 6 - Bienville, Bossier, Caddo, Claiborne, DeSoto, East River & Webster Parishes

ZONE 7 - Natchitoches & Sabine Parishes

ZONE 8 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes

ZONE 9 - Parts of St. Tammany & Tangipahoa (north of I-12 from the Mississippi State line to the western boundary of Tangipahoa Parish) & Washington Parishes

ZONE 10 - Catahoula & Concordia Parishes

PAINTERS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appt. Tr.
		H & W	Pensions	Vacation	
GROUP 1 - Brush, wood or wall, rollers	\$ 9.41				
GROUP 2 - Brush on steel, buffer on wood or wall	9.535				
GROUP 3 - Paperhanging, taping & floating	9.61				
GROUP 4 - Spray, wood & wall	9.755				
GROUP 5 - Stencil, sand-blasting, spider operator, rubberizing & pyroflexing, steam jennies, spray on steel	9.895				

PAINTERS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appt. Tr.
		H & W	Pensions	Vacation	
GROUP 1 - Brush: Taping; floating & texture	\$ 6.95		.10		.05
GROUP 2 - Sandblasting, industrial & steel	7.82		.10		.05

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DECISION NO. LA77-4052

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
ZONE 6 GROUP 1 - Painters, paper-hangers, tapers, flossers; Commercial steel, such as churches or any commercial building with closed roof deck or walls GROUP 2 - Other commercial work brush spray, stage, window jacks, flagpoles & steeple work GROUP 3 - All industrial work including sandblasting or power tools of any kind	\$ 7.50				
ZONE 7 GROUP 1 - Painters, tapers & paperhangers; stage, window jacks & structural steel GROUP 2 - Stage, window jacks & structural steel over 30 ft. GROUP 3 - Stage, window jacks & structural steel over 75 ft. GROUP 4 - Sandblasting, spray	8.55 8.80 9.05 9.15	.30 .30 .30 .30			.025 .025 .025 .025
ZONE 8 GROUP 1 - Painters, paper-hangers, tapers, flossers GROUP 2 - Stage, window jacks, boom chairs, structural steel, rollers, equipment painting; sandblasting, spray stack, sign, tank painting, steeple jack work GROUP 3 - Structural steel, brush	7.05 8.05 7.55				

AREA COVERED BY DIFFERENT ZONES

ZONE 1 - Allen (except northeast corner), Beauregard, Calcasieu, Camerun, Jefferson Davis & Vernon Parishes
 ZONE 2 - Ascension (north & west of Highway 22), Assumption (north of Grand Bayou), East Baton Rouge, East Feliciana, Iberville, Livingston (north & west of Highway 22), Plaquemine, St. Helena, Tangipahoa (west of Highway 51), West Baton Rouge & West Feliciana Parishes

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Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
ZONE 3 GROUP 1 - Painters, paperhangers & sheetrock tapers & flossers GROUP 2 - Structural steel painters of new buildings under construction; the following overall of 30 feet: tanks, air conditioning, towers, smoke stacks, sprinkler systems, wharves & structural steel in old buildings; spray painters, swing stage painter GROUP 3 - Industrial	\$ 7.755 .275 8.13 9.005	.30 .30 .30 .30	.05 .05		
ZONE 4 GROUP 1 - Brush GROUP 2 - Industrial & steel GROUP 3 - Hand tools or automatic tools to finish system board; spray; sandblasting - 25c per hour above rate for brush GROUP 4 - All power tools; All stacks, steeples, flag poles, swing stages & window jacks; All towers, tanks & structural steel over 50 ft. high - 25c per hour above journeyman rate	7.25 7.72				
ZONE 5 GROUP 1 - Brush GROUP 2 - Brush swing stage GROUP 3 - Brush industrial GROUP 4 - Spray; Spray steel; sandblasting GROUP 5 - Spray swing stage GROUP 6 - Paperhanger GROUP 7 - Sheet rock finishers	7.450 7.95 7.65 8.60 8.85 8.30 7.80				

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AREA COVERED BY PLASTERING ZONES (2004740)

ZONE 1 - Atchafalaya (east & south of Highway 22), Assumption (south of Grand Bayou), Lafourche, Livingston (east & south of Highway 22), Jefferson, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Mary (Morgan City Area), St. Tammany (southern portion) & Terrebonne Parishes

ZONE 2 - Acadia, Iberia, Lafayette, St. Landry (south half), St. Martin, St. Mary (except Morgan City Area) & Vermilion Parishes

ZONE 3 - St. Tammany (northern portion), Tangipahoa (east of Highway 51) & Washington Parishes

ZONE 4 - Allen (northeast corner), Avoyelles, Catahoula, Evangeline, Grant, LaSalle, Natchitoches (south half), Rapides, Sabine, St. Landry (north half) & Winn (south half) Parishes

ZONE 5 - Bienville (western half), Bossier, Caddo, Claiborne, DeSoto, Natchitoches (to city of Natchitoches), Red River & Webster Parishes

ZONE 6 - Bienville (eastern half), Caldwell, Cordeiro, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn (north half) Parishes

FILED ZONES	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 9.15	.35	.30		.04
ZONE 2	9.41	.30	.35		.04
ZONE 3	9.82	.35	.30		.05
ZONE 4	8.845	.35	.28		.04
ZONE 5	8.80	.35	.30		.05
ZONE 6	8.90	.35	.30		.04
ZONE 7	8.80	.35	.20		.05
ZONE 8	8.60	.35	.20		.05
ZONE 9	8.445	.30			
ZONE 10	8.15				

AREA COVERED BY PLASTERING ZONES

ZONE 1 - Parts of St. Tammany & Tangipahoa (north of I-12 from the Mississippi State line to the western boundary of Tangipahoa Parish) & Washington Parishes

ZONE 2 - Assumption (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge & West Feliciana Parishes

ZONE 3 - Assumption (south of the Mississippi River), Assumption, Iberia (north-east of the Atchafalaya River), Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James (south of the Mississippi River), St. John the Baptist, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Tammany (southern portion), Tangipahoa (remainder of Parish not covered by Zone 1) & Terrebonne Parishes

ZONE 4 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes

ZONE 5 - Avoyelles, Grant, LaSalle & Rapides Parishes

ZONE 6 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes

ZONE 7 - Natchitoches & Sabine Parishes

ZONE 8 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes

ZONE 9 - Acadia, Evangeline, Iberia (west of the Atchafalaya River), Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) & Vermilion Parishes

ZONE 10 - Catahoula & Concordia Parishes

PLASTERING	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$ 7.70				.01
ZONE 2	7.75				.01
ZONE 3	9.17				.03
ZONE 4	8.41	.30	.20		.01
ZONE 5	7.05				.01
ZONE 6	6.50				.01
ZONE 7	9.05				
ZONE 8	9.05				
ZONE 9	8.25				

AREA COVERED BY PLASTERING ZONES

ZONE 1 - St. Tammany (northern half including Covington north of Highway 190) & Washington Parishes

ZONE 2 - Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary & Vermilion Parishes

ZONE 3 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes

ZONE 4 - Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. James, St. Helena, Tangipahoa, West Baton Rouge & West Feliciana Parishes

ZONE 5 - Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, St. Tammany (Parish line on the west along U.S. Highway 190 through the lower limits of Livingston and Abita Springs along State Highway 435 to Talibeeck and on a line due east from Talibeeck to the Mississippi State line) & Terrebonne Parishes

ZONE 6 - Avoyelles, Catahoula, Concordia, Evangeline, Grant, LaSalle & Rapides Parishes

ZONE 7 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes

ZONE 8 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes

ZONE 9 - Natchitoches & Sabine Parishes

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	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	\$10.30	.45	.75		.06
ZONE 2	10.10	.54	.775		.06
ZONE 3	9.95	.45	.55		.10
ZONE 4	8.74	.40	.50	.95	.09
ZONE 5	10.38	.67	.72		.08

PUMPERS & PIPEFITTERS

AREA COVERED BY PUMPERS & PIPEFITTERS ZONES

ZONE 1 - Jefferson, Lafourche (except small portion of western part of Parish), Livingston (northeast corner), Orleans, Plaquemine, St. Bernard, St. Charles, St. James (northern 2/3 of Parish), St. John the Baptist, St. Landry, Tangipahoa (southern 1/2 of Parish), Terrebonne (eastern 1/3 of Parish) & Washington Parishes

ZONE 2 - Atchoula, Assumption, East Baton Rouge, East Feliciana, Iberville (eastern 1/3 of Parish), Iberville, Lafourche (small portion of western part of Parish), Livingston (except northeast corner), Pointe Coupee (except northwest corner), St. Helena, St. James (western 1/3 of Parish), St. Landry (eastern 2/3 of Parish), St. Martin (southern part of eastern 1/2 of Parish), St. Mary (except western tip), Tangipahoa (northern 1/2 of Parish), Terrebonne (western 2/3 of Parish), West Baton Rouge & West Feliciana Parishes

ZONE 3 - Allen (northeast corner), Avoyelles, Caldwell, Catahoula, Concordia, East Carroll, Evangeline (except southwest corner), Franklin, Grant, Jackson, LaFayette, Lincoln, Madison, Morehouse, Natchitoches (south of Highway 14 & 86 from Winnfield to Natchitoches & southeast from Natchitoches to Anacoco through Highway 10) & Winn (east of a line drawn from Winnfield to the junction of the Parish boundaries of Winn, Bienville & Jackson) Parishes

ZONE 4 - All of Bienville, Bossier, Calcasieu, Claiborne, DeSoto, Red River, Sabine & Water Parishes; Parts of Natchitoches & Vernon Parishes (northwest from a line drawn from Natchitoches to Anacoco through Bellwood & north of Highway 111 between Anacoco & Haddens); Part of Winn Parish (west of a line drawn from Winnfield to the junction of the Parish boundaries of Winn, Bienville & Jackson) Parishes

ZONE 5 - Acadia, Allen (except northeast corner), Assumption, Calcasieu, Cameron, Calumet, Pointe Coupee (northeast corner), St. Landry (western 1/2 of Parish), Jefferson Davis, St. Martin (west of Highway 31), St. Mary (western tip), Vermilion & Vernon (north of Highway 111 & southwest of Highway 10) Parishes

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
POWER EQUIPMENT OPERATORS (BUILDING CONSTRUCTION)					
ZONE 1 (Excluding Residential Construction in Caddo & Bossier Parishes)					
GROUP 1	\$ 6.63	.45	.48		.05
GROUP 2	6.95	.45	.48		.05
GROUP 3	7.26	.45	.48		.05
GROUP 4	7.33	.45	.48		.05
GROUP 5	7.63	.45	.48		.05
GROUP 6	8.97	.45	.48		.05
ZONES 2, 3 & 4					
GROUP 1	6.64	.45	.48		.05
GROUP 2	6.95	.45	.48		.05
GROUP 3	7.27	.45	.48		.05
GROUP 4	7.32	.45	.48		.05
GROUP 5	7.64	.45	.48		.05
GROUP 6	8.97	.45	.48		.05
ZONE 5					
GROUP 1	6.92	.45	.48		.05
GROUP 2	6.63	.45	.48		.05
GROUP 3	6.64	.45	.48		.05
GROUP 4	7.18	.45	.48		.05
GROUP 5	9.345	.45	.48		.05
GROUP 6	7.55	.45	.48		.05
GROUP 7	8.17	.45	.48		.05

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Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pension	Vacation	
ZONE 6				
GROUP 1	\$ 7.20	.45	.48	.05
GROUP 2	6.67	.45	.48	.05
GROUP 3	6.48	.45	.48	.05
GROUP 4	6.93	.45	.48	.05
GROUP 5	7.59	.45	.48	.05
GROUP 6	8.63	.45	.48	.05
GROUP 7	9.61	.45	.48	.05
GROUP 8	9.86	.45	.48	.05
GROUP 9	10.11	.45	.48	.05
GROUP 10	10.36	.45	.48	.05
ZONE 7				
GROUP 1	9.80	.45	.48	.05
GROUP 2	10.05	.45	.48	.05
GROUP 3	7.12	.45	.48	.05
GROUP 4	7.51	.45	.48	.05
GROUP 5	8.12	.45	.48	.05
GROUP 6	9.55	.45	.48	.05

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS - ZONES 1, 2, 3 & 4

- GROUP 1 - Oiler
 GROUP 2 - Mechanic helper
 GROUP 3 - Oiler-Driver
 GROUP 4 - Scalesman
 GROUP 5 - Air Compressor; Asphalt Plant Operator; Bulldozers, D-4 and equivalent, & under; Bulfloats; Concrete Spreaders; Finishing Machines; Concrete Mixer (16-in or less); Concrete Saw; Distributors (Bitum Surface); Dozer Bar Machine; Farm-type tractor (with all attachments except backhoe); Firmman; Fork Lifts (other than setting steel, machinery or pipe); Hoist, 1 drum less than 4 stories; Kolum Buff Machine; Pull Gate; Pump (3" and over); Pump, concrete (under 4"); Rollers, except on asphalt or brick; Straddle Buggies; Sweepers on streets & roads (motorized); Winch Truck, A-Frame (other than handling steel or pipe)
 GROUP 6 - Asphalt Spreader; Backhoe; Bulldozer, over D-4 and equivalent; Cableways; Concrete Mixer, over 16-in; Cranes; Derricks; Ditching or Trenching Machines; Draglines; Fork Lifts (setting steel, machinery or pipe); Front-End Loaders (except Farm-type tractors); Grease Servicemen; Hoist, 1 drum, 4 stories or more or 40 feet (on structures other than buildings); Hoist, 2 drums and over; Hydraulic; Heavy Duty Mechanic; Motor Patrols; Piledrivers; Pump, concrete (6" & over); Road Pavers; Rollers on asphalt or brick; Scoopmobiles; Scrapers; Sideboom Cuts; Shovels; Tractorvators; Welder, Journeyman; Wall Point System; Winch Cuts (hoisting); Winch Truck, A-Frame (handling steel or pipe)

POWER EQUIPMENT OPERATORS - ZONE 5

- GROUP 1 - Scale Operator; Oiler-Driver on Motor Crane; Batch Plant Operator
 GROUP 2 - Pumps under 3 inch suction; Mechanic Helper
 GROUP 3 - Oiler
 GROUP 4 - Firmman
 GROUP 5 - Combination Oiler-Compressor; Combination Oiler-Firmman; Asphalt Spreaders; Backhoe (all types); Bulldozers; Cableways; Cherry Pickers (all types); Concrete Mixers (over 1 sack); Cranes; Deck Winch (2 drums or over); Derricks; Ditching or trenching machines (riding type); Draglines; Dredges; Fork Lifts (other than farm type) outside warehouses; Foundation Drill; Front End Loaders (except farm type); Grease Servicemen; Hoist-1 drum (4 stories or more on buildings); Hoist-1 drum (over 40 feet on structures other than buildings); Hoist (2 drum or over); Locomotives (all types); Mechanic; Mixer Plant Operator-Central Mix; Motor Patrols; Piledrivers; Pull Gate; Pump Crete-6" and over discharge; Push Cat; Road Pavers; Rollers (Plant Mix Asphalt); Scrapers; Shovels; Sidebooms; Unit Operator; Welder, Journeyman; Wall Point System; Winch Cuts (Cat D-4 and over); Winch Truck with A-Frame (5 ton and over); Work Boats-requiring licensed operator
 GROUP 6 - Bush Hog; Compressor; Concrete pump-under 6" discharge; Concrete Saw; Deck Winch (1 drum); Distributors; Ditching or trenching machines (non-riding type); Dozer Bar Machine; Farm-type tractors (when used to pull discs, grass-cutters, etc.); Hoist-1 drum (under 4 stories on buildings); Hoist-1 drum (40 feet or under on structures other than buildings); Kolum Buff Machines; Mixers (1 sack and under); Motorized street sweepers self-propelled; Pump (3" and over); Test Pump-Internal combustion engine powered; Water Blast Pumps
 GROUP 7 - Asphalt plant operator; Boom Trucks; Bull Floats; Concrete Spreaders; Farm Type Front End Loaders; Finishing Machines (Roadway, riding type); Roller (other than plant mix asphalt); Straddle Buggies; Winch Truck with A-Frame (under 5 tons); Work Boat-not requiring licensed operator

POWER EQUIPMENT OPERATORS - ZONE 6

- GROUP 1 - Switch Cat; Pumps, 3 inch suction or more
 GROUP 2 - Pumps, under 3 inch suction; Mechanic Helper
 GROUP 3 - Oiler
 GROUP 4 - Batch Plant Operator
 GROUP 5 - Air Compressor; Asphalt Plant Engineer; Blade Grader; Distributor (Bitum Surface); Finishing Machine (Concrete, Paving); Hoist - 1 drum, less than 4 stories; Concrete Mixer under 165; Oiler Driver; Pump Crete; Street & Road Sweeper; Roller (except on asphalt or brick); Roller, asphalt or brick (under 5 tons); Post-hole digger; Tractor operated Bush Hog and similar grass or bush cutting equipment
 GROUP 6 - A-Frame Truck; Crew Boat Operator; Firmman; Fork Lift; Straddle Buggy; Tractorvator, Scoopmobile and similar front-end loading equipment with Scoop or Bucket under 1 cubic yard capacity; Locomotive; Wall Point System; Unit Operator; Hoist - 1 drum, 4 stories or over
 GROUP 7 - Backhoe; Cable Way; Concrete Mixer, 165 and up; Derrick; Crane; Dragline; Dredge; Equipment Maintenance Mechanic; Hoist - 2 drums; Locomotive Crane; Paving Mixer; Piledriver; Road Paver; Roller on asphalt or brick (5 tons or over); Shovel; Sideboom Cut; Bulldozer; Motor Patrol; Scraper; Hydraulic Crane, Hydro-lift Truck, Yard Crane, Cherry Picker, etc.; Foundation, Boring and Drilling Machine; Cement Stabilizer; Trenching Machine; Asphalt Spreader; Tractorvator & similar front end loading equipment with scoop or bucket of 1 cubic yard or more capacity; Tug Boat Operator; Turnpull, Euclid, IM-10 & other similar self-loading earth moving equipment; Concrete Pump (not Pump Crete)

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POWER EQUIPMENT OPERATIONS - ZONE 6 (CONT'D.)

GROUP 8 - Crane Operator, 60 tons & over; Crane Operator, Boom 100 feet & over; Piledriver Operator, Leads 100 feet & over
 GROUP 9 - Crane Operator, 100 tons & over; Crane Operator, Boom 150 feet & over; Piledriver Operator, Leads 150 feet & over
 GROUP 10 - Crane Operator, Boom 150 feet & over; Piledriver Operator, Leads over 250 feet

POWER EQUIPMENT OPERATIONS - ZONE 7

GROUP 1 - Assistant Water Mechanic
 GROUP 2 - Water Mechanic
 GROUP 3 - Others
 GROUP 4 - Satch Plant Operators; Mechanic Helpers; Oilers (Drivers)
 GROUP 5 - A-frame truck, except when working with ironworkers or pipefitters; Air Compressor; Asphalt Plant Engineers; Asphalt Finisher, Screen Mix; Blade Graders; Boat Operator; Rollfloats; Concrete Joining Machines; Concrete Mixers, 16 and under; Concrete Spreader; Crusher Operator; Deck Wrench Operator (1); Distributors, asphalt "pitch witch" and similar equipment; Electric Elevators (inside); Finishing Machine; Pileman; Pile Driver; Pile Lift; Pile, 1 drum, under & stories; Power Subgrader; Pug Mill Operators; Pull Tractors; Pump, Pump Cretes; Rollers, except on brick and asphalt; Rubber tired Front End Loader (with or without blade attachments) less than 1 cu. yd. capacity; Scale Operator; Scoopmobile; Search Cuts; Spray Machines; Stabilizers, less than 3 drums; Straddle-buggy; Track Machines and equivalent Machines; Tractors or Bulldozers smaller than D-6
 GROUP 6 - A-frame Truck, when working with ironworkers and pipefitters; Roll-dozers D-6 and larger; Cable Ways; Concrete Mixers, over 16-s paving machines; Cranes, Derricks; Draglines and Caisson Shells; Deck Washes (2); Gravelalls; St-20 and similar type equipment; Hoist, 1 drum, 4 stories and over; Hoist, 2 drums or more; Hydro cranes; Mechanic; Motor Patrols; Piledrivers; Rollers on brick and asphalt; Rubber Tired Front End Loader, with or without attachments, 1 cu. yd. capacity or more; Scrapers; Shovels; Backhoes (all types); Sideboom Cais; Stabilizers, 3 drums or more; Tractor-trailers; Tranching Machines; Unit Operator; Welder, Journeyman; Well Point Systems (Gas, diesel, electric, etc.); Concrete Pump/Boom Combinations

AREA COVERED BY POWER EQUIPMENT OPERATIONS (BUILDING CONSTRUCTION) ZONES

ZONE 1 - Bienville, Bossier, Caldo, Claiborne, DeSoto, Red River & Webster Parishes
 ZONE 2 - Avoyelles, Evangeline, Grant, LaSalle, Natchitoches, Rapides, Sabine, St. Landry & Union Parishes
 ZONE 3 - All of Acadia, Lafayette & Vermilion Parishes; Parts of Iberia, St. Martin & St. Mary Parishes (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border)
 ZONE 4 - Calcasieu, Catahoula, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Natchitoches, Ouachita, Richland, Tensas, Union & West Carroll Parishes
 ZONE 5 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 6 - All of Ascension, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, St. Helena, West Baton Rouge & West Feliciana Parishes; Parts of Assumption & St. James Parishes (northwest of a straight line drawn from the city of Berwick to the city of Lusher); Parts of Iberia & southern & northern St. Martin Parishes (east and west of a line from the city of Berwick north to the eastern boundary of the city of Krotz Springs); Parts of Livingston, Tangipahoa & Washington Parishes (west of a line drawn north from the city of Lusher to the east side of the city of Hammond to the Louisiana-Mississippi border)

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AREA COVERED BY POWER EQUIPMENT OPERATIONS (BUILDING CONSTRUCTION) ZONES (CONT'D.)
 ZONE 7 - All of Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, St. Tammany & Terrebonne Parishes; Parts of Assumption, Livingston, St. James, St. Martin, St. Mary, Tangipahoa & Washington Parishes (that portion of southeastern Louisiana bounded on the north by the State of Mississippi, on the east by the State of Mississippi and the Mississippi Sound, on the south by the Gulf of Mexico and on the west by a line drawn as follows: beginning at a point on the Louisiana-Mississippi boundary in Washington Parish, Louisiana, due north of the town of Hackley, Louisiana, thence southeasterly in a straight line to a point on the east bank of the Mississippi River at the southernmost point of Lusher (including Granary in the area), thence in a more southeasterly direction in a straight line to midstream of the Atchafalaya River at Morgan City-Berwick (including Morgan City in this area), thence southerly on a line following midstream of the Atchafalaya River to Atchafalaya Bay and in a line due south to the Gulf of Mexico)

POWER EQUIPMENT OPERATIONS (HIGHWAY CONSTRUCTION)

GROUP 1

	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1	\$ 8.45	.25	.39		.05
ZONE 2	8.31	.25	.39		.05
ZONE 3	9.10	.25	.48		.05
ZONE 4	9.08	.45	.48		.05
ZONE 5	6.69	.25	.30		.05
ZONE 6	6.14	.25	.30		.05
ZONE 7	5.53	.25	.30		.05

GROUP 2

	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1	8.70	.25	.39		.05
ZONE 2	8.56	.25	.39		.05
ZONE 3	9.55	.25	.48		.05
ZONE 4	9.33	.45	.48		.05
ZONE 5	6.94	.25	.30		.05
ZONE 6	6.39	.25	.30		.05
ZONE 7	5.78	.25	.30		.05

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Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$ 5.89	.25	.39			.05
5.46	.25	.39			.05
6.16	.25	.48			.05
5.96	.45	.48			.05
4.86	.25	.30			.05
4.31	.25	.30			.05
3.61	.25	.30			.05
7.00	.25	.39			.05
7.13	.25	.39			.05
7.80	.25	.48			.05
7.61	.45	.48			.05
5.58	.25	.30			.05
5.02	.25	.30			.05
4.46	.25	.30			.05
7.45	.25	.39			.05
7.38	.25	.39			.05
8.05	.25	.48			.05
7.86	.45	.48			.05
5.83	.25	.30			.05
5.27	.25	.30			.05
4.71	.25	.30			.05
6.24	.25	.39			.05
5.71	.25	.39			.05
6.41	.25	.48			.05
6.21	.45	.48			.05
5.11	.25	.30			.05
4.56	.25	.30			.05
4.06	.25	.30			.05

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Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$ 8.20	.25	.39			.05
8.06	.25	.39			.05
8.85	.25	.48			.05
8.83	.45	.48			.05
6.44	.25	.30			.05
5.89	.25	.30			.05
5.28	.25	.30			.05
7.20	.25	.39			.05
7.13	.25	.39			.05
7.80	.25	.48			.05
7.61	.45	.48			.05
5.98	.25	.30			.05
	.25	.30			.05
4.46	.25	.30			.05
6.88	.25	.39			.05
6.39	.25	.39			.05
7.21	.25	.48			.05
7.00	.45	.48			.05
5.02	.25	.30			.05
4.48	.25	.30			.05
3.97	.25	.30			.05
6.27	.25	.39			.05
5.75	.25	.39			.05
6.50	.25	.48			.05
6.30	.45	.48			.05
4.86	.25	.30			.05
4.31	.25	.30			.05
3.81	.25	.30			.05

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CLASSIFICATION DEFINITIONS

- GROUP 1 - 60 ton crane & over; Crane with 125' boom
- GROUP 2 - Crane with 175' boom
- GROUP 3 - Heavy Duty Operators-Crane all types; deck winches (2); Hi-Bo and similar type equipment; three drum (or more) stabilizers; pulls all types; concrete mixer one yard and over; all pavers; ditching or trenching machines (track type); mechanics and equipment welders; wall-point systems; hoist, two drums or more; hoist, one drum, forty vertical feet or more; scrapers; bulldozers, rubber-tired or track other than farm-type; scooped; motor patrol; grapple; rollers on hot mix; asphalt paving machines; front end loaders, other than farm-type, one cubic yard or over; shovels and backhoes, all types, and equivalent equipment; piladriver operator; sideboom cats; A-Frame trucks when handling steel or pipe; work boats requiring licensed operators; tugboats; fork lifts over ten ton capacity; and foundation drilling machines
- GROUP 4 - Medium Duty Operators-Two drums stabilizers; front end loaders under 1 cubic yard; A-Frame truck except when handling steel or pipe; finishing machines (concrete); power subgraders; tow tractor (cruiser type); one drum hoist under 40 vertical feet; fireman; concrete spreader; pugmill operator; bituminous distributor on surface treatment and equivalent; bull floats and equivalent; job grease man on "Highway Construction"; unit operator (all Highway Zones); work boats not requiring licensed operators; inboard motorized crew boats
- GROUP 5 - Light Duty Operators-Single drum stabilizers; concrete mixer under one yard; spray curing machines; rollers on subgrade; one air compressor over 125 cubic feet; form graders; asphalt finisher screed man; pump over 4 inches; scale operators; crusher operators; concrete jointing machines; concrete saw; tack machines and equivalent equipment; pump crane; electric elevator (inside); oiler-driver; farm-type, rubber-tired tractor, with attachments, except backhoes; Tolson buff and similar equipment; fork lifts, ten ton capacity and under; outboard motorized crew boats
- GROUP 6 - Mechanic Helper; Batch Plant Operator
- GROUP 7 - Oiler
- GROUP 8 - Fireman
- GROUP 9 - Fireman Operating Steam Valve
- GROUP 10 - Oiler on Crane Using Air to Drive Piles

AREA COVERED BY POWER EQUIPMENT OPERATORS (HIGHWAY CONSTRUCTION) ZONES

- ZONE 1 - Jefferson, Orleans, Plaquemines, St. Bernard & St. Charles Parishes
- ZONE 2 - Ascension, East Baton Rouge, Iberville & West Baton Rouge Parishes
- ZONE 3 - Bossier, Caddo & Red River Parishes
- ZONE 4 - Calcasieu, Cameron & Jefferson Davis Parishes
- ZONE 5 - Lafourche, Ouachita & Landry Parishes
- ZONE 6 - Acadia, Natchitoches, DeSoto, Iberia, Livingston, Richland, St. James, St. John the Baptist, St. Landry, St. Martin (south of Iberia Parish), St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 7 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 8 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 9 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 10 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes

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CLASSIFICATION DEFINITIONS

- GROUP 1 - 60 ton crane & over; Crane with 125' boom
- GROUP 2 - Crane with 175' boom
- GROUP 3 - Heavy Duty Operators-Crane all types; deck winches (2); Hi-Bo and similar type equipment; three drum (or more) stabilizers; pulls all types; concrete mixer one yard and over; all pavers; ditching or trenching machines (track type); mechanics and equipment welders; wall-point systems; hoist, two drums or more; hoist, one drum, forty vertical feet or more; scrapers; bulldozers, rubber-tired or track other than farm-type; scooped; motor patrol; grapple; rollers on hot mix; asphalt paving machines; front end loaders, other than farm-type, one cubic yard or over; shovels and backhoes, all types, and equivalent equipment; piladriver operator; sideboom cats; A-Frame trucks when handling steel or pipe; work boats requiring licensed operators; tugboats; fork lifts over ten ton capacity; and foundation drilling machines
- GROUP 4 - Medium Duty Operators-Two drums stabilizers; front end loaders under 1 cubic yard; A-Frame truck except when handling steel or pipe; finishing machines (concrete); power subgraders; tow tractor (cruiser type); one drum hoist under 40 vertical feet; fireman; concrete spreader; pugmill operator; bituminous distributor on surface treatment and equivalent; bull floats and equivalent; job grease man on "Highway Construction"; unit operator (all Highway Zones); work boats not requiring licensed operators; inboard motorized crew boats
- GROUP 5 - Light Duty Operators-Single drum stabilizers; concrete mixer under one yard; spray curing machines; rollers on subgrade; one air compressor over 125 cubic feet; form graders; asphalt finisher screed man; pump over 4 inches; scale operators; crusher operators; concrete jointing machines; concrete saw; tack machines and equivalent equipment; pump crane; electric elevator (inside); oiler-driver; farm-type, rubber-tired tractor, with attachments, except backhoes; Tolson buff and similar equipment; fork lifts, ten ton capacity and under; outboard motorized crew boats
- GROUP 6 - Mechanic Helper; Batch Plant Operator
- GROUP 7 - Oiler
- GROUP 8 - Fireman
- GROUP 9 - Fireman Operating Steam Valve
- GROUP 10 - Oiler on Crane Using Air to Drive Piles

AREA COVERED BY POWER EQUIPMENT OPERATORS (HIGHWAY CONSTRUCTION) ZONES

- ZONE 1 - Jefferson, Orleans, Plaquemines, St. Bernard & St. Charles Parishes
- ZONE 2 - Ascension, East Baton Rouge, Iberville & West Baton Rouge Parishes
- ZONE 3 - Bossier, Caddo & Red River Parishes
- ZONE 4 - Calcasieu, Cameron & Jefferson Davis Parishes
- ZONE 5 - Lafourche, Ouachita & Landry Parishes
- ZONE 6 - Acadia, Natchitoches, DeSoto, Iberia, Livingston, Richland, St. James, St. John the Baptist, St. Landry, St. Martin (south of Iberia Parish), St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 7 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 8 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 9 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes
- ZONE 10 - Allen, Assumption, Atchoula, Beauregard, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Lafourche, Lake Charles, Lincoln, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Rapides, St. Charles, St. Helena, St. Louis, St. Martin (north of Iberia Parish), St. Pierre, St. Tammany, Tangipahoa, Vermilion, Washington & Webster Parishes

	Basic Weekly Rate	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ROOFERS					
ZONE 1 Roofers Roofers' helpers	\$ 8.88 7.05		.10 .10		
ZONE 2 Roofers	7.96	.65	.65	.20	.25
ZONE 3 Roofers Roofers' helpers	8.16 5.34	.35 .35	.50 .50		.04 .04
ZONE 4 Roofers, steep Roofers, flat Roofers, kettlemen Roofers' helpers	7.35 7.10 6.85 5.80				
ZONE 5 Roofers Kettlemen Roofers' helpers	8.10 5.62 4.85		.20 .20 .20		.02 .02 .02

AREA COVERED BY ROOFERS ZONES

- ZONE 1 - Allen, Beauregard, Calcasieu, Cameron, Evangeline, Jefferson Davis, Vermilion & Vernon Parishes
- ZONE 2 - Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, South St. Martin, St. Mary, St. Tammany, Terrebonne & Washington Parishes
- ZONE 3 - Acadia, Ascension, East Baton Rouge, East Feliciana, Iberia, Iberville, Lafourche, Livingston, Pointe Coupee, St. Helena, St. Landry, North St. Martin, Tangipahoa, West Baton Rouge & West Feliciana Parishes
- ZONE 4 - Atchoula, Calcasieu, Catahoula, Concordia, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Ouachita, Rapides, Richland, Tensas, Union, West Carroll & Winn Parishes
- ZONE 5 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Red River, Sabine & Webster Parishes

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AREA COVERED BY SOFT FLOOR LAYERS ZONES

ZONE 1 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 2 - Ascension (south of the Mississippi River), Assumption, Jefferson, Orleans, Plaquemine, St. Bernard, St. Charles, St. James (south of the Mississippi River) & St. John the Baptist Parishes
 ZONE 3 - Iberia (northeast of the Atchafalaya River), Lafourche, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Tammany (southern portion) & Terrebonne Parishes
 ZONE 4 - Parts of St. Tammany & Tangipahoa (north of I-12 from the Mississippi State line to the western boundary of Tangipahoa Parish) & Washington Parishes
 ZONE 5 - Avoyelles, Grant, LaSalle & Rapides Parishes
 ZONE 6 - Bienville, Bossier, Caddo, Claiborne, DeSoto, East River & Webster Parishes
 ZONE 7 - Natchitoches & Sabine Parishes
 ZONE 8 - Calcasieu, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocational	Education and/or App. Tr.
SPRINKLER FITTERS	\$10.10	.60	.90		.06
TERRAZZO WORKERS					
ZONE 1	9.10	.25			
ZONE 2	9.85	.48	.30		.02
ZONE 3	7.25				
ZONE 4	8.00		.25		
ZONE 5	7.90	.30			
ZONE 6	9.10				

AREA COVERED BY TERRAZZO WORKERS ZONES

ZONE 1 - Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, West St. Tammany & Terrebonne Parishes
 ZONE 2 - Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 3 - Iberia, Lafayette, St. Martin, St. Mary & Vermilion Parishes
 ZONE 4 - Calcasieu, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes
 ZONE 5 - Bienville, Bossier, Caddo, Claiborne, DeSoto, East River & Webster Parishes
 ZONE 6 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, St. Helena, Tangipahoa, West Baton Rouge & West Feliciana Parishes

DECISION NO. LA77-4092

SHEET METAL WORKERS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocational	Education and/or App. Tr.
ZONE 1	\$ 9.37	.40	.27		.10
ZONE 2	10.16	3¢+.45	.70		.14
ZONE 3	10.05	.40	.50		.12
ZONE 4	9.65	3¢+.40	.25		.07

AREA COVERED BY SHEET METAL WORKERS ZONES

ZONE 1 - Calcasieu Parish
 ZONE 2 - Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany, Terrebonne & Washington Parishes
 ZONE 3 - Acadia, Allen, Ascension, Assumption, Beauregard, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, St. Martin, St. Mary, Tangipahoa, Vermilion, West Baton Rouge & West Feliciana Parishes
 ZONE 4 - Avoyelles, Bienville, Bossier, Caddo, Calcasieu, Claiborne, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Tensas, Union, Vernon, Webster, West Carroll & Winn Parishes

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocational	Education and/or App. Tr.
ZONE 1	\$ 8.845	.35	.28		.05
ZONE 2	9.72	.35	.30		.04
ZONE 3	9.555	.35	.30		.04
ZONE 4	8.35	.35	.30		
ZONE 5	8.30				
ZONE 6	8.65	.35	.30		.04
ZONE 7	8.30				
ZONE 8	8.10	.35	.20		.05

SOFT FLOOR LAYERS

TILE SETTERS' HELPFERS	Fringe Benefits Payments			Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation		H & W	Pensions	Vacation	
ZONE 1	.25			\$ 6.75	.25			.05
ZONE 2	.15			5.55	.15			
ZONE 3				3.30				

AREA COVERED BY TILE SETTERS' HELPFERS ZONES

ZONE 1 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemine, St. Bernard, St. Charles, St. Helena, St. John the Baptist, West St. Tammany, Tangipahoa, Terrebonne, West Baton Rouge & West Feliciana Parishes

ZONE 2 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes

ZONE 3 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, Webster & Winn Parishes

TRUCK DRIVERS (BUILDING CONSTRUCTION)	Fringe Benefits Payments			Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation		H & W	Pensions	Vacation	
ZONE 1				\$ 4.91				
GROUP 1				5.34				
GROUP 2				5.55				
GROUP 3				5.35				
GROUP 4				5.55				
GROUP 5				5.45				
GROUP 6				5.55				
GROUP 7				5.37				
GROUP 8				5.76				
GROUP 9								
ZONE 2								
GROUP 1				5.20				
GROUP 2				5.46				
GROUP 3				6.00				
GROUP 4				5.86				
GROUP 5				6.31				
GROUP 6				6.39				
GROUP 7				6.68				
GROUP 8				6.86				

TERRAZZO WORKERS' HELPFERS	Fringe Benefits Payments			Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation		H & W	Pensions	Vacation	
ZONE 1	.25			\$ 6.75	.25			.05
ZONE 2	.15			5.55	.15			
ZONE 3				3.30				

AREA COVERED BY TERRAZZO WORKERS' HELPFERS ZONES

ZONE 1 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemine, St. Bernard, St. Charles, St. Helena, St. John the Baptist, West St. Tammany, Tangipahoa, Terrebonne, West Baton Rouge & West Feliciana Parishes

ZONE 2 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union & West Carroll Parishes

ZONE 3 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, Webster & Winn Parishes

TILE SETTERS	Fringe Benefits Payments			Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation		H & W	Pensions	Vacation	
ZONE 1	.25			\$ 9.10	.25			.02
ZONE 2	.48			7.65	.30			
ZONE 3				8.25				
ZONE 4				8.00	.25			
ZONE 5	.30			7.90				
ZONE 6				9.10				

AREA COVERED BY TILE SETTERS ZONES

ZONE 1 - Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, West St. Tammany & Terrebonne Parishes

ZONE 2 - Acadia, Allen, Assumption, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes

ZONE 3 - St. Tammany (northern half including Covington north of Highway 190) & Washington Parishes

ZONE 4 - Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, West Carroll & Winn Parishes

ZONE 5 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes

ZONE 6 - Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, St. Helena, Tangipahoa, West Baton Rouge & West Feliciana Parishes

AREA COVERED BY TRUCK DRIVERS (BUILDING CONSTRUCTION) ZONES

ZONE 1 - Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis & Vernon Parishes
 ZONE 2 - Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary & Vermilion Parishes
 ZONE 3 - Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River & Webster Parishes

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
ZONE 3				
GROUP 1	\$ 5.47			
GROUP 2	5.55			
GROUP 3	5.80			
GROUP 4	5.95			
GROUP 5	6.10			
GROUP 6	6.30			
GROUP 7	6.65			
CLASSIFICATION DEFINITIONS				
TRUCK DRIVERS - ZONE 1				
GROUP 1 - Teamsters, pick-up drivers & chauffeurs				
GROUP 2 - Stake bodies (all sizes)				
GROUP 3 - Trucks trailer & dumps over 6 yds.				
GROUP 4 - Mixers on trucks up to and including 3 yds.				
GROUP 5 - Mixers on trucks over 3 yds.				
GROUP 6 - Winch trucks				
GROUP 7 - Mississippi wagons & Koehring dumpsters & similar dirt moving equipment (up to and including 8 yds.)				
GROUP 8 - Trucks - dump				
GROUP 9 - Mississippi wagons & Koehring dumpsters & similar dirt moving equipment over 8 yds.				
TRUCK DRIVERS - ZONE 2				
GROUP 1 - Teamster, pick-up drivers				
GROUP 2 - Stake bodies (all sizes)				
GROUP 3 - Truck & trailer; Dump				
GROUP 4 - Mixers on trucks, up to and including 3 yds.				
GROUP 5 - Mixers over 3 yds.				
GROUP 6 - Winch trucks				
GROUP 7 - Mississippi wagons & Koehring dumpsters, tandem and similar dirt moving equipment, up to and including 8 yds.				
GROUP 8 - Mississippi wagons, Koehring dumpsters, tandem and similar dirt moving equipment, over 8 yds.				
TRUCK DRIVERS - ZONE 3				
GROUP 1 - Pick-up drivers, spotters & dumpers of dirt, gravel, asphalt & rock; Truck helpers				
GROUP 2 - Stake bodies; flat beds (all sizes)				
GROUP 3 - Single axle dumps & water trucks; transit mix, up to & including 3 yds.				
GROUP 4 - Tandem axle dump, batch and water trucks over 3 tons, pickups with trailer				
GROUP 5 - Mississippi wagons, floats, tractor trailers; rubber tired tractors and wobble wheels				
GROUP 6 - Euclids, lowboys, Dempsey dumpsters, Koehring-dumps, five axle trucks, transit mix over 3 yds., fuel truck				
GROUP 7 - Fork lift				

TRUCK DRIVERS (HIGHWAY CONSTRUCTION)

GROUP 1

ZONE 1 \$ 5.49
 ZONE 2 5.49
 ZONE 3 5.26
 ZONE 4 6.49
 ZONE 5 4.45
 ZONE 6 4.35
 ZONE 7 4.25

GROUP 2

ZONE 1 5.61
 ZONE 2 5.61
 ZONE 3 5.35
 ZONE 4 6.62
 ZONE 5 4.56
 ZONE 6 4.46
 ZONE 7 4.36

GROUP 3

ZONE 1 5.66
 ZONE 2 5.66
 ZONE 3 5.53
 ZONE 4 6.68
 ZONE 5 4.61
 ZONE 6 4.51
 ZONE 7 4.41

Fringe Benefits Payments

Basic Hourly Rates
 H & W
 Pensions
 Vacation
 Education and/or Appr. Tr.

DECISION NO. LA 77-4052

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
GROUP 4					
ZONE 1	\$ 5.73				
ZONE 2	5.73				
ZONE 3	5.73				
ZONE 4	6.75				
ZONE 5	4.67				
ZONE 6	4.57				
ZONE 7	4.47				
GROUP 5					
ZONE 1	5.89				
ZONE 2	5.89				
ZONE 3	6.09				
ZONE 4	6.94				
ZONE 5	4.83				
ZONE 6	4.73				
ZONE 7	4.63				

CLASSIFICATION DEFINITIONS

- GROUP 1 - One ton and under; Warehouseman, material checker, receiving clerk, spotter and dumper
- GROUP 2 - One and one-half (1½) tons to and including two (2) tons (exclusive of dump trucks), truck mechanic helper
- GROUP 3 - Single axle dump trucks, single axle water trucks
- GROUP 4 - Heavy equipment, tandem axle dump and tandem axle water trucks, winch lift, transit mix, floats, pole trailers, four axle trailers and truck mechanic
- GROUP 5 - Special equipment, euclids and five axle moving equipment

AREA COVERED BY TRUCK DRIVERS (HIGHWAY CONSTRUCTION) ZONES

- ZONE 1 - Jefferson, Orleans, Plaquemines, St. Bernard & St. Charles Parishes
- ZONE 2 - East Baton Rouge Parish
- ZONE 3 - Bossier & Caddo Parishes
- ZONE 4 - Calcasieu Parish
- ZONE 5 - Lafourcade, Ouachita & Rapides Parishes
- ZONE 6 - Acadia, Ascension, Bienville, Cameron, DeSoto, Iberia, Iberville, Jefferson Davis, Livingston, Red River, Richland, St. James, St. John the Baptist, St. Landry, St. Martin (north of Iberia Parish), St. Tammany, Tangipahoa, Vermilion, Washington, Webster & West Baton Rouge Parishes
- ZONE 7 - Allen, Assumption, Avoyelles, Beaufort, Calcasieu, Claiborne, Concordia, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Jackson, Lafourcade, Lafalle, Lincoln, Madison, Morehouse, Natchitoches, Pointe Coupee, Sabine, St. Helena, St. Martin (south of Iberia Parish), St. Mary, Terrebonne, Union, Vernon, West Carroll, West Feliciana & Winn Parishes

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

SUPERSEDES DECISION

STATE: Maryland
 COUNTY: Worcester
 DECISION NO.: MD77-3035
 DATE: Date of Publication
 SUPERSEDES DECISION NO. AB-2012, dated August 2, 1974, in 39 FR 27991.
 DESCRIPTION OF WORK: Building construction, excluding single family houses and garden type apartments up to and including 4-stories.

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
BRICKLAYERS	\$ 7.75	.33	.10			.01
CARPENTERS	6.10	.30				
CEMENT MASONS	7.75					
DRYWALL FINISHERS	7.60	.30				.01
DRYWALL INSTALLERS	7.20	.50	.20	.15		1/2 of 1%
ELECTRICIANS	7.95	.60	.85			.03
IRONWORKERS	4.00	.225				
LABORERS	4.50	.225				
MASON TENDERS	4.77					
PAINTERS	7.50		.35			.01
PLASTERERS	6.70	.45				
PLUMBERS & PIPEFITTERS	4.25					
ROOFERS	4.30					
TRUCK DRIVERS						
POWER EQUIPMENT OPERATORS:						
Backhoe	6.46					
Bulldozer	7.25	.50	.50			.07
Crane	7.93	.50	.50			.07
Front end loader	5.50	.50	.50			.07
Grapple	7.93	.50	.50			.07
Hoist	7.14	.50	.50			.07

SUPERSEDES DECISION

STATE: Maryland
 COUNTY: Worcester
 DECISION NO.: MD77-3035
 DATE: Date of Publication
 SUPERSEDES DECISION NO. AB-2012, dated August 2, 1974, in 39 FR 27991.
 DESCRIPTION OF WORK: Building construction, excluding single family houses and garden type apartments up to and including 4-stories.

	Basic Hourly Rates	H & W	Fringe Benefits Payments			Education and/or Appr. Tr.
			Pensions	Vacation		
BRICKLAYERS	\$ 7.75					
CARPENTERS	3.75					
CEMENT MASONS	4.00					
DRY WALL	6.14					
ELECTRICIANS	7.20	.50	.20	.15		1%
LABORERS:						
Asphalt makers	3.25					
Mason tenders	4.15					
Mortar mixers	2.35					
Unskilled	2.45					
PAINTERS - BRUSH	3.50					
PLUMBERS	4.23					
SHEET METAL WORKERS	3.25					
TRUCK DRIVERS	2.30					
POWER EQUIPMENT OPERATORS:						
Backhoe	3.17					
Bulldozer	3.23					
Crane	3.75					
Forklift	3.05					
Grader	4.25					
Hi-Grade finisher	4.37					
Loader	3.00					
Roller	4.25					

SUPERSEDES DECISION

STATE: Michigan

DECISION NO: MT77-2035

COUNTERIES: INDIAN & EATON

DATE: Date of Publication

Supersedes Decision No. AN-8041, dated December 17, 1971 in 36 FR 24027

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
BRICKLAYERS	\$6.50				
CARPENTERS	4.50				
CEMENT MASONS	6.00				
ELECTRICIANS	6.75				
LABORERS:					
Common	3.00				
Plasterer Tenders	3.25				
Landscape	3.00				
PAINTERS	5.25				
PLASTERERS	6.00				
PLUMBERS	7.72				
SOFT FLOOR LAYERS	6.69				
SHEET METAL WORKERS	4.20				
TILE SETTERS	7.99				
TRUCK DRIVERS	6.90				
POWER EQUIPMENT OPERATORS:					
Bulldozer	7.50				
Backhoe	7.50				

STATE: Minnesota
 SUPERSEDES DECISION
 COUNTY: See Below
 DECISION NUMBER: M77-2032
 DATE: Date of Publication
 Supercedes Decision No. AQ-3105, dated March 8, 1974, in 39 FR 9370
 DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Big Stone, Chippewa, Grant, Douglas, Kandiyohi, Lac Qui Parle, Pope, Stevens, Sutfit & Traverse	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
LABORERS	\$4.30				
TRUCK DRIVERS:					
Tandem	5.55	.15	.15		
Semi	5.75	.15	.15		
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor-Spreader	6.10	.15	.15		
Asphalt Plant	6.10	.15	.15		
Bulldozer	6.10	.15	.15		
Crusher-Screening Plant	6.10	.15	.15		
Loader-Front End	6.10	.15	.15		
Mechanic	6.10	.15	.15		
Motor Patrol	6.35	.15	.15		
Roller	5.55	.15	.15		
Scraper	6.10	.15	.15		
Tractor	5.20	.15	.15		

STATE: Minnesota
 SUPERSEDES DECISION
 COUNTY: See Below
 DECISION NUMBER: M77-2031
 DATE: Date of Publication
 Supercedes Decision No. AQ-3104, dated March 8, 1974, in 39 FR 9369
 DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Becker, Cass, Clay, Hubbard, Ottertail, Todd, Wadena & Wilkin	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
LABORERS	\$4.30				
TRUCK DRIVERS:					
Tandem	5.55	.15	.15		
Semi	5.75	.15	.15		
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor	5.55	.15	.15		
Asphalt Plant	5.55	.15	.15		
Bulldozer	6.10	.15	.15		
Crusher-Screening Plant	6.10	.15	.15		
Loader	6.10	.15	.15		
Mechanic	6.10	.15	.15		
Motor Patrol	6.35	.15	.15		
Oilier-Greaser	5.55	.15	.15		
Rollers:					
Base	4.97				
Piedch	5.27				
Scraper	5.52				
Tractor	5.20	.15	.15		

SUPERSEDES DECISION

STATE: Minnesota
 DECISION NUMBER: W77-2033
 SUPERSEDES DECISION NO. AQ-3124, dated March 8, 1974, in 39 FR 925
 DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: See Below
 DATE: Date of Publication
 SUPERSEDES DECISION NO. AS-3147, dated October 11, 1974, in 39 FR 35704
 DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Cottonwood, Lincoln, Lyon, Murray, Pipestone, Redwood and Yellow Medicine	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or App. Tr.
<u>LABORERS</u>	\$4.48				
<u>TRUCK DRIVERS:</u>					
Single Axle	5.55				
Tandem	5.62				
8 to 12 cubic yards	5.73				
Over 16 cubic yards	5.93				
<u>POWER EQUIPMENT OPERATORS:</u>					
Asphalt Paver	5.23				
Asphalt Distributor-Spreader	5.43				
Asphalt Plant	5.54				
Backhoes	6.82				
Bulldozers	6.60				
Cranes, Derricks & Draglines	6.82				
Crusher & Screening Plant	5.17				
Grader	5.36				
Front End Loader	5.06				
Mechanics	5.84				
Motor Patrols	5.92				
Rollers	5.19				
Pugmill	5.02				
Scrapers	5.89				
Tractors	5.68				

COUNTIES: Beltrami, Clearwater, Kitten, Lake-of-the-Woods, Mahanomah, Polk, Marshall, Norman, Red Lake, Pennington and Roseau	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or App. Tr.
<u>LABORERS</u>	\$5.29				
<u>TRUCK DRIVERS:</u>					
Single Axle	5.93				
Tandem					
8 to 12 cubic yards					
Over 16 cubic yards					
<u>POWER EQUIPMENT OPERATORS:</u>					
Asphalt-Plant-Spreader & Rollers	5.55				
Asphalt Plant, Bulldozers & Graders	6.10				
Paving Machine	5.74				
Blade Grader					
Cranes, Derricks, Draglines & Shovels	6.72				
Crusher & Screening Plant	6.15				
Finishing Machines	5.40				
Front-End-Loaders, Graders & Pugmill	6.50				
Tractors & Scrapers	6.31				
Mechanics	6.35				
Motor Patrols	5.32				
Rollers-Graders	6.60				
Touringpull					

DECISION NO. M077-4051

DECISION NO. M077-4051

CEMENT MASONS	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
ZONE 1	9.075	.40	.50	.50	
ZONE 2	10.93				
ZONE 3	9.50	1.00	.95		
ZONE 4	9.655	.40	.50	1.25	
ZONE 5	7.05	.70	.30	.35	
ZONE 6	8.75				
ZONE 7	9.325				
ZONE 8	10.00				
ZONE 9	7.40				
ZONE 10	9.30	.40	.50		
ZONE 11	10.00				
ZONE 12	8.30		.50		
ZONE 13	10.15	1.00	.95		

AREAS COVERED BY CEMENT MASONS ZONES

ZONE 1 - Bates, Carroll, Cass and Lafayette Counties
 ZONE 2 - Dent, Phelps, Pike, Polk, and Texas Counties
 ZONE 3 - Crawford, Franklin, Iron, Lincoln, Madison, Reynolds, Shannon, St. Francois, Ste. Genevieve, Warren & Washington Counties on projects less than \$100,000.00.
 ZONE 4 - Clay, Jackson, Platte and Ray Counties
 ZONE 5 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Scott, Stoddard and Wayne Counties
 ZONE 6 - Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Osage, Polk, Stone, Taney, Webster and Wright Counties
 ZONE 7 - Benton, Henry, Hickory, Johnson, Morgan, Pettis, Saline and St. Clair Counties
 ZONE 8 - Adair, Adair, Boone, Chariton, Cooper, Howard, Linn, Macon, Moniteau, Monroe, Randolph, Shelby, Schuyler, Sullivan and Putnam Cos.
 ZONE 9 - Barry, Barton, Jasper, Lawrence, McDonald, Newton and Vernon Counties
 ZONE 10 - Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway and Worth Counties
 ZONE 11 - Callaway, Camden, Cole, Gasconade, Maries, Miller, Montgomery, and Grange Counties
 ZONE 12 - Clark, Knox, Lewis and Scotland Counties
 ZONE 13 - St. Louis City and County, Jefferson and St. Charles Counties; and Counties of Crawford, Franklin, Iron, Lincoln, Madison, Reynolds, Shannon, St. Francois, Ste. Genevieve, Warren and Washington on projects \$100,000.00 and over.

ELECTRICIANS	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ZONE 1 Electrical contracts over \$7,500.00 Electrical contracts \$7,500.00 and under	\$10.38 8.93	.42 .42	12 12	11.52 11.52		12 12
ZONE 2	11.22	.39	12+.51	.80		.06
ZONE 3 Electrical contracts over \$5,000.00 Electrical contracts \$5,000.00 and under	11.22 10.67	.39 .39	12+.51 12+.51	.80 .80		.06 .06
ZONE 4 Electrical contracts over \$5,000.00	11.22	.39	12+.51	.80		.06
ZONE 5 Electrical contracts over \$5,000.00 Electrical contracts \$5,000.00 and under	11.22 10.06	.39 .39	12+.51 12+.51	.80 .80		.06 .06
ZONE 6	10.30	.55	12+.52	15.22		.10
ZONE 7 Electrical contracts over \$10,000.00	10.30	.55	12+.52	15.22		.10
ZONE 8 Electrical contracts \$10,000.00 and under	9.64	.55	12+.52	15.22		.10
ZONE 9 Electrical contracts \$10,000.00 and under	7.45	.55	12+.52	15.22		.10
ZONE 10 Electrical contracts \$10,000.00 and under	5.27	.55	12+.52	15.22		.10

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AREAS COVERED BY ELECTRICIANS ZONES

ELECTRICIANS COVERED:	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ZONE 11	\$10.325	.47	11+50	6%	.02
ZONE 12	10.815	.47	11+50	6%	.02
ZONE 13	10.59	.35	11	7%	.01
ZONE 14					
Electrical contracts over \$10,000.00	10.82	.35	11	7%	.01
Electrical contracts \$10,000.00 and under	10.59	.35	11	7%	.01
ZONE 15					
Electrical contracts over \$10,000.00	11.18	.35	11	7%	.01
Electrical contracts \$10,000.00 and under	10.59	.35	11	7%	.01
ZONE 16					
Electricians	9.15	.35	11+30		.01
Cable splicers	9.50	.35	11+30		.01
ZONE 17					
Electricians	10.25	.27	11	7+30	1/2 of 11
Cable splicers	10.50	.27	11	7+30	1/2 of 11

ZONE 1 - Adair, Audrain (That part east of Highway 19), Clark, Knox, Lewis, Limon, Marion, Monroe, Montgomery, Pike, Putnam, Saline, Shelby, Scotland, Shelby and Sullivan Counties:
Electrical contracts over \$7,500.00

ZONE 2 - Western Half of Clay & Jackson Cos. not including Blue Springs; Northern Half of Platte Co.; North Western portion of Cass Co. not including Pleasant Hill
Electrical contracts \$7,500.00 and under

ZONE 3 - Remainder of Clay, Jackson, Platte & Cass Counties:
Electrical contracts over \$5,000.00

ZONE 4 - Bates, Benton, Henry, Johnson, Lafayette and Pettis Counties:
Electrical contracts over \$5,000.00

ZONE 5 - Carroll, Cooper, Morgan, Ray & Saline Counties:
Electrical contracts over \$5,000.00

ZONE 6 - St. Charles County, St. Louis County and City
ZONE 7 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Franklin, Iron, Jefferson, Lincoln, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, St. Francois, Ste. Genevieve, Stoddard, Warren, Washington and Wayne Counties:
Electrical contracts over \$10,000.00

ZONE 8 - Franklin, Jefferson, Lincoln and Warren Counties
Electrical contracts \$10,000.00 and under

ZONE 9 - Bollinger, Cape Girardeau, Perry, Scott, St. Francois and Ste. Genevieve Counties:
Electrical Contracts \$10,000.00 and under

ZONE 10 - Butler, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Pemiscot, Ripley, Reynolds, Stoddard, Washington and Wayne Counties:
Electrical contracts \$10,000.00 and under

ZONE 11 - Christian, Dallas, Douglas, Greene, Hickory, Howell, Laclede, Oregon, Ozark, Polk, Shannon, Stone, Taney, Texas, Webster, and Wright Counties
ZONE 12 - Polk County

ZONE 13 - Andrew, Buchanan, Clinton and DeKalb Counties
Zone 14 - Caldwell, Daviess, Gentry, Holt and Nodaway Counties:
Electrical contracts over \$10,000.00

ZONE 15 - Atchinson, Grundy, Harrison, Livingston, Mercer and Worth Counties:
Electrical contracts over \$10,000.00 and under

ZONE 16 - Barry, Barton, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair and Vernon Counties
Electrical contracts over \$10,000.00

ZONE 17 - Audrain (except Culver Township), Boone, Callaway, Camden, Chariton, Cole, Crawford, Dent, Gasconade, Howard, Maries, Miller, Moniteau, Osage, Phelps and Randolph Counties

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Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
7.98	.50	.50	.50		.10
6.58	.50	.50	.50		.10
6.58	.50	.50	.50		.10
8.75	.40	.50	.50		.10
7.85	.40	.50	.50		.10
7.85	.40	.50	.50		.10
8.13	.50	.50	.50		.10
6.73	.50	.50	.50		.10
6.73	.50	.50	.50		.10
8.90	.40	.50	.50		.10
8.00	.40	.50	.50		.10
8.00	.40	.50	.50		.10
8.28	.50	.50	.50		.10
6.88	.50	.50	.50		.10
6.88	.50	.50	.50		.10
9.05	.40	.50	.50		.10
8.15	.40	.50	.50		.10
8.15	.40	.50	.50		.10
8.45	.50	.50	.50		.10
7.08	.50	.50	.50		.10
7.08	.50	.50	.50		.10
9.25	.40	.50	.50		.10
8.35	.40	.50	.50		.10
8.35	.40	.50	.50		.10
8.73	.50	.50	.50		.10
7.33	.50	.50	.50		.10
7.33	.50	.50	.50		.10
9.50	.40	.50	.50		.10
8.60	.40	.50	.50		.10
8.60	.40	.50	.50		.10

LABORERS:

GROUP 1

ZONE 1

ZONE 2

ZONE 3

ZONE 4

ZONE 5

ZONE 6

GROUP 2

ZONE 1

ZONE 2

ZONE 3

ZONE 4

ZONE 5

ZONE 6

GROUP 3

ZONE 1

ZONE 2

ZONE 3

ZONE 4

ZONE 5

ZONE 6

GROUP 4

ZONE 1

ZONE 2

ZONE 3

ZONE 4

ZONE 5

ZONE 6

GROUP 5

ZONE 1

ZONE 2

ZONE 3

ZONE 4

ZONE 5

ZONE 6

DECISION NO. 7077-4031

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
10.625	.55	.70			.05
9.60	.70	1.00	1.00		.05
9.475	.70	1.00	1.00		.05
9.60	.45	.65			.12
10.25	.50	.80			.04
9.06	.45	.40			.125
9.35	.65	.70			

AREAS COVERED BY THOSEWORKERS ZONES

ZONE 1 - Andree, Boone, Calloway, Cole, Crawford, Dent, Franklin, Gasconade, Iron, Jefferson, Lincoln, Madison, Maries, Miller, Montgomery, Osage, Perry, Phelps, Pike, Polaski, Reynolds, Shannon, St. Charles, St. Francois, St. Louis & City, Ste. Genevieve, Texas, Warren, Washington, and Wright Counties

ZONE 2 - Andree, Archibald, Barton, Bates, Benton, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Charlton, Clay, Clinton, Cooper, Dallas, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Johnson, Laclede, Lafayette, Linn, Livingston, Mercer, Moniteau, Morgan, Nodaway, Pettis, Platte, Polk, Putnam, Randolph, Ray, St. Clair, Saline, Sullivan, Vernon and Worth Counties.

ZONE 3 - Christian, Dade, Douglas, Greene and Webster Counties.

ZONE 4 - Barry, Jasper, Lawrence, McDonald, Newton and Stone Counties.

ZONE 5 - Adair, Clark, Knox, Lewis, Macon, Marion, Monroe, Ralls, Schuyler, Scotland and Shelby Counties.

ZONE 6 - Howell, Oregon, Ozark and Taney Counties

ZONE 7 - Butler, Bollinger, Carter, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, Stoddard and Wayne Counties.

CLASSIFICATION DEFINITIONS

GROUP 1 - General laborer - Carpenter tenders, sailmaker tenders, dump man and ticket takers on stock piles; flagmen; loading trucks under bins, hoppers, and conveyors; track men and all other general laborers.

GROUP 2 - First Semi-Skill - Air tool operator; cement handler, bulk or sack; dump man on earth fill; George buggie man; material batch hopper man; scale man; spreader on asphalt machine; material mixer man (except on manholes); coffer dam; riprap pavers - rock, block or brick; signal man; scaffolds over ten feet not self-supported from ground up; skipman on concrete paving; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; power tool operators; all work in connection with hydraulic or general dredging operations; form setter helpers; puddlers (paving only); wire blower nozzleman.

GROUP 3 - Second Semi-Skill - Asphalt plant platform man; chuck tender; crusher feeder; man handling creosote ties or creosote materials; man working with and handling epoxy material or materials (where special protection is required); head pipe layer on sewer work; top of standing trees; batter board man on pipe and ditch work; vibrator man; feeder man on wood pulverizers; board and willow mat weavers and cable tiers on river work; deck hands; pile dikes and revetment work; all laborers working on underground tunnels less than 25 feet where compressed air is not used; abutment and pier hole men working six (6) feet or more below ground; men working in coffer dams for bridge piers and footings in the river.

GROUP 4 - Third Semi-Skill - Laser beam man; asphalt taker; barco tamper; jackman or any other similar tamper; wagon driver; churn drills; air track drills and all other similar drills; cutting torch man; form setters; liners and stringline men on concrete paving, curb, gutters, ditch liners, etc.; hot mastic kettlemen; hot tar applicators; hand blade operators; manhole builder helpers and mortar men on brick or block manholes; sand blasting and gunite nozzle men; rubbing concrete; air tool operator in tunnels; crawler and lead man; screed man on asphalt machine; chain or concrete saw; cliff scalars working from scaffolds, borings' chairs or platforms on dams or power plants over ten (10) feet above ground; Grade checker on cuts and fills; string line man for electronic grade control; pressure groutmen.

GROUP 5 - Fourth Semi-Skill - Manhole builders, - brick or block, dynamite and powder men; welder.

AREA COVERED BY LABORERS

ZONE 1 - Buchanan, Cass and Lafayette Counties
ZONE 2 - Andrew, Barton, Bates, Benton, Caldwell, Carroll, Cedar, Christian, Clinton, Iude, Dallas, DeKalb, Greene, Henry, Jasper, Johnson, Laclede, Lawrence, Livingston, Newton, Pettis, Polk, St. Clair, Saline, Vernon, Webster and Wright Counties

ZONE 3 - Atchison, Barry, Camden, Dawes, Douglas, Gentry, Grundy, Harrison, Hickory, Holt, McDonald, Mercer, Morgan, Mowday, Osage, Stone, Taney and Worth Counties

ZONE 4 - Franklin, Jefferson, and St. Charles Counties
ZONE 5 - Franklin, Bollinger, Boone, Callaway, Cape Girardeau, Chariton, Cole, Cooper, Crawford, Dent, Gasconade, Howard, Iron, Lincoln, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Osage, Perry, Phelps, Pike, Polk, Pottawatomie, Ralls, Randolph, Reynolds, St. Francois, Ste. Genevieve, Scott, Warren and Washington Counties.

ZONE 6 - Adair, Butler, Carter, Clark, Dunklin, Howell, Knox, Lewis, Lincoln, Macon, Oregon, Putnam, Ripley, Schuyler, Scotland, Shelby, Shannon, Stoddard, Sullivan, Texas and Wayne Counties.

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LABORERS:

ZONE 5

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacations	
GROUP 1	8.30	.50	.50	.75	.10
GROUP 2	8.45	.50	.50	.75	.10
GROUP 3	8.60	.50	.50	.75	.10
GROUP 4	8.80	.50	.50	.75	.10
GROUP 5	9.10	.50	.50	.75	.10

CLASSIFICATION DEFINITIONS

GROUP 1 - General laborer - Carpenter tenders, sailmaker tenders; dump man, & ticket takers on stock piles; flagmen; loading trucks under bins, hoppers and conveyors; track men and all other general laborers.

GROUP 2 - First Semi-Skill - Air tool operator; cement handler (bulk or sack); chain or concrete saw; deck hands; dump man on earth fill; grade checkers on cuts and fills; George buggie man; material batch hopper man; scale man; material mixer man (except on manholes, coffer dams, abutments and pierhole men working below ground); riprap pavers rock, block or brick; signal man; scaffolds over 10 ft. not self-supported from ground up; skipman on concrete paving; vibrator man; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; power tool operators; all work in connection with hydraulic or general dredging operations; form setter helpers; puddlers (paving only).

GROUP 3 - Second Semi-Skill - Crusher feeder; man handling creosote ties or creosote materials; men working with and handling epoxy material or materials (where special protection is required); head pipe layer on sewer work; copper of standing trees; batter board man on pipe & ditch work; feeder man on wood pulverizers; board and willow mat weavers and cable tiers on river work; all laborers working on underground tunnels where compressed air is not used.

GROUP 4 - Third Semi-Skill - Spreader on screed man on asphalt machine; asphalt taker; laser beam man; barco tamper; jackman or any other similar tamper; wagon driver, churn drills, air track drills and all other similar drills; cutting torch man; form setter; liners and stringline men on concrete paving, curb, gutters and etc.; hot mastic kettlemen; hot tar applicators; hand blade operators; manhole builders helpers and mortar men on brick or block manholes; sand blasting and gunite nozzle men; rubbing concrete; air tool operator in tunnels.

GROUP 5 - Fourth Semi-Skill - Manhole builder (brick or block); dynamite and powder men.

AREA COVERED BY LABORERS

ZONE 5 - Clay, Jackson, Platte and Ray Counties

DECISION NO. 8077-4051

LINE CONSTRUCTION:

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1				
Lineman	.38	12.4.15		1/2
Heavy equipment operator	.38	12.4.15		1/2
Groundman powderman	.38	12.4.15		1/2
Groundman	.38	12.4.15		1/2
Groundman (1st year)	.38	12.4.15		1/2
ZONE 2				
Lineman	.38	12.4.15		1/2
Heavy equipment operator	.38	12.4.15		1/2
Groundman powderman	.38	12.4.15		1/2
Groundman	.38	12.4.15		1/2
Groundman (1st year)	.38	12.4.15		1/2
ZONE 3				
Lineman & cable splicers	.40	12.4.15		1/2
Groundman - vitch driver	.40	12.4.15		1/2
Groundman - driver	.40	12.4.15		1/2
Equipment operator	.40	12.4.15		1/2
Groundman - 1st 6 mos.	.40	12.4.15		1/2
Groundman - next 12 mos.	.40	12.4.15		1/2
Groundman - next 12 mos.	.40	12.4.15		1/2
Groundman - thereafter	.40	12.4.15		1/2
ZONE 4				
Lineman	.35	12.4.15		1/2
Groundman - Class I	.35	12.4.15		1/2
Groundman - Class II	.35	12.4.15		1/2
Groundman - Class A	.35	12.4.15		1/2
Groundman - 1st 6 mos.	.35	12.4.15		1/2

AREAS COVERED BY LINE CONSTRUCTION

ZONE 1 - Bates, Benton, Carroll, Cass, Clay, Henry, Johnson, Jackson, Lafayette, Pettis, Platte, Ray and Saline Counties.

ZONE 2 - Andrew, Atchison, Barry, Barton, Buchanan, Caldwell, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Hickory, Holt, Jasper, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Noway, Ozark, Polk, St. Clair, Stone, Taney, Vernon, Webster, Worth and Wright Counties.

ZONE 3 - Crawford, Franklin, Iron, Jefferson, Reynolds, St. Charles, St. Francois, St. Louis, Washington, Adair, Audrain, Boone, Callaway, Camden, Carter, Chariton, Clark, Cole, Cooper, Dent, Gasconade, Howard, Howell, Knox, Lewis, Lincoln, Linn, Macon, Maries, Marion, Miller, Moniteau, Monroe, Montgomery, Morgan, Oregon, Osage, Perry, Phelps, Pike, Polk, Putnam, Ralls, Randolph, Ripley, Ste. Genevieve, Schuyler, Scotland, Shannon, Shelby, Sullivan, Texas and Warren Counties.

ZONE 4 - Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Scott, Stoddard, and Wayne Counties.

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PAINTERS' CONT'D:	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pension	Vacation	Education and/or Appr. Tr.	
ZONE 9 Brush Spray	99.15 9.65		.20 .20			
ZONE 10 Brush Spray	10.08 11.58	.42 .42	.30 .30			.04 .04
ZONE 11 Brush, bridge & construction steel Spray	7.85 8.35					
ZONE 12 Brush Structural steel Spray	6.25 7.75 6.55					

AREA COVERED BY PAINTERS

ZONE 1 - Bates, Caldwell, Carroll, Cass, Clay, Henry, Jackson, Johnson, Lafayette, Livingston, Platte, and Ray Counties
 ZONE 2 - Bollinger, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Scott and Stoddard Counties
 ZONE 3 - Lincoln and Pike Counties
 ZONE 4 - Camden, Crawford, Dent, Laclede, Maries, Miller, Phelps, Pulaski and Texas Counties
 ZONE 5 - Benton, Cooper, Boone, Morgan, Pettis and Saline Counties
 ZONE 6 - Andrew, Atchison, Buchanan, DeKalb, Gentry, Holt, Madaway and Worth Counties
 ZONE 7 - Adair, Knox, Linn, Macon, Putnam, Schuyler, Scotland, Shelby and Sullivan Counties
 ZONE 8 - Barry, Barton, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair and Vernon Counties
 ZONE 9 - Audrain, Boone, Callaway, Chariton, Cole, Gasconade, Howard, Monroe, Montgomery, Osage and Randolph Counties
 ZONE 10 - Jefferson, St. Charles and St. Louis & City Counties
 ZONE 11 - Christian, Dallas, Douglas, Greene, Hickory, Howell, Osark, Polk, Stone, Tazewell, Webster and Wright Counties
 ZONE 12 - St. Francois and Ste. Genevieve Counties

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PAINTERS:	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pension	Vacation	Education and/or Appr. Tr.	
ZONE 1 Brush & roller Spray Bridge	9.49 10.49 10.24	.55 .55 .55	.70 .70 .70			.07 .07 .07
ZONE 2 Brush Spray	7.40 8.15		.25 .25			
ZONE 3 Brush Spray	6.80 7.20					
ZONE 4 Brush and roller Spray, structural steel and sandblasting	7.75 10.00	.45 .45	.35 .35			
ZONE 5 Brush Spray, taping machine Bridges 75 ft. in height All structural steel over 50 ft. in height Sandblasting Bridge	8.75 9.75 9.75 9.50					
ZONE 6 Brush Spray Structural steel 30 ft. or more	9.20 10.20 9.60	.45 .45 .45	.35 .35 .35			
ZONE 7 Brush Spray	7.25 7.75					
ZONE 8 Brush, roller Spray	7.92 8.255		.30 .30			

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POWER EQUIPMENT OPERATORS CONTD:

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
ZONE 5				
GROUP I	.50	1.00	.75	.10
GROUP II	.50	1.00	.75	.10
GROUP III	.50	1.00	.75	.10
GROUP IV	.50	1.00	.75	.10
GROUP V	.50	1.00	.75	.10
GROUP VI	.50	1.00	.75	.10
GROUP VII	.50	1.00	.75	.10
GROUP VIII	.50	1.00	.75	.10
ZONE 6				
GROUP I	.50	1.00	.75	.10
GROUP II	.50	1.00	.75	.10
GROUP III	.50	1.00	.75	.10
GROUP IV	.50	1.00	.75	.10
GROUP V	.50	1.00	.75	.10
GROUP VI	.50	1.00	.75	.10
GROUP VII	.50	1.00	.75	.10
GROUP VIII	.50	1.00	.75	.10
ZONE 7				
GROUP I	.50	.25		.02
GROUP II	.50	.25		.02
GROUP III	.50	.25		.02
GROUP IV	.50	.25		.02
GROUP V	.50	.25		.02
GROUP VI	.50	.25		.02
GROUP VII	.50	.25		.02
GROUP VIII	.50	.25		.02
ZONE 8				
GROUP I	.50	.25		.02
GROUP II	.50	.25		.02
GROUP III	.50	.25		.02
GROUP IV	.50	.25		.02
GROUP V	.50	.25		.02
GROUP VI	.50	.25		.02
GROUP VII	.50	.25		.02
GROUP VIII	.50	.25		.02

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POWER EQUIPMENT OPERATORS:

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
ZONE 1				
GROUP I	.50	1.00	.75	.10
GROUP II	.50	1.00	.75	.10
GROUP III	.50	1.00	.75	.10
GROUP IV	.50	1.00	.75	.10
GROUP V	.50	1.00	.75	.10
GROUP VI	.50	1.00	.75	.10
GROUP VII	.50	1.00	.75	.10
GROUP VIII	.50	1.00	.75	.10
ZONE 2				
GROUP I	.50	1.00		
GROUP II	.50	1.00		
GROUP III	.50	1.00		
GROUP IV	.50	1.00		
GROUP V	.50	1.00		
GROUP VI	.50	1.00		
GROUP VII	.50	1.00		
GROUP VIII	.50	1.00		
GROUP IX	.50	1.00		
GROUP X	.50	1.00		
ZONE 3				
GROUP I	.35	.65	.40	.02
GROUP II	.35	.65	.40	.02
GROUP III	.35	.65	.40	.02
GROUP IV	.35	.65	.40	.02
GROUP V	.35	.65	.40	.02
GROUP VI	.35	.65	.40	.02
GROUP VII	.35	.65	.40	.02
ZONE 4				
GROUP I	.35	.65	.40	.02
GROUP II	.35	.65	.40	.02
GROUP III	.35	.65	.40	.02
GROUP IV	.35	.65	.40	.02
GROUP V	.35	.65	.40	.02
GROUP VI	.35	.65	.40	.02
GROUP VII	.35	.65	.40	.02

POWER EQUIPMENT OPERATORS ZONE 1

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS ZONE 1

GROUP I - Asphalt paver and spreader; asphalt plant console operator; auto grader; back hoe; blade operator, all types; boilers-2; booster pump on dredge; boring machine (truck or crane mounted); bulldozer operator; clamshell operator; compressor maintenance operator-2; concrete plant operator; central mix; concrete mixer paver; crane operator; derrick operator; derrick trucks; ditching machine; dragline operator; dredge engine; dredge operator; drillcut with compressor mounted on cat; drilling or boring machine, rotary, self-propelled; highlooser-fork lift; hoisting engine-2 active drums; locomotive operator, standard gauge; mechanics and welders, field or shop; maintenance operator; machine operator; pile driver operator; pitman crane operator; pump-2; quad-trac; scoop operator-all types; scoops in tandem; self-propelled rotary drill (Laroy or Equal-not Alt Trac); shovel operator; side discharge spreader; side boom cat; skimmer scoop operator; slip-form paver (CMF, 3EX, OR Equal); throttle man; truck crane; welding machine maintenance operator-2.

GROUP II - "A" frame truck; asphalt hot mix silo; asphalt plant fireman; drum or boiler; asphalt plant mixer operator; asphalt plant man; asphalt roller operator; backfiller operator; chip spreader; concrete batch plant, dry, power operated; concrete mixer operator, skip loader; concrete pump operator; crusher operator; elevating grader operator; greaser; hoisting engine-1 drum; latomass roter; multiple compactor; pavement breaker, self-propelled, of the hydra-hammer or similar type; power shield; pug mill operator; stump cutting machine; towboat operator; tractor operator-over 50 h.p.

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; compressor maintenance operator - 1; concrete saws, self-propelled; conveyor operator; distributor operator; finishing machine operator; fireman, rig; float operator; form grader operator; pump; pump maintenance operator, other than dredge; roller operator, other than high type asphalt; screening and washing plant operator; self-propelled street broom or sweeper; siphons and jets; sub-grading machine operator; tank car heater operator-combination boiler and booster; tractor, 50 hp or less, without attachments; vibrating machine operator, not hand; welding machine maintenance operator - 1.

GROUP IV - Mechanic's helper, oiler

GROUP V - Clamshell, 3 yd. capacity or over, crane or rig 80 ft. of boom or over (including jib); draglines, 3 yd. capacity or over, pile drivers, 80 ft. of boom or over (including jib); shovels, 3 yd. capacity or over

GROUP VI - Crane or rig, over 200 ft. of boom (including jib)

GROUP VII - Hoist (each additional drum over 1 drum)

GROUP VIII - Oiler driver, all types

Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) ft. or more in length or depth will be paid fifty cents (50c) per hour above the regular classification.

GROUP I - Backhoe; cableway; crane, crawler or truck; crane, hydraulic-truck or cruiser mounted - 16 tons & over; crane, locomotive; derrick, steam; derrick car & derrick boat; dragline, dredge; gradall, crawler or tire mounted; locomotive, gas, steam & other power; pile driver, land or floating; scoop, skimmer, shovel, power (steam, gas, electric, or other power); switch boat; whitley GROUP II - Air tugger 2/air compressor; anchor-placing barge; asphalt spreader; atchy force feed loader (self-propelled); backfilling machine; boat operator-pub boat or tow boat (job site); boiler, high pressure breaking in period; boom truck, placing or erecting; boring machine footing foundation; bullfloat; cherry picker; combination concrete hoist & mixer such as mixer-boiler; compressors, two, not more than 20 ft. apart; compressors, not more than five ft. apart; compressor-welder combination; concrete breaker (truck or tractor mounted); concrete pump, such as a pump-crane machine; concrete spreader; conveyor, large (not self-propelled), hoisting or moving brick and concrete into, or into and on floor level, one or both; crane, hydraulic-rough terrain, self-propelled; crane hydraulic-truck or cruiser mounted-under 16 tons; drilling machines, self-powered, used for earth or rock drilling or boring (wagon drills and any hand drills obtaining power from other sources including concrete breakers jackhammers and barco equipment - no engine required); elevating grader; engine man, dredge; excavator or powerbelt machine; finishing machine, self-propelled oscillating screed; forklift; grader, road with power blade; highlift; hoist, concrete and brick (brick cages on concrete skips operating in or on tower, towermobile, or similar equipment); hoist, stack; hydro-hammer; lad-a-vator, hoisting brick or concrete; loading machine (such as barber-green); mechanic, on job site; mixer, paving; mixer-boiler; mixing machine; pipe cleaning machine; pipe wrapping machine; plant asphalt; plant, concrete producing or ready-mix job site; plant heating-job site; plant mixing job site; plant, power, generating-job site; pump, self-powered, over 2" (one operator will operate two); pumps, electric submersible, one through three, over 4" & quad-track; roller, asphalt, top or sub-grade; scoop, tractor drawn; spreader box; sub-grader; tile tamper; tractor-crawler, or wheel type with or without power unit, power take-offs, and attachments regardless of size; trenching machine; tunnel boring machine; vibrating machine, automatic, automatic propelled; welding machines (gasoline or diesel) more than one not

not over four (regardless of size); well drilling machine GROUP III - Air tugger w/plant air; boiler, for power or heating on construction projects; boiler, temporary; compressor, air-ons; compressor air (mounted on truck); concrete saw, self-propelled; conveyor, large (not self-propelled); conveyor larre (not self-propelled moving brick and concrete (distributing) on floor level; curb finishing machine; ditch paving machine; elevator (building construction or alteration); endless chain hoist; fireman; form grader; generator, one over 30 KW or any number developing over 30 KW; greaser; hoist, one drum regardless of size (except brick or concrete); lad-a-vator, other hoisting; manlift; mixer, asphalt, over 8 cu. ft. capacity, mixer, if two or more mixers of one bag capacity or less are used by one employer on job, an operator is required; mixer, with outside loader, 2 bag capacity or more; mixer, with side loader, regardless of size, not paver; oiler on dredge; oiler on truck crane;

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POWER EQUIPMENT OPERATORS ZONE 3 and 4 CONTD

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; chief plane operator; compressor maintenance operator - 1; concrete saw operator (self-propelled); conveyor operator; curb finishing machine; distributor operator; finishing machine, operator; fireman rig; flex plane operator; float operator; form grader operator; generator-maintenance operator; light plant maintenance operator; maintenance operator; oiler driver; pugmill operator; pump maintenance operator (other than dredge); roller operator, other than high type asphalt; screening & washing plant operator; Siphons & Jets; subgrading machine operator; spreader box operator, self-propelled (not asphalt); tank car heater operator (combination Boiler & Booster); ulmac, ulric or similar spreader; vibrating machine operator, not hand; welding machine maintenance operator - 1; Tractor operator (50 hp or less)

GROUP IV - Oiler

GROUP V - Dragline operator - 3 yds. & over; shovel - 3 yds. & over; clamshell - 3 yds. & over; crane, rigs or piledrivers, 100' to 150' of boom (incl. jib); hoists - each additional active drum over 2 drums

GROUP VI - Tandem scoop operator; crane, rigs or piledrivers, 150' to 200' of boom (incl. jib)

GROUP VII - Crane, rigs or piledrivers 200 ft of boom or over (incl. jib)

POWER EQUIPMENT OPERATORS ZONES 5, 6, 7, and 8

GROUP I - Asphalt finishing machine & trench widening spreader; asphalt plant console operator; automatic slipform paver; autograder; backhoe; blade operator, - all types; boat operator - tow; boilers - 2; central mix concrete plant operator; clamshell operator; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dorer operator; dragline operator; dredge booster pump; dredge engineman; dredge operator; drill cat with compressor mounted on cat; drilling or boring machine rotary self-propelled; highloader; hoisting engine - 2 active drums; launchhammer wheel; locomotive operator - standard gauge; mechanics and welders; mucking machine; piledriver operator; pitman crane operator; push cat operator; quad-trac; shovel operator; sideboom cats; skimmer scoop operator; all types; trenching machine operator; truck crane.

GROUP II - A-frame; asphalt hot mix silo; asphalt plant fireman (drum or boiler); asphalt roller operator; asphalt plant man; asphalt plant mixer operator; backfiller operator; barber-greene loader; boat operator (bridge & dam); chip spreader; compressor maintenance operator - 2; concrete mixer operator - ship loader; concrete plant operator; concrete pump operator; crusher operator; dredge oiler; elevating grader operator; fork lift; greaser-fleet; hoisting engine - 1; locomotive engine - 1; locomotive operator - narrow gauge; multiple compactor; pavement breaker; powerbroom - self-propelled; power shield; roller; slip form finishing machine; stumpcutter machine; side discharge concrete spreader; throttle man; tractor operator (over 50 hp); welding machine maintenance operator - 2 winch truck

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POWER EQUIPMENT OPERATORS ZONE 2 CONTD:

GROUP III CONTD: - pug mill operator; pump, sump-self-powered, automatic controlled over 2" during use in connection with construction work; sweeper, street; welding machine, one over 400 amp.; winch operating from truck

GROUP IV - Boat operator-outboard motor (job site); conveyor (such as con-way-ft) regardless of how used; oiler; sweeper, floor

GROUP V - Air pressure; oiler engineer operating under ten pounds

GROUP VI - Air pressure, oiler engineer operating over ten pounds

GROUP VII - Air pressure engineer operating under ten pounds

GROUP VIII - Air pressure engineer operating over ten pounds

GROUP IX - Crane-piledriving with leads; crane using rock socket tool; dragline - 7 cu. yds. & over; shovel, power - 7 cu. yds. and over; crane, climbing (such as lindens); derrick, diesel, gas, electric hoisting material and erecting steel - 150' or more above ground; hoist, three or more drums; scoop, tandem; tractor, tandem crawler

GROUP X - Heaters

Crane with boom (including jib), over 100' from pin to pin (add 1c per foot to maximum of 75c) above basic rate for crane

Work in tunnel or tunnel shaft, .25c above base rate.

POWER EQUIPMENT OPERATORS ZONE 3 and 4

GROUP I - Asphalt finishing machine & trench widening spreader; asphalt plant console operator; autograder; automatic slipform paver; backhoe; blade operator - all types; boat operator - tow; boilers - 2; central mix concrete plant operator; clam shell operator; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dorer operator; dragline operator; dredge booster pump; dredge engineman; dredge operator; drill cat with compressor mounted on cat; drilling or boring machine rotary self-propelled; highloader; hoisting engine - 2 active drums; launchhammer wheel; locomotive operator - standard gauge; mechanics and welders; mucking machine; piledriver operator; pitman crane operator; push cat operator; quad-trac; scoop operator; sideboom cats; skimmer scoop operator; trenching machine operator; truck crane, shovel operator

GROUP II - A-frame; asphalt hot-mix silo; asphalt roller operator; asphalt plant fireman (drum or boiler); asphalt plant man; asphalt plant mixer operator; backfiller operator; barber-greene loader; boat operator (bridge & dam); chip spreader; compressor maintenance operator - 2; concrete mixer operator - ship loader; concrete plant operator, concrete pump operator; crusher operator; dredge oiler; elevating grader operator; fork lift; greaser-fleet; hoisting engine - 1; locomotive operator - narrow gauge; multiple compactor; pavement breaker; powerbroom - self-propelled; power shield; roller; slip-form finishing machine; stumpcutter machine; side discharge concrete spreader; throttle man; tractor operator (over 50 hp); welding machine maintenance operator - 2 winch truck

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POWER EQUIPMENT OPERATORS ZONES 3, 6, 7, and 8 CONTD:

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; chief plane operator; compressor maintenance operator - 1; concrete saw operator (self-propelled); conveyor operator; curb finishing machine; distributor operator; finishing machine operator; fireman rig; flex plane operator; float operator; form grader operator; generator-maintenance operator; light plant maintenance operator; maintenance operator; oiler driver; pugmill operator; pump maintenance operator other than dredge; roller operator, other than high type asphalt; screening & washing plant operator; siphons & jets; subgrading machine operator; spreader box operator; self-propelled (foot asphalt); tank car heater operator (combination boiler & booster); winch, electric or similar spreader; vibrating machine operator; welding machine maintenance operator - 1; tractor operator (50 hp or less)

GROUP IV - Oiler

GROUP V - Dragline operator - 3 yds. & over; shovel - 3 yds. & over; clamshell - 3 yds. & over; crane, rigs or piledrivers, 150' to 150' of boom (incl. jib), hoists - each additional active drum over 2 drums

GROUP VI - Tandem scoop operator: crane, rigs or piledrivers, 150' to 200' of boom (incl. jib)

GROUP VII - Crane rigs, or piledrivers 200 ft. of boom or over (incl. jib)

GROUP VIII - Oiler - drivers

AREAS COVERED BY POWER EQUIPMENT OPERATORS ZONES

ZONE 1 - Clay, Jackson, Platte and Ray Counties

ZONE 2 - St. Louis City & County

ZONE 3 - Franklin, Jefferson, Lincoln, St. Charles, and Warren Counties

ZONE 4 - Adair, Andrew, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Clark, Cole, Crawford, Dent, Dunklin, Gasconade, Howell, Iron, Knox, Lewis, Macon, Madison, Marion, Miller, Mississippi, Monroe, Montgomery, Morgan, New Madrid, Ralls, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Texas, Washington, and Wayne Counties

ZONE 5 - Buchanan, Cass, Clinton and Lafayette Counties

ZONE 6 - Andrew, Atchison, Bates, Benton, Caldwell, Carroll, Chariton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Johnson, Linn, Livingston, Mercer, Modaway, Pettis, Saline, Sullivan and Worth Counties

ZONE 7 - Christian, Greene, Jasper, Lawrence and Taney Counties

ZONE 8 - Barry, Barton, Camden, Cedar, Dade, Dallas, Douglas, Hickory, Laclede, McDonald, Newton, Ozark, Polk, St. Clair, Stone, Vernon Webster and Wright Counties

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TRUCK DRIVERS	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation and/or App. Tr.
ZONE 1 - St. Louis City and County				
GROUP 1	6.99	a	b	c&d
GROUP 2	7.19	a	b	c&d
GROUP 3	7.29	a	b	c&d

FOOTNOTES:

a - Employer contribution of \$14.50 per week
 b - Employer contribution of \$14.50 per week
 c - Paid Holidays; New Year's Day, Thanksgiving Day, Memorial Day, Independence Day, Friday after Thanksgiving Day, Labor Day, Veterans Day, Christmas.
 d - Paid vacation of 5 days for 600 hours of service in any one contract year;
 4 days paid vacation for 800 hours of service in any one contract year;
 5 days paid vacation for 1,000 hours of service in any one contract year

CLASSIFICATION DEFINITIONS

GROUP 1 - Truck or trailers of a water level capacity of 11.99 cu. yds. or less for lift trucks, job site ambulances, pick-up trucks, flat bed trucks

GROUP 2 - Trucks or trailers of a water level capacity of 12.0 cu. yds. up to 27.0 cu. yds. including euclids, spreaders & similar equipment of same capacity

GROUP 3 - Truck or trailers of a water level capacity of 27.0 cu. yds. & over including euclids, spreaders & all floats, flat bed trailers & boom trucks & similar equipment of same capacity

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TRUCK DRIVERS

ZONE 2

GROUP 1
GROUP 2
GROUP 3
GROUP 4
GROUP 5

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
8.59	.50	1.00	.75		
8.79	.50	1.00	.75		
9.10	.50	1.00	.75		
9.25	.50	1.00	.75		
8.365	.50	1.00	.75		

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS

GROUP 1 - One team; station wagons; pickups, material, single axle tank wagon, single axle
GROUP 2 - Two teams; material tandem; semi-trailers, winch, fork distributor drivers and operators, agitator and transit mix, tank wagon, tandem or semi-trailers, insley wagons, dump, excavating, 5 cu. yds. & over, dumpsters, half-tracks, speedace, euclids and other similar excavating equipment
GROUP 3 - A-frame, low boy, boom
GROUP 4 - Mechanics & welders
GROUP 5 - Mechanic's helpers, oilers, & greasers

AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 2 - Clay, Jackson, Platte and Ray Counties

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TRUCK DRIVERS

ZONE 3

GROUP 1
GROUP 2
GROUP 3
GROUP 4
GROUP 5

ZONE 4

GROUP 1
GROUP 2
GROUP 3
GROUP 4
GROUP 5

ZONE 5

GROUP 1
GROUP 2
GROUP 3
GROUP 4
GROUP 5

ZONE 6

GROUP 1
GROUP 2
GROUP 3
GROUP 4
GROUP 5

ZONE 7

GROUP 1
GROUP 2
GROUP 3
GROUP 4
GROUP 5

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
10.90					
11.05					
11.12					
11.02					
10.80					
10.20					
10.35					
10.42					
10.31					
10.10					
9.69	.50	1.00			
9.84	.50	1.00			
9.91	.50	1.00			
9.80	.50	1.00			
9.59	.50	1.00			
8.83	.50	.75			
8.98	.50	.75			
9.10	.50	.75			
8.99	.50	.75			
8.73	.50	.75			
8.10	.50	1.00			
8.25	.50	1.00			
8.37	.50	1.00			
8.26	.50	1.00			
8.00	.50	1.00			

DECISION NO. MO77-4051CLASSIFICATION DEFINITIONS
TRUCK DRIVERS

- GROUP 1 - Flat bed trucks - single axle; station wagon; pickup trucks; material trucks - single axle; tank wagon - single axle
- GROUP 2 - Flat bed trucks - tandem axle; material trucks, tandem axle; tank wagon - tandem axle
- GROUP 3 - Semi and/or pole trailers; winch fork and steel trucks; hauler wagons, dumpsters, half trucks, speeders, scolds, and other similar equipment, a-frame and derrick trucks, float or low boy, distributor drivers and operators, tank wagon, semi-trailer
- GROUP 4 - Agitator and transit mix trucks
- GROUP 5 - Warehouseman

AREAS COVERED BY TRUCK DRIVERS ZONES

- ZONE 3 - Franklin, Jefferson and St. Charles Counties
- ZONE 4 - Lincoln and Warren Counties
- ZONE 5 - Buchanan, Cass, Johnson and Lafayette Counties
- ZONE 6 - Andrew, Audrain, Barton, Bates, Benton, Bollinger, Boone, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Carter, Cedar, Chariton, Christian, Clinton, Cole, Cooper, Crawford, Dade, Dallas, Daviess, DeKalb, Dent, Douglas, Gasconade, Greene, Henry, Hickory, Howard, Iron, Jasper, Laclede, Lawrence, Limb, Livingston, Macon, Madison, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Osage, Pemiscot, Perry, Pettis, Phelps, Pike, Polk, Potosi, Ralls, Randolph, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Saline, Scott, Shannon, Shelby, Stoddard, Texas, Vernon, Washington, Wayne, Webster, and Wright Counties
- ZONE 7 - Adair, Atchison, Barry, Butler, Clark, Dunklin, Gentry, Grundy, Harrison, Holt, Howell, Knox, Lewis, McDonald, Mercer, Modaway, Oregon, Ozark, Putnam, Ripley, Schuyler, Scotland, Stone, Sullivan, Taney, and Worth Counties

DECISION NO. MT77-5021

SUPERSTENJAS DECISION

STATE: Montana
 DECISION NUMBER: MT77-5021
 DATE: Date of Publication
 SUPERSTENJAS DECISION NO. MT76-5103 dated November 19, 1976, in 41 FR 51326
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

COUNTIES: Statewide

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$ 11.60 9.45	.44 .60	\$1.10 1.00			
ASBESTOS WORKERS					
BOILERMAKERS					
BRICKLAYERS:					
Bearhead, Deer Lodge, Granite, Jefferson (except Northern Tip of County), Madison, Powell and Silver Bow Counties					
Gallatin and Park Counties					
Big Horn, Carbon, Carter, Custer, Dawson, Fallon, McCone, Powder River, Prairie, Richland, Rosebud, Sweetgrass, Stillwater, Treasure, Wibaux and Yellowstone Counties					
Broadwater, Lewis and Clark and Meagher and Jefferson (Northern Tip)					
Cascade, Chouteau, Glacier, Pondera and Teton Counties					
Blaine, Daniels, Hill, Liberty, Phillips, Roosevelt, Sheridan, Toole and Valley Counties					
Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties					
CARPENTERS:					
Cascade, Chouteau, Fergus, Glacier, Judith-Basin, Liberty, Meagher, Pondera, Teton and Toole Counties					
Carpenters					
Piledrivers					
Sawmen					
Millwrights					
Blaine and Hill Counties					
Carpenters					
Broadwater, Lewis and Clark and Jefferson Counties					
Carpenters					
Piledrivers					
Millwrights					

CARPENTERS: (Cont'd)
 Deer Lodge, Granite (all area lying south of a line running due east from the N.W. corner of Granite County to the N.E. corner of Granite County) and Powell (area lying south of the N.E. corner of Granite County) Counties
 Carpenters
 Piledrivers
 Millwrights
 Granite (area lying north of a line running due east from the N.W. corner of Granite County to the N.E. corner of Granite County) Lake (southern area, south of and including the Town of Ravalli), Mineral (area southeast of Southeast City limits of the Town of Superior) Missoula, Powell (area lying north of the N.E. corner of Granite County), Ravalli and Sander (Southeastern portion) Counties
 Carpenters
 Millwrights; Piledriver
 Carter, Custer, Daniels, Dawson, Fallon, McCone, Phillips, Powder River, Prairie, Richland, Roosevelt, Sheridan, Valley and Wibaux Counties
 Carpenters
 Piledrivers
 Millwrights

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$ 8.76 9.26 9.01	.45 .45 .45	.75 .75 .75			.02 .02 .02
8.01 8.26	.45 .45	.75 .75			.02 .02
7.84 8.09 8.34	.45 .45 .45	.75 .75 .75			.02 .02 .02

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
CARPENTERS: (Cont'd) Flathead, Lincoln, Lake (Northern area including Town of Ravalli from a point where Rwy. #10A and Rwy. #93 inter- sect), Mineral (Northern area including the Town of Superior), Sanders (except S.E. corner portion) Counties				
Carpenters	8.22	.45	.75	.02
Sawmen; Filers, filedrivers; carpenters working burned, charred, creosoted or similarly treated material	8.42	.45	.75	.02
Millwrights and Machine Erectors	8.57	.45	.75	.02
Big Horn, Carbon, Garfield, Golden Valley, Musselshell, Petroleum, Rosebud, Stillwater, Treasure, Wheatland and Yellowstone Counties				
Carpenters	8.18	.45	.75	.02
Floor Sander; Sawmen	8.33	.45	.75	.02
Filedrivers	8.33	.45	.75	.02
Millwrights	8.48	.45	.75	.02
Beaverhead and Silver Bow Cos. Carpenters	7.91	.45	1.00	.02
Millwrights and Filedrivers	8.16	.45	1.00	.02
Gallatin, Madison, Park and Sweetgrass Counties				
Carpenters	8.06	.45	.75	.02
Millwrights and Filedrivers	8.31	.45	.75	.02
CEMENT MASONS: Flathead, Glacier, Lake (North of the City of Bonanza), Lincoln and Sanders (North of the City of Plains) Counties				
Granite (Northern half), Lake (Southern area, including the City of Pablo), Mineral, Missoula, Powell (Northern area including the City of Selma), Ravalli and Sanders (South portion including the City of Paradise) Counties	6.95	.37		
	8.077	.50	.35	

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
CEMENT MASONS: (Cont'd) Big Horn, Carbon, Golden Valley, Stillwater, Treasure, Wheat- land and Yellowstone Counties Gallatin, Park and Sweetgrass Counties				
Carter, Custer, Dawson, Fallon, Powder River, Prairie, Richland, Rosebud and Wibaux Counties				
Beaverhead, Deer Lodge, Granite (Southern half), Jefferson (Southern area including Town of Wickes), Madison, Powell (South portion including the Town of Deer Lodge) and Silver Bow Counties	.40 .35 .25			
	.50	.25		
Broadwater, Jefferson (Area north of a line running E-W established south of the Town of Wickes and north of the Town of Basin), Lewis and Clark and Meagher Counties				
Blaine, Cascade, Chouteau, Hill, Liberty, Pondera, Teton and Toole Counties	.40			
ELECTRICIANS: Beaverhead, Deer Lodge, Granite, Jefferson, Madison, Silver Bow and Powell Counties				
Gallatin County	.50 .30	18+.35 18		1/28 1/28
Broadwater, Lewis and Clark and Meagher Counties				
Electricians	.42	18+.50		1/28
Blaine, Hill, Liberty and Phillips Counties		18		1/28
Electricians				
Cascade, Chouteau, Glacier, Judith-Basin, Pondera, Teton and Toole Counties				
Electricians	.42 .42	18+.50 18+.50		1/28 1/28
Cable Splicers				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Educations and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Flathead, Lake, Lincoln, Mineral Missoula, Ravalli and Sanders Counties	\$ 9.68 10.18	.42 .42	1% 1%		1/2% 1/2%
Electricians Cable Splicers					
Big Horn, Carbon, Golden Valley, Misselshell, Powder River, Rosebud, Stillwater, Treasure and Yellowstone Counties	10.07 10.52	.30 .30	1%+.50 1%+.50		1/2% 1/2%
Electricians Cable Splicers					
Fergus, Petroleum and Wheatland Counties	7.65	.40	1%		1/2%
(Electrical contracts less than \$30,000) (Electrical contracts \$30,000 or more)	8.75 9.05	.40 .30	1% 1%+.50		1/2% 1/2%
Park and Sweetgrass Counties					
Carter, Daniels, Dawson, Fallon, McConne, Prairie, Richland, Roosevelt, Sheridan, Valley and Wibaux	8.70 8.48	.30	1%+.50 1%		1/2%
Custer and Garfield Counties	9.12	.495	.32	3%+a	.02
ELEVATOR CONSTRUCTORS	70¢JR	.495	.32	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPS ELEVATOR CONSTRUCTORS' HELPS (PROB.)					
IRONWORKERS:					
Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis and Clark, (Southern half including Wolf Creek), Madison, Park, Powell, Ravalli and Silver Bow Cos. Flathead, Glacier, Lake, Lincoln Mineral, Missoula and Sanders Counties	10.11 11.15	.55 .58	1.00 1.00		.05 .05
Remaining Counties (including Northern half of Lewis and Clark County)	10.11	.55	1.00		.05

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
MARBLE MASONS:				
Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties	\$ 8.50	.40	.25	
Big Horn, Carbon, Carter, Custer, Dawson, Fallon, McOne, Powder River, Prairie, Richland, Rosebud, Stillwater, Sweetgrass, Treasure, Wibaux and Yellowstone Counties	10.60 7.10		.35	.02
Gallatin and Park Counties				
Brookwater, Lewis and Clark, Meagher and Jefferson (northern area) Counties	9.75	.30		
Cascade, Chouteau, Glacier, Pondera Teton Counties	9.15	.40	.30	
Blaine, Daniels, Hill, Liberty, Phillips, Roosevelt, Sheridan, Toole and Valley Counties	7.45			
PAINTERS:				
Beaverhead, Jefferson (Southern area, south of the City of Boulder), Madison (west of a line running north-south through the west limits of Harrison and Silver Bow Counties	7.60 10.40	.25 .25	.10 .10	
Brush				
Spray				
Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Golden Valley, Musselshell, Powder River, Prairie, Rosebud, Stillwater, Sweetgrass, Treasure, Wheatland (South of the City of Harlowtown), Wibaux and Yellowstone Counties				
Brush	8.13	.49	.20	
Steel	8.38	.49	.20	
Spray	9.11	.49	.20	

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
PAINTERS: (Cont'd) Cascade, Chouteau (south of a line running East and West through the Southern limits of Big Sandy), Daniels, Fergus, Glacier (excluding Glacier National Park), Garfield, Judith-Basin, Lewis and Clark, (Northern portion from a line running East and West through the northern limits of Craig), McCone, Phillips, Powder, Petroleum, Richland, Roosevelt, Sheridan, Teton, Toole, Valley and Wheatland (northern area from a line running East and West thru the southern limits of Harlowtown) Counties. Painters, brush, preparatory work; Pot tender; Paring lot stripping and related work; Roller up to 9 inches Perforator Brush on steel; Spraying and Airless Spray Water and Sandblasting: Application of cold tar products, epoxies, polyurethanes and acid resistant paints; Paperhangers Rollers over 5 inches long	\$ 8.09 8.49 8.59 10.34 11.59	.49 .49 .49 .30 .30			1/24 1/24 1/24 1/24 1/24

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
PAINTERS: (Cont'd) Broadwater, Gallatin, Jefferson, (Northern area from a line running East and West five miles south of the Southern City limits of Boulder), Lewis and Clark (Southern portion from a line running East and West through the southern limits of Craig), Madison (East of the West City limits of Hartwood), Meagher, Park, Powell (Northern area from a line running East and West through the Southern City limits of Helmsville) Brush Spray; Steel Brush Structural Steel Brush Steel Spray Structural Steel Spray Water and Sandblast Blaine, Bill, Liberty and Chouteau (north of the Southern limits of the City of Big Sandy) Counties Flathead, Granite (northern area north limits of Phillipsburg), Lake (Southern area including City of Ronan), Lincoln, Mineral, Missoula, Powell (northern area through south limits of Helmsville), Ravalli and Sanders Counties PLASTERERS: Big Horn, Carbon, Golden Valley, Stillwater, Treasure, Wheatland and Yellowstone Counties Carter, Custer, Dawson, Fallon, Powder River, Prairie, Richland, Rosebud and Wibaux Counties Gallatin, Park and Sweetgrass Counties	\$ 8.44 9.44 9.44 10.44 10.94 11.34 6.79 8.60 7.38 7.50 6.50	.25 .20 .25 .25 .25 .25 .34 .40 .50 .35	.20 .20 .20 .20 .20 .20 .30 .25 .25		.03 .03 .03 .03 .03 .03 .04

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appn. Tr.
	H & W	Pension	Vacation	
PLASTERERS: (Cont'd)				
Granite, Lake (Southern area, including the City of Fablo), Mineral, Missoula, Powell (Northern area including the City of Belleville), Ravalli and Sanders (south portion, including the City of Paradise) Counties	\$ 7.85	.40	.25	
Beaverhead, Deer Lodge, Jefferson (Southern area, including the Town of Wickes), Madison, Powell (South of a line running E-W north of the Town of Deer Lodge) and Silver Bow Counties	8.95	.50	.25	
Flathead, Glacier, Lake (Northern area, including the City of Bonan), Lincoln and Sanders (north of the City of Plains) Counties	6.45	.20		
PLUMBERS:				
Flathead, Lake, Lincoln, Mineral, Missoula and Sanders Counties	10.51	.35	.70	.65
Blaine, Cascade, Chouteau, Fergus, Glacier, Hill, Judith-Basin, Liberty, McCone, Meagher, Phillips, Pondera, Roosevelt, Teton, Toole and Valley Cos.	10.60	.50	.85	.18
Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis and Clark, Madison, Park, Powell, Silver Bow and Sweetgrass Counties	10.65	.50	.65	.10
Big Horn, Carbon, Carter, Custer, Daniels, Dawson, Fallon, Garfield, Golden Valley, Petroleum, Powder River, Prairie, Richland, Rosebud, Sheridan, Stillwater, Treasure, Wheatland, Wibaux and Yellowstone Counties	11.25	.40	.80	.10
ROOFERS:				
Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Golden Valley, Musselshell, Powder River, Prairie, Richland, Rosebud, Sheridan, Stillwater, Treasure, Wheatland, Wibaux and Yellowstone Counties	\$ 8.04	.25		
Blaine, Cascade, Chouteau, Daniels, Fergus, Garfield, Glacier, Hill, Judith-Basin, Liberty, Lewis and Clark, McCone, Petroleum, Phillips, Pondera, Roosevelt, Sheridan, Teton, Toole and Valley Counties	8.50			
Beaverhead, Deer Lodge, Jefferson, Madison, Powell and Silver Bow Counties	7.63	.50	.40	.75
Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties	7.74	.60		.01
Broadwater, Gallatin, Meagher, Park, Sweetgrass and Wheatland Counties	7.65	.47		
SHEET METAL WORKERS:				
Broadwater, Jefferson (including North half of the City of Boulder), Lewis and Clark and Meagher Counties	9.81	.77	.25	.10
Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties	9.73	.82	.25	.10
Big Horn, Carbon, Carter, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Golden Valley, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweetgrass, Valley, Wheatland, Wibaux, Treasure and Yellowstone Counties	8.91	.37	38+.25	.02

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation		
SHEET METAL WORKERS: (Cont'd)						
Blaine, Cascade, Chouteau, Glacier, Hill, Judith-Basin, Liberty, Pondera, Teton and Toole Counties	\$ 9.56	.62	.25			.07
Beaverhead, Deer Lodge, Granite, Jefferson (SW), Madison, Powell, and Silver Bow Counties	9.15	.37	.40	1.00		.02
SPRINKLER FITTERS	9.82	.60	.50			.08
TINSNAIL WORKERS & TILE SETTERS:						
Broadwater, Lewis and Clark, Meagher and Jefferson (Northern area north of Boulder Hill) Counties	8.15	.30				
Big Horn, Carbon, Carter, Ouster, Dawson, Fallon, McCone, Powder River, Prairie, Richland, Rosebud, Sweetgrass, Stillwater, Treasure, Wibaux and Yellowstone Counties	10.60		.35			.02
Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties	9.50	.40	.25			
Gallatin and Park Counties	7.75					
Cascade, Chouteau, Glacier, Pondera and Teton Counties	7.65	.50	.55			
FOOTNOTES:						
a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.						
PAID HOLIDAYS:						
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.						

FOOTNOTE:

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PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

LABORERS	Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation		
Beaverhead, Deer Lodge, Jefferson, Madison, Powell (excluding S.E. portion) and Silver Bow Counties						
Group 1	\$ 6.88	.50	.40	.75	.03	
Group 2	6.95	.50	.40	.75	.03	
Group 3	6.96	.50	.40	.75	.03	
Group 4	6.97	.50	.40	.75	.03	
Group 5	6.98	.50	.40	.75	.03	
Group 6	7.00	.50	.40	.75	.03	
Group 7	7.04	.50	.40	.75	.03	
Group 8	7.05	.50	.40	.75	.03	
Group 9	7.06	.50	.40	.75	.03	
Group 10	7.10	.50	.40	.75	.03	
Group 11	7.13	.50	.40	.75	.03	
Group 12	7.15	.50	.40	.75	.03	
Group 13	7.16	.50	.40	.75	.03	
Group 14	7.23	.50	.40	.75	.03	
Group 15	7.26	.50	.40	.75	.03	
Group 16	7.28	.50	.40	.75	.03	
Group 17	7.38	.50	.40	.75	.03	
Group 18	7.48	.50	.40	.75	.03	
Group 19	7.13	.50	.40	.75	.03	
Group 20	7.12	.50	.40	.75	.03	
Group 21	7.00	.50	.40	.75	.03	
Broadwater (Northern area), Lewis and Clark, Meagher, Powell (that portion lying east of a N-S line at the west edge of the Town of Elliston) Counties						
Group 1	7.52	.50	.40		.03	
Group 2	7.68	.50	.40		.03	
Group 3	7.77	.50	.40		.03	
Group 4	8.12	.50	.40		.03	

LABORERS (Cont'd)	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	Education and/or App. Tr.	
Broadwater (Southern portion including the City of Tooten), Gallatin Park, Sweetgrass and Wheatland Counties					
Group 1	.50	.40		.03	\$ 6.70
Group 2	.50	.40		.03	6.95
Flathead, Glacier National Park, Lincoln and that area of Lake and Sanders Counties lying 5 miles north of the 5th Parallel					
Group 1	.50	.40		.03	7.47
Group 2	.50	.40		.03	7.64
Group 3	.50	.40		.03	7.81
Carter, Custer, Dawson, Fallon, Powder River, Prairie and Wibaux Counties					
Group 1	.50	.40		.03	6.97
Group 2	.50	.40		.03	7.27
Group 3	.50	.40		.03	7.49
Big Horn, Carbon, Golden Valley, Musselshell, Rosebud, Stillwater, Treasure and Yellowstone Counties					
Group 1	.50	.40		.03	6.82
Group 2	.50	.40		.03	7.12
Group 3	.50	.40		.03	7.34
LABORERS (Cont'd)					
Granite, Lake (Southern area), Mineral, Missoula, Ravalli and Sanders (Southern area) Counties					
Group 1	.50	.40		.03	\$ 7.335
Group 2	.50	.40		.03	7.585
Group 3	.50	.40		.03	7.735
Cascade, Chouteau, Fergus, Glacier (excluding Glacier National Park), Judith-Basin, Powder, Teton and Toole Counties					
Group 1	.50	.40		.03	7.52
Group 2	.50	.40		.03	7.67
Group 3	.50	.40		.03	7.87
Group 4	.50	.40		.03	7.92
Group 5	.50	.40		.03	8.02
Group 6	.50	.40		.03	8.27
Group 7	.50	.40		.03	8.12
Blaine, Daniels, Garfield, Hill, Liberty, McCone, Petroleum, Phillips, Richland, Roosevelt, Sheridan and Valley Counties					
Group 1	.50	.40		.03	7.52
Group 2	.50	.40		.03	7.62
Group 3	.50	.40		.03	7.77
Group 4	.50	.40		.03	7.92
Group 5	.50	.40		.03	8.02
Group 6	.50	.40		.03	8.27

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LABORERS (Cont'd)

Beaverhead, Deer Lodge, Jefferson, Madison, Powell (excluding SE portion) and Silver Bow Counties

Group 19: Concrete Worker, wet or dry; Tending Masons when pouring and finishing concrete

Group 20: Vibrator Operator; Tending Stonesetters, Marble Setters, Tile Setters, Skagbola and Terrazzo Workers; Tending brick masons or brick or stone work; Tending Plasterers or stuccoing or plastering; (This does not include ribbing down of foundation or concrete walls), Surekate, Stonehard and Rubberslate; Concrete Conveyor Swinger Operator

Group 21: Power Driven Concrete Buggies

DECISION NO. MT77-5021

LABORERS

Beaverhead, Deer Lodge, Jefferson, Madison, Powell (excluding SE portion) and Silver Bow Counties

Group 1: General Laborer; Axeman; Carpenter Tender; Car and Truck Loaders, Scissorman; Chuck Tender and Nipper (above ground); Consoles, applying and removing; Fence Erector and Installer including the installation and erection of fences, guard rails, median rails, reference posts, guide posts and right-of-way markers; Form Stripper; Form Setter; Landscape Laborer; Nozzleman - air and water, gunnite and place machine; Pilot Car; Riprap Helper; Scaleman; Sod Cutter (hand operated) (General Laborer); Stake Jumper for equipment; Tool Checker, Toolhouseman

Group 2: Ripraper; Sandblaster; Sandblaster Tailhouseman; Pot Tender

Group 3: Hand Feller

Group 4: Post Hole Digger (power Auger)

Group 5: Concrete or asphalt saws; Tar Pot Operator

Group 6: Powderman Helper

Group 7: Calisson Workers (free air); Choker Setter; Spike Driver, single or dual or hand

Group 8: Drills, Air-tract, self-propelled car or truck mount air operated drills; Jackhammer, Pavement Breaker, Wagon Driller, Mechanical Tamper, Vibrating Roller hand steered and other power tools; Pipe Wrapper, Power Saw (bucking)

Group 9: Asphalt Baker; Dumpman (graderman)

Group 10: High Pressure Machine Nozzleman

Group 11: Pipelayer (all types); Cutting Torch Operator

Group 12: Powderman

Group 13: Grade Setter

Group 14: High Scaler

Group 15: Dumpman (spotter)

Group 16: Power Saw (falling)

Group 17: Rigger

Group 18: Core Drill Operator

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LABORERS

Broadwater (Northern area), Lewis & Clark, Meagher, Powell (that portion lying east of a N-S line at the west edge of the Town of Elliston) Counties

Group 1: General laborer; Car and truck loader; Concrete handler; Form stripper; Fence erector and installer

Group 2: Concrete buggy; Vibrator; Jackhammer; Wagon driver; Barco tamper; Pavement breaker; Powderman helper

Group 3: All power tools; Rodder and spreader; Non-metallic pipe layers; Pipe wrappers; Sandblasters; Pot tenders; Curb form setter; Concrete tenders

Group 4: Mortar mixer; Powderman

Broadwater (Southern portion incl. the City of Tosten), Gallatin, Park, Sweetgrass and Wheatland Counties

Group 1: Common laborers

Group 2: Semi-skilled; Rod carriers; Jackhammer operator; Vibrator; Mixer operator; Concrete pump tender; Nozzleman; Concrete machine; Curb form setter

Flathead, Glacier National Park, Lincoln, and that area of Lake and Sanders Counties lying 5 miles north of the 5th Parallel

Group 1: General laborers; scaler; form strippers; car and truck loaders

Group 2: Concrete handlers, conveying and handling concrete, Nozzleman (air or water); Sand blast tail hose man; Powderman helper; Power driven wheelbarrow; Rodder and spreader; Form setters (paving); Bucketman; Small air tool operators, including blow pipes and small power tool operators; Chuck tenders; Asphalt takers; Dumpman; Rip tapping; Pipe wrapper; Pot tender; Concrete pump; hoseman; Jackhammer; Pavement breaker; Vibrator; mechanical tamper and other air tools; Cement handlers (sack or bulk); Burning bar

Group 3: Pipe layers (non-metallic); Metal culvert pipe layers; Mason and Plaster tenders; Cement finisher tender; Small concrete mixer operator; Shoring and lagging open ditches; Powderman; Drills, Air-Trac, wagon drill, cat or truck mounted air operated drills, Sand Blaster (wet or dry); gunite nozzleman; barco tamper

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LABORERS (Cont'd)

Carter, Carter, Dawson, Fallon, Powder River, Prairie and Wibaux Counties

Group 1: General laborers

Group 2: Jackhammer operator; Mechanical tamper; Pipelayers (all types); Pavement breakers; Pneumatic and electric tools operator; Pipewrappers

Group 3: Mason and plasterer's tenders

Big Horn, Carbon, Golden Valley, Musselshell, Rosebud, Stillwater, Treasure and Yellowstone Counties

Group 1: General laborers; Concrete laborers; Chuck tenders and nippers

Group 2: Cement handler (sack or bulk); Jackhammer operator; Mortarman; Pipelayer (all types); Pipewrapper; Primerhouseman

Group 3: Mason and plasterer's tenders

Granite, Lake (Southern area), Mineral, Missoula, Ravalli and Sanders (Southern area) Counties

Group 1: Laborers

Group 2: All power tools, creosote workers; Jackhammer; Marble and tile setters' tenders; Pipelayers; Pipewrappers; Pot tenders; Small concrete mixers; Vibrators

Group 3: Cement masons and plasterer's tenders; Mason tenders; Pumpcrete, gunnite and plasterer pump

LABORERS

Blaine, Daniels, Garfield, Hill, Liberty, McCone, Petroleum, Phillips, Richland, Roosevelt, Sheridan, and Valley Counties

Group 1: General and Building Laborers' and Scale Men; Form Stripper and Carpenter Tender; Car and Truck Loaders; Concrete Laborers (wet or dry breaking of concrete requiring sledge hammer); Dumpmen (Spotter and Flagman); Small Power Tools, Chippers, Clay Spades, Pogo Stick, etc.; Fence Erectors and Installers, installation and erection of fences, guard rails, median rails, reference posts, guide posts, and right-of-way markers

Group 2: Dumpmen (Grade)

Group 3: Power Driven Concrete Buggies or Power Driven Wheelbarrows; Pipe Layers (non-metallic); Sandblaster, Concrete Nozzlemen, Place Operator, Jackhammer, Pavement Breaker, Vibrator (2 1/2 inches and over) Barco Tamper, Vibrator Turtle; Small Concrete Mixers, Concrete Saw; Nozzlemen (air and water); Sandblaster, Tailhouseman, Pot Tender, Tar Pot Tender; Gumite Nozzlemen; Calisson Workers (Free Air); Tunnels and Shafts (Free Air); Bull Gang, Pot Tender; Chuck Tender, Muckers and Nippers, Fiberglassman

Group 4: Brick Tenders (handling bricks and blocks only)

Group 5: Hod Carriers and Plaster Tenders (men carrying motor either by hand, pull or barrow); High Scaler, Wagon Driller, Cat or Truck mounted Air Operated Drills; Asphalt Bakers and Tampers, Gumite, Form Setter (slab steel forms); Stake Setter, Stake Jumper, Rodder and Spreader, Gradenman; Concrete Nozzlemen; Miners

Group 6: Powderman; Laser Tools and Equipment

LABORERS

Cascade, Chouteau, Fergus, Glacier (excluding Glacier National Park), Judith Basin, Pondera, Teton and Toole Counties

Group 1: General and Building Laborers' and Scale Men; Concrete Laborers (wet or dry breaking of concrete requiring sledge hammer); Dumpman (spotter) and Flagman; Fence Erectors and Installers, including the installation and erection of fences, guardrails, median rails, reference posts, guide posts and right-of-way markers; Vibrators, under 1-1/2" in diameter; Small Air Tools such as Chippers, Clay Spades, etc.; Stake Setters; Stake Jumper, Rodder and Spreader, Form Stripper; Calisson Workers (Free Air); Vibrator 1-1/2" to 2-1/2" in diameter

Group 2: Concrete or Asphalt Saws, Crosscut Material Handler; Curb Machine Form Setter (Slab Steel Forms); Diamond Drills up through 3 inches in diameter; Jackhammer, Pavement Breaker, Wagon Driller, Cat or Truck Mounted Air Operated Drills, and other Air Tools; Diesel Tamper, Wacker, Jay, Turtle, Pogo Sticks, etc.; Mechanical Tampers; Nozzlemen, Air and Water, Gumite and Placo, Machine (Grout); Pipe Layer (all types); Power Saw (backing and falling); Power Driven Wheelbarrow; Chuck Tenders, Muckers and Nippers, Fiberglassman

Group 3: Sand Blaster

Group 4: Vibrators, 2-1/2" to 4" in diameter; Brick Tenders; Dumpmen (Grade); Small Concrete Mixers

Group 5: Diamond Drills up through 6 inches in diameter; Hod Carriers and Plaster Tenders (1 - one mixerman per crew); Asphalt Baker and Tamper; High Scaler; Powderman Helper; Concrete Nozzlemen; Miners; Barco Tamper; Air-Trac

Group 6: Diamond Drill, over 6 inches in diameter; Self-Propelled Drills, with the exception of size differential, such as Mustang Drills or Twin Stack Drills; Core Drill Operator; Laser Equipment and Tools, excluding Transit; Powderman

Group 7: Concrete Vibrator, 4" and over

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Concrete Float-Spreader	\$ 9.36	.50	.50	.25	.25	.05
Concrete Mixer, three bags and under	8.95	.50	.50	.25	.25	.05
Concrete Mixer, four bags and over	9.12	.50	.50	.25	.25	.05
Concrete Power Saw, self- propelled	9.36	.50	.50	.25	.25	.05
Concrete Travel Batcher	9.36	.50	.50	.25	.25	.05
Concrete Conveyor under 40 feet	8.94	.50	.50	.25	.25	.05
Concrete Conveyor over 40 feet	9.69	.50	.50	.25	.25	.05
Concrete Pump	9.69	.50	.50	.25	.25	.05
Conveyor Loader Operator up to and including 42" belt	8.94	.50	.50	.25	.25	.05
Conveyor Loader Operator over 42" belt	9.06	.50	.50	.25	.25	.05
Crane, to and including 80' boom	9.52	.50	.50	.25	.25	.05
Crane, 81' to 130' boom	9.67	.50	.50	.25	.25	.05
Crane, 131' to 150' boom	9.72	.50	.50	.25	.25	.05
Crane, 151' boom and over	9.77	.50	.50	.25	.25	.05
Crane Oiler	8.93	.50	.50	.25	.25	.05
Crusher	9.36	.50	.50	.25	.25	.05
Crusher Oiler and Belpers	8.85	.50	.50	.25	.25	.05
Crusher Conveyor, when required	8.82	.50	.50	.25	.25	.05
Distributor	9.36	.50	.50	.25	.25	.05
DM 10, 15 or 20 Tractor pulling Roller	9.08	.50	.50	.25	.25	.05
Electric Overhead Cranes	9.54	.50	.50	.25	.25	.05
Farm Type Tractor, up to and including 50 HP Engine	8.82	.50	.50	.25	.25	.05
Farm Type Tractor, over 50 HP Engine	8.90	.50	.50	.25	.25	.05
Field Equipment Serviceman	9.28	.50	.50	.25	.25	.05
Field Equipment Serviceman	8.85	.50	.50	.25	.25	.05
Helper	8.95	.50	.50	.25	.25	.05
Fireman	9.17	.50	.50	.25	.25	.05
Forklift, on construction Site	9.13	.50	.50	.25	.25	.05
Form Grader	9.36	.50	.50	.25	.25	.05
Grapple	8.82	.50	.50	.25	.25	.05
Grade Setter	9.36	.50	.50	.25	.25	.05
Heavy Duty Drill, all types	8.95	.50	.50	.25	.25	.05
Heavy Duty Driller Helper	8.95	.50	.50	.25	.25	.05

POWER EQUIPMENT OPERATORS: (Cont'd)	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Berman-Nelson Beaters and similar types	.50	.50	.25	.05	\$ 8.90
Boiler, single drum	.50	.50	.25	.05	9.13
Boiler, two or more drums	.50	.50	.25	.05	9.36
Helicopter Boiler	.50	.50	.25	.05	9.86
Bot Plant	.50	.50	.25	.05	9.36
Bot Plant Fireman, when in operation	.50	.50	.25	.05	9.36
Bot Plant Oilier, 100 ton per hour or over	.50	.50	.25	.05	8.85
Bydra Lift and similar types	.50	.50	.25	.05	9.36
Industrial Locomotive all classes	.50	.50	.25	.05	9.36
Mechanic and/or Welder on Job	.50	.50	.25	.05	9.46
Mechanic and/or Welder Helper on Job	.50	.50	.25	.05	8.85
Mechanic Shop	.50	.50	.25	.05	9.06
Mechanic Shop Helper	.50	.50	.25	.05	8.32
Mixermobile	.50	.50	.25	.05	9.44
Motor Patrol	.50	.50	.25	.05	9.49
Mountain Logger or similar type	.50	.50	.25	.05	9.36
Mucking Machine	.50	.50	.25	.05	9.36
Oilier-Driver, Rubber-tired Cranes	.50	.50	.25	.05	8.93
Oilier, other than shovels and Cranes	.50	.50	.25	.05	8.85
Oilier, Hoist House, Dams	.50	.50	.25	.05	9.26
Pavement Breaker, Bascoc and similar	.50	.50	.25	.05	9.36
Paving and Mixing Machine	.50	.50	.25	.05	9.49
Power Auger, Large Truck or Tractor mounted and Punch	.50	.50	.25	.05	9.36
Power Mixer, single or double drum	.50	.50	.25	.05	9.36
Power Saw, multiple cut, self- propelled	.50	.50	.25	.05	9.36
Pumpcrete or Grout Machine	.50	.50	.25	.05	8.89
Pumpman	.50	.50	.25	.05	
POWER EQUIPMENT OPERATORS: (Cont'd)					
Push Tractor	.50	.50	.25	.05	\$ 9.36
Quad Cat	.50	.50	.25	.05	9.66
Quad Loader and similar type	.50	.50	.25	.05	9.94
Radiator Repairman	.50	.50	.25	.05	9.17
Raygo Gaint	.50	.50	.25	.05	9.94
Refrigeration Plant	.50	.50	.25	.05	9.36
Retort	.50	.50	.25	.05	8.95
Roller, on blade or hot mix oil paving	.50	.50	.25	.05	9.36
Roller, on other blade or hot mix paving	.50	.50	.25	.05	9.06
Roller, 25 ton or over	.50	.50	.25	.05	9.36
Roos and similar type carriers, on construction site	.50	.50	.25	.05	9.36
Rubber-tired Dozer	.50	.50	.25	.05	9.36
Rubber-tired Front End Loader, 1 yard and under	.50	.50	.25	.05	9.07
Rubber-tired Front End Loader, 1 yard to and including 3 yds.	.50	.50	.25	.05	9.36
Rubber-tired Front End Loader, over 3 yards to and including 5 yards	.50	.50	.25	.05	9.48
Rubber-tired Front End Loader, over 5 yards to and including 10 yards	.50	.50	.25	.05	9.56
Rubber-tired Front End Loader, over 10 yards to and including 15 yards	.50	.50	.25	.05	9.68
Rubber-tired Front End Loader, over 15 yards	.50	.50	.25	.05	9.78
Scraper, DW 15, 20, 21 and similar type if power unit is not used	.50	.50	.25	.05	9.36
Scraper, single or twin engine pulling belly dump trailer	.50	.50	.25	.05	9.74
Scraper, single engine	.50	.50	.25	.05	9.49
Scraper, twin engine	.50	.50	.25	.05	9.59
Scraper, tandem engine or 3 engine	.50	.50	.25	.05	9.85
Self-propelled Sheepfoot and similar type	.50	.50	.25	.05	9.36

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacations		
POWER EQUIPMENT OPERATORS: (Cont'd)					
Shovels, including all attachments, under 1 cu. yd.	9.36	.50	.25		.05
Shovels, including all attachments, 1 cu. yd. to and including 3 cu. yds.	9.54	.50	.25		.05
Shovels, including all attachments, over 3 cu. yds. to and including 5 cu. yds.	9.81	.50	.25		.05
Shovels, including all attachments, over 5 cu. yds.	9.94	.50	.25		.05
Shovel Oiler, 3 yards and under	8.85	.50	.25		.05
Shovel Oiler, over 3 cu. yds.	9.06	.50	.25		.05
Slip Form Paver	9.49	.50	.25		.05
Stiff-leg Derrick and Gey					
Derrick	9.81	.50	.25		.05
Track-type Front End Loaders, up to and including 5 cu. yds.	9.36	.50	.25		.05
Track-type Front End Loaders, over 5 cu. yds. to and including 10 cu. yds.	9.59	.50	.25		.05
Track-type Front End Loaders, over 10 cu. yds. to and including 15 cu. yds.	9.69	.50	.25		.05
Track-type Front End Loaders, over 15 cu. yds.	9.79	.50	.25		.05
Track-type Tractor w/wo attachments	9.36	.50	.25		.05
Track-type Tractor, on Euclid Loader	9.54	.50	.25		.05
Trenching Machine	9.36	.50	.25		.05
Turnhead Conveyor, or Head Tower on Batch Plant	9.36	.50	.25		.05
Magnet Roller and similar type	9.89	.50	.25		.05
Whirley Crane	9.16	.50	.25		.05
Whirley Crane Oiler					
Water Pull when used for Compaction	9.36	.50	.25		.05
Washing and Screening Plant	9.36	.50	.25		.05
Washing and Screening Plant Oiler	8.85	.50	.25		.05
Yo-Yo Cat, both ends	9.56	.50	.25		.05

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacations		
TRUCK DRIVERS Statewide, except Gallatin, Park, Sweetgrass, Broadwater (South of U. S. Highway #12) Counties	\$ 8.26	.60			
CONCRETE TRUCK; Concrete Mixer and Transit Mixer: To and including 4 cu. yds. Over 4 cu. yds. to and including 6 cu. yds. Over 6 cu. yds. to and including 8 cu. yds. Over 8 cu. yds. to and including 10 cu. yds. Over 10 cu. yds. - additional \$.08 per hour each additional 2 cu. yds. increment	8.35 8.42 8.50	.60 .60 .60	.50 .50 .50		
DISTRIBUTOR DRIVER and HELPER	8.19	.60	.50		
DRY BATCH TRUCKS: 3 Batch or under Over 3 Batch to and including 5 Batch Over 5 Batch to and including 10 Batch Over 10 Batch to and including 15 Batch Over 15 Batch - additional \$.15 per hour each additional 5 Batch increment	8.01 8.14 8.30 8.46	.60 .60 .60 .60	.50 .50 .50 .50		
PICKUP DRIVER, HAULING MATERIALS	8.11	.60	.50		
DUMPMAN, GRAVEL SPREADER BOX; Pilot Car Driver, Teamsters and Helpers	8.01	.60	.50		
Warehousemen, Partisan, Cardex Men, Warehouse Expediter	8.21	.60	.50		

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DUMP TRUCKS AND SIMILAR EQUIPMENT WATER LEVEL CAPACITY, INCLUDING SIDEBOARDS:					
7 cu. yds. or less	\$ 8.01	.60	.50		
Over 7 cu. yds. to and including 10 cu. yds.	8.14	.60	.50		
Over 10 cu. yds. to and including 15 cu. yds.	8.30	.60	.50		
Over 15 cu. yds. to and including 20 cu. yds.	8.44	.60	.50		
Over 20 cu. yds. to and including 25 cu. yds.	8.50	.60	.50		
Over 25 cu. yds. to and including 30 cu. yds.	8.56	.60	.50		
Over 30 cu. yds. to and including 35 cu. yds.	8.62	.60	.50		
Over 35 cu. yds. to and including 40 cu. yds.	8.68	.60	.50		
Over 40 cu. yds. to and including 45 cu. yds.	8.74	.60	.50		
Over 45 cu. yds. - additional \$.06 per hour each additional 5 cu. yds. increment					
DUMPSTERS	8.14	.60	.50		
DW 20, DW 21, or EXCLID TRACTORS, PULLING P.R. 21 OR SIMILAR DUMP WAGONS:					
To and including 25 cu. yds.	8.50	.60	.50		
Over 25 cu. yds. to and including 30 cu. yds.	8.56	.60	.50		
Over 30 cu. yds. - additional \$.06 per hour each additional 5 cu. yds. increment					
SERVICEMEN	8.75	.60	.50		

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
FLAT TRUCKS:					
To and including 3 tons	\$ 8.11	.60	.50		
Over 3 tons factory rating	8.36	.60	.50		
SERVICE TRUCK DRIVERS; FUEL TRUCK DRIVERS; TIREMEN	8.55	.60	.50		
LONGBOATS, FOUR-WHEEL TRAILER, FLOAT SEMI-TRAILER	8.36	.60	.50		
LUMBER CARRIERS, LIFT TRUCKS	8.26	.60	.50		
POWER BROOM	8.10	.60	.50		
WATER TANK DRIVERS, PETROLEUM PRODUCTS DRIVERS:					
2,500 gallons and under	8.01	.60	.50		
Over 2,500 gallons to and including 4,500 gallons	8.30	.60	.50		
Over 4,500 gallons to and including 6,000 gallons	8.50	.60	.50		
Over 6,000 gallons to and including 8,000 gallons	8.56	.60	.50		
Over 8,000 gallons to and including 10,000 gallons	8.64	.60	.50		
Over 10,000 gallons - additional \$.08 per hour each additional 2,000 gallons increment					
TRUCK WITH POWER EQUIPMENT IF UNDER TEAMSTERS JURISDICTION, SUCH AS:					
Winch, A-frame, Swedish Crane, Hydra-lift, Groutcrete, and Combination mulching, seeding and fertilizing	8.26	.60	.50		
TRUCK MECHANIC	8.75	.60	.50		

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
TRUCK DRIVERS (Cont'd)				
POWER TRUCK DRIVER (bulk unloader type)	\$ 8.19	.60	.50	
TRUCK DRIVERS: (Cont'd)				
Gallatin, Fair, Sweetgrass, Broadwater (South of U. S. Highway #12)	7.08	.60	.30	
DUMP, 7 yards or less; Pickup; hauling materials; Flat trucks less than 2 ton; Service and A-frame trailers	7.12	.60	.30	
HOUSE MOVERS				
DUMP, over 7 yards to and including 10 yards; Flat trucks 5 - 8 tons; Semi and four wheel trailers	7.33	.60	.30	
DUMP, over 10 yards to and including 15 yards	7.49	.60	.30	
DUMP, over 15 yards to and including 20 yards	7.63	.60	.30	

MONTANA - LINE CONSTRUCTION				
Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pensions	Vacation	
LINE CONSTRUCTION Flathead, Lake and Lincoln Counties				
All construction of "g" fixtures and steel tower transmission lines with capacity of 69 K.V. voltages and over, Switch yard and substation rated at 5000 K.V.A. and all work not covered by schedule "B".				
SCHEDULE "A"				
Lineman	\$10.29	.45	18	1/28
Cable Splicer	11.44	.45	18	1/28
Powderman, Jackhammer, Compressorman	7.60	.45	18	1/28
Line Equipment Operators	8.76	.45	18	1/28
Groundman	6.15	.45	18	1/28
Groundman (Experienced)	7.13	.45	18	1/28
All work for power utilities except work covered under Schedule "A", all highway lighting, street lighting and motor traffic controlling.				
SCHEDULE "B"				
Lineman	9.19	.45	18	1/28
Cable Splicers	10.22	.45	18	1/28
Pole Sprayer	9.08	.45	18	1/28
Line Equipment Operators	7.97	.45	18	1/28
Powderman, Jackhammer, Compressorman	6.94	.45	18	1/28
Groundman	6.52	.45	18	1/28
Tree Trimmer	9.44	.45	18	1/28

MONTANA LINE CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (Cont'd) Remaining Counties					
Jobs over 69,000 Volts:					
Lineman, Pole Sprayer	\$ 9.31	.35	18		1/28
Cable Splicer	9.80	.35	18		1/28
Line Equipment Operator;					
Powderman	8.53	.35	18		1/28
Groundman	7.04	.35	18		1/28
Jobs 69,000 Volts or less:					
Lineman	8.65	.35	18		1/28
Cable Splicer	9.56	.35	18		1/28
Line Equipment Operators;					
Powderman	8.47	.35	18		1/28
Groundman	5.93	.35	18		1/28
Experienced Groundman (1040 hours); Truck Drivers	6.68	.35	18		1/28

STATE: Nevada
 DECISION NUMBER: W77-5029
 COUNTY: Statewide (excluding the Nevada Test Site and Tonopah Test Range), Nevada

DATE: Date of Publication

Supercedes Decision Number W77-5004 dated January 4, 1977 in 42 FR 1000.
 DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS: Clark, Esmeralda, Lincoln, Nye Counties Elko, Eureka, White Pine Counties Remaining Counties	\$12.11 10.56 13.06 12.80	.85 .52 .90 .75	\$1.10 1.17 1.02 1.00			.02 .06 .01 .01 .01
BUILDERS: Clark, Esmeralda, Lincoln, Nye County (south of Hwy. #6) Remaining Counties and Nye County (north of Hwy. #6): Zone 1: 0-35 miles from Courthouse in Reno, Nevada Zone 2: 35-75 miles from Courthouse in Reno, Nevada Zone 3: 75 miles and over from Courthouse in Reno, Nevada	11.37 11.00 11.90 11.00	.70 .50 .50 .50	.60 .60 .60 .60		1.00	
BLACK TENDERS: Clark, Esmeralda, Lincoln, Nye Counties Remaining Counties: Zone A: 0-35 miles from Courthouse in Reno, Nevada Zone B: 35-75 miles from Courthouse in Reno, Nevada	8.47 9.25 10.15	.51 .50 .50	1.25 .90 .90			.03 .05
CARPENTERS: Clark, Esmeralda County (south of Hwy. #6), Lincoln, Nye County (south of Hwy. #6, including City of Tonopah): Zone 1: Area within the city limits of Henderson, Nevada; and Boulder City, Nevada; area within a 10 mile radius of Las Vegas, Nevada; area within a 5 mile radius of Tonopah, Nevada; present						

CARPENTERS (Cont'd):
 Clark, Esmeralda County (south of Hwy. #6), Lincoln, Nye County (south of Hwy. #6, including City of Tonopah):
 (Cont'd):
 Zone 1 (Cont'd): fenced area of Nellis Air Force Base, as well as that area adjacent to Nellis Air Force Base bounded on the north by the Nellis spur track and on the west by the train line of the Union Pacific Railroad:
 Carpenters
 Floor layers; Patent Scaffold Erectors; Power Saw Operators
 Piledrivers
 Millwrights
 Zone 2: Area outside of Zone 1 and not more than 20 miles from the communities described above:
 Carpenters
 Floor layers; Patent Scaffold Erectors; Power Saw Operators
 Piledrivers
 Millwrights
 Zone 3: Area over 20 miles and not more than 40 miles from the communities described above:
 Carpenters
 Floor layers; Patent Scaffold Erectors; Power Saw Operators
 Piledrivers
 Millwrights

	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or App. Tr.
	\$10.46	.55	.90	\$1.00	.10
	10.61	.55	.90	1.00	.10
	10.66	.55	.90	1.00	.10
	11.06	.55	.90	1.00	.10
	10.96	.55	.90	1.00	.10
	11.11	.55	.90	1.00	.10
	11.16	.55	.90	1.00	.10
	11.56	.55	.90	1.00	.10
	11.21	.55	.90	1.00	.10
	11.36	.55	.90	1.00	.10
	11.41	.55	.90	1.00	.10
	11.81	.55	.90	1.00	.10

CARPENTERS (Cont'd):

Clark, Esmeralda County (south of Hwy. #8), Lincoln, Nye County (south of Hwy. #6, including City of Tonopah)

(Cont'd):

Zone 4: Area over 40 miles from the communities described above:

Carpenters
Floor layers; Patent Scaffold Erectors; Power Saw Operators
Piledrivers
Millwrights

Nye County (north of Hwy. #8, excluding City of Tonopah) and all Remaining Counties:

Zone 1: Area within 5 road

miles of the following communities - Carson City, Elko, Ely, Fallon, Hawthorne, Lovelock, Minden, Winnemucca; also area within 10

road miles of Reno, Nevada; also the area within 2 road

miles of Yerington, Nevada; also Washoe Valley between

Reno, Nevada, and Carson City, Nevada, but not including any area further than

the foot of the mountains to the east or west side of

Washoe Valley; also the area of Stead Air Force Base:

Carpenter

Floor layers; Patent Scaffold Erectors; Power

Saw Operators

Piledrivers

Millwrights

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$12.46	.55	.90	\$1.00	.10	
12.61	.55	.90	1.00	.10	
12.66	.55	.90	1.00	.10	
13.06	.55	.90	1.00	.10	

CARPENTERS (Cont'd):

Nye County (north of Hwy. #8, excluding City of Tonopah) and all Remaining Counties

(Cont'd):

Zone 2: Area outside of Zone 1 and not more than 20 road miles from the above communities:

Carpenters
Floor layers; Patent Scaffold Erectors; Power Saw Operators
Piledrivers
Millwrights

Zone 3: Area over 20 and not more than 40 road miles from the above communities:

Carpenters

Floor layers; Patent Scaffold Erectors; Power

Saw Operators

Piledrivers

Millwrights

Zone 4: Area over 40 road miles from the above communities:

Carpenters

Floor layers; Patent Scaffold Erectors; Power

Saw Operators

Piledrivers

Millwrights

CEMENT MASONS:

Clark, Lincoln, Nye Counties:

Cement Masons

Cement Floor Finishing Machine and Color Work

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
\$10.15	.65	\$1.01	\$1.00	.05	
10.30	.65	1.01	1.00	.05	
10.35	.65	1.01	1.00	.05	
10.75	.65	1.01	1.00	.05	
10.35	.65	1.01	1.00	.05	
10.50	.65	1.01	1.00	.05	
10.55	.65	1.01	1.00	.05	
10.95	.65	1.01	1.00	.05	
11.05	.65	1.01	1.00	.05	
11.20	.65	1.01	1.00	.05	
11.25	.65	1.01	1.00	.05	
11.65	.65	1.01	1.00	.05	
8.90	1.00	.40	2.00	.08	
9.15	1.00	.40	2.00	.08	

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CEMENT MASONS (Cont'd): Lake Tahoe Area:	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Cement Masons	.65	.75	\$1.00	.03	\$10.60
Mastic, Magnesite and all Composition Masons	.65	.75	1.00	.03	10.85
Trowelling Machine; Grinder Operator and Kelly Float	.65	.75	1.00	.03	11.10
Remaining Counties:					
Zone 1: Area within a 15 mile radius of the Main Post Office, Reno, Nevada, or within a 15 mile radius of the employee's permanent residence in the State of Nevada also area within a 7 mile radius of the Main Post Office, Carson City, Nevada:					
Cement Masons	.65	.75	1.00	.03	9.15
Mastic, Magnesite and all Composition Masons	.65	.75	1.00	.03	9.40
Trowelling Machine; Grinder Operator and Kelly Float	.65	.75	1.00	.03	9.65
Zone 2: Highway construction: Area outside of Zone 1:					
Cement Masons	.65	.75	1.00	.03	10.40
Mastic, Magnesite and all Composition Masons	.65	.75	1.00	.03	10.65
Trowelling Machine; Grinder Operator and Kelly Float	.65	.75	1.00	.03	10.90
Zone 3: Nonhighway construction:					
Zone 3a: Area over 15 but not over 30 miles to the center of the jobsite:					
Cement Masons	.65	.75	1.00	.03	9.90
Mastic, Magnesite and all Composition Masons	.65	.75	1.00	.03	10.15
Trowelling Machine; Grinder Operator and Kelly Float	.65	.75	1.00	.03	10.40

CEMENT MASONS (Cont'd): Remaining Counties (Cont'd): Zone 2: Nonhighway construction (Cont'd):	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Zone 2a: Area over 50 miles to the center of the jobsite:					
Cement Masons	.65	.75	\$1.00	.03	\$11.15
Mastic, Magnesite and all Composition Masons	.65	.75	1.00	.03	11.40
Trowelling Machine; Grinder Operator and Kelly Float	.65	.75	1.00	.03	11.65
Zone 2b: Area within 5 road miles of the following communities: Carson City, Elko, Ely, Fallon, Hawthorne, Lovelock, Minden, Winnemucca; also area within 10 road miles of Reno, Nevada; also the area within 2 road miles of Yerington, Nevada; also Washoe Valley between Reno, Nevada, and Carson City, Nevada, but not including any area further than the foot of the mountains to the east or west side of Washoe Valley; also the area of Stead Air Force Base					
Zone 2c: Area outside of Zone 1 and not more than 20 road miles from the above communities	.65	1.01	1.00	.05	9.80
Zone 3: Area over 20 and not more than 40 road miles from the above communities	.65	1.01	1.00	.05	10.40
Zone 4: Area over 40 road miles from the above communities	.65	1.01	1.00	.05	10.60
Zone 5: Area over 40 road miles from the above communities	.65	1.01	1.00	.05	11.30

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: Clark, Lincoln, Nye County (south of Mt. Diablo Base Line): Electricians; Technicians Cable splicers Nye County (south of Mt. Diablo Base Line) and Remaining Counties including Lake Tahoe Area: Electricians; Technicians Cable splicers	\$13.81 14.14	.73 .73	1% + .40 1% + .40		.08 .08
ELEVATOR CONSTRUCTORS: Nevada west of 118° longitude Nevada east of 118° longitude and south of 36° N. latitude ELEVATOR CONSTRUCTORS: HELPERS ELEVATOR CONSTRUCTORS: HELPERS (PROB.)	12.33 13.56 13.49 12.95 70.12 50.12	.67 .67 .545 .545 .545 50.12	1% + .77 1% + .77 .35 .35 .35 1% + .77		.08 .08 .02 .02 .02 .05
GLAZIERS: Clark, Esmeralda, Lincoln, Nye Counties Remaining Counties	12.63 10.495	.35 .43	.40 1.20	.84+.43	
IRONWORKERS: Elko, Eureka, White Pine Counties: Fence erectors; Machinery movers; Ornamentals; Reinforcing; Riggers; Structural Remaining Counties: Fence erector Ornamentals; Reinforcing; Structural	9.35 10.41 11.30	.55 1.14 1.14	.85 1.86 1.86		.05 .04 .04
LATHERS: Clark, Esmeralda, Lincoln, Nye Counties Remaining Counties	9.30 10.86	.50 .56	1.00 .20	1.00	.06 .01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION WORKERS: Clark, Lincoln, Nye County (south half): Line equipment operator Cable splicers Linemen Groundman Cable splicer Remaining Counties (excluding Lake Tahoe Area): Linemen Line equipment operator Groundman Cable splicers MAINTENANCE: Clark, Esmeralda, Lincoln, Nye County (south half) PAINTERS: Clark, Esmeralda, Lincoln, Nye Counties: Brush; Roller Paperhangers; Spray; Steel; Swing stage; Sandblasters Signs; Tapers Buffing steel; Sandblasters Structural steel Scaffold Jack Remaining Counties including Lake Tahoe Area: Brush Paperhangers; Spray; Structural steel; Swing stage; Sandblasters; Tapers PLASTERERS: Clark, Lincoln, Nye Counties Remaining Counties PLASTER TENDERS: Statewide except Clark, Esmeralda County (south of Hwy. #6), Lincoln, Nye County (south of Hwy. #6)	\$13.73 54.06 13.33 12.10 10.25 14.56 12.33 11.10 9.25 13.56 11.37 11.55 11.90 12.35 13.15 10.95 11.20 9.98 10.52 7.75	.73 .73 .67 .67 .67 .67 .67 .67 .67 .67 .70 .75 .75 .75 .75 .75 .70 .70 1.00 .65 .50	1% 1% 1%+.77 1%+.77 1%+.77 1%+.77 1%+.77 1%+.77 1%+.77 1%+.77 .60 .35 .35 .35 .35 .35 .75 .75 .40 1.00 .45		.35 .35 .08 .08 .08 .08 .08 .08 .08 .08 .06 .06 .06 .06 .06 .06 .06 .06 .08 .03

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	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
PLUMBERS; Steamfitters: Clark, Esmeralda, Lincoln, Nye County (south half) Remaining Counties and Nye County (north half)	\$11.05 10.84	\$1.05 .73	\$1.90 .80	\$1.85 1.95	.06 .10
PLUMBERS (UTILITY): Statewide except Clark, Esmeralda, Lincoln, Nye County (south half)	10.84 5.80	.73 .73	.80 .10	1.95 .50	.10 .10
PLUMBER HELPER (UTILITY)					
ROOFERS: Clark, Esmeralda, Lincoln, Nye County (south half) Remaining Counties and Nye County (north half)	12.75 9.75	.65 .50	.35		.02
SHEET METAL WORKERS: Clark, Esmeralda, Lincoln, Nye County (south half), White Pine Counties Remaining Counties and Nye County (north half)	11.43 9.80	.93 .94	1.60 1.83	1.00 .98	.07 .05
SOFT FLOOR LAYERS: Clark, Esmeralda, Lincoln, Nye Counties Remaining Counties including Lake Tahoe Area	12.52 10.80 14.80	.40 .70 .60			.15 .08
SPRINKLER FITTERS TESMAZZO WORKERS; TILE SETTERS: Clark, Esmeralda, Lincoln, Nye County (south half) Remaining Counties and Nye County (north half): Zone 1: 0-35 miles from Courthouse in Reno, Nevada Zone 2: 35-75 miles from Courthouse in Reno, Nevada Zone 3: 75 miles and over from Courthouse in Reno, Nevada	11.37 11.00 11.90 11.00	.70 .50 .50 .50	.60 .60 .60 .60		.06 .01 .01 .01

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
FOOTNOTE: a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.				
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.				

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Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: Clark, Esmeralda, Lincoln, Nye Counties:				
Group 1	.51	\$1.25	\$1.00	
Group 2	.51	1.25	1.00	
Group 3	.51	1.25	1.00	
Group 4	.51	1.25	1.00	
Group 5	.51	1.25	1.00	
Group 6	.51	1.25	1.00	
Group 7	.51	1.25	1.00	
Group 8	.51	1.25	1.00	
Group 9	.51	1.25	1.00	
Group 10	.51	1.25	1.00	
Group 11	.51	1.25	1.00	
Group 12	.51	1.25	1.00	
Group 13	.51	1.25	1.00	
Group 14	.51	1.25	1.00	
Group 15	.51	1.25	1.00	
Group 16	.51	1.25	1.00	
Group 17	.51	1.25	1.00	
Group 18	.51	1.25	1.00	
POWER EQUIPMENT OPERATORS: (Except Piledriving and Steel Erection) Clark, Esmeralda, Lincoln, Nye Counties:				
Group 1	.95	2.00	.50	.04
Group 2	.95	2.00	.50	.04
Group 3	.95	2.00	.50	.04
Group 4	.95	2.00	.50	.04
Group 5	.95	2.00	.50	.04
Group 6	.95	2.00	.50	.04
Group 7	.95	2.00	.50	.04
Group 8	.95	2.00	.50	.04
Group 9	.95	2.00	.50	.04

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS: Clark, Esmeralda, Lincoln, Nye Counties:				
Group 1	.40	.65		
Group 2	.40	.65		
Group 3	.40	.65		
Group 4	.40	.65		
Group 5	.40	.65		
Group 6	.40	.65		

LABORERS
(Clark, Esmeralda, Lincoln, Nye Counties)

Group 1: Debris handler; Dry packing of concrete and filling of form-bolt holes; Dumping; Gas and oil pipeline laborers; Demolition laborers; General or construction laborers; Spotter; Window cleaner

Group 2: Cutting torch operator (demolition); Tarmen and motorman

Group 3: Quinca chaser

Group 4: Fine grader, highway and street paving, airport, runways and similar type heavy construction; Landscape gardener and nursery-man

Group 5: Laborers - packing rod steel and pans

Group 6: Underground laborer including caisson bellows

Group 7: Choctawder (except tunnels); Scaler; Septic tank digger and installer (lead man); Tank scaler and cleanser

Group 8: Cesspool digger and installer

Group 9: Concrete curer-impervious membrane and oiler of all materials; Making and caulking of all non-metallic pipe joints; Riprap stonepaver; Sandblaster (pot tender)

Group 10: Asphalt ironer, raker, spreader; Buggymobile; Cement dumper (on 1 yd. or larger mixers and handling bulk concrete); Cement grinding machine operator; Concrete core cutter; Concrete saw man, excluding tractor type; Gas and oil pipeline wrapper, pot tender and form man; Tree climber, faller, chain saw operator; Pittsburgh chipper and similar type; Vibrators and all pneumatic, gas, electric and similar mechanical tools not separately classified herein; Note Scraper

Group 11: Rock slinger; Scaler, using bosun chair, safety belt or power tools

Group 12: Driller and/or pavement breaker

Group 13: Laying of all non-metallic pipe (including sewer pipe, drain pipe and underground tile)

Group 14: Gas and oil pipeline wrapper - 6 inch pipe and over

LABORERS (Cont'd)
(Clark, Esmeralda, Lincoln, Nye Counties)

Group 15: Cribber or Shorer; Powderman

Group 16: Steel Headerboard Man

Group 17: Driller (Core, Diamond or Wagon) Joy Driller Model TM-M-24, Gardner Denver Model DS-163 and similar drills; Sandblaster - Nozzlemann

Group 18: Head Rock Slinger

POWER EQUIPMENT OPERATORS

(Except Pile-driving & Steel Erection)

Clark, Emeralds, Lincoln, Nye Counties

Group 1: Breaker, Compressor Operator; Engineer; Generator; Heavy Duty Repairman; Pump; Signalman; Switchman

Group 2: Concrete Mixer Operator, Skip Type; Conveyor Operator; Fireman; Generator, Pump or Compressor, (2-5 inclusive); Generator, Pump or Compressor Portable Units (over 5 units, 100 per hour for each additional unit up to nine units); Hydrostatic Pump; Oilier Crasher, (Asphalt or Concrete Plant); Plant Operator, Generator, Pump or Compressor; Skip-loader - Wheel type up to 3/4 yd. w/o attachment; Soils Field Technician; Tar Pot Fireman; Temporary Measuring Plant; Trenching Machine Oilier; Truck Crane Oilier; Rotary Drill Helper (offsite)

Group 3: A-Frame or Winch Truck; Elevator Operator (inside); Equipment Greaser (truck); Ford, Ferguson (with dragtype attachments); Helicopter Radioman (ground); Power Concrete Curing Machine; Power Concrete Saw; Powerdriven Jumbo Form Setter; Ross Carrier; Stationary Pipe Wrapping and Cleaning Machine

Group 4: Asphalt Plant Fireman; Boring Machine; Boxman or Mixerman (Asphalt or Concrete); Chip Spreading Machine; Concrete Pump (small portable); Bridge Type Balancer and Turntable; Dinky Locomotive or Motorcar (up to and including 10 tons); Equipment Greaser (grease truck); Helicopter Helix; Highline Cableway Signalman; Hydra-Hammer - Aero Stomper; Power Sweeper; Roller (compacting); Screed (Asphalt or Concrete); Trenching Machine (up to 6 feet)

Group 5: Asphalt Plant Engineer; Concrete Batch Plant; Backhoe (up to and including 3/4 yds), Bit Sharpener; Concrete Joint Machine (Canal and similar type); Concrete Planer; Deck Engine; Forklift (under 5 ton capacity); Machine Tool; Mopinis Internal Full Slab Vibrator; Mechanical Barn (curb or gutter concrete or asphalt); Mechanical Finisher (concrete); Clary-Johnson-Stowell or similar; Pavement Breaker; Road Oil Mixing Machine; Roller (asphalt or finish); Rubber-tired Earth Moving Equipment, (single engine, up to and including 25 yards truck); Self-propelled Tar Pipe-lining Machine; Slip Form Pump (power-driven hydraulic lifting service for concrete forms); Tagger Hoist (1 drum); Tunnel Locomotive (over 10 and up to and including 30 tons); Stringer Crane (Austin-Western or similar type); Skiploader Crawler and Wheel type over 3/4 yds. and up to and including 1-1/2 yards); Tractor-Bulldozer, Temper, Scraper (single engine, up to 100 HP, Flywheel and similar types, up to and including 3-5 and similar types)

Group 6: Asphalt or Concrete Spreading (Tamping or Finishing); Asphalt Paving Machine (Barber Green or similar type); 360 Lima Road Factor or similar; Bridge Crane; Pipe Laying Machine (cast in place); Combination Mixer and Compressor (Guniting Work); Concrete Pump (truck mounted);

POWER EQUIPMENT OPERATORS (Cont'd)

(Except Pile-driving & Steel Erection)

Clark, Emeralds, Lincoln, Nye Counties

Concrete Mixer; Crane (up to and including 25 tons); Crushing Plant; Elevating Grader; Forklift (over 5 tons); Grade Checker; Grackall; Grout-laying Machine; Heading Shield; Heavy Duty Repairman; Hoist (Chicago Boom and similar type); Roman Belt Loader and similar type; LeTourneau Blob Compactor or similar type; Lift Slab Machine (Vagborg and similar types); Lift Mobile; Loader-Ashby, Euclid, Sierra and similar type; Material Hoist; Mucking Machine 1/4 yd. - rubber-tired, rail or track type; Pneumatic Concrete Placing Machine (Backley-Preswell or similar type); Pneumatic Heading Shield (tunnel); Pumpcrete Gun; Rotary Drill (excluding Caisson type); Rubber-tired Earth Moving Equipment Operator (single engine - Caterpillar, Euclid, Ashby Wagon and similar types with any and all attachments over 25 yds. and up to and including 50 cubic yards truck); Rubber-tired Scraper (self-loading - Paddle Wheel Type - John Deere, 10-40 and similar single unit); Skiploader (Crawler and Wheel type - over 1-1/2 yards, up to and including 6-1/2 yards); Surface Earthers and Planers; Rubber-tired Earth Moving Equipment, multiple engine (up to and including 25 yards, truck); Trenching Machine (over 6 feet depth capacity, manufacturers rating); Tower Crane; Tractor Compressor Drill Combination; Tractor (any type larger 3-5 - 100 Flywheel HP and over or similar) (Bulldozer, Temper, Scraper and Push Tractor single engine); Tractor (Boom attachments); Traveling Pipe Wrapping, Cleaning and Bending; Tunnel Locomotive (over 30 tons); Shovel, Backhoe, Dragline, Clamshell (over 3/4 yard and up to 5 cubic yards, M.R.C.)

Group 7: Crane (Over 25 tons up to and including 100 tons M.R.C.; Derrick Barge, Dual Drum Mixer; Hoist, Stiff Legs, Gey Derrick, or similar type, up to and including 100 tons; Monorail Locomotive (Diesel, gas or electric); Motor Patrol - Blade Operator (single engine); Multiple Engine Tractor Operator (Euclid and similar type except Quad 9 Cat); Rubber-tired Earth Moving Equipment (single engine over 50 yards truck); Rubber-tired Earth Moving Equipment (Multiple, engine, Euclid, Caterpillar and similar) (Over 25 yards and up to 50 cubic yards truck); Tractor Loader Operator (Crawler and Wheel type over 6-1/2 yards); Tower Crane Repairman; Shovel, Backhoe, Dragline, Clamshell Operator (over 5 cubic yards, MRC; Woods Mixer and similar Pugnall Equipment; Heavy Duty Repairman - Welder Combination

Group 8: Auto Grader; Automatic Slip Form; Crane (over 100 tons); Hoist, Stiff Legs, Gey Derricks or similar types (capable of hoisting 100 tons or more); Mass Excavator (less than 750 cubic yards); Mechanical Finish-laying Machine; Mobile Form Traveler; Motor Patrol (Multi engine); Pipe Mobile Machine; Rubber-tired Earth Moving Equipment (multiple engine, Euclid, Caterpillar and similar type over 50 cubic yards truck); Rubber-tired Self Loading Scraper (Paddle Wheel - Auger type self-loading (2 or more units); Tandem Equipment (2 units only); Tandem Tractor (Quad 9 or similar type); Tunnel Mole Boring Machine; Rubber-tired Scraper (pushing without Push Cat, Push-Pull (50c per hour additional)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Pile-driving & Steel Erection)

Clark, Esmeralda, Lincoln, Nye Counties

Group 9: Canal Liner; Canal Trimmer; Helicopter Pilot; Highway Cableway; Wheel Excavator (over 750 cubic yds.); Remote Controlled Earth Moving Equipment (\$1.00 per hour additional to base rate)

TRUCK DRIVERS

Clark, Esmeralda, Lincoln, Nye Counties

Group 1: Dump trucks (less than 12 yds.); Trucks (legal payload capacity less than 15 tons); Water and fuel trucks (under 2500 gals.); Pickups; Service; Repairman helper; Drivers of buses (on jobsite used for transportation of up to 25 passengers); Teamster equipment (highest rate for dual craft operation)

Group 2: Dump trucks (12 yds. but less than 16 yds.); Trucks (legal payload capacity between 15 and 20 tons); Water and fuel trucks (2500 to 4000 gals.); Truck driver working on gas and oil pipeline (including winch truck and all sizes of trucks); Truck greaser and tireman; Drivers of buses (on jobsite used for transportation of more than 25 passengers); Bootman

Group 3: Dampcrete (less than 5 1/2 yds.); Transit-mix (less than 3 yds.); Warehouse clerk

Group 4: Dump trucks (16 yds. up to and including 22 yds.); Trucks (legal payload capacity 20 tons but less than 30 tons); Water and fuel trucks (4000 gals. but less than 6000 gals.); Dampcrete (6 1/2 yds. and over); Transit-mix (3 yds. but less than 6 yds.); Euclid-type spreader trucks; Dumpsters; Fork lift; Boss Carrier - highway; Road oil spreading truck; time spent spreading oil

Group 5: Dump trucks (over 22 yds.); Trucks (legal payload capacity 30 tons and over); Water and fuel trucks (6000 gals. and over); Transit-mix (6 yds. and over); Truck Repairman

Group 6: D.W. and similar-type equipment, D.W. 10 and D.W. 20; Euclid-type equipment LeTourneau Puller, Terra Gobran and similar types of equipment; also PB and similar-type trucks when performing work within Teamster jurisdiction, regardless of types of attachment including power units pulling off Highway Sally Dumps in tandem

LABORERS:
Remaining Counties:
Building construction:
Zone 1: Area within 5 road miles of the following communities - Carson City, Elko, Fallon, Hawthorne, Lovelock, Minden, Tonopah, Winnemucca; also areas within 10 road miles of Reno, Nevada; also the area within 2 road miles of Yerington, Nevada; also Washoe Valley between Reno, Nevada, and Carson City, Nevada, but not including any area further than the foot of the mountains to the east or west side of Washoe Valley; also the area of Spread Air Force Base; also the Tahoe Basin from the Summit to the Lake:
Group 1
Group 2
Group 3
Group 4
Group 5
Group 6-A
Group 6-B
Group 6-C
Zone 2: Area outside of Zone 1 and not more than 20 road miles from the above communities:
Group 1
Group 2
Group 3
Group 4
Group 5
Group 6-A
Group 6-B
Group 6-C

Basic Hourly Rates.	Fringe Benefits Payments			Education and/or Appr. Yr.
	H & W	Pensions	Vocafine	
\$9.00	.50	.90		.10
8.10	.50	.90		.10
8.25	.50	.90		.10
8.50	.50	.90		.10
8.80	.50	.90		.10
8.80	.50	.90		.10
8.50	.50	.90		.10
8.15	.50	.90		.10
8.60	.50	.90		.10
8.70	.50	.90		.10
8.85	.50	.90		.10
9.10	.50	.90		.10
9.40	.50	.90		.10
9.40	.50	.90		.10
9.10	.50	.90		.10
8.75	.50	.90		.10

LABORERS
(Remaining Counties)

GROUP 1: All cleanup work of debris, grounds, and buildings including windows and tile; Dumpman or spotter (other than asphalt); General laborer; Gardeners and landscape laborers; Limber, brushlander and piler

GROUP 2: Choker setter or rigger (clearing work only); Pittsburgh chipper and similar type brush shredders; Concrete worker (wet or dry) all concrete work not listed in Group 3; Cusher or Grizzly tender; Guinea chaser (stakeholder); Panel forms (wood or metal) handling, cleaning, and stripping of; Loading and unloading, carrying and handling of all rods and material for use in reinforcing concrete; Railroad trackmen (maintenance, repair or builders); Slopers; Semi-skilled wreckers (salvaging of building materials other than those listed in Group 3); Greasing Dovels

GROUP 3: Asphalt workers (ironers, shoveler, cutting machine); Boggymobile; Chainsaw, faller, logloader and buckler; Compactor (all types); Concrete mixer under 1 1/2 yds.; Concrete pan work (breadpan type);

(handling, cleaning, stripping); Concrete saw, chipping, grinding, sanding, vibrator; Cribbing, shoring, lagging, trench jacking, hand-guided lagging hammer; Curbing or divider machine; Curb setter (precast or cut); Ditching machine (hand-guided); Drillers' helper, chuck tender; Form raiser, slip forms; GROUTING OF CONCRETE WALLS, WINDOWS AND DOOR JAMS; Headbarbman; Jackhammer, pavement breaker, air spade; Mastic workers (wet or dry); Pipe wrapper, kettleman, potman, and men applying asphalt, creosote and similar type materials; All power tools (air, gas or electric) not listed in Group 5; Pipejacking; Posthole digger (air, gas or electric); Post driver; Mergap-actonover and rock sifter; Incl. placing of sack concrete wet or dry; Bobtiller; Rigging and signaling in connection with laborers' work; Sandblaster, potman, gunman or nozzleman; Vibra-screed; Skilled wrecker (removing and salvaging of sash, windows, doors, plumbing and electrical fixtures)

GROUP 4: Burning and welding in connection with laborers' work; Joy Drill Model TW-2A, Gardner Denver Model DS 143 and similar type drills; Track drillers, Diamond core drillers, Wagon drillers, Mechanical drillers on multiple units, High scalars; Concrete pump; Heavy duty vibrator with stinger 5" diameter or over; Pipelayer, crawler and bander; Pipelayer - waterline, sewerline, gasoline or conduit; Asphalt rakers

GROUP 5: Blasters and powdermen, all work of loading, placing and blasting of all powder and explosives of any type, regardless of method used for such loading and placing.

GROUP 6-A: Nozzleman

GROUP 6-B: Gunman, Materialman

GROUP 6-C: Reboundman

LABORERS (Cont'd): Remaining Counties (Cont'd): Building construction (Cont'd): Zone 3: Area over 20 and not more than 40 road miles from the above communities:	Fringe Benefits Payments				Education and/or App. Tr.
	Hourly Rates	H & W	Previous	Vacation	
Group 1	\$8.80	.50	.90		.10
Group 2	8.90	.50	.90		.10
Group 3	9.05	.50	.90		.10
Group 4	9.30	.50	.90		.10
Group 5	9.60	.50	.90		.10
Group 6-A	9.60	.50	.90		.10
Group 6-B	9.30	.50	.90		.10
Group 6-C	8.95	.50	.90		.10
Zone 4: Area over 40 road miles from the above communities:					
Group 1	9.50	.50	.90		.10
Group 2	9.60	.50	.90		.10
Group 3	9.75	.50	.90		.10
Group 4	10.00	.50	.90		.10
Group 5	10.30	.50	.90		.10
Group 6-A	10.30	.50	.90		.10
Group 6-B	10.00	.50	.90		.10
Group 6-C	9.65	.50	.90		.10
Heavy and Highway construction:					
Area 1:					
Group 1	8.00	.50	.90		.10
Group 2	8.10	.50	.90		.10
Group 3	8.25	.50	.90		.10
Group 4	8.50	.50	.90		.10
Group 5	8.80	.50	.90		.10
Group 6-A	8.80	.50	.90		.10
Group 6-B	8.50	.50	.90		.10
Group 6-C	8.15	.50	.90		.10
Area 2:					
Group 1	9.15	.50	.90		.10
Group 2	9.25	.50	.90		.10
Group 3	9.40	.50	.90		.10
Group 4	9.65	.50	.90		.10
Group 5	9.95	.50	.90		.10
Group 6-A	9.95	.50	.90		.10
Group 6-B	9.55	.50	.90		.10
Group 6-C	9.30	.50	.90		.10

*LABORERS - Area Definition - See "Area Definition" page following TRUCK DRIVERS.

POWER EQUIPMENT OPERATORS: (Except Filodriving and Steel Erection): Remaining Counties:	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
AREA 1	\$6.75	\$1.12	\$2.23	.92		.20
AREA 2	\$7.90					
Group 1	10.27	1.12	2.23	.92		.20
Group 2	9.12	1.12	2.23	.92		.20
Group 3	9.32	1.12	2.23	.92		.20
Group 4	9.84	1.12	2.23	.92		.20
Group 5	10.05	1.12	2.23	.92		.20
Group 6	10.17	1.12	2.23	.92		.20
Group 7	10.34	1.12	2.23	.92		.20
Group 8	10.72	1.12	2.23	.92		.20
Group 9	10.94	1.12	2.23	.92		.20
Group 10	11.17	1.12	2.23	.92		.20
Group 10-A	11.29	1.12	2.23	.92		.20
Group 11	11.46	1.12	2.23	.92		.20
Group 11-A	12.54	1.12	2.23	.92		.20
- Area Definition - See "Area Definition" page						
- Area Definition - See "Area Definition" page						

*POWER EQUIPMENT OPERATORS - Area Definition - See "Area Definition" page following TRUCK DRIVERS.

POWER EQUIPMENT OPERATORS:
Filodriving:
Remaining Counties:

POWER EQUIPMENT OPERATORS:
Steel Erection:
Remaining Counties:

Group 1
Group 2
Group 3
Group 4
Group 4-A
Group 5
Group 6
Group 6-A
Group 7

Group 1
Group 1-A
Group 1-B
Group 2-A
Group 2-B
Group 3
Group 3-A
Group 4
Group 5
Group 6

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POWER EQUIPMENT OPERATORS (Cont'd)
(Except Pile-driving and Steel Erection)
Remaining Counties

Group 1: Assistant to Engineer, including brakeman, deckhand, fireman, heavy duty repairman helper, oiler, partsman (heavy duty repair shops parts room when needed), switchman, tar pot fireman

Group 2: Compressor; Material loader and/or conveyor (handling building materials); Pump; Tar pot fireman (power agitated)

Group 3: Box operator (Bunker); Concrete curing machines (streets, highways, airports, canals); Conveyor belt (tunnel); Engineer generating plant (500 K.W.); Fireman bot plant; Hydraulic monitor; Lubrication and service engineer (mobile and grease rack); Mixer box operator (concrete plant); Motor man; Motormist; Screedman (except asphaltic or concrete paving); Oiler (truck crane)

Group 4: Ballast jack tamper; Ballast regulator; Ballast tamper multi-purpose; Boxman (asphalt plant); Concrete mixer, skip type; Disky; Fork lift (construction job site); Moss carrier; Skip loader (under 1 cu. yd.); Tie spacer; Line master

Group 5: Concrete mixer (over 1 cu. yd.); Concrete pumps or pumpcrete guns; Elevator and material hoist (1 drum); Screedman (Barber-Greene and similar) (asphaltic or concrete paving); Shuttle car; Signalman

Group 6: Boom truck or dual purpose "M" Frame truck; B.L.H. Lima road pactor or similar; Chip box spreader (Flaherty type or similar); Concrete batch plant (wet or dry); Concrete saws (highways, streets, airports, canals); Highline cableway signalman; Locomotive (over 30 tons); Maginist International Pull Slab Vibrator (airports, highways, canals, warehouses); Mechanical burn, curb and/or curb gutter machine (concrete or asphalt); Power jumbo (setting slip forms, etc., in tunnels); Roller (except asphalt); Self-propelled compactor (single engine); Slip form pump (power driven by hydraulic, electric, air, gas, etc., lifting device for concrete forms); Stationary pipe wrapping, cleaning and bending machine; Pavement breaker or temper (with or without compressor combination); Pavement breaker, truck mounted, with compressor combination; Small rubber-tired tractors; Self-propelled tape machine

Group 7: Compressor (over 2); Concrete conveyor; Concrete conveyor or concrete pump, truck or equipment mounted (boom length to apply); Grubber plant engineer; Deck engineer; Drilling and boring machinery, vertical and horizontal (not to apply to waterliners, wagon drills or jackhammers); Generators; Grade setters; Grade checker; Kolman loader; Material hoist (2 or more drums); Mechanical finishers or spreader machine (asphalt, Barber-Greene and similar); Mine or shaft hoist; Pipe bending machines (pipelines only); Pipe cleaning machines (tractor propelled and supported); Pipe wrapping machines (tractor propelled and supported); Portable crushing and screening plants; Pumps (over 2); Refrigeration plant; Self-propelled boom type lifting device (center mount) (10 ton cap. or less); Shusher; Soil tester (certified); Surface heater and planer; Trenching machine (maximum digging capacity)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Pile-driving and Steel Erection)
Remaining Counties

3 ft. depth); Truck type loader; Welding machines (gasoline or diesel); Roller (Asphalt)

Group 8: Asphalt plant engineer; Car passer; Cast-in-place pipe laying machine; Combination slusher and motor; Packer; Concrete batch plant (multiple units); Elevating grader; Grooving and grinding machine (highways); Heavy-duty repairman and/or welder; Ken-seal; Loader (up to and including 2 1/2 cu. yds.); Mechanical trench shield; Microbe; Push cat; Road oil mixing machine; Wood-mixer (and other similar pugmill equipment); Rubber-tired earthmoving equipment (up to and including 35 cu. yds. "struck" m.r.c., Euclids, T-pulls, D's 10, 20, 21 and similar); Self-propelled compactor with dozer; Sheepfoot; Small tractor (with boom); Soil stabilizer (2 & 8 or equal); Timber skidder (rubber tire) or similar equipment; Tractor; Tractor drawn scraper; Tractor mounted compressor drill combination; Trenching machine (over 3 ft. depth); Tri-batch paver; Tunnel bagger or tunnel boring machine; Tunnel mole boring machine

Group 9: Canal finger drain digger; Chicago boom; Combination backhoe and loader (up to and including 3/8 yds.); Combination mixer and compressor (gun-bite); Lull Hi-Lift (20 ft. or over); Mucking machine; Tractor with boom (D6 or larger); Track laying type earth moving machine (single engine with tandem scrapers); Sub-grader (Curtis or other types)

Group 10: Boom type backfilling machine; Bridge crane; Carry-lift or similar; Chemical grouting machine; Derricks; Derrick barges (except excavation work); Euclid loader & similar types; Heavy duty rotary drill rigs; Lift-slab (Bagtberg and similar types); Loader (over 2 1/2 cu. yds. up to and incl. 4 cu. yds.); Locomotive (over 100 tons) (single or multiple units); Multiple engine earth moving machines (Euclid, dozers, etc.); Pre-stress wire wrapping machine; Rubber tired scraper, self-loading; Self-propelled reservoir-debris equipment floating (200 H.P. and over); Shuttle car (Beckley station); Single engine scraper (over 35 cu. yds.); Train loading station; Vacuum cooling plant; Whirley Crane (up to and incl. 25 tons); Trenching machine; Multi-engine with sloping attachments (JEFFCO or similar)

Group 10-A: Backhoe (up to and incl. 1 cu. yd. hydraulic); Backhoe (up to and incl. 1 cu. yd. cable); Cranes (not over 25 tons) (derrickhead and gantry); Grade-alls (up to and incl. 1 cu. yd.); Motor patrol; Power shovels, clamshells, draglines, cranes (up to and incl. 1 cu. yd.); Rubber-tired scraper, self-loading (twin engine); Self-propelled boom-type lifting device (center mount) (over 10 tons)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Pile-driving and Steel Erection)
(Remaining Counties)

GROUP 11: Automatic Asphalt or Concrete Slip Form Paver; Automatic railroad car dumper; Canal finger drain backfiller; Canal trimmer; Cranes (over 25 tons); Highline cableway operator; Loader (over 4 yds. up to and including 12 cu. yds.); Multi-engine earthmoving equipment (up to and including 75 cu. yds. "struck" M.R.C.); Power shovels, clamshells, Draglines, Backhoes, Grabs—alls (over 1 yd. and up to and including 7 cu. yds. M.R.C.); Self-propelled compactor (with multiple propulsion power units); Single engine rubber tired earth-moving machine (with tandem scraper); Slip form paver (concrete or asphalt); Tandem cats and scrapers; Tower crane mobile; Universal Liebherr and Tower cranes (and similar types); Wheel excavator (up to and including 750 cu. yds. per hour); Whitely cranes (over 25 tons)

GROUP 11-A: Band Wagons (in conjunction with wheel excavators); Loader (over 12 cu. yds.); Multi-engine earth moving equipment (over 75 cu. yds. "struck" M.R.C.); Operator of helicopter (when used in construction work); Power shovels and Draglines (over 7 cu. yds. M.R.C.); Remote controlled earth moving equipment; Wheel excavator (over 750 cu. yds. per hour)

POWER EQUIPMENT OPERATORS
STEEL ERECTION
(Remaining Counties)

Group 1: Other

Group 2: Compressor operator; Generator, gasoline or diesel-driven (100 K.W. or over); Truck crane other

Group 3: Compressors, generators and/or welding machines or combination (1 to 6) (Structural steel or tank erection only)

Group 4: Heavy duty repairman; Tractor operator

Group 4-A: Combination heavy-duty repairman-welder

Group 5: Boom truck or dual purpose A-Frame truck; Boom cat; Chicago boom; Crawler cranes and truck cranes (15 tons M.R.C. or less); Self-propelled boom-type lifting device (center mount) (10 ton capacity or less M.R.C.); Single drum hoist; Tugger hoist

Group 6: Crawler cranes and truck cranes (over 15 tons M.R.C.); Derricks; Gantry rider (or similar equipment); Highline cableway; Self-propelled boom-type lifting device (center mount) (over 10 tons); Tower cranes mobile; Universal Liebherr and Tower cranes (and similar types); Two or more drum hoist

Group 6-A: Cranes (over 125 tons)

Group 7: Operator of helicopter

POWER EQUIPMENT OPERATORS
FILDRIVING
Remaining Counties

Group 1: Fireman; Oilman; Deckhand

Group 1-A: Compressor operator

Group 1-B: Truck crane oiler

Group 2-A: Operator of tugger hoist (hoisting material only)

Group 2-B: Compressor operator (over 2); Generator operator; Pump operator (over 2); Welding machine operator (powered other than by electricity)

Group 3: Deck engineer; Fork lift operator; A-Frames; Self-propelled boom-type lifting device (center mount) (10 ton capacity or less m.r.c.)

Group 3-A: Heavy duty repairman and/or welder

Group 4: Operating engineer in lieu of assistant to engineer tending boiler or compressor attached to crane piledriver; Operator of piledriving rigs, skid or floating and derrick barges; Operator of diesel or gasoline powered crane piledriver (without boiler) (up to and including 1 cu. yd. rating); Self-propelled boom-type lifting device (center mount) (over 10 tons); Truck crane operator (up to and including 25 tons)

Group 5: Operator of diesel or gasoline powered crane piledriver (without boiler) (over 1 cu. yd. rating); Operator of crane (with steam, flash boiler, pump or compressor attached); Operator of steam powered crawler, or Universal type driver (Raymond or similar type); Truck crane operator (over 25 tons) (hoisting material or performing piledriving work)

Group 6: Cranes (over 125 tons)

TRUCK DRIVERS *
(Remaining Counties)

DUMP (Single or multiple units including semis, double and transfer units; Dumpcrete and bulk cement spreaders:

Under 4 yards
4 yards and under 8 yards
8 yards and under 18 yards
18 yards and under 35 yards
35 yards and under 60 yards
60 yards and under 75 yards
75 yards and under 100 yards
100 yards and over

TRANSIT MIX:

Under 8 yards
8 yards and including 12 yards
Over 12 yards

WATER TRENCHES and Jetting Trucks:
Up to 2,500 gallons
2,500 gallons and over

20' and 21' and other similar Cat type, Terra Cobra, LeTourneau Pulls, Tournecoeur, Euclid and similar type equipment when pulling Aqua/Pak; Water tank trailers, fuel and/or grease tank, or other misc. trailers (except as defined under dump trucks)

FLATRACK: Industrial lift with mechanical tailgate:
Single unit 2 axle
Single unit 3 axle

Basic Hourly Rates	Basic Hourly Rates	M & W	Penalties	Vacations	App. Tr.
AREA I	AREA II				
\$9.20	\$10.35	.51	.65		.05
9.40	10.55	.51	.65		.05
9.60	10.75	.51	.65		.05
9.75	10.90	.51	.65		.05
10.00	11.15	.51	.65		.05
10.15	11.30	.51	.65		.05
10.30	11.45	.51	.65		.05
10.45	11.60	.51	.65		.05
9.60	10.75	.51	.65		.05
9.70	10.85	.51	.65		.05
9.90	11.05	.51	.65		.05
9.40	10.55	.51	.65		.05
9.60	10.75	.51	.65		.05
9.85	11.00	.51	.65		.05
9.40	10.55	.51	.65		.05
9.60	10.65	.51	.65		.05

SUPERSEDES DECISION

STATE: North Carolina
 DECISION NUMBER: MC77-1012
 DATE: Date of Publication
 SUPERSEDES DECISION NO.: AR-4017 dated August 9, 1974 in 39 FR-28729.
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTIES: *See below

*Counties: Avery, Mitchell & Watauga

	Basic Hourly Rates	Frillage Benefits Payments			Education and/or Appn. Tr.
		H & W	Pensions	Vacation	
Asbestos workers	5.25				
Bricklayers	6.00				
Carpenters	3.85				
Cement masons	3.32				
Electricians (Avery and Watauga Counties)	4.34				
Electricians (Mitchell County)	5.50				
Ironworkers, structural & ornamental	4.18				
Laborers	2.72				
Painters, brush	4.50				
Plumbers & pipefitters	4.37				
Roofers	4.10				
Sheet metal workers	3.97				
Soft floor layers	3.50				
Tile setters	3.50				
Welders - rate for craft.					
POWER EQUIPMENT OPERATORS:					
Backhoe operator	4.00				
Crane operator	3.50				

STATE: Oklahoma
 COUNTY: COMANCHE
 DATE: Date of Publication
 SUPERVISOR'S DECISION NO. OK77-4056
 Description of Work: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
		H & W	Pensions	Vacation	
ASBESTOS WORKERS	\$10.70	.40	.40		.02
BOILERMAKERS	10.00	.50	1.00		.02
BRICKLAYERS-Stonemasons	8.85	.45	.30		.10
CARPENTERS:					
Carpenters	7.70	.35	.25		.04
Millwrights-Pile-drivers	8.20	.35	.35		.04
Power saw operator	7.825	.35	.25		.04
CEMENT MASONS	7.00				
ELECTRICIANS	9.60	.40	1%		1/4%
ELEVATOR CONSTRUCTORS	8.855	.495	.32	25%+ab	.02
ELEVATOR CONSTRUCTORS HELPER	7.015	.495	.32	25%+ab	.02
ELEVATOR CONSTRUCTORS HELPER (probationary)	501.2				
IRONWORKERS	9.60	.45	.50		.10
LABORERS:					
Group I	5.65	.25	.30		
Group II	5.90	.25	.30		
Group III	6.40	.25	.30		

LABORERS CLASSIFICATION DEFINITIONS
 GROUP I - All digging & dirt work, firing of salamanders & smudge pots; loading & unloading of materials & equipment; loading & unloading of materials to & from hoist or cages for stock piling only; wheeling and placing of concrete; handling of lumber, steel, cement & distribution of materials; all cleaning, including cleaning of windows; wrecking and razing of building and all structures; cleaning and clearing of debris; loading & unloading of materials, hoist or cages, except when the man is directly tending; and common laborers.

GROUP II - All machine tool operators that come under the jurisdiction of the laborers; all sewer and drain tile layers and handling at the ditch, excluding distribution; operators of water pumps up to 4 inches and slip form jacks; men erecting scaffolds and directly tending ladders, masons, cement masons & plasterers, mortar mixers, hod carriers and dry mixers; high work over 30 feet from the ground or floors; cement finisher helpers; work on swinging scaffold; all bottle and pot men, tank cleaning, all pipe doping treating and wrapping, including all men working with dope; mortar and plaster mixing machine, pump-crete machines, and concrete mixing machines, including placing of concrete; handling of concrete or treated materials, liquid acids; or like materials when injurious to health, eye and skin or clothes; all newly developed mechanical equipment which replaces wheel barrows or buggies previously used by laborers; all scale men on batch plants; all laborers screening sand, running sand drier, and feeding operating sand blaster, except nozzle; signal men & cutting torch operators in connection with laborers work; concrete grader

GROUP III - Wagon drill operator and powdermen or blaster

	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or App. Tr.
LINE CONSTRUCTION:					
Linersmen	\$ 9.35		1%		1/2%
Cable splicers	9.91		1%		1/2%
Hole digger operator	8.49		1%		1/2%
Heavy equipment operators (or pole cat equivalent)	8.49		1%		1/2%
Line truck driver (winch op)	7.00		1%		1/2%
Jack hammerman	8.49		1%		1/2%
Powdermen	6.24		1%		1/2%
Groundmen	6.66		1%		1/2%
Truck driver (Flat bed, tan and half and under)	9.40		1%		1/2%
MARBLE SETTERS					
PAINTERS:					
Brush and roller	7.70	.25	.45		.05
Brush & roller (structural steel)	7.95	.25	.45		.05
Spray	8.40	.25	.45		.05
Sewing stage, bosom chair work	7.95	.25	.45		.05
Tying & bedding (hand tools)	8.10	.25	.45		.05
Sandblasting	8.25	.25	.45		.05
PLASTERERS	7.25				
PLUMBERS & PIPEFITTERS	10.27	.60	.75		.10
POWER EQUIPMENT OPERATORS:					
Group I	10.10	.45	.50		.12
Group II	9.85	.45	.50		.12
Group III	9.60	.45	.50		.12
Group IV	9.35	.45	.50		.12
Group V	9.10	.45	.50		.12
Group VI	8.85	.45	.50		.12
Group VII	8.45	.45	.50		.12
Group VIII	8.35	.45	.50		.12
Group IX	8.15	.45	.50		.12
Group X	7.85	.45	.50		.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP I - All crane type equipment with 200' of boom or over (including jib)

GROUP II - All crane type equipment with 150-200' of boom (including jib)

GROUP III - All crane type equipment with 100-150' of boom (including jib)

all tower cranes and all crane type equipment of 3 cu. yd. or more (as rated by mfr.), sideload (boom 30' or over), guy derrick

GROUP IV - Heavy duty mechanic welder, crane-boom & overhead monorail, wharf, panel board batch plant operator, piledriver engineer, dragline, shovel, clamshell, backhoe, sledgehammer (under 30'), gradall, hydro crane, cherry picker, hoists while operating 2 or more drums, hoists while doing stack & chimney work (1 or 2 drums), power driven hole digger (with 30' and longer mast)

DECISION NO. 0877-4056
 POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (CONT'D)

GROUP V - Motor patrol (blade), fork lift (30' and over), dumper (engine h.p. 65 or over), forklift tractor or like equipment with boom or loader equipment or ditcher, scraper type equipment, bulldozer, 15, 16, 20, 21 and similar rubber-tired equipment, Euclid, T5-24 and similar, loader operator or lift (Engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump - boom type

GROUP VI - Locomotive engineer, boring machine, tug, boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. and under, air compressor, over 500 cu. ft., (1) pump battery, 3 to 6, fork lift, bobcat and similar equipment, generator plant engineers, diesel electric, winch truck with a frame, roller, all types, outside elevator or building type of personnel hoist, concrete buster or tamper, hoisters under jurisdiction of operators, engineers, fireman, boiler operator, crushing plants, oiler distributor, pulverizer, farmer tractor with or without attachments, batch plant operator - dual, continuous or belt bulk handling, screened operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large wharves when and if required, operator for rotary drilling machines when operated from console or machines

Engineers for machines not listed under the above classifications shall receive the scale commensurate to these classifications.

GROUP VII - Greaser, tilt top trailer operator

GROUP VIII - Permanent elevator - building type (automatic, concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft. and under (1 or 2) welding machine (1 or 2), pump (1 or 2), fuelman, conveyor operator - single continuous belt bulk handling

GROUP IX - Asphalt lay machine back end man, helpers

GROUP X - Truck crane other driver or truck crane offer

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & M	Pensions	Vacation	
ROOFERS	\$ 8.80	.25	.25		.06
SHEET METAL WORKERS	9.56	.40	.40		.05
SOFT FLOOR LAYERS:					
Basement floor layers and carpet layers	8.85	.50			.06
SPRINKLER FITTERS	10.90	.50			
TESSAZZO WORKERS:					
Terrazzo workers	9.40		.30		
Terrazzo workers helper	6.98				
Terrazzo workers floor machine op.	7.08				
Terrazzo base machine operator	7.28				
TILE LAYERS	9.40		.30		
TILE & MARBLE HELPERS (EXPERIENCED)	8.65				
TRUCK DRIVERS:					
Group I	6.92				
Group II	6.92				
Group III	6.62				

SUPERSEDES DECISION

STATE: South Dakota
 COUNTY: Minnehaha
 DECISION NUMBER: SD77-5027
 DATE: Date of Publication
 SUPERSEDES DECISION NO. SD76-5093 dated September 24, 1976, in 41 FR 42147
 DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories)

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vocational		
ASSISTING WORKERS	.60	.65			
BOILERMAKERS	.85	1.00			.02
BRICKLAYERS; Stonemasons	.35	.40			
CARPENTERS:					
Carpenters; Piledrivermen	8.83	.20			.05
Millwrights	9.79	.20			.05
CEMENT MASONS	9.54				
ELECTRICIANS:					
0 miles through 30 miles from Sioux Falls Post Office					
Electricians	9.52	18	68	188	
Cable Splicers	10.47	18	68	188	
Over 30 miles from Sioux Falls Post Office					
Electricians	10.52	18	68	188	
Cable Splicers	11.47	18	68	188	
GLAZIERS	7.04				
LABORERS:					
Laborers	4.35				
Mortar Mixers, paving breakers, jack hammer operator	4.45				
Mazilian (gunite, sandblast and shotcrete)	4.60				
LATHERS	8.81				.01
PAINTERS:					
Brush	7.29				
Spray	7.79				
Tapers	7.54				
PLASTERERS	8.81				.01
PLUMBERS; Steamfitters	8.99	.15	.19		.03
SHEET METAL WORKERS	9.22	.15	.50		
SPRINKLER FITTERS	9.45	.90			.08
WELDER: Receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. S077-5028

SUPERSEDES DECISION

STATE: South Dakota
 DECISION NUMBER: S077-5028
 SUPERSEDES DECISION NO. S076-5094 dated September 24, 1976, in 41 FR 42148
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

COUNTIES: Meade and Pennington
 DATE: Date of Publication

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation	Education and/or Appr. Tr.	
ASBESTOS WORKERS	10.48	.60	.65			
BOILERMAKERS	10.30	.85	1.00			.02
BRICKLAYERS; Stonemasons	9.15		.30			
CARPENTERS:						
Carpenters, Acoustical	9.21		.30			.05
and Drywall Applicators	9.46		.30			.05
Firedriversmen	9.71		.30			.05
Millwrights	7.85	.35	.40			
CEMENT MASONS						
ELECTRICIANS:						
Within 15 mile radius of Rapid City Post Office	9.20	.40	18	68	158	
Electricians	9.75	.40	18	68	158	
Cable Splicers						
Within 15 to 35 miles radius of Rapid City Post Office	9.69	.40	18	68	158	
Electricians	10.15	.40	18	68	158	
Cable Splicers						
Outside a 35 mile radius of Rapid City Post Office	10.45	.40	18	68	158	
Electricians	11.00	.40	18	68	158	
Cable Splicers						
IRONWORKERS:						
Fence Erectors; Ornamental; Reinforcing; Sheet; Structural	9.90	.55	1.00			.25
LABORERS:						
Laborers; Power Tool Operator or all Mechanical Air, gas, electric tools, including self-propelled Buggies, Wagon and Air Track Drills; Pipe Layer (non-metallic); Sandblasting; Mortar Mixer; Mason Tender; Plaster Tender	5.80	.50	.15			
Gunite Workmen; Powdermen; Mixer; Timbermen	6.30	.50	.15			

PAINTERS:
 Brush
 Drywall Finishers and Tapers
 All painting over 30 ft.
 Paint Mitt; Sandblasting;
 Spray Steel (structural);
 Swing Stage; Windowjack
 PLASTERERS
 PLUMBERS; Steamfitters
 SHEET METAL WORKERS
 SPRINKLER FITTERS
 RIGGERS, WELDERS: Receive rate prescribed for craft performing operation to which rigging or welding is incidental.

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation	Education and/or Appr. Tr.	
\$ 5.25					.005
5.40					.005
5.75					.005
8.50					.03
9.13	.40	.35			.005
9.25					.08
9.45	.60	.90			

STATE: Tennessee
 DECISION NUMBER: TW77-1022
 DATE: Date of Publication
 SUPERSEDED DECISION NO.: TW76-1056 dated May 14, 1976 in 41 FR-20147
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTY: Rutherford

PAID HOLIDAYS:

*A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
 E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

- A. Holidays: A through F.
 b. Employer contributes 4% of regular hourly rate to Vacation 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.

Basic Hourly Rates	Fringe Benefits Payments				Education and/or App. Tr.
	H & W	Pensions	Vacation		
Asbestos workers	.35	.21			
A/C & Heating mechanics					
Bricklayers					
Carpenters					
Cement masons					
Electricians	.445	.29	3%+atb		.02
Elevator constructors	.445	.29	3%+atb		.02
Elevator constructors' helpers					
Elevator constructors' helpers (Prob.)	.45	.35			.02
Glaziers					
Ironworkers:					
Structural & reinforcing					
Laborers:					
Unskilled					
Air tool operator					
Asphalt raker					
Mason tender					
Lathers					
Painters, brush		.30			.05
Plasterers	.30	.20			.01
Plumbers & pipefitters					
Roofers					
Sheet metal workers					
Tile setters					
Tile setters helpers					
Truck drivers					
Welders - rate for craft.					
POWER EQUIPMENT OPERATORS:					
Backhoe					
Bulldozers					
Cranes					
Front end loaders					
Graders					
Paver, asphalt					
Mechanic					

SUPERSEDES DECISION

STATE: Texas

COMMENTS: Bell, Bosque, Coryell, Falls, Hill & McLennan

DECISION NO.: TX77-4053

DATE: Date of Publication

DATE: Date of Publication

SUPERSEDES DECISION NO. TX77-4005, dated January 21, 1977, in 42 FR 4102

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories). (See current hour & highway general wage determination for Paving & Utilities Incidental to Building Construction in Bosque, Falls, Hill & McLennan Counties).

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation	Education and/or Appr. Tr.	
ASBESTOS WORKERS:						
ZONE 1 - Bell, Coryell & Falls Counties	\$ 9.88	.42	.60			.08
ZONE 2 - Bosque, Hill & McLennan Counties	9.38	.325	.685			.025
ROOFERS:	12.00	.50	1.00			.02
BRICKLAYERS	8.60		.55			.03
CARPENTERS:						
ZONE 1 - Bell & Coryell Counties	8.20					
Carpenters	8.45					
Millwrights						
ZONE 2 - Bosque, Falls, Hill & McLennan Counties:						
Carpenters	8.45					
Millwrights	8.85					
CEMENT MASONS:	8.69	.40	.30			
ELECTRICIANS:						
ZONE 1 - Bosque, Falls, Hill & McLennan Counties; Parts of Bell & Coryell Counties north of Cowhouse Creek	9.55					1/4%
ZONE 2 - Parts of Bell & Coryell Counties south of Cowhouse Creek	10.60					
ELEVATOR CONSTRUCTORS:	9.33	.545	.35			.6%
ELEVATOR CONSTRUCTORS' HELPS	70.72	.545	.35	45%+6		.02
ELEVATOR CONSTRUCTORS' HELPS (PROB.)	507.72			45%+6		.02
GLAZIERS	6.90	.55	.80			.12
IRONWORKERS	9.00					
LABORERS:						
Unskilled	2.97					
Mason tenders	3.55					
Mortar mixers	3.55					
LATHES	9.30			.80		.05
LINE CONSTRUCTION:						
Linemen; linemen operators	11.26					1/2%
Cable splicers	12.39					1/2%
Groundman, 1st 6 months	6.76					1/2%
Groundman, 2nd 6 months	7.32					1/2%
Groundman, 1 year & over	7.88					1/2%

DECISION NO. TX77-4053

BUILDING CONSTRUCTION

PAINTERS:

GROUP 1 - Brush structural steel, window jacks, roofs, stage work, smoke stack, water towers, boatmain chair

GROUP 2 - Areas tools for dry walls

GROUP 3 - Spray work & self feeding rollers

GROUP 4 - Steam cleaning, sand-blasting & hazardous work

PLASTERERS

PLUMBERS & FITTERS:

ZONE 1 - Area within a 35 mile radius of Uaco, including Temple, Marlin, Clifton & Hillsboro

ZONE 2 - All other areas

ROOFERS:

GROUP 1 - Slate, tile, asbestos, roofing & siding

GROUP 2 - Composition, built-up, damp & waterproofing

GROUP 3 - Kettlemen

SHEET METAL WORKERS:

ZONE 1 - Within a radius of 20 miles from the McLennan County Courthouse, Uaco

ZONE 2 - Over 20 miles but less than 45 miles

ZONE 3 - Over 45 miles

STEELER FITTERS

TRUCK DRIVERS

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

Fringe Benefits Payments	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
	\$ 7.15				.04
	7.65				.04
	7.75				.04
	7.90				.04
	8.25				.04
	9.54	.35	.20		.01
	8.26	.30	.30		.03
	8.66	.30	.30		.03
	6.70				.03
	6.55				.03
	4.91				.03
	8.91				.05
	9.41				.05
	9.91				.05
	10.90	.60	.90		.08
	2.80				

OF NO. 357-4053

DECISION NO. 7477-4053

Basic Hourly Rates	Fringe Benefits Payments		
	H & W	Pensions	Vacation
BUILDING CONSTRUCTION			
FOOTNOTES:			
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate			
b - Paid Holidays A thru F			
PAID HOLIDAYS			
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day			

BUILDING CONSTRUCTION	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation
POWER EQUIPMENT OPERATORS				
GROUP 1	\$ 8.63		.40	
GROUP 2	7.56		.40	
GROUP 3	6.34		.40	
GROUP 4	6.23		.40	

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Heavy Duty Mechanic; Blade Grader - Self-propelled; Bull Crane; Back Filler; Derricks, power operated (all types); Dragline; Push Cat Operator; Excavator Operator; Bull Dozer and all types of Cat Tractors; Cable-lay; Back Hoe; Crane, Power Operated (all types); Elevating Grader, self-propelled; Moist, Motor-Driven, two drums or more; Mix Mobile; High-lifts & Loaders, over 1/3 cu. yd. capacity; Winch Truck; Locomotive; Mixer, 14 cu. ft. or over; Paving Mixer (all sizes); Scraper; Trenching Machine (all sizes); Grapple; Foundation Boring Machine; Scoopmobile; Shovel, power operated; Pump Grate Machines; Cram Shell Operator; Rock Crusher Operated on Job; Welding Machine, 8 to 12; Two 125 cu. ft. Compressors; Well points, including installations

GROUP 2 - Blade Grader, Towed; Plax Plane; Form Grader; Mixer, less than 14 cu. ft.; Pullover; Truck Crane Driver & Oiler, Combination man; Gasoline or Diesel Driven Welding Machine, 3 to 4; Moist, Single Drum Pump, 2 1/2 in. or larger; Pneumatic Roller; High-lifts & Loaders, 1/3 cu. yd. or less; Forklift, 1500 lbs. capacity or less; Air Compressors, anytime there are two or more attachments operating on a 125 cu. ft. compressor, a light equipment operator shall be employed. One 125 cu. ft. air compressor and one welding machine requires no operator. One 125 cu. ft. compressor and two welding machines or any 2 air compressors equivalent to a 125 cu. ft. air compressor requires a light equipment operator

GROUP 3 - Fireman

GROUP 4 - Oiler

DECISION NO. TX77-4053

INCIDENTAL PAVING & UTILITIES
(DELL & CORTELL COUNTIES)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or App. Tr.
	H & W	Pension	Vacation	
\$ 3.85				
4.00				
3.15				
3.75				
4.00				
3.50				
3.50				
4.00				
4.25				
4.00				
3.50				
5.35				
3.00				
3.75				
4.00				
5.00				
4.25				
3.25				
3.25				
3.75				
3.75				
4.00				
3.50				
4.25				
4.25				
3.60				
3.15				
3.35				
2.50				
4.35				
3.25				

Power Equipment Operators:
Asphalt Distributor
Asphalt Paving Machine
Broom or Sweeper Operator
Ballcoaster, 150 HP and Less
Ballcoaster, over 150 HP
Concrete Paving Curling Machine
Concrete Paving Saw
Cutrer, Clamshell, Backhoe, Der- rick, Dragline, Shovel (less than 1 1/2 CY)
Cutrer, Clamshell, Backhoe, Der- rick, Dragline, Shovel (1 1/2 CY and Over)
Crusher or Screening Plant Op.
Foundation Drill Op. (Crawler Mounted)
Foundation Drill Op. (Truck Mounted)
Foundation Drill Op. Helper
Front End Loader (2 1/2 CY & Less)
Front End Loader (Over 2 1/2 CY)
Motor Grader Op., Fine Grade
Motor Grader Operator
Roller, Steel Wheel (Plant-Mix Pavements)
Roller, Steel Wheel (Other-Flat Wheel or Tamping)
Roller, Pneumatic (Self-Propelled)
Roller, Pneumatic (Self-Propelled)
Scrapers (17 CY and Less)
Scrapers (Over 17 CY)
Tractor (Crawler Type) 150 HP and Less
Tractor (Crawler Type) over 150 HP
Tractor (Pneumatic) 80 HP & Less
Tractor (Pneumatic) over 80 HP
Travelling Mixer
Trenching Machine, Light
Trenching Machine, Heavy
Wagon Drill, Boring Machine or Post Hole Driller Operator
Truck Drivers:
Single Axle, Light
Lowboy-Float
Weldman (Truck Scales)
Welder
Welder Helper

Power Equipment Operators:

Asphalt Distributor
Asphalt Paving Machine
Broom or Sweeper Operator
Bulldozer, 150 HP and Less
Bulldozer, over 150 HP
Concrete Paving Curbing Machine
Concrete Paving Saw
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and Over)
Crawler or Screening Plant Op.
Foundation Drill Op. (Crawler Mounted)
Foundation Drill Op. (Truck Mounted)
Front End Loader (2½ CY & Less)
Front End Loader (Over 2½ CY)
Motor Grader Op., Fine Grade
Motor Grader Operator
Roller, Steel Wheel (Plant-Mix Pavements)
Roller, Steel Wheel (Other-Flat Wheel or Tamping)
Roller, Pneumatic (Self-Propelled)
Scrapers (17 CY and Less)
Scrapers (Over 17 CY)
Tractor (Crawler Type) 150 HP and Less
Tractor (Crawler Type) over 150 HP
Tractor (Pneumatic) 80 HP & Less
Tractor (Pneumatic) over 80 HP
Traveling Mixer
Trenching Machine, Light
Trenching Machine, Heavy
Wagon Drill, Boring Machine or Post Hole Driller Operator
Truck Drivers:
Single Axle, Light
Looseboy-Front
Weighman (Truck Scales)
Welder
Welder Helper

DECISION NO. TX77-4053

INCIDENTAL PAVING & UTILITIES
(DELL & CORTELL COUNTIES)

INCIDENTAL PAVING & UTILITIES (BELL & CORTELL COUNTIES)	Fringe Benefits Payments			Education and/or App. Tr.
	Basic Hourly Rates	H & W	Pensions	
Air Tool Man	\$ 3.00			
Asphalt Masterman	3.25			
Asphalt Baker	3.90			
Batching Plant Sealsman	4.15			
Carpenter	4.10			
Carpenter Helper	3.00			
Concrete Finisher (Paving)	4.25			
Concrete Finisher Helper (Paving)	3.30			
Concrete Finisher (Structures)	4.25			
Concrete Finisher Helper (Structures)	3.00			
Concrete Rubber	3.35			
Electrician	6.00			
Electrician Helper	4.00			
Form Builder (Structures)	4.25			
Form Builder Helper (Structures)	3.35			
Form Setter (Paving and Curb)	3.85			
Form Setter (Structures)	4.25			
Form Setter Helper (Structures)	3.00			
Laborer, Common	2.50			
Laborer, Utility Man	3.00			
Mechanic	4.45			
Mechanic Helper	3.65			
Oiler	3.65			
Serviceman	3.50			
Painter (Structures)	5.25			
Pipelayer (Concrete & Clay)	3.50			
Pipelayer Helper (Concrete & Clay)	3.25			
Flumbers:				
Zone 1 - 35 miles from Waco, Texas including town of Temple	8.25	.30	.30	.00
Zone 2 - all area not included in Zone 1	8.66	.30	.30	.00
Powerman	4.00			
Reinforcing Steel Setter (Structures)	4.00			
Reinforcing Steel Setter Helper	2.75			
Sign Erector	3.25			
Sign Erector Helper	3.00			
Sprayer Box Man	4.00			
Sweeper	3.30			

Air Tool Man
Asphalt Helper
Asphalt Paver
Batching Plant Scaleman
Carpenter
Carpenter Helper
Concrete Finisher (Paving)
Concrete Finisher Helper (Paving)
Concrete Finisher (Structures)
Concrete Finisher Helper (Structures)
Concrete Rubber
Electrician
Electrician Helper
Form Builder (Structures)
Form Builder Helper (Structures)
Form Setter (Paving and Curb)
Form Setter (Structures)
Form Setter Helper (Structures)
Laborer, Common
Laborer, Utility Man
Mechanic
Mechanic Helper
Miller
Serviceman
Painter (Structures)
Pipelayer (Concrete & Clay)
Pipelayer Helper (Concrete & Clay)
Plumbers:
Zone 1 - 35 miles from Waco, Texas including town of Temple
Zone 2 - all area not included in Zone 1
Powderman
Reinforcing Steel Setter (Structures)
Reinforcing Steel Setter Helper
Sign Erector
Sign Erector Helper
Spreader Box Man
Sweeper

STATE: Texas
 DECISION NO.: TX77-4054
 COUNTY: Bexar
 DATE: Date of Publication
 SUPERSEDES DECISION NO. TX76-4170, dated October 8, 1976, in 41 FR 44676.
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories). (See current heavy & highway general wage determination for Paving & Utilization Incidental to Building Construction).

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS	\$10.00	.70	.70			.06
BOILERMAKERS	10.00	.50	1.00			.02
BRICKLAYERS	10.13	.38	.50			.05
CARPENTERS	9.00					.05
CEMENT MASONS	9.12	.49	.55			.05
ELECTRICIANS	11.05	.55	.55			.04
ELEVATOR CONSTRUCTORS	9.35	.545	.35	42-44		.02
ELEVATOR CONSTRUCTORS' HELPERS	7.01	.545	.35	42-44		.02
(FPM,)						
GLAZIERS	10.07	.80	.425			.01
IRONWORKERS	9.63	.55	.85			.075
LABORERS:						
GROUP 1	4.90	.28	.20			.02
GROUP 2	5.00	.28	.20			.02
GROUP 3	5.10	.28	.20			.02
GROUP 4	5.05	.28	.20			.02
GROUP 5	5.15	.28	.20			.02
GROUP 6	5.30	.28	.20			.02

LABORERS CLASSIFICATION DEFINITIONS

GROUP 1 - Construction labor, including excavation, concrete work, reinforcing, mason handler and wheeler (stock pile), asphalt, iron and rebar, water proofing tender, pipe layer (non-metallic), pumpcrete pipe (handling and laying) and all building construction labor excepting that hereinafter classified; window washer, carpenters tender, cement mason tender, vibrator operator, other mechanic tender (except as otherwise classified); Dumper & spotter

GROUP 2 - Air tool operator

GROUP 3 - Well driller

GROUP 4 - Cutting torch man; mason tender; mason handler & wheelers handling material from first stock pile; concrete pipe (handling and laying); Sand blaster; Power buggy operator; plasterer tender & hod carrier; ladder tender; well driller tender

GROUP 5 - Tool room tender; mortar mixer (hoe and otherwise); blaster, powder man; genite worker

GROUP 6 - Genite nozzleman

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
LINE CONSTRUCTION:					
Lineman & cable splicer	\$11.62	.40	11		1/2%
Groundman (1st 6 months)	4.07	.40	11		1/2%
Groundman (2nd 6 months)	4.88	.40	11		1/2%
Groundman	6.74	.40	11		1/2%
MAINTENANCE:					
GROUP 1 - All brush painting, hand roller, steam cleaning, all pneumatic tools	5.295	.365	.35	.40	.04
GROUP 2 - All spray painting, sandblasting, waterblasting	9.67	.365	.35	.40	.04
GROUP 3 - Tape, float & drywall	9.42	.365	.35	.40	.04
GROUP 4 - Scaffolding jack work, hot materials	9.92	.365	.35	.40	.04
PIPEFITTERS	10.35	.45	.60		.045
PLASTERERS	9.70	.77	.30		.02
PLUMBERS	10.42	.50	.60		.10
SHEET METAL WORKERS	10.18	.275	.595	.32	.06
WIRE FLOOR LAYERS	9.17	.35	.45		.08
WELDERS	9.51				
TILE SETTERS					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					
FOOTNOTES:					
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate					
b - Paid Holidays A thru F					
PAID HOLIDAYS					
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day					

DECISION NO. 2277-4754

	Basic Monthly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacations		
GROUP 1	\$ 9.87	.35	.65			.06
GROUP 2	8.28	.35	.65			.06
GROUP 3	7.86	.35	.65			.06
GROUP 4	7.66	.35	.65			.06

POWER EQUIPMENT OPERATORS

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Heavy Duty Mechanic; Blade Grader, Self-propelled; Bull Chain; Back Filler; Derrick-pour operated (all types); Clam shell; Draglines; Push Cat Operator; Bull Digger & all types Cat Tractors; Cable-way; Backhoe; Shovel, power operated; Crane, power operated (all types); Elevating Grader, Self-propelled; Hoist, Motor-Driven, Two Drums or more; Mix Mobile; Water Wall Drilling Machines, used on construction; Building Elevator, used on construction; Tug Boat Operator, assigned to construction; Winch Truck; Locomotive Crane; Concrete Mixer, 14 cubic feet or more; Paving Mixer (all types); Pile Driver; Scraper, heavy type, over 3 cubic yards; Trenching Machine (all sizes); Grapple; High-Lift; Foundation Boring Machine; Gasoline or Diesel-Driven Welding Machines, 7 or more; Pumpcrete Machine Operator; Turnapulls; Dd-10 Caterpillar, S-15 Euclid and similar tractors; Asphalt Plant Mixer Operator on job; Crusher Operator on job; Scoopmobiles; Forklift used on construction (not including warehousing); Well Point Pump; Concrete Batch Plant Operator; Pneumatic Rollers, self-propelled; All other equipment of similar nature coming under the Heavy Equipment Class, when power operated.

GROUP 2 - Air Compressors; Blade Grader, Towed; Flat Plane; Form Grader; Concrete Mixer, less than 14 cubic feet; Pumps; Pulverizers; Truck Crane Driver; Gasoline or diesel driven welding machines (on 3 or more, up to 6 machines); Hoist, Single Drum; Scraper, 3 cubic yards or less; Wagon Drill Operator; Conveyor; Generator, Gasoline or diesel driven, over 1500 watts; Rubber Tired Farm Tractor with attachments; A light equipment operator may run 1 or 2 105 cfm compressors; All other equipment of similar nature coming under the Light Equipment Class, when power operated.

GROUP 3 - Fireman
GROUP 4 - Oilier

SUPERSEDES DECISION

STATE: Texas COUNTY: Tarrant
 DECISION NO.: TX77-4057 DATE: Date of Publication
 SUPERSEDES DECISION NO. TX76-4127, dated July 23, 1976, in 41 FR 30491.
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	\$ 4.63				
BRICKLAYERS	7.75				
CARPENTERS	5.92				
CEMENT MASONRY					
ELECTRICIANS:					
Electricians	8.60	.60	1%		1/4%
Cable splicers	9.00	.60	1%		1/4%
GLAZIERS	5.45				
IRONWORKERS	8.50	.30	.35		.04
LABORERS:					
Laborers	3.00				
Mason tenders	4.00				
Mortar mixers	4.10				
Plasterer tenders	4.40				
LATERS	7.15	.30	.10		.01
PAINTERS	4.50				.05
PLASTERERS	8.075				.03
PLUMBERS:					.03
On projects of \$200,000 or more	7.59				
On projects less than \$200,000	6.76				
ROOFERS	4.50				.03
SHEET METAL WORKERS					.03
SOUND INSTALLERS	7.78	.62	.50		.03
SPOUTER FITTERS	6.00	.40	1%		.06
TRUCK DRIVERS	10.90	.60	.90		
WELDERS - receive rate pre-	2.75				
scribed for craft performing					
operation to which welding is					
incidental.					

SUPERSEDES DECISION

STATE: Texas COUNTY: Gregg
 DECISION NO.: TX77-4055 DATE: Date of Publication
 SUPERSEDES DECISION NO. TX76-4115, dated July 16, 1976, in 41 FR 25642.
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	\$ 9.38	.325	.685		.025
BOTTLEMAKERS	10.00	.50	1.00		.02
BRICKLAYERS	8.85		.35		.05
CARPENTERS:					
Carpenters	7.75				.015
Millwrights	10.00				.015
Pile-driverman	8.25				.015
CEMENT MASONS	6.50				
ELECTRICIANS:					
Electricians	8.60	.60	1%		1/4%
Cable splicers	9.00	.60	1%		1/4%
GLAZIERS	5.80				
IRONWORKERS	8.95	.35	.35		.04
LABORERS:					
Laborers	3.40				
Mason tenders	3.80				
Plasterers' tenders	4.40				
LATERS	6.875	.20	.10		.01
PAINTERS, BRUSH	6.75				
PLASTERERS	7.68				
PLUMBERS & PIPEFITTERS	7.79	.43	.90		.10
POUTERS	6.40				.055
SHEET METAL WORKERS	8.455	.35+.35	.50		
TILE SETTERS	6.90				
TILE SETTERS' HELPS	3.65				
TRUCK DRIVERS	3.50				
POWER EQUIPMENT OPERATORS:					
Backhoes	4.50				
Bids graders	4.50				
Bulldozers	4.75				
Cherry pickers	4.50				
Drilling machine operators	3.75				
Loaders	4.30				
Motor graders	5.00				
Rollers	4.87				
Scrapers	4.28				
WELDERS - receive rate prescribed					
for craft performing operation					
to which welding is incidental.					

[PR Doc.77-6195 Filed 3-9-77; 8:45 am]

GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS

Index as of February 4, 1977

There is set forth below an index to general wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists

general wage determination decisions and modifications by State and County. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published gen-

eral decisions do not coincide, the published general decisions shall control.

ABBREVIATIONS

- (B)—Building Construction.
- (D)—Dredging.
- (F)—Flood Control Construction.
- (H)—Heavy Construction.
- (Hw)—Highway Construction.
- (R)—Residential Construction.

- Mod.—Modification.
- (HE)—Heavy Engineering.
- (LE)—Light Engineering.
- (U)—Utility.
- (W&S)—Water and Sewer.

Signed at Washington, D.C., this 25th day of February 1977.

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

ALABAMA

STATISTICAL
Decision #AL76-5090 (D)
41 FR 44609 - 10/8/76
Decision #AL76-1082 (Hw) (Excluding Airport Construction)
41 FR 32108 - 7/30/76

AUTAUGA COUNTY
(D, Hw) - See Statewide

BALDWIN COUNTY
Decision #AL76-1008 (R)
41 FR 2540 - 1/16/76

BARBOUR COUNTY
(D, Hw) - See Statewide

BIBB COUNTY
(D, Hw) - See Statewide

BLOUNT COUNTY
Decision #AL76-1047 (R)
40 FR 17474 - 4/18/75

Mod. #1 - 41 FR 19004 - 5/7/76

Mod. #2 - 41 FR 52175 - 11/26/76

(D, Hw) - See Statewide

BULLOCK COUNTY
(D, Hw) - See Statewide

BUTLER COUNTY
(D, Hw) - See Statewide

CALHOUN COUNTY
Decision #AL76-1125 (B)
41 FR 47713 - 10/29/76

CHAMBERS COUNTY
(D, Hw) - See Statewide

CHEBOKEE COUNTY
(D, Hw) - See Statewide

CHILTON COUNTY
(D, Hw) - See Statewide

CHOCTAW COUNTY
(D, Hw) - See Statewide

CLARKE COUNTY
(D, Hw) - See Statewide

(D, Hw) - See Statewide

ALABAMA (Cont'd.)

CLAY COUNTY
(D, Hw) - See Statewide

CLEBURNE COUNTY
(D, Hw) - See Statewide

COFFEE COUNTY
(D, Hw) - See Statewide

COLBERT COUNTY
Decision #AL76-1046 (R)
40 FR 17451 - 4/18/75

Decision #AL76-1011 (B)
41 FR 4741 - 1/30/76

Mod. #1 - 41 FR 8623 - 2/27/76

Mod. #2 - 41 FR 18263 - 4/30/76

Mod. #3 - 41 FR 32101 - 7/30/76

Mod. #4 - 41 FR 40369 - 9/17/76

Mod. #5 - 42 FR 967 - 1/4/77

(D, Hw) - See Statewide

CONOCO COUNTY
(D, Hw) - See Statewide

COOSA COUNTY
(R) - See Baldwin County

COVINGTON COUNTY
(D, Hw) - See Statewide

CRENSHAW COUNTY
(D, Hw) - See Statewide

CULLMAN COUNTY
(D, Hw) - See Statewide

DALE COUNTY
(D, Hw) - See Statewide

DALLAS COUNTY
(D, Hw) - See Statewide

DE KALB COUNTY
(D, Hw) - See Statewide

ELMORE COUNTY
(D, Hw) - See Statewide

ESCAMBIA COUNTY
(D, Hw) - See Statewide

ETOWAH COUNTY
(D, Hw) - See Baldwin County

(D, Hw) - See Statewide

ALABAMA (Cont'd.)

FAYETTE COUNTY
(D, Hw) - See Statewide

FRANKLIN COUNTY
(D, Hw) - See Statewide

GENEVA COUNTY
(R) - See Colbert County

GREENE COUNTY
(D, Hw) - See Statewide

HALE COUNTY
(D, Hw) - See Statewide

HENRY COUNTY
(D, Hw) - See Statewide

HOUSTON COUNTY
(D, Hw) - See Statewide

JACKSON COUNTY
(D, Hw) - See Statewide

JEFFERSON COUNTY
Decision #AL77-1007 (B)
42 FR 5619 - 1/28/77

(D) - See Statewide

(Hw) - See Blount County

LAGAR COUNTY
(D, Hw) - See Statewide

LAUDERDALE COUNTY
(B, R) - See Colbert County

(D, Hw) - See Statewide

LAURENCE COUNTY
Decision #AL76-1134 (B)
41 FR 53239 - 12/3/76

Mod. #1 - 42 FR 907 - 1/4/77

Mod. #2 - 42 FR 4061 - 1/21/77

(D, Hw) - See Statewide

(R) - See Colbert County

LEE COUNTY
(D, Hw) - See Statewide

LIMESTONE COUNTY
(B) - See Lawrence County

(D, Hw) - See Statewide

ALABAMA (cont'd.)

LOWNDES COUNTY
(D, Hw) - See Statewide

MADISON COUNTY
(D, Hw) - See Statewide

MOBILE COUNTY
Decision #AL77-1006 (B)
42 FR 5618 - 1/28/77

MOBILE COUNTY
(D, Hw) - See Statewide

MONTGOMERY COUNTY
(D, Hw) - See Statewide

MONTGOMERY COUNTY
(R) - See Colbert County

MONTGOMERY COUNTY
(D, Hw) - See Statewide

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MONTGOMERY COUNTY
(D, Hw) - See Statewide

MONTGOMERY COUNTY
(D, Hw) - See Statewide

ALABAMA (Cont'd)

PIKE COUNTY
(D, Hw) - See Statewide
RANDOLPH COUNTY
(D, Hw) - See Statewide
RUSSELL COUNTY
(D, Hw) - See Statewide
SAINT CLAIR COUNTY
(D, Hw) - See Statewide
(R) - See Blount County
SHELBY COUNTY
(B) - See Jefferson County
(D, Hw) - See Statewide
(R) - See Blount County
SUTTER COUNTY
(D, Hw) - See Statewide
TALLADEGA COUNTY
(D, Hw) - See Statewide
(R) - See Blount County
TALLAPOOSA COUNTY
(D, Hw) - See Statewide
TUSCALOOSA COUNTY
Decision #AL76-1027 (B)
41 FR 7897 - 2/20/76
Mod. #1 - 41 FR 18263 - 4/30/76
Mod. #2 - 41 FR 33125 - 8/6/76
(D, Hw) - See Statewide
WALKER COUNTY
(D, Hw) - See Statewide
(R) - See Blount County
WASHINGTON COUNTY
(D, Hw) - See Statewide
(R) - See Baldwin County
WILCOX COUNTY
(D, Hw) - See Statewide
WINSTON COUNTY
(D, Hw) - See Statewide
(R) - See Colbert County

ALASKA

STATEWIDE
Decision #AK77-5009 (B, H, Hw, D, R)
42 FR 4074 - 1/21/77

ARIZONA

STATEWIDE
Decision #AZ76-5109 (B, H, Hw)
41 FR 52189 - 11/26/76
APACHE COUNTY
Decision #AZ75-5003 (R)
(Navajo and Hopi Indian
Reservations in Apache,
Coconino, Navajo Cos.)
40 FR 3868 - 1/24/75
(B, H, Hw) - See Statewide
COCHISE COUNTY
(B, H, Hw) - See Statewide
COCONINO COUNTY
(R) - See Apache County
(B, H, Hw) - See Statewide
GILA COUNTY
(B, H, Hw) - See Statewide
GRAHAM COUNTY
(B, H, Hw) - See Statewide
GREENLEE COUNTY
(B, H, Hw) - See Statewide
MARICOPA COUNTY
(B, H, Hw) - See Statewide
Decision #AZ76-5110 (R)
41 FR 52188 - 11/26/76
MOHAVE COUNTY
(B, H, Hw) - See Statewide
NAVAJO COUNTY
(B, H, Hw) - See Statewide
(R) - See Apache County
PIMA COUNTY
(B, H, Hw) - See Statewide
Decision #AZ76-5111 (R)
41 FR 52204 - 11/26/76
PINAL COUNTY
(B, H, Hw) - See Statewide
SANTA CRUZ COUNTY
(B, H, Hw) - See Statewide
YAVAPAI COUNTY
(B, H, Hw) - See Statewide
YUMA COUNTY
(B, H, Hw) - See Statewide

ARKANSAS

STATEWIDE

Decision #A276-4111 (Construction Alteration, and/or repair of streets, highways, runways, and water & sewer utilities)

41 FR 27547 - 7/2/76

Mod. #1 - 41 FR 29606 - 7/16/76

Decision #A276-5090 (D)

41 FR 44609 - 10/8/76

ARKANSAS COUNTY

Decision #A276-5041 (F)

41 FR 19017 - 5/7/76

Mod. #1 - 41 FR 21901 - 5/26/76

ASHLEY COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

BAXTER COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

BENTON COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

BOONE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

BADLEY COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CALHOUN COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CARROLL COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CHICOT COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

ARKANSAS (Cont'd.)

CLARK COUNTY

(B) - See Garland County

(D, H, W) - See Statewide

(F) - See Arkansas County

CLAY COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CLEBURNE COUNTY

(B) - See Conway County

(D, H, W) - See Statewide

(F) - See Arkansas County

CLEVELAND COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

COLUMBIA COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CONWAY COUNTY

Decision #A276-4130 (B)

41 FR 30509 - 7/23/76

Mod. #1 - 41 FR 43557 - 10/1/76

Mod. #2 - 41 FR 52175 - 11/25/76

Mod. #3 - 42 FR 3133 - 1/4/77

Mod. #4 - 42 FR 7015 - 2/4/77

(D, H, W) - See Statewide

(F) - See Arkansas County

CRAIGHEAD COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CRAWFORD COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

Decision #A277-4018 (B)

42 FR 7040 - 2/4/77

CRITTENDEN COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

CROSS COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

DALLAS COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

DESHA COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

ARKANSAS (Cont'd.)

DREW COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

FRANKLIN COUNTY

(B) - See Conway County

(D, H, W) - See Statewide

(F) - See Arkansas County

FRANKLIN COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

FULTON COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

GARLAND COUNTY

Decision #A276-4133 (B)

41 FR 30513 - 7/23/76

Mod. #1 - 41 FR 47715 - 10/28/76

Mod. #2 - 41 FR 52176 - 11/19/76

Mod. #3 - 42 FR 7015 - 2/4/77

(D, H, W) - See Statewide

(F) - See Arkansas County

GRANT COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

GREENE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

HEMPSTEAD COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

HOT SPRING COUNTY

(B) - See Garland County

(D, H, W) - See Statewide

(F) - See Arkansas County

HOWARD COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

INDEPENDENCE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

IZARD COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

ARKANSAS (Cont'd.)

JACKSON COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

JEFFERSON COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

JOHNSON COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LAFAYETTE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LAWRENCE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LEE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LINCOLN COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LITTLE RIVER COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LOGAN COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

LENOIRE COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

MADISON COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

MARION COUNTY

(D, H, W) - See Statewide

(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

MISSISSIPPI COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

MONROE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

MONTGOMERY COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

NEVADA COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

NEWTON COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

OURICHITA COUNTY
(B) - See Union County
(D, H, Hw) - See Statewide
(F) - See Arkansas County

PERRY COUNTY
(B) - See Conway County
(D, H, Hw) - See Statewide
(F) - See Arkansas County

PHILLIPS COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

PIKE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

POINSETT COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

POLK COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

POPE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

PSAIRIE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

POLASKI COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

Decision #876-4128 (B)
Mod. #1 - 41 FR 52175 - 11/26/76
Mod. #2 - 42 FR 7015 - 2/4/77
(F) - See Arkansas County

Decision #875-4668 (R)
40 FR 14218 - 3/28/75
(D, H, Hw) - See Statewide
(F) - See Arkansas County

RANDOLPH COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

ST. FRANCIS COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

SALINE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

SCOTT COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

SEARCY COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

SEBASTIAN COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

SEVIER COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

SHARP COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

STONE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

UNION COUNTY
Decision #876-4128 (B)
41 FR 30507 - 7/23/76
Mod. #1 - 41 FR 52175 - 11/26/76
Mod. #2 - 42 FR 7015 - 2/4/77
(F) - See Arkansas County

VAN BUREN COUNTY
(D, H, Hw) - See Statewide
(B) - See Conway County
(D, H, Hw) - See Statewide
(F) - See Arkansas County

WASHINGTON COUNTY
(B) - See Crawford County
(D, H, Hw) - See Statewide
(F) - See Arkansas County

WHITE COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

WOODRUFF COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

YELL COUNTY
(D, H, Hw) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #CA76-5101 (B,H,Hw,D)
41 FR 51255 - 11/19/76
Mod. #1 - 42 FR 7016 - 2/4/77
Decision #CA76-5102 (R)
41 FR 51272 - 11/19/76
Mod. #1 - 42 FR 7019 - 2/4/77
ALPINE COUNTY
(B,D,H,Hw,R) - See Alameda County
ANADOR COUNTY
(B,D,H,Hw,R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - See Alameda County
CALAVERAS COUNTY
(B,H,Hw,D,R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,D,H,Hw,R) - See Alameda County
DELMARTE COUNTY
(B,D,H,Hw,R) - See Alameda County
ELDORADO COUNTY
(B,D,H,Hw,R) - See Alameda County
FRESNO COUNTY
(B,D,H,Hw,R) - See Alameda County

CALIFORNIA (Cont'd)

GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,D,H,Hw,R) - See Alameda County
IMPERIAL COUNTY
Decision #CA76-5120 (B,D,H,Hw)
41 FR 56556 - 12/28/76
Mod. #1 - 42 FR 4061 - 1/21/77
Mod. #2 - 42 FR 7022 - 2/4/77
Decision #CA76-5121 (R)
41 FR 56566 - 12/28/76
Mod. #1 - 42 FR 4061 - 1/21/77
Mod. #2 - 42 FR 7024 - 2/4/77
INYO COUNTY
(B,H,Hw,D) - See Imperial County
KERN COUNTY
(B,D,H,Hw,R) - See Imperial County

CALIFORNIA (Cont'd)

KINGS COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,D,H,Hw,R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARIN COUNTY
(B,H,Hw,D,R) - See Alameda County
MARIPOSA COUNTY
(B,D,H,Hw,R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw,D) - See Alameda County
MERCED COUNTY
(B,D,H,Hw,R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONO COUNTY
(B,H,Hw,D) - See Imperial County
MONTEREY COUNTY
(B,D,H,Hw,R) - See Alameda County
NAPA COUNTY
(B,D,H,Hw,R) - See Alameda County
NEVADA COUNTY
(B,D,H,Hw,R) - See Alameda County
ORANGE COUNTY
(B,D,H,Hw,R) - See Imperial County
PLACER COUNTY
(B,D,H,Hw,R) - See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,D,H,Hw,R) - See Imperial County
SACRAMENTO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D,R) - See Alameda County
SAN BERNARDINO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN DIEGO COUNTY
Decision #CA76-5116 (B,H,Hw,D)
41 FR 54115 - 12/10/76

CALIFORNIA (Cont'd)

SAN DIEGO COUNTY (Cont'd.)
Decision #CA76-5117 (R)
41 FR 54122 - 12/10/76
SAN FRANCISCO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN JOAQUIN COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,H,Hw,D,R) - See Imperial County
SAN MATEO COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA BARBARA COUNTY
(B,D,H,Hw,R) - See Imperial County
SANTA CLARA COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA CRUZ COUNTY
(B,D,H,Hw,R) - See Alameda County
SHASTA COUNTY
(B,D,H,Hw) - See Alameda County
SIERRA COUNTY
(B,D,H,Hw) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,D,H,Hw,R) - See Alameda County
SONOMA COUNTY
(B,D,H,Hw,R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,D,H,Hw,R) - See Alameda County
TEHAMA COUNTY
(B,D,H,Hw,R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County
TULARE COUNTY
(B,H,Hw,D) - See Alameda County
TUOLUMNE COUNTY
(B,D,H,Hw,R) - See Alameda County
VENTURA COUNTY
(B,D,H,Hw,R) - See Imperial County
YOLO COUNTY
(B,H,Hw,D,R) - See Alameda County
YUBA COUNTY
(B,H,Hw,D,R) - See Alameda County

COLORADO

STATEWIDE

- Decision #C076-5057 (B,H)
41 FR 32115 - 7/30/76
- Mod. #1 - 41 FR 46806 - 10/22/76
Mod. #2 - 41 FR 52176 - 11/26/76
- ADAMS COUNTY
Decision #C076-5104 (B,H)
41 FR 52209 - 11/26/76
- Decision #C075-5061 (R)
40 FR 22744 - 5/23/75
- Mod. #1 - 41 FR 10818 - 3/12/76
- (Hw) - See Statewide
- ALAMOSA COUNTY
(Hw) - See Statewide
- ANAPRAHOE COUNTY
(Hw) - See Statewide
- (B,H,R) - See Adams County
- ARCHULETA COUNTY
(Hw) - See Statewide
- BACA COUNTY
(Hw) - See Statewide
- BENT COUNTY
(Hw) - See Statewide
- BOLDER COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- CHAFFEE COUNTY
(Hw) - See Statewide
- CHEYENNE COUNTY
(Hw) - See Statewide
- CLEAR CREEK COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- CONJOS COUNTY
(Hw) - See Statewide
- COSTILLA COUNTY
(Hw) - See Statewide
- CROWLEY COUNTY
(Hw) - See Statewide
- CUSTER COUNTY
(Hw) - See Statewide
- DELTA COUNTY
Decision #C076-5107 (B,H)
41 FR 53242 - 12/3/76
- DENVER COUNTY
(Hw) - See Statewide
- (B,H,R) - See Adams County
- DOLORES COUNTY
(Hw) - See Statewide
- DOUGLAS COUNTY
(Hw) - See Statewide
- (B,H) - See Adams County
- EAGLE COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide

COLORADO (Cont'd.)

ELBERT COUNTY

- (Hw) - See Statewide
- (B,H) - See Adams County
- EL PASO COUNTY
Decision #C076-5105 (B,H)
41 FR 52219 - 11/26/76
- (Hw) - See Statewide
- FREMONT COUNTY
(Hw) - See Statewide
- GARFIELD COUNTY
(B,H) - See Delta County
- (Hw) - See Statewide
- GILPIN COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- GRAND COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- GUNNISON COUNTY
(B,H) - See Delta County
- (Hw) - See Statewide
- HINDSDALE COUNTY
(Hw) - See Statewide
- HUERFANO COUNTY
(Hw) - See Statewide
- JACKSON COUNTY
(Hw) - See Statewide
- JEFFERSON COUNTY
(B,H,R) - See Adams County
- KIOWA COUNTY
(Hw) - See Statewide
- KIT CARSON COUNTY
(Hw) - See Statewide
- LAKE COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- LA PLATA COUNTY
(Hw) - See Statewide
- LARIMER COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- LAS ANIMAS COUNTY
Decision #C076-5106 (B,H)
41 FR 52225 - 11/26/76
- Mod. #1 - 41 FR 56549 - 12/28/76
- (Hw) - See Statewide
- LINCOLN COUNTY
(Hw) - See Statewide
- LOGAN COUNTY
(Hw) - See Statewide
- MESA COUNTY
(B,H) - See Delta County
- (Hw) - See Statewide
- MINERAL COUNTY
(Hw) - See Statewide

COLORADO (Cont'd.)

MOFFAT COUNTY

- (Hw) - See Statewide
- MONTZUMA COUNTY
(Hw) - See Statewide
- MONTROSE COUNTY
(B,H) - See Delta County
- (Hw) - See Statewide
- MORGAN COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- OTERO COUNTY
(B,H) - See Las Animas County
- (Hw) - See Statewide
- OURAY COUNTY
(Hw) - See Statewide
- PARK COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- PHILLIPS COUNTY
(Hw) - See Statewide
- PITKIN COUNTY
(B,H) - See Delta County
- (Hw) - See Statewide
- PROMERS COUNTY
(Hw) - See Statewide
- PUEBLO COUNTY
(B,H) - See Las Animas County
- (Hw) - See Statewide
- RIO BLANCO COUNTY
(Hw) - See Statewide
- RIO GRANDE COUNTY
(Hw) - See Statewide
- ROBUT COUNTY
(Hw) - See Statewide
- SAGUACHE COUNTY
(Hw) - See Statewide
- SAN JUAN COUNTY
(Hw) - See Statewide
- SAN MIGUEL COUNTY
(Hw) - See Statewide
- SEDMICK COUNTY
(Hw) - See Statewide
- SUMMIT COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- TELLER COUNTY
(Hw) - See Statewide
- WASHINGTON COUNTY
(Hw) - See Statewide
- WELD COUNTY
(B,H) - See Adams County
- (Hw) - See Statewide
- YUMA COUNTY
(Hw) - See Statewide

FLORIDA (Cont'd.)

FLORIDA (Cont'd.)

DELAWARE

CONNECTICUT

- FAIRFIELD COUNTY**
Decision #CT77-2172 (B,H,Hw,R)
41 FR 56574 - 12/28/76
Decision #CT77-2173 (B,H,Hw)
41 FR 56581 - 12/28/76
Decision #CT77-5001 (D)
42 FR 999 - 1/4/77
- HARTFORD COUNTY**
Decision #CT77-2067 (R)
40 FR 15304 - 4/25/75
(B,H,Hw,R) - See Fairfield County
- LITCHFIELD COUNTY**
(B,H,Hw,R) - See Fairfield County
- MIDDLESEX COUNTY**
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
- NEW HAVEN COUNTY**
Decision #CT77-2109 (R)
41 FR 38705 - 9/10/76
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
- NEW LONDON COUNTY**
(B,H,Hw,D,R) - See Fairfield County
- TOLLAND COUNTY**
(B,H,Hw) - See Hartford County
- WINDHAM COUNTY**
(B,H,Hw,D,R) - See Fairfield County
- STATEWIDE**
Decision #CT77-5001 (D)
42 FR 999 - 1/4/77
Decision #DE76-3212 (B,H,Hw)
41 FR 32122 - 7/30/76
Mod. #1 - 41 FR 35318 - 8/20/76
Mod. #2 - 41 FR 40371 - 9/17/76
Mod. #3 - 41 FR 43560 - 10/1/76
Mod. #4 - 41 FR 47715 - 10/29/76
- KENT COUNTY**
(B,H,Hw,D) - See Statewide
- NEW CASTLE COUNTY**
(B,H,Hw,D) - See Statewide
- SUSSEX COUNTY**
(B,H,Hw,D) - See Statewide
- ALACHUA COUNTY**
Decision #FL75-1080 (Hw)
40 FR 41358 - 9/5/75
Mod. #1 - 41 FR 23885 - 6/11/76
Decision #FL75-1089 (B)
40 FR 42489 - 9/12/75
- BAKER COUNTY**
Decision #FL75-1081 (Hw)
40 FR 41359 - 9/5/75
- BAY COUNTY**
Decision #FL76-1059 (B)
41 FR 20130 - 5/14/76
Mod. #1 - 41 FR 23885 - 6/11/76
Decision #AL76-5050 (D)
41 FR 44609 - 10/8/76
Decision #FL76-1021 (Hw)
41 FR 4749 - 1/30/76
Mod. #1 - 41 FR 23884 - 6/11/76
- BREWER COUNTY**
(Hw) - See Alachua County
- BREVARD COUNTY (Entire County)**
Decision #FL76-5024 (D)
41 FR 12856 - 3/26/76
Decision #FL76-1105 (R)
41 FR 40365 - 9/17/76
(Cape Kennedy, Kennedy Space Flight Center and Patrick AFB only)
Decision #FL76-1048 (B,H,Hw)
41 FR 16360 - 4/16/76
Mod. #1 - 41 FR 18264 - 4/30/76
Mod. #2 - 41 FR 35318 - 8/20/76
Mod. #3 - 41 FR 37474 - 9/3/76
Mod. #4 - 41 FR 40371 - 9/17/76
Mod. #5 - 41 FR 48809 - 10/22/76
Mod. #6 - 41 FR 50117 - 11/12/76
(Remainder of County)
Decision #FL76-1108 (B)
41 FR 43555 - 10/1/76
Decision #FL76-1052 (Hw)
41 FR 41360 - 9/5/75
- BROWARD COUNTY**
Decision #FL75-1084 (Hw)
40 FR 41362 - 9/5/75
Mod. #1 - 40 FR 53168 - 11/14/75
Decision #FL76-1043 (B,H)
41 FR 15239 - 4/9/76
Mod. #1 - 41 FR 16306 - 4/16/76
Mod. #2 - 41 FR 37473 - 9/3/76
(D) - See Brevard County
- CALHOUN COUNTY**
(Hw) - See Alachua County
- CHARLOTTE COUNTY**
Decision #FL75-1083 (Hw)
40 FR 41361 - 9/5/75
Mod. #1 - 40 FR 53168 - 11/14/75
Mod. #2 - 41 FR 53229 - 12/3/76
(D) - See Brevard County
- CITRUS COUNTY**
Decision #FL75-1104 (B)
40 FR 49949 - 10/24/75
(Hw) - See Alachua County
(D) - See Brevard County
- CLAY COUNTY**
(Hw) - See Baker County
- COLLIER COUNTY**
(D) - See Brevard County
(Hw) - See Charlotte County
- COLUMBIA COUNTY**
(Hw) - See Alachua County
(B) - See Alachua County
- DADE COUNTY**
Decision #FL76-1102 (H)
41 FR 40365 - 9/17/76
Decision #FL76-1064 (B)
41 FR 21027 - 5/21/76
Mod. #1 - 41 FR 37474 - 9/3/76
Mod. #2 - 41 FR 54101 - 12/10/76
- DADE COUNTY (Cont'd.)**
Decision #FL77-1003 (R)
42 FR 4081 - 1/21/77
Decision #FL76-1141 (Hw)
41 FR 56589 - 12/28/76
- DE SOTO COUNTY**
Decision #A8-4055 (R)
39 FR 43468 - 12/13/74
(Hw) - See Charlotte County
- DIXIE COUNTY**
(Hw) - See Alachua County
(D) - See Brevard County
- DUVAL COUNTY**
Decision #FL76-1098 (R)
41 FR 37469 - 9/3/76
Decision #FL76-1069 (B)
41 FR 21997 - 5/28/76
Mod. #1 - 41 FR 51237 - 11/19/76
(D) - See Brevard County
(Hw) - See Baker County
- ESCAMBIA COUNTY**
Decision #FL76-1133 (B)
41 FR 52233 - 11/26/76
Mod. #1 - 41 FR 54101 - 12/10/76
Mod. #2 - 42 FR 3133 - 1/14/77
- FLAGLER COUNTY**
Decision #FL76-1017 (R)
41 FR 3589 - 1/23/76
(D,Hw) - See Bay County
- FRANKLIN COUNTY**
(D) - See Brevard County
(Hw) - See Baker County
- GADSDEN COUNTY**
(Hw) - See Alachua County
- GLADES COUNTY**
Decision #FL77-1004 (R)
42 FR 3141 - 1/14/77
(Hw) - See Alachua County
- GILCHRIST COUNTY**
(Hw) - See Alachua County
- GLADES COUNTY**
(Hw) - See Charlotte County
- GULF COUNTY**
(D) - See Bay County
(Hw) - See Bay County
- HAMILTON COUNTY**
(Hw) - See Alachua County
- HASDEE COUNTY**
(R) - See DeSoto County
- HENDRY COUNTY**
(Hw) - See Charlotte County
- HERNANDO COUNTY**
(D) - See Brevard County
(R) - See Citrus County
(Hw) - See Alachua County

FLORIDA (cont'd)

HIGHLANDS COUNTY

(R) - See DeSoto County
(Hw) - See Escambia County
HELLSBOROUGH COUNTY
Decision #FL76-1014 (B)
Mod. #1 - 41 FR 22718 - 6/4/76
Mod. #2 - 41 FR 37473 - 9/3/76
(Hw) - See Brevard Co. (Remainder of Co.)
(D) - See Brevard County
(R) - See Citrus County
HOLMES COUNTY
(Hw) - See Alachua County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)
JACKSON COUNTY
(Hw) - See Alachua County
JEFFERSON COUNTY
(D) - See Bay County
(R) - See Gadsden County
(Hw) - See Alachua County
LAFAYETTE COUNTY
(Hw) - See Alachua County
LAGE COUNTY
Decision #FL75-1066 (R)
40 FR 28332 - 1/3/75
(Hw) - See Alachua County
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #FL76-1135 (B)
41 FR 52234 - 1/26/76
Mod. #1 - 41 FR 55260 - 12/17/76
Mod. #2 - 42 FR 3133 - 1/14/77
(Hw) - See Alachua County
LEWIS COUNTY
(R) - See Gadsden County
(D) - See Brevard County
(Hw) - See Alachua County
LIBERTY COUNTY
(Hw) - See Alachua County
MADISON COUNTY
(R) - See Gadsden County
(Hw) - See Alachua County
MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)
MARION COUNTY
(Hw) - See Alachua County
MARTIN COUNTY
Decision #FL75-1033 (B)
40 FR 14219 - 3/28/75
Mod. #1 - 40 FR 15327 - 5/2/75
Mod. #2 - 40 FR 25324 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)

FLORIDA (cont'd)

MCDOUGHER COUNTY

(D) - See Brevard County
(Hw) - See Charlotte County
MASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OCALOOSA COUNTY
(B) - See Escambia County
(D, Hw) - See Bay County
Decision #FL76-1016 (R)
41 FR 3589 - 1/23/76
ONEECHOBEE COUNTY
(Hw) - See Charlotte County
ORANGE COUNTY
Decision #FL76-1036 (B)
41 FR 9755 - 3/5/76
Mod. #1 - 41 FR 15232 - 4/9/76
Mod. #2 - 41 FR 27539 - 7/2/76
(Hw) - See Brevard Co. (Remainder of Co)
(R) - See Lake County
OSCEOLA COUNTY
(Hw) - See Brevard Co. (Remainder of Co)
(R) - See Lake County
PALM BEACH COUNTY
(D) - See Brevard County
(B) - See Martin County
(Hw) - See Brevard County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Alachua County
(R) - See Citrus County
PINELLAS COUNTY
Decision #FL76-1040 (B)
41 FR 11735 - 3/19/76
(R) - See Citrus County
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co)
POLK COUNTY
(Hw) - See Brevard Co. (Remainder of Co)
PUTNAM COUNTY
(R) - See DeSoto County
(Hw) - See Alachua County
ST. JOHNS COUNTY
(D) - See Brevard County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co)
SANTA ROSA COUNTY
(B) - See Escambia County
(D, Hw) - See Bay County
(R) - See Okaloosa County

FLORIDA (cont'd)

SARASOTA COUNTY

(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
SUMTER COUNTY
(R) - See Citrus County
(Hw) - See Alachua County
SUNMANEE COUNTY
(Hw) - See Alachua County
TAYLOR COUNTY
(Hw) - See Alachua County
(D) - See Brevard County
(R) - See Gadsden County
UNION COUNTY
(Hw) - See Alachua County
VOLUSIA COUNTY
(D) - See Brevard County (Entire County)
(Cape Kennedy, Kennedy Space Flight Center
and Cape Canaveral Air Force Only)
(B, H, Hw) - See Brevard County (Cape Kennedy
etc.)
(Remainder of County)
Decision #FL76-1029 (B)
41 FR 8638 - 2/27/76
Mod. #1 - 41 FR 20117 - 5/14/76
Mod. #2 - 41 FR 46809 - 10/22/76
(Hw) - See Brevard County
(Remainder of County)
WALLOO COUNTY
(D) - See Bay County
(Hw) - See Alachua County
WALTON COUNTY
(B) - See Escambia County
(D, Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Alachua County

FLORIDA (cont'd)

BAKER COUNTY

Decision #A9-4089 (R)
39 FR 10067 - 3/15/74
Mod. #1 - 40 FR 3083 - 1/17/75
Mod. #2 - 41 FR 28461 - 7/9/76
(Hw) - See Statewide
BALDWIN COUNTY
(Hw) - See Statewide
BANKS COUNTY
(Hw) - See Statewide
BARROW COUNTY
(Hw) - See Statewide
BARTON COUNTY
Decision #A9-4108 (R)
39 FR 14941 - 4/26/74
(Hw) - See Statewide
BEN HILL COUNTY
(Hw) - See Statewide
BERRIEN COUNTY
(Hw) - See Statewide
BIBB COUNTY
(Hw) - See Statewide
BIRMINGHAM COUNTY
Decision #A9-4122 (B)
41 FR 56803 - 10/22/76
(Hw) - See Statewide
BLECKLEY COUNTY
(Hw) - See Statewide
BRANTLEY COUNTY
(Hw) - See Statewide
BROOKS COUNTY
(Hw) - See Statewide
BRYAN COUNTY
(Hw) - See Statewide
Decision #A9-1050 (R)
41 FR 16362 - 4/16/76
Decision #A9-77-5005 (D)
42 FR 1015 - 1/4/77
Mod. #1 - 42 FR 3140 - 1/14/77
BULLOCK COUNTY
(R) - See Bryan County
(Hw) - See Statewide
BURKE COUNTY
Decision #A9-76-1015 (R)
41 FR 3590 - 1/23/76
(Hw) - See Statewide
BUTTS COUNTY
(Hw) - See Statewide
CALHOUN COUNTY
(Hw) - See Statewide
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
CANDLER COUNTY
(Hw) - See Statewide
CARROLL COUNTY
(Hw) - See Statewide
CATOOSA COUNTY
(Hw) - See Statewide
CHAPLAIN COUNTY
Decision #A9-4037 (R)
39 FR 33919 - 9/20/74
Mod. #1 - 40 FR 3083 - 1/17/75
Mod. #2 - 41 FR 28461 - 7/9/76
(Hw) - See Statewide
CHATHAM COUNTY
Decision #A9-77-1029 (B)
42 FR 5623 - 1/28/77
(Hw) - See Statewide
(R) - See Bryan County

GEORGIA

STATEWIDE

Decision #A9-4038 (Hw)
39 FR 34984 - 9/22/74
Mod. #1 - 39 FR 35711 - 10/11/74
Mod. #2 - 40 FR 23629 - 5/30/76
Mod. #3 - 41 FR 7888 - 2/20/76
Mod. #4 - 42 FR 7025 - 2/4/77
APPLING COUNTY
(Hw) - See Statewide
ATKINSON COUNTY
(Hw) - See Statewide
BACON COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

CHATHAM COUNTY

Decision #6475-1039 (B)
40 FR 16471 - 4/11/75
Mod. #1 - 40 FR 24155 - 6/6/75
Mod. #2 - 40 FR 49942 - 10/24/75
Mod. #3 - 41 FR 10018 - 3/12/76
Mod. #4 - 41 FR 15232 - 4/9/76
Mod. #5 - 41 FR 24833 - 6/18/76
Decision #6476-1035 (R)
41 FR 9758 - 3/5/76
(Hw) - See Statewide

CHATHAM COUNTY

(Hw) - See Statewide
CHEROKEE COUNTY
(Hw) - See Statewide
CLARKE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
CLAY COUNTY
(R) - See Baker County
(Hw) - See Statewide
CLAYTON COUNTY
(Hw) - See Statewide
42 FR 5621 - 1/28/77
Decision #6476-1033 (R)
41 FR 6642 - 2/27/76
Mod. #1 - 41 FR 15232 - 4/9/76
(Hw) - See Statewide
CLINCH COUNTY
(Hw) - See Statewide
COBB COUNTY
(R) - See Clayton County
(Hw) - See Statewide
COFFEE COUNTY
(Hw) - See Statewide
COLQUITT COUNTY
(Hw) - See Statewide
COLUMBIA COUNTY
(R) - See Burke County
(Hw) - See Statewide
COOK COUNTY
(Hw) - See Statewide
COKETTA COUNTY
(Hw) - See Statewide
CRAWFORD COUNTY
(Hw) - See Statewide
CULPEPER COUNTY
(Hw) - See Statewide
DECATUR COUNTY
(R) - See Baker County
(Hw) - See Statewide

GEORGIA (Cont'd.)

DEKALB COUNTY

(B,R) - See Clayton County
(Hw) - See Statewide
DOUGLASS COUNTY
(Hw) - See Statewide
DOOLY COUNTY
(Hw) - See Statewide
DOUGHERTY COUNTY
(Hw) - See Statewide
(R) - See Baker County
DOUGLAS COUNTY
(Hw) - See Statewide
EARLY COUNTY
(Hw) - See Statewide
(R) - See Baker County
ECHOLS COUNTY
(Hw) - See Statewide
EFFINGHAM COUNTY
(R) - See Bryan County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(R) - See Barrow County
EMANUEL COUNTY
(Hw) - See Statewide
EVANS COUNTY
(R) - See Bryan County
(Hw) - See Statewide
FANNIN COUNTY
(Hw) - See Statewide
FAYETTE COUNTY
(Hw) - See Statewide
FLORIDA COUNTY
(Hw) - See Statewide
FOY COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
FULTON COUNTY
(Hw) - See Clayton County
GLADWIN COUNTY
(Hw) - See Statewide
GLASCOCK COUNTY
(Hw) - See Burke County
GLYNN COUNTY
(Hw) - See Bryan County
(Hw) - See Statewide
GORDON COUNTY
(Hw) - See Statewide
GOWAN COUNTY
(Hw) - See Statewide
(R) - See Baker County
GREENE COUNTY
(R) - See Barrow County
(Hw) - See Statewide

GEORGIA (Cont'd.)

GWINNETT COUNTY

(R) - See Clayton County
(Hw) - See Statewide
HABERSHAM COUNTY
(Hw) - See Statewide
HALL COUNTY
Decision #6475-1005 (B)
40 FR 9691 - 2/28/75
Mod. #1 - 40 FR 12003 - 3/14/75
Mod. #2 - 40 FR 49942 - 10/24/75
Mod. #3 - 41 FR 30500 - 7/23/76
Mod. #4 - 42 FR 3313 - 1/14/77
(Hw) - See Statewide
HARCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
HARALSON COUNTY
(Hw) - See Statewide
HARRIS COUNTY
(Hw) - See Statewide
(Hw) - See Statewide
(R) - See Chattahoochee County
HART COUNTY
(Hw) - See Statewide
(R) - See Barrow County
HEARD COUNTY
(Hw) - See Statewide
HENRY COUNTY
(Hw) - See Statewide
HOMER COUNTY
Decision #6476-1123 (B)
41 FR 46804 - 10/22/76
(Hw) - See Statewide
IRWIN COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Barrow County
JASPER COUNTY
(Hw) - See Statewide
JEFF DAVIS COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(R) - See Burke County
JENKINS COUNTY
(Hw) - See Statewide
(R) - See Burke County
JOHNSON COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
LAWAR COUNTY
(Hw) - See Statewide
LANIER COUNTY
(Hw) - See Statewide
(Hw) - See Statewide
LAURENS COUNTY
Decision #6476-1124 (B)
39 FR 20912 - 6/14/74
Mod. #1 - 41 FR 11722 - 3/19/76

GEORGIA (Cont'd.)

LAURENS COUNTY

(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
(R) - See Baker County
LIBERTY COUNTY
(Hw) - See Bryan County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
(R) - See Burke County
LOUISIANA COUNTY
(Hw) - See Statewide
(R) - See Bryan County
LOWES COUNTY
(Hw) - See Statewide
LUMPKIN COUNTY
(Hw) - See Statewide
MACDOUGALL COUNTY
(Hw) - See Statewide
MACON COUNTY
(Hw) - See Chattahoochee County
MADISON COUNTY
(Hw) - See Statewide
(Hw) - See Barrow County
MADISON COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MARTIN COUNTY
(Hw) - See Statewide
(R) - See Statewide
MILLER COUNTY
(Hw) - See Statewide
(R) - See Baker County
MITCHELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
MORGAN COUNTY
(Hw) - See Statewide
MONTGOMERY COUNTY
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
MURRAY COUNTY
(Hw) - See Barrow County
MUSKOGEE COUNTY
(Hw) - See Statewide
(B,R) - See Chattahoochee County
(Hw) - See Statewide
NEWTON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OCONEE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OGLETHORPE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
PAULDING COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

GWIN

Decision #AP-1029 (B, H, Hw, R)
39 FR 32448 - 9/6/74

HAWAII

STATEWIDE
Decision #HI77-5010 (B, H, Hw, D, R)
42 FR 7042 - 2/4/77

IDAHO (Cont'd.)

IDAHO (Cont'd.)

PEACH COUNTY
(Hw) - See Statewide

PICKENS COUNTY
(Hw) - See Statewide

PIERCE COUNTY
(Hw) - See Statewide

PIKE COUNTY
(Hw) - See Statewide

POLK COUNTY
(Hw) - See Statewide

POLASKI COUNTY
(Hw) - See Statewide

POTOMAC COUNTY
(Hw) - See Statewide

QUINCY COUNTY
(Hw) - See Statewide

RABON COUNTY
(Hw) - See Statewide

RANDOLPH COUNTY
(Hw) - See Statewide

RICHMOND COUNTY
Decision #R76-1119 (B)
41 FR 45800 - 10/15/76
Mod. #1 - 42 FR 5613 - 1/25/77

ROCKWELL COUNTY
(Hw) - See Statewide

SCHLEY COUNTY
(Hw) - See Statewide

SCOVILLE COUNTY
(Hw) - See Statewide

SEMINOLE COUNTY
(Hw) - See Statewide

SPALDING COUNTY
(Hw) - See Statewide

STEPHENS COUNTY
(Hw) - See Statewide

STEWART COUNTY
(Hw) - See Statewide

SUMMIT COUNTY
(Hw) - See Statewide

TALBOT COUNTY
(Hw) - See Statewide

TALIAFERRO COUNTY
(Hw) - See Statewide

TATUM COUNTY
(Hw) - See Statewide

TAYLOR COUNTY
(Hw) - See Statewide

TERRY COUNTY
(Hw) - See Statewide

TERRELL COUNTY
(Hw) - See Statewide

THOMAS COUNTY
(Hw) - See Statewide

TIFT COUNTY
(Hw) - See Statewide

TOLSON COUNTY
(Hw) - See Statewide

TOWNS COUNTY
(Hw) - See Statewide

TRENTON COUNTY
(Hw) - See Statewide

TROUP COUNTY
(Hw) - See Statewide

TURKEY COUNTY
(Hw) - See Statewide

TURNER COUNTY
(Hw) - See Statewide

UNION COUNTY
(Hw) - See Statewide

UPSON COUNTY
(Hw) - See Statewide

WALKER COUNTY
(Hw) - See Statewide

WALTON COUNTY
(Hw) - See Statewide

WARE COUNTY
Decision #W75-1113 (B)
40 FR 50034 - 12/12/75

WASHINGTON COUNTY
(Hw) - See Statewide

WAYNE COUNTY
(Hw) - See Statewide

WEBSTER COUNTY
(Hw) - See Statewide

WELLS COUNTY
(Hw) - See Statewide

WILKINSON COUNTY
(Hw) - See Statewide

WORTH COUNTY
(Hw) - See Statewide

IDAHO

Decision #1076-5112 (B, H, Hw)
41 FR 52235 - 11/26/76
Mod. #1 - 41 FR 54102 - 12/10/76
Mod. #2 - 41 FR 55260 - 12/17/76
Mod. #3 - 42 FR 3133 - 1/14/77

ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 25543 - 9/21/73
(B, H, Hw) - See Statewide

ADAMS COUNTY
(B, H, Hw) - See Statewide

IDAHO

Decision #1076-5112 (B, H, Hw)
41 FR 52235 - 11/26/76
Mod. #1 - 41 FR 54102 - 12/10/76
Mod. #2 - 41 FR 55260 - 12/17/76
Mod. #3 - 42 FR 3133 - 1/14/77

ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 25543 - 9/21/73
(B, H, Hw) - See Statewide

ADAMS COUNTY
(B, H, Hw) - See Statewide

INDIANA (Cont'd)

TIPECANOE COUNTY
(B) - See Allen County
(H, Hw) - See Statewide

TIPSON COUNTY
(H, Hw) - See Statewide

UNION COUNTY
(H, Hw) - See Statewide

VANDERBURGH COUNTY
(H, Hw) - See Statewide
Decision #IN76-2046 (R)
41 FR 16302 - 4/16/76

(B) - See Allen County
(D) - See Clark County
(H, Hw) - See Statewide

VERMILLION COUNTY
(H, Hw) - See Statewide

VIGO COUNTY
(B) - See Allen County
(H, Hw) - See Statewide

WABASH COUNTY
(H, Hw) - See Statewide

WARREN COUNTY
(H, Hw) - See Statewide

WARREN COUNTY
(H, Hw) - See Statewide

WARREN COUNTY
(H, Hw) - See Statewide

WASHINGTON COUNTY
(H, Hw) - See Statewide

WAYNE COUNTY
(H, Hw) - See Statewide

WELLS COUNTY
(H, Hw) - See Statewide

WHITE COUNTY
(H, Hw) - See Statewide

WHITLEY COUNTY
(H, Hw) - See Statewide

IOWA (Cont'd)

ADAIR COUNTY
Decision #IA76-4120 (H, Hw)
41 FR 30481 - 7/23/76

ADAMS COUNTY
(H, Hw) - See Adair County

ALLAMANCE COUNTY
None

APPANOOSE COUNTY
Decision #IA75-4192 (H, Hw)
40 FR 55829 - 11/26/75

AUDUBON COUNTY
None

BENTON COUNTY
Decision #IA75-4081 (Hw)
40 FR 17507 - 4/18/75
Mod. #1 41 FR 12847 - 3/26/76

BLACK HAWK COUNTY
Decision #IA76-4092 (B, H, Hw) (City of Waterloo & abutting Municipalities)
41 FR 21079 - 5/21/76

Mod. #1 - 41 FR 33127 - 8/6/76
Mod. #2 - 41 FR 38708 - 9/10/76
Mod. #3 - 41 FR 44594 - 10/8/76
Mod. #4 - 41 FR 56549 - 12/28/76

BOONE COUNTY
None

BREWER COUNTY
None

BUCHANAN COUNTY
Decision #IA76-4121 (H, Hw)
41 FR 30482 - 7/23/76

BUENA VISTA COUNTY
None

BUTLER COUNTY
Decision #IA75-4122 (H, Hw)
41 FR 30483 - 7/23/76

CALHOUN COUNTY
None

CARROLL COUNTY
Decision #IA76-4053 (H, Hw)
41 FR 7907 - 2/20/76

CASS COUNTY
(H, Hw) - See Adair County

CEDAR COUNTY
(H, Hw) - See Buchanan County

CERRO GORDO COUNTY (MASON CITY)
Decision #IA77-4004 (B, H, Hw)
42 FR 4082 - 1/21/77

(H, Hw) - See Butler Co. (Excl. Mason City)

CHESTER COUNTY
None

CHICKASAW COUNTY
None

CLARKE COUNTY
(H, Hw) - See Adair County

CLAY COUNTY
(H, Hw) - See Carroll County

CLAYTON COUNTY
None

CLINTON COUNTY (City of Clinton and abutting municipalities)
Decision #IA76-4145 (B, H, Hw)
41 FR 38711 - 9/10/76
Mod. #1 - 41 FR 44594 - 10/8/76
Mod. #2 - 41 FR 48984 - 11/5/76
Mod. #3 - 41 FR 51239 - 11/19/76
Mod. #4 - 41 FR 56550 - 12/26/76

COAUFORD COUNTY
(H, Hw) - See Carroll County

DALLAS COUNTY
None

DAVIS COUNTY
(H, Hw) - See Appanoose County

DECATUR COUNTY
(H, Hw) - See Adair County

DELAWARE COUNTY
(H, Hw) - See Buchanan County

DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #IA76-4146 (B, H, Hw)
41 FR 38713 - 9/10/76
Mod. #1 - 41 FR 44594 - 10/8/76
Mod. #2 - 41 FR 48984 - 11/5/76
Mod. #3 - 41 FR 51240 - 11/19/76

DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #IA76-4147 (B, H, Hw)
41 FR 38716 - 9/10/76
Mod. #1 - 41 FR 44594 - 10/8/76
Mod. #2 - 41 FR 48984 - 11/5/76
Mod. #3 - 42 FR 4064 - 1/21/77

EMMET COUNTY
None

FAYETTE COUNTY
None

FLOYD COUNTY
(H, Hw) - See Butler County

FRANKLIN COUNTY
Decision #IA76-4123 (H, Hw)
41 FR 30484 - 7/23/76

FREMONT COUNTY
Decision #NE76-4184 (Channel Stabilization)
41 FR 53259 - 12/3/76
(H, Hw) - See Adair County

GREENE COUNTY
None

GRUNDY COUNTY
(H, Hw) - See Butler County

HAMILTON COUNTY
None

HAMMOND COUNTY
(H, Hw) - See Butler County

HANCOCK COUNTY
(H, Hw) - See Butler County

HARSHEN COUNTY
(H, Hw) - See Franklin County

HARRISON COUNTY
Decision #IA76-4124 (H, Hw)
41 FR 30485 - 7/23/76
Mod. #1 - 41 FR 51239 - 11/19/76
(Chann. Stab.) - See Fremont Co.

HERRY COUNTY
None

HOWARD COUNTY
None

HUMBOLDT COUNTY
None

IDA COUNTY
None

IOWA COUNTY
(Hw) - See Benton County

JACKSON COUNTY
(H, Hw) - See Buchanan County

JASPER COUNTY
None

JEFFERSON COUNTY
(H, Hw) - See Appanoose County

JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA76-4148 (B, H, Hw)
41 FR 38719 - 9/10/76
Mod. #1 - 41 FR 48984 - 11/5/76
Mod. #2 - 42 FR 5615 - 1/26/77

JONES COUNTY
(Hw) - See Benton County

KEOKUK COUNTY
(H, Hw) - See Buchanan County

KOSSUTH COUNTY
(Hw) - See Benton County

LEE COUNTY
None

LINN COUNTY
Decision #IA76-4149 (B, H, Hw)
41 FR 38722 - 9/10/76
Mod. #1 - 41 FR 48985 - 11/5/76
Mod. #2 - 42 FR 5615 - 1/26/77

IOWA (Cont'd)

GETHELIE COUNTY
None

HAMILTON COUNTY
(H, Hw) - See Butler County

HANCOCK COUNTY
(H, Hw) - See Butler County

HARSHEN COUNTY
(H, Hw) - See Franklin County

HARRISON COUNTY
Decision #IA76-4124 (H, Hw)
41 FR 30485 - 7/23/76
Mod. #1 - 41 FR 51239 - 11/19/76
(Chann. Stab.) - See Fremont Co.

HERRY COUNTY
None

HOWARD COUNTY
None

HUMBOLDT COUNTY
None

IDA COUNTY
None

IOWA COUNTY
(Hw) - See Benton County

JACKSON COUNTY
(H, Hw) - See Buchanan County

JASPER COUNTY
None

JEFFERSON COUNTY
(H, Hw) - See Appanoose County

JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA76-4148 (B, H, Hw)
41 FR 38719 - 9/10/76
Mod. #1 - 41 FR 48984 - 11/5/76
Mod. #2 - 42 FR 5615 - 1/26/77

JONES COUNTY
(Hw) - See Benton County

KEOKUK COUNTY
(H, Hw) - See Buchanan County

KOSSUTH COUNTY
(Hw) - See Benton County

LEE COUNTY
None

LINN COUNTY
Decision #IA76-4149 (B, H, Hw)
41 FR 38722 - 9/10/76
Mod. #1 - 41 FR 48985 - 11/5/76
Mod. #2 - 42 FR 5615 - 1/26/77

IOWA (Cont'd.)

IOWA (Cont'd.)

IOWA (Cont'd.)

KANSAS (Cont'd.)

LOUISA COUNTY
None
LUCKA COUNTY
(H, Hw) - See Adair County
LYON COUNTY
None
MADISON COUNTY
None
MAHARSA COUNTY
(Hw) - See Benton County
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
(H, Hw) - See Adair County
(Channel Stab.) - See Fremont Co.
MITCHELL COUNTY
(H, Hw) - See Butler County
MONROE COUNTY
(H, Hw) - See Harrison County
(Channel Stab.) - See Fremont Co.
MORGAN COUNTY
None
MONTGOMERY COUNTY
(H, Hw) - See Adair County
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H, Hw) - See Carroll County
OSCEOLA COUNTY
(H, Hw) - See Carroll County
PAGE COUNTY
(H, Hw) - See Adair County
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY
Decision #1A76-4150 (B, H, Hw)
Mod. #1 - 42 FR 4054 - 1/21/77
POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City Limits)
Decision #1A76-4185 (B, H, Hw)
41 FR 51285 - 11/19/76
Mod. #1 - 42 FR 4054 - 1/21/77
(Channel Stab.) - See Fremont County

POMERIEUX COUNTY
(Hw) - See Benton County
RINGOLD COUNTY
(H, Hw) - See Adair County
SAC COUNTY
None
SCOTT COUNTY
Decision #1A76-4172 (B, H, Hw)
41 FR 45802 - 10/15/76
Mod. #1 - 41 FR 48585 - 11/5/76
Mod. #2 - 41 FR 51239 - 11/19/76
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (City of Ames and abutting municipalities)
Decision #1A76-4173 (B, H, Hw)
41 FR 45805 - 10/15/76
Mod. #1 - 42 FR 4054 - 1/21/77
TAYLOR COUNTY
(Hw) - See Benton County
TAYLOR COUNTY
(H, Hw) - See Adair County
UNION COUNTY
(H, Hw) - See Adair County
VAN BUREN COUNTY
(H, Hw) - See Appanoose County
WAPELLO COUNTY
(H, Hw) - See Appanoose County
WARREN COUNTY
None
WASHINGTON COUNTY
(Hw) - See Benton County
WAYNE COUNTY
(H, Hw) - See Adair County
WEBSTER COUNTY (City of Fort Dodge)
Decision #1A76-4174 (B, H, Hw)
41 FR 45808 - 10/15/76
Mod. #1 - 41 FR 51240 - 11/19/76
Mod. #2 - 42 FR 4054 - 1/21/77
WINNEBAGO COUNTY
(H, Hw) - See Butler County
WINNEBIEK COUNTY

WOODBURY COUNTY (City of Sioux City and abutting municipalities)
Decision #1A76-4175 (B)
41 FR 45811 - 10/15/76
Mod. #1 - 41 FR 55550 - 12/28/76
(Channel Stab.) - See Fremont Co.
(H, Hw) - See Harrison County
MORTON COUNTY
(H, Hw) - See Butler County
WRIGHT COUNTY
(H, Hw) - See Butler County
KANSAS
ALLEN COUNTY
Decision #KS75-4197 (Hw, MBS)
40 FR 57091 - 12/5/75
Mod. #1 - 41 FR 27542 - 7/2/76
Mod. #2 - 41 FR 29509 - 7/16/76
Mod. #3 - 41 FR 48585 - 11/5/76
ANDERSON COUNTY
(Hw, MBS) - See Allen County
ATCHISON COUNTY
Decision #ND75-4070 (D)
40 FR 14225 - 3/28/75
(Hw, MBS) - See Allen County
BARBER COUNTY
Decision #KS75-4198 (Hw, MBS)
40 FR 57090 - 12/5/75
BARTON COUNTY
(Hw, MBS) - See Barber County
BOURBON COUNTY
(Hw, MBS) - See Allen County
BROWN COUNTY
(Hw, MBS) - See Allen County
BUTLER COUNTY
(Hw, MBS) - See Allen County
CASS COUNTY
(Hw, MBS) - See Allen County
CHASE COUNTY
(Hw, MBS) - See Allen County
CHAUTAUQUA COUNTY
(Hw, MBS) - See Allen County
CHEROKEE COUNTY
(Hw, MBS) - See Allen County
CHRYSTIAN COUNTY
(Hw, MBS) - See Barber County
CLARK COUNTY
(Hw, MBS) - See Barber County
CLARK COUNTY
(Hw, MBS) - See Barber County

CLAY COUNTY
(Hw, MBS) - See Allen County
CLOUD COUNTY
(Hw, MBS) - See Allen County
COFFEY COUNTY
(Hw, MBS) - See Allen County
COMANCHE COUNTY
(Hw, MBS) - See Barber County
COMALEY COUNTY
(Hw, MBS) - See Allen County
CRANFORD COUNTY
(Hw, MBS) - See Allen County
DECATUR COUNTY
(Hw, MBS) - See Barber County
DECLINSON COUNTY
(Hw, MBS) - See Allen County
DOMITIAN COUNTY
(D) - See Atchison County
(Hw, MBS) - See Allen County
DOUGLAS COUNTY
Decision #KS76-4134 (Hw)
41 FR 32127 - 7/30/76
Mod. #1 - 42 FR 3135 - 1/14/77
EDWARDS COUNTY
(Hw, MBS) - See Barber County
ELK COUNTY
(Hw, MBS) - See Allen County
ELLIS COUNTY
(Hw, MBS) - See Barber County
ELLSMOUTH COUNTY
(Hw, MBS) - See Barber County
FINNEY COUNTY
(Hw, MBS) - See Barber County
FORD COUNTY
(Hw, MBS) - See Barber County
FRANKLIN COUNTY
(Hw, MBS) - See Allen County
GEARY COUNTY
Decision #KS77-4019 (R)
42 FR 7056 - 2/14/77
(Hw, MBS) - See Allen County
GONE COUNTY
(Hw, MBS) - See Barber County
GRAHAM COUNTY
(Hw, MBS) - See Barber County
GRANT COUNTY
(Hw, MBS) - See Barber County
GRAY COUNTY
(Hw, MBS) - See Barber County
GREELEY COUNTY
(Hw, MBS) - See Barber County
GREENWOOD COUNTY
(Hw, MBS) - See Allen County

KANSAS (Cont'd.)

KANSAS (Cont'd.)

KANSAS (Cont'd.)

KANSAS (Cont'd.)

SHERIDAN COUNTY
(Hw, MS) - See Barber County
SHERMAN COUNTY
(Hw, MS) - See Barber County
SMITH COUNTY
(Hw, MS) - See Barber County
STAFFORD COUNTY
(Hw, MS) - See Barber County
STANTON COUNTY
(Hw, MS) - See Barber County
STEVENS COUNTY
(Hw, MS) - See Barber County
SUMNER COUNTY
(Hw, MS) - See Barber County
THOMAS COUNTY
(Hw, MS) - See Barber County
TREBO COUNTY
(Hw, MS) - See Barber County
WAGONWHEEL COUNTY
(Hw, MS) - See Barber County
WALLACE COUNTY
(Hw, MS) - See Barber County
WASHINGTON COUNTY
(Hw, MS) - See Barber County
WICHITA COUNTY
(Hw, MS) - See Barber County
WILSON COUNTY
(Hw, MS) - See Barber County
WOODSON COUNTY
(Hw, MS) - See Barber County
WYANDOTT COUNTY
(B, H, Hw, R) - See Johnson County
(D) - See Atchison County

ALCO COUNTY
(Hw, MS) - See Allen County
REPUBLIC COUNTY
(Hw, MS) - See Allen County
RICE COUNTY
(Hw, MS) - See Barber County
RILEY COUNTY
(Hw, MS) - See Allen County
(R) - See Geary County
ROCKS COUNTY
(Hw, MS) - See Barber County
ROSEN COUNTY
(Hw, MS) - See Barber County
RUSSELL COUNTY
(Hw, MS) - See Barber County
SALINE COUNTY
(Hw, MS) - See Allen County
SCOTT COUNTY
(Hw, MS) - See Barber County
SEDSWICK COUNTY
Decision #49-533 (R)
38 FR 16573 - 6/22/73
Decision #K577-4020 (B)
42 FR 7057 - 2/4/77
Mod. #1 - 41 FR 44596 - 10/8/76
Decision #K575-4052 (Hw, MS)
40 FR 6057 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
SEWARD COUNTY
(Hw, MS) - See Barber County
SHAWNEE COUNTY
Decision #K576-4096 (B)
41 FR 23893 - 6/11/76
Mod. #1 - 41 FR 44595 - 10/8/76
Decision #K576-4095 (R)
41 FR 23890 - 6/11/76
Mod. #1 - 41 FR 44595 - 10/8/76
(Hw) - See Douglas County

LYON COUNTY
(Hw, MS) - See Allen County
MCPHERSON COUNTY
(Hw, MS) - See Allen County
MARION COUNTY
(Hw, MS) - See Allen County
MARSHALL COUNTY
(Hw, MS) - See Allen County
MEADE COUNTY
(Hw, MS) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw, MS) - See Barber County
MONTGOMERY COUNTY
(Hw, MS) - See Allen County
MORRIS COUNTY
(Hw, MS) - See Allen County
MORTON COUNTY
(Hw, MS) - See Barber County
NEMAHA COUNTY
(Hw, MS) - See Allen County
NEOSHO COUNTY
(Hw, MS) - See Allen County
NESS COUNTY
(Hw, MS) - See Barber County
NORTON COUNTY
(Hw, MS) - See Barber County
OSAGE COUNTY
(Hw, MS) - See Allen County
OSGORE COUNTY
(Hw, MS) - See Barber County
OTTAWA COUNTY
(Hw, MS) - See Allen County
PAWNEE COUNTY
(Hw, MS) - See Barber County
PHILLIPS COUNTY
(Hw, MS) - See Barber County
POTTAWATOMIE COUNTY
(Hw, MS) - See Allen County
PRAIRIE COUNTY
(Hw, MS) - See Barber County
RAILROAD COUNTY
(Hw, MS) - See Barber County
RAY COUNTY
(Hw, MS) - See Allen County

HAMILTON COUNTY
(Hw, MS) - See Barber County
HARPER COUNTY
(Hw, MS) - See Allen County
HARVEY COUNTY
(Hw, MS) - See Allen County
HASKELL COUNTY
(Hw, MS) - See Barber County
HOGGEBACK COUNTY
(Hw, MS) - See Barber County
JACKSON COUNTY
(Hw, MS) - See Allen County
JEFFERSON COUNTY
(Hw) - See Douglas County
JENELL COUNTY
(Hw, MS) - See Barber County
JOHNSON COUNTY
Decision #M076-4177 (B, H, Hw)
41 FR 50139 - 11/12/76
Mod. #1 - 41 FR 54105 - 12/10/76
Decision #M076-4103 (R)
41 FR 27602 - 7/2/76
Mod. #1 - 41 FR 34482 - 8/13/76
Mod. #2 - 41 FR 54104 - 12/10/76
KEARNY COUNTY
(Hw, MS) - See Barber County
KINGMAN COUNTY
(Hw, MS) - See Allen County
KIOWA COUNTY
(Hw, MS) - See Barber County
LABETTE COUNTY
(Hw, MS) - See Allen County
LANE COUNTY
(Hw, MS) - See Barber County
LEAVENWORTH COUNTY
Decision #K576-4098 (B)
41 FR 23899 - 6/11/76
Mod. #1 - 41 FR 44596 - 10/8/76
(D) - See Atchison County
(Hw) - See Douglas County
LINCOLN COUNTY
(Hw, MS) - See Barber County
LINN COUNTY
(Hw, MS) - See Allen County
LOGAN COUNTY
(Hw, MS) - See Barber County

KENTUCKY

ADAIR COUNTY

Decision #KY76-1093 (R)

41 FR 37472 - 9/3/76

Decision #KY76-1112 (H, Hw)

41 FR 43579 - 10/1/76

ALLEN COUNTY

Decision #KY75-1128 (H, Hw)

41 FR 50144 - 11/12/76

Mod. #1 - 41 FR 54106 - 12/10/76

ANDERSON COUNTY

Decision #KY76-1114 (H, Hw)

41 FR 44633 - 10/8/76

BALLARD COUNTY

Decision #AL76-5090 (D)

41 FR 44509 - 10/8/76

Decision #IL76-5026 (D)

41 FR 12658 - 3/26/76

(H, Hw) - See Allen County

BARRER COUNTY

(H, Hw) - See Adair County

BATH COUNTY

(H, Hw) - See Anderson County

Decision #KY75-1105 (R)

40 FR 49950 - 10/24/75

BELL COUNTY

(H, Hw) - See Adair County

Decision #AQ-4126 (R)

39 FR 22359 - 6/21/74

BOONE COUNTY

Decision #KY76-1092 (R)

41 FR 37471 - 9/3/76

Decision #KY76-1113 (H, Hw)

41 FR 43582 - 10/1/76

Decision #KY76-1086 (R)

41 FR 36384 - 8/27/76

Mod. #1 - 41 FR 45887 - 10/15/76

Mod. #2 - 42 FR 958 - 1/4/77

Mod. #3 - 42 FR 5615 - 1/28/77

BOURBON COUNTY

(H, Hw) - See Anderson County

(R) - See Bath County

BOYD COUNTY

Decision #KY76-1110 (R)

41 FR 42113 - 9/24/76

Mod. #1 - 41 FR 45811 - 10/22/76

Mod. #2 - 41 FR 45865 - 11/5/76

Mod. #3 - 41 FR 51241 - 11/19/76

Mod. #4 - 42 FR 958 - 1/4/77

(D) - See Ballard County

(H, Hw) - See Anderson County

BOTLE COUNTY

Decision #KY76-1096 (R)

41 FR 38707 - 9/10/76

(H, Hw) - See Anderson County

BRACEN COUNTY

(H, Hw) - See Anderson County

(R) - See Boone County

BREATHITT COUNTY

(H, Hw) - See Adair County

Decision #KY76-1101 (R)

41 FR 40366 - 9/17/76

KENTUCKY (Cont'd.)

BRECKINRIDGE COUNTY

Decision #KY76-1080 (R)

41 FR 30532 - 7/23/76

Mod. #1 - 41 FR 38709 - 9/10/76

(H, Hw) - See Anderson County

(D) - See Ballard County

BULLITT COUNTY

(D) - See Boone County

(H, Hw) - See Anderson County

(R) - See Breckinridge County

BUTLER COUNTY

(H, Hw) - See Allen County

CALDWELL COUNTY

(H, Hw) - See Allen County

CALLOWAY COUNTY

(H, Hw) - See Allen County

CAMBELL COUNTY

(D) - See Ballard County

(H, Hw) - See Statewide

CARROLL COUNTY

(D) - See Ballard County

(H, Hw) - See Allen County

CARROLL COUNTY

(H, Hw) - See Anderson County

(D) - See Boone County

CARTER COUNTY

Decision #KY76-1111 (R)

41 FR 43456 - 10/1/76

(H, Hw) - See Anderson County

CASEY COUNTY

(R) - See Boyle County

(H, Hw) - See Adair County

CHRISTIAN COUNTY

Decision #KY76-1091 (R)

41 FR 37470 - 9/3/76

Mod. #1 - 41 FR 51241 - 11/19/76

Mod. #2 - 42 FR 5615 - 1/28/77

41 FR 45801 - 10/15/76

(H, Hw) - See Allen County

(R) - See Anderson County

(H, Hw) - See Bath County

CLAY COUNTY

Decision #KY76-1097 (R)

41 FR 38707 - 9/10/76

(H, Hw) - See Adair County

CLINTON COUNTY

(R) - See Boyle County

(H, Hw) - See Adair County

CRITTENDEN COUNTY

(H, Hw) - See Allen County

(D) - See Ballard County

CUMBERLAND COUNTY

(H, Hw) - See Adair County

(R) - See Anderson County

DAVIESS COUNTY

Decision #AQ-4122 (R)

39 FR 20281 - 6/7/74

Mod. #1 - 41 FR 19009 - 5/7/76

Mod. #2 - 41 FR 21587 - 5/28/76

Mod. #3 - 41 FR 43560 - 10/1/76

KENTUCKY (Cont'd.)

DAVIESS COUNTY (Cont'd.)

Decision #KY76-1136 (R)

41 FR 51260 - 12/3/76

(D) - See Ballard County

(H, Hw) - See Allen County

EDMONSON COUNTY

(H, Hw) - See Allen County

ELLINGTON COUNTY

(R) - See Carter County

(H, Hw) - See Anderson County

ESTILL COUNTY

(H, Hw) - See Adair County

(R) - See Clay County

FAYETTE COUNTY

Decision #KY76-1079 (R)

41 FR 30529 - 7/23/76

Mod. #1 - 41 FR 33128 - 8/6/76

Mod. #2 - 41 FR 36388 - 8/27/76

Mod. #3 - 41 FR 45787 - 10/15/76

Mod. #4 - 41 FR 51241 - 11/19/76

Mod. #5 - 42 FR 958 - 1/4/77

(H, Hw) - See Anderson County

FLEMING COUNTY

(R) - See Bath County

FLOYD COUNTY

(R) - See Carter County

(H, Hw) - See Anderson County

Decision #AQ-4002 (R)

39 FR 24777 - 7/5/74

(H, Hw) - See Adair County

FRANKLIN COUNTY

Decision #KY76-1132 (R)

41 FR 52260 - 11/26/76

Mod. #1 - 42 FR 958 - 1/4/77

Mod. #2 - 42 FR 7030 - 2/4/77

(H, Hw) - See Anderson County

FULTON COUNTY

(D) - See Ballard County

(H, Hw) - See Allen County

GALLATIN COUNTY

(D) - See Ballard County

(R) - See Boone County

GARRARD COUNTY

(H, Hw) - See Adair County

(R) - See Boyle County

GRANT COUNTY

(H, Hw) - See Anderson County

(R) - See Boone County

GRAVES COUNTY

(H, Hw) - See Allen County

GRATSON COUNTY

(H, Hw) - See Anderson County

(H, Hw) - See Adair County

GREENE COUNTY

(H, Hw) - See Anderson County

(D) - See Ballard County

GREENUP COUNTY

(H, Hw) - See Allen County

HARLAN COUNTY

(D) - See Ballard County

HARRISON COUNTY

(H, Hw) - See Bath County

HART COUNTY

(H, Hw) - See Adair County

HENRIT COUNTY

(H, Hw) - See Anderson County

HICKMAN COUNTY

(D) - See Ballard County

(H, Hw) - See Allen County

HOPKINS COUNTY

(H, Hw) - See Allen County

KENTUCKY (Cont'd.)

HARLAN COUNTY

(R) - See Jefferson County

(H, Hw) - See Anderson County

(R) - See Breckinridge County

(D) - See Ballard County

HARRISON COUNTY

(R) - See Breathitt County

(H, Hw) - See Adair County

HART COUNTY

(H, Hw) - See Anderson County

(R) - See Bath County

HENRIT COUNTY

(H, Hw) - See Adair County

HICKMAN COUNTY

Decision #KY76-1078 (R)

41 FR 30527 - 7/23/76

Mod. #1 - 41 FR 43560 - 10/1/76

Mod. #2 - 41 FR 45787 - 10/15/76

Mod. #3 - 41 FR 53230 - 12/3/76

(H, Hw) - See Allen County

HENRIT COUNTY

(D) - See Ballard County

HICKMAN COUNTY

(H, Hw) - See Anderson County

HOPKINS COUNTY

(D) - See Ballard County

(H, Hw) - See Allen County

HOPKINS COUNTY

(H, Hw) - See Allen County

JACKSON COUNTY

(R) - See Boyle County

(H, Hw) - See Adair County

JEFFERSON COUNTY

Decision #KY76-1129 (R)

41 FR 52257 - 11/26/76

Mod. #1 - 41 FR 55263 - 12/17/76

Mod. #2 - 41 FR 56550 - 12/28/76

(D) - See Breckinridge County

(H, Hw) - See Anderson County

JESSAMINE COUNTY

(H, Hw) - See Anderson County

(R) - See Bath County

KENTUCKY (Cont'd)

JOHNSON COUNTY
(H, Hw) - See Anderson County

KENTON COUNTY
(D) - See Ballard County

(B, H, Hw, R) - See Boone County

KNOTT COUNTY
(R) - See Breathitt County

(H, Hw) - See Adair County

KNOX COUNTY
(H, Hw) - See Adair County

LARUE COUNTY
(R) - See Adair County

(H, Hw) - See Anderson County

LAUREL COUNTY
Decision #KY77-1002 (R)
42 FR 1634 - 1/7/77

LAWRENCE COUNTY
(H, Hw) - See Adair County

LEE COUNTY
(R) - See Breathitt County

(H, Hw) - See Adair County

LESLIE COUNTY
(R) - See Breathitt County

(H, Hw) - See Adair County

LETCHER COUNTY
(R) - See Breathitt County

(H, Hw) - See Adair County

LEWIS COUNTY
(R) - See Carter County

LINCOLN COUNTY
(R) - See Boyle County

(H, Hw) - See Adair County

LIVINGSTON COUNTY
(H, Hw) - See Allen County

(D) - See Boone County

LOGAN COUNTY
(H, Hw) - See Allen County

LYON COUNTY
(H, Hw) - See Allen County

MCCRACKEN COUNTY
Decision #KY76-1058 (B)
41 FR 21082 - 5/21/76

Mod. #1 - 41 FR 29612 - 7/16/76

Mod. #2 - 41 FR 45786 - 10/15/76

Mod. #3 - 41 FR 51940 - 11/19/76

Mod. #4 - 41 FR 56550 - 12/26/76

(D) - See Ballard County

(H, Hw) - See Allen County

KENTUCKY (Cont'd)

MCCREARY COUNTY
(H, Hw) - See Adair County

MCLAIN COUNTY
(H, Hw) - See Allen County

MADISON COUNTY
(H, Hw) - See Anderson County

(B) - See Bath County

MAGOFFIN COUNTY
(H, Hw) - See Adair County

MARION COUNTY
(R) - See Anderson County

(H, Hw) - See Breckinridge County

MARSHALL COUNTY
(H, Hw) - See Allen County

MARTIN COUNTY
(H, Hw) - See Adair County

MASON COUNTY
(R) - See Carter County

(H, Hw) - See Anderson County

(D) - See Ballard County

MEADE COUNTY
(H, Hw) - See Anderson County

(B) - See Jefferson County

(R) - See Breckinridge County

(D) - See Ballard County

MEADE COUNTY
(H, Hw) - See Adair County

MERCER COUNTY
(H, Hw) - See Anderson County

METCALFE COUNTY
(H, Hw, R) - See Adair County

MURDER COUNTY
(H, Hw, R) - See Adair County

MONTGOMERY COUNTY
(H, Hw) - See Anderson County

(R) - See Bath County

MORGAN COUNTY
(H, Hw) - See Anderson County

MUHLENBERG COUNTY
(H, Hw) - See Allen County

KENTUCKY (Cont'd)

MURRAY COUNTY
(H, Hw) - See Anderson County

(R) - See Breckinridge County

NICHOLAS COUNTY
(R) - See Carter County

(H, Hw) - See Anderson County

OSAGE COUNTY
(H, Hw) - See Allen County

OLDHAM COUNTY
(H, Hw) - See Anderson County

(B) - See Breckinridge County

(D) - See Ballard County

OWEN COUNTY
(H, Hw) - See Anderson County

OWSLEY COUNTY
(R) - See Clay County

(H, Hw) - See Adair County

PENDLETON COUNTY
(B, H, Hw, R) - See Boone County

(D) - See Ballard County

PERRY COUNTY
(R) - See Breathitt County

(H, Hw) - See Adair County

PIKE COUNTY
(B) - See Floyd County

(R, Hw) - See Adair County

POMELL COUNTY
(H, Hw) - See Adair County

PULASKI COUNTY
(R) - See Boyle County

(H, Hw) - See Adair County

(R) - See Clay County

ROBERTSON COUNTY
(R) - See Carter County

(H, Hw) - See Anderson County

ROCKCASTLE COUNTY
(R) - See Boyle County

(H, Hw) - See Adair County

ROMAN COUNTY
(R) - See Carter County

(H, Hw) - See Anderson County

RUSSELL COUNTY
(R) - See Boyle County

(H, Hw) - See Adair County

SCOTT COUNTY
(H, Hw) - See Anderson County

(R) - See Bath County

SHELBY COUNTY
(H, Hw) - See Anderson County

(R) - See Breckinridge County

KENTUCKY (Cont'd)

SIMPSON COUNTY
(H, Hw) - See Allen County

SPENCER COUNTY
(H, Hw) - See Anderson County

(R) - See Breckinridge County

TAYLOR COUNTY
(R) - See Adair County

(H, Hw) - See Allen County

TODD COUNTY
(H, Hw) - See Allen County

TRIGGS COUNTY
(H, Hw) - See Allen County

(D) - See Ballard County

(H, Hw) - See Anderson County

(D) - See Boone County

UNION COUNTY
(H, Hw) - See Allen County

(D) - See Ballard County

WARREN COUNTY
Decision #KY76-1077 (B)
41 FR 30525 - 7/23/76

Mod. #1 - 41 FR 35323 - 8/20/76

Mod. #2 - 41 FR 45787 - 10/15/76

Mod. #3 - 41 FR 55263 - 12/17/76

Mod. #4 - 42 FR 5615 - 1/26/77

(H, Hw) - See Allen County

WASHINGTON COUNTY
(H, Hw) - See Anderson County

(R) - See Breckinridge County

WAYNE COUNTY
(H, Hw) - See Adair County

(R) - See Boyle County

WEBSTER COUNTY
(H, Hw) - See Allen County

MIDDLE COUNTY
(H, Hw) - See Adair County

MOLFE COUNTY
(H, Hw) - See Adair County

(R) - See Clay County

WOODFORD COUNTY
(H, Hw) - See Anderson County

(R) - See Bath County

LOUISIANA

STATUTE

- Decision #AL76-5090 (O)
41 FR 4409 - 10/9/76
Decision #LA76-4187 (O, W, R)
41 FR 51288 - 11/19/76
Mod. #1 - 41 FR 55264 - 12/17/76
Mod. #2 - 42 FR 1679 - 1/1/77
Mod. #3 - 42 FR 4065 - 1/21/77
- ACADIA PARISH
Decision #AR76-5041 (F)
41 FR 19017 - 5/7/76
Mod. #1 - 41 FR 21981 - 5/28/76
(B, D, W) - See Statowide
- ALLEN PARISH
(F) - See Acadia Parish
(O, B, W) - See Statowide
- ASCENSION PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ASSUMPTION PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- AVOUELLES PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- BEAUREGARD PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- BIENVILLE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- BOSSIER PARISH
(F) - See Acadia Parish
(B, D, W, R) - See Statowide
- CADDO PARISH
(F) - See Acadia Parish
(B, D, W, R) - See Statowide
- CALCASIEU PARISH
(F) - See Acadia Parish
(B, D, W, R) - See Statowide

LOUISIANA (Cont'd)

CALDWELL PARISH

- (F) - See Acadia Parish
(B, D, W) - See Statowide
- CANUM PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- CATAHOULA PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- CLAIBORNE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- COMONGA PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- DE SOTO PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- EAST BATON ROUGE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- EAST CARROLL PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- EAST FELICIANA PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- EVANGELINE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- FRANKLIN PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- GRANT PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- IBERIA PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide

LOUISIANA (Cont'd)

IBERVILLE PARISH

- (F) - See Acadia Parish
(B, D, W) - See Statowide
- JACKSON PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- JEFFERSON PARISH
Decision #AR-3 (R)
39 FR 25777 - 7/12/74
(F) - See Acadia Parish
(B, D, W) - See Statowide
- JEFFERSON DAVIS PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- LAFAYETTE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- LAFORCHE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- LA SALLE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- LINCOLN PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- LIVINGSTON PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- MAISON PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- MOREHOUSE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- NATCHITOCHE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ORLEANS PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- QUACHITA PARISH
Decision #AQ-116 (R)
39 FR 22307 - 5/21/74
(B, D, W) - See Statowide
(F) - See Acadia Parish

LOUISIANA (Cont'd)

PLAQUEMINES PARISH

- (F) - See Acadia Parish
(B, D, W) - See Statowide
- POINTE COUPEE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- RAPIDES PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- RED RIVER PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- RICHLAND PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- SABINE PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. BERNARD PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. CHARLES PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. HELENA PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. JAMES PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. JOHN THE BAPTIST PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. LANDRY PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. MARTIN PARISH
(F) - See Acadia Parish
(B, D, W) - See Statowide
- ST. MARY PARISH
(F) - See Acadia Parish
(B, D) - See Statowide

LOUISIANA (Cont'd.)

ST. TAMMANT PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TANGIPAHOA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TERREBONNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TERREBONNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
UNION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
VERMILION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
VERNON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WASHINGTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEBSTER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST BATON ROUGE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MINN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

MAINE

ANDROSCOGG COUNTY
Decision #ME76-2159 (Hw)
41 FR 52173 - 11/26/76
ARROOSTOOK COUNTY
Decision #ME76-2156 (Hw)
41 FR 52171 - 11/26/76
CUMBERLAND COUNTY
Decision #CT77-5001 (D)
42 FR 999 - 1/4/77
(Hw) - See Arrostook County
FRANKLIN COUNTY
(Hw) - See Androscogg County
HANCOCK COUNTY
Decision #ME76-2166 (Hw)
41 FR 53227 - 12/3/76
(D) - See Cumberland County
KENNEBEC COUNTY
(Hw) - See Androscogg County
KNOX COUNTY
(D) - See Cumberland County
(Hw) - See Hancock County
LINCOLN COUNTY
(D) - See Cumberland County
(Hw) - See Hancock County
OXFORD COUNTY
(Hw) - See Androscogg County
PENOBSCOT COUNTY
(Hw) - See Arrostook County
PISCATAQUIS COUNTY
(Hw) - See Androscogg County
SAGadahoc COUNTY
(D) - See Cumberland County
(Hw) - See Arrostook County
SOMERSET COUNTY
(Hw) - See Androscogg County
WALDO COUNTY
(D) - See Cumberland County
(Hw) - See Hancock County
WASHINGTON COUNTY
(D) - See Cumberland County
(Hw) - See Hancock County
YORK COUNTY
(D) - See Cumberland County
(Hw) - See Hancock County

MARYLAND

ALLEGANY COUNTY
Decision #MD77-3020 (B)
42 FR 3151 - 1/14/77
Decision #MD77-3021 (H,Hw)
42 FR 3153 - 1/14/77
ANNE ARUNDEL COUNTY
Decision #CT77-5001 (D)
42 FR 999 - 1/4/77
Decision #MD77-3019 (B,H)
42 FR 3147 - 1/14/77
Decision #MD76-3151 (Hw)
41 FR 11742 - 3/19/76
BALTIMORE CITY
Decision #MD77-3018 (Hw)
42 FR 3145 - 1/14/77
Decision #MD77-3017 (B,H)
42 FR 3142 - 1/14/77
(D) - See Anne Arundel County
BALTIMORE COUNTY
Decision #MD76-3153 (Hw)
41 FR 11744 - 3/19/76
Mod. #1 - 41 FR 14273 - 4/2/76
(B,H) - See Baltimore City
(D) - See Anne Arundel County
CALVERT COUNTY
(D,Hw) - See Anne Arundel County
CAROLINE COUNTY
Decision #MD76-3152 (Hw)
41 FR 11743 - 3/19/76
Mod. #1 - 41 FR 14273 - 4/2/76
(Hw) - See Anne Arundel County
CASSOCK COUNTY
(Hw) - See Anne Arundel County
CECIL COUNTY
(Hw) - See Anne Arundel County
CHARLES COUNTY
(D,Hw) - See Anne Arundel County
DORCHESTER COUNTY
(Hw) - See Anne Arundel County
(D) - See Anne Arundel County
FREDERICK COUNTY
Decision #AQ-2076 (R)
39 FR 10069 - 3/15/74
Mod. #1 - 40 FR 15272 - 4/4/75
(Hw) - See Anne Arundel County
GARRETT COUNTY
(B,H,Hw) - See Allegany County

MARYLAND (Cont'd.)

HARFORD COUNTY
(B,H) - See Baltimore County
(Hw) - See Anne Arundel County
HIGGINS COUNTY
(B,H) - See Baltimore City
(R) - See Baltimore City
(Hw) - See Anne Arundel County
KENT COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
MONTGOMERY COUNTY
Decision #MD76-3285 (B)
41 FR 51308 - 11/19/76
(Hw) - See Anne Arundel County
PRINCE GEORGES COUNTY
(B) - See Montgomery County
(D,Hw) - See Anne Arundel County
QUEEN ANNES COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D,Hw) - See Anne Arundel County
SOMERSET COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
TALBOT COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
WASHINGTON COUNTY
(Hw) - See Anne Arundel County
WICOMICO COUNTY
Decision #AQ-2075 (R)
39 FR 10068 - 3/15/74
Mod. #1 - 39 FR 14649 - 4/26/74
(D) - See Anne Arundel County
(Hw) - See Caroline County
WORCESTER COUNTY
(D) - See Anne Arundel County
(Hw) - See Caroline County
Decision #AR-2012 (B)
39 FR 27991 - 8/2/74

MICHIGAN (Cont'd.)

BERRIEN COUNTY
(B,H) - See Allegan County
Decision #M176-2140 (Hw, M&S)
36 FR 15892 - 8/18/71
(D) - See Alcona County
(Hw, M&S) - See Statewide
BRANCH COUNTY
Decision #M176-2135 (B,H)
36 FR 15894 - 8/18/71
(Hw, M&S) - See Statewide
CALHOUN COUNTY
(B,H) - See Allegan County
Decision #M176-2107 (R)
41 FR 35381 - 8/20/76
(Hw, M&S) - See Statewide
CASS COUNTY
(Hw, M&S) - See Statewide
(Hw, M&S) - See Branch County
CHARLEVOIX COUNTY
(B,H) - See Allegan County
(D) - See Alcona County
(Hw, M&S) - See Statewide
CHEBOYGAN COUNTY
(D) - See Alcona County
(Hw, M&S) - See Statewide
CHIPPEWA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, M&S) - See Statewide
CLARE COUNTY
(Hw, M&S) - See Statewide
CLINTON COUNTY
(B,H) - See Allegan County
(Hw, M&S) - See Statewide
CRAWFORD COUNTY
(Hw, M&S) - See Statewide

MICHIGAN

STATEWIDE
Decision #M176-2140 (Hw, M&S)
41 FR 51318 - 11/19/76
Mod. #1 - 41 FR 54107 - 12/10/76
Mod. #2 - 42 FR 1681 - 1/7/77
Mod. #3 - 42 FR 1681 - 1/7/77
ALCONA COUNTY
Decision #M176-2135 (B,H)
41 FR 47766 - 10/29/76
Decision #M176-5038 (D)
41 FR 16373 - 4/16/76
Mod. #1 - 41 FR 15007 - 5/7/76
(Hw, M&S) - See Statewide
ALGER COUNTY
Decision #M176-2135 (B,H)
41 FR 47771 - 10/29/76
(D) - See Alcona County
(Hw, M&S) - See Statewide
ALLEGAN COUNTY
Decision #M176-2137 (B,H)
41 FR 47774 - 10/29/76
Decision #M176-398 (R)
36 FR 15891 - 8/18/71
(Hw, M&S) - See Statewide
(D) - See Alcona County
ALPENA COUNTY
(D) - See Alcona County
(Hw, M&S) - See Statewide
ARENAC COUNTY
(D) - See Alcona County
(Hw, M&S) - See Statewide
BARAGA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, M&S) - See Statewide
BARRY COUNTY
(Hw, M&S) - See Statewide
BAY COUNTY
Decision #M176-2138 (B,H)
41 FR 49889 - 11/5/76
(D) - See Alcona County
(Hw, M&S) - See Statewide
BENZIE COUNTY
(D) - See Alcona County
(Hw, M&S) - See Statewide

MASSACHUSETTS

NANTUCKET COUNTY
(D) - See Barnstable County
NORFOLK COUNTY
Decision #M176-2103 (B,H,Hw,R)
41 FR 35373 - 8/20/76
Mod. #1 - 41 FR 46814 - 10/22/76
Mod. #2 - 41 FR 55267 - 12/17/76
Mod. #3 - 42 FR 7032 - 2/4/77
(D) - See Barnstable County
PLYMOUTH COUNTY
Decision #M176-2104 (B,H,Hw,R)
41 FR 37485 - 9/3/76
Mod. #1 - 41 FR 46815 - 10/22/76
Mod. #2 - 41 FR 55267 - 12/17/76
Mod. #3 - 42 FR 7032 - 2/4/77
(D) - See Barnstable County
SUFFOLK COUNTY
Decision #M176-2105 (B,H,Hw,D,R, & Marine)
41 FR 35377 - 8/20/76
Mod. #1 - 41 FR 46815 - 10/22/76
Mod. #2 - 41 FR 55267 - 12/17/76
Mod. #3 - 42 FR 7032 - 2/4/77
(D) - See Barnstable County
WORCESTER COUNTY
Decision #M176-2106 (B,H,Hw,R)
41 FR 37490 - 9/3/76
Mod. #1 - 41 FR 46815 - 10/22/76
Mod. #2 - 41 FR 55267 - 12/17/76
Mod. #3 - 42 FR 7032 - 2/4/77
Mod. #4 - 42 FR 7032 - 2/4/77

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #M176-2095 (B,H,Hw, & Marine)
41 FR 34501 - 8/13/76
Mod. #1 - 41 FR 45788 - 10/15/76
Mod. #2 - 41 FR 54106 - 12/10/76
Mod. #3 - 42 FR 7030 - 2/4/77
Decision #C177-5201 (D)
42 FR 999 - 1/4/77
BERKSHIRE COUNTY
Decision #M176-2096 (B,H,Hw)
41 FR 34505 - 8/13/76
Mod. #1 - 41 FR 45788 - 10/15/76
Mod. #2 - 41 FR 54106 - 12/10/76
Mod. #3 - 42 FR 7030 - 2/4/77
BRISTOL COUNTY
Decision #M176-2097 (B,H,Hw,R, & Marine)
41 FR 34509 - 8/13/76
Mod. #1 - 41 FR 45789 - 10/15/76
Mod. #2 - 42 FR 54106 - 12/10/76
Mod. #3 - 42 FR 7030 - 2/4/77
(D) - See Barnstable County
DUXES COUNTY
(D) - See Barnstable County
ESSEX COUNTY
Decision #M176-2098 (B,H,Hw, & Marine)
41 FR 34514 - 8/13/76
Mod. #1 - 41 FR 45789 - 10/15/76
Mod. #2 - 41 FR 54106 - 12/10/76
Mod. #3 - 41 FR 55266 - 12/17/76
Mod. #4 - 42 FR 7031 - 2/4/77
(D) - See Barnstable County
FRANKLIN COUNTY
Decision #M176-2099 (B,H,Hw)
41 FR 34519 - 8/13/76
Mod. #1 - 41 FR 46812 - 10/22/76
Mod. #2 - 41 FR 55266 - 12/17/76
Mod. #3 - 42 FR 7031 - 2/4/77
HAMPDEN COUNTY
Decision #M176-2100 (B,H,Hw)
41 FR 34522 - 8/13/76
Mod. #1 - 41 FR 46812 - 10/22/76
Mod. #2 - 41 FR 55266 - 12/17/76
Mod. #3 - 42 FR 7031 - 2/4/77
Decision #M176-2134 (R)
40 FR 59166 - 12/19/75
HAMPSHIRE COUNTY
Decision #M176-2101 (B,H,Hw)
41 FR 35369 - 8/20/76
Mod. #1 - 41 FR 46813 - 10/22/76
Mod. #2 - 42 FR 55266 - 12/17/76
Mod. #3 - 42 FR 7031 - 2/4/77
MIDDLESEX COUNTY
Decision #M176-2102 (B,H,Hw, R, & Marine)
41 FR 37479 - 9/3/76
Mod. #1 - 41 FR 46813 - 10/22/76
Mod. #2 - 41 FR 55267 - 12/17/76
Mod. #3 - 42 FR 7031 - 2/4/77
(D) - See Barnstable County

MINNESOTA

MINNESOTA (Cont'd.)

MINNESOTA (Cont'd.)

MINNESOTA (Cont'd.)

AITKIN COUNTY

Decision #M76-2958 (H, Hw)
41 FR 20131 - 5/14/76

Mod. #1 - 41 FR 43561 - 10/1/76
Mod. #2 - 42 FR 1682 - 1/1/77

ANOKA COUNTY

Decision #M76-2001 (B, R)
41 FR 2551 - 1/16/76

Mod. #1 - 41 FR 5521 - 2/6/76
Mod. #2 - 41 FR 6951 - 2/13/76
Mod. #3 - 41 FR 20124 - 5/14/76
Mod. #4 - 41 FR 52178 - 11/26/76

BECKER COUNTY

Decision #A0-3104 (H, Hw)
39 FR 9369 - 3/6/74

BELTRAMI COUNTY

Decision #A0-3147 (H, Hw)
39 FR 36704 - 10/11/74

BERTON COUNTY

(H, Hw) - See Aitkin County

BIG STONE COUNTY

Decision #A0-3105 (H, Hw)
39 FR 9370 - 3/6/74

BLUE EARTH COUNTY

Decision #M76-2064 (B)
41 FR 21025 - 5/21/76

Mod. #1 - 41 FR 52179 - 11/26/76
(H, Hw) - See Aitkin County

BROWN COUNTY

None

CARTER COUNTY

(B, R) - See Saint Louis County
(H, Hw) - See Aitkin County

CASS COUNTY

(B, R) - See Anoka County
(H, Hw) - See Aitkin County

CHIPPewa COUNTY

(Hw) - See Becker County

CHRISTIAN COUNTY

(Hw) - See Big Stone County

CLAY COUNTY

(Hw) - See Aitkin County

CLEAR WATER COUNTY

(H, Hw) - See Becker County

COOK COUNTY

Decision #1176-5038 (D)
41 FR 16373 - 4/16/76

CROW WING COUNTY

Mod. #1 - 41 FR 19007 - 5/7/76
(H, Hw) - See Aitkin County

DAKOTA COUNTY

Decision #A0-3124 (H, Hw)
39 FR 93583 - 3/6/74

DODGE COUNTY

(H, Hw) - See Aitkin County

DOUGLAS COUNTY

(H, Hw) - See Aitkin County

FAIRBANKS COUNTY

(B) - See Blue Earth County
(H, Hw) - See Aitkin County

FILLMORE COUNTY

(H, Hw) - See Aitkin County

FREEBORN COUNTY

(B) - See Blue Earth County
(H, Hw) - See Aitkin County

GOODHUE COUNTY

(H, Hw) - See Aitkin County

GRANT COUNTY

(H, Hw) - See Aitkin County

HENNEPIN COUNTY

(B, R) - See Anoka County

HUBBARD COUNTY

(H, Hw) - See Aitkin County

ISANTI COUNTY

(H, Hw) - See Becker County

ITASKA COUNTY

(H, Hw) - See Aitkin County

JACKSON COUNTY

(H, Hw) - See Aitkin County

KANABEC COUNTY

(H, Hw) - See Aitkin County

KANDIOWHIE COUNTY

(H, Hw) - See Big Stone County

KETTICUM COUNTY

(H, Hw) - See Beltrami County

KOOCHICUNG COUNTY

(B, R) - See St. Louis County

LAC QUI PARLE COUNTY

(H, Hw) - See Aitkin County

LAKE COUNTY

(H, Hw) - See Big Stone County

LAKE COUNTY

(H, Hw) - See Aitkin County

LAKE COUNTY

(D) - See Cook County

LAKE COUNTY

(H, Hw) - See Beltrami County

LE SUEUR COUNTY

(H, Hw) - See Aitkin County

LINCOLN COUNTY

(H, Hw) - See Aitkin County

LYON COUNTY

(H, Hw) - See Cottonwood County

MCLEOD COUNTY

(H, Hw) - See Cottonwood County

MILLENNIUM COUNTY

(H, Hw) - See Aitkin County

MILKIN COUNTY

(H, Hw) - See Becker County

MINNAPOLIS COUNTY

(H, Hw) - See Aitkin County

MORRIS COUNTY

(H, Hw) - See Aitkin County

MORTON COUNTY

(H, Hw) - See Aitkin County

MOWER COUNTY

(H, Hw) - See Aitkin County

MURRAY COUNTY

(H, Hw) - See Cottonwood County

NICOLLET COUNTY

(H, Hw) - See Aitkin County

NOBLES COUNTY

(H, Hw) - See Aitkin County

NORTHAMPTON COUNTY

(H, Hw) - See Beltrami County

OLMSTED COUNTY

Decision #M76-2002 (B, R)
41 FR 3607 - 1/23/76

OTTER TAIL COUNTY

Mod. #1 - 41 FR 20125 - 5/14/76
Mod. #2 - 41 FR 52179 - 11/26/76
(H, Hw) - See Aitkin County

PENNINGTON COUNTY

(H, Hw) - See Becker County

PINE COUNTY

(H, Hw) - See Beltrami County

PIPESTONE COUNTY

(H, Hw) - See Aitkin County

POLK COUNTY

(H, Hw) - See Cottonwood County

POPE COUNTY

(H, Hw) - See Beltrami County

RANNEY COUNTY

(H, Hw) - See Big Stone County

REDFORD COUNTY

(B, R) - See Anoka County

REDFORD COUNTY

(H, Hw) - See Aitkin County

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(H, Hw) - See Aitkin County

REDFORD COUNTY

(H, Hw) - See Aitkin County

REDFORD COUNTY

MISSISSIPPI (Cont'd.)

RANKIN COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Copiah County
 SCOTT COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Copiah County
 SHARKEY COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Copiah County
 SHERIFF COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Copiah County
 SMITH COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Copiah County
 STONE COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See George County
 SUNFLOWER COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Issaquena County
 (R) - See Coahoma County
 TALLAHATCHIE COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 TATE COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 TIPPIN COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 TISHOMINGO COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 TUNICA COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 UNION COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 WALTHAM COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County

MISSISSIPPI (Cont'd.)

WARREN COUNTY
 Decision #M375-1109 (B)
 40 FR 53208 - 11/14/75
 Mod. #1 - 41 FR 4737 - 1/30/76
 Mod. #2 - 41 FR 16309 - 4/16/76
 Mod. #3 - 41 FR 18366 - 4/30/76
 Mod. #4 - 41 FR 30502 - 7/23/76
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Claiborne County
 WASHINGTON COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Issaquena County
 (R) - See Coahoma County
 WAYNE COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Adams County
 WEBSTER COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 WILKINSON COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 WINSTON COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 YALOGUSHA COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 YAZOO COUNTY
 (D, H, M, S) - See Statewide
 (F) - See Adams County
 (R) - See Copiah County

MISSOURI

STATEWIDE
 Decision #M76-4191 (H, Hw)
 41 FR 55272 - 12/17/76
 ADAIR COUNTY
 (H, Hw) - See Statewide
 ANDREW COUNTY
 Decision #M75-4070 (D)
 40 FR 14225 - 3/28/75
 (H, Hw) - See Statewide
 ATCHISON COUNTY
 (D) - See Andrew County
 (H, Hw) - See Statewide
 AUDRAIN COUNTY
 (H, Hw) - See Statewide
 BARRY COUNTY
 (Hw) - See Statewide
 BARTON COUNTY
 (H, Hw) - See Statewide
 BATES COUNTY
 (H, Hw) - See Statewide
 BERTON COUNTY
 (H, Hw) - See Statewide
 BOLLINGER COUNTY
 (H, Hw) - See Statewide
 BOONE COUNTY
 (H, Hw) - See Statewide
 (D) - See Andrew County
 BUCHANAN COUNTY
 (D) - See Andrew County
 (H, Hw) - See Statewide
 BUTLER COUNTY
 (Hw) - See Statewide
 CALDWELL COUNTY
 (H, Hw) - See Statewide
 CALLAWAY COUNTY
 (D) - See Andrew County
 (H, Hw) - See Statewide
 CAMDEN COUNTY
 (H, Hw) - See Statewide
 CAPE GIRARDEAU COUNTY
 Decision #M76-5026 (D)
 41 FR 12858 - 3/26/76
 (H, Hw) - See Statewide
 CARROLL COUNTY
 (D) - See Andrew County
 (H, Hw) - See Statewide
 CARTER COUNTY
 (Hw) - See Statewide
 CASS COUNTY
 Decision #M76-4177 (B, H, Hw)
 41 FR 50139 - 11/12/76
 Decision #M76-4103 (R)
 41 FR 27602 - 7/2/76
 Mod. #1 - 41 FR 34482 - 8/13/76
 (H, Hw) - See Statewide
 CEDAR COUNTY
 (H, Hw) - See Statewide

MISSOURI (Cont'd)

CHARLTON COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
CHRISTIAN COUNTY
(Hw) - See Statewide
CLARK COUNTY
(H, Hw) - See Statewide
CLAY COUNTY
(B, R) - See Cass County
(D) - See Andrew County
(H, Hw) - See Statewide
CLINTON COUNTY
(H, Hw) - See Statewide
COLE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
COOPER COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
CRAWFORD COUNTY
(H, Hw) - See Statewide
DAGE COUNTY
(H, Hw) - See Statewide
DALLAS COUNTY
(H, Hw) - See Statewide
DAVIESS COUNTY
(H, Hw) - See Statewide
DE MOB COUNTY
(H, Hw) - See Statewide
DEWITT COUNTY
(H, Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
DUNKLIN COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
Decision #9076-4108 (B)
41 FR 27624 - 7/2/76
Mod. #1 - 41 FR 34483 - 8/13/76
Mod. #2 - 41 FR 44598 - 10/8/76
Mod. #3 - 41 FR 54108 - 12/10/76
Mod. #4 - 41 FR 55551 - 12/28/76
Decision #9076-4107 (R)
41 FR 27621 - 7/2/76
Mod. #1 - 41 FR 34482 - 8/13/76
Mod. #2 - 41 FR 44598 - 10/8/76
Mod. #3 - 41 FR 54107 - 12/10/76
Mod. #4 - 41 FR 55551 - 12/28/76
(D) - See Andrew County
(H, Hw) - See Statewide
GASCONADE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
GENTRY COUNTY
(H, Hw) - See Statewide

MISSOURI (Cont'd)

GREENE COUNTY
(H, Hw) - See Statewide
GRUNDY COUNTY
(H, Hw) - See Statewide
HARRISON COUNTY
(H, Hw) - See Statewide
HENRY COUNTY
(H, Hw) - See Statewide
(B, R) - See Cass County
(D) - See Andrew County
HICKORY COUNTY
(H, Hw) - See Statewide
HOLT COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
HOWARD COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
HOWELL COUNTY
(Hw) - See Statewide
IRON COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(B, R) - See Cass County
(D) - See Andrew County
(H, Hw) - See Statewide
JASPER COUNTY
Decision #9076-4176 (B)
41 FR 45781 - 10/15/76
Mod. #1 - 41 FR 48985 - 11/5/76
JEFFERSON COUNTY
(D) - See Cape Girardeau County
(H, Hw) - See Statewide
JOHNSON COUNTY
(B, H, Hw) - See Cass County
(H, Hw) - See Statewide
KNOWLTON COUNTY
(H, Hw) - See Statewide
LACLEDE COUNTY
(H, Hw) - See Statewide
LAFAYETTE COUNTY
(B, H, Hw) - See Cass County
(H, Hw) - See Statewide
(D) - See Andrew County
LAWRENCE COUNTY
(H, Hw) - See Statewide
LEWIS COUNTY
(H, Hw) - See Statewide
LINCOLN COUNTY
(B, R) - See Franklin County
(H, Hw) - See Statewide
LINN COUNTY
(H, Hw) - See Statewide
LIVINGSTON COUNTY
(H, Hw) - See Statewide
(H, Hw) - See Statewide
MC DONALD COUNTY
(B) - See Jasper County
(H, Hw) - See Statewide

MISSOURI (Cont'd)

MALCOLM COUNTY
(H, Hw) - See Statewide
MARION COUNTY
(H, Hw) - See Statewide
MARSH COUNTY
(H, Hw) - See Statewide
MARION COUNTY
(H, Hw) - See Statewide
MERCER COUNTY
(H, Hw) - See Statewide
MILLER COUNTY
(H, Hw) - See Statewide
MISSISSIPPI COUNTY
(D) - See Cape Girardeau County
(Hw) - See Statewide
MONITEAU COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
MONROE COUNTY
(H, Hw) - See Statewide
MONTGOMERY COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
MORGAN COUNTY
(H, Hw) - See Statewide
NEW MADRID COUNTY
(Hw) - See Statewide
NEWTON COUNTY
(B) - See Jasper County
(H, Hw) - See Statewide
NODAWAY COUNTY
(H, Hw) - See Statewide
OREGON COUNTY
(Hw) - See Statewide
OSAGE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
OSARK COUNTY
(H, Hw) - See Statewide
PENNINSULA COUNTY
(Hw) - See Statewide
PERRY COUNTY
(D) - See Cape Girardeau County
(H, Hw) - See Statewide
PETTIS COUNTY
(H, Hw) - See Statewide
PHELPS COUNTY
(H, Hw) - See Statewide
PIKE COUNTY
(H, Hw) - See Statewide
PLATTE COUNTY
(B, R, H, Hw) - See Cass County
(D) - See Andrew County
POLK COUNTY
(H, Hw) - See Statewide

MISSOURI (Cont'd)

POLK COUNTY
(H, Hw) - See Statewide
PUTNAM COUNTY
(H, Hw) - See Statewide
RALLS COUNTY
(H, Hw) - See Statewide
RANDOLPH COUNTY
(H, Hw) - See Statewide
RAY COUNTY
(B, R) - See Cass County
(H, Hw) - See Statewide
(D) - See Andrew County
REYNOLDS COUNTY
(Hw) - See Statewide
RIPLEY COUNTY
(Hw) - See Statewide
ST. CHARLES COUNTY
(B, R) - See Franklin County
(D) - See Andrew County
(D) - See Cape Girardeau County
(H, Hw) - See Statewide
ST. CLAIR COUNTY
(H, Hw) - See Statewide
ST. FRANCOIS COUNTY
(H, Hw) - See Statewide
ST. LOUIS COUNTY
(B, R) - See Franklin County
(D) - See Cape Girardeau County
(D) - See Andrew County
(H, Hw) - See Statewide
ST. BENEVE COUNTY
(D) - See Cape Girardeau County
(H, Hw) - See Statewide
SALINE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
SCHOTTLER COUNTY
(H, Hw) - See Statewide
SCOTLAND COUNTY
(H, Hw) - See Statewide
SCOTT COUNTY
(D) - See Cape Girardeau County
(H, Hw) - See Statewide
SPANISH COUNTY
(Hw) - See Statewide
SHELBY COUNTY
(H, Hw) - See Statewide
STODOLSKY COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd.)

STONE COUNTY
(Hw) - See Statewide

SULLIVAN COUNTY
(H, Hw) - See Statewide

TANEY COUNTY
(Hw) - See Statewide

TEXAS COUNTY
(Hw) - See Statewide

VERNON COUNTY
(H, Hw) - See Statewide

WARREN COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide

WASHINGTON COUNTY
(H, Hw) - See Statewide

WAYNE COUNTY
(Hw) - See Statewide

WEBSTER COUNTY
(Hw) - See Statewide

WORTH COUNTY
(H, Hw) - See Statewide

WRIGHT COUNTY
(Hw) - See Statewide

MONTANA

STATEWIDE
Decision #MT76-5103 (B)
41 FR 51325 - 11/19/76

Mod. #1 - 41 FR 56552 - 12/28/76

Mod. #2 - 42 FR 3137 - 1/14/77

Mod. #3 - 42 FR 5616 - 1/28/77

Decision #MT76-5099 (H, Hw)
41 FR 47789 - 10/29/76

Mod. #1 - 41 FR 51241 - 11/19/76

Mod. #2 - 42 FR 3136 - 1/14/77

BEAVERHEAD COUNTY
(B, H, Hw) - See Statewide

BIG HORN COUNTY
(B, H, Hw) - See Statewide

BLAINE COUNTY
(B, H, Hw) - See Statewide

BROADWATER COUNTY
(B, H, Hw) - See Statewide

CARBON COUNTY
(B, H, Hw) - See Statewide

CARTER COUNTY
(B, H, Hw) - See Statewide

CASCADE COUNTY
(B, H, Hw) - See Statewide

Decision #MT76-5100 (R)
41 FR 47798 - 10/29/76

Mod. #1 - 41 FR 51244 - 11/19/76

Mod. #2 - 42 FR 3136 - 1/14/77

CHouteau County
(B, H, Hw) - See Statewide

CUSTER COUNTY
(B, H, Hw) - See Statewide

DANIELS COUNTY
(B, H, Hw) - See Statewide

DANSON COUNTY
(B, H, Hw) - See Statewide

DEER LODGE COUNTY
(B, H, Hw) - See Statewide

(R) - See Cascade County

FALLON COUNTY
(B, H, Hw) - See Statewide

FERGUS COUNTY
(B, H, Hw) - See Statewide

FLATHEAD COUNTY
(B, H, Hw) - See Statewide

MONTANA (Cont'd.)

GALLATIN COUNTY
(B, H, Hw) - See Statewide
(R) - See Cascade County

GARFIELD COUNTY
(B, H, Hw) - See Statewide

GLACIER COUNTY
(R) - See Cascade County

(B, H, Hw) - See Statewide

GOLDEN VALLEY COUNTY
(B, H, Hw) - See Statewide

GRANITE COUNTY
(B, H, Hw) - See Statewide

HILL COUNTY
(B, H, Hw) - See Statewide
(R) - See Cascade County

JEFFERSON COUNTY
(B, H, Hw) - See Statewide

JUDITH BASIN COUNTY
(B, H, Hw) - See Statewide

LAKE COUNTY
(B, H, Hw) - See Statewide

LEWIS & CLARK COUNTY
(B, H, Hw) - See Statewide

LIBERTY COUNTY
(B, H, Hw) - See Statewide

LINCOLN COUNTY
(B, H, Hw) - See Statewide

MC CONE COUNTY
(B, H, Hw) - See Statewide

MADISON COUNTY
(B, H, Hw) - See Statewide

MEAGHER COUNTY
(B, H, Hw) - See Statewide

MINERAL COUNTY
(B, H, Hw) - See Statewide

MISSOULA COUNTY
(R) - See Cascade County

(B, H, Hw) - See Statewide

MUSSELSHELL COUNTY
(B, H, Hw) - See Statewide

PARK COUNTY
(B, H, Hw) - See Statewide

PETROLEUM COUNTY
(B, H, Hw) - See Statewide

PHILLIPS COUNTY
(B, H, Hw) - See Statewide

PONDERA COUNTY
(B, H, Hw) - See Statewide

PONDER RIVER COUNTY
(B, H, Hw) - See Statewide

POWELL COUNTY
(B, H, Hw) - See Statewide

PRAIRIE COUNTY
(B, H, Hw) - See Statewide

RAVALLI COUNTY
(B, H, Hw) - See Statewide

MONTANA (Cont'd.)

BELLEVILLE COUNTY
(B, H, Hw) - See Statewide

BELLEVILLE COUNTY
(B, H, Hw) - See Statewide

ROSEBUD COUNTY
(B, H, Hw) - See Statewide

SAVINGS COUNTY
(B, H, Hw) - See Statewide

SHERIDAN COUNTY
(B, H, Hw) - See Statewide

SILVER BOW COUNTY
(B, H, Hw) - See Statewide

SILVER BOW COUNTY
(B, H, Hw) - See Statewide

STILLWATER COUNTY
(B, H, Hw) - See Statewide

SWEET GRASS COUNTY
(B, H, Hw) - See Statewide

TELLURIDE COUNTY
(B, H, Hw) - See Statewide

TOOLE COUNTY
(B, H, Hw) - See Statewide

TREASURE COUNTY
(B, H, Hw) - See Statewide

VALLEY COUNTY
(B, H, Hw) - See Statewide

WHEATLAND COUNTY
(B, H, Hw) - See Statewide

WHEATLAND COUNTY
(B, H, Hw) - See Statewide

WHEATLAND COUNTY
(B, H, Hw) - See Statewide

YELLOWSTONE COUNTY
(B, H, Hw) - See Statewide

NEBRASKA

ADAMS COUNTY
Decision #NE77-4001 (H, Hw)
42 FR 1685 - 1/7/77

ANTHONY COUNTY
(H, Hw) - See Adams County

ARTHUR COUNTY
(H, Hw) - See Adams County

BANNER COUNTY
Decision #NE76-4190 (B)
41 FR 54132 - 12/10/76

BLAINE COUNTY
(H, Hw) - See Adams County

BOONE COUNTY
(H, Hw) - See Adams County

BUTTE COUNTY
(B) - See Banner County

BOYD COUNTY
(H, Hw) - See Adams County

Decision #NE76-4184 (Charmel Stabilization)
41 FR 53259 - 12/3/76

BROWN COUNTY
(H, Hw) - See Adams County

BUFFALO COUNTY
(H, Hw) - See Adams County

BURT COUNTY
(H, Hw) - See Adams County

BUTLER COUNTY
(Charm, Stab.) - See Boyd County

CASS COUNTY
(H, Hw) - See Adams County

(Charm, Stab.) - See Boyd County

Decision #NE76-4179 (H, Hw)
41 FR 46837 - 10/22/76

Mod. #1 - 41 FR 50118 - 11/12/76

CEDAR COUNTY
Decision #NE75-4202 (B)
40 FR 59047 - 12/12/75

(H, Hw) - See Adams County

(Charm, Stab.) - See Boyd County

CHASE COUNTY
(H, Hw) - See Adams County

CHERRY COUNTY
(H, Hw) - See Adams County

CREYERNE COUNTY
(B) - See Banner County

(H, Hw) - See Adams County

CLAY COUNTY
(H, Hw) - See Adams County

COLFAX COUNTY
(H, Hw) - See Adams County

NEBRASKA (Cont'd.)

CUMING COUNTY
(B) - See Cedar County

(H, Hw) - See Adams County

CUSTER COUNTY
(H, Hw) - See Adams County

DAKOTA COUNTY
(Charm, Stab.) - See Boyd County

(H, Hw) - See Adams County

DAMES COUNTY
(B) - See Banner County

(H, Hw) - See Adams County

DAWSON COUNTY
(H, Hw) - See Adams County

DEUEL COUNTY
(B) - See Banner County

(H, Hw) - See Adams County

DIXON COUNTY
(Charm, Stab.) - See Boyd County

(H, Hw) - See Adams County

DODGE COUNTY
(H, Hw) - See Adams County

DOUGLAS COUNTY
Decision #NE77-4003 (B, R)
42 FR 4085 - 1/21/77

(H, Hw) - See Cass County

(Charm, Stab.) - See Boyd County

DUNDY COUNTY
(H, Hw) - See Adams County

FILLMORE COUNTY
(H, Hw) - See Adams County

FRANKLIN COUNTY
(H, Hw) - See Adams County

FRONTIER COUNTY
(H, Hw) - See Adams County

FURNAS COUNTY
(H, Hw) - See Adams County

GAGE COUNTY
(H, Hw) - See Adams County

GARDEN COUNTY
(B) - See Banner County

(H, Hw) - See Adams County

GARFIELD COUNTY
(H, Hw) - See Adams County

GOSPER COUNTY
(H, Hw) - See Adams County

GRANT COUNTY
(H, Hw) - See Adams County

GREELEY COUNTY
(H, Hw) - See Adams County

NEW JERSEY (Cont'd.)

NEW JERSEY (Cont'd.)

NEW HAMPSHIRE

- BELKNAP COUNTY
None
- CARROLL COUNTY
None
- CRESHIRE COUNTY
None
- COOS COUNTY
None
- GRAFTON COUNTY
None
- HILLSBORO COUNTY
Decision #N177-2001 (B, H, Hw, R)
42 FR 4087 - 1/21/77
- MERRIMACK COUNTY
Decision #N177-2002 (B, H, Hw, & Marine)
42 FR 4090 - 1/21/77
- ROCKINGHAM COUNTY
Decision #C177-5001 (D)
42 FR 599 - 1/4/77
- Decision #N177-2003 (B, H, Hw, R, & Marine)
42 FR 5625 - 1/26/77
- STRAFFORD COUNTY
Decision #N177-2004 (B, H, Hw, & Marine)
42 FR 5629 - 1/26/77
- SULLIVAN COUNTY
None
- BURLINGTON COUNTY
Decision #N175-3096 (R)
40 FR 43413 - 9/19/75
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- CAMDEN COUNTY
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- CAPE MAY COUNTY
Decision #N175-3068 (R)
40 FR 23427 - 7/11/75
(B, H, Hw, D) - See Atlantic County
- CUMBERLAND COUNTY
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- ESSEX COUNTY
(B, H, Hw, R) - See Bergen County
(D) - See Atlantic County
- GLOUCESTER COUNTY
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- HUDSON COUNTY
(B, H, Hw, R) - See Bergen County
(D) - See Atlantic County
- HUNTERDON COUNTY
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- MERCER COUNTY
(B, D, H, Hw) - See Atlantic County
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- MIDDLESEX COUNTY
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- MUNNOUTH COUNTY
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- MORRIS COUNTY
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- OCEAN COUNTY
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- PASSAIC COUNTY
(B, H, Hw, R) - See Bergen County
(D) - See Atlantic County
- SALEN COUNTY
(B, H, Hw) - See Atlantic County
(D) - See Atlantic County
- SOMERSET COUNTY
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- SUSSEX COUNTY
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- UNION COUNTY
Decision #N175-3097 (R)
40 FR 43414 - 9/19/75
(B, H, Hw) - See Bergen County
(D) - See Atlantic County
- WARREN COUNTY
(B, H, Hw) - See Bergen County
(D) - See Atlantic County

NEW JERSEY

- ATLANTIC COUNTY
Decision #N176-3243 (B, H, Hw)
41 FR 43598 - 10/1/76
Mod. #1 - 41 FR 44599 - 10/8/76
Mod. #2 - 41 FR 52100 - 11/26/76
Mod. #3 - 41 FR 53233 - 12/3/76
Mod. #4 - 42 FR 4067 - 1/21/77
Mod. #5 - 42 FR 7033 - 2/4/77
Decision #C177-5001 (D)
42 FR 999 - 1/4/77
- BERGEN COUNTY
Decision #N176-3252 (R)
41 FR 47827 - 10/29/76
Mod. #1 - 41 FR 52182 - 11/26/76
Mod. #2 - 42 FR 7034 - 2/4/77
Decision #N176-3249 (B, H, Hw)
41 FR 43613 - 10/1/76
Mod. #1 - 41 FR 44529 - 10/8/76
Mod. #2 - 41 FR 52181 - 11/26/76
Mod. #3 - 41 FR 53233 - 12/3/76
Mod. #4 - 42 FR 4067 - 1/21/77
Mod. #5 - 42 FR 7034 - 2/4/77
(D) - See Atlantic County

NEW MEXICO (Cont'd.)

NEW YORK (Cont'd.)

NEW YORK

STATEWIDE

Decision #N76-4181 (Streets, Highways, Utilities and Light Engineering Construction)
41 FR 50160 - 11/12/76
Decision #N76-4182 (Building, including residential in McKinney, Santa Fe, San Juan, Bernalillo, Rio Arriba, Taos, Sandoval, & Valencia Cos., but not on the Indian Reservations, and Heavy engineering construction,
41 FR 50163 - 11/12/76
Mod. #1 - 41 FR 53234 - 12/31/76
Mod. #2 - 41 FR 53268 - 12/17/76
Mod. #3 - 41 FR 56553 - 12/28/76
Mod. #4 - 42 FR 7035 - 2/4/77

BERNALILLO COUNTY
(B, H, Hw, R) - See Statewide

CATRON COUNTY

(B, H, Hw) - See Statewide

CHAVES COUNTY

(B, H, Hw) - See Statewide

CULFAI COUNTY

(B, H, Hw) - See Statewide

CURRY COUNTY

(B, H, Hw) - See Statewide

DE SACA COUNTY

(B, H, Hw) - See Statewide

DOMA ANA COUNTY

(B, H, Hw) - See Statewide

Decision #N75-4014 (R)

40 FR 3148 - 1/17/75

EDDY COUNTY

(B, H, Hw) - See Statewide

GRANT COUNTY

(B, H, Hw) - See Statewide

GRADALPE COUNTY

(B, H, Hw) - See Statewide

HADING COUNTY

(B, H, Hw) - See Statewide

HIDALGO COUNTY

(B, H, Hw) - See Statewide

LEA COUNTY

(B, H, Hw) - See Statewide

LINCOLN COUNTY

(B, H, Hw) - See Statewide

LOS ALAMOS COUNTY

(B, H, Hw) - See Statewide

LUNA COUNTY

(B, H, Hw) - See Statewide

McKINLEY COUNTY

(R) - See San Juan County

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

(B, H, Hw, R) - See Statewide

ALBANY COUNTY

Decision #N76-3277 (B, H, Hw)
41 FR 51342 - 11/19/76

ALLEGANY COUNTY

None

BRONX COUNTY

Decision #N76-3256 (B, H, Hw)
41 FR 44645 - 10/8/76
Mod. #1 - 41 FR 50120 - 11/12/76
Decision #N77-3022 (R)
42 FR 7063 - 2/4/77

Decision #N77-3001 (D)

42 FR 999 - 1/4/77

BROOME COUNTY

Decision #N76-3240 (B, H, Hw)
41 FR 35439 - 8/20/76
Mod. #1 - 41 FR 44600 - 10/8/76
Mod. #2 - 41 FR 50120 - 11/12/76

CATTARAUGUS COUNTY

None

CAYUGA COUNTY

Decision #N76-5038 (D)
41 FR 16373 - 4/16/76
Mod. #1 - 41 FR 19007 - 5/7/76

CHAUTAUQUE COUNTY

Decision #N76-3259 (B, H, Hw)
41 FR 47840 - 10/29/76
Mod. #1 - 41 FR 50120 - 11/12/76
(D) - See Cayuga County

CHEMUNG COUNTY

Decision #N76-3263 (B, H, Hw)
41 FR 47860 - 10/29/76
Mod. #1 - 41 FR 50121 - 11/12/76

CHEMUNGO COUNTY

None

CLINTON COUNTY

None

COLUMBIA COUNTY

None

CORTLAND COUNTY

None

CORTLAND COUNTY

None

DELAWARE COUNTY

None

OUTCROSS COUNTY

Decision #N76-3280 (B, H, Hw)
41 FR 50174 - 11/12/76
(D) - See Bronx County

ERIE COUNTY

Decision #N76-3236 (B, H, Hw)
41 FR 38387 - 8/27/76
Mod. #1 - 41 FR 50119 - 11/12/76
(D) - See Cayuga County

ESSEX COUNTY

None

FRANKLIN COUNTY

(D) - See Cayuga County

FULFORD COUNTY

None

GENESEE COUNTY

None

GREENE COUNTY

None

HAMILTON COUNTY

None

HERKIMER COUNTY

None

JEFFERSON COUNTY

Decision #N76-3269 - (B, H, Hw)
41 FR 47856 - 10/29/76
Mod. #1 - 41 FR 50122 - 11/12/76
(D) - See Cayuga County

KINGS COUNTY

(B, H, Hw, R, D) - See Bronx County

LEWIS COUNTY

None

LIVINGSTON COUNTY

None

MADISON COUNTY

None

MONROE COUNTY

None

NEW YORK (Cont'd.)

NEW YORK (Cont'd.)

NEW YORK (Cont'd.)

NORTH CAROLINA (Cont'd.)

MONROE COUNTY
Decision #NY76-3252 (B,H,Iw)
41 FR 47854 - 10/29/76
Mod. #1 - 41 FR 50120 - 11/12/76
(D) - See Cayuga County
MONTGOMERY COUNTY
None
MASSACHUSETTS COUNTY
Decision #NY76-3278 (B,H,Iw)
41 FR 51348 - 11/19/76
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Iw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #NY76-3261 (B,H,Iw)
41 FR 47850 - 10/29/76
Mod. #1 - 41 FR 50120 - 11/12/76
(D) - See Cayuga County
ONEIDA COUNTY
Decision #NY76-3270 (B,H,Iw)
41 FR 4790 - 10/29/76
Mod. #1 - 41 FR 50122 - 11/12/76
ONONDAGA COUNTY
Decision #NY76-3258 (B,H,Iw)
41 FR 47835 - 10/29/76
Mod. #1 - 41 FR 50120 - 11/12/76
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #NY76-3279 (B,H,Iw)
41 FR 52271 - 11/26/76
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGO COUNTY
None
PUTNAM COUNTY
(D) - See Bronx County
QUEENS COUNTY
(B,D,H,Iw,R) - See Bronx County

RENSSELAER COUNTY
(B,H,Iw) - See Albany County
RICHMOND COUNTY
(B,H,Iw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Bronx County
ST. LAWRENCE COUNTY
(D) - See Cayuga County
SARATOGA COUNTY
(B,H,Iw) - See Albany County
SCHENECTADY COUNTY
(B,H,Iw) - See Albany County
SCHUYLER COUNTY
None
SENECA COUNTY
None
ST. LOUIS COUNTY
Decision #NY76-3268 (B,H,Iw)
41 FR 47850 - 10/29/76
Mod. #1 - 41 FR 50121 - 11/12/76
SUFFOLK COUNTY
(B,H,Iw) - See Nassau County
(D) - See Bronx County
SULLIVAN COUNTY
None
TIoga COUNTY
None

BERKLEY COUNTY
(D,R) - See Beaufort County
(Sewer & Water, H,Iw) - See Statewide
BLADEN COUNTY
(Sewer & Water, H,Iw) - See Statewide
BRUNSWICK COUNTY
(Sewer & Water, H,Iw) - See Statewide
(D) - See Beaufort County
Decision #NC77-1013 (R)
42 FR 7065 - 2/4/77
BUNCOMBE COUNTY
Decision #NC76-1062 (B)
41 FR 21119 - 5/21/76
Mod. #1 - 41 FR 25614 - 7/16/76
Mod. #2 - 41 FR 34486 - 8/13/76
Decision #NC76-1014 (R)
40 FR 6111 - 2/7/75
(Sewer & Water, H,Iw) - See Statewide
BURKE COUNTY
Decision #NC77-1014 (B)
42 FR 7065 - 2/4/77
Decision #AQ-4117 (R)
39 FR 18397 - 5/24/74
(Sewer & Water, H,Iw) - See Statewide
CABARRUS COUNTY
(Sewer & Water, H,Iw) - See Statewide
CALDWELL COUNTY
(Sewer & Water, H,Iw) - See Statewide
CAMDEN COUNTY
(Sewer & Water, H,Iw) - See Statewide
Decision #NC76-1042 (B)
41 FR 11721 - 3/19/76
(D) - See Beaufort County
(Sewer & Water, H,Iw) - See Statewide
CARTERET COUNTY
Decision #NC76-1019 (B)
41 FR 4796 - 1/30/76
Mod. #1 - 41 FR 21995 - 5/28/76
Decision #NC76-1073 (R)
41 FR 28469 - 7/9/76
(D) - See Beaufort County
(Sewer & Water, H,Iw) - See Statewide
CASKELL COUNTY
(Sewer & Water, H,Iw) - See Statewide
CATAMBA COUNTY
(R) - See Burke County
(Sewer & Water, H,Iw) - See Statewide
CATYHAW COUNTY
Decision #NC75-1049 (B)
40 FR 18273 - 4/25/75
Mod. #1 - 41 FR 20128 - 5/14/76
Decision #NC76-1054 (R)
41 FR 37506 - 9/3/76
(Sewer & Water, H,Iw) - See Statewide
CERRECE COUNTY
(Sewer & Water, H,Iw) - See Statewide
CROWAN COUNTY
(Sewer & Water, H,Iw) - See Statewide
(D,R) - See Beaufort County
CLAY COUNTY
(Sewer & Water, H,Iw) - See Statewide
CLEVELAND COUNTY
(R) - See Burke County
(Sewer & Water, H,Iw) - See Statewide

NORTH CAROLINA

STATEWIDE
Decision #NC75-1015 (Hw)
40 FR 4857 - 1/31/75
Mod. #1 - 40 FR 41351 - 9/5/75
Decision #NC75-1078 (Sewer & Water, H)
40 FR 41367 - 9/5/75
ALAMANCE COUNTY
Decision #NC76-1095 (R)
41 FR 37507 - 9/3/76
(Sewer & Water, H,Iw) - See Statewide
ALEXANDER COUNTY
(Sewer & Water, H,Iw) - See Statewide
ALLEGANY COUNTY
(Sewer & Water, H,Iw) - See Statewide
ANSON COUNTY
(Sewer & Water, H,Iw) - See Statewide
ASHE COUNTY
(Sewer & Water, H,Iw) - See Statewide
AVERY COUNTY
Decision #A8-4017 (B)
39 FR 28739 - 8/9/74
Mod. #1 - 39 FR 43466 - 12/13/74
(Sewer & Water, H,Iw) - See Statewide
BEAUFORT COUNTY
Decision #NC76-1109 (R)
41 FR 42128 - 9/24/76
Decision #SA77-5005 (D)
42 FR 1015 - 1/4/77
Mod. #1 - 42 FR 3140 - 1/14/77
(Sewer & Water, H,Iw) - See Statewide

NORTH CAROLINA (Cont'd.)

COLUMBUS COUNTY
(Sewer & Water, H, Hw) - See Statewide

DAVENPORT COUNTY
(B, R) - See Carteret County

(Sewer & Water, H, Hw) - See Statewide

(D) - See Beaufort County

CUMBERLAND COUNTY
Decision #NC76-1024 (B)
41 FR 6945 - 2/13/76

(R) - See Chatham County

(Sewer & Water, H, Hw) - See Statewide

CURRITUCK COUNTY
(Sewer & Water, H, Hw) - See Statewide

(D) - See Beaufort County

(B) - See Camden County

DARE COUNTY
(B) - See Camden County

(Sewer & Water, H, Hw) - See Statewide

(D, R) - See Beaufort County

DAVIDSON COUNTY
(Sewer & Water, H, Hw) - See Statewide

DAYTON COUNTY
(Sewer & Water, H, Hw) - See Statewide

DUPLIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

(Sewer & Water, H, Hw) - See Statewide

(R) - See Carteret County

DURHAM COUNTY
Decision #NC76-1085 (R)
41 FR 35317 - 8/20/76

(Sewer & Water, H, Hw) - See Statewide

EDGEcombe COUNTY
(Sewer & Water, H, Hw) - See Statewide

(Sewer & Water, H, Hw) - See Statewide

(R) - See Beaufort County

Decision #NC76-1046 (B)
41 FR 15231 - 4/9/76

FORSYTH COUNTY
Decision #AR-4019 (R)
39 FR 29702 - 8/16/74

(Sewer & Water, H, Hw) - See Statewide

FRANKLIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Beaufort County

GASTON COUNTY
(Sewer & Water, H, Hw) - See Statewide

GATES COUNTY
(Sewer & Water, H, Hw) - See Statewide

(D) - See Beaufort County

GRAHAM COUNTY
(Sewer & Water, H, Hw) - See Statewide

GRAVILL COUNTY
Decision #NC76-1121 (B)
41 FR 46805 - 10/22/76

(Sewer & Water, H, Hw) - See Statewide

GREENE COUNTY
(B) - See Edgecombe County

(Sewer & Water, H, Hw) - See Statewide

(R) - See Carteret County

NORTH CAROLINA (Cont'd.)

GUILFORD COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Alamance County

HALIFAX COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Beaufort County

HARNETT COUNTY
(B, R) - See Chatham County

(Sewer & Water, H, Hw) - See Statewide

HAYWOOD COUNTY
(Sewer & Water, H, Hw) - See Statewide

HENDERSON COUNTY
(R) - See Buncombe County

(Sewer & Water, H, Hw) - See Statewide

HERFORD COUNTY
(Sewer & Water, H, Hw) - See Statewide

(D) - See Beaufort County

(R) - See Beaufort County

HODGE COUNTY
(B) - See Chatham County

(Sewer & Water, H, Hw) - See Statewide

HYDE COUNTY
(Sewer & Water, H, Hw) - See Statewide

(D) - See Beaufort County

IREDELL COUNTY
(Sewer & Water, H, Hw) - See Statewide

JACKSON COUNTY
(Sewer & Water, H, Hw) - See Statewide

JONES COUNTY
(B) - See Edgecombe County

(Sewer & Water, H, Hw) - See Statewide

(R) - See Carteret County

JONES COUNTY
(B, R) - See Carteret County

(Sewer & Water, H, Hw) - See Statewide

LEE COUNTY
(B, R) - See Chatham County

(Sewer & Water, H, Hw) - See Statewide

LENOIR COUNTY
(Sewer & Water, H, Hw) - See Statewide

(B, R) - See Carteret County

LINCOLN COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Burke County

MCDONELL COUNTY
(R) - See Buncombe County

MADISON COUNTY
(Sewer & Water, H, Hw) - See Statewide

MADISON COUNTY
(Sewer & Water, H, Hw) - See Statewide

MARTIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

(Sewer & Water, H, Hw) - See Statewide

MCCLENNAN COUNTY
Decision #NC76-1115 (B)
40 FR 59177 - 12/19/75

Mod. #1 - 41 FR 9721 - 3/5/76

(Sewer & Water, H, Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

MITCHELL COUNTY
(B) - See Avery County

(Sewer & Water, H, Hw) - See Statewide

MONROE COUNTY
(Sewer & Water, H, Hw) - See Statewide

MOORE COUNTY
(B, R) - See Chatham County

(Sewer & Water, H, Hw) - See Statewide

NASH COUNTY
(B) - See Edgecombe County

(R) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

NEW HAMPSHIRE COUNTY
Decision #NC76-1054 (B)
40 FR 22723 - 5/23/75

Mod. #1 - 40 FR 13420 - 9/19/75

Mod. #2 - 41 FR 20128 - 5/14/76

(R) - See Brunswick County

(D) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

MARTIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Beaufort County

ONSON COUNTY
(D) - See Beaufort County

(B, R) - See Carteret County

(Sewer & Water, H, Hw) - See Statewide

ORANGE COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Durham County

PANHANDLE COUNTY
(B, R) - See Carteret County

(D) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

PASQUOTANK COUNTY
(B) - See Camden County

(D) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

PENDER COUNTY
(R) - See Brunswick County

(D) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

PERQUIMANS COUNTY
(B) - See Camden County

(D) - See Beaufort County

PIEDMONT COUNTY
(Sewer & Water, H, Hw) - See Statewide

PLATTSVILLE COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Beaufort County

POLK COUNTY
(R) - See Burke County

(Sewer & Water, H, Hw) - See Statewide

RANDOLPH COUNTY
(R) - See Alamance County

(Sewer & Water, H, Hw) - See Statewide

RICHMOND COUNTY
(Sewer & Water, H, Hw) - See Statewide

ROBERTSON COUNTY
(Sewer & Water, H, Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

ROCKINGHAM COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Alamance County

ROCKY MOUNTAIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

ROUSE COUNTY
(R) - See Burke County

(Sewer & Water, H, Hw) - See Statewide

SAMPSON COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Chatham County

SCOTLAND COUNTY
(Sewer & Water, H, Hw) - See Statewide

STANLEY COUNTY
(Sewer & Water, H, Hw) - See Statewide

STOKES COUNTY
(Sewer & Water, H, Hw) - See Statewide

STORY COUNTY
(Sewer & Water, H, Hw) - See Statewide

(Sewer & Water, H, Hw) - See Statewide

(R) - See Forsyth County

SWAIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

TRANSVALE COUNTY
Decision #NC76-1087 (B)
41 FR 36559 - 8/27/76

(R) - See Buncombe County

(Sewer & Water, H, Hw) - See Statewide

TYRRELL COUNTY
(B) - See Camden County

(D) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

UNION COUNTY
(Sewer & Water, H, Hw) - See Statewide

WANCE COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Beaufort County

WAKE COUNTY
Decision #NC76-1044 (B)
41 FR 14294 - 4/27/76

(R) - See Durham County

(Sewer & Water, H, Hw) - See Statewide

WARREN COUNTY
(Sewer & Water, H, Hw) - See Statewide

(D) - See Beaufort County

WASHINGTON COUNTY
(B) - See Beaufort County

(Sewer & Water, H, Hw) - See Statewide

WATKINS COUNTY
(Sewer & Water, H, Hw) - See Statewide

(R) - See Carteret County

WILKES COUNTY
Decision #NC76-1088 (B)
41 FR 22011 - 5/28/76

(Sewer & Water, H, Hw) - See Statewide

WILSON COUNTY
(B) - See Edgecombe County

(Sewer & Water, H, Hw) - See Statewide

YADKIN COUNTY
(Sewer & Water, H, Hw) - See Statewide

YANCEY COUNTY
(Sewer & Water, H, Hw) - See Statewide

OHIO (Cont'd)

DARKE COUNTY
(R) - See Statewide

DEFIANCE COUNTY
(H, Hw) - See Statewide

DELAWARE COUNTY
Decision #M-420 (R)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/16/73

ERIE COUNTY
(H, Hw) - See Statewide

Decision #H76-2075 (B)
41 FR 23913 - 6/11/76

(D) - See Ashtabula County

(H, Hw) - See Statewide

FAIRFIELD COUNTY
(R) - See Delaware County

(H, Hw) - See Statewide

FAYETTE COUNTY
(H, Hw) - See Statewide

FRANKLIN COUNTY
(B) - See Clark County

(R) - See Delaware County

(H, Hw) - See Statewide

FULTON COUNTY
(B) - See Lucas County

(H, Hw) - See Statewide

GALLIA COUNTY
(D) - See Adams County

(H, Hw) - See Statewide

GEAUGA COUNTY
(H, Hw) - See Statewide

GREENE COUNTY
(B) - See Clarke County

Decision #H75-2109 (R)
40 FR 42498 - 9/12/75

(H, Hw) - See Statewide

GUERNSEY COUNTY
(H, Hw) - See Statewide

HAMILTON COUNTY
Decision #H76-2110 (B)
41 FR 40422 - 9/17/76

(D) - See Adams County

(R) - See Clermont County

(H, Hw) - See Statewide

HANDOCK COUNTY
Decision #H76-2076 (B)
41 FR 24851 - 6/18/76

Mod. #1 - 41 FR 37477 - 9/3/76

(H, Hw) - See Statewide

HARDON COUNTY
(H, Hw) - See Statewide

OHIO (Cont'd)

HARRISON COUNTY
(H, Hw) - See Statewide

HENRY COUNTY
(H, Hw) - See Statewide

HIGHLAND COUNTY
(H, Hw) - See Statewide

HOCKESSY COUNTY
(H, Hw) - See Statewide

HOLMES COUNTY
(H, Hw) - See Statewide

HURON COUNTY
(B) - See Erie County

(H, Hw) - See Statewide

JACKSON COUNTY
(H, Hw) - See Statewide

JEFFERSON COUNTY
(H, Hw) - See Statewide

KNOX COUNTY
(H, Hw) - See Statewide

LAKE COUNTY
(B, R) - See Cuyahoga County

(D) - See Ashtabula County

(H, Hw) - See Statewide

LAWRENCE COUNTY
(B) - See Clark County

(D) - See Adams County

(H, Hw) - See Statewide

LICKING COUNTY
(B) - See Clark County

(H, Hw) - See Statewide

(R) - See Delaware County

LOGAN COUNTY
(H, Hw) - See Statewide

LOGAN COUNTY
Decision #H75-2073 (B)
41 FR 22754 - 6/4/76

(D) - See Ashtabula County

(H, Hw) - See Statewide

LUCAS COUNTY
Decision #H76-2117 (B)
41 FR 43631 - 10/1/76

(H, Hw) - See Statewide

MADISON COUNTY
(B) - See Franklin County

(R) - See Delaware County

(H, Hw) - See Statewide

MAHONING COUNTY
Decision #H76-2085 (B, R)
41 FR 30557 - 7/23/76

(H, Hw) - See Statewide

OHIO (Cont'd)

MARION COUNTY
(H, Hw) - See Statewide

MEDINA COUNTY
(H, Hw) - See Statewide

METES COUNTY
(D) - See Adams County

(H, Hw) - See Statewide

MERCER COUNTY
(B) - See Allen County

(H, Hw) - See Statewide

MIAMI COUNTY
(R) - See Greene County

(H, Hw) - See Statewide

MORDE COUNTY
(D) - See Adams County

(H, Hw) - See Statewide

MONTGOMERY COUNTY
(B) - See Greene County

(R) - See Greene County

(H, Hw) - See Statewide

MORGAN COUNTY
(H, Hw) - See Statewide

MORROW COUNTY
(H, Hw) - See Statewide

MUSKINGHAM COUNTY
(B) - See Clark County

(H, Hw) - See Statewide

NOBLE COUNTY
(H, Hw) - See Statewide

OTTAWA COUNTY
(R) - See Erie County

(D) - See Ashtabula County

PAULDING COUNTY
(H, Hw) - See Statewide

PERRY COUNTY
(H, Hw) - See Statewide

PICKAWAY COUNTY
(B) - See Franklin County

(R) - See Delaware County

(H, Hw) - See Statewide

PIKE COUNTY
(B) - See Clark County

(H, Hw) - See Statewide

PORTAGE COUNTY
Decision #H76-2089 (B, R)
41 FR 30561 - 7/23/76

(H, Hw) - See Statewide

OHIO (Cont'd)

PREBLE COUNTY
(R) - See Greene County

(H, Hw) - See Statewide

PUTNAM COUNTY
(H, Hw) - See Statewide

RICHLAND COUNTY
Decision #H76-2053 (B)
41 FR 16303 - 4/16/76

(H, Hw) - See Statewide

ROSS COUNTY
(B) - See Pike County

(H, Hw) - See Statewide

SANDUSKY COUNTY
(B) - See Erie County

(D) - See Ashtabula County

(H, Hw) - See Statewide

SCIOTO COUNTY
(B) - See Pike County

(D) - See Adams County

(H, Hw) - See Statewide

SENECA COUNTY
(H, Hw) - See Statewide

SHELBY COUNTY
(H, Hw) - See Statewide

STARKE COUNTY
Decision #H76-2090 (B, R)
41 FR 32171 - 7/30/76

(H, Hw) - See Statewide

SUMMIT COUNTY
Decision #H76-2091 (B, R)
41 FR 32173 - 7/30/76

(H, Hw) - See Statewide

TAHOE COUNTY
Decision #H76-2092 (B, R)
41 FR 34528 - 8/13/76

(H, Hw) - See Statewide

TUSCARAWAS COUNTY
Decision #H76-2054 (B)
41 FR 17285 - 4/23/76

(H, Hw) - See Statewide

UNION COUNTY
(H, Hw) - See Statewide

WARREN COUNTY
(B) - See Allen County

(H, Hw) - See Statewide

WINTON COUNTY
(H, Hw) - See Statewide

OKLAHOMA (Cont'd.)

WARRER COUNTY
(R) - See Butler County
(H, Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Adams County
(H, Hw) - See Statewide
WAYNE COUNTY
(H, Hw) - See Statewide
WILLIAMS COUNTY
(H, Hw) - See Statewide
WOOD COUNTY
Decision #OK76-2055 (B)
41 FR 18261 - 4/30/76
(H, Hw) - See Statewide
WYANDOT COUNTY
(H, Hw) - See Statewide

STATEWIDE (Except the City of Muskogee)
Decision #OK76-4073 (Const., Alteration,
and/or repair of streets, highways,
runways, erosion control structures,
well drilling, and water, and sewer
utilities)
41 FR 16422 - 4/16/76

ADAIR COUNTY
(B) - See Muskogee County
(H, Hw) - See Statewide
ALFALFA COUNTY
(H, Hw) - See Statewide
ATOKA COUNTY
(H, Hw) - See Statewide
BEAVER COUNTY
(H, Hw) - See Statewide
BECKHAM COUNTY
(H, Hw) - See Statewide
BLAINE COUNTY
(H, Hw) - See Statewide
BRYAN COUNTY
(H, Hw) - See Statewide
Decision #OK76-4001 (R)
41 FR 2604 - 1/16/76
CADDO COUNTY
(B) - See Canadian County
(H, Hw) - See Statewide
Decision #OK76-4002 (B)
42 FR 3155 - 1/14/77

Decision #OK76-4109 (R)
41 FR 27649 - 7/2/75
CARTER COUNTY
(H, Hw) - See Statewide
CHEROKEE COUNTY
(B) - See Muskogee County
(H, Hw) - See Statewide
CHOCTAW COUNTY
(H, Hw) - See Statewide
CEMACHON COUNTY
(H, Hw) - See Statewide
CLEVELAND COUNTY
(H, Hw) - See Statewide
(B, R) - See Canadian County
COAL COUNTY
(H, Hw) - See Statewide

OKLAHOMA (Cont'd.)

COMANCHE COUNTY
(H, Hw) - See Statewide
Decision #OK76-4002 (R)
41 FR 2604 - 1/16/76
Mod. #1 - 41 FR 16312 - 4/16/76
Decision #OK76-4138 (B)
41 FR 32182 - 7/30/76
Mod. #1 - 41 FR 35329 - 8/20/76
Mod. #2 - 41 FR 47717 - 10/29/76
Mod. #3 - 42 FR 4068 - 1/21/77

COTTON COUNTY
(H, Hw) - See Statewide
CRAIG COUNTY
(B) - See Tulsa County
(H, Hw) - See Statewide
CREEK COUNTY
(B) - See Tulsa County
(H, Hw) - See Statewide
CUSTER COUNTY
(H, Hw) - See Statewide
DELAWARE COUNTY
(B) - See Tulsa County
(H, Hw) - See Statewide
DENY COUNTY
(H, Hw) - See Statewide
ELLIS COUNTY
(H, Hw) - See Statewide
GARFIELD COUNTY
Decision #OK76-4160 (B)
41 FR 43623 - 10/1/75
Mod. #1 - 42 FR 4069 - 1/21/77
(H, Hw) - See Statewide

GARYIN COUNTY
(H, Hw) - See Statewide
GRADY COUNTY
(B) - See Canadian County
(H, Hw) - See Statewide
GRANT COUNTY
(H, Hw) - See Statewide
GREER COUNTY
(H, Hw) - See Statewide
HARPER COUNTY
(H, Hw) - See Statewide
HASKELL COUNTY
(H, Hw) - See Statewide
HUGHES COUNTY
(H, Hw) - See Statewide
JACKSON COUNTY
(H, Hw) - See Statewide
JEFFERSON COUNTY
(H, Hw) - See Statewide
JOHNSTON COUNTY
(H, Hw) - See Statewide
KAY COUNTY
(H, Hw) - See Statewide
KINGFISHER COUNTY
(B) - See Canadian County
(H, Hw) - See Statewide

PENNSYLVANIA (Cont'd.)

LEBANON COUNTY
Decision #PA76-3176 (B)
41 FR 24853 - 6/18/76
Mod. #1 - 41 FR 20464 - 7/9/76
Mod. #2 - 41 FR 32104 - 7/30/76
Mod. #3 - 41 FR 42051 - 9/24/76
Mod. #4 - 41 FR 44602 - 10/8/76
Mod. #5 - 41 FR 53235 - 12/3/76
(H, Hw) - See Adams County

LEHIGH COUNTY
Decision #PA76-3183 (B)
41 FR 24862 - 6/18/76
Mod. #1 - 41 FR 28466 - 7/9/76
Mod. #2 - 41 FR 32104 - 7/30/76
Mod. #3 - 41 FR 44603 - 10/8/76
Mod. #4 - 41 FR 52185 - 11/26/76
(H, Hw) - See Adams County

LUTHERBURG COUNTY
Decision #PA76-3271 (B)
41 FR 48993 - 11/5/76
(H, Hw) - 41 FR 54110 - 12/10/76
(H, Hw) - See Adams County

LYCOMING COUNTY
Decision #PA76-3185 (B)
41 FR 24854 - 6/18/76
Mod. #1 - 41 FR 28466 - 7/9/76
Mod. #2 - 41 FR 32105 - 7/30/76
Mod. #3 - 41 FR 43567 - 10/1/76
Mod. #4 - 41 FR 44603 - 10/8/76
Mod. #5 - 41 FR 53235 - 12/3/76
(H, Hw) - See Adams County

MC KEAR COUNTY
(B) - See Forest County
(H, Hw) - See Butler County

MERCER COUNTY
(B) - See Lawrence County
(H, Hw) - See Butler County

MIFFLIN COUNTY
(H, Hw) - See Butler County

MONROE COUNTY
(H, Hw) - See Adams County

PENNSYLVANIA (Cont'd.)

MONTGOMERY COUNTY
(B, H, Hw, R) - See Bucks County

MONTOUR COUNTY
(B) - See Columbia County
(H, Hw) - See Adams County

NORTHAMPTON COUNTY
(H, Hw) - See Adams County
Decision #PA76-3182 (B)
41 FR 24858 - 6/18/76
Mod. #1 - 41 FR 28466 - 7/9/76
Mod. #2 - 41 FR 32105 - 7/30/76
Mod. #3 - 41 FR 44604 - 10/8/76
Mod. #4 - 41 FR 52185 - 11/26/76
Mod. #5 - 41 FR 53235 - 12/3/76
NORTHAMPTON COUNTY
Decision #PA76-3182 (B)
41 FR 24860 - 6/18/76
Mod. #1 - 41 FR 28466 - 7/9/76
Mod. #2 - 41 FR 32105 - 7/30/76
Mod. #3 - 41 FR 44603 - 10/8/76
Mod. #4 - 41 FR 53235 - 12/3/76
(H, Hw) - See Adams County

PERRY COUNTY
(B) - See Cumberland County
(H, Hw) - See Adams County

PHILADELPHIA COUNTY
Decision #CT77-5001 (D)
42 FR 999 - 1/4/77
(B, H, Hw, R) - See Bucks County

PIKE COUNTY
(H, Hw) - See Adams County

POTTER COUNTY
(B) - See Greene County
(H, Hw) - See Butler County

SCHUYLKILL COUNTY
Decision #PA76-3181 (B)
41 FR 24858 - 6/18/76
Mod. #1 - 41 FR 28466 - 7/9/76
Mod. #2 - 41 FR 32105 - 7/30/76
Mod. #3 - 41 FR 38709 - 9/10/76
Mod. #4 - 41 FR 45798 - 10/15/76
Mod. #5 - 41 FR 47717 - 10/25/76
(H, Hw) - See Adams County

SNYDER COUNTY
(B) - See Columbia County
(H, Hw) - See Adams County

SONNERS COUNTY
(B) - See Greene County
(H, Hw) - See Butler County

SULLIVAN COUNTY
Decision #PA76-3205 (B)
41 FR 24872 - 6/18/76
Mod. #1 - 41 FR 28467 - 7/9/76
Mod. #2 - 41 FR 32106 - 7/30/76
Mod. #3 - 41 FR 44604 - 10/8/76
(H, Hw) - See Adams County

PENNSYLVANIA (Cont'd.)

SUSQUEHANNA COUNTY
(B) - See Lackawanna County
(H, Hw) - See Adams County

TIOGA COUNTY
(B) - See Bradford County
(H, Hw) - See Adams County

UNION COUNTY
(B) - See Bradford County
(H, Hw) - See Adams County

VENANGO COUNTY
(H, Hw) - See Butler County
(B) - See Bedford County
WARREN COUNTY
(B) - See Elk County
(H, Hw) - See Butler County

WASHINGTON COUNTY
(B) - See Armstrong County
(H, Hw) - See Butler County

WAYNE COUNTY
(B) - See Lackawanna County
(H, Hw) - See Adams County

WESTMORELAND COUNTY
(B) - See Armstrong County
(H, Hw) - See Butler County

WYOMING COUNTY
(B) - See Lackawanna County
(H, Hw) - See Adams County

YORK COUNTY
(B, H, Hw) - See Adams Co. (Excluding New Cumberland Depot)
(B) - See Cumberland County (New Cumberland Depot)
(H, Hw) - See Adams County (New Cumberland Depot)

PUERTO RICO

Decision #PR75-3091 (R)
40 FR 33644 - 8/8/75
Mod. #1 - 40 FR 59664 - 12/29/75
Mod. #2 - 42 FR 4069 - 1/21/77
Decision #PR75-3090 (B)
40 FR 33643 - 8/8/75
Mod. #1 - 40 FR 59664 - 12/29/75
Mod. #2 - 42 FR 4069 - 1/21/77
Decision #PR75-3089 (H, Hw)
40 FR 33643 - 8/8/75
Mod. #1 - 42 FR 4069 - 1/21/77

SOUTH CAROLINA (Cont'd)

STATESIDE
Decision #CT17-5001 (0)
42 FR 999 - 1/4/77

BRISTOL COUNTY
Decision #176-2150 (B, H, W, R, & Marine)
41 FR 40996 - 11/5/76
(0) - See Stateside

KENT COUNTY
(B, H, W, R, & Marine) - See Bristol Co.
(0) - See Stateside

NEWPORT COUNTY
Decision #176-2151 (B, H, W, R, & Marine)
41 FR 50186 - 11/12/76
(0) - See Stateside

PROVIDENCE COUNTY
(0) - See Stateside
(B, H, W, R, & Marine) - See Bristol County

SEASIDE COUNTY
Decision #176-2152 (B, H, W, R, & Marine)
41 FR 51362 - 11/19/76
(0) - See Stateside

SOUTH CAROLINA

STATEWIDE
Decision: SC575-1031 (Hw)
40 FR 12058 - 3/14/75
Mod. #1 - 40 FR 41355 - 9/5/75
Mod. #2 - 41 FR 10825 - 3/12/76
Mod. #3 - 41 FR 51251 - 11/19/76
Decision: SC575-1079 (R, MSJ)
40 FR 41360 - 3/5/75
ABBEVILLE COUNTY
Decision: SC678-1053 (B)
41 FR 20146 - 5/14/76
(Sewer & Water, H.Hw) - See Statewide
ALBANY COUNTY
Decision: SC575-1029 (R)
40 FR 10500 - 3/7/75
Mod. #1 - 41 FR 1692 - 1/9/76
(Sewer & Water, H.Hw) - See Statewide

ALLENDALE COUNTY
 Decision #5C75-1025 (R)
 40 FR 16036 - 4/11/75
 Mod. #1 - 41 FR 1692 - 1/19/76
 (Sewer & Water, H,Hw) - See Statewide
 ANDERSON COUNTY
 Decision #5C76-1115 (R)
 41 FR 44557 - 10/8/76
 (Sewer & Water, H,Hw) - See Statewide
 BAYBORG COUNTY
 (R) - See Allendale County
 (Sewer & Water, H,Hw) - See Statewide
 BARNWELL COUNTY
 (R) - See Atkinson County
 (Sewer & Water, H,Hw) - See Statewide
 BEAUFORT COUNTY
 Decision #5C75-1026 (R)
 40 FR 8692 - 2/28/75
 Mod. #1 - 40 FR 15496 - 4/11/75
 Mod. #2 - 40 FR 27417 - 6/23/75
 Mod. #3 - 41 FR 18267 - 4/30/76
 Decision #M75-3008 (R)
 40 FR 3094 - 1/17/75
 Mod. #1 - 40 FR 14204 - 3/28/75
 (Sewer & Water, H,Hw) - See Statewide
 BERKELEY COUNTY
 (D) - See Beaufort County
 (Sewer & Water, H,Hw) - See Statewide
 Decision #5C76-1057 (R)
 41 FR 22024 - 2/28/76
 Mod. #1 - 41 FR 23889 - 6/11/76
 Decision #5C75-1055 (R)
 40 FR 22785 - 5/23/75
 Mod. #1 - 40 FR 25336 - 6/13/75
 Mod. #2 - 41 FR 18267 - 4/30/76
 Mod. #3 - 41 FR 20129 - 5/14/76
 CALHOUN COUNTY
 (R) - See Allendale County
 (Sewer & Water, H,Hw) - See Statewide
 CHARLESTON COUNTY
 (R,R) - See Berkeley County
 (D) - See Beaufort County
 (Sewer & Water, H,Hw) - See Statewide
 CHEROKEE COUNTY
 Decision #5C76-1100 (R)
 41 FR 38939 - 9/10/76
 (R) - See Abbeville County
 (Sewer & Water, H,Hw) - See Statewide

CHESTER COUNTY
 Decision #A9-4009 (R)
 39 FR 25778 - 7/12/74
 (Sewer & Water, H,Hw) - See Statewide
 CHESTERFIELD COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 CLARENDON COUNTY
 Decision #SC76-1088 (R)
 41 FR 36399 - 8/27/76
 (Sewer & Water, H,Hw) - See Statewide
 COLLETON COUNTY
 (D) - See Beaufort County
 (Sewer & Water, H,Hw) - See Statewide
 DARGLETON COUNTY
 Decision #SC75-1041 (B)
 40 FR 14194 - 3/28/75
 (R) - See Clarendon County
 (Sewer & Water, H,Hw) - See Statewide
 DILLON COUNTY
 (R) - See Clarendon County
 (Sewer & Water, H,Hw) - See Statewide
 DORCHESTER COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 (R) - See Berkeley County
 EDGEFIELD COUNTY
 (R) - See Aiken County
 (Sewer & Water, H,Hw) - See Statewide
 FAIRFIELD COUNTY
 (R) - See Chester County
 (Sewer & Water, H,Hw) - See Statewide
 FLORENCE COUNTY
 (R) - See Clarendon County
 (Sewer & Water, H,Hw) - See Statewide
 GEORGETOWN COUNTY
 (D) - See Beaufort County
 (Sewer & Water, H,Hw) - See Statewide
 GREENVILLE COUNTY
 Decision #SC75-1038 (B)
 40 FR 12951 - 3/21/75
 Mod. #1 - 40 FR 16496 - 4/11/75
 Mod. #2 - 41 FR 43422 - 9/19/75
 (R) - See Anderson County
 (Sewer & Water, H,Hw) - See Statewide
 GREENWOOD COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 HAMPTON COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 HURRY COUNTY
 (D) - See Beaufort County
 (Sewer & Water, H,Hw) - See Statewide
 JASPER COUNTY
 (D) - See Beaufort County
 (Sewer & Water, H,Hw) - See Statewide
 KERSHAW COUNTY
 (Sewer & Water, H,Hw) - See Statewide

TENNESSEE (Cont'd.)

TENNESSEE

SOUTH DAKOTA (Cont'd.)

SOUTH DAKOTA (Cont'd.)

- MARIETTA COUNTY
 (H, W) - See Statewide
 Mc COOK COUNTY
 (H, W) - See Statewide
 Mc PHERSON COUNTY
 (H, W) - See Statewide
 McRAE COUNTY
 (H, W) - See Statewide
 Decision #5076-5094 (B)
 41 FR 42143 - 9/24/76
 Mod. #1 - 41 FR 52106 - 11/26/76
 (H, W) - See Statewide
 McLELLAN COUNTY
 (H, W) - See Statewide
 MINER COUNTY
 (H, W) - See Statewide
 MINNEAPOLIS COUNTY
 Decision #5076-5093 (B)
 41 FR 42147 - 9/24/76
 Mod. #1 - 41 FR 52106 - 11/26/76
 (H, W) - See Statewide
 Decision #42-1091 (R)
 39 FR 8146 - 3/1/74
 Mod. #1 - 39 FR 14856 - 4/26/74
 MOODY COUNTY
 (H, W) - See Statewide
 PENNINGTON COUNTY
 (B) - See Meade County
 (H, W) - See Statewide
 PERKINS COUNTY
 (H, W) - See Statewide
 POTTER COUNTY
 (H, W) - See Statewide
 ROBERTS COUNTY
 (H, W) - See Statewide
 SARGENT COUNTY
 (H, W) - See Statewide
 SHANNON COUNTY
 (H, W) - See Statewide
 SPINK COUNTY
 (H, W) - See Statewide
 STANLEY COUNTY
 (H, W) - See Statewide
 SULLY COUNTY
 (H, W) - See Statewide
- STATENISLE
 Decision #1N77-1001 (H, W)
 42 FR 1686 - 1/7/77
 ANDERSON COUNTY
 Decision #1N76-1072 (B) (Oak Ridge, Energy
 Research Development Administration Only)
 41 FR 24574 - 6/18/76
 Decision #4276-5041 (F)
 41 FR 19017 - 5/7/76
 Mod. #1 - 41 FR 21981 - 5/28/76
 (H, W) - See Statewide
 BEDFORD COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 BENSON COUNTY
 (F) - See Statewide
 BLEDSOE COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 BLOUNT COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 BRADLEY COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CAMPBELL COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CANNON COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CARROLL COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CARTER COUNTY
 Decision #1N76-1052 (B)
 41 FR 17301 - 4/23/76
 Decision #1N75-1096 (R)
 41 FR 44478 - 9/26/75
 (F) - See Anderson County
 (H, W) - See Statewide
 CHEATHAM COUNTY
 Decision #1N76-1010 (R)
 41 FR 2614 - 1/16/76
 (F) - See Anderson County
 (H, W) - See Statewide
 CHESTER COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CLAIBORNE COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
- CLAY COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 COCKE COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 COFFEY COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CROCKETT COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 CUMBERLAND COUNTY
 (H, W) - See Statewide
 DAVISON COUNTY
 Decision #1N75-1088 (B)
 40 FR 48505 - 9/12/75
 Mod. #1 - 40 FR 55616 - 11/28/75
 Mod. #2 - 41 FR 22721 - 6/4/76
 (R) - See Cheatham County
 (F) - See Anderson County
 (H, W) - See Statewide
 DECATUR COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 DEKALB COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 DICKSON COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 DYER COUNTY
 Decision #1N76-1140 (R)
 42 FR 56593 - 12/28/76
 Decision #1N76-1054 (B)
 41 FR 21140 - 5/21/76
 Decision #1N76-5090 (D)
 41 FR 44609 - 10/8/76
 (F) - See Anderson County
 (H, W) - See Statewide
 FAYETTE COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 FENTRESS COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 FRANKLIN COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 GIBSON COUNTY
 (F) - See Anderson County
 (H, W) - See Statewide
 (B, R) - See Oyer County

TEXAS (Cont'd.)

(H.W.) - See Statewide
 BRADSHAW COUNTY
 (H.W.) - See Statewide
 Decision #48-11 (R)
 39 FR 29010 - 8/16/74
 (O) - See Arkansas County
 BRADSHAW COUNTY
 Decision #17176-4170 (B)
 41 FR 44674 - 10/8/76
 Mod. #1 - 41 FR 54132
 Mod. #2 - 41 FR 56555 - 12/28/76
 Mod. #3 - 42 FR 4071 - 1/21/77
 (H.W.) - See Statewide
 BREASTON COUNTY
 (H.W.) - See Statewide
 BRISQON COUNTY
 (H.W.) - See Statewide
 BROOKS COUNTY

patents - See Statutes

(H.W.) - See Statewide
CADDISS COUNTY
(H.W.) - See Statewide
(R) - See Bastrop County
CALHOUN COUNTY
(H.W.) - See Statewide
(D) - See Kansas County
CALLAHAN COUNTY
(H.W.) - See Statewide
CAMERON COUNTY
Decision #176-4126 (B)
41 FR 30365 - 7/23/76
Mod. #1 - 41 FR 42058
Mod. #2 - 41 FR 46819 - 10/22/76
Mod. #3 - 41 FR 46558 - 12/28/76

TEXAS (Cont'd.)

TEXAS (Cont'd.)

TEXAS (Cont'd.)

TEXAS (Cont'd.)

- CAVERON COUNTY (Cont'd.)
Decision #176-4162 (R)
41 FR 4460 - 10/10/76
Mod. #1 - 41 FR 46520 - 10/22/76
(H, Hw) - See Statewide
CAMP COUNTY
Decision #177-4012 (R)
42 FR 5650 - 1/28/77
(H, Hw) - See Statewide
CARSON COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
CASS COUNTY
(H, Hw) - See Statewide
CASTRO COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
CHADWICK COUNTY
(H, Hw) - See Statewide
CHEROKEE COUNTY
(R) - See Anderson County
(H, Hw) - See Statewide
CHILDRESS COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
CLAY COUNTY
(H, Hw) - See Statewide
COCHRAN COUNTY
(H, Hw) - See Statewide
(R) - See Bailey County
COKE COUNTY
(H, Hw) - See Statewide
COLEMAN COUNTY
(H, Hw) - See Statewide
COLLIN COUNTY
Decision #40-87 (R)
38 FR 10105 - 3/15/74
Decision #176-4183 (B-excluding Dallas-Fort Worth Regional Airport)
41 FR 50191 - 11/12/76
Mod. #1 - 41 FR 54112 - 12/10/76
Mod. #2 - 41 FR 56355 - 12/28/76
Mod. #3 - 42 FR 4071 - 1/21/77
(H, Hw) - See Statewide
COLLINGSWORTH COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
COMAL COUNTY
(H, Hw) - See Statewide
COMANCHE COUNTY
(H, Hw) - See Statewide
CONCHO COUNTY
(H, Hw) - See Statewide
COOKE COUNTY
(H, Hw) - See Statewide
- CORYELL COUNTY
(B) - See Bell County
(H, Hw) - See Statewide
COTTELL COUNTY
(H, Hw) - See Statewide
CRANE COUNTY
(H, Hw) - See Statewide
Decision #176-4038 (R)
41 FR 7009 - 2/13/76
CROCKETT COUNTY
(H, Hw) - See Statewide
CROSSER COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
CULBERSON COUNTY
(H, Hw) - See Statewide
DALLAM COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
DALLAS COUNTY
(B, R) - See Collin County
(H, Hw) - See Statewide
DANSON COUNTY
(H, Hw) - See Statewide
DEAF SMITH COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
DELTA COUNTY
(R) - See Camp County
(H, Hw) - See Statewide
DENTON COUNTY
(B, R) - See Collin County
(H, Hw) - See Statewide
DEWITT COUNTY
(H, Hw) - See Statewide
DICKENS COUNTY
(H, Hw) - See Statewide
DIMMIT COUNTY
(H, Hw) - See Statewide
Decision #176-4039 (B, R)
41 FR 7014 - 2/13/76
(H, Hw) - See Statewide
DOWNEY COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
DOWNEY COUNTY
(H, Hw) - See Statewide
DOWNEY COUNTY
(H, Hw) - See Statewide
EASTLAND COUNTY
(H, Hw) - See Statewide
ECTOR COUNTY
(H, Hw) - See Statewide
Decision #176-4118 (B)
41 FR 26605 - 7/15/76
Mod. #1 - 41 FR 33129 - 8/16/76
Mod. #2 - 41 FR 33558 - 8/16/76
Mod. #3 - 41 FR 5524 - 12/28/76
Mod. #4 - 42 FR 4070 - 1/21/77
(H, Hw) - See Statewide
EDWARDS COUNTY
(R) - See Crane County
(H, Hw) - See Statewide
ELLIS COUNTY
(B, R) - See Collin County
(H, Hw) - See Statewide
EL PASO COUNTY
(H, Hw) - See Statewide
Decision #176-4194 (B)
41 FR 56595 - 12/28/76
Mod. #1 - 42 FR 4072 - 1/21/77
(H, Hw) - See Statewide
- ERATH COUNTY
(H, Hw) - See Statewide
FALLS COUNTY
(B) - See Bell County
(H, Hw) - See Statewide
FANNIN COUNTY
(R) - See Camp County
(H, Hw) - See Statewide
FAYETTE COUNTY
(H, Hw) - See Statewide
(B) - See Bastrop County
FISHER COUNTY
(H, Hw) - See Statewide
FLOYD COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
FOKID COUNTY
(H, Hw) - See Statewide
FORT BEND COUNTY
(B, R) - See Brazoria County
(H, Hw) - See Statewide
FRANKLIN COUNTY
(R) - See Camp County
(H, Hw) - See Statewide
FREESTONE COUNTY
(H, Hw) - See Statewide
FRIO COUNTY
(H, Hw) - See Statewide
GAINES COUNTY
(H, Hw) - See Statewide
GALVESTON COUNTY
(R) - See Brazoria County
(B) - See Aransas County
(H, Hw) - See Statewide
Decision #176-4195 (B)
41 FR 56598 - 12/28/76
Mod. #1 - 42 FR 4072 - 1/21/77
GARZA COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
GILLESPIE COUNTY
(H, Hw) - See Statewide
GLASSCOCK COUNTY
(H, Hw) - See Statewide
GOLIAD COUNTY
(H, Hw) - See Statewide
GOZALES COUNTY
(H, Hw) - See Statewide
GRAY COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
GRAYSON COUNTY
(B) - See Collin County
(H, Hw) - See Statewide
GREGG COUNTY
Decision #176-4115 (B)
41 FR 29552 - 7/16/76
Mod. #1 - 41 FR 33129 - 8/16/76
Mod. #2 - 41 FR 44607 - 10/18/76
- GREY COUNTY (Cont'd.)
Decision #176-4013 (R)
42 FR 5660 - 1/28/77
(H, Hw) - See Statewide
GRIMES COUNTY
(H, Hw) - See Statewide
GUADALUPE COUNTY
(H, Hw) - See Statewide
HAILE COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
HALL COUNTY
(H, Hw) - See Statewide
HAMILTON COUNTY
(H, Hw) - See Statewide
HANFORD COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
HARDEN COUNTY
(H, Hw) - See Statewide
HARDIN COUNTY
(H, Hw) - See Statewide
HARRIS COUNTY
(B) - See Galveston County
(R) - See Brazoria County
(B) - See Aransas County
(H, Hw) - See Statewide
HARRISON COUNTY
Decision #176-4196 (B)
41 FR 56601 - 12/28/76
(H, Hw) - See Statewide
(R) - See Gregg County
HARTLEY COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
HASKELL COUNTY
(H, Hw) - See Statewide
HAYS COUNTY
(H, Hw) - See Statewide
(R) - See Bastrop County
HEMPHILL COUNTY
(B, R) - See Armstrong County
(H, Hw) - See Statewide
BENDERSON COUNTY
(R) - See Anderson County
(H, Hw) - See Statewide
HIDALGO COUNTY
(B, R) - See Cameron County
(H, Hw) - See Statewide
HILL COUNTY
(R) - See Bosque County
(B) - See Bell County
(H, Hw) - See Statewide
HOCKLEY COUNTY
(B) - See Bailey County
(H, Hw) - See Statewide

TEXAS (Cont'd)

HAZARD COUNTY
(H, Hw) - See Statewide
HATAGORUA COUNTY
(R) - See Brazoria County
(H, Hw) - See Statewide
(D) - See Aransas County
HAYES COUNTY
(B, R) - See Dimmit County
(H, Hw) - See Statewide
MEDINA COUNTY
(H, Hw) - See Statewide
MEHUEN COUNTY
(H, Hw) - See Statewide
MIDLAND COUNTY
(B) - See Ector County
(H, Hw) - See Statewide
(R) - See Crane County
MILAM COUNTY
(H, Hw) - See Statewide
MILLS COUNTY
(H, Hw) - See Statewide
MITCHELL COUNTY
(H, Hw) - See Statewide
MORTGAGE COUNTY
(H, Hw) - See Statewide
MONTGOMERY COUNTY
(R) - See Brazoria County
(H, Hw) - See Statewide
MOORE COUNTY
(R) - See Armstrong County
(H, Hw) - See Statewide
MORRIS COUNTY
(H, Hw) - See Statewide
MOTLEY COUNTY
(H, Hw) - See Statewide
NACOGDOCHES COUNTY
(H, Hw) - See Statewide
NAVARRO COUNTY
(R) - See Bosque County
(H, Hw) - See Statewide

TEXAS (Cont'd)

LEON COUNTY
(H, Hw) - See Statewide
LIBERTY COUNTY
(H, Hw) - See Statewide
LINCOLN COUNTY
(B) - See Bosque County
(H, Hw) - See Statewide
LIPSOMB COUNTY
(H, Hw) - See Statewide
(B) - See Armstrong County
LIVE OAK COUNTY
(H, Hw) - See Statewide
LLANO COUNTY
(H, Hw) - See Statewide
LOWING COUNTY
(H, Hw) - See Statewide
(H, Hw) - See Statewide
(R) - See Crane County
LUBBOCK COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
Decision #TX76-4197 (B)
41 FR 56502 - 12/26/76
Mod. #1 - 42 FR 4072 - 1/21/77
LYNN COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
MCCLUR COUNTY
(H, Hw) - See Statewide
MCLENNAN COUNTY
(R) - See Bosque County
(B) - See Bell County
(H, Hw) - See Statewide
MCMILLEN COUNTY
(H, Hw) - See Statewide
MADISON COUNTY
(H, Hw) - See Statewide
MARION COUNTY
(H, Hw) - See Statewide
MARTIN COUNTY
(H, Hw) - See Statewide
(H, Hw) - See Statewide

TEXAS (Cont'd)

MAHAR COUNTY
(B, R) - See Collin County
(H, Hw) - See Statewide
RENNELL COUNTY
(H, Hw) - See Statewide
KENEDY COUNTY
(H, Hw) - See Statewide
(D) - See Aransas County
KENT COUNTY
(H, Hw) - See Statewide
KEPP COUNTY
(H, Hw) - See Statewide
KIMBLE COUNTY
(H, Hw) - See Statewide
KING COUNTY
(H, Hw) - See Statewide
KINNEY COUNTY
(H, Hw) - See Statewide
KLEBERG COUNTY
(B) - See Bee County
(D) - See Aransas County
(H, Hw) - See Statewide
(R) - See Bee County
KNOX COUNTY
(H, Hw) - See Statewide
LAMAR COUNTY
(R) - See Camp County
(H, Hw) - See Statewide
LAMB COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
LANFARNS COUNTY
(H, Hw) - See Statewide
LA SALLE COUNTY
(B, R) - See Dimmit County
(H, Hw) - See Statewide
LAVACA COUNTY
(H, Hw) - See Statewide
LEE COUNTY
(H, Hw) - See Statewide
(R) - See Bastrop County

TEXAS (Cont'd)

HOOD COUNTY
(B) - See Collin County
(H, Hw) - See Statewide
Decision #TX76-4043 (R)
41 FR 7011 - 2/13/76
HOPKINS COUNTY
(R) - See Camp County
(H, Hw) - See Statewide
HOUSTON COUNTY
(H, Hw) - See Statewide
HOWARD COUNTY
Decision #TX77-4014 (B, R)
42 FR 5662 - 1/28/77
(H, Hw) - See Statewide
HUDSPETH COUNTY
(H, Hw) - See Statewide
HUNT COUNTY
(R) - See Collin County
(H, Hw) - See Statewide
HATCHINSON COUNTY
(R) - See Armstrong County
(H, Hw) - See Statewide
IRION COUNTY
(H, Hw) - See Statewide
JACK COUNTY
(H, Hw) - See Statewide
JACKSON COUNTY
(D) - See Aransas County
(H, Hw) - See Statewide
JASPER COUNTY
(H, Hw) - See Statewide
JEFF DAVIS COUNTY
(H, Hw) - See Statewide
JEFFERSON COUNTY
Decision #TX76-4192 (B, R)
41 FR 55209 - 12/17/76
Mod. #1 - 42 FR 4072 - 1/21/77
(D) - See Aransas County
(H, Hw) - See Statewide
JIM HOGG COUNTY
(H, Hw) - See Statewide
(B, R) - See Dimmit County
JIM WELLS COUNTY
(H, Hw) - See Statewide
JOHNSON COUNTY
(B) - See Collin County
(H, Hw) - See Statewide
(R) - See Hood County
JONES COUNTY
(H, Hw) - See Statewide
KARNES COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd.)

NEWMON COUNTY
(H, Hw) - See Statewide
NOLAN COUNTY
(H, Hw) - See Statewide
NUECES COUNTY
(B) - See Bee County
(D) - See Aransas County
(H, Hw) - See Statewide
(H, Hw) - See Bee County
OCHILTREE COUNTY
(B) - See Armstrong County
(H, Hw) - See Statewide
OLNEY COUNTY
(H, Hw) - See Statewide
ORANGE COUNTY
(H, Hw) - See Jefferson County
(H, Hw) - See Statewide
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(H, Hw) - See Statewide
PANOLA COUNTY
(H, Hw) - See Statewide
PARKER COUNTY
(H, Hw) - See Statewide
(R) - See Hood County
PARNER COUNTY
(H, Hw) - See Statewide
PEEDS COUNTY
(H, Hw) - See Statewide
(R) - See Crane County
POLK COUNTY
(H, Hw) - See Statewide
POTTER COUNTY
(H, Hw) - See Statewide
(B) - See Armstrong County
PRESTIDIO COUNTY
(H, Hw) - See Statewide
RAINS COUNTY
(H, Hw) - See Statewide
RANDALL COUNTY
(H, Hw) - See Statewide
(B) - See Armstrong County
REAGAN COUNTY
(H, Hw) - See Statewide
REAL COUNTY
(H, Hw) - See Statewide
RED RIVER COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd.)

REEVES COUNTY
(H, Hw) - See Statewide
(H, Hw) - See Crane County
REFUGIO COUNTY
(D) - See Aransas County
(H, Hw) - See Statewide
ROBERTS COUNTY
(H, Hw) - See Statewide
(B) - See Armstrong County
ROBERTSON COUNTY
(H, Hw) - See Statewide
ROCKWALL COUNTY
(H, Hw) - See Collin County
RUNDLES COUNTY
(H, Hw) - See Statewide
RUSK COUNTY
(H, Hw) - See Statewide
(R) - See Gregg County
(H, Hw) - See Statewide
SABINE COUNTY
(H, Hw) - See Statewide
SAN AUGUSTINE COUNTY
(H, Hw) - See Statewide
SAN JACINTO COUNTY
(H, Hw) - See Statewide
SAN PATRICK COUNTY
(R) - See Bee County
(D) - See Aransas County
(H, Hw) - See Statewide
SAN SABA COUNTY
(H, Hw) - See Statewide
SCHLEICHER COUNTY
(H, Hw) - See Statewide
SCURRY COUNTY
(H, Hw) - See Statewide
SHACKELFORD COUNTY
(H, Hw) - See Statewide
SHELBY COUNTY
(H, Hw) - See Statewide
SHERMAN COUNTY
(H, Hw) - See Statewide
(B) - See Armstrong County
SMITH COUNTY
Decision #TX77-4015 (R)
42 FR 5664 - 1/28/77
Decision #TX76-4127 (B)
41 FR 30491 - 7/23/76
Mod. #1 - 41 FR 46819 - 10/22/76
Mod. #2 - 42 FR 5617 - 1/26/77
(H, Hw) - See Statewide
SOMERVELL COUNTY
(H, Hw) - See Statewide
STARR COUNTY
(H, Hw) - See Statewide
(B) - See Cameron County
STEPHENS COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd.)

STERLING COUNTY
(H, Hw) - See Statewide
STONEWALL COUNTY
(H, Hw) - See Statewide
SUTTON COUNTY
(H, Hw) - See Statewide
SWISHER COUNTY
(H, Hw) - See Statewide
(B) - See Armstrong County
TARRANT COUNTY
(H, Hw) - See Collin County
(H, Hw) - See Statewide
Decision #60-117 (R)
39 FR 22400 - 6/21/74
TAYLOR COUNTY
Decision #TX76-4171 (B)
41 FR 44564 - 10/8/76
Mod. #1 - 41 FR 56555 - 12/20/76
Mod. #2 - 42 FR 4071 - 1/21/77
(H, Hw) - See Statewide
TERRELL COUNTY
(H, Hw) - See Statewide
TERRY COUNTY
(H, Hw) - See Statewide
(R) - See Bailey County
THROCKMORTON COUNTY
(H, Hw) - See Statewide
TITUS COUNTY
(R) - See Camp County
(H, Hw) - See Statewide
TOM GREEN COUNTY
Decision #TX76-4049 (B)
41 FR 7921 - 2/20/76
Mod. #1 - 41 FR 12854 - 3/26/76
Mod. #2 - 41 FR 30503 - 7/23/76
Mod. #3 - 41 FR 42058 - 9/24/76
Mod. #4 - 42 FR 4070 - 1/21/77
(H, Hw) - See Statewide
TRAVIS COUNTY
Decision #TX77-4006 (B)
42 FR 4105 - 1/21/77
(R) - See Bastrop County
(H, Hw) - See Statewide
TRINITY COUNTY
(H, Hw) - See Statewide
TYLER COUNTY
(H, Hw) - See Statewide
UPSHUR COUNTY
(R) - See Gregg County
(H, Hw) - See Statewide
UPTON COUNTY
(H, Hw) - See Statewide
(R) - See Crane County
UNALDE COUNTY
(H, Hw) - See Statewide
VAL VERDE COUNTY
(H, Hw) - See Statewide
VAN ZANDT COUNTY
(R) - See Smith County
(H, Hw) - See Statewide

TEXAS (Cont'd.)

VICTORIA COUNTY
(D) - See Aransas County
(H, Hw) - See Statewide
WALKER COUNTY
(H, Hw) - See Statewide
(R) - See Brazoria County
WALLER COUNTY
(H, Hw) - See Statewide
WARD COUNTY
(H, Hw) - See Statewide
(H, Hw) - See Statewide
WASHINGTON COUNTY
(H, Hw) - See Statewide
WEBB COUNTY
(B, R) - See Dimmit County
(H, Hw) - See Statewide
WHEATON COUNTY
(H, Hw) - See Statewide
WHEELER COUNTY
(R) - See Armstrong County
(H, Hw) - See Statewide
WICHITA COUNTY
Decision #TX77-4016 (R)
42 FR 3666 - 1/28/77
Decision #TX77-4007 (B)
42 FR 4107 - 1/21/77
(H, Hw) - See Statewide
WILBARGER COUNTY
(H, Hw) - See Statewide
WILLACY COUNTY
(R) - See Cameron County
(H, Hw) - See Statewide
(D) - See Aransas County
WILLIAMSON COUNTY
(H, Hw) - See Statewide
(R) - See Bastrop County
WILSON COUNTY
(H, Hw) - See Statewide
WINKLER COUNTY
(H, Hw) - See Statewide
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(H, Hw) - See Statewide
(R) - See Hood County
WOOD COUNTY
(R) - See Smith County
(H, Hw) - See Statewide
YOAKUM COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide
YOUNG COUNTY
(H, Hw) - See Statewide
ZIPATA COUNTY
(B, R) - See Dimmit County
(H, Hw) - See Statewide
ZAVALLA COUNTY
(B, R) - See Dimmit County
(H, Hw) - See Statewide

VIRGINIA (Cont'd.)

VIRGINIA

UTAH (Cont'd.)

UTAH

STATEWIDE
Decision #1717-5006 (B,H,Hu)
42 FR 5668 - 1/20/77

BEAVER COUNTY
(B,H,Hu) - See Statewide

BOX ELDER COUNTY
(B,H,Hu) - See Statewide

CACHE COUNTY
(B,H,Hu) - See Statewide

CARSON COUNTY
(B,H,Hu) - See Statewide

DAWSON COUNTY
(B,H,Hu) - See Statewide

DAVIS COUNTY
(B,H,Hu) - See Statewide

DUCHESNE COUNTY
(B,H,Hu) - See Statewide

EMERY COUNTY
(B,H,Hu) - See Statewide

GARFIELD COUNTY
(B,H,Hu) - See Statewide

GRAND COUNTY
(B,H,Hu) - See Statewide

IRON COUNTY
(B,H,Hu) - See Statewide

JUAB COUNTY
(B,H,Hu) - See Statewide

KANE COUNTY
(B,H,Hu) - See Statewide

MILLARD COUNTY
(B,H,Hu) - See Statewide

MORGAN COUNTY
(B,H,Hu) - See Statewide

PIUTE COUNTY
(B,H,Hu) - See Statewide

RICH COUNTY
(B,H,Hu) - See Statewide

SALT LAKE COUNTY
(B,H,Hu) - See Statewide

SAN JUAN COUNTY
(B,H,Hu) - See Statewide

SANPETE COUNTY
(B,H,Hu) - See Statewide

SEVIER COUNTY
(B,H,Hu) - See Statewide

SUMMIT COUNTY
(B,H,Hu) - See Statewide

TOWLE COUNTY
(B,H,Hu) - See Statewide

UINTAR COUNTY
(B,H,Hu) - See Statewide

UTAH COUNTY
(B,H,Hu) - See Statewide

WASHINGTON COUNTY
(B,H,Hu) - See Statewide

WASHINGTON COUNTY
(B,H,Hu) - See Statewide

ACCOMACK COUNTY
Decision #AP-405 (Hw)
38 FR 11279 - 5/4/73

Mod. #1 - 38 FR 13127 - 5/16/73

Mod. #2 - 40 FR 15264 - 4/4/75

Mod. #3 - 40 FR 23631 - 5/20/75

Mod. #4 - 41 FR 50122 - 11/12/76

Mod. #5 - 42 FR 4073 - 1/21/77

Decision #GA77-5005 (D)
42 FR 1015 - 1/4/77

Mod. #1 - 42 FR 3140 - 1/14/77

ALBEMARLE COUNTY
Decision #A76-3244 (Hw)
41 FR 38264 - 9/10/76

Decision #A75-3094 (B)
40 FR 43416 - 9/19/75

Mod. #1 - 40 FR 43847 - 10/17/75

Mod. #2 - 41 FR 11735 - 3/19/76

ALEXANDRIA CITY
Decision #AD-2032 (Hw)
41 FR 51308 - 11/19/76

Mod. #1 - 41 FR 55263 - 12/12/76

Mod. #2 - 42 FR 5617 - 1/28/77

ALLEGANY COUNTY
Decision #A76-3245 (Hw)
41 FR 38748 - 9/10/76

Mod. #1 - 41 FR 40374 - 9/17/76

Mod. #2 - 41 FR 43569 - 10/11/76

AMELIA COUNTY
Decision #AP-2032 (Hw)
39 FR 31871 - 8/30/74

ANNESTOWN COUNTY
Decision #AD-2032 (Hw)
38 FR 33259 - 11/30/73

APPOMATTOX COUNTY
(Hw) - See Allegheny County

ARLINGTON COUNTY
(B) - See Alexandria City
(D) - See Accomack County
(Hw) - See Allegheny County

AUGUSTA COUNTY
(Hw) - See Allegheny County

BATH COUNTY
(Hw) - See Allegheny County

BEDFORD CITY
(Hw) - See Bedford County

BEDFORD COUNTY
Decision #AD-2021 (Hw)
38 FR 27744 - 10/5/73

Mod. #1 - 41 FR 50122 - 11/12/76

VIRGIN ISLANDS

ISLAND WIDE
Decision #1716-3166 (B)
41 FR 19003 - 5/7/76

Decision #1716-3167 (H,Hu)
41 FR 19003 - 5/7/76

BOYD COUNTY
(Hw) - See Bedford County

BRISTOL CITY
(Hw) - See Bland County

BURNSWICK COUNTY
(Hw) - See Amelia County

BUCHANAN COUNTY
(Hw) - See Bland County

BUCKINGHAM COUNTY
(Hw) - See Allegheny County

BUENA VISTA CITY
(Hw) - See Allegheny County

CAMPBELL COUNTY
Decision #A75-3095 (B)
40 FR 43416 - 9/19/75

Mod. #1 - 41 FR 11735 - 3/19/76

Mod. #2 - 41 FR 50123 - 11/12/76

(Hw) - See Allegheny County

CARROLL COUNTY
Decision #AD-2031 (Hw)
38 FR 33258 - 11/30/73

CHARLES CITY COUNTY
(Hw) - See Allegheny County

CHARLOTTE COUNTY
(Hw) - See Allegheny County

CHARLOTTESVILLE CITY
(B,Hu) - See Allegheny County

CHESAPEAKE CITY
Decision #A76-3214 (B)
41 FR 32189 - 7/30/76

Mod. #1 - 41 FR 40373 - 9/17/76

Mod. #2 - 41 FR 43569 - 10/11/76

Mod. #3 - 41 FR 50122 - 11/12/76

Mod. #4 - 42 FR 7038 - 2/4/77

Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73

Mod. #1 - 40 FR 44446 - 9/26/75

(D) - See Accomack County

CHESTERFIELD COUNTY
(Hw) - See Amelia County

CLARKE COUNTY
(Hw) - See Allegheny County

CLIFTON FORGE CITY
(Hw) - See Allegheny County

COLONIAL HEIGHTS CITY
(Hw) - See Amelia County

COWINGTON CITY
(Hw) - See Allegheny County

CORRIG COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albemarle County
CAMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKENSON COUNTY
(Hw) - See Bland County
DUNN COUNTY
(Hw) - See Amelia County
EMPORIA CITY
(Hw) - See Accomack County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(B) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
FARMER COUNTY
(Hw) - See Albemarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANIA COUNTY
(Hw) - See Albemarle County
FORT MONROE CITY
(Hw) - See Chesapeake City
(B, H, MS) - See York County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County
FREDERICK COUNTY
(Hw) - See Allegany County
(R) - See Clarke County

VIRGINIA (Cont'd)

FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bedford County
SILLES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GRAYSON COUNTY
(Hw) - See Bland County
GREENE COUNTY
(Hw) - See Albemarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
Decision #1A76-3254 (R)
41 FR 44680 - 10/78/76
(B, H, MS) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Allegany County
HENRICO COUNTY
Decision #1A76-3213 (B)
41 FR 32187 - 7/30/76
Mod. #1 - 41 FR 40373 - 9/17/76
Mod. #2 - 41 FR 43569 - 10/1/76
Mod. #3 - 41 FR 50123 - 11/12/76
Mod. #4 - 42 FR 7038 - 2/14/77
(Hw) - See Amelia County

VIRGINIA (Cont'd)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Allegany County
HOPKINS CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(D, Hw) - See Accomack County
JAMES CITY COUNTY
(D, Hw) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUISIANA COUNTY
(Hw) - See Albemarle County
LOUISIANA CITY
(Hw) - See Albemarle County
LUISBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(B) - See Campbell County
(Hw) - See Amherst County
MADISON COUNTY
(Hw) - See Albemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
MANASSAS COUNTY
(D, Hw) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(B, H, MS) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
(R) - See Hampton City
NORFOLK CITY
(Hw, B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(D, Hw) - See Accomack County
NORTON CITY
(Hw) - See Bland County
NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
GRANDE COUNTY
(Hw) - See Albemarle County

VIRGINIA (Cont'd)		WASHINGTON	
PAGE COUNTY		STATEWIDE	
(Hw) - See Allegany County		Decision #4875-5079 (B, H, Hw, D)	
PATRICK COUNTY		41 FR 35451 - 4/23/76	
(Hw) - See Bedford County		Mod. #1 - 41 FR 48821 - 10/22/76	
PETERSBURG COUNTY		Mod. #2 - 41 FR 48857 - 11/5/76	
(Hw) - See Amelia County		ADAMS COUNTY	
PITTSBURGH COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Interstate County		ASOTIN COUNTY	
PORTSMOUTH CITY		(B, H, Hw, D) - See Statewide	
(Hw, B) - See Chesapeake City		BENTON COUNTY	
(D) - See Accomack County		(B, H, Hw, D) - See Statewide	
POTOMAC COUNTY		CHILAN COUNTY	
(Hw) - See Amelia County		(B, H, Hw, D) - See Statewide	
PRINCE GEORGE COUNTY		CLALLAN COUNTY	
PRINCE WILLIAM COUNTY		Decision #4876-5119 (R)	
(D) - See Accomack County		41 FR 54148 - 12/10/76	
PULASKI COUNTY		(B, H, Hw, D) - See Statewide	
RADFORD CITY (Radford Army Remunition Plant)		CLARK COUNTY	
Decision #4876-3220 (B)		(B, H, Hw, D) - See Statewide	
41 FR 33186 - 8/6/76		COLUMBIA COUNTY	
(Hw) - See Bedford County		(B, H, Hw, D) - See Statewide	
RAPPAHANNOCK COUNTY		COMLITZ COUNTY	
(Hw) - See Albemarle County		(B, H, Hw, D) - See Statewide	
RICHMOND CITY		DOUGLAS COUNTY	
(B) - See Henrico County		(B, H, Hw, D) - See Statewide	
(Hw) - See Amelia County		FERRY COUNTY	
RICHMOND COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Caroline County		FRANKLIN COUNTY	
ROANOKE CITY		(B, H, Hw, D) - See Statewide	
(Hw) - See Bedford County		GARFIELD COUNTY	
ROANKE COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Bedford County		GRANT COUNTY	
ROCKBRIDGE COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Allegany County		GRAYS HARBOR COUNTY	
ROCKINGHAM COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Allegany County		(R) - See Clallam County	
RUSSELL COUNTY		ISLAND COUNTY	
(Hw) - See Bland County		(B, H, Hw, D) - See Statewide	
SALEM CITY		(R) - See Clallam County	
(Hw) - See Bedford County		JEFFERSON COUNTY	
SCOTT COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Bland County		(R) - See Clallam County	
SHENANDOAH COUNTY		KING COUNTY	
(Hw) - See Allegany County		(R) - See Clallam County	
(R) - See Clarke County		KITSAP COUNTY	
SMITH COUNTY		(B, H, Hw, D) - See Statewide	
(Hw) - See Bland County		(R) - See Clallam County	
SOUTHAMPTON COUNTY		KITTITAS COUNTY	
(Hw) - See Accomack County		(B, H, Hw, D) - See Statewide	
		KLOCKITAT COUNTY	
		(B, H, Hw, D) - See Statewide	

WEST VIRGINIA (Cont'd.)

WEST VIRGINIA (Cont'd.)

MISSISSIPPI (Cont'd.)

ADAMS COUNTY

(B) - See Barbour County

(H, W) - See Statewide

ALLEGANY COUNTY

(H, W) - See Statewide

BARBERSBURG COUNTY

(H, W) - See Statewide

BELL COUNTY

(B) - See Barbour County

(H, W) - See Statewide

BENNETT COUNTY

(B) - See Barbour County

(H, W) - See Statewide

BENTLEY COUNTY

(B) - See Barbour County

(H, W) - See Statewide

BOONVILLE COUNTY

(B) - See Barbour County

(H, W) - See Statewide

BOWLING GREEN COUNTY

(B) - See Barbour County

(H, W) - See Statewide

BOYD COUNTY

(B) - See Barbour County

(H, W) - See Statewide

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ALLEGANY COUNTY

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BARBERSBURG COUNTY

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BELL COUNTY

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BENNETT COUNTY

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BENTLEY COUNTY

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BOONVILLE COUNTY

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Register
Federal
proper

FRIDAY, MARCH 4, 1977

PART IV



DEPARTMENT
OF JUSTICE

Attorney General



PRIVACY ACT OF 1974

Systems of Records

**DEPARTMENT OF JUSTICE
ATTORNEY GENERAL
PRODUCTION OR DISCLOSURE OF MATERIAL
OR INFORMATION
PRIVACY ACT OF 1974
Notice of Systems of Records**

On November 19, 1976, there were published in the Federal Register in accordance with Section 3(e)(4) and (11) of the Privacy Act, 5 U.S.C. 552a(e) (4) and (11), notices of proposed routine uses (41 FR 51102-51108) for systems of records maintained by the Department of Justice and notices of proposed systems of records (41 FR 51089-51102).

No comments were received with respect to these proposed new routine uses. Pursuant to the authority vested in me by 5 U.S.C. 552a, and as Attorney General of the United States, these new routine uses are hereby adopted.

Following are corrections to notices of systems of records which have been previously published in the Federal Register:

(a):

JUSTICE/LEAA—005 Financial Management System.

JUSTICE/BIA—002 Roster of Organizations and Their Accredited Representatives Recognized by the Board of Immigration Appeals.

(b):

JUSTICE/DEA—010 is renumbered 006

JUSTICE/DEA—012 is renumbered 008

JUSTICE/DEA—014 is renumbered 010

JUSTICE/DEA—016 is renumbered 012

JUSTICE/DEA—019 is renumbered 014

JUSTICE/DEA—002 is renumbered 002

JUSTICE/DEA—004 is renumbered 003

JUSTICE/DEA—006 is renumbered 005

JUSTICE/DEA—021 is renumbered 016

(c):

JUSTICE/CRM—002

System name: Criminal Division Witness Security File. Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a(j)(2), (k)(1) or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requester shall also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

JUSTICE/CRM—014

System name: Organized Crime and Racketeering Section, Intelligence and Special Services Unit, Information Request System.

Contesting record procedures: Same as JUSTICE/CRM—002.

JUSTICE/CRM—018

System name: Registration Files of Individuals Who Have Knowledge of, or Have Received Instruction or Assignment in Espionage, Counterespionage, or Sabotage Service or Tactics of a Foreign Government or of a Foreign Political Party.

Categories of records in the system: The system contains the statement of the registrant and other documents required to be filed under 50 U.S.C. 851. The system is a public record except that certain statements may be withdrawn from public examination pursuant to 50 U.S.C. 853 and 28 CFR 12.40 by the Attorney General having due regard for national security and the public interest. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM—001.

JUSTICE/CRM—021

System name: The Stocks and Bonds Intelligence Card File System.

Record access procedures: Same as JUSTICE/CRM—002.

Contesting record procedures: Same as JUSTICE/CRM—002.

Pursuant to Section 3(e)(4) of the Privacy Act of 1974, attached hereto is the annual compilation of notices of all systems of record maintained by the Department of Justice which have been finally adopted as of the effective date of this document. These records have been previously published in the Federal Register at 40 FR 38703, 40 FR 43871, 40 FR 50647, 40 FR 53605, 40 FR 56465, 41 FR 23215 and 41 FR 51089.

Dated: February 10, 1977.

Griffin B. Bell,

Attorney General.

JUSTICE/BOP—001

System name: Custodial and Security Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Conduct Records; 2) Escape Information; 3) Assault Information; 4) Disturbance Information; 5) Investigative Reports; 6) Social Data; 7) Bus Movements; 8) Transfers; 9) Emergency Plans; 10) Daily Activity Sheet; 11) Intelligence Information; 12) Segregation Reports and Log Book; 13) Special Offender List; 14) Physical Health Data; 15) Personal Property Records; 16) Identification and Sentence Data; 17) Records of Work and Housing Assignments; 18) Visiting and Mail Records; 19) Confidential Informant Information from Inmates, Staff, and Others; 20) Work and Study Release Information; 21) FBI Referral Record; 22) Rectal and X-ray Examination Record; 23) Phone Call Record.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4003, 4042, 4082.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide information source and documented records of the protection given Federal inmates, and security in Federal penal facilities; (b) to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties; (c) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (d) to provide information source for responding to inquiries from federal inmates involved or Congressional inquiries; (e) to provide information source for contracting or consulting correctional agencies who provide services to federal inmates. (f) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

Release of information to news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U.S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) Inmates; 2) Federal Law Enforcement Agencies; 3) State and Federal Probation Services; 4) Non-Federal Law Enforcement Agencies; 5) Educational Institution (Study Release); 6) Relatives, friends, and other interested community individuals; 7) Former or Future Employers; 8) Evaluations, Observations, and Findings of Institutional Staff; 9) Foreign Law Enforcement Agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 002

System name: Freedom of Information Act Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Administrative requests and responses to requests for information and records under 5 U.S.C. 552; 2) Personal data; 3) Litigation reports; 4) Litigation pleadings and court decisions; 5) Reports made in preparation for litigation.

Authority for maintenance of the system: This system is established and maintained under authority of 5 U.S.C. 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to maintain public records concerning the processing and determination of requests for information made pursuant to the Freedom of Information Act 5 U.S.C. 552; (b) to provide documentation of receipt and processing requests for information made pursuant to the Freedom of Information Act for purposes of litigation of contested denial of release of information; (c) to furnish information to employees of the Department of Justice who have a need for information from the system in performance of their duties; (d) to provide information relating to federal offenders and state courts, court personnel, and probation officials.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: 1) Inmates; 2) Department of Justice Employees; 3) State and Federal Law Enforcement Agencies; 4) Courts; 5) Attorneys.

Systems exempted from certain provisions of the act: None

JUSTICE/BOP - 003

System name: Industrial Inmate Employment Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Inmate assignment records; 2) Time and Attendance Reports; 3) Work Performance Reports; 4) Payroll Records.

Authority for maintenance of the system: This system is established and maintained under authority of 31 U.S.C. 841; 18 U.S.C. 4002, 4121 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to determine compensation of inmates pursuant to 18 U.S.C. 4002, 4126, 4125, 4121 et seq.; (b) to record employment history of an inmate within the Federal Prison Industries, Inc.; (c) to record disbursement of Federal Prison Industries, Inc., funds for payroll purposes; (d) to evaluate effectiveness of industrial training of inmates; (e) to evaluate authenticity of Federal Prison Industries, Inc., accounting records; (f) to provide information source to officers and employees of the Department of Justice who have need for information in the performance of their duties; (g) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (h) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents, magnetic tape, magnetic disk, tab cards, and microfilm.

Retrievability: 1) Documents, Tab Cards and Microfilm - Information is indexed by name and/or register number. 2) Magnetic Tape and Disk - Information is indexed by Name, Register Number, Social Security Number, and FBI Number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by electronic means or shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) The inmate; 2) Bureau of Prisons/Federal Prison Industries staff members; 3) U. S. Treasury Department.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 004

System name: Inmate Administrative Remedy Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) ARS records include information on the current offense and sentence; 2) Prior criminal record; 3) Social background; 4) Institution adjustment; 5) Institution program data; 6) Medical information; 7) Personal property data.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4042.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to maintain records of receipt, processing and responses to grievances filed by inmates; (b) to provide source of information for reconsideration or amendment of Federal Prison System policy with regard to its operations; (c) to maintain source of information as to the exhaustion of administrative remedies for purposes of civil suits filed against the Federal Prison System by inmates; (d) to provide source of information for purposes of defending civil actions filed against the Federal Prison System by inmates; (e) to provide source of information for statistical reports furnished to Federal Courts for purpose of determining effectiveness of the Administrative Remedy Program in reducing the backlog of cases in Federal Court; (f) furnished to employees of the Department of Justice who have a need for the information in the performance of their duties; (g) furnished to appropriate law enforcement authorities, state and federal, for investigation and possible criminal prosecution, civil court action, or regulatory proceedings.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) ARS records sources include inmates, employees; 2) U. S. Department of Justice and its Bureau; 3) U. S. Courts.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 005

System name: Inmate Central Records System.

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Computation of sentence and supportive documentation; 2) Correspondence concerning pending charges, and wanted status, including warrants; 3) Requests from other federal and non-federal law enforcement agencies for notification prior to release; 4) Records of the allowance, forfeiture, withholding and restoration of good time; 5) Information concerning present offense, prior criminal background, sentence and parole from the U.S. Attorneys, the Federal Courts, and federal prosecuting agencies; 6) Identification data, physical description, photograph and fingerprints; 7) Order of designation of institution of original commitment; 8) Records and reports of work and housing assignments; 9) Program selection, assignment and performance adjustment/progress reports; 10) Conduct Records; 11) Social background; 12) Educational data; 13) Physical and mental health data; 14) Parole Board orders, actions and related forms; 15) Correspondence regarding release planning, adjustment and violations; 16) Transfer orders; 17) Mail and visit records; 18) Personal property records; 19) Safety reports and rules; 20) Release processing forms and certificates; 21) Interview request forms from inmates; 22) General correspondence; 23) Copies of inmate court petitions.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4003, 4042, 4082.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide documented records of the classification, care, subsistence, protection, discipline and programs, etc., of persons committed to the custody of the Attorney General; (b) to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties; (c) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (d) to provide information source for disclosure of information that are matters solely of general public record, such as name, offense, sentence data, release date, and etc; (e) to provide information source for disclosure to contracting or consulting correctional agencies that provide correctional services for federal inmates; (f) to provide informational source for responding to inquiries from federal inmates involved or Congressional inquiries; (g)

Internal Users - Employees of the Department of Justice who have a need to know information in the performance of their duties; (h) **External Users** - State and Federal law enforcement officials for the purposes of investigation, possible criminal prosecution, civil court actions, and regulatory proceedings; state correctional agencies providing services to federal inmates; (i) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents, magnetic tape, magnetic disk, tab cards, and microfilm.

Retrievability: 1) Documents, Tab Cards and Microfilm - Information is indexed by name and/or register number. 2) Magnetic Tape and Disk - Information is indexed by name, register number, social security number, and FBI number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by electronic means or shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) Individual inmate; 2) Federal law enforcement agencies and personnel; 3) State and federal probation services; 4) Non-federal law enforcement agencies; 5) Educational institutions; 6) Hospital or medical sources; 7) Relatives, friends and other interested individuals or groups in the community; 8) Former or future employers; 9) Evaluations, observations, reports, and findings of institution supervisors, counselors, boards and committees.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 006

System name: Inmate Commissary Accounts Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Financial data; 2) Identification data.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4042.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to maintain financial accounting of payments into and out of inmate trust fund accounts; (b) to provide accounts of inmate trust fund accounts for purposes of verifying pauper status under 28 U.S.C. 1915; (c) to provide information source to officers and employees of the Department of Justice who have need for information in the performance of their duties; (d) to provide information source to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) Inmates; 2) Department of Justice employees.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 007

System name: Inmate Physical and Mental Health Record System.

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Medical history and examination (past and present); 2) Dental history and examination (past and present); 3) Medical information concerning deaths of inmates; 4) Offense; 5) Mental Health and Drug Abuse interview and testing data, generated in Bureau of Prisons; 6) Mental Health information generated outside Bureau of Prisons by other corrections agencies, mental hospitals, private therapists, etc; 7) Information as per 5 and 6 above on unsentenced individuals committed under Title 18, sections 4244 and 4246; 8) Mental Health Treatment progress notes and observations made by other staff members; 9) Urine surveillance reports of drug program participants.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4003, 4042, 4082.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide documented records of the diagnosis, treatment, and cure of illnesses of persons committed to the custody of the Attorney General pursuant to 18 U.S.C. 4082; (b) to provide documented records and background medical, mental, or dental history to contracting, or consulting physicians, psychologists and psychiatrists, and dentists, or other specialists, for diagnosis, treatment and cure of federal inmates; (c) to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties; (d) to provide information source for disclosure to state and federal law enforcement officials for investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (e) to provide information source for responding to inquiries from federal inmates or Congressional inquiries; (f) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials; (g) to provide medical information relevant to the treatment being provided by physicians, psychiatrists, psychologists, state and federal medical facility personnel, other medical agencies and etc., providing treatment for a pre-existing condition for ex-federal offenders.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents, magnetic tape, magnetic disk, tab cards, and microfilm.

Retrievability: 1) Documents, Tab Cards and Microfilm - Information is indexed by name and/or register number. 2) Magnetic Tape and Disk - Information is indexed by name, register number, social security number, and FBI number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by electronic means of shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) Individual; 2) Hospital and/or medical sources; 3) Pre-sentence reports; 4) Other mental health care giving agencies; 5) Observation reports from other Bureau of Prisons staff.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 008

System name: Inmate Safety and Accident Compensation Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: Inmate accident/injuries data sustained by: a) Work related accidents; b) Recreational injuries; c) Vehicle accidents; d) Assaults; e) Other non-work accident/injuries.

Authority for maintenance of the system: This system is established and maintained under authority of 18 U.S.C. 4042, 4126.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide a documented record of inmate accidents, injuries, for the purpose of measuring safety programs effectiveness; (b) to provide information source for compliance with the Occupational Safety and Health Act; (c) to provide documented records of inmate accidents, injuries, and disabilities for adjudication of claims by inmates filed pursuant to the Inmate Accident Compensation System, 18 U.S.C. 4126; Chapter III, Federal Prisons Industries, 28 C.F.R., Part 301; (d) furnished to employees of the Department of Justice who require information from these records for performance of their duty; (e) to provide background information and litigation reports to United States Attorneys for purpose of defending civil actions filed against the Bureau of Prisons; (f) furnished to consultant physicians, and physicians treating inmates following release from custody for the purpose of providing prior medical history in conjunction with further treatment of the individual inmate; (g) to provide documented records for disclosure to appropriate law enforcement authorities, state or federal, for investigation and possible criminal prosecution, civil court action, or regulatory proceeding; (h) to provide information source for responding to inquiries from the inmate involved or Congressional inquiries; (i) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by electronic means or shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) The inmate; 2) Bureau of Prisons staff members; 3) Medical staff members and medical consultants;

4) U. S. Probation Officers; 5) Attorneys; 6) Relatives of inmates; 7) Inquiries and replies to Congressmen; 8) U. S. Attorneys.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 009

System name: Federal Tort Claims Act Record System

System location: Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. All requests for records may be made to the Central Office: U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General.

Categories of records in the system: 1) Administrative Tort claims and supporting documents; 2) Personal data; 3) Investigative reports; 4) Medical reports; 5) Property records; 6) Litigation reports; 7) Reports made in preparation of litigation; 8) Social and Criminal Background; 9) Employment History; 10) Correspondence; 11) Litigation Pleadings and Court Decisions.

Authority for maintenance of the system: This system is established and maintained under authority of 28 U.S.C. 2671 et seq. FTCA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of this system are: (a) to provide information source for purposes of adjudicating claims for personal injury and property damages pursuant to the Federal Tort Claims Act, 28 U.S.C. 2675; (b) to provide information source for purposes of preparing reports concerning litigation in United States Courts under the Federal Tort Claims Act, 28 U.S.C. 2671 et seq; (c) to provide information source that is furnished to counsel for claimants under the Federal Tort Claims Act; (d) to provide information source that is furnished to medical officials when requested by claimants under the Federal Tort Claims Act; (e) to provide information source that is disclosed to employees of the Department of Justice who have a need for the information in the performance of their duties; (f) to provide information source to state and federal law enforcement officials for the purpose of investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings; (g) to provide information relating to federal offenders to federal and state courts, court personnel, and probation officials.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored in documents.

Retrievability: Documents are indexed by name and/or register number.

Safeguards: Information is safeguarded in accordance with Bureau of Prisons rules governing access and release.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: Chief, Management and Information Systems Group; U. S. Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534.

Notification procedure: Address inquiries to: Director; Bureau of Prisons; 320 First Street, N.W.; Washington, D.C. 20534. The major part of this system is exempt from this requirement under 5 U.S.C.

552a (j). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempt from this requirement under 5 U.S.C. 552a (j). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received.

Contesting record procedures: Same as the above.

Record source categories: 1) Inmates; 2) Department of Justice Employees; 3) U. S. Probation Service; 4) Contract and Consulting Physicians including Hospitals; 5) Attorneys; 6) Relatives and friends of inmates; 7) Congress; 8) State and Federal Law Enforcement Agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BOP - 999

System name: Appendix of Field Locations for the Bureau of Prisons.

Regional Offices

North East Region

Scott Plaza II, Industrial Highway
Philadelphia, Pa. 10113

South East Region

Bldg. No. 300, Greenbriar Office Park
3500 Greenbriar Parkway, S.W.
Atlanta, Georgia 30331

North Central Region

K.C.I. Bank Bldg.
8800 Northwest 112th Street
Kansas City, Missouri 64153

South Central Region

3883 Turtle Creek Blvd.
Dallas, Texas 75219

Western Region

330 Primrose Road, Fifth Floor
Burlingame, California 94010

United States Penitentiaries

Atlanta, Georgia 30315
Leavenworth, Kansas 66048
Lewisburg, Pennsylvania 17837
Marion, Illinois 62959
McNeil Island, Steilacoom, Washington 98388
Terre Haute, Indiana 47808

Federal Reformatories

Alderson, West Virginia 24910
El Reno, Oklahoma 73036
Petersburg, Virginia 23804

Federal Correctional Institutions

Danbury, Connecticut 06813
Fort Worth, Texas 76119
La Tuna, Anthony, New Mexico-Texas 88201
Lexington, Kentucky 40507
Lompoc, California 93436
Milan, Michigan 48160
Oxford, Wisconsin 53952
Sandstone, Minnesota 55072
Seagoville, Texas 75159
Tallahassee, Florida 32304
Terminal Island, California 90731
Texarkana, Texas 75502

Youth and Juvenile Institutions

Federal Youth Center, Ashland, Kentucky 41101
Federal Youth Center, Englewood, Colorado 80110
Federal Youth Center, Pleasanton, California 94568
Robert F. Kennedy Youth Center, Morgantown, West Virginia 26505

Federal Prison Camps

Allenwood - Montgomery, Pennsylvania 17752
 Eglin Air Force Base, Florida 32542
 Maxwell Air Force Base, Montgomery, Alabama 36112
 Safford, Arizona 85546

Medical Center for Federal Prisoners

Springfield, Missouri 65802

Federal Detention Headquarters

Florence, Arizona 85232

Federal Detention Center

El Paso, Texas 79925

Metropolitan Correctional Centers

Foley Square
 New York, New York 10007

808 Union Street
 San Diego, California 92101

Community Treatment Centers

715 McDonald Blvd. S.E.
 Atlanta, Georgia 30315

826 S. Wabash Ave.
 Chicago, Illinois 60605

3401 Gaston Ave.
 Dallas, Texas 75248

1950 Trumbull Ave.
 Detroit, Michigan 43216

2320 LaBranch Ave.
 Houston, Texas 77044

404 E. 10th St.
 Kansas City, Missouri 64106

1212 S. Alvarado St.
 Los Angeles, California 90006

210 West 55th Street
 New York, New York 10019

205 MacArthur Blvd.
 Oakland, California 94610

316 W. Roosevelt Rd.
 Phoenix, Arizona 85003

JUSTICE/DEA - 001**System name: Air Intelligence Program**

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: (A.) Aircraft Owners; (B.) Licensed Pilots.

Categories of records in the system: (A.) FAA Civil Aircraft Registry; (B.) FAA Aircraft Owners Registry; (C.) FAA Airman Directory; (D.) Entries into NADDIS.

Authority for maintenance of the system: The System is maintained to provide intelligence and law enforcement activities pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) and Reorganization Plan No. 2 of 1973.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system provides a research data base for identification of aircraft, aircraft owners and pilots that are known or suspected of involvement in illicit air transportation of narcotics. Information developed from this system is provided to the following categories of users for law enforcement purposes on a routine basis: (A.) Other Federal law enforcement agencies; (B.) State and local law enforcement agencies; (C.) Foreign law enforcement agencies with whom DEA maintains liaison.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that

release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Reference materials are maintained on microfiche. Information developed from the reference materials is entered onto the NADDIS magnetic tape.

Retrievability: This system is indexed by name and identifying numbers.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to authorized DEA employees with appropriate clearance on a need-to-know basis.

Retention and disposal: Reference materials are retained until updated and then destroyed. Entries into NADDIS are retained for fifty-five years.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Notification procedure: The reference materials in this system are matters of public record. Information developed from this system and entered into the Narcotics and Dangerous Drug Information System (NADDIS) has been exempted from compliance with subsection (d) of the Act by the Attorney General.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Federal Aviation Administration

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), and (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 002**System name: Automated Intelligence Records (Pathfinder I)**

System location: Drug Enforcement Administration, 1405 Eye Street, N.W., Washington, D.C. 20537; also Field Offices and El Paso Intelligence Center, El Paso, Texas.

Categories of individuals covered by the system:

A. Known, suspected, or alleged drug traffickers and associates.
 B. Known, suspected, or alleged alien smugglers and associates who are transiting the US-Mexico border.

C. Known, suspected, or alleged arms smugglers (narcotic-related) and associates who are transiting the US-Mexico border.

In the course of criminal investigation, DEA may detect violations of non-drug related laws. In the interests of effective law enforcement, this information is retained in order to establish patterns of criminal activity and to assist other law enforcement agencies that are charged with enforcing other segments of criminal law. Therefore, in certain limited circumstances, individuals known, suspected, or alleged to be involved in non-narcotic criminal activity may be subject to a file maintained in this system.

Categories of records in the system: Computerized Intelligence Information.

Authority for maintenance of the system: This system is maintained to provide DEA with an automated intelligence capability pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970; Reorganization Plan No. 2 of 1973 and the Single Convention on Narcotics Drugs. Also, due to the joint participation of INS at the El Paso Intelligence Center, additional authority for maintenance of the system is derived from the Immigration and Nationality Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system will be used to produce association and link analysis reports and such special re-

ports as required by DEA intelligence analysts. Information from this system will be provided to the following categories of users for law enforcement purposes: A) Other Federal law enforcement agencies; B) State and local law enforcement agencies; C) Foreign law enforcement agencies with whom DEA maintains liaison; D) U. S. Intelligence and Military Intelligence agencies involved in drug enforcement.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These computerized records are maintained on direct access disc storage.

Retrievability: The system is retrievable by use of each data element in the system as a single entity or by a combination of data elements.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the system is housed in a special computer facility which meets CIA and NSA standards for intrusion, electronic and acoustic penetration. Access to the system is strictly limited to DEA intelligence analysts with appropriate clearances on a specific need-to-know basis.

Retention and disposal: Information will be maintained in the system indefinitely.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N. W.; Washington, D. C. 20537.

Record source categories: A) DEA Intelligence Reports; B) Reports of other Federal, state and local agencies; C) Reports of foreign agencies with whom DEA maintains liaison.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 003

System name: Automated Records and Consumed Orders System/Diversion Analysis and Detection System (ARCOS/DADS)

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: Persons registered with DEA under the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513).

Categories of records in the system: The information contained in this system consists of individual business transactions between levels of handlers of controlled substances to provide an audit trail of all manufactured and/or imported controlled substances to the dispensing level.

Authority for maintenance of the system: This system of records is maintained pursuant to the reporting requirements of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826(d)) and to enable the United States to fulfill its treaty obligations under the Single Convention on Narcotic Drugs and the Convention on Psychotropic Substances.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information contained in this system is provided to the following categories of users for the purposes stated: A) Other Federal law enforcement and regulatory agencies for law enforcement or regulatory purposes; B) State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes; C) The International Narcotics Control Board as required by treaty obligations.

The ARCOS/DADS system of records generates the following reports: 1) Reports to the United Nations on Narcotics and Psychotropic Substances; 2) Aggregate Individual Quota Allocation Supportive Data; 3) Usage of Controlled Substances; 4) Controlled Substance Summary by Reporting Registrant; 5) Controlled Substance Summary by Location; 6) Controlled Substance Usage & Inventory Summary - by Schedule; 7) Discrepancy Notice Reports; 8) Discrepancy Error Analysis Report; 9) Potential Diversion Reports; 10) Incomplete Transfers; 11) Unauthorized Purchases; 12) Excess Inventory & Purchases; 13) Order Form Monitoring; 14) Improper Reporting of Partial Shipments; 15) Discrepancies in Quantities; 16) Waste & Sampling of Controlled Substances Beyond Limits; 17) Controlled Substances Used in Manufacturing of Non-controlled Substances; 18) Controlled Substances Used in Research; 19) Controlled Substances Sold to Government Agencies; 20) Controlled Substances Destroyed; 21) Controlled Substances Imported/Exported; 22) Quota Excess.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All automated data files associated with ARCOS/DADS are maintained in the Department of Justice Data Center and the Drug Enforcement Administration Data Center.

Retrievability: The system is indexed by name and identifying number. In addition a number of telecommunication terminals have been added to the existing network.

Safeguards: The portion of the records maintained in DEA headquarters is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to ARCOS Unit employees who have appropriate security clearances on a need to know basis. Information that is retrievable by terminals requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: Input data received from registrants is maintained for 60 days for backup purposes and then destroyed by shredding or electronic erasure. ARCOS master inventory records are retained for eight consecutive calendar quarters. As the end of a new quarter is reached the oldest quarter of data is purged from the record. ARCOS transaction history will be retained for a maximum of five years and then destroyed.

System manager(s) and address: Assistant Administrator for Enforcement; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537.

Record source categories: Business forms and individuals registered with DEA under the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513).

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), (d), (e)(4)(G) and (H), (f) of the Privacy Act pursuant to 5 U.S.C. 552a (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 004

System name: Congressional Correspondence File

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: Members of the United States Congress

Categories of records in the system: (A) Inquiries from members of Congress; (B) Reply to Congressional inquiries.

Authority for maintenance of the system: 5 U.S.C. 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is maintained to provide a history of Congressional inquiries. The information is not disseminated outside the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The documents in this system are maintained in standard file folders.

Retrievability: The system is indexed by the name of the member of Congress.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the records are stored in bar lock filing cabinets and access to the system is restricted to members of the DEA Congressional Relations Staff.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Director of Congressional Relations; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Notification procedure: Inquiries should be addressed to Freedom of Information Unit, Drug Enforcement Administration, 1405 Eye Street, N.W. Washington, D.C. 20537.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Members of Congress

Systems exempted from certain provisions of the act: None

JUSTICE/DEA - 005

System name: Controlled Substances Act Registration Records (CSA)

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: Records are maintained on the following categories of individuals registered under the Controlled Substances Act including registrants doing business under their individual name rather than a business name: (A) Physicians and related practitioners; (B) Dentists; (C) Veterinarians; (D) Persons conducting research with controlled substances; (E) Importers of controlled substances; (F) Exporters of controlled substances; (G) Manufacturers of controlled substances; (H) Distributors of controlled substances; (I) Pharmacies.

Categories of records in the system: The Controlled Substances Act Registration Records are maintained in a manual system which contains the original of the application for registration under 225, 226, 227, and 363, order forms (DEA-222's) and any correspondence concerning a particular registrant. In addition, the same basic data is maintained in an automated system for quick retrieval.

Authority for maintenance of the system: The Drug Enforcement Administration is required under the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513) to register all handlers of controlled substances.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Controlled Sub-

stances Act Registration Records produce special reports as required for statistical analytical purposes. Disclosures of information from this system are made to the following categories of users for the purposes stated: (A) Other Federal law enforcement and regulatory agencies for law enforcement and regulatory purposes; (B) State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes; (C) Persons registered under the Controlled Substances Act (Public Law 91-513) for the purpose of verifying the registration of customers and practitioners.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The automated portion of this system is maintained on magnetic tape and the manual portion is by batch.

Retrievability: The automated system is retrieved by name and registration number. The manual portion is filed in batches by date of application and indexed within each batch by name. A microfiche system of the names in each batch is maintained for quick reference purposes. In addition, a number of telecommunication terminals have been added to the existing network.

Safeguards: This system of records is maintained in DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to DEA personnel on a need-to-know basis. A specific computer program is necessary to extract information. Information that is retrievable by terminals requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: Records in the manual portion of the system are retired to the Federal Records Center after one year and destroyed after five years. The automated data is stored in the Department of Justice Computer Center and destroyed after five years.

System manager(s) and address: Assistant Administrator for Enforcement; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Notification procedure: The Attorney General has exempted the Controlled Substances Act Registration Records from compliance with subsection (d) of the Act.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Information contained in this system of records is obtained from: (A) Registrants under the Controlled Substances Act (Public Law 91-513); (B) DEA Compliance Investigators.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), (d), (e)(4)(G) and (H), (f) of the Privacy Act pursuant to 5 U.S.C. 552a (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 006

System name: Freedom of Information/Privacy Act Records.

System location: Freedom of Information Division, Drug Enforcement Administration, 1405 I Street, N.W., Room 200, Washington, D.C. 20537.

Categories of individuals covered by the system: Persons who request disclosure of records pursuant to the Freedom of Information Act; persons who request access to or correction of records pertaining to themselves contained in DEA's system of records pursuant to the Privacy Act; and, where applicable, persons about whom records have been requested or about whom information is contained in requested records.

Categories of records in the system: The system contains: (1) copies of all correspondence and internal memorandums related to the Freedom of Information Act and Privacy Act requests, and related records necessary to the processing of such requests received after January 1, 1975; (2) copies of all documents relevant to appeals and lawsuits under the Freedom of Information Act and Privacy Act.

Authority for maintenance of the system: This system is established and is maintained pursuant to the authority of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Reorganization Plan No. 2 of 1973; and is maintained to implement the provisions of 5 U.S.C. 552 and 552a and the provisions of 28 C.F.R. 16.1 et seq. and 28 C.F.R. 16.40 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system may be disseminated as a routine use of such records as follows: (1) a record may be disseminated to a Federal agency which furnished the record for the purpose of permitting a decision as to access or correction to be made by that agency, or for the purpose of consulting with that agency as to the propriety of access or correction; (2) a record may be disseminated to any appropriate Federal, State, local, or foreign agency for the purpose of verifying the accuracy of information submitted by an individual who has requested amendment or correction of records contained in systems of records maintained by the Freedom of Information Division.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records in this system are maintained in standard case file folders.

Retrievability: A record is retrieved by the name of the individual or person making a request for access or correction of records.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the system is stored in Diebold combination vault and access is restricted to the staff of the Freedom of Information Division on a need-to-know basis.

Retention and disposal: Currently there are no provisions for disposal of records contained in this system. Destruction schedules will be developed as the system requirements become known.

System manager(s) and address: Chief, Freedom of Information Division, Drug Enforcement Administration, 1405 I Street, N.W., Room 200, Washington, D.C. 20537.

Notification procedure: A part of this system is exempted from this requirement under 5 U.S.C. 552a (j) or (k). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request is received by the Drug Enforcement Administration, 1405 I Street, Washington, D.C. 20537. A request shall be made in writing, with the envelope and the letter clearly marked "Privacy Request". Each Privacy request shall contain the name of the individual involved, his date and place of birth, and other verification of identity as required by 28 C.F.R. 16.41. Each requestor shall also provide a return address for transmitting the information. Requests shall be directed to the System Manager listed above.

Record access procedures: Same as Notification Procedures above.

Contesting record procedures: Same as Notification Procedures above except individuals desiring to contest or amend information maintained in the system should direct their written request to the System Manager listed above, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the individuals and persons making requests, the systems of records searched in the processing of responding to requests, and other agencies referring requests for access to or correction of records originating in the Drug Enforcement Administration.

Systems exempted from certain provisions of the act: Records secured from other systems of records have been exempted from the provisions of the Freedom of Information/Privacy Acts to the same extent as the systems of records from which they were obtained. Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b)(c), and (e) and have been published in the Federal Register.

JUSTICE/DEA - 007

System name: International Intelligence Data Base

System location: Drug Enforcement Administration; 1405 Eye Street, N. W.; Washington, D. C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: Known and suspected drug traffickers

Categories of records in the system: (A) Intelligence reports; (B) Investigative reports; (C) Subject files.

Authority for maintenance of the system: This system is maintained for law enforcement and intelligence purposes pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970, Reorganization Plan No. 2 of 1973 and the Single Convention on Narcotic Drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

This system is maintained to further criminal investigations through the collation, analysis and dissemination of intelligence information. This system produces the following reports: a) Tactical, operational and strategic intelligence reports; b) Major organizational reports; c) Network analysis; d) Trafficker profiles; e) Intelligence briefs on prior experience with individuals, firms, countries, etc; f) Country profiles; g) Country Intelligence Action Plans; h) Current situational reports; i) Special reports as requested; j) Drug patterns and trends and drug trafficking from source to U.S. distributors.

In addition, information is provided to the following categories of users for law enforcement purposes on a routine basis: A) Other Federal law enforcement agencies; B) State and local law enforcement agencies; C) Foreign law enforcement agencies with whom DEA maintains liaison; D) U.S. Intelligence and Military Intelligence Agencies involved in drug enforcement; E) U.S. Department of State; F) The Cabinet Committee on International Narcotics Control.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard case files and on index cards.

Retrievability: The system is indexed by name and subject category and retrieved by use of a card file index.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, all records contained in this system are stored in GSA approved security containers. Access to the system is restricted to authorized DEA personnel with Secret Clearance or above.

Retention and disposal: The Records contained in this system are currently retained for an indefinite period.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Record source categories: A) Other Federal agencies; B) State and local law enforcement agencies; C) Foreign law enforcement agencies; D) Confidential informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 008

System name: Investigative Reporting and Filing System

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, DC 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system:

- A. Drug offenders.
- B. Alleged drug offenders.
- C. Persons suspected of drug offenses.
- D. Confidential informants.
- E. Defendants.
- F. Witness.
- G. Non-implicated persons with pertinent knowledge of some circumstance or aspect of a case or suspect. These are pertinent references of fact developed by personal interview or third party interview and are recorded as a matter for which a probable need for recall will exist. In the regulatory portion of the system, records are maintained on the following categories of individuals: A) Individuals registered with DEA under the Comprehensive Drug Abuse Prevention and Control Act of 1970; B) Responsible officials of business firms registered with DEA; C) Employees of DEA registrants who handle controlled substances or occupy positions of trust related to the handling of controlled substances; D) Applicants for DEA registration and their responsible employees.

Categories of records in the system: The Investigative Reporting and Filing System includes, among other things, a system of records as defined in the Privacy Act of 1974. Individual records, i.e., items of information on an individual may be decentralized in separate investigative file folders. Such records as well as certain other records on persons and subjects not covered by the act, are made retrievable and are retrieved by reference to the following sub-systems.

A. The Narcotics and Dangerous Drugs Information (NADDIS) is a central automated index maintained by DEA Headquarters. It is accessible by the telecommunication means of appropriately equipped DEA headquarters and field offices. The index record contains names and selected items of information extracted from investigative reports. Direct references to the discrete file folders in which the source reports are filed are provided, therefore, the records point to the more comprehensive manual reports. The central index reflects records maintained at all DEA echelons. Records are retrievable by name and by certain identifying numbers.

B. Manual name indices covering regional and district investigative activities are maintained by DEA field offices. A residual card index is retained at DEA headquarters that predates the automated central index. The items of information on the manual index records are extracted only from investigative reports and point to the more comprehensive information in pertinent investigative file folders. The records in the field office indices are sub-sets of the central automated and manual indices. Records are retrievable by name only by this manual technique. Four basic categories of files are maintained within the Investigative Reporting and Filing System. DEA does not maintain a dossier type file in the traditional sense on an individual. Instead, the files are compiled on separate investigations, topics and on a functional basis for oversight and investigative support. A) Criminal Investigative Case Files; B) General Investigative Files, Criminal and Regulatory; C) Regulatory Audit and Investigative Files; D) Confidential Informant Files.

The basic document contained in these files is a multi-purpose report of investigation (DEA-6) on which investigative activities and findings are rigorously documented. The reports pertain to the full range of DEA criminal drug enforcement and regulatory investigative functions that emanate from the Comprehensive Drug Prevention and Control Act of 1970. Within the categories of files listed above, the general file category includes preliminary investigations

of a criminal nature, certain topical or functional aggregations and reports of pre-registrant inspections/investigations. The case files cover targeted conspiracies, trafficking situations and formal regulatory audits and investigations. Frequently the criminal drug cases are the logical extension of one or more preliminary investigations. The distinction between the case file and general file categories, therefore, is based on internal administrative policy and should not be construed as a differentiation of investigation techniques or practices. These files, except for Confidential Informant Files, contain also adopted reports received from other agencies to include items that comprise, when indexed, individual records within the meaning of the Act. The central files maintained at DEA Headquarters include, in general, copies of investigative reports and most of the supporting documents that are generated or adopted by DEA Headquarters and field offices.

Authority for maintenance of the system: This system is established and maintained to enable DEA to carry out its assigned law enforcement and regulatory functions under the Comprehensive Drug Abuse Prevention and Control Act of 1970. (Public Law 91-513), Reorganization Plan No. 2 of 1973, and to fulfill United States obligations under the Single Convention on Narcotics Drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system may be used as a data source or reference facility for numerous summary, management and statistical reports produced by the Drug Enforcement Administration. Only on rare occasions do such reports contain identifiable individual records. Information contained in this system is provided to the following categories of users as a matter of routine use for law enforcement and regulatory purposes: A) Other Federal law enforcement and regulatory agencies; B) State and local law enforcement and regulatory agencies; C) Foreign law enforcement agencies with whom DEA maintains liaison; D) The Department of Defense and Military Departments; E) The Department of State; F) U. S. intelligence agencies concerned with drug enforcement; G) The United Nations; H) Interpol; I) To individuals and organizations in the course of investigations to elicit information.

In addition, disclosures are routinely made to the following categories for the purposes stated: A) To federal agencies for national security clearance purposes and to federal and state regulatory agencies responsible for the licensing or certification of individuals in the fields of pharmacy and medicine; B) To the Office of Management and Budget upon request in order to justify the allocation of resources; C) To State and local prosecutors for assistance in preparing cases concerning criminal and regulatory matters; D) To the news media for public information purposes; E) To respondents and their attorneys for purposes of discovery, formal and informal, in the course of an adjudicatory, rule-making, or other hearing held pursuant to the Controlled Substances Act of 1970.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Administration regulations include detailed instructions for the preparation, adoption, handling, dissemination, indexing of individual records, storage, safeguarding of investigative reports and the accounting of disclosure of individual records.

Storage:

1. The Headquarters central files and the field office subsets of the Investigative Reporting and Filing System are maintained in standard file folders. Standard formats are employed. Manual indices are maintained using standard index record formats.

2. The Narcotics and Dangerous Drugs Information subset is stored electronically on the Department of Justice Information System separate from DEA Headquarters.

Retrievability: Access to individual records is gained by reference to either the automated or manual indices. Retrievability is a function of the presence of items in the index and the matching of names in the index with search argument names or identifying numbers in the case of the automated system. Files identified from field office indices are held by the field office and Headquarters. Files identified from the automated index may not be held by the interested office, but the originators of such files are identified. In addition a number of telecommunication terminals have been added to the existing network.

Safeguards: The Investigative Reporting and Filing System is protected by both physical security methods and dissemination and access controls. Fundamental in all cases is that access to investigative information is limited to those persons or agencies with a demonstrated and lawful need to know for the information in order to perform assigned functions.

1. Physical security when investigative files are attended is provided by responsible DEA employees. Physical security when files are unattended is provided by the secure locking of material in approved containers or facilities. The selection of containers or facilities is made in consideration of the sensitivity or National Security Classification, as appropriate, of the files and the extent of security guard and/or surveillance afforded by electronic means.

2. Protection of the automated index is provided by physical, procedural and electronic means. The Master file resides on the Department of Justice Computer System and is physically attended or guarded on a full-time basis. Access or observation to active telecommunications terminals is limited to those with a demonstrated need to know for retrieval information. Surreptitious access to an unattended terminal is precluded by a complex sign-on procedure. The procedure is provided only to authorized DEA employees. For certain terminals, access is further restricted by cryptographic equipment.

3. An automated log of queries is maintained for each terminal. Improper procedure results in no access. Terminals are signed-off after use. The terminals are otherwise located in locked facilities after normal working hours.

4. The dissemination of investigative information on an individual outside the Department of Justice is made in accordance with the routine uses as described herein or otherwise in accordance with the conditions of disclosure prescribed by the Act. The need to know of the recipient is determined in both cases by DEA as a prerequisite of the release.

Retention and disposal: Records contained within this system except for those in general files are retained for fifty-five (55) years. Records in general files are retained for twenty (20) years.

System manager(s) and address: Assistant Administrator for Enforcement; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Record source categories: A) DEA personnel; B) Cooperating individuals; C) Suspects and defendants; D) Federal, State and local law enforcement and regulatory agencies; E) Other federal agencies; F) Foreign law enforcement agencies; G) Business records by subpoena; H) Drug and chemical companies; I) Concerned citizens.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2), and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 009

System name: Medical Records

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: A) DEA Employees; B) Cooperating Individuals;

Categories of records in the system: A) Annual physical examinations; B) Reports of disease or injury pertaining to DEA Special Agents and Chemists; C) Reports of job related injury or illness for employees and cooperating individuals; D) Pre-employment physical examination of DEA Special Agents and Compliance Investigators; E) Physical examination reports of non-federal police personnel applying to attend the National Training Institute.

Authority for maintenance of the system: These records are maintained to establish and maintain an effective and comprehensive health program for employees pursuant to 5 U.S.C. 7901, 29 U.S.C. 655 and 668 and Executive Order 11807 of September 28, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for internal use DEA. The only disclosure outside the agency would be to a physician when authorized by the subject.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in standard file folders.

Retrievability: Records are retrieved by name

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the records are stored in file safes in an alarmed, controlled access area. Access to the system is limited to employees of the medical office on a need-to-know basis.

Retention and disposal: These records are retained indefinitely

System manager(s) and address: Chief Medical Officer; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537.

Notification procedure: Inquiries should be addressed to Freedom of Information Unit, Drug Enforcement Administration, 1405 Eye Street, N.W., Washington, D.C. 20537. Inquiries should contain the following information: Name; Date and Place of Birth; Dates of Employment with DEA; Employee number.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individuals on whom records are maintained; Employees of Medical Office.

Systems exempted from certain provisions of the act: None

JUSTICE/DEA - 010

System name: Office of Internal Security Records

System location: Drug Enforcement Administration; 1405 Eye Street, N. W.; Washington, D. C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: A) DEA employees, past and present B) Applicants for employment with DEA C) Drug offenders, alleged drug offenders, and persons suspected of drug offenses D) Offenders, alleged offenders, and persons suspected of committing Federal and state crimes broadly characterized as corruption or integrity offenses E) Confidential informants F) Witnesses G) Non-implicated persons with pertinent knowledge of circumstances or aspects of a case or suspect. These are pertinent references of fact developed by personal interview or third party interview and are recorded as a matter for which a probable need will exist.

Categories of records in the system: A) Investigative reports with supporting memoranda and work papers relating to investigations of individuals and situations. B) General files which include, among other things, supporting memoranda and work papers and miscellaneous memoranda relating to investigations of and the purported existence of situations and allegations about individuals. C) Audit and inspection reports of inspections of DEA offices, personnel, and situations. D) Zero files containing general correspondence and memoranda relating to the subject matter of the categories of individuals covered by the system.

Authority for maintenance of the system: Reorganization Plan No. 1 of 1968 and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information contained in this system is provided to the following categories of users as a matter of routine uses for law enforcement and regulatory pur-

poses: A. Other Federal law enforcement and regulatory agencies; B. State and local law enforcement and regulatory agencies; C. Foreign law enforcement agencies with whom DEA maintains liaison; D. The Department of State; E. The Department of Defense and Military Departments; F. U.S. Intelligence agencies concerned with drug enforcement; G. The United Nations; H. Interpol; I. To individuals and organizations in the course of investigations to elicit information.

In addition, disclosures are routinely made to the following categories for the purposes stated: A. To Federal agencies for national security clearance purposes and to Federal and state regulatory agencies responsible for the licensing or certification of individuals in the fields of pharmacy and medicine; B. To the Office of Management and Budget upon request in order to justify the allocation of resources; C. To state and local prosecutors for assistance in preparing cases concerning criminal and regulatory matters; D. To the news media for public information purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard investigation folders.

Retrievability: These records are retrieved by use of a card index maintained alphabetically by employee name.

Safeguards: These records are maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to employees of the Office of Internal Security and upper level management officials. The records are stored in safe-type combination lock file cabinets.

Retention and disposal: These records are maintained for 55 years.

System manager(s) and address: Chief Inspector; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537.

Record source categories: A) DEA Investigations; B) Federal, State and local law enforcement agencies; C) Cooperating individuals.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 011

System name: Operations Files

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: A) Cooperating Individuals; B) Confidential Informants.

Categories of records in the system: A) Biographic and background information; B) Official Contact Reports; C) Intelligence Reports (DEA-6).

Authority for maintenance of the system: This system of records is maintained to assist in intelligence operations pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) and Reorganization Plan No. 2 of 1973.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is used to keep a history of intelligence operations against narcotics traffickers and their support networks. Information contained in this

system is provided to the following categories of users for law enforcement purposes on a routine basis: A) Other Federal law enforcement agencies; B) State and local law enforcement agencies; C) Foreign law enforcement agencies with whom DEA maintains liaison; D) United States Intelligence and Military Intelligence agencies involved in drug enforcement; E) The United States Department of State.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard case files.

Retrievability: These files are retrieved manually by subject matter category and coded identification number.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, all files are stored in GSA approved security containers approved for Secret material and treated as if they carried a Secret classification whether classified or not. Access to the files is restricted to authorized DEA employees with Top Secret clearances on a limited need-to-know basis.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D. C. 20537.

Record source categories: A) DEA Reports; B) Reports of federal, state and local agencies; C) Reports of foreign agencies with whom DEA maintains liaison.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 012

System name: Registration Status/Investigation Records

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: Individuals who have a Controlled Substances Act registration number under their personal name who have had some action taken against their license or registration.

Categories of records in the system: A) DEA reports of investigation; B) Information received from state regulatory agencies.

Authority for maintenance of the system: This system of records is maintained to enable the Drug Enforcement Administration to perform its regulatory functions under the Comprehensive Drug Abuse Prevention and Control Act of 1970.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information contained in this system of records is provided for law enforcement and regulatory purposes to the following categories of users on a routine basis: A) Other federal law enforcement and regulatory agencies; B) State and local law enforcement and regulatory agencies; C) To respondents and their attorneys for purposes of discovery, formal and informal, in the course of an adjudicatory, rule-making, or other hearing held pursuant to the Controlled Substances Act of 1970.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28

C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard case file folders.

Retrievability: This system is indexed by name of registrant.

Safeguards: This system of records is maintained in DEA Headquarters which is protected by 24-hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to authorized employees of the Compliance Investigations Division on a need-to-know basis.

Retention and disposal: These records are retained as long as there is a need for the file. These are working files and may be destroyed when no longer required or merged into the Investigative Case File and Reporting System.

System manager(s) and address: Assistant Administrator for Enforcement; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Record source categories: A) DEA Investigators; B) State and local regulatory agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), (d), (e)(4)(G) and (H), (f) of the Privacy Act pursuant to 5 U.S.C. 552a (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 013

System name: Security Files

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: A) DEA personnel; B) Cooperating individuals and informants; C) Drug traffickers and suspected drug traffickers; D) Individuals who might discover DEA investigations or undercover operations by chance.

Categories of records in the system: This system of records contains reports concerning the categories of individuals stated above.

Authority for maintenance of the system: This system of records is maintained to identify and correct security problems in the area of intelligence operations and installations pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) and Reorganization Plan No. 2 of 1973.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is utilized to generate reports on security problems in the area of intelligence operations and installations. In addition, information is provided to the following categories of users for law enforcement purposes on a routine basis: A) Other federal law enforcement agencies; B) State and local law enforcement agencies; C) Foreign law enforcement agencies with whom DEA maintains liaison.

Release of information on the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard case folders.

Retrievability: The information in this system is retrieved by subject matter category or by coded identification number.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, these records are stored in GSA approved security containers authorized for Secret material. Access to the system is restricted to authorized DEA personnel who have Top Secret Clearances on a limited need-to-know basis.

Retention and disposal: Records in this system are retained as long as the individual remains active and then destroyed or retired to the Federal Records Center.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Record source categories: A) DEA Reports; B) Reports of federal, state and local agencies.

Systems exempted from certain provisions of the act: 6 The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 014

System name: System to Retrieve Information from Drug Evidence (STRIDE/Ballistics).

System location: Drug Enforcement Administration; 1405 Eye Street, N. W.; Washington, D. C. 20537. Also, field offices. See Appendix 1 for list of addresses.

Categories of individuals covered by the system: Defendants and suspected violators

Categories of records in the system: Ballistics report.

Authority for maintenance of the system: This system is maintained to provide drug intelligence for law enforcement purposes pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Reorganization Plan No. 2 of 1973.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this system is provided to the following categories of users for law enforcement purposes on a routine basis: A) Other federal law enforcement agencies; B) State and local law enforcement agencies; C) Foreign law enforcement agencies with whom DEA maintains liaison.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The information is stored on magnetic tape.

Retrievability: The system is indexed by case number and subject name. The information can be retrieved by name or DEA case number. In addition, a number of telecommunication terminals have been added to the existing network.

Safeguards: This system of records is maintained at DEA headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to authorized DEA employees with appropriate clearance on a need-to-know basis. Information that is retrievable

by terminals requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: The information contained in this system is retained indefinitely.

System manager(s) and address: Chief, Forensic Sciences Division; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Record source categories: DEA Reports; Scientific Analysis.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and been published in the Federal Register.

JUSTICE/DEA - 015

System name: Training Files

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also, field offices. See Appendix I for list of addresses.

Categories of individuals covered by the system: Individuals who have attended the Drug Enforcement Administration National Training Institute.

Categories of records in the system: A) Class rosters; B) Biographic data; C) Evaluation reports; D) Application and attendance records.

Authority for maintenance of the system: This system is maintained to provide educational and training programs on drug abuse and controlled substances law enforcement pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is maintained to assist in performing the administrative functions of the National Training Institute and is used to prepare Class Directories, Class Rosters, Program Evaluation Reports and Statistical Reports. In addition, information from this system is provided to federal, state and local law enforcement and regulatory agencies employing former students and to students in the programs.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records in this system are maintained on index cards and in file folders.

Retrievability: The system is indexed by name.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the records are maintained in locked file cabinets and access is limited to National Training Institute Personnel on a need-to-know basis.

Retention and disposal: Records in this system are currently maintained indefinitely.

System manager(s) and address: Director; Office of Training; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537.

Notification procedure: Inquiries should be addressed to: Freedom of Information Unit, Drug Enforcement Administration, 1405 Eye Street, N.W., Washington, D.C. 20537. Inquiries should contain: Name; Date and Place of Birth; Dates of attendance at the National Training Institute.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: A) Students; B) Instructors.

Systems exempted from certain provisions of the act: None

JUSTICE/DEA - 016

System name: Drug Enforcement Administration Accounting System (DEAAS).

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C. 20537. Also field offices. See Appendix I for list of addresses.

Categories of individuals covered by the system: All individuals who submit vouchers requesting payment for goods or services rendered, except payroll vouchers for DEA employees. These include vendors, contractors, experts, witnesses, court reporters, travelers, relocated employees, etc.

Categories of records in the system: All vouchers paid except payroll vouchers for DEA employees.

Authority for maintenance of the system: The system is established and maintained in accordance with the Budget and Accounting Procedures Act of 1950 as amended 31 U.S.C. 66(a) and 31 U.S.C. 200(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: After payment of the vouchers, the accounting data is used for the purpose of internal management reporting and external reporting to agencies such as OMB, U.S. Treasury, and the GAO.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Voucher files are maintained alphabetically by payee name.

Retrievability: Information is retrieved primarily by using the name of the payee. In addition, a number of telecommunication terminals have been added to the existing network.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with organizational rules and procedures. Information that is retrievable by terminals requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: The payment documents are retained at this location for three fiscal years (current and two prior years). The records are then shipped to a Federal Records Center for storage in accordance with the General Record Schedule published by the General Services Administration.

System manager(s) and address: Controller, Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Notification procedure: Inquiries should be addressed to Freedom of Information Unit, Drug Enforcement Administration, 1405 Eye Street, N.W., Washington, D.C., 20537.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Submitted by the payee involved.

Systems exempted from certain provisions of the act: None.

JUSTICE/DEA - 017

System name: Grants of Confidentiality Files (GCF).

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Applicants for grants of confidentiality.

Categories of records in the system: A) Requests for and actual Grants of Confidentiality; B) Correspondence relating to above; C) Documents relating to investigations of said applicants.

Authority for maintenance of the system: Pursuant to 21 U.S.C. 872 of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records are utilized for the purpose of investigating applicants prior to the granting of confidentiality. In the course of such investigations, information may be disseminated to state and local law enforcement and regulatory agencies to other federal law enforcement and regulatory agencies.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on standard case folders.

Retrievability: The information in this system is retrieved by name of grantee.

Safeguards: This system of records is maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the records are stored in bar lock filing cabinets and access to the system is restricted to members of the DEA employees on a "need to know basis".

Retention and disposal: Records in this system are retained indefinitely.

System manager(s) and address: Chief Counsel; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Notification procedure: Inquiries should be addressed to: Freedom of Information Unit; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537. Inquiries should include the inquirer's name, date, and place of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: A) DEA investigative reports; B) Applicants; C) Reports from other federal, state and local agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 018

System name: DEA Applicant Investigations (DAI)

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Applicants for employment with DEA.

Categories of records in the system: Information in records may include date and place of birth, citizenship, marital status, military and social security status. These records contain investigative information regarding an individual's character, conduct, and behavior in the community where he or she lives or lived; arrests and convictions for any violations against the law; information from inquiries directed to present and former supervisors, co-workers, associates, educators, etc., credit and National Agency checks; and other information developed from the above.

Authority for maintenance of the system: 5 U.S.C. 301 and Executive Order No. 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by DEA to implement an effective screening process for applicants. To foreign, federal, state and local law enforcement and regulatory agencies, where appropriate, for referral to avoid duplication of the investigative process and where the appropriate agency is charged with the responsibility of investigating or prosecuting potential violations of law.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in standard investigative folders.

Retrievability: These records are retrieved by use of a card index maintained alphabetically by employee name.

Safeguards: These records are maintained at DEA Headquarters which is protected by twenty-four hour guard service and electronic surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. Access to the system is restricted to employees of the office of Internal Security and upper level management officials. The records are stored in safe-type combination lock file cabinets.

Retention and disposal: These records are maintained indefinitely.

System manager(s) and address: Chief Inspector; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Notification procedure: Inquiries should be addressed to: Freedom of Information Unit; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537. Inquiries should include the inquirer's name, date, and place of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: DEA investigations, federal, state and local law enforcement agencies. Cooperating individuals, employees, educational institutions, references, neighbors, associates, credit bureaus, medical officials, probation officials.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements at 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 019

System name: Specialized Automated Intelligence Files (NIMROD).

System location: Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Categories of individuals covered by the system: Known and suspected drug traffickers.

Categories of records in the system: Special purpose applications from which information includes, but is not limited to, comprehensive personality data, activity data, significant event data, phone numbers, addresses, and special purpose information related to individuals.

Authority for maintenance of the system: This system will be maintained to provide DEA with an automated intelligence capability pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970, Reorganization Plan No. 2 of 1973 and the Single Convention on Narcotic Drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system will be used to produce association and link analysis reports and such special reports as required by DEA intelligence analysts. Information from this system will be provided to the following categories of users for law enforcement purposes: A) Other federal law enforcement agencies; B) State and local law enforcement agencies.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic tape. Reference materials are maintained on microfiche.

Retrievability: This system is retrievable by data elements as a single entity or by a combination of data elements.

Safeguards: This system of records is maintained by DEA Headquarters which is protected by twenty-four hour guard service and surveillance. Access to the building is restricted to DEA employees and those persons transacting business within the building who are escorted by DEA employees. In addition, the system is housed in a special computer facility which meets CIA and NSA standards for intrusion, electronic and acoustic penetration. Access to the system is strictly limited to DEA intelligence analysts with appropriate clearances on a specific need-to-know basis.

Retention and disposal: Information will be maintained in the system indefinitely.

System manager(s) and address: Assistant Administrator for Intelligence; Drug Enforcement Administration; 1405 Eye Street, N.W.; Washington, D.C., 20537.

Record source categories: A) DEA Intelligence Reports; B) Reports of other Federal agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f)(g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k)(1). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(c) and (e) and have been published in the Federal Register.

JUSTICE/DEA - 999

System name:

DEA Appendix 1 - List of record location addresses. Copies of all or part of any system of records published by the Drug Enforcement Administration pursuant to 5 U.S.C. 552a may be maintained at the DEA field offices listed below. However, procedures for processing inquiries concerning DEA systems of records have been centralized in DEA Headquarters. Inquiries concerning all DEA systems of records should be addressed to:

Freedom of Information Unit
Drug Enforcement Administration
1405 Eye Street, N.W.
Washington, D.C. 20537

Drug Enforcement Administration field offices:

Region 1

Boston Regional Office
JFK Federal Building
Room G-64
Boston, Massachusetts 02203

Portland District Office
U.S. Courthouse Building
156 Federal Street
P.O. Box 451
Portland, Maine 04112

Burlington District Office
P.O. Box 146
Burlington, Vermont 05401

Concord District Office
Federal Building & Post Office
55 Pleasant Street
P.O. Box 667
Concord, New Hampshire 03301

Providence District Office
Post Office & Federal Building
Room 231

Exchange Terrace
Providence, Rhode Island 02903

Hartford District Office
450 Main Street
Room 628-E
Hartford, Connecticut 06103

Region 2

New York Regional Office
555 West 57th Street
New York, New York 10019

Buffalo District Office
Niagara Square Station
U.S. Courthouse
Buffalo, New York 14201

Long Island District Office
2 Huntington Quadrangle
Melville, New York 11746

Montreal District Office
American Consulate General
1558 McGregor Avenue
Montreal 109, Canada

Rouses Point District Office
P.O. Box 38
Rouses Point, New York 12979

Albany District Office
Leo W. O'Brien Federal Building
Clinton Avenue & Pearl Street
Albany, New York 12207

JFK Airport District Office
P.O. Box 361
JFK Airport Station
Jamaica, New York 11430

Toronto District Office
U.S. Consulate General
360 University Avenue
Toronto, Canada M5G 1S4

Newark District Office
Federal Office Building
970 Broad Street
Newark, New Jersey 07101

New York DEA Drug Task Force
201 Varick Street
Room 1148
New York, New York 10014

Region 3

Philadelphia Regional Office
William J. Green Federal Building
600 Arch Street
Room 10224
Philadelphia, Pennsylvania 19106

Pittsburgh District Office
Federal Building
1000 Liberty Avenue
Room 2306
Pittsburgh, Pennsylvania 15222

Wilmington District Office
Courthouse, Customs House & Federal Office Building
844 King Street
Room 5305
Wilmington, Delaware 19801

Region 4

Baltimore Regional Office
955 Federal Building

31 Hopkins Plaza
Baltimore, Maryland 21201

Charleston District Office
22 Capital Street
Charleston, West Virginia 25324

Greensboro District Office
925 West Market Street
Room 111
Greensboro, North Carolina 27401

Norfolk District Office
870 North Military Highway
Room 211
Norfolk, Virginia 23502

Washington District Office
400 Sixth Street, S.W.
Room 2558
Washington, D.C. 20024

Wilmington District Office
3909-D Oleander Drive
Lambe Young Building
Wilmington, North Carolina 28401

Region 5

Miami Regional Office
8400 N.W. 53rd Street
Miami, Florida 33166

Atlanta District Office
United Family Life Building
230 Houston Street, N.E.
Suite 200
Atlanta, Georgia 30303

Charleston District Office
1529 Highway 7
Suite 5 & 6
Charleston, South Carolina 29407

Columbia District Office
2611 Forest Drive
P.O. Box 702
Columbia, South Carolina 29202

Jacksonville District Office
4077 Woodcock Drive
Suite 210
Jacksonville, Florida 32207

Orlando District Office
1080 Woodcock Road
Suite 180
Orlando, Florida 32803

San Juan District Office
Housing Investment Building
Suite 154
416 Ponce de Leon Avenue
Hato Rey, Puerto Rico 00919

Savannah District Office
430 Mall Boulevard
Suite C
Savannah, Georgia 31406

Tampa District Office
Barnett Bank Building
1000 Ashley Drive
Tampa, Florida 33602

West Palm Beach District Office
700 Clematis Street
Room 253
West Palm Beach, Florida 33402

Kingston District Office

American Embassy
43 Duke Street
Kingston, Jamaica

Region 6

Detroit Regional Office
357 Federal Building
231 West Lafayette
Detroit, Michigan 48226

Cleveland District Office
601 Rockwell
Room 300
Cleveland, Ohio 44114

Cincinnati District Office
Federal Office Building
550 Main Street
P.O. Box 1196
Cincinnati, Ohio 45201

Columbus District Office
Federal Office Building
85 Marconi Blvd.
Room 120
Columbus, Ohio 43215

Grand Rapids District Office
166 Federal Building, U.S. Courthouse
110 Michigan NW
Grand Rapids, Michigan 49502

Louisville District Office
Federal Building
600 Federal Plaza
Room 1006
Louisville, Kentucky 40202

Region 7

Chicago Regional Office
1800 Dirksen Federal Building
219 South Dearborn Street
Chicago, Illinois 60604

Indianapolis District Office
575 N. Pennsylvania
Room 267
Indianapolis, Indiana 46204

Milwaukee District Office
Federal Building & U.S. Courthouse
517 East Wisconsin
Room 232
Milwaukee, Wisconsin 53202

Mount Vernon District Office
Federal Building
105 South Sixth Street
P.O. Box 748
Mount Vernon, Illinois 62864

Hammond District Office
Federal Building
507 State Street
Room 407
Hammond, Indiana 46320

Region 8

New Orleans Regional Office
1001 Howard Avenue
New Orleans, Louisiana 70113

Birmingham District Office
236 Goodwin Crest
Suite 520
Birmingham, Alabama 35209

Little Rock District Office

One Union National Plaza
Suite 850
Little Rock, Arkansas 72201

Jackson District Office
First Federal Building
525 East Capitol Street
P.O. Box 22631
Jackson, Mississippi 39205

Nashville District Office
U.S. Courthouse Annex
Room 929
8th & Broadway
P.O. Box 1189
Nashville, Tennessee 37202

Memphis District Office
Federal Building
167 North Main Street
Room 401
Memphis, Tennessee 38103

Baton Rouge District Office
4560 North Boulevard
Suite 118
Baton Rouge, Louisiana 70806

Mobile District Office
2 Office Park
Suite 216
Mobile, Alabama 36609

Region 10

Kansas City Regional Office
U.S. Courthouse
811 Grand Avenue
Kansas City, Missouri 64106

Des Moines District Office
U.S. Courthouse
P.O. Box 1784
Des Moines, Iowa 50309

Duluth District Office
Federal Building & U.S. Courthouse
515 West First Street
P.O. Box 620
Duluth, Minnesota 55801

Minneapolis District Office
Federal Building
110 South Fourth Street
Room 402
Minneapolis, Minnesota 55401

Omaha District Office
New Federal Building
215 North 17th Street
P.O. Box 661, Downtown
Omaha, Nebraska 68101

Minot District Office
123 Southwest First Street
Room 414
Minot, North Dakota 58701

Sioux Falls District Office
400 S. Philips
Room 309
Sioux Falls, South Dakota 57102

St. Louis District Office
10th Floor-Louderman Building
317 N. 11th Street
Room 1014
St. Louis, Missouri 63101

Wichita District Office
202 West First Street

Room 505
Wichita, Kansas 67201

Region 11

Dallas Regional Office
Earle Cabell Federal Building
1100 Commerce Street
Room 4A5
Dallas, Texas 75202

Beaumont District Office
827 Fannin Street
Beaumont, Texas 77701

Brownsville District Office
2100 Boca Chica Blvd.
Suite 305
Brownsville, Texas 78520

Corpus Christi District Office
723 Upper N. Broadway
P.O. Box 2443
Corpus Christi, Texas 78403

Del Rio District Office
3605 Highway 90, West
P.O. Drawer 1247
Del Rio, Texas 78840

Eagle Pass District Office
P.O. Box AH
Eagle Pass, Texas 78852

El Paso District Office
4110 Rio Bravo
Suite 100
El Paso, Texas 79902

Falcon Heights District Office
Customhouse Building NO. 1
P.O. Box 5
Falcon Heights, Texas 78545

Houston District Office
1540 Esperson Building
815 Walker Street
Houston, Texas 77002

Laredo District Office
Building 1050
Laredo Air Force Base
Laredo, Texas 78040

Midland District Office
100 East Wall Street
P.O. Drawer 2668
Midland, Texas 79701

McAllen District Office
3017 N. 10th Street
P.O. Box 338
McAllen, Texas 78501

Oklahoma City District Office
Old Federal Building
215 N.W. 3rd Street
Room 250
Oklahoma City, Oklahoma 73102

San Antonio District Office
4th Floor, 1800 Central Building
1802 N.E. Loop 410
San Antonio, Texas 78217

Tulsa District Office
333 W. 4th Street
Room 3335
Tulsa, Oklahoma 74103

Austin District Office

55 N. Interregional Highway
P.O. Box 8
Austin, Texas 78767

Lubbock District Office
3302 67th Street
Building No. 2
Lubbock, Texas 79413

Region 12

Denver Regional Office
U.S. Customs House
Room 336
P.O. Box 1860
Denver, Colorado 80201

Cheyenne District Office
Federal Center
2120 Capitol Avenue
Room 8020
Cheyenne, Wyoming 82001

Albuquerque District Office
First National Bank Building, East
5301 Central Avenue, N.E.
Albuquerque, New Mexico 87101

Deming District Office
P.O. Drawer 469
Deming, New Mexico 88030

Phoenix District Office
Valley Bank Center, Suite 1980
201 North Central
Phoenix, Arizona 85073

Tucson District Office
Tucson International Airport
P.O. Box 27063
Tucson, Arizona 85726

San Luis District Office
P.O. Box 445
San Luis, Arizona 85349

Nogales District Office
P.O. Box 39
Mile Post 4 1/2
U.S. Highway 89
Nogales, Arizona 85621

Douglas District Office
2130 15th Street
P.O. Box 1294
Douglas, Arizona 85607

Salt Lake City District Office
Federal Building
125 South State Street
Room 2218
Salt Lake City, Utah 84138

Region 13

Seattle Regional Office
221 1st Avenue West
Suite 200
Seattle, Washington 98119

Anchorage District Office
Loussac-Sogn Building
429 D Street
Room 306
Anchorage, Alaska 99501

Blaine District Office
170 C Street
P.O. Box 1680
Blaine, Washington 98230

Boise District Office
American Reserve Building
2404 Bank Drive
Suite 212
Boise, Idaho 83705

Fairbanks District Office
Federal Building
200 Cushman Street
P.O. Box 670
Fairbanks, Alaska 99707

Great Falls District Office
1111 14th Street South
P.O. Box 2887
Great Falls, Montana 59403

Portland District Office
Georgia-Pacific Building
900 S.W. Fifth Avenue
Suite 1515
Portland, Oregon 97204

Spokane District Office
U.S. Courthouse
920 W. Riverside
P.O. Box 1504
Spokane, Washington 99210

Vancouver B.C. District Office
DEA/Justice
American Consulate General
1199 West Hastings Street
Vancouver, B.C., Canada V6E2Y4

Region 14

Los Angeles Regional Office
1340 West Sixth Street
Los Angeles, California 90017

San Francisco District Office
450 Golden Gate Avenue
Box 36035
San Francisco, California 94102

San Diego District Office
610 A Street
Suite 300
San Diego, California 92101

Calexico District Office
632 Imperial Avenue
P.O. Box J
Calexico, California 92231

Las Vegas District Office
Federal Building & U.S. Courthouse
300 Las Vegas Blvd. South
P.O. Box 16023
Las Vegas, Nevada 89101

Fresno District Office
P.O. Box 72
Fresno, California 93707

San Bernardino/Riverside District Office
Norton Air Force Base
P.O. Box 4278
San Bernardino, California 92409

Honolulu District Office
1000 Bishop Street
Suite 810
Honolulu, Hawaii 96813

Tecate District Office
Post of Entry-Tecate
P.O. Box 67
Tecate, California 92080

Sacramento District Office
Federal Building
2800 Cottage Way
P.O. Box 4495
Sacramento, California 95825

Los Angeles Airport Office
600 Worldway
P.O. Box 91160
Los Angeles, California 90009

Region 15

Mexico City Regional Office
DEA/Justice
American Embassy
Apartado Postal 88 Bis
Mexico 1, D.F., Mexico

Guadalajara District Office
DEA/Justice
American Consulate General
Apartado Postal 1 - 1 BIS
Guadalajara, Jalisco, Mexico

Hermosillo District Office
DEA/Justice
American Consulate General
Apartado Postal 972
Hermosillo, Sonora, Mexico

Mazatlan District Office
DEA/Justice
American Consulate
Apartado Postal 321
Mazatlan, Sinaloa, Mexico

Monterrey District Office
DEA/Justice
c/o Dept. of State
Washington, D.C. 20521

San Jose District Office
DEA/Justice
American Embassy
APO N.Y., N.Y. 09883

Guatemala District Office
American Embassy
APO N.Y., N.Y. 09891

Region 16

Bangkok Regional Office
Drug Enforcement Administration
American Embassy
APO San Francisco, California 96346

Chiang Mai District Office
Drug Enforcement Administration
American Consulate
APO San Francisco, California 96272

Hong Kong District Office
DEA/Justice
American Consulate General
Box 30
FPO San Francisco, California 96659

Kuala Lumpur District Office
DEA/Justice
American Embassy
A.I.A. Building 13th Floor
Jalan Ampang
Kuala Lumpur, Malaysia

Vientiane District Office
DEA/Justice
APO San Francisco, California 96352

Singapore District Office

DEA/Justice
FPO San Francisco, California 96699

Saigon District Office
DEA/Justice
APO San Francisco, California 96243

Songkhla District Office
DEA/Justice
American Consulate
APO San Francisco, California 96346

Region 17

Paris Regional Office
DEA/Justice
American Embassy
APO New York, New York 09777

Marseilles District Office
DEA/Justice
American Embassy (m)
APO New York, New York 09777

Vienna District Office
DEA/Justice
American Embassy Vienna
Department of State
Washington, D.C. 20520

Brussels District Office
DEA/Justice
American Embassy
APO New York, New York 09667

London District Office
DEA/Justice
American Embassy
Box 40
FPO New York, New York 09510

Bonn District Office
DEA/Justice
American Embassy
Box 290
APO New York, New York 09080

Frankfurt District Office
DEA/Justice
American Consulate General
APO New York, New York 09757

Hamburg District Office
DEA/Justice
American Consulate General
Box 2
APO New York, New York 09069

Munich District Office
DEA/Justice
American Consulate General
APO New York, New York 09108

Rome District Office
DEA/Justice
Consulate 301
APO New York, New York 09794

Genoa District Office
DEA/Justice
American Consulate General
Box G
APO New York, New York 09794

Milan District Office
DEA/Justice
American Consulate General
APO New York, New York 09689

The Hague District Office
DEA/Justice

American Embassy
APO New York, New York 09159

Madrid District Office
DEA/Justice
American Embassy
APO New York, New York 09285

Barcelona District Office
DEA/Justice
American Consulate General
APO New York, New York 09285

Region 18

Caracas Regional Office
DEA/Justice
American Embassy
Caracas, Venezuela
Dept. of State Pouch Mail
Washington, D.C. 20520

Buenos Aires District Office
DEA/Justice
Buenos Aires, Argentina
Department of State Pouch Mail
Washington, D.C. 20520

Asuncion District Office
DEA/Justice
American Embassy
Asuncion, Paraguay
Dept. of State Pouch Mail
Washington, D.C. 20520

Bogota District Office
DEA/Justice
American Embassy
Bogota, Columbia
Dept. of State Pouch Mail
Washington, D.C. 20520

Brazilia District Office
DEA/Justice
American Embassy
Dept. of State Pouch Mail
Washington, D.C. 220520

Guayaquil District Office
DEA/Justice
U.S. Consulate
Guayaquil, Ecuador
Dept. of State Pouch Mail
Washington, D.C. 20520

La Paz District Office
DEA/Justice
American Embassy
Calles Colony Mercado
Dept. of State Pouch Mail
Washington, D.C. 20520

Lima District Office
DEA/Justice
American Embassy
Lima, Peru
Dept. of State Pouch Mail
Washington, D.C. 20520

Montevideo District Office
DEA/Justice
American Embassy
Montevideo, Uruguay
Dept. of State Pouch Mail
Washington, D.C. 20520

Panama District Office
DEA/Justice
American Embassy
Panama City, Panama
Dept. of State Pouch Mail

Washington, D.C. 20520

Balboa District Office
DEA/Justice
American Embassy
Balboa Canal Zone
Dept. of State Pouch Mail
Washington, D.C. 20520

Quito District Office
DEA/Justice
American Embassy
Quito, Ecuador
Dept. of State Pouch Mail
Washington, D.C. 20520

Santiago District Office
DEA/Justice
American Embassy
Dept. of State Pouch Mail
Washington, D.C. 20520

Region 19

Ankara Regional Office
DEA/Justice
American Embassy
APO New York, New York 09254

Istanbul District Office
DEA/Justice
American Consulate General
APO New York, New York 09380

Izmir District Office
DEA/Justice
American Consulate General
APO New York, New York 09224

Beirut District Office
DEA/Justice
Dept. of State Pouch Mail
Washington, D.C. 20520

Kabul District Office
DEA/Kabul
Dept. of State Pouch Mail
Washington, D.C. 20520

Tehran District Office
DEA/Justice
American Embassy
Box 2000
APO New York, New York 09205

Islamabad District Office
DEA/Islamabad
Dept. of State Pouch Mail
Washington, D.C. 20520

New Delhi District Office
DEA/Delhi
Dept. of State Pouch Mail
Washington, D.C. 20520

Karachi District Office
DEA/Karachi
Department of State Pouch Mail
Washington, D.C. 20520

Region 20

Manila Regional Office
DEA/Justice
American Embassy
APO San Francisco, California 96528

Guam District Office
P.O. Box 2137
Agana, Guam 96910

Sukiran/Okinawa District Office
DEA/Justice, P.O. Box 792
APO San Francisco, California 96331

Tokyo District Office
DEA/Justice
American Embassy
APO San Francisco, California 96503

Seoul District Office
DEA/Justice ext. 4260
American Embassy
APO San Francisco, California 96301

Regional Laboratories

Special Testing & Research Lab
Watergate Research Park
7704 Old Springhouse Road
McLean, Virginia 22101

Mid-Atlantic Regional Lab
460 New York Avenue, N.W.
Washington, D.C. 20537

Northeast Regional Lab
90 Church Street
Room 1304
New York, New York 10007

Southeast Regional Lab
15655 S.W. 127th Avenue
Miami, Florida 33157

North-Central Regional Lab
723 Main Post Office Building
433 West Van Buren Street
Chicago, Illinois 60607

South-Central Regional Lab
1114 Commerce Street
Room 1020
Dallas, Texas 75202

Western Regional Lab
450 Golden Gate Avenue
Box 36075
San Francisco, California 92102

Ottawa Office
DEA/Justice
U.S. Embassy
100 Wellington Street
Ottawa, Ontario, Canada
KIP-ST1

Special Project Division
Aircraft Section
(Addison Texas)
DEA/Justice
P.O. Box 302
Addison, Texas 75001

El Paso Intelligence Center
4110 Rio Bravo
Suite 100
El Paso, Texas 79902

Field Offices of Inspection

Northeast Field Office of Internal Security
Suite 208
222 South Marginal Road
Fort Lee, New Jersey 07024

Western Field Office of Internal Security
P.O. Box 807, Main Office
Los Angeles, California 90053

South Central Field Office of Internal Security
P.O. Box 15193

Dallas, Texas 75201

North Central Field Office of Internal Security
P.O. Box 992
Chicago, Illinois 60690

Southeast Field Office of Internal Security
P.O. Box 660316
Miami Springs, Florida 33166

Mid-Atlantic Field Office of Internal Security
1325 K Street, N.W.
Washington, D.C.

JUSTICE/LEAA - 001

System name: Personnel System

System location: Law Enforcement Assistance Administration;
633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Regional Operating Files; Motor Vehicle Operators Permit, Form SF 74; Interagency Motor Pool Service Authorization, Form GSA 1313; Government Parking Spaces, Form GSA 7415; Property Sign-out, LEAA Form 1820/4; Equipment Control Records, LEAA Form 1820/5; Annual Physical Examination File.

Categories of records in the system: Motor Vehicle Operators Permit, Form SF 74; Interagency Motor Pool Service Authorization, Form GSA 1313; Government Parking Spaces, Form GSA 7415; Property Sign-out, LEAA Form 1820/4; Equipment Control Records, LEAA Form 1820/5; Annual Physical Examination File.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301, 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The motor vehicle and property data is used for inventory control, parking space control, and to allow use of government vehicles for official purposes. Routine user would be GSA. Physical examination information is non-releasable except upon written authorization of individual.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in system is stored in file folders and index cards.

Retrievability: Information is retrieved by name of employee.

Safeguards: Data is maintained in locked file cabinets.

Retention and disposal: Documents relating to equipment control and motor vehicles are closed when employee leaves agency. Records are destroyed three years thereafter. Health records are placed in sealed envelopes upon separation of employee and filed with official personnel folder. Such data is destroyed in accordance with Civil Service regulations. Operating files are destroyed when an individual resigns, transfers or is separated from Federal service.

System manager(s) and address: Assistant Administrator; Office of Operations Support; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531. Regional Operating Files: Regional Administration, applicable region.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from the system shall be in writing, with the envelope and letter clearly marked 'Privacy Access Request.' Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and

concisely what information is being contested, the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, employee's supervisors.

Systems exempted from certain provisions of the act: None

JUSTICE/LEAA - 002

System name: Law Enforcement Education System

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Recipients of LEAA Law Enforcement Education Loans and Grants

Categories of records in the system: LEEP Master Computer File; LEEP Promissory Note File; LEAA Form 03

Authority for maintenance of the system: The system is established and maintained pursuant to 42 U.S.C. 3746.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for coding and statistical analysis, educational institutions for record reconciliation, IRS and references listed on application for address verification, referees in bankruptcy for claim action.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on computer magnetic tape and folders.

Retrievability: Information is retrievable by name of recipient and social security number.

Safeguards: Computerized information is safeguarded and protected by computer password key and limited access. Noncomputerized data is safeguarded in file room which is locked after business hours. Access is limited to accounting division.

Retention and disposal: Computerized records are kept indefinitely. Uncollected loans/grants are transferred to GAO as soon as determined uncollectable. Cancelled or repaid loan/grants are closed at end of fiscal year, held three years, sent to Federal Records Center and destroyed in accordance with instructions from GAO.

System manager(s) and address: Comptroller; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name and personal identifier number. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information are the recipients of loans/grants and their educational institutions.

Systems exempted from certain provisions of the act: None.

JUSTICE/LEAA - 003

System name: Inspector General Investigative System.

System location: Office of Inspector General; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Grantees, subgrantees, contractors, subcontractors, employees, and applicants.

Categories of records in the system: Resolution of Investigations of Criminal or Civil Violations Investigatory Case Index Card File

Authority for maintenance of the system: 5 U.S.C. 301; 42 U.S.C. 3791, 3792, 3793.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation of possible violations of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order pursuant thereto. Records may be referred to the appropriate agency, whether federal, state, or local for the purpose of investigating or prosecuting such violations or enforcing compliance with statute, rule, regulation or order.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is stored in file folders and on index cards.

Retrievability: Information is retrieved by name of respondent and complainant.

Safeguards: Information is kept in locked file cabinets and combination safe. Access is limited to investigative personnel.

Retention and disposal: Complaint control logs are destroyed upon completion of action on the inquiry or complaint. Complaint case files thereafter are not retrievable by name, number, or other information identifiable to the individual. Other investigative information is destroyed four years after the investigation is completed.

System manager(s) and address: Office of Inspector General; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record source categories: Information contained in this system was received from individual complainants, witnesses, grant files, respondents, official state and federal records.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d), (e)(4)(G) and (H), and (f) of the Privacy Act pursuant to 5 U.S.C. 522a(k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/LEAA - 004

System name: Grants Management Information System

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: The system contains recipients of LEAA funds, project monitors and project directors.

Categories of records in the system: Grant/Contract Applicant Index; Grant/Contract Award Computer Data File.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records from this system of records may be disclosed for the purpose of technical review and fiscal or program evaluation to experts in particular subject areas related to the substantive or fiscal components of the program.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on computer discs for use in a computer environment.

Retrievability: Data is retrievable by name and grant/contract number.

Safeguards: Information in the system is safeguarded and protected by computer password key. Direct access is limited to computer personnel.

Retention and disposal: Data is maintained for current fiscal year and three previous fiscal years in Master File; thereafter information is retired to Historical File. No authority to destroy.

System manager(s) and address: Comptroller; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing with the envelope and letter clearly marked 'Privacy Access Request.' Include in the request the name and grant/contract number. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their requests to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in the system are grant/contract award documents and applications for award.

Systems exempted from certain provisions of the act: None

JUSTICE/LEAA - 005

System name: Financial Management System

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Recipients of LEAA funds; Employees.

Categories of records in the system: Employee Travel files; time and attendance files; Government Transportation Requests; Paid Vendor Document File.

Authority for maintenance of the system: 5 U.S.C. 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no uses outside the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computerized discs, file folders.

Retrievability: Name, social security numbers, digital identifiers assigned by accounting office.

Safeguards: Manual information in system is safeguarded in locked file cabinets. Computerized password key is needed to access computerized information. Direct access only by comptroller personnel.

Retention and disposal: Employee travel files, time and attendance files and Government transportation files are closed at

end of fiscal year, held three years thereafter; the records are then retired to Federal Records Center. Federal Records Center destroys in accordance with instructions of GAO.

System manager(s) and address: Comptroller; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing with the envelope and letter clearly marked 'Privacy Access Request.' Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in the system are the individuals to whom the information pertains.

Systems exempted from certain provisions of the act: None

JUSTICE/LEAA - 006

System name: Congressional Correspondence System

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Members of Congress

Categories of records in the system: Correspondence with Congressional Committees and members of Congress.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No uses are made outside the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored in file folders.

Retrievability: Information is retrieved by name of the member of Congress who is the correspondent.

Safeguards: Information contained in the system is of a general correspondence nature and maintained pursuant to LEAA Handbook Instruction HB 1330.2.

Retention and disposal: Records are retained for two years, then retired to Federal Records Center. Six years thereafter records are destroyed.

System manager(s) and address: Director; Office of Congressional Liaison; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from the system shall be in writing, with the envelope and letter clearly marked 'Privacy Access Request.' Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information are congressional members.

Systems exempted from certain provisions of the act: None

JUSTICE/LEAA - 007

System name: Public Information System

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Public figures

Categories of records in the system: Biographical, Morgue, and Speech files, Photograph files.

Authority for maintenance of the system: The system is maintained and established in accordance with 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to the public under the Freedom of Information Act.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in system is stored in file folders.

Retrievability: Information is retrieved by name of person to whom information pertains.

Safeguards: This information is of a nonconfidential nature and maintained pursuant to LEAA Handbook Instruction HB 1330.2.

Retention and disposal: Records are retained for four years, retired to Federal Record Center, and destroyed pursuant to Disposal Instructions in LEAA Handbook Instruction HB 1330.2.

System manager(s) and address: Director; Office of Public Information; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from the system shall be in writing, with the envelope and letter clearly marked "Privacy Access Request." Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Newspaper, magazine and press service teletype clippings as well as individual to whom information pertains.

Systems exempted from certain provisions of the act: None

JUSTICE/LEAA - 008

System name: Civil Rights Investigative System.

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Complaints of discrimination by individuals affected by the agency program for which the agency has compliance responsibility, grantees, subgrantees, contractors, subcontractors, employees, and applicants.

Categories of records in the system: Civil Rights Complaint Control Logs; Civil Rights Litigation Reference Files.

Authority for maintenance of the system: 42 U.S.C. 3766(c); E.O. 11246 (3 C.F.R. 173) as amended by E.O. 11375.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation of complaints and to obtain compliance with Civil Rights laws. Users of the data are State Planning Agencies, State Governors and Attorneys General, Criminal Justice Agencies, Office of Federal Contract Compliance, Equal Employment Opportunity Commission, Office of Federal Revenue Sharing, and a United States Commission on Civil Rights.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is stored in file folders and on index cards.

Retrievability: Information is retrieved by name of respondent and complainant.

Safeguards: Information is kept in locked file cabinets and combination safe. Access is limited to investigative personnel.

Retention and disposal: Complaint control logs are destroyed upon completion of action on the inquiry or complaint. Complaint case files thereafter are not retrievable by name, number, or other information identifiable to the individual. Other investigative information is destroyed four years after the investigation is completed.

System manager(s) and address: Office of Civil Rights Compliance; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record containing civil rights investigatory material shall be made in writing with the envelope and letter clearly marked "Privacy Access Request" to the Civil Rights System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The information contained in this system was received from individual complainants, witnesses, grant files, respondents, official State and Federal records.

Systems exempted from certain provisions of the act: None.

JUSTICE/LEAA - 009

System name: Federal Advisory Committee Membership Files.

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Individuals who have been or are presently members of or are being considered for membership on advisory committees within the jurisdiction of the Law Enforcement Assistance Administration.

Categories of records in the system: Correspondence with and documents relating to committee members.

Authority for maintenance of the system: Federal Advisory Committee Act, 5 U.S.C. App. I et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the President; administrative reports to OMB and other federal agencies.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is stored in file folders.

Retrievability: Information is retrieved by name of individual.

Safeguards: Data is maintained in file cabinets. The entrance to the building requires building pass or security sign-in.

Retention and disposal: The data is placed in an inactive file upon discontinuance of membership, held for two years and then retired to the Federal Records Center.

System manager(s) and address: Federal Advisory Committee Officer; Office of General Counsel; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their requests to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information are supplied directly by individuals about whom the record pertains, references, recommendations, program personnel, and biographical reference books.

Systems exempted from certain provisions of the act: None.

JUSTICE/LEAA - 010

System name: Technical Assistance Resource Files

System location: Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Categories of individuals covered by the system: Consultants with expertise in criminal justice systems.

Categories of records in the system: The system consists of resumes and other documents related to technical assistance requests.

Authority for maintenance of the system: The system is maintained under authority of 42 U.S.C. 3763(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used to determine the qualifications and availability of individuals for technical assistance assignments. Users are State planning agencies and the Law Enforcement Assistance Administration.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in the system is on hard copy and stored in file cabinets.

Retrievability: Information is manually retrieved by the name of the individual.

Safeguards: Records are stored in file cabinets. Admittance to the building in which they are stored requires a building pass or an individual's signature at the main entrance to the building.

Retention and disposal: Records are placed in an inactive file at the end of the fiscal year in which final use was made. They are held two years in the inactive file; then transferred to the Federal Records Center. Records are destroyed after six years.

System manager(s) and address: Technical Assistance Coordinator; Office of Regional Operations; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531, or the National Institute of Law Enforcement and Criminal Justice; Law Enforcement Assistance Administration; 633 Indiana Avenue, N.W.; Washington, D.C. 20531.

Notification procedure: Address inquiries to the system manager(s) at the above address.

Record access procedures: A request for access to a record contained in this system shall be made in writing with the envelope and letter clearly marked "PRIVACY ACCESS REQUEST." Include in the request the name and grant/contract number for the record desired. Access requests will be directed to the system manager(s) listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their requests to the system manager(s) listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are those individuals to whom the information pertains.

Systems exempted from certain provisions of the act: None.

JUSTICE/LEAA - 011

System name: Registered Users File--National Criminal Justice Reference Service (NCJRS).

System location: Justice Data Service Center; U.S. Department of Justice; 4th & I Streets, N.W.; Washington, D.C. 20537.

Categories of individuals covered by the system: The system contains information on those individuals engaged in criminal justice activities, citizen groups and academicians.

Categories of records in the system: The system provides a record for registrants for services and products of NCJRS.

Authority for maintenance of the system: The system is maintained and established in accordance with 42 U.S.C. 3742.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in the system is used within the Department of Justice. No external dissemination of information is made.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored on magnetic disc pack for use in a computer environment.

Retrievability: Information is retrieved by the name and user identity number of the desired record.

Safeguards: Information is maintained in the Justice Data Services Center which is a secured area. Special identity cards are required for admittance to the area.

Retention and disposal: Information is retained until the individual no longer wishes to utilize the service. Upon notification by an individual that he no longer wishes to use the service, his record is electronically purged from the file.

System manager(s) and address: Director, Reference and Dissemination Division; National Criminal Justice Reference Service; Law Enforcement Assistance Administration; U.S. Department of Justice; Washington, D.C. 20531.

Notification procedure: Address inquiries to the system manager(s) at the above address.

Record access procedures: A request for access to a record contained in this system shall be made in writing with the envelope and letter clearly marked "PRIVACY ACCESS REQUEST." Access requests will be directed to the system manager(s) at the above address.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their requests to the system manager(s) listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources for the information contained in this system are those individuals to whom the information pertains.

Systems exempted from certain provisions of the act: None.

JUSTICE/BIA - 001

System name: Decisions of the Board of Immigration Appeals.

System location: 521 12th Street, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: (a) Aliens, including those previously admitted for lawful permanent residence, in deportation proceedings; (b) Aliens and alleged aliens in exclusion proceedings; (c) Aliens seeking waivers of inadmissibility; (d) Aliens in bond determination proceedings; (e) Aliens in whose behalf a preference classification is sought.

Categories of records in the system: This system of records consists of the formal orders and decisions of the Board of Immigration Appeals, including the indices and logs pertaining thereto.

Authority for maintenance of the system: This system is established and maintained under the authority granted the Attorney General by sections 103 and 292 of the Immigration and Nationality Act, 8 U.S.C. 1103 and 1362. Such authority has been delegated to the Board of Immigration Appeals by 8 C.F.R. Part 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Decisions of the Board of Immigration Appeals are disseminated to the following categories of users for the purposes indicated:

(a) Parties appearing before the Board, (including the Immigration and Naturalization Service), their attorneys or other representatives. Purpose: Parties are entitled to the decision as a matter of due process; and in accordance with the requirements of 8 C.F.R. 3.1(g).

(b) Other lawyers, organizations recognized to appear before the Immigration and Naturalization Service and their representatives. Purpose: To permit these users to be informed of current case law and general maintenance of open system of jurisprudence.

(c) Members of Congress. Purpose: Constituent inquiries.

(d) General public. Purpose: Selected decisions, designated as precedent decisions pursuant to 8 C.F.R. are published in bound volumes of Administrative Decisions Under Immigration and Nationality Laws of the United States. These are published to provide the public with guidance on the administrative interpretation of the immigration laws and to facilitate open and uniform adjudication of cases.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is kept in typed form and stored in loose leaf binders.

Retrievability: Each decision is indexed by name and a numerical identifier.

Safeguards: Information contained in the records is unclassified and intended for wide dissemination. No specific safeguards to prevent unauthorized disclosure are employed since no type of disclosure is presently regarded as 'unauthorized'. Access to buildings in which records are stored is controlled by guards provided by GSA.

Retention and disposal: Records are retained indefinitely and are not disposed of.

System manager(s) and address: Executive Assistant; Board of Immigration Appeals; Department of Justice; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: Decisions of the Board of Immigration Appeals are available to anyone upon request pursuant to 5 U.S.C. 552a(b)(2).

Contesting record procedures: Decisions of the Board of Immigration Appeals constitute official opinions and are not subject to cor-

rection or amendment except in accordance with accepted standards of due process. Decisions have been exempted from the correction provisions of 5 U.S.C. 552a(d).

Record source categories: Sources of information contained in this system are provided primarily by the record of proceedings forwarded by the Immigration and Naturalization Service. Additionally, the person concerned and his representative provide information.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsection (d)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/BIA - 002

System name: Roster of Organizations and their Accredited Representatives Recognized by the Board of Immigration Appeals.

System location: 521 12th Street, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: (a) Persons associated in an official capacity with a recognized organization; (b) Persons who have applied for, have been granted or have been denied accreditation as representatives of recognized organizations.

Categories of records in the system: This system consists of (a) a roster of charitable, social service and similar organizations, and of their accredited representatives; (b) applications and related documents submitted by such organizations and their representatives and (c) orders of the Board of Immigration Appeals granting or denying recognition to such organizations and their representatives. Recognized organizations and their accredited representatives are authorized to practice before the Immigration and Naturalization Service and Board of Immigration Appeals.

Authority for maintenance of the system: This system is established and maintained under the authority granted the Attorney General by sections 103 and 292 of the Immigration and Nationality Act, 8 U.S.C. 1103 and 1362. Such authority has been delegated to the Board of Immigration Appeals by 8 C.F.R. Part 292.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Copies of decisions granting or denying applications for recognition and accreditation are sent to (a) the organization seeking recognition and (b) the Immigration and Naturalization Service.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in the system is stored in file folders.

Retrievability: Information is retrieved by use of the name of the organization or person accredited.

Safeguards: Information contained in this record system is unclassified. Access to building in which records are stored is controlled by guards provided by GSA. No specific safeguards are employed.

Retention and disposal: Records in this system are retained indefinitely.

System manager(s) and address: Executive Assistant; Board of Immigration Appeals; Department of Justice; Washington, D.C. 20530.

Notification procedure: Address inquiries to: Chairman; Board of Immigration Appeals; Department of Justice; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and letter

clearly marked 'Privacy Access Request'. Include in the request (a) the name of the organization which has sought, or has been granted or denied recognition and the name of the individual who has sought accreditation as a representative of such organization, or, (b) where no organization is concerned, the name of the individual who has sought accreditation or recognition. The requester will provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The procedures for contesting or amending information contained in this system of records is governed by 8 C.F.R. Part 292. The procedures require that organizations seeking accreditation of their representatives be notified of adverse information and be given an opportunity to rebut such information.

Record source categories: Sources of information contained in this system are supplied by the organization seeking recognition, individuals seeking accreditation, and reports supplied by the Immigration and Naturalization Service.

Systems exempted from certain provisions of the act: None.

JUSTICE/CIV - 001

System name: Civil Division Case File System.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Any and all parties involved in the cases handled by the Civil Division will have identifying data contained in this system.

Categories of records in the system:

1) The main record of the system is the case file which is retained on each case under the jurisdiction of the Civil Division and constitutes the official record of the Department of Justice. All record material relating to a case is retained in the file. Each case is assigned a number comprised of the category designation for the subject matter, the code number for the judicial district where the action originated, and the number of cases of that category which have arisen in that district.

2) Alphabetical and numerical indices are utilized as a means of access to the proper file by the cross-referencing of the names of all parties to a suit with the file number. Forms CV-54 and carbon-interleaf index cards are used in these indices.

3) A Docket Card Index is maintained on each case in order to follow the progress of all Division cases and to obtain statistical data for monthly and fiscal reports. However, all information contained on the cards has been taken from the record material contained in the official file.

Authority for maintenance of the system: General authority to maintain the system is contained in 5 U.S.C. 301 and 44 U.S.C. 3101. The particular system was established in accordance with 28 C.F.R. 0.77(f) and was delegated to the Civil Division pursuant to the memorandum from the Deputy Attorney General, dated July 17, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Any record pertaining to any case or matter in the Civil Division may be disseminated to any other component of the Department of Justice, including the F.B.I. and the United States Attorneys' Offices, for use in connection with the consideration of that case or matter or any other case or matter under consideration by the Civil Division or any other component of the Department of Justice. A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal or regulatory in nature, or during the course of a trial or hearing, or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual or organization possesses information relating to the investigation, trial or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local or foreign court or grand jury proceeding in accordance with established constitutional, substan-

tive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion of such matters as settlement of the case or matter, plea bargaining, or formal or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, or where the agency or officials thereof are a party to litigation or where the agency or officials may be affected by a case or matter, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, provided that the record does not contain any information identifiable to a specific individual other than is necessary to identify the matter or where the information has previously been filed in a judicial or administrative office, including the clerk of the court; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in civil or criminal proceedings in which the United States or one of its officers or agencies has an interest; (13) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making positions to which they were appointed by the President, in accordance with the provisions of 28 C.F.R. 17.60.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 1) The case files utilize standard file jackets and are retained in electronic, rotary power files; 2) The alphabetical and numerical index cards, as well as the docket cards, are retained in standard file cabinets.

Retrievability: The files and docket cards must be retrieved by file number. The file number can be ascertained from the alphabetical index if the name of any party to the suit is known.

Safeguards: Information contained in the system is unclassified. However, only attorneys who have their names recorded in the File Unit can be issued a case file. Minimal information about a case is provided from the various indices to telephone callers, since there

is a problem with identifying the identity of a caller. If a party desires detailed information, he is referred directly to the attorney of record.

Retention and disposal: When a case file is closed by the legal section, it is sent to the Federal Records Center for retention in accordance with the authorized Record Disposal Schedule for the classification of the case. Such schedules are approved by the National Archives. After the designated period has passed, the file is destroyed. However, the index and docket cards are not purged.

System manager(s) and address: Administrative Officer; Civil Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to: Assistant Attorney General; Civil Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for information concerning the cases of the Civil Division should be submitted in writing, with the envelope and letter clearly marked "Privacy Access Request". The request should include the file number and/or the names of any litigants known to the requestor. The requestor should also provide a return address for transmitting the information. Such access requests should be submitted to the System Manager listed above. Requests may also be made by telephone. In such cases the caller will be referred to the attorney of record. The attorney, in turn, may require an official written request.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above. The request should clearly state, what information is being contested, the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: All litigants involved in the cases of this Division are sources of information. Such information is either contained in the record material in the case files or has been extracted from that record material and put onto docket and index cards.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRT - 001

System name: Central Civil Rights Division Index File and Associated Records.

System location: U.S. Department of Justice; Civil Rights Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530; and, Todd Building; 550 - 11th Street, N.W.; Washington, D.C. 20530; and, Federal Records Center; Suitland, Maryland.

Categories of individuals covered by the system: Persons referred to in potential or actual cases and matters of concern to the Civil Rights Division and correspondents on subjects directed or referred to the Civil Rights Division.

Categories of records in the system: The system consists of alphabetical indices bearing individual names and the associated records to which the indices relate containing the general and particular records of all Civil Rights Division correspondence, cases, matters, and memoranda, including but not limited to, investigative reports, correspondence to and from the Division, memoranda, legal papers, evidence, and exhibits.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. It is also maintained to implement the Civil Rights Division's responsibilities under 28 C.F.R. 0.50 to enforce Federal criminal and civil statutes affecting civil rights.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A. Information in the system may be used by employees and officials of the Department to make decisions in the course of investigations and legal proceedings; to assist in preparing responses to correspondence from persons outside the Department; to prepare budget requests, Management by Objective (MBO) Program descriptions, and various reports on the work product of the Civil Rights Division; and to carry out other authorized internal functions of the Department.

B. A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) a record relating to a possible or potential violation of law, whether civil, criminal, or regulatory in nature may be disseminated to the appropriate federal, state or local agency charged with the responsibility of enforcing or implementing such law; (2) in the course of investigation or litigation of a case or matter, a record may be dis-

seminated to a federal, state or local agency, or to an individual or organization, if there is reason to believe that such agency, individual or organization possesses information relating to the investigation, trial or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a prospective witness or informant; (3) a record relating to a case or matter may be disseminated to an appropriate court, grand jury or administrative or regulatory proceeding in accordance with applicable law or practice; (4) a record relating to a case or matter may be disseminated to an actual or potential party to litigation or his attorney a) for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or b) in formal or informal discovery proceedings; (5) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any determination that has been made; (6) a record relating to a person held in custody or probation during a criminal proceeding, or after conviction, may be disseminated to any agency or individual having responsibility for the maintenance, supervision or release of such person; (7) a record may be disseminated to the United States Commission on Civil Rights in response to its request and pursuant to 42 U.S.C. 1975d.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is stored manually on index cards and in file jackets.

Retrievability: A retrieval capability exists in this system through use of an index card system arranged alphabetically by the names of individuals or organizations that have been involved in possible civil rights violations either as the subjects of investigations by the Department or as victims and/or complainants. (Complaints received from individuals which have not been investigated by the Department have not been systematically indexed and information pertaining to such individuals may or may not be retrievable.) Information on such individuals may be retrievable from the file jackets by a number assigned and appearing on the index cards.

Safeguards: Information is safeguarded and protected in accordance with applicable Departmental rules and procedures.

Retention and disposal: There are no provisions for disposal of the records in the system although such procedures are currently under active consideration.

System manager(s) and address: Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Part of this system is exempted from this requirement under 5 U.S.C. 552a(j)(2) and (k)(2). Address inquiries to the System Manager listed above.

Record access procedures: Part of this system is exempted from this requirement under 5 U.S.C. 552a(j)(2), and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record retrievable in this system shall be made in writing, with the envelope and letter clearly marked "Privacy Access Request." Include in the request the name of the individual involved, his birth date and place, and any other information which is known and may be of assistance in locating the record, such as the name of the civil rights related case or matter involved, where and when it occurred and the name of the judicial district involved. The requester will also provide a return address for transmitting the information. Access requests should be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend non-exempt information retrievable in the system should direct their request to the System Manager listed above, stating

clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system may be any agency or person who has or offers information related to the law enforcement responsibilities of the Division.

Systems exempted from certain provisions of the act: The Attorney General has exempted parts of this system from subsections (c)(3), (d), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(c) and (e) and have been published in the Federal Register.

JUSTICE/CRT - 002

System name: Files of Applications for the Position of Attorney with the Civil Rights Division.

System location: U.S. Department of Justice; Civil Rights Division, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have applied for a position as an attorney with the Civil Rights Division.

Categories of records in the system: The system may contain SF 171 forms, resumes, referral letters, letters of recommendation, writing samples, interview notes, internal notes or memoranda, and other correspondence and documents.

Authority for maintenance of the system: This system of records is maintained in the ordinary course of meeting the responsibilities assigned to the Civil Rights Division under 28 U.S.C. 0.50, 0.51.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system are used by employees and officials of the Department in making employment decisions. If an individual is hired, the records may become part of his or her standard personnel file.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in the system are primarily original papers or reproductions or copies thereof. The system consists of files pertaining to individual applicants.

Retrievability: Information is retrieved by using an applicant's name.

Safeguards: Information in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures governing access, production and disclosure of any materials contained in its official files.

Retention and disposal: Information is retained in the system until a final employment decision is made or until such time as the Civil Rights Division is notified by the applicant that he or she is no longer interested in or available for the position. If an individual is hired, some or all of the records may become part of his or her standard personnel file.

System manager(s) and address: Deputy Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' The request should include the name of the applicant and the position applied for. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in the system generally are the applicants, persons referring or recommending the applicant, and employees and officials of the Department.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRT - 003

System name: Files of Pending Applications for Clerical or Research Analyst Positions with the Civil Rights Division.

System location: U.S. Department of Justice; Civil Rights Division, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have applied for a clerical or research analyst position with the Civil Rights Division and upon whose applications no final action has been taken.

Categories of records in the system: The system contains S.F. 171 forms and resumes provided by the applicant. It may also contain letters of recommendation, letters rejecting the application, letters indicating that no positions are available, interview notes or internal memoranda, and other correspondence and documents.

Authority for maintenance of the system: This system is maintained in the ordinary course of meeting the responsibilities assigned to the Civil Rights Division under 28 C.F.R. 0.50, 0.51.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system are used by employees and officials of the Department in making employment decisions. If an individual is hired, the records may become part of his or her standard personnel file.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in the system are primarily original papers or copies thereof. The system consists of files pertaining to individual applicants.

Retrievability: Information is retrieved by using an applicant's name.

Safeguards: Information in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures governing access, production and disclosure of any materials contained in its official files.

Retention and disposal: Information is retained in this system until a final employment decision has been made or until such time as the Civil Rights Division is notified by the applicant that he or she is no longer interested in or available for the position. If an individual is hired, some or all of the records may become part of his or her standard personnel file.

System manager(s) and address: Chief, Administrative Section; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' The request should include the name of the applicant and the position applied for. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in the system generally are the applicants, persons recommending or referring the applicant, and the employees and officials of the Department.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRT - 004

System name: Registry of Names of Interested Persons Desiring Notification of Submissions under Section 5 of the Voting Rights Act.

System location: U.S. Department of Justice; Civil Rights Division; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have requested that the Attorney General send them notice of submissions under Section 5 of the Voting Rights Act of 1965; 42 U.S.C. 1973c.

Categories of records in the system: The Registry contains the name, address and telephone numbers of interested persons and, where appropriate, the area or areas with respect to which notification was requested by such persons.

Authority for maintenance of the system: 28 C.F.R. 51.13; 42 U.S.C. 1973c; 5 U.S.C. 301 and 28 U.S.C. 509, 510.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Registry is used to identify persons interested in receiving notice of Section 5 submissions and to comply with their requests. The Registry may be used to notify the persons listed therein of any proposed changes in the 'Procedure for the Administration of Section 5 of the Voting Rights Act of 1965,' 28 C.F.R. 51-1 et seq., and to solicit their comments with respect to any such proposed changes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Names are stored in a card file system.

Retrievability: Records in this system are retrievable by the names of interested persons or organizations.

Safeguards: Information in the system is safeguarded in accordance with Departmental rules and procedures governing access, production and disclosure of any materials contained in its official files.

Retention and disposal: An individual or organizational name is retained in the Registry until such time as that person or organization requests that the name be deleted.

System manager(s) and address: Chief, Voting Section; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Address inquiries to: Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Record access procedures: This system contains no information about any individual other than as described in Category of Record above. Persons whose names appear on the Registry may have access thereto or have their names and other information pertaining to them deleted or modified upon a request of the same nature as indicated in 28 C.F.R. 51.13.

Contesting record procedures: Same as the above.

Record source categories: Sources of information in the Registry are those persons or organizations whose names appear therein by virtue of their having requested inclusion in the Registry pursuant to 28 C.F.R. 51.13.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRT - 005

System name: Records Obtained by Office of Special Litigation Concerning Residents of Certain State Institutions.

System location: U.S. Department of Justice; Civil Rights Division; Todd Building; 550 11th Street, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The information in this system pertains primarily to individuals who are residents of state operated or supported institutions for mentally and physically handicapped persons, juveniles and the aged, if such institutions have been the subject of litigation or investigation involving the Civil Rights Division. Information may also pertain to other individuals who are not receiving but may be entitled to forms of educational, habilitative or rehabilitative care under state or federal law.

Categories of records in the system: Information collected in the course of business by state agencies on persons generally identified by categories of individuals above including admission notes, commitment papers, transfer reports, juvenile records, psychological and social behavior notes, programming progress notes, disease records, restraint or seclusion notes, security reports, dental records, confinement notes, Medicaid histories, incident and missing person reports, and death reports.

Authority for maintenance of the system: Collection and maintenance of these records is pursuant to 44 U.S.C. 3101 and is necessary to accomplish the Division's responsibility under 28 C.F.R. 0.50 to enforce Federal statutes involving unlawful discrimination including 42 U.S.C. 2000b, 2000d and 2000h-2 (Titles III, VI and IX of the Civil Rights Act of 1964).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A. Information in this system may be used by authorized persons within the Civil Rights Division to make decisions in the course of investigations and legal proceedings and to assist in preparing memoranda, legal papers and responses to correspondence from persons outside the Department.

B. Except as prohibited by order of a court of competent jurisdiction, a record maintained in this system may be disseminated as a routine use of such record as follows: (1) to the extent the record relates to a possible or potential violation of law it may be disseminated to the appropriate federal, state or local agency charged with responsibility of enforcing or implementing such law; (2) a record may be disseminated to an appropriate court, grand jury or administrative or regulatory proceeding in accordance with applicable law or practice; (3) a record may be disseminated to an actual or potential party to litigation or his attorney (a) for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or (b) in formal or informal discovery proceedings; (4) a record may be returned or disseminated to the agency or institution from which it was obtained.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on xeroxed or microfilm reproductions of original documents or on computer printouts.

Retrievability: Information is retrieved primarily by reference to the name of the appropriate state institution or agency. Within the files maintained with respect to such institutions or agencies, records are often filed by individual names or identification numbers.

Safeguards: These records are maintained in accordance with (1) the terms of any applicable court orders (many of the records in this system are subject to outstanding court orders protecting their

confidentiality), (2) applicable agreements or understandings made with the state and local agencies which furnished the records, and (3) Departmental rules and procedures governing the maintenance of its official files.

Retention and disposal: These records are retained and disposed of in accordance with applicable court orders and agreements as outlined under safeguards. Provisions for the disposal of records maintained by the Civil Rights Division are under active consideration.

System manager(s) and address: Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Record source categories: Sources of information in this system are the state operated or supported agencies responsible for administration of institutions which confine or treat individuals identified in categories of individuals of this notice.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), and (d) of the Privacy Act pursuant to 5 U.S.C. 552a(k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRT - 006

System name: Files of Federal Programs Section, Civil Rights Division.

System location: U.S. Department of Justice; Civil Rights Division; Federal Programs Section; Safeway Building; 521 12th Street, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system:

A. Individuals listed on the U.S. Department of Agriculture's EMIS (Extension Management Information System) personnel records for state extension service employees of the states of Mississippi, Alabama, North Carolina, Kansas, Illinois, Louisiana, Arkansas, Georgia, Texas and Maryland.

B. Children in the state of Alabama, and their families, including but not limited to: children receiving foster family care and day care under the jurisdiction of the state of Alabama Department of Pensions and Security, (DPS) 1970-1973; children receiving care in public and private institutions from 1964 through 1973; children and families having records maintained by juvenile courts as of July 1, 1973; children and families having records as AFDC assistance and/or as service cases as of July 1, 1973, with state and county DPS; adults functioning as foster parents in Montgomery County, Ala. as of January 1973, and foster families caring for children at any time, in other counties, appearing in above-mentioned AFDC-service files; and persons receiving AFDC, APTD, AB, or OAA (categorical assistance) in the state of Alabama as of January 31, 1973.

Categories of records in the system:

A. With respect to the category described in category of individual (A) of this notice, the records contain personnel information on individual employees.

B. With respect to the category described in category of individual (B) of this notice, the records contain identifications, social, psychological, economic, judicial, and educational histories of persons.

Authority for maintenance of the system: Collection and maintenance of the records in this system is pursuant to 44 U.S.C. 3101 and is necessary to fulfill the Civil Rights Division's responsibility under 28 C.F.R. 0.50 and Executive Order 11764 (Jan. 21, 1974) to enforce Federal statutes protecting the civil rights of beneficiaries of Federal assistance programs including 42 U.S.C. 2000d, 2000e, and 2000h.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A. Information in this system be used by authorized persons within the Civil Rights Division to make decisions in the course of investigations and legal proceedings and to assist in preparing memoranda, legal papers and responses to correspondence from persons outside the Department.

B. Except as prohibited by order of a court of competent jurisdiction, a record maintained in this system may be disseminated as a routine use of such record as follows: (1) to the extent the record relates to a possible or potential violation of law, it may be disseminated to the appropriate federal, state or local agency charged with responsibility of enforcing or implementing such law; (2) a record may be disseminated to an appropriate court, grand jury or administrative or regulatory proceeding in accordance with

applicable law or practice; (3) a record may be disseminated to an actual or potential party to litigation or his attorney (a) for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or (b) in formal or informal discovery proceedings; (4) a record may be returned or disseminated to the agency or institution from which it was obtained.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in this system consist of computer printouts of information stored electronically, and original papers or reproductions thereof stored manually.

Retrievability: Records described in categories of individuals and records of this notice are retrievable by name and identifying number of an individual.

Safeguards: Information in this system is safeguarded and protected in accordance with applicable Departmental rules and procedures. In addition, records described in category of individual (B) and category of record (B) of this notice are subject to the terms of a protective order entered by a United States District Court in *Player v. Alabama Department of Pensions and Security*, No. 3835-N (M.D. Ala.), to protect the confidentiality of their contents.

Retention and disposal: There are no provisions for disposal of the records in the system although such procedures are currently under active consideration.

System manager(s) and address: Assistant Attorney General; Civil Rights Division; Washington, D.C. 20530.

Record source categories: Sources of information described in categories of individuals and records of this notice were the federal or state agencies referred to therein.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (d) of the Privacy Act pursuant to 5 U.S.C. 552a(k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRT - 007

System name: Files on Employment Civil Rights Matters Referred by the Equal Employment Opportunity Commission.

System location: U.S. Department of Justice; Civil Rights Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530; and, Todd Building; 550 11th Street, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons seeking employment or employed by a state or a political subdivision of a state who have filed charges alleging discrimination in employment with the Equal Employment Opportunity Commission (hereinafter EEOC) which have resulted in a determination by EEOC that there is probable cause to believe that such discrimination has occurred, and attempts by EEOC at conciliation have failed.

Categories of records in the system: The system may contain copies of charges filed with EEOC; copies of EEOC's "determination" letters, letters of transmittal from and to EEOC, analyses or evaluations summarizing the charge and other materials in the EEOC file, internal memoranda, attorney notes, and copies of "right to sue" letters issued by the Civil Rights Division.

Authority for maintenance of the system: The system is maintained pursuant to 44 U.S.C. 3101 and in order to accomplish the Civil Rights Division's responsibility under 28 C.F.R. 0.50 to enforce Federal statutes affecting civil rights including 42 U.S.C. 2000e-5(f) and 2000e-6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by employees and officials of the Department to make decisions re-

garding prosecution of alleged instances of employment discrimination; to issue 'right to sue' letters on behalf of individuals; to make policy and planning determinations; to prepare annual budget requests and justifications; to prepare statistical reports on the work product of the Employment and Education Sections and to carry out other authorized internal functions of the Department. If the Department has determined to initiate an investigation or litigate a matter referred by EEOC, the records pertaining to that matter are not contained in this system. Such records and their routine uses are described under the notice for the system named: Central Civil Rights Division Index File and Associated Records.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is stored manually on index cards and file jackets which are maintained by the Education Section, Civil Rights Division, if the charge relates to a public educational agency or institution, or the Employment Section, Civil Rights Division, if the charge relates to any other public employer.

Retrievability: Information is retrieved primarily by using the appropriate Department of Justice file number, or the name of the charging party, or the state in which the alleged discrimination occurred.

Safeguards: Information in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures.

Retention and disposal: There are no provisions for the disposal of the records in the system although such procedures are under active consideration.

System manager(s) and address: Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing with the envelope and letter clearly marked 'Privacy Access Request.' The request should indicate the state where the alleged employment discrimination took place and the employer to which the charge was related. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Disclosure of part of the materials in this system may be prohibited by 42 U.S.C. 2000e-8(e) and 44 U.S.C. 3508. Part of this system is exempted from access and contest under 5 U.S.C. 552(k)(2).

Record source categories: Sources of information in this system are charging parties, information compiled and maintained by EEOC, and employees and officials of the Department of Justice responsible for the disposition of the referral request.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsection (d) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRT - 008

System name: Files on Correspondence Relating to Civil Rights Matters from Persons Outside the Department of Justice.

System location: U.S. Department of Justice; Civil Rights Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530; and, Todd Building; 550 - 11th Street N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons communicating in written form, including complaints, requests for information or action, or expressions of opinion regarding civil rights matters.

Categories of records in the system: The system contains original correspondence regarding civil rights matters from persons, cover letters or notes from persons referring original correspondence to the Department, attorney or other employee notes regarding the correspondence, and copies of Civil Rights Division's responses to the original correspondence.

Authority for maintenance of the system: This system of records is maintained pursuant to 44 U.S.C. 3101 and in the ordinary course of fulfilling the responsibilities assigned to the Civil Rights Division under the provisions of 28 C.F.R. 0.50.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A. The system is used by employees and officials of the Department to respond to incoming correspondence, to compile statistics for use in preparing budget requests, to insure proper disposition of incoming mail, to determine the status and content of responses to correspondence, to respond to inquiries from Division personnel, Office of Legislative Affairs and Congressional offices regarding the status of correspondence, and to carry out other authorized functions of the Department.

B. Information in the system regarding individual pieces of correspondence may be provided to members of Congress upon request in instances where the member making the request referred the correspondence in question to the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in the system are primarily index cards and original letters or copies thereof. They are stored manually.

Retrievability: Information may be retrieved through use of a card index file system which is subdivided into indexes (1) arranged according to the name of citizens that corresponded with the Department and (2) arranged according to the name of members of Congress or White House staff members who have referred correspondence to the Department.

Safeguards: Information in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures.

Retention and disposal: There are no provisions for disposal of the records in this system although such procedures are currently under active consideration.

System manager(s) and address: Assistant Attorney General; Civil Rights Division; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' The request should include the name of the correspondent, his address or the name of the member of Congress or White House staff member who referred the correspondence to the Department, if known, the Department of Justice file number, if known, and the date of the correspondence. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the original correspondents, persons referring original correspondence to the Department, and employees and officials of the Department responsible for the disposition of the correspondence.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRT - 009

System name: Civil Rights Division Employees Travel Reporting

System location: U.S. Department of Justice, Todd Building, 550 11th Street, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Employees of the Civil Rights Division who have traveled on official assignments for the Civil Rights Division.

Categories of records in the system: The system contains information, concerning travel expenditures, which was recorded by Division employees on travel authorization forms (Form JD-10) and travel voucher forms (Form OBD-157) and submitted to the Fiscal Unit of the Civil Rights Division, from Fiscal Year 1972 to the present.

Authority for maintenance of the system: This system is maintained in the ordinary course of meeting the responsibilities assigned the Civil Rights Division under 28 C.F.R. 0.50, 0.51.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system are used to make monthly reports to the Executive Office, Civil Rights Division, and to the Fiscal Unit, Civil Rights Division, for use in controlling and reviewing Division expenditures. Copies of individual's reports may be disclosed to the individual when appropriate forms are not submitted following a return from travel status.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in the system are stored on magnetic tape and on computer punch cards, and on monthly reports printed on computer. Individual vouchers and travel authorization forms are stored in file jackets.

Retrievability: Records in this system are retrievable by the names of present and former Division employees who have filed travel authorization forms or travel voucher forms.

Safeguards: Information in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures.

Retention and disposal: There are no provisions for disposal of the records in the system.

System manager(s) and address: Executive Officer, Civil Rights Division, United States Department of Justice, Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: Requests by former employees for access to records in this system may be made in writing with the envelope and letter clearly marked 'Privacy Act Request'. The request should clearly state the dates on which official travel was taken. The requestor should also provide a return address for transmitting the information. Access requests will be directed to the System Manager. Present employees may request access by contacting the System Manager directly.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reason for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information are the Civil Rights Division employees filing travel authorization and travel voucher forms.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRT - 010

System name: Freedom of Information/Privacy Act Records.

System location: U.S. Department of Justice, Civil Rights Division, 10th & Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who request disclosure of records pursuant to the Freedom of Information Act; persons who request access to or correction of records pertaining to themselves contained in Civil Rights Division systems of records pursuant to the Privacy Act; and, where applicable, persons about whom records have been requested or about whom information is contained in requested records.

Categories of records in the system: The system contains copies of all correspondence and internal memorandums relating to Freedom of Information and Privacy Act requests, and related records necessary to the processing of such requests received on or after January 1, 1975.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101 and is maintained to implement the provisions of 5 U.S.C. 552 and 552a and the provisions of 28 C.F.R. 16.1 et seq. and 28 C.F.R. 16.40 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system may be disseminated as a routine use of such record as follows: (1) a record may be disseminated to a Federal agency which furnished the record for the purpose of permitting a decision as to access or correction to be made by that agency, or for the purpose of consulting with that agency as to the propriety of access or correction; (2) a record may be disseminated to any appropriate Federal, State, local, or foreign agency for the purpose of verifying the accuracy of information submitted by an individual who has requested amendment or correction of records contained in systems of records maintained by the Criminal Division.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in alphabetical order in file cabinets.

Retrievability: A record is retrieved by the name of the individual or person making a request for access or correction of records.

Safeguards: Access to physical records is limited to personnel of the Freedom of Information/Privacy Act Unit of the Civil Rights Division and known Department of Justice personnel who have a need for the record in the performance of their duties. The records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of records contained in this system.

System manager(s) and address: Assistant Attorney General, Civil Rights Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Parts of this system are exempted from this requirement under 5 U.S.C. 552a(j)(2) or (k)(2). Address inquiries to the System Manager listed above.

Record access procedures: Parts of this system are exempted from this requirement under 5 U.S.C. 552a(j)(2), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing.

with the envelope and letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other information which is known and may be of assistance in locating the record. The requester shall also provide a return address for transmitting the information. Access requests should be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend non-exempt information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the individuals and persons making requests, the systems of records searched in the process of responding to requests, and other agencies referring requests for access to or correction of records originating in the Civil Rights Division.

Systems exempted from certain provisions of the act: Records secured from other systems of records have been exempted from the provisions of the Privacy Act to the same extent as the systems of records from which they were obtained. The Attorney General has also exempted certain categories of records in this system from subsection (c) (3), (d) of the Privacy Act pursuant to 5 U.S.C. 552a (k) (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(3), and (e) and have been published in the Federal Register.

JUSTICE/CRM - 001

System name: Central Criminal Division Index File and Associated Records.

System location: U.S. Department of Justice; Criminal Division; 10th and Constitution Avenue N.W.; Washington, D.C. 20530; and, Federal Records Center; Suitland, Maryland 20409.

Categories of individuals covered by the system: Persons referred to in potential or actual cases and matters of concern to the Criminal Division and correspondents on subjects directed or referred to the Criminal Division.

Categories of records in the system: The system consists of alphabetical indices bearing individual names, and the associated records to which they relate, arranged either by subject matter or individual identifying number containing the general and particular records of all Criminal Division correspondence, cases, matters, and memoranda, including but not limited to, investigative reports, correspondence to and from the Division, legal papers, evidence, and exhibits. The system also includes items classified in the interest of national security with such designations as confidential, secret, and top secret received and maintained by the Department of Justice. This system may also include records concerning subject matters more particularly described in other systems of records of the Criminal Division.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101, and is intended to assist in implementing and enforcing the criminal laws of the United States, particularly those codified in title 18, United States Code. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 and 0.61.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substan-

tive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return; (13) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60; (14) a record relating to an actual or potential civil or criminal violation of title 17, United States Code, may be disseminated to a person injured by such violation to assist him in the institution or maintenance of a suit brought under such title.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 30.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards and in file jackets.

Retrievability: A record is retrieved from index cards by the name of the individual and from the file jackets by a number assigned and appearing on the index cards.

Safeguards: The records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there is an agreement with the Federal Records Center for retention and disposal after ten years applicable to approximately 20 percent of the Division records;

there are no provisions for disposal of the other records in the system although such procedures are currently under active consideration.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). Inquiry concerning this system should be directed to the system manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Department officers and employees, and other federal, state, local, and foreign law enforcement and non-law enforcement agencies, private persons, witnesses, and informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (e)(4)(G), (H) and (I), (e)(5) and (8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 002

System name: Criminal Division Witness Security File.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530. In addition, some of the records contained in this system may be located at one or more of the Organized Crime and Racketeering Sections Field Offices listed in the appendix to the Criminal Division Systems of Records.

Categories of individuals covered by the system: Persons who are potential or actual witnesses and/or informants, relatives, and associates of those individuals.

Categories of records in the system: The system consists of the Witness Security Program files on all persons who are considered for admission or who have been admitted into the program. The files contain information concerning the individuals, the source and degree of danger to which they are exposed, the cases in which they are expected to testify, relocation information and documentation, job assistance, sponsoring office, requirements for reimbursement and administration of the program, and protection techniques. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is authorized pursuant to sections 501 through 504 of Public Law 91-452.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: 1. dissemination of a record may be made to a federal, state, local, or foreign agency to acquire information concerning the individual, or those associated with him, relating to the protection of the subject or to a criminal investigation; 2. in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing

or implementing such law; 3. in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; 4. a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; 5. a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; 6. a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; 7. a record relating to an individual in a matter that has been referred for either consideration or investigation by an agency may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made; 8. a record relating to an individual held in custody pending arraignment, trial, or sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; 9. a record may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; 10. a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; 11. a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; 12. a record may be disseminated to a non-governmental entity or individual in the acquisition of employment or other services in behalf of the witnesses.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is kept on index cards and in files stored in safe type filing cabinets.

Retrievability: A record is retrieved by name of the individual.

Safeguards: The records are maintained in safes with additional physical safeguards as well as limited access by Departmental personnel.

Retention and disposal: Currently there are no provisions for the disposal of the records in the system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning the system should be addressed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as

to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: 1. Federal, state, local, or foreign government agencies concerned with the administration of criminal justice; 2. Members of the public; 3. Government agency employees; 4. Published material; 5. Persons considered for admission or admitted to the program.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 003

System name: File of Names Checked to Determine If Those Individuals Have Been the Subject of An Electronic Surveillance.

System location: U.S. Department of Justice; Criminal Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Grand jury witnesses, defendants and potential defendants in criminal cases and their attorneys.

Categories of records in the system: The system contains the names of those persons submitted by federal prosecutors to inquire whether such persons have been the subject of electronic surveillance. The file consists of the names, the inquiries made to federal investigatory agencies, the replies received from such agencies, and the reply submitted to the prosecutor. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions of 18 U.S.C. 3504.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: 1. in an appropriate federal court proceeding in accordance with established constitutional, substantive, or procedural law or practice; 2. to an actual or potential party or his attorney in the case or matter in which the request was made.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in file jackets.

Retrievability: A record is retrieved by the name of the individual checked.

Safeguards: The records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: A part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2). Inquiry concerning this system should be directed to the System Manager listed above.

Record access procedures: A part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are an actual or potential party or his attorney in the case or matter in question, federal prosecutors, and the federal investigative agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(4), (d), (e)(4)(G), (H) and (I), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 004

System name: General Crimes Section, Criminal Division, Central Index File and Associated Records.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons referred to in potential or actual cases and matters of concern to the General Crimes Section, Criminal Division, and correspondents on subjects directed or referred to the Criminal Division.

Categories of records in the system: The system consists of an alphabetical index by individual name or subject matter of all incoming correspondence, cases, and matters assigned, referred, or of interest to the General Crimes Section, Criminal Division. A large percentage of these records are duplicated in the central Criminal Division records; some, however, are not sent through central records and come to the General Crimes Section directly.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101, and is intended to assist in implementing and enforcing the criminal laws of the United States, particularly those codified in title 18, United States Code. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there

is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards.

Retrievability: A record is retrieved from index cards by the name of the individual or matter which will then indicate the Section Unit or attorney assigned to work on the correspondence, case, or matter.

Safeguards: Records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records contained in this system.

System manager(s) and address: Assistant Attorney General, Criminal Division, U.S. Department of Justice, 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). Inquiries concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to the applicability of an exemption as to a specific record shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Department offices and employees and other federal, state, local, and foreign law enforcement and non-law enforcement agencies, private persons, witnesses, and informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), and (e)(4)(G), (H) and (I), (e)(5) and (8), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 005

System name: Index to Names of Attorneys Employed by the Criminal Division, U.S. Department of Justice, Indicating the Subject of the Memoranda on Criminal Matters They Have Written.

System location: U.S. Department of Justice; Criminal Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Past and present attorneys employed by the Criminal Division, U.S. Department of Justice.

Categories of records in the system: This system of records consists of the names of past and present Criminal Division attorneys and lists the memoranda they have written on various matters, generally involving legal research, on matters of interest to the Division. This system is a cross-reference index maintained for convenience only and does not include the memoranda themselves other than the fact of authorship.

Authority for maintenance of the system: This system is established and maintained pursuant to the authority granted by 44 U.S.C. 3101. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 and 0.61.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no uses of the records in this system outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards.

Retrievability: A record is retrieved by name of the individual.

Safeguards: Records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the past or present attorney employed by the Criminal Division. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Past and present attorneys employed by the Criminal Division, U.S. Department of Justice.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 006

System name: Information File on Individuals and Commercial Entities Known or Suspected of Being Involved in Fraudulent Activities.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals involved in actual or suspected fraudulent activities and their victims.

Categories of records in the system: This system of records consists of alphabetized indices of the names of those individuals or commercial entities known or suspected of involvement in fraudulent activities both foreign and domestic, and of computerized printouts of information obtained from documents, records, and other files in the possession of the Criminal Division that indicate the scope, details, and methods of operation of known or suspected fraudulent activities. The system also consists of the documents, records, and other files to which the printouts relate. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101, and is intended to assist in implementing and enforcing the criminal laws of the United States, codified in title 18, United States Code and elsewhere, particularly the laws relating to offenses involving fraudulent activities. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55, particularly subsection (b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative

or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored on lists, index cards, and on computer printout paper. The documents, records, and other files to which the printouts relate are stored in file jackets in file cabinets.

Retrievability: A record is retrieved by name of the individual, trade style used, or by source of the information of the preceding.

Safeguards: The computer center is maintained by the Office of Management and Finance which has designed security procedures consistent with the sensitivity of the data. Materials related to the system maintained at locations other than the location of the computer center are protected and safeguarded in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of records contained in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiries concerning the system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: Federal, state, local, or foreign agencies, investigators, and prosecutors, private organizations, quasi-governmental agencies, trade associations, private individuals, publications, and the news media.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2), and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 007

System name: Name Card File on Criminal Division Personnel Authorized to Have Access to the Central Criminal Division Records.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530, or Federal Records Center; Suitland, Maryland 20409.

Categories of individuals covered by the system: Current personnel of the Criminal Division, generally attorneys.

Categories of records in the system: The file contains the names of those attorneys and others currently employed by the Criminal Division who are authorized to have access to the central records of the Division.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 and 0.61.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no uses of the records in this system outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards.

Retrievability: A record is retrieved by name from the index cards.

Safeguards: The records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: A name card is destroyed upon notification that the individual is no longer employed by the Criminal Division.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Personnel of the Criminal Division.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 008

System name: Name Card File on Department of Justice Personnel Authorized to Have Access to Classified Files of the Department of Justice.

System location: U.S. Department of Justice; Criminal Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Current personnel of the Department of Justice, generally attorneys.

Categories of records in the system: This index file contains the names of those attorneys and others currently employed in the Department of Justice who are authorized to have access to records of the Department of Justice classified in the interest of national security with such designations as confidential, secret, and top secret.

Authority for maintenance of the system: This system is established pursuant to Executive Order No. 11652. The system is also maintained to implement the provisions codified in 28 C.F.R. 17.1 through 17.82.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no uses of the records in this system outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards.

Retrievability: A record is retrieved by name from the index cards.

Safeguards: The index is contained in the vault maintained for classified files of the Department of Justice.

Retention and disposal: The names in the index are maintained and deleted in accordance with Departmental regulations.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Personnel of the Department of Justice.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 009

System name: Narcotic and Dangerous Drug Witness Security Program File.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who are potential or actual witnesses and/or informants, relatives, and associates of those individuals in narcotic and dangerous drug cases.

Categories of records in the system: The system consists of the Witness Security Program files on all persons who are considered for admission or who have been admitted into the program. The files contain information concerning the individuals, the source and degree of danger to which they are exposed, the cases in which they are expected to testify, relocation information and documentation, job assistance, sponsoring office, requirements for reimbursement and administration of the program, and protection techniques. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is authorized pursuant to sections 501 through 504 of Public Law 91-452.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: 1. dissemination of a record may be made to a federal, state, local, or foreign agency to acquire information concerning the individual, or those associated with him, relating to the protection of the subject or to a criminal investigation; 2. in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law; 3. in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; 4. a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding, in accordance with established constitutional, substantive, or procedural law or practice; 5. a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; 6. a record relating to a case or matter may be disseminated to an actual or potential party or his attorney, for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; 7. a record relating to an individual in a matter that has been referred for either consideration or investigation by an agency may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made; 8. a record relating to an individual held in custody pending arraignment, trial, or sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; 9. a record may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; 10. a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient

agency or to provide investigative leads to such agency; 11. a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; 12. a record may be disseminated to a non-government entity or individual in the acquisition of employment or other services in behalf of the witnesses.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is kept on index cards and files stored in safe type filing cabinets.

Retrievability: A record is retrieved by name of the individual.

Safeguards: The records are maintained in safes with additional physical safeguards as well as limited access by Department personnel.

Retention and disposal: Currently there are no provisions for the disposal of the records in the system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning this system should be addressed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: 1. Federal, state, local, or foreign government agencies concerned with the administration of criminal justice; 2. Members of the public; 3. Government agency employees; 4. Published material; 5. Persons considered for admissions or admitted to the program.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 010

System name: Organized Crime and Racketeering Information System.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530. In addition, some of the records contained in this system may be located at one or more of the Organized Crime and Racketeering Section Field Offices listed in the appendix to the Criminal Division's systems of records.

Categories of individuals covered by the system: Persons who have been prosecuted or who are under investigation for potential or actual criminal prosecution as well as persons allegedly involved in organized criminal activity and those alleged to be associated with the subject.

Categories of records in the system: The records contained in this system of records consist of a variety of categories related to the background, current and past activities, as well as records of investigation, if any, and prosecution, if any, of persons under investigation for potential or actual involvement in criminal activity relating to organized crime as well as those alleged to be associated with such persons. The records in this system concern matters primarily involving organized crime and include, but are not limited to, information obtained from investigative reports, grand jury files and records of indictments, prosecution, conviction, parole, probation, or immunity. The system also includes information as to those individuals involved in the investigation, prosecution, or trial of such persons. Records are originally recorded on forms CRM 75 - CRM 85 inclusive and are subsequently computerized. Additional information of the same nature is maintained on disc packs or tapes having been recorded prior to the advent of forms CRM 75 - CRM 85. Additional information of a similar nature is received from various federal investigatory agencies in machine readable form. Included within the system are various management control documents. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101 and the Presidential Directive on the Federal Drive Against Organized Crime issued May 5, 1966 (Weekly Compilation of Presidential Documents, Vol. 2, No. 18 (1966)). In addition, this system is maintained to assist in implementing and enforcing the criminal laws of the United States, particularly those codified in title 18, United States code. This system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 particularly subsection (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) a record may be disseminated to a federal agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (2) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored on forms CRM 75 - 85 inclusive, magnetic tape, disc packs and microfiche, index cards, computer paper, and punch cards.

Retrievability: The system is accessed by one or more of the components of the information contained in the system; accessing is by several methods including by individual name.

Safeguards: The computer center is maintained by the Office of Management and Finance which has designed security procedures consistent with the sensitivity of the data. Materials related to the

system maintained at locations other than the location of the computer center are similarly protected by being maintained in a restricted area at the Department of Justice.

Retention and disposal: Information in the system is constantly modified as new information is received. Historical data is maintained as an audit trail until sufficient experience with the system is received to develop appropriate procedures for the elimination and destruction of the data. Such procedures are consistent with applicable governmental procedures.

System manager(s) and address: Assistant Attorney General, Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning the system should be addressed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject of exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: 1. Federal, state, local, or foreign government agencies concerned with administration of criminal justice and non-law enforcement agencies both public and private; 2. Members of the public; 3. Government employees; 4. Published material; 5. Witnesses and Informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 011

System name: Organized Crime and Racketeering Section File Check Out System.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals having access to the Organized Crime and Racketeering Section files and subjects of the files.

Categories of records in the system: This system consists of a manual and automated index of those individuals who have had access to Organized Crime and Racketeering Section files with accompanying notations of the numbers of the files to which access was granted.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55, particularly subsection (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no uses of the records in this system outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored on disc pack, tape, and paper.

Retrievability: A record in this system may be accessed by name or file number.

Safeguards: The computer center is maintained by the Office of Management and Finance which has designed security procedures consistent with the sensitivity of the data. Materials related to the system maintained at locations other than the location of the computer are similarly protected by being maintained in a restricted area at the Department of Justice.

Retention and disposal: Information in the system is constantly modified as new information is received. Historical data is maintained as an audit trail until sufficient experience with the system is received to develop appropriate procedures for the elimination and destruction of the data. Such procedures are consistent with applicable governmental procedures.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning the system should be addressed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: Employees of governmental agencies and personnel of the Department of Justice.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(4)(G), (H) and (I), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 012

System name: Organized Crime and Racketeering Section, General Index File and Associated Records.

System location: The general files of the Organized Crime and Racketeering Section are located at several locations and not all files are located at all locations. The location of the files are: 1. U.S. Department of Justice; Criminal Division, Organized Crime and Racketeering Section; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530; and 2. Organized Crime and Racketeering Section Field offices listed in the Appendix to the Criminal Division's systems of records.

Categories of individuals covered by the system: Persons who have been prosecuted or are under investigation for potential or actual criminal prosecution as well as persons allegedly involved in or-

ganized criminal activity and those alleged to be associated with the subject.

Categories of records in the system: The system consists of alphabetical indices bearing individual names and the associated records to which they relate, arranged either by subject matter or individual identifying number, of all incoming correspondence, cases, matters, investigations, and memoranda assigned, referred, or of interest, to the Organized Crime and Racketeering Section and its field offices. The records in this system concern matters primarily involving organized crime and include, but are not limited to, case files; investigative reports; intelligence reports; subpoena and grand jury files; records of warrants and electronic surveillances; records of indictment, prosecution, conviction, parole, probation, or immunity; legal papers; evidence; exhibits; items classified confidential, secret, and top secret; and various other files related to the Section's activities and its ongoing investigations, prosecutions, cases, and matters. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101 and the Presidential Directive on the Federal Drive Against Organized Crime, issued May 5, 1966 (Weekly Compilation of Presidential Documents, Vol. 2, No. 18 (1966)). In addition, this system is maintained to assist in implementing and enforcing the criminal laws of the United States, particularly those codified in title 18, United States Code. This system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 particularly subsection (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security

clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return; (13) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making positions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records in this system are stored on various documents, tapes, disc packs, and punch cards, some of which are contained in files, on index cards, or in related type materials.

Retrievability: The system is accessed by name but may be grouped for the convenience of the user by subject matter, e.g., parole file, photograph file, etc.

Safeguards: Materials related to the system are maintained in appropriately restricted areas and are safeguarded and protected in accordance with applicable Department rules.

Retention and disposal: Currently there are no provisions for the disposal of the records in the system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning the system should be addressed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: 1. Federal, state, local, or foreign government agencies concerned with the administration of criminal

justice and non-law enforcement agencies both public and private; 2. Members of the public; 3. Government employees; 4. Published material; 5. Witnesses and informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), and (I), (e)(5) and (8), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 013

System name: Organized Crime Information Management System.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Intelligence clerks and technicians of the Organized Crime and Racketeering Section, Criminal Division.

Categories of records in the system: This system consists of a record of the quantity and accuracy of data input by various clerical and technical personnel of the Organized Crime and Racketeering Section, Criminal Division.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of the record as follows: 1. to data transcription service personnel from outside of the Department of Justice; 2. to demonstrate data transcription techniques to potential user agencies outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored on magnetic tape, disc pack, and paper.

Retrievability: A record in this system is accessed by individual name.

Safeguards: The records in this system are maintained in safes with additional physical safeguards as well as limited access by Departmental personnel.

Retention and disposal: Currently there are no provisions for disposal of records contained in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual concerned and the dates of his or her employment, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Input clerks and technicians.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 014

System name: Organized Crime and Racketeering Section, Intelligence and Special Services Unit, Information Request System.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530. In addition, some of the records contained in this system are located at one or more of the Organized Crime and Racketeering Section Field Offices listed in the appendix to the Criminal Division's systems of records.

Categories of individuals covered by the system: Individuals making inquiries of the Intelligence and Special Services Unit data sources; Unit personnel processing those inquiries; Intelligence Analysts assigned to the Strike Forces, and those individuals about whom such inquiries are made.

Categories of records in the system: The information request record system provides an audit trail of the Organized Crime and Racketeering Section information system. Included in this system of records is such information as the request from an agency and the date of the request, the employee processing the request, the subject of the request, and a brief summary of the results of the check.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 particularly subsection (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record to a federal agency at its request if such agency has a need for the record to perform its duties.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored on computer tapes, paper, magnetic tape, and disc pack.

Retrievability: A record in this system is accessed by one or more of the components of the information contained in the system including accessing by the name of the individual.

Safeguards: The computer center is maintained by the Office of Management and Finance which has designed security procedures consistent with the sensitivity of the data. Materials related to the system maintained at locations other than the location of the computer are similarly protected by being maintained in a restricted area at the Department of Justice.

Retention and disposal: Information in the system is constantly modified as new information is received. Historical data is maintained as an audit trail until sufficient experience with the system is received to develop appropriate procedures for the elimination and destruction of the data. Such procedures are consistent with applicable governmental procedures.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name

of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: Individuals who make inquiry of the Organized Crime and Racketeering Information System.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(4)(G), (H) and (I), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 015

System name: Organized Crime and Racketeering Section Intelligence and Special Services Unit Visitor Pass System.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals from outside the Criminal Division who are permitted to enter the Intelligence and Special Services Unit for the purpose of transacting business, and the employee being visited.

Categories of records in the system: The system consists of an alphabetical index of the names of those from outside the Criminal Division who have visited the Intelligence and Special Services Unit of the Organized Crime and Racketeering Section. It includes the name of the visitor, the name of the person visited, the visitor's date of birth, address, employment, citizenship, security clearance, time of arrival and departure, the signature of the visitor, a brief statement of the purpose of the visit, and occasional comments by unit personnel on the visit.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55 particularly subsection (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no uses of the records in this system outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is prepared on form CM-67 and kept in filing cabinets.

Retrievability: A record is retrieved either alphabetically by name of the person visited or chronologically.

Safeguards: The records are maintained in safe type filing cabinets.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or other identifying numbers or information which may be of assistance in locating the record. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Visitors to the Intelligence and Special Services Unit, Organized Crime and Racketeering Section, and Unit personnel.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 016

System name: Records on Persons Who Have Outstanding and Uncollected Federal Criminal Fines or Federal Bond Forfeitures.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have outstanding and uncollected federal criminal fines or federal bond forfeitures whose address is presently unknown or was, at one time, unknown.

Categories of records in the system: This system contains the names of persons, and correspondence relating to such persons, who have federal criminal fines or federal bond forfeitures outstanding and whose whereabouts are presently unknown or were, at one time, unknown. The system is maintained to gather information on the whereabouts of such persons and to assist in federal collection efforts.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. This system is also maintained to implement the provisions codified in 28 C.F.R. 0.171(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (A) in the case of an individual whose whereabouts are unknown, to any individual, organization, or government agency for the purpose of gathering information to locate such person; or (B) in the case of any individual whose name is contained in the system whether or not his whereabouts are known as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant,

or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in file jackets.

Retrievability: A record is retrieved by the name of the individual.

Safeguards: Records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General, Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name and address of the individual involved, his address, his birth date and place, or other identifying number or information which may be of assistance in locating the record, the name of the case involved, if known, and the name of the judicial district, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are federal, state, local, or foreign agencies, and private individuals and organizations.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 017

System name: Registration and Propaganda Files Under the Foreign Agents Registration Act of 1938, As Amended.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons required to file under the Foreign Agents Registration Act of 1938, 22 U.S.C. 611 et seq.

Categories of records in the system: The system contains the statement of the registrant and other documents required to be filed under the Foreign Agents Registration Act of 1938. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 22 U.S.C. 611 et seq. The system is also maintained to implement the provisions of 28 C.F.R. 5.1 through 5.801.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record to any individual, organization, or government agency.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards and in file jackets.

Retrievability: A record is retrieved by name of the individual.

Safeguards: Records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General, Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made pursuant to the provisions of 28 C.F.R. 5.600 and 5.601.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The source of information contained in this system is the registrant.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 018

System name: Registration Files of Individuals Who Have Knowledge of, or Have Received Instruction or Assignment in, Espionage, Counterespionage, or Sabotage Service or Tactics of a Foreign Government or of a Foreign Political Party.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have knowledge of, or who have received instruction or assignment in, espionage, counterespionage, or sabotage service or tactics of a foreign government or of a foreign political party.

Categories of records in the system: The system contains the statement of the registrant and other documents required to be filed under 50 U.S.C. 851. The system is a public record except that certain statements may be withdrawn from public examination pursuant to 50 U.S.C. 853 and 28 C.F.R. 12.40 by the Attorney General having due regard for national security and the public interest.

Authority for maintenance of the system: This system is established and maintained pursuant to 50 U.S.C. 851 et seq. The system is also maintained to implement the provisions codified in 28 C.F.R. 12.1 through 12.70.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (A) in the case of a record not withdrawn by the Attorney General from public examination, to any individual, organization, or government agency; or (B) in the case of a record withdrawn by the Attorney General from public examination as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, or criminal or regulatory in nature, the registration record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a registration record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of

a witness or an informant; (3) a record relating to a registration may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a registration may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a registration may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a registration that has been referred by an agency for investigation may be disseminated to the referring agency to notify such agency of the status of the registration or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the matter; (7) a registration record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such person; (8) a record relating to a registration may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a registration record may be disseminated to a federal, state, local or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a registration record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decisions on the matter; (11) a registration record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards and in file jackets.

Retrievability: A record is retrieved by name of the individual registrant.

Safeguards: Records are safeguarded and protected in accordance with applicable Departmental files.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General, Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made pursuant to the provisions of 28 C.F.R. 12.40 and 12.41.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The source of information contained in this system is the registrant.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 019

System name: Requests to the Attorney General For Approval of Applications to Federal Judges For Electronic Interceptions.

System location: U.S. Department of Justice; Criminal Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals who have been the subject of requests by federal investigative agencies for electronic surveillance.

Categories of records in the system: The system contains requests received from federal investigative agencies and federal prosecutors, and associated documents, seeking the authorization of the Attorney General required by 18 U.S.C. 2516 for an application to a federal court for an order authorizing the interception of a wire or oral communication in cases involving federal criminal violations. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions of 18 U.S.C. 2516 and 18 U.S.C. 2519.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: 1. in an appropriate federal, state, or local court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; 2. to the requesting agency to notify such agency of the status of the case or matter or of any decision or determination that has been made; 3. to furnish such information for reports to the Administrative Office of the United States Courts as is necessary to comply with the reporting provisions of 18 U.S.C. 2519; 4. to a party pursuant to 18 U.S.C. 2518 (8)(d), (9), and (10) and 18 U.S.C. 3504.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in file jackets.

Retrievability: A record is retrieved by the name of the individual who appears first on the application or affidavit that is first received.

Safeguards: The records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if

known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: Sources of information contained in this system are federal investigative agencies, federal prosecutors, and personnel of the Criminal Division, Department of Justice.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G), (H) and (I), (e)(8), (f), and (g) of the Privacy Act Pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 020

System name: Requests to the Attorney General For Approval of Applications to Federal Judges For Electronic Interceptions in Narcotic and Dangerous Drug Cases.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals who have been the subject of requests by federal investigative agencies for electronic surveillance.

Categories of records in the system: The system contains requests received from federal investigative agencies and federal prosecutors, and associated documents, seeking authorization of the Attorney General required by 18 U.S.C. 2516 for an application to a federal court for an order authorizing an interception of a wire or oral communication in cases involving narcotics and dangerous drugs. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions of 18 U.S.C. 2516 and 18 U.S.C. 2519.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system may be disseminated as a routine use of such record as follows: 1. in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; 2. to the requesting agency to notify such agency of the status of the case or matter or of any decision or determination that has been made; 3. to furnish such information for reports to the Administrative Office of the United States Courts as is necessary to comply with the reporting provisions of 18 U.S.C. 2519; 4. to a party pursuant to 18 U.S.C. 2518 (8)(d), (9), and (10) and 18 U.S.C. 3504.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in file jackets.

Retrievability: A record is retrieved by the name of the individual who appears first on the application or affidavit that is first received.

Safeguards: The records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above. Records in this system are exempt from the access provisions of the Act in accordance with the applicable exemption notice.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Records in this system are exempt from the contesting provisions of the Act in accordance with the applicable exemption notice.

Record source categories: Sources of information contained in this system are federal investigative agencies, federal prosecutors, and personnel of the Criminal Division, Department of Justice.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G), (H) and (I), (e)(8), (f), and (g) of the Privacy Act Pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 021

System name: The Stocks and Bonds Intelligence Control Card File System.

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals, and their known associates, who are actual, potential, or alleged violators, of statutes dealing with stocks, bonds, and other securities.

Categories of records in the system: This system is an alphabetical listing of all individuals, and their associates, who are actual, potential, or alleged violators of the statutes dealing with counterfeiting, forging, and theft of stocks, bonds, and other securities including those who traffic, or are suspected of trafficking, in such stocks, bonds, or other securities. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM - 001.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101, and is intended to assist in implementing and enforcing the criminal laws of the United States codified in title 18, United States Code and elsewhere, particularly the laws relating to offenses involving stocks and bonds. The system is also maintained to implement the provisions codified in 28 C.F.R. 0.55.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any

law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually on index cards.

Retrievability: A record is retrieved by the name of the individual.

Safeguards: Records are safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for disposal of the records in this system.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning the system should be directed to the System Manager listed above.

Record source categories: Sources of information contained in this system are federal, state, local, and foreign government agencies and prosecutors, private organizations and individuals, and personnel of the Department of Justice.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 022

System name: Witness Immunity Records

System location: U.S. Department of Justice; Criminal Division; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Potential or actual witnesses for whom immunity (pursuant to 18 U.S.C. 6001-6005 and 18 U.S.C. 2514) is proposed.

Categories of records in the system: The system contains background information on the individual and the case or matter in which he is expected to testify in a proceeding before or ancillary to a court or grand jury of the United States or an agency of the United States. In criminal cases or matters, the information maintained in the system is entered from DOJ Form-LAA-111, "Request for Immunity Authorization." The system also contains a record of action taken by the Criminal Division on the request.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions of 18 U.S.C. 6001-6005 and 18 U.S.C. 2514.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to alert such agency to the proposed immunity or, to the extent necessary for identification purposes, to elicit information concerning the potential or actual witness which may be necessary to an evaluation of the proposed immunity; (2) a record from this system, relating to a proposed immunity that has been referred to the Department of Justice for approval, may be disseminated to the referring agency to notify such agency of the status of the referral or of any decision or determination that has been made, and the reasons therefor.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index records, cross-indexed to request files, are maintained alphabetically in locked index card cabinets. Request files are maintained numerically in file cabinets.

Retrievability: A record is retrieved from the index cards by the name of the individual and from the files by a number assigned and appearing on the index cards.

Safeguards: Access to physical records is limited to unit personnel and known Department personnel.

Retention and disposal: There are no provisions for disposal of the records contained in this system of records.

System manager(s) and address: Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: The major part of this system is exempted from this requirement pursuant to 5 U.S.C. 552a (j)(2) or (k)(2). Inquiry concerning this system should be directed to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement pursuant to 5 U.S.C. 552a (j)(2) or (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: 1. Federal government prosecutors; 2. Federal agencies; 3. Department of Justice attorneys and personnel.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2), (3) and (e)(4)(G), (H) and (I), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM - 023

System name: Weekly Statistical Report.

System location: U.S. Department of Justice; Criminal Division; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Past or present attorneys of the Criminal Division.

Categories of records in the system: The system consists of weekly statistical reports submitted by each attorney of the Criminal Division detailing the time expended on case or matter oriented activities and on non-case and matter oriented activities. The system also includes periodic computer printout summaries.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Statistical compilations arranged by Section and by Division are submitted to the Congress and the Office of Management and Budget in connection with annual appropriations. There are no other uses of the records in this system outside of the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original Weekly Statistical Reports are retained and the information contained thereon is also stored at the Department's computer center. Summaries are also retained on computer printout paper. Records not at the computer center are stored in file cabinets in the Criminal Division.

Retrievability: The record is retrieved by date, section, unit, or name of attorney.

Safeguards: The computer center is maintained by the Office of Management and Finance which has designed security procedures consistent with the sensitivity of the data. Materials related to the system maintained at locations other than the location of the computer center are protected and safeguarded in accordance with applicable Departmental rules.

Retention and disposal: Information as to individuals is destroyed at the computer center annually. Original weekly reports are

destroyed approximately every two years. Statistical data and compilations are maintained indefinitely.

System manager(s) and address: Assistant Attorney General, Criminal Division, U.S. Department of Justice, 10th & Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Same as above.

Record access procedures: A request for access to a record from this system shall be made in writing with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the name of the past or present attorney employed by the Criminal Division. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Attorneys of the Criminal Division.

Systems exempted from certain provisions of the act: None.

JUSTICE/CRM - 024

System name: Freedom of Information/Privacy Act Records.

System location: U.S. Department of Justice, Criminal Division, 10th & Constitution Avenue, N.W. Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who request disclosure of records pursuant to the Freedom of Information Act, persons who request access to or correction of records pertaining to themselves contained in Criminal Division systems of records pursuant to the Privacy Act; and, where applicable, persons about whom records have been requested or about whom information is contained in requested records.

Categories of records in the system: The system contains copies of all correspondence and internal memorandums related to Freedom of Information and Privacy Act requests, and related records necessary to the processing of such requests received on or after January 1, 1975.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101 and is maintained to implement the provisions of 5 U.S.C. 552 and 552a and the provisions of 28 C.F.R. 16.1 et seq. and 28 C.F.R. 16.40 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system may be disseminated as a routine use of such record as follows: (1) a record may be disseminated to a Federal agency which furnished the record for the purpose of permitting a decision as to access or correction to be made by that agency, or for the purpose of consulting with that agency as to the propriety of access or correction; (2) a record may be disseminated to any appropriate Federal, State, local, or foreign agency for the purpose of verifying the accuracy of information submitted by an individual who has requested amendment or correction of records contained in systems of records maintained by the Criminal Division.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in alphabetical order in file cabinets.

Retrievability: A record is retrieved by the name of the individual or person making a request for access or correction of records.

Safeguards: Access to physical records is limited to personnel of the Freedom of Information/Privacy Act Unit of the Criminal Division and known Department of Justice personnel who have a need for the record in the performance of their duties. The records are

safeguarded and protected in accordance with applicable Department rules.

Retention and disposal: Currently there are no provisions for disposal of records contained in this system.

System manager(s) and address: Assistant Attorney General, Criminal Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: A part of this system is exempted from this requirement under 5 U.S.C. 552a(j)(2), (k) (1), or (k) (2). Inquiry concerning this system should be directed to the system manager listed above.

Record access procedures: A part of this system is exempted from this requirement under 5 U.S.C. 552a(j)(2), (k) (1), or (k) (2), to the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor shall also provide a return address for transmitting the information. Access requests shall be directed to the system manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reason for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the individuals and persons making requests, the systems of records searched in the process of responding to requests, and other agencies referring requests for access to or correction of records originating in the Criminal Division.

Systems exempted from certain provisions of the act: Records secured from other systems of records have been exempted from the provisions of the Privacy Act to the same extent as the systems of records from which they were obtained. Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b) (c), and (e) and have been published in the Federal Register.

JUSTICE/CRM - 999

System name: Appendix to Criminal Division System of Records

Field Offices of the Organized Crime and Racketeering Section are located as follows:

Organized Crime and Racketeering Section
U. S. Department of Justice
P.O. Box 834
Atlanta, Georgia 30301

Organized Crime and Racketeering Section
U.S. Dept. of Justice
U.S. Attorney's Office
P.O. Box 375
600 East Monroe Street
Springfield, Illinois 62705

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 1703
U.S. Post Office and Courthouse
Boston, Massachusetts 02109

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 327-A, Federal Building
Brooklyn, New York 11201

Organized Crime and Racketeering Section
U.S. Department of Justice
Suite 921 - Genesee Building
1 West Genesee Street
Buffalo, New York 14202

Organized Crime and Racketeering Section

U.S. Department of Justice
Room 1552
219 South Dearborn Street
Chicago, Illinois 60604

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 526
Northern Ohio Bank Building
Cleveland, Ohio 44113

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 940 - Federal Building
Detroit, Michigan 48226

Organized Crime and Racketeering Section
U.S. Department of Justice
Federal Building
Hartford, Connecticut 06103

Organized Crime and Racketeering Section
U.S. Department of Justice
Suite 717
906 Grand Avenue
Kansas City, Missouri 64106

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 2307 - Federal Building
300 North Los Angeles Street
Los Angeles, California 90012

Organized Crime and Racketeering Section
U.S. Department of Justice
111 Northwest 5th Street
Miami, Florida 33128

Organized Crime and Racketeering Section
U.S. Department of Justice
P.O. Box 89
Newark, New Jersey 07101

Organized Crime and Racketeering Section
U.S. Department of Justice
526 St. Louis Street
New Orleans, Louisiana 70130

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 339
1 St. Andrews Plaza
New York, New York 10007

Organized Crime and Racketeering Section
U.S. Department of Justice
P.O. Box B
9th and Chestnut Streets
Philadelphia, Pennsylvania 19107

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 816 - Chatham Center
Pittsburgh, Pennsylvania 15219

Organized Crime and Racketeering Section
U.S. Department of Justice
Federal Building
Providence, Rhode Island 02901

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 318 - New Federal Building
100 State Street
Rochester, New York 14614

Organized Crime and Racketeering Section
U.S. Department of Justice
Box 36132
450 Golden Gate Avenue
San Francisco, California 94102

Organized Crime and Racketeering Section
U.S. Department of Justice
Room 630 - U.S. Courthouse
St. Louis, Missouri 63101

Organized Crime and Racketeering Section
U.S. Department of Justice
Box 571 Ben Franklin Station
Washington, D.C. 20044

Organized Crime and Racketeering Section
U.S. Department of Justice
P.O. Box 2799
Tampa, Florida 33601

JUSTICE/LDN - 001

System name: Appraisers File.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Appraisers who have indicated their availability for appraisal of real property proposed to be acquired by the United States.

Categories of records in the system: Alphabetized list, alphabetized index cards, and associated papers including application and information relating to qualifications.

Authority for maintenance of the system: The system is established and maintained as an incidence of such of the statutory authority of the Attorney General relating to the conduct of litigation as he has delegated to the Land and Natural Resources Division (28 U.S.C. 509 and 510, and 28 C.F.R. Subpart M), particularly the authority to conduct proceedings for condemnation of property (see 40 U.S.C. 257 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are utilized in compiling a list of individual appraisers, with their qualifications, who have indicated their availability for appraisal of real property proposed to be acquired by the United States, for use by Federal agencies and the Department of Justice for acquisitions involving or which may finally involve exercise of the power of eminent domain.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in form received.

Retrievability: Information is retrieved by alphabetized name of the subject.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with Departmental rules and procedures governing Justice records.

Retention and disposal: Records are retained during their useful life and are subject to destruction 15 years after the pertinent subject has ceased to be in an active status.

System manager(s) and address: Chief, Administrative Section; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request', and the system and record sufficiently described in the letter for identification.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are principally the applicant and his references, which sources may be supplemented by others having knowledge of the applicant's professional qualifications.

Systems exempted from certain provisions of the act: None.

JUSTICE/LDN - 002

System name: Congressional Correspondence File.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D. C. 20530.

Categories of individuals covered by the system: Senators and Congressmen

Categories of records in the system: This file contains the correspondence had by the Land and Natural Resources Division with Members of the Congress.

Authority for maintenance of the system: This file is maintained pursuant to requirements for maintenance of records by Federal agencies (see 44 U.S.C. 3101 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This file is routinely consulted by personnel of the Land and Natural Resources Division to determine past actions on specific matters and to expedite any additional action as to which there is correspondence with a Member of the Senate or House of Representatives.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in form received.

Retrievability: Information is retrieved by alphabetized name of the subject.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with Departmental rules and procedures governing Justice records.

Retention and disposal: Records are retained during their useful life and are subject to destruction 15 years after the pertinent subject has ceased to be in an active status.

System manager(s) and address: Chief, Administrative Section; Land and Natural Resources Division; U. S. Department of Justice; 10th and Constitution Avenue, N. W.; Washington, D. C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Land and Natural Resources Division; U. S. Department of Justice; 10th and Constitution Avenue, N. W.; Washington, D. C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request', and the system and record sufficiently described in the letter for identification.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The sole sources of the information in this system are the Senators or Congressmen with whom the correspondence is conducted.

Systems exempted from certain provisions of the act: None.

JUSTICE/LDN - 003

System name: Docket Card System.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D. C. 20530.

Categories of individuals covered by the system: Persons, associations or corporations whose names may appear in the case name or subject name of a matter coming to the attention of the Land and Natural Resources Division for possible litigation.

Categories of records in the system: The system contains index cards on which is maintained a summary of the correspondence, pleadings, and other developments regarding the pertinent matter.

Authority for maintenance of the system: The system is established and maintained as an incidence of such of the statutory authority of the Attorney General relating to the conduct of litigation as he has delegated to the Land and Natural Resources Division (28 U.S.C. 509 and 510, and 28 C.F.R. Subpart M).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by personnel of the Division as an aid in determining the existence in the Division of a matter relating to the named case or subject, and to facilitate appraisal of the status of the pertinent matter for the purpose of taking timely appropriate action relating thereto.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained on index cards.

Retrievability: Information is retrieved by alphabetized name of the case or subject.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with Departmental rules and procedures governing Justice records.

Retention and disposal: Records are retained during their useful life and are subject to destruction 15 years after the pertinent case or subject has ceased to be in an active status.

System manager(s) and address: Chief, Administrative Section; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D. C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request', and the system and record sufficiently described in the letter for identification.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the correspondence, pleadings, and other indices of developments regarding the pertinent case or subject, from wheresoever received.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (d) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/LDN - 004

System name: Title Abstractors, Attorneys and Insurance Corporations File.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D. C. 20530.

Categories of individuals covered by the system: Abstractors, Attorneys and Insurance Corporations requesting approval for preparation of title evidence in land acquisitions by the United States.

Categories of records in the system: Alphabetized list, alphabetized index cards, and associated papers including application and information relating to qualifications.

Authority for maintenance of the system: The system is established and maintained, incident to carrying out the statutory requirement (R.S. 355; 40 U.S.C. 255) that the Attorney General pass on title to land acquired by the United States or delegate such responsibility in accordance with regulations promulgated by him (see 28 C.F.R. 0.66).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are utilized in compiling a list of those abstractors, attorneys and insurance corporations which are approved, for advising agencies of the United States as to the fact of such approval and consequent eligibility for preparation of title evidence.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in form received.

Retrievability: Information is retrieved by alphabetized name of the subject.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with Departmental rules and procedures governing Justice records.

Retention and disposal: Records are retained during their useful life and are subject to destruction 15 years after the pertinent subject has ceased to be in an active status.

System manager(s) and address: Chief, Administrative Section; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request', and the system and record sufficiently described in the letter for identification.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the Abstractors, Attorneys and Insurance Corporations involved and the United States Attorneys for the districts in which they principally do business, with the latter supplementing his personal knowledge with information from local banks, clients and other sources having knowledge reflecting on the professional qualifications of the subject involved.

Systems exempted from certain provisions of the act: None.

JUSTICE/LDN - 005

System name: Freedom of Information Act and Privacy Act Records System.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: All persons who request, under the Freedom of Information and Privacy Acts, access to or copies of records maintained by the Land and Natural Resources Division.

Categories of records in the system: This system contains, in alphabetical order, requests, under the Freedom of Information and Privacy Acts, for access to Division records, and the responses thereto.

Authority for maintenance of the system: 5 U.S.C. 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used: a) to maintain records concerning the processing and determination of requests for information made pursuant to the Freedom of Information Act and the Privacy Act; b) to provide documentation of receipt and processing requests for information made pursuant to the Freedom of Information Act and the Privacy Act if needed for processing contested denials of release of data; c) to furnish information to employees of the Department of Justice who have a need for information from the system in performance of their duties; d) to maintain a count of requests and method of compliance as required by the Freedom of Information Act and the Privacy Act.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in form received.

Retrievability: Information is retrieved by alphabetized name of the subject.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with Departmental rule, and procedures governing Justice records.

Retention and disposal: Records are retained during their useful life and are subject to destruction 15 years after the pertinent subject has ceased to be in an active status.

System manager(s) and address: Division Control Officer; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Land and Natural Resources Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request' and the system and record sufficiently described in the letter for identification.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Source of information contained in this system is the applicant for information.

Systems exempted from certain provisions of the act: Records secured from other systems of records have been exempted from the provisions of the Privacy Act to the same extent as the systems of records from which they were obtained. The Attorney General has also exempted certain categories of records in this system from subsection (c) (3), (d) of the Privacy Act pursuant to 5 U.S.C. 552a (k) (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(3), and (e) and have been published in the Federal Register.

JUSTICE/DAG - 001

System name: Appointed Assistant United States Attorneys Personnel System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses all Assistant United States Attorneys.

Categories of records in the system: This system of records consists of records folders which may contain up to a total of five sections. The personnel section contains personnel records such as completed Civil Service forms, letters of recommendation, law school grade transcripts, appointment letters, appointment affidavits, bar affidavits, locator forms and personnel action forms. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of applicants. The complaint section contains correspondence from individuals or groups complaining about office holders. Rarely does a personnel folder contain more than the personnel and character sections.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used only by Department of Justice personnel. Information contained in a folder may be used as the basis for answering future inquiries from other government agencies about a former assistant's qualifications. The personnel section may be made available to other federal agencies, at their request, upon the transfer of the assistant to such an agency.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved by use of the assistant's name, as the folders are filed alphabetically by name.

Safeguards: These records are maintained in cabinets stored in a locked room.

Retention and disposal: These records are retained until the subjects of the files resign or otherwise leave their offices for non-federal government employment. In that instance, the personnel section is sent to the St. Louis Records Center for an indefinite period. If the assistant transfers to another agency of the federal government, the personnel section is sent to the gaining agency. All other sections of the folder are destroyed six months after the assistant leaves office.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Executive Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Executive Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Sources of information contained in this system include the individuals, government agencies as appropriate, and interested third parties.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DAG - 002

System name: Assistant United States Attorney Applicant Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses all applicants for Assistant United States Attorney positions.

Categories of records in the system: This system of records consists of records folders which may contain up to a total of four sections. The personnel section contains records such as resumes, letters of recommendation, law school grade transcripts, completed Civil Service forms, and related personnel matters. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of applicants. Rarely does a personnel folder contain more than the personnel and character sections.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used only by Department of Justice personnel for recruitment purposes. However, the fact that the applicant was being considered would be made known to the references supplied by the applicant and others contacted. Information about the applicant, as then known, might be supplied to contacted individuals as necessary to verify already obtained information or to seek elaboration of that information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved by use of the applicant's name, as the folders are filed alphabetically by name.

Safeguards: These records are maintained in cabinets stored in a locked room.

Retention and disposal: These records are retained, in the case of applicants who are not offered positions, for two years and then destroyed. If the applicant is offered a position and accepts it, his folder is transferred to the Appointed Assistant United States Attorney Personnel System and retained as specified therein.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Staff Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Staff Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Non-exempt sources of information contained in this system include the individual, government agencies as appropriate, and interested third parties.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DAG - 003

System name: Declassification Review Index.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: All persons who request declassification of Department documents.

Categories of records in the system: Copies, filed by year of requests for declassification of Department of Justice documents.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are public information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: By name of the requester.

Safeguards: These records are stored in cabinets in a lockable room.

Retention and disposal: These records are maintained indefinitely.

System manager(s) and address: Staff Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: The individuals who request declassification.

Systems exempted from certain provisions of the act: None.

JUSTICE/DAG - 004

System name: Freedom of Information and Privacy Appeals Index.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses all individuals who submit administrative appeals under the Freedom of Information or Privacy Acts.

Categories of records in the system: The system contains copies of administrative appeals and other related correspondence filed under the Freedom of Information and Privacy Acts and copies are filed sequentially by date of receipt based on a numerical identifier assigned to each appeal.

Authority for maintenance of the system: The system was established and is maintained to enable the Office of the Deputy

Attorney General to comply with the reporting requirements set forth in 5 U.S.C. 552 and 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for the purpose of processing administrative appeals under the Freedom of Information and Privacy Acts and to comply with the reporting requirements of those Acts.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders in cabinets.

Retrievability: These folders are filed by the number assigned to each.

Safeguards: These records are stored in cabinets in a lockable room.

Retention and disposal: These folders are kept indefinitely.

System manager(s) and address: Chief, Freedom of Information and Privacy Appeals Unit, Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: Same as the System Manager.

Contesting record procedures: Same as the System Manager.

Record source categories: Those individuals who submit appeals under the Freedom of Information and Privacy Acts.

Systems exempted from certain provisions of the act: None.

JUSTICE/DAG - 005

System name: Honor Program Applicant System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses third year law students who will be honor graduates of law schools and law clerks of federal judges who file applications for attorney positions in the Department.

Categories of records in the system: These records consist of items supplied by the applicant, such as resumes, completed Civil Service forms, application forms, and transcripts of grades. Items supplied by third parties such as letters of recommendation, and items supplied by the Department such as acceptance or rejection letters and interview evaluation sheets.

Authority for maintenance of the system: This system is established and maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are made available within the Department for recruitment purposes and may be made available to other federal agencies, at their request, for recruitment purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved in various ways, depending upon the age of the record. Initially, the records are indexed by the name of the applicant's law school, then by the names of the applicants according to their ranking by interviewers. Therefore, to locate an individual's file, it is necessary to know both the name of the individual and his or her law school. After the Department's annual attorney hiring is completed, these files are transferred to the control of the Executive Assistant to the Deputy Attorney General. The Executive Assistant's staff then places the files in alphabetical order by name and stores them.

Safeguards: These records are maintained in cabinets stored in a locked room.

Retention and disposal: These records are maintained and stored for two years and then destroyed if the applicant is not offered a position with the Department or rejects an offered position. If a position is accepted by the applicant, his folder is transferred to another system.

System manager(s) and address: Honor Program Director; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access to a record from this system may be made in person or in writing to the System Manager. Any written request should clearly be marked 'Privacy Access Request' on both the letter and envelope.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager and clearly and concisely state what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Sources of information contained in this system are as noted in Categories of Records.

Systems exempted from certain provisions of the act: None.

JUSTICE/DAG - 006

System name: Master Index File of Names.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: This system encompasses all individuals having file folders contained in the following systems of records: Appointed Assistant U.S. Attorneys Personnel System, Assistant U.S. Attorney Applicant Records, Presidential Appointee Candidate Records System, Presidential Appointee Records System, Special Candidates for Presidential Appointments Records System, and U.S. Judges Records System, dating from 1932 until the present.

Categories of records in the system: This system consists of file cards containing an individual's date of birth, date of entry on duty in Federal Service, date of termination of Federal Service, notes as to the disposition of his records folder, and title.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These cards contain information used solely for Department internal purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on file cards.

Retrievability: Information is retrieved by using the name of the individual, as these cards are filed alphabetically.

Safeguards: These cards are kept in file drawers stored in a locked room.

Retention and disposal: These cards are retained indefinitely, except in the instance of cards relating to applicants for attorney positions within the Department. If the applicant is rejected, his card is destroyed after two years.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the: Staff Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to these records should be directed orally or in writing to the Staff Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked 'Privacy Access Request.'

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Staff Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Information contained in this system is obtained from the individual's records folder.

Systems exempted from certain provisions of the act: None.

JUSTICE/DAG - 007

System name: Presidential Appointee Candidate Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: This system encompasses all individuals who are brought to the attention of the Department of Justice as potential candidates for appointment as United States Judges, United States Attorneys, or United States Marshals.

Categories of records in the system: As to any particular individual, the number and kind of records may vary according to the qualifications of the individual. Thus, these records, in some instances, contain merely single letters from the individual himself or some other person recommending his consideration for one of the positions mentioned in Categories of Individuals. The records may also contain biographical sketches of the individual, supplied either by the individual himself or the person recommending him. If the individual is under serious consideration for nomination for appointment, a confidential evaluation of his qualifications for the position will be in his folder. Also present may be completed background investigations on the individual. Letters, if any are received, protesting the individual's potential appointment may also be in his folder. Also present would be any information supplied by the individual or any other letters of recommendation.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of these records vary with the amount of consideration given to nominating the individual for appointment. In some instances, the records are stored, reviewed by Department personnel, and destroyed as outlined under Retention and Disposal. The candidate's entire records folder would be sent to the President upon his request. After a candidate is nominated and his nomination is pending Senate confirmation, the background investigation is routinely provided to the Chairman of the Senate Judiciary Committee. The fact that the candidate was being considered for appointment would be made known to the references supplied by the candidate and others contacted. Information about the candidate, as then known, might be supplied to contacted individuals as necessary to verify already obtained information or to seek elaboration of that information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved from this system by reference first to the office, indexed geographically or by the circuit or district, for which the individual is being considered, and then alphabetically by name of the candidate.

Safeguards: These records are stored in cabinets which are kept in a locked room.

Retention and disposal: These records are kept for five years and then destroyed, unless the individual receives the appointment. In that event, his individual record is transferred to another records system.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Executive Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Executive Assistant to the Deputy Attorney General stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Non-exempt sources of information in this system include the general public, the candidates themselves, government agencies where appropriate, and any other interested party.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DAG - 008

System name: Presidential Appointee Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses the following: Department of Justice Presidential appointees and retired, resigned, or deceased appointees.

Categories of records in the system: This system of records consists of records folders which may contain up to five sections. The personnel section includes such items as biographical sketches, qualification statements, completed Civil Service forms if applicable, letters recommending appointment, notifications of appointment, and other personnel-related matters. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of candidates. The complaint section contains correspondence from individuals or groups complaining about office holders.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Generally, these records are used only for internal Department of Justice purposes. Prior to

appointment, routine uses would include those specified for the Presidential Appointee Candidate Records System. If an appointee leaves the Department, information contained in his personnel folder might be used as the basis for answering inquiries from prospective employers about his qualifications and performance. The personnel section of his folder would be made available to other federal agencies, at their request, upon the transfer of the appointee to such an agency.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved by using the name of the individual who is the subject of the folder.

Safeguards: These records are stored in cabinets which are kept in a locked room.

Retention and disposal: The personnel section of these records is retained indefinitely at the Office of the Deputy Attorney General, except in the instance of an appointee who resigns or dies, in which case that section is sent to the St. Louis Records Center for indefinite storage. All other sections of the folders, in the instance where an appointee dies or resigns, are sent to the Suitland, Maryland Records Center for storage for five years and then destroyed.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Executive Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Executive Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Non-exempt sources of information contained in this system include the general public, the subjects of the records themselves, government agencies when appropriate, and any other interested party.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e) and have been published in the Federal Register.

JUSTICE/DAG - 009

System name: Special Candidates for Presidential Appointments Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses all individuals under consideration for presidential appointments as heads of divisions or sections of the Department of Justice.

Categories of records in the system: This system of records consists of records folders which may contain up to a total of four sections. The personnel section contains records such as resumes, letters of recommendation, and related personnel matters. The character section contains completed and portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of candidates. The majority of these personnel folders contain only the personnel section.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301 to assist the President in obtaining information necessary for determining the qualifications and availability of individuals for appointed offices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of these records vary with the amount of consideration given to nominating the candidate for appointment. In some instances, the records are stored, reviewed by Department personnel, and destroyed as outlined under Retention and Disposal. The candidate's entire records folder would be sent to the President upon his request. After a candidate is nominated and his nomination is pending Senate confirmation, the background investigation is routinely provided to the Chairman of the Senate Judiciary Committee. The fact that the candidate was being considered for appointment would be made known to the references supplied by the candidate and others contacted. Information about the candidate, as then known, might be supplied to contacted individuals as necessary to verify already obtained information or to seek elaboration of that information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved by the name of individuals seeking appointment as the files are arranged alphabetically by name.

Safeguards: These records are stored in cabinets in a locked room.

Retention and disposal: In the event a candidate is not nominated for appointment, his record is maintained for five years and then destroyed. If the candidate is appointed, his records are transferred to the Presidential Appointee Records System.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Executive Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Executive Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Non-exempt sources of information contained in this system include the general public, the subjects of

the records themselves, government agencies when appropriate, and any other interested party.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DAG - 010

System name: Summer Intern Program Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: All individuals who submit applications for the Department's Summer Intern Program for Law Students.

Categories of records in the system: This system of records consists of items such as completed Civil Service forms, law school grade transcripts, letters of recommendation, and completed Summer Law Intern Applications.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by Department personnel for recruitment purposes. However, in the case of an applicant with regard to whom the Department has decided not to extend an offer of employment, his or her application and Civil Service forms might be referred to another agency, upon its request, for that agency's recruitment purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stapled together.

Retrievability: Information is retrieved by use of the applicant's name, as these records are filed by use of the first letter of the applicant's last name.

Safeguards: These records are maintained in cabinets stored in a locked room.

Retention and disposal: These records are retained, in the case of applicants who are not offered positions, for one year and then destroyed. In the case of accepted applicants, their records enter the Civil Service system.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to these records should be directed orally or in writing to the Staff Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Staff Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Information contained in this system is obtained from the applicant and references provided by him.

Systems exempted from certain provisions of the act: None.

JUSTICE/DAG - 011

System name: United States Judge and Department of Justice Presidential Appointee Records.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: This system encompasses all United States Judges and all Department of Justice Presidential Appointees.

Categories of records in the system:

A. Card index relating to United States Judges which includes name, salary, Congress of appointment, state of birth, political party (if known), religion (if known), and American Bar Association rating.

B. Cross index of judges' names and districts.

C. Roster of districts showing the dates of duty of district court judges and Department of Justice Presidential Appointees, indexed alphabetically by name.

D. Book of commissions of United States Judges and Department of Justice Presidential Appointees in order by date of appointment and indexed alphabetically by name.

E. Nomination book showing the name of the nominated judge or Department of Justice Presidential Appointee, the date the proposed nomination was sent to the White House, the date the nomination was made to the Senate, the date of confirmation, the date of appointment, and the date of entrance on duty. This book is in chronological order, and is indexed alphabetically by name of the nominee.

F. Biographical sketches of United States Judges back to John Jay and Department of Justice Presidential Appointees for the last ten years.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained to make responses to public inquiries regarding those individuals noted in Categories of Individuals, (the political party and religion of an appointee is not released), and for Department internal purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are kept on cards, in folders or in books.

Retrievability: As noted above in Categories of Records.

Safeguards: Biographical sketches are kept in a lockable safe. All other information is kept in cabinets or card files.

Retention and disposal: This information is maintained indefinitely.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to these records should be directed orally or in writing to the Staff Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked 'Privacy Access Request.'

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Staff Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Information contained in this system is obtained from the individuals who are the subjects of the records and from other Department of Justice records.

Systems exempted from certain provisions of the act: None.

JUSTICE/DAG - 012

System name: United States Judges Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: The system encompasses every United States Judge except those appointed to the United States Court of Military Appeals and Tax Court.

Categories of records in the system: This system of records consists of records folders which may contain up to five sections. The personnel section contains general, personnel-type information and includes such items as biographical sketches, oaths of office, copies of commissions, nomination letter, qualifications statements, letters of recommendation, and copies of notifications of appointment. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The complaint section contains correspondence from individuals or groups complaining about office holders. The protest section contains correspondence, if any exists, protesting the appointment of candidates.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Generally, these records are used only for internal Department of Justice purposes. Prior to appointment, routine uses would include those specified for the Presidential Appointee Candidate Record System. If a judge decided to leave the bench, information contained in his personnel folder might be used as the basis for answering inquiries from prospective employers about his qualifications and performance. The personnel section of his folder would be made available to other federal agencies, at their request, upon the transfer of the judge to such an agency.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in paper folders.

Retrievability: Information is retrieved by use of the name of the judge, as these records are filed alphabetically.

Safeguards: These records are maintained in cabinets stored in a locked room.

Retention and disposal: The personnel section of the folders of United States Supreme Court Judges are sent to the National Archives upon the death of the judge. All other sections are retained indefinitely as are the entire records folders of all other United States Judges.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Executive Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked 'Privacy Access Request.'

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Executive Assistant to the Deputy Attorney General.

stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Non-exempt sources of information contained in this system include the general public, organizations, associations, the subjects of the records themselves, government agencies as appropriate, and other interested parties.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DAG - 013

System name: Miscellaneous Attorney Personnel Records System.

System location: Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who applied to or are employed by the Department of Justice as attorneys and are not included within another ODAG system.

Categories of records in the system: This system of records consists of records folders which may contain up to a total of four sections. The personnel section contains records such as resumes, letters of recommendation, law school grade transcripts, completed Civil Service forms, and related personnel matters. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of applicants. The complaint section contains correspondence from individuals or groups complaining about office holders and may contain matters relating to the disposition of those complaints. Rarely does a personnel folder contain more than the personnel and character sections.

Authority for maintenance of the system: These records are maintained pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used only by Department of Justice personnel. Information contained in a folder may be used as the basis for answering future inquiries from other government agencies about a former employee's qualifications. The personnel section may be made available to other federal agencies, at their request, upon the transfer of an employee to such an agency.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in paper folders.

Retrievability: Information is retrieved by use of an individual's name, as the folders are filed alphabetically by name.

Safeguards: These records are maintained in cabinets stored in a lockable room.

Retention and disposal: These records are retained until the subjects of the files resign or otherwise leave their offices for non-federal employment. In that instance, the personnel section is sent to the St. Louis Records Center for an indefinite period. If the individual transfers to another agency of the Federal government, the personnel section is sent to the gaining agency. All other sections of the folder are destroyed six months after the individual leaves office. The entire folders of individuals who were applicants and were not offered employment or did not accept employment with the Department are destroyed one year after final action is taken on the application.

System manager(s) and address: Executive Assistant to the Deputy Attorney General; Office of the Deputy Attorney General; United States Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

Record access procedures: A request for access to non-exempt portions of records from this system should be directed orally or in writing to the Executive Assistant to the Deputy Attorney General. When requests are in writing, the envelope and letter should clearly be marked "Privacy Access Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Executive Assistant to the Deputy Attorney General, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

Record source categories: Non-exempt sources of information contained in this system include the individuals who are the subjects of the records, government agencies as appropriate, and interested third parties.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/DAG - 014

System name: Financial Disclosure Statements.

System location: Department of Justice, 10th and Constitution Ave. N.W., Washington, D.C. 20530. Statements are filed with the head of the office in which the particular employee works or in the Office of the Deputy Attorney General.

Categories of individuals covered by the system: Current employees required to file statements by 28 C.F.R. 45.735-22. Special government employees of the Department required to file statements pursuant to 28 C.F.R. 45.735-23.

Categories of records in the system: The financial disclosure statement includes lists of business and nonprofit entities and educational institutions with which the employee has a connection and financial holdings or interests in those entities. Names of creditors of the employee and spouse and other members of the household. Lists of interests of the employee, spouse and household members in real property.

Authority for maintenance of the system: 28 C.F.R. 45.735-22, 45.735-23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are confidential and are made available only to officials of the Department and: (1) To the Civil Service Commission in order to carry out its responsibilities; (2) To courts or agencies, of federal, state or local government where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and the court or agency is charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute or a rule, regulation or order issued pursuant thereto; (3) To an agency, organization or individual when the Deputy Attorney General has determined that there is good cause for such disclosure in order to obtain necessary information concerning the subject of the record; (4) To parties involved in litigation in which the record is relevant, and their counsel, in accordance with the Federal Rules of Civil and Criminal Procedure.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are filed on DJ-Forms 120 or 121 and are maintained in confidential files in the immediate office of the division or bureau head.

Retrievability: The arrangement of the records for purpose of retrieval will vary from office to office, but the small number of such records makes them readily retrievable under a variety of systems.

Safeguards: Records are secured in accordance with applicable regulations of the Department of Justice and as required by 28 C.F.R. 45.735-22, 45.735-23.

Retention and disposal: Records are retained during the employment of the individual. Upon termination of employment they are destroyed in the manner provided for confidential records.

System manager(s) and address: Deputy Attorney General; U.S. Department of Justice; Washington, D.C. 20530.

Notification procedure: Inquiries should be addressed directly to the head of the Office, Board, Division or Bureau in which the individual is employed.

Record access procedures: Individuals may seek access and contest from the head of the employing office in accordance with Department of Justice regulations.

Contesting record procedures: Same as the above.

Record source categories: The individual employee completing the statement.

Systems exempted from certain provisions of the act: None.

JUSTICE/OLC - 001

System name: Attorney Assignment Reports.

System location: Office of Legal Counsel; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Attorneys employed in the Office of Legal Counsel, U.S. Department of Justice at the time each report was filed.

Categories of records in the system: The system consists of memoranda addressed to the Assistant Attorney General by each staff attorney listing current assignments pending on the first of the month. Some reports also list completed assignments, projected workload and anticipated leave.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from the system is not used outside the Department except to advise Executive Branch agencies as to the identity of the attorney working on a specific assignment, when inquiry is made.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The Assistant Attorney General, each of his Deputies, the Administrative Officer and the attorney who filed the report each have copies. Some are retained chronologically in file folders, some alphabetically in note books.

Retrievability: Information may be retrieved by name, alphabetically, or chronologically.

Safeguards: Information is maintained in offices occupied during the day and locked at night.

Retention and disposal: The Administrative Officer's file is chronological and maintained indefinitely. Attorneys may retain their copies indefinitely, others are kept for about two years and disposed of.

System manager(s) and address: Assistant Attorney General; Office of Legal Counsel; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the System Manager, the Administrative Officer or the two Deputies at the above address.

Record access procedures: A request for access to a record from this system may be made in person or in writing, specifying the name of the attorney and the dates of reports requested.

Contesting record procedures: Any requests for correction should be addressed to the System Manager.

Record source categories: Information is supplied by the attorneys employed by the Office of Legal Counsel on the date the report is filed.

Systems exempted from certain provisions of the act: None.

JUSTICE/OLC - 002

System name: Citizens Mail Index.

System location: Office of Legal Counsel; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: A. Individuals who write to the Office of Legal Counsel, its Assistant Attorney General, or one of his Deputies; B. Individuals who write to the Attorney General or the Department of Justice and whose letters are referred to the Office of Legal Counsel; C. Individuals whose letters have been referred to the Office of Legal Counsel for a response by the White House or Executive Agencies. In all of the above categories, the individuals include only those who express general views or seek information or assistance. Official correspondence and Freedom of Information Act requests are not indexed in this system.

Categories of records in the system: The system consists of 3" X 5" index cards, arranged alphabetically, and containing the name and address of the correspondent, the date of the letter or the date received, the Department of Justice file number, if known, the person to whom addressed, the attorney to whom it was assigned for response, the date of response, and an indication if it was referred by the White House or an Executive Agency.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from the index card may be provided to the White House or the agency which referred the letter to the Department. All other uses are internal within the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The information is on 3 X 5 index cards and stored in a cabinet.

Retrievability: The system is indexed by name, arranged alphabetically. White House and Department of Justice cards are separated.

Safeguards: The cards are maintained in a room which is occupied by office personnel during the day and locked at night.

Retention and disposal: Cards are maintained for approximately two years from the date of the letter and then discarded.

System manager(s) and address: Assistant Attorney General; Office of Legal Counsel; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name and address as included in the original letter, together with the current address if different, the date of the letter and to whom it was addressed. Requests should be directed to the System Manager listed above.

Contesting record procedures: Any requests for correction should also be directed to the System Manager and should indicate the exact correction required.

Record source categories: Sources of information in this system are the actual letter received, the response letter, and any transmittal from the White House or an Executive Agency.

Systems exempted from certain provisions of the act: None.

JUSTICE/OLA - 001

System name: Congressional Committee Chairman Correspondence File.

System location: U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Current and past Chairman of Congressional Committees who correspond with the Department on legislative and other related matters.

Categories of records in the system: The system contains letters and attachments transmitted by Congressional Committee Chairmen together with copies of the Departmental responses to these letters.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Use of the information is entirely within the Department on a need to know basis.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored in locked file cabinets.

Retrievability: Information is retrieved by using the name of the particular Congressional Committee Chairman who initiated the correspondence in a particular matter.

Safeguards: Information contained in the system is unclassified. Routine protection is provided.

Retention and disposal: Information maintained in this system contains correspondence generated during the 93rd and 94th Congresses. This system was not maintained prior to the 93rd Congress.

System manager(s) and address: Legislative Counsel; Office of Legislative Affairs; U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Office of Legislative Affairs; U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the nature of the letter or document as well as the general subject matter of the document. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The source of the information contained in this system comes directly from the individual initiating the correspondence.

Systems exempted from certain provisions of the act: None.

JUSTICE/OLA - 002

System name: Congressional Correspondence File.

System location: U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Current and past members of Congress who correspond with the Department on legislative and other related matters.

Categories of records in the system: The system contains letters and attachments transmitted by the individual members of Congress together with copies of the Departmental responses to these letters.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Use of the information is entirely within the Department on a need to know basis.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored in file cabinets.

Retrievability: Information is retrieved by using the name of the individual member of Congress who initiated the correspondence in a particular matter.

Safeguards: Information contained in the system is unclassified. Routine protection is provided.

Retention and disposal: Information maintained in this system contains correspondence generated during the 93rd and 94th Congresses. This system was not maintained prior to the 93rd Congress.

System manager(s) and address: Legislative Counsel; Office of Legislative Affairs; U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Office of Legislative Affairs; U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and letter clearly marked "Privacy Access Request." Include in the request the nature of the letter or document as well as the general subject matter of the document. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The source of the information contained in this system comes directly from the individual initiating the correspondence.

Systems exempted from certain provisions of the act: None.

JUSTICE/OLA - 003

System name: Citizen Correspondence File.

System location: U. S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons corresponding with the Department on legislative and other related matters.

Categories of records in the system: The system contains letters and attachments transmitted by individuals together with copies of the Departmental responses to these letters.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Use of the information is entirely within the Department on a need to know basis.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored in file cabinets.

Retrievability: Information is retrieved by using the name of the individual who initiated the correspondence in a particular matter.

Safeguards: Information contained in the system is unclassified. Routine protection is provided.

Retention and disposal: Information maintained in this system contains correspondence from individuals during 1974 and 1975. This system was not maintained prior to 1974.

System manager(s) and address: Legislative Counsel; Office of Legislative Affairs; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the: Assistant Attorney General; Office of Legislative Affairs; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the nature of the letter or document as well as the general subject matter of the document. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The source of the information contained in this system comes directly from the individual initiating the correspondence.

Systems exempted from certain provisions of the act: None.

JUSTICE/OSG - 001

System name: Attorney Assignment Reports.

System location: Office of the Solicitor General; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Attorneys employed in the Office of the Solicitor General, U.S. Department of Justice, at the time each report was filed.

Categories of records in the system: The system consists of forms completed by each staff attorney listing current assignments pending at the end of the week. Some reports also list completed assignments.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from the system is not used outside the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The Administrative Officer and the attorney who filed the report each have copies.

Retrievability: Information may be retrieved by name.

Safeguards: Information is maintained in offices occupied during the day and locked at night.

Retention and disposal: The Administrative Officer's file is maintained only until the next weekly report is filed.

System manager(s) and address: Solicitor General; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system may be made in person or in writing, specifying the name of the attorney and the dates of reports requested.

Contesting record procedures: Any requests for correction should be addressed to the System Manager.

Record source categories: Information is supplied by the attorneys employed by the Office of the Solicitor General on the date the report is filed.

Systems exempted from certain provisions of the act: None.

JUSTICE/OPA - 001

The following Notice is published for the benefit of the public. Executive Clemency Files, while maintained in the Office of the Pardon Attorney, U.S. Department of Justice, are files of the President of the United States compiled and maintained to provide for the exercise of his constitutional responsibilities pursuant to Article II, section 2, and are not subject to the provisions of the Privacy Act of 1974, P.L. 93-579.

System name: Executive Clemency Files

System location: Office of the Pardon Attorney; U. S. Department of Justice; HOLC Building; 320 First Street, N.W.; Washington, D.C. 20534.

Categories of individuals covered by the system: Applicants for Executive clemency.

Categories of records in the system: The system contains the individual petitions for Executive clemency (OPA-6 or 6-15) submitted by the applicants and accompanying oath and character affidavits (DOJ-1973-06), investigatory material, evaluative reports, interagency and intra-agency correspondence and memoranda relating to individual petitions for clemency. The system includes Presidential Clemency Board files transferred to the Office of the Pardon Attorney upon termination of the Board's existence on Sept. 15, 1975.

Authority for maintenance of the system: The system is established and maintained in accordance with the United States Constitution, Article II, Section 2, Executive Order of the President dated June 16, 1893, Order No. 288-62, 27 F.R. 11002, November 10, 1962, as codified in 28 CFR 1.1 through 1.9 and E.O. 11878 dated Sept. 10, 1975.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Executive clemency files are used to (a) enable the Attorney General to investigate each petition for Executive clemency, to review each petition and information developed by his investigation thereof and to advise the President whether, in his judgment, the request for clemency is of sufficient merit to warrant favorable action by the President; (b) prepare notices to the public of the name of each grantee of

clemency, date of Presidential action, nature of clemency granted, nature of grantee's offense, date and place of sentencing, description of sentence imposed, and names of character affiants and interested members of Congress; (c) prepare bound and indexed volumes containing photocopies of the official warrant of clemency granted each recipient of clemency as a public and official record of Presidential action; (d) upon request of the President and members of his staff, to make available to them individual clemency files; and (e) upon specific request by an individual, to advise the requestor whether a named person has applied for, been granted or denied clemency, the date thereof and the nature of the clemency granted or denied.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored in the Office of the Pardon Attorney and in Archives.

Retrievability: Information is retrieved by reference to the file number assigned to the name of each applicant for clemency.

Safeguards: Information contained in the system is safeguarded and protected in accordance with Department of Justice rules governing petitions for Executive clemency, specifically, 28 C.F.R. 1.6. Executive clemency files are maintained in the Office of the Pardon Attorney and are not commingled with Department of Justice records.

Retention and disposal: Records are stored in the Office of the Pardon Attorney as long as space requirements permit and are then transferred to Archives. These records are not destroyed.

System manager(s) and address: Pardon Attorney; Office of the Pardon Attorney; Department of Justice; 654 HOLC Building; 320 First Street, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Pardon Attorney; Department of Justice; Washington, D.C. 20530.

Record access procedures: While the Attorney General has exempted Executive Clemency files from the access provisions of the Privacy Act, requests for discretionary releases of records contained in the system shall be made in writing with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the general subject matter of the document and the name of the clemency applicant in whose file it is contained. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: While the Attorney General has exempted Executive Clemency files from the correction (contest and amendment) provisions of the Privacy Act, requests for the discretionary correction (contest or amendment) of records contained in this system should be directed to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are the individual applicants for clemency, Federal Bureau of Investigation or other official investigatory reports, Bureau of Prison records, Selective Service System and Armed Forces Reports, probation or parole reports and reports from individuals or non-Federal organizations, both solicited and unsolicited.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsection (d) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/OPI - 001

System name: News Release, Document and Index System.

System location: Room 5114; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: A. Defendants in civil and criminal actions brought by the Department of Justice for which news releases were issued; B. Current and former employees of the Department of Justice on which news releases and biographical information were prepared.

Categories of records in the system: The system contains an index record of each news release and document issued by the Department of Justice and copies of the news release and document.

Authority for maintenance of the system: The system is established and maintained at the direction of the Attorney General pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The index is used to retrieve news releases and documents issued by the Department upon request.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored manually on index cards and letter- and legal-size paper.

Retrievability: Information is retrieved by using the name of the defendant, subject matter of legal action, state in which action is filed, and name of current or former employee.

Safeguards: Information contained in the system is unclassified.

Retention and disposal: The index and one copy of each news release are retained indefinitely. Additional copies are retained for one year and then destroyed.

System manager(s) and address: Director of Public Information; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for a copy of a record from this system may be made in writing, by telephone, or in person.

Contesting record procedures: Persons desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendments to the information sought.

Record source categories: Sources of information contained in this system are those employees who prepared the document on which a news release is based.

Systems exempted from certain provisions of the act: None.

JUSTICE/PRC - 001

System name: Docket, Scheduling and Control.

System location: Records are maintained at each of the Regional Offices for inmates incarcerated in and persons under supervision in each region, except for the National Appeals Board docket maintained in Washington. All requests for records should be made to the appropriate regional office or Headquarters at the following addresses: United States Parole Commission; Scott Plaza II; Industrial Highway; 6th Floor; Philadelphia, Pennsylvania 19113; United States Parole Commission; 3500 Greenbriar Parkway, Bldg. 300; Atlanta, Georgia 30331; United States Parole Commission; 320 First Street; Washington, D.C. 20537; AITN; National Appeals Board; United States Parole Commission; KCI Bank Bldg; 8800 N.W. 112th Street; Kansas City, Missouri 64153; United States Parole Commission; 3883 Turtle Creek Blvd. Suite I; Dallas, Texas 75219; United States Parole Commission; 330 Primrose Drive - 5th Floor; Burlingame, Calif. 94010.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General who

have become eligible for parole. Former inmates includes those presently under supervision as parolees or mandatory releasees and those against whom a revocation warrant has been issued.

Categories of records in the system: (a) Docket Sheets - Each region and the National Appeals Board in Washington maintain a cumulative series of Docket sheets in time sequence showing Commission Action. Principal data elements are name and register number of inmate, offense, sentence, and previous and present Action. The Appeal Docket includes the date and type of appeal in addition to much of the above data. These provide a continual running record of the basic data elements per inmate and former inmate. (b) Hearing Schedules - When inmates become eligible for parole through operation of law, their names appear on an eligibility list prepared by the Bureau of Prisons, for initial parole hearings. Inmates denied parole are 'continued' by the Commission to future dates for review hearings or record reviews. There is a legal requirement for record reviews of certain inmates at the 1/3 point of their sentences. Other types of hearings and reviews are provided for in the Code of Federal Regulations as part of parole rescission or revocation procedures. All of the different types of hearings and reviews are placed on schedules for panels of examiners to process when they visit the various institutions or hold 'local' hearings. The data elements are similar to those on the docket but indicate the number and type of hearing or review to be held instead of the result.

Authority for maintenance of the system: 18 U.S.C. 4201-4218, 28 C.F.R. Subpart V.O.125(f) and 0.129(g) and (j). 28 C.F.R. 2.23, 2.24, 2.25, 2.26, 2.55 and 2.56.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) The dockets provide the basis of answering basic inquiries, mostly from within the Parole Commission, as to when a hearing came up for an individual and what action was taken. The schedules indicate to examiners and prison staff the specific hearings and reviews to be prepared for and held.

(b) In the event that material in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(c) A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant information if necessary to obtain information relevant to an agency decision concerning parole matters.

(d) A record from this system may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(e) Internal Users - Employees of the Department of Justice who have a need to know the information in the performance of their duties.

(f) External Users - As noted above, on occasion employees of federal, state and local enforcement, correctional, prosecutive, or other agencies, and courts may have access to this information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information stored in the system is on sheets of paper, one item per line, stored in folders or binders. An experimental program to store such data on tape, disk, or microfiche using ADP technology, is in the beginning stages.

Retrievability: Name, register number, date, institution, Commission action.

Safeguards: Copies of dockets and schedules are not disseminated outside of Commission offices and Bureau of Prisons installations. They are available only to Commission and Bureau employees on a 'need to know' basis. Information therefrom may be given outside the Department as indicated in the 'Routine Uses.' If so, a letter will be written covering the item disclosed, date, and identity of the recipient. If information must be given over the phone due to urgency, the caller will be identified beforehand and details of the call recorded.

Retention and disposal: Records in this system are kept for five (5) years after the effective date of the schedule or date of the last item recorded on the docket. They are then shredded.

System manager(s) and address: Herman Levy - Attorney-Management Analyst; United States Parole Commission; 320 First Street N.W., Rm. 342; Washington, D.C. 20537.

Notification procedure: Address inquiries to Regional Director at appropriate location. For general inquiries, address System Manager. The Attorney General has exempted this system from compliance with the provisions of Subsection (d), under the provisions of Subsection (j).

Record source categories: 1) Bureau of Prisons files; 2) Parole Commission and Bureau of Prison's employees; 3) Court Records; 4) Parole Commission inmate files.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/PRC - 002

System name: Freedom of Information Act Record System.

System location: Records may be retained at any of the Regional Offices as indicated in the Inmate and Supervision Files System and the Headquarter's Office. All requests for records may be made to the Central Office: United States Parole Commission; 320 First Street, N.W.; Washington, D.C. 20537; ATTN: Executive Assistant to Chairman.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General, including former inmates on supervision.

Categories of records in the system: 1) Administrative Requests and Responses to requests for information and records under 5 U.S.C. 552, and appeals from denials of data; 2) Final orders of Board following all parole rescission and revocation hearings, record reviews, and appeals are maintained in the Freedom of Information Act Reading Room at Commission Headquarters with names and register numbers removed to protect individual privacy of inmates and persons on supervision. Final decisions in labor and pension cases are maintained in said reading room.

Authority for maintenance of the system: 5 U.S.C. 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used: a) to maintain records concerning the processing and determination of requests for information made pursuant to the Freedom of Information Act 5 U.S.C. 552; and make final orders available in a reading room pursuant to 5 U.S.C. 552; b) to provide documentation of receipt and processing requests for information made pursuant to the Freedom of Information Act if needed for processing contested denials of release of data; c) to furnish information to employees of the Department of Justice who have a need for information from the system in performance of their duties; d) to maintain a count of requests and method of compliance as required by Freedom of Information Act.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests

the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on documents.

Retrievability: Documents are indexed by name and/or register number. Final orders in the reading room are indexed by type, and within each type the source (Region or National Appeals Board).

Safeguards: Information is stored in file cabinets in rooms supervised by day and locked at night and are made available to Board personnel and other Department of Justice employees on a "need to know" basis. Each requestor may see his own file. The public may use the reading room.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by shredding.

System manager(s) and address: General Counsel; United States Parole Commission; 320 First Street, N.W.; Washington, D.C. 20537.

Notification procedure: Same as the above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: 1) Inmates and persons on supervision; 2) Department of Justice employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/PRC - 003

System name: Inmate and Supervision Files.

System location: Records are maintained at each of the Commission's Regional Offices for inmates incarcerated in and persons under supervision in each region. Records are housed temporarily at the Commission's Headquarters office located at 320 First Street, Washington, D.C. 20537 when used by the National Appeals Board or other Headquarters personnel. Prior to the first parole hearing, the inmate's file is maintained at the institution at which he is incarcerated. All requests for records should be made to the appropriate regional office at the following addresses: U.S. Parole Commission; Scott Plaza II; Industrial Highway - 6th Floor; Philadelphia, Pennsylvania 19113. U.S. Parole Commission; 3500 Greenbriar Parkway - Bldg. 0300; Atlanta, Georgia 30331. U.S. Parole Commission; KCI Bank Bldg.; 8800 N.W. 112th Street; Kansas City, Missouri 64153. U.S. Parole Commission; 3883 Turtle Creek Blvd. - Suite 1; Dallas, Texas 75219. U.S. Parole Commission; 330 Primrose Drive - 5th Floor; Burlingame, Calif. 94010.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General. Former inmates include those presently under supervision as parolees or mandatory releasees.

Categories of records in the system:

1. Computation of sentence and supportive documentation.
2. Correspondence concerning pending charges, and wanted status, including warrants.
3. Requests from other federal and non-federal law enforcement agencies for notification prior to release.
4. Records of the allowance, forfeiture, withholding and restoration of good time.
5. Information concerning present offense, prior criminal background, sentence and parole from the U.S. Attorneys, the Federal Courts, and federal prosecuting agencies.
6. Identification data, physical description, photograph and fingerprints.
7. Order of designation of institution of original commitment.
8. Records and reports of work and housing assignments.
9. Program selection, assignment and performance adjustment/progress reports.
10. Conduct records.
11. Social background.
12. Educational data.
13. Physical and mental health data.
14. Parole Board applications, appeal documentation, orders, actions, examiner's summaries, transcripts or tapes of hearings, guideline evaluation documents, parole or mandatory release certificates, statements of third parties for or against parole, special reports on youthful offenders and adults required by statute and related documents.

15. Correspondence regarding release planning, adjustment and violations.

16. Transfer orders.

17. Mail and visit records.

18. Personal property records.

19. Safety reports and rules.

20. Release processing forms and certificates.

21. Interview request forms from inmates.

22. General correspondence.

23. Copies of inmate court petitions and other court documents.

24. Reports of probation officers, Board correspondence with former inmates and others, and Board orders and memoranda dealing with supervision and conditions of parole or mandatory release.

25. If an alleged parole violation exists, correspondence requesting a revocation warrant, warrant application, warrant, instructions as to service, detainers and related documents.

Authority for maintenance of the system: 18 U.S.C. 4201-4218, 18 U.S.C. 5010, 18 U.S.C. 5014-5024, 28 C.F.R. Subpart V 0.125(f), 0.129(g) and (j).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) The file is the "working tool" used by Parole Commission examiners to frame the questions at the inmates initial hearing. After that hearing, it is placed in the appropriate regional office where it provides the principle information source for decisions necessary during the pre-release stage (before parole), the review hearing or record review, and the post release stage (when supervision takes place). It is sent temporarily to Commission Headquarters when appeals come before the National Appeals Board or when needed by Counsel and others on the Headquarters Staff. It is used by employees at all levels including Commission Members to provide the information for decision making in every area of Commission responsibility. Files of released inmates are used to make statistical studies of subjects related to parole and revocation.

(b) The system is used to provide information source to officers and employees of the Department of Justice who have a need for the information in the performance of their duties.

(c) The system is used to provide information source for disclosure of information that are matters solely of general public record, such as offense, sentence data, release date, and etc. Names are not disclosed when information is so provided.

(d) The system is used to provide informational source for responding to inquiries from federal inmates involved, their families or representatives, or Congressional inquiries.

(e) Internal Users - Employees of the Department of Justice who have a need to know information in the performance of their duties.

(f) External Users - U.S. Probation Officers, who supervise parolees and mandatory releasees, and U.S. District Court judges on rare occasions when Commission action is attacked in litigation. Very rarely, to enforcement authorities outside of the Department of Justice.

(g) In the event that material in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order, issued pursuant thereto.

(h) A record from this system may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant information if necessary to obtain information relevant to an agency decision relating to current or former inmates under supervision.

(i) A record from this system may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of

Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on papers fastened into file jackets and a minimal amount is on cards stored in card file drawers. Active files and card indices are located in each region; inactive files are at the Washington Federal Records Center and the card index to inactive files is at Board Headquarters in Washington. An experimental program to store such data on tape, disk or microfiche using ADP technology is in the beginning stages.

Retrievability: All data is indexed by name and/or register number. When ADP technology is used in the future, such data may be available by Social Security Number, FBI identification number, or other indices.

Safeguards: Within the Department of Justice, routine use is made available to employees only on a "need to know" basis. Files are stored in rooms which are supervised by day and locked at night. Data from files for recipients outside of the Parole Commission and Bureau of Prisons is conveyed by letter so that a record exists. When files are sent they are covered by a letter with a follow-up on return of the file. Such disclosure is infrequent, and is within the federal enforcement-prosecution-judicial area only.

Retention and disposal: Records in this system are retained for a period of ten (10) years after expiration of sentence, then destroyed by electronic means or shredding.

System manager(s) and address: Herman Levy - Attorney-Manager Analyst; United States Parole Commission; 320 First Street, N.W. - Rm. 342; Commission D.C. 20537.

Notification procedure: Address inquiries to Regional Director at appropriate location. For general inquiries, address System Manager. The Attorney General has exempted this system from compliance with the provisions of Subsection (d) under the provisions of Subsection (j).

Record source categories: 1. Individual inmate; 2. Federal law enforcement agencies and personnel; 3. State and federal probation services; 4. Non-Federal law enforcement agencies; 5. Educational institutions; 6. Hospital or medical sources; 7. Relatives, friends and other interested individuals or groups in the community; 8. Former or future employers; 9. Evaluations, observations, reports, and findings of institution supervisors, counselors, boards and committees, Parole Commission examiners, Parole Commission Members; 10. Federal Court records; 11. U.S. Bureau of Prisons personnel and records.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/PRC - 004

System name: Labor and Pension Case, Legal File and General Correspondence System.

System location: All Labor and Pension cases, and Legal file and some general correspondence material is located at: Commission Headquarters; 320 First Street, N.W.; Washington, D.C. 20537. The balance of the general correspondence material is located at the Commission's Regional Offices, the addresses of which are specified in the Inmate and Supervision System.

Categories of individuals covered by the system: All applicants for exemptions under 29 U.S.C. 504 and 29 U.S.C. 1111, all persons litigating with the U.S. Parole Commission, all persons corresponding with the Commission on subjects not amenable to being filed in an inmate or supervision file identified by an individual, and all congressmen inquiring about constituents.

Categories of records in the system: The Commission processes applications of persons convicted of certain crimes for exemptions to allow their employment in the Labor field under 29 U.S.C. 504 or by Employee Benefit Plans under 29 U.S.C. 1111. The files contain memoranda, correspondence, and legal documents with information of a personnel nature, i.e., family history, employment history, income and wealth, etc., and of a criminal history nature, i.e.,

record of arrests and convictions, and details as to the crime which barred employment. The final decision of the Commission in each case is a public document under the Freedom of Information Act. The Counsel's Office of the Parole Commission maintains work files for each inmate or person on supervision who is litigating with the Commission. These files contain personnel and criminal history type data regarding inmates, and internal communications among attorneys, Members and others developing the Commission's legal position in these cases. Files of the Commission's correspondence with Congressmen who inquire about groups of constituents who have paroles or revocations pending or other subjects are maintained in the Chairman's Office and in the regions. Files of correspondence, notes, and memoranda concerning parole revocation and related problems are also maintained in those locations. Some of this material duplicates material in the inmate files and contains personnel-criminal history type information about individuals.

Authority for maintenance of the system: These files are maintained pursuant to 18 U.S.C. 4201-4218, 28 C.F.R. 0.125(f) and 0.129(g) and (j), 29 U.S.C. 504, 1111, and all statutory sections and procedural rules allowing inmates, persons under supervision, or others to litigate with the Parole Commission.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Within the Parole Commission material in this system is used respectively by Counsel's Office staff and Commission Members in processing exemption applications. The legal file material is used by Counsel's Office staff in asserting the litigation position of the Commission. The general correspondence is used by Commission personnel in responding to Congressmen, and by Commission Members and others in transacting the day-to-day business of the Commission. Final pension and labor case decisions are used by the Commission, the Justice, and Labor Departments, and the public to establish precedents in this field of litigation. In the event that material in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant information if necessary to obtain information relevant to an agency decision relating to pension or labor matters. A record from this system may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All data is on documents or other papers in bound files. Labor and pension case material is in Counsel's Office or the Chairman's Office at Headquarters, except for final decisions which are in the Freedom of Information Act reading room. Legal files are in Counsel's Office at Headquarters, general correspondence is in the Chairman's Office, the office of his staff at Headquarters, and the offices of each regional director. Files are in file cabinets.

Retrievability: Labor, pension, and legal file material is indexed or filed by name of applicant or litigant, respectively. General correspondence is indexed or filed by subject, time sequence or individuals to whom the items refer.

Safeguards: Material is available only to Commission employees on a 'need to know' basis. Storage locations are supervised by day and locked at night. Only disclosure made therefrom is to other agencies of the Department of Justice, the U.S. Probation Office, federal enforcement agencies or the Congress. Disclosure to Congressmen in response to inquiries concerning constituents is subject to the exemptions of the Freedom of Information Act. The Commission Decisions in labor and pension cases are public information under the Freedom of Information Act.

Retention and disposal: Records are maintained for 10 years and are shredded or destroyed electronically thereafter.

System manager(s) and address: Herman Levy; Attorney/Management Analyst; United States Parole Commission; 320 First Street, N.W. - Rm. 342; Washington, D.C. 20537.

Record source categories: a. Applicants for Exemptions under 29 U.S.C. 504 and 29 U.S.C. 1111; b. U.S. Department of Labor; c. Administrative Law Judges and others connected with labor or pension cases; d. Litigants proceeding against Parole Commission; e. The Commission's legal staff and other Commission personnel; f. Congressmen and others making inquiries of Commission; g. Commission Members and employees responding to inquiries, corresponding with others, preparing speeches, policy statements and other means of contact with other branches of the Federal Government, state and local governments, and the public.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (4)(G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/PRC - 005

System name: Office Operation and Personnel System.

System location: At each regional office as indicated in the 'Inmate and Supervision File System Report' and at the: United States Parole Commission; 320 First Street, N.W.; Washington, D.C. 20537.

Categories of individuals covered by the system: Present and former Commission Members and employees of the United States Parole Commission.

Categories of records in the system: Personnel records, leave records, property schedules, budgets and actual expense figures, obligation schedules, expense and travel vouchers, and the balance of the usual paperwork to run a government office efficiently.

Authority for maintenance of the system: All statutory sections, C.F.R. sections, and CSC, GSA, and OMB directives establishing procedures for government personnel, financial, and operational functions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Day to day activity involving personnel, financial, procurement, maintenance, record-keeping, mail delivery and management functions.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are in paper files or on computer printouts. They are stored in operations areas of offices.

Retrievability: Data of a personal nature is in employee personnel files, used by Commission personnel on a 'need to know' basis. Each employee has a right to see his own file on request. Other files are used by Commission personnel on a 'need to know' basis.

Safeguards: Files are supervised by appropriate personnel during the working day and are in locked rooms at night.

Retention and disposal: Subject to applicable CSC, OMB, DOJ, and GSA regulations.

System manager(s) and address: Executive Assistant to the Chairman; United States Parole Commission; 320 First Street, N.W. - Rm. 354B; Washington, D.C. 20537.

Notification procedure: Same as the above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Parole Commission employees, Office of Management and Finance. All other contributing government agencies.

Systems exempted from certain provisions of the act: None.

JUSTICE/PRC - 006

System name: Statistical, Educational and Developmental System.

System location: Parole Commission Headquarters; 320 First Street - 3rd Floor; Washington, D.C. 20537.

Categories of individuals covered by the system: Any inmate or former inmate under custody of the Attorney General including former inmates supervised as parolees or mandatory releasees.

Categories of records in the system: All records as described in the Workload Record, Decision Result, and Annual Report System plus data on additional input forms known as Revocation Data Sheets, Parole Decision Information Sheet and follow-up forms of July, 1971 and July, 1972 and the Salient Factor Worksheet Form. These forms include criminal history-type data elements regarding specific individuals selected from the above category of individual. This data is either organized and processed by hand or is input into a computer through punch cards and has been used to provide the following one-time reports in pamphlet-text form: a) Administrative Review of Parole Selection and Revocation decisions; b) Parole Decision Making, a Salient Factor Score; c) Effect of Representation at Parole Hearings; d) Parole Decision Making - Structuring Discretion; e) Time Served and Release Performance - A Federal Sample. The data base collected as described in this and the preceding system will be used to prepare studies on similar or related subjects in the future. It is presently being used to develop revocation guidelines similar to parole guidelines. Items collected for this data base may change depending on the subject matter of new studies to be undertaken by the Commission.

Authority for maintenance of the system: 18 U.S.C. 4201-4218 - 28 C.F.R. Subpart V. 0.125(f) and 0.129(g) and (j).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Internal - Develop methodology for a more scientific determination of paroleability and revocability, methodology to comply with changing concepts of due process, and methodology to select persons to be released from prison who will be less likely to recidivate.

b. External - Add to the general body of knowledge in the parole area of criminology, and provide educational material for other parole boards, and members of the criminal justice and academic communities interested in this subject. Published pamphlets in text form are prepared on subjects of interest in this area of criminology and are circulated freely. They contain no references to individuals, either by name, address, register number or other means of identification. They do not contain recognizable fact situations, descriptions, or other writings through which identification of any individual within the present or former jurisdiction of the Parole Commission can be made.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data is in input forms, IBM card decks and on computer tape. It is stored as described in the preceding system description - Pamphlet text reports are public documents stored in offices, libraries, and in bookshelves.

Retrievability: Information by name, register number or FBI identification number may be retrieved from the input forms, card decks, or tape. This material is used only by authorized parole board research personnel on a 'need to know' basis and is data processed only by authorized Bureau of Prisons personnel. Material is not retrieved in identifiable form except that computer produced, 'hard copy' may be used as a temporary expedient to prepare a report. The final pamphlet-text reports and material resulting from studies are used by Commission Personnel for internal purposes and the public externally. None of this material contains any reference to an individual. One source form, the Salient Factor Worksheet, which contains information retrievable as to one individual is made available to that individual if requested under the Freedom of Information Act.

Safeguards: See 'Safeguards' of preceding system regarding input forms, IBM cards or tape. Reports in pamphlet form are not safeguarded.

Retention and disposal: See 'Retention and Disposal' of preceding system. The studies in pamphlet form are not disposed of on schedule. Some will be maintained perpetually in archives.

System manager(s) and address: Research Director; U.S. Parole Commission; 320 First Street, N.W.; Room 366; Washington, D.C. 20537.

Record source categories: a. Commission inmate files; b. Docket Sheets; c. Commission Notices of Action, orders and documentation following hearings; d. Commission warrant applications and warrants; e. General Commission records and data; f. Enforcement agency records regarding former inmates.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/PRC - 007

System name: Workload Record, Decision Result, and Annual Report System.

System location: U.S. Parole Commission Headquarters; 320 First Street, 3rd Floor; Washington, D.C. 20537.

Categories of individuals covered by the system: Any inmate and parolee or mandatory releasee who has been the subject of a decision for the period covered in the report for which the data is used (prior month, prior quarter, or prior year).

Categories of records in the system: The five original input forms (R-1, R-2, R-9, R-10 and R-13) indicate the inmate or person under supervision by name and register number and give the date and specific statistical detail as to the decision made. They include criminal history type of information regarding the persons in question. Types of decisions covered in order of the form numbers above are after hearing or record review, after recommendation, after Regional Appeal, after National Appeal, and after a decision reopening and modifying. Similar input is obtained regarding warrants issued and some other detailed steps performed by the Parole Commission. The data is input into a computer through punch cards and is used to provide the following: (a) A monthly report of workload containing number and type of hearings per region further broken out by institutions within regions and type of sentence; (b) A quarterly report on decision results indicating, among other statistics, number and type of decisions within, above, and below guidelines broken out by examiners making the decisions; (c) Together with hand posted data on other items of statistical value, this data will be used to create the Annual Report of the Commission in lieu of duplicative and older methodology now in use.

Authority for maintenance of the system: 18 U.S.C. 4202-4210, 28 C.F.R. 0.125(f) and 0.129(g) and (j).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) These records are used internally to analyze work product, the performance of evaluators, and various types of procedures and hearings and to evaluate the guidelines themselves.

(b) These records are used to prepare an annual report to the Attorney General and Congress and the public indicating in quantitative and qualitative terms Commission activity and accomplishment.

(c) In the event that material in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation,

rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

(d) A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant information if necessary to obtain information relevant to Parole Commission matters.

(e) A record from this system may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that information is relevant and necessary to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper input forms are stored in folders only until information from them is punched into cards. Data is stored principally on punch cards and plans are being developed to convert it to tape storage. Monthly and quarterly reports in the form of computer printouts are filed in folders. Annual report is in book form and stored in library shelves.

Retrievability: Data in this system can be retrieved by inmate's name and register number from the original input forms, IBM card decks, and planned tape substitute for card decks. It is only retrieved by region, by examiner, by type of decision made or hearing held, by relation to the guidelines and other similar means except for individual case retrievability in the guideline section of the quarterly report. Except for this, there is no output from this system now produced in which any information is identifiable by the name or register number of any person. Such identification exists in the input and storage data area.

Safeguards: Data on forms and IBM cards and/or tape retrievable by individual is stored in the Research Sections Office in cabinets. Research personnel (all selected Commission employees) supervise this data by day and use it on a 'need to know' basis. The room where it is stored is locked outside of office hours, and the entire Headquarters building is guarded and secured. Monthly and quarterly reports are for use of the Chairman, his Executive Assistant and Commission Members and professional personnel. No information thereon is retrievable as pertaining to any individual except certain breakdowns by Parole Commission employee examiners and by inmate in the guideline section of the quarterly reports. These printouts are stored in the Commission Headquarters offices, all of which are supervised by day, locked at night, and are in a secured building. The Annual Report contains no information identifiable by individual and is a public document.

Retention and disposal: Completed input forms - Until data is keypunched into IBM cards - usually one month after forms are completed. They are then destroyed; 2. IBM card decks or planned tape substitute - Ten years after preparation, cards will be destroyed - tape degaussed; 3. Printouts of annual and quarterly reports - 10 years; 4. Annual Reports - Some copies retained perpetually in Archives.

System manager(s) and address: Executive Assistant to the Chairman; Rm. 354-B; U.S. Parole Commission; 320 First Street, N.W.; Washington, D.C. 20537.

Record source categories: (a) Commission inmate files; (b) Docket sheets; (c) Commission notices of action, orders and documentation following hearings; (d) Commission warrant applications and warrants; (e) General Commission records and data.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4),

(d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/INS - 001

System name: THE IMMIGRATION AND NATURALIZATION SERVICE INDEX SYSTEM WHICH CONSIST OF THE FOLLOWING SUBSYSTEMS.

- A. Agency information control record index.
 - B. Alien address report index.
 - C. Alien enemy index.
 - D. Automobile decal parking identification system for employees.
 - E. Centralized index and records relating to, but not limited to aliens lawfully admitted for permanent residence and United States citizens (Master index).
 - F. Congressional Mail Unit correspondence control index.
 - G. Document vendors and alters index (Service documents).
 - H. Enforcement branch indices:
 - 1. Air detail office index system.
 - 2. Anti-smuggling index (general).
 - 3. Anti-smuggling information centers systems for Canadian and Mexican borders.
 - 4. Border Patrol Academy index.
 - 5. Border Patrol sectors general index system.
 - 6. Contact index.
 - 7. Criminal, immoral, narcotic, racketeer, and subversive indices.
 - 8. Enforcement correspondence control index.
 - 9. Fraudulent document center index system.
 - 10. Informant index.
 - 11. Suspect third party index.
 - I. Examinations correspondence control index.
 - 1. Branch indices.
 - 2. Service lookout system.
 - J. Extension training program enrollees.
 - K. Finance section indices.
 - 1. Accounts with creditors.
 - 2. Accounts with debtors.
 - L. Freedom of Information correspondence control index.
 - M. Intelligence index.
 - N. Microfilmed manifest records.
 - O. Naturalization and citizenship indexes.
 - 1. Naturalization and citizenship docket cards.
 - 2. Examiner's docket lists of petitioners for naturalization.
 - 3. Master docket list of petitions for naturalization pending one year or more.
 - P. Personnel investigations index.
 - Q. Procurement - property issued employees.
 - R. Security system access clearance information index system.
 - S. White House and Attorney General correspondence control index.
 - T. Health Record System.
 - U. Personal Data Card System.
 - V. Compassionate Cases System.
 - W. Emergency Reassignment Index.
 - X. Alien Documentation Identification and Telecommunication (ADIT) System.
- System location:
- A. Central Office: 425 'I' Street; N.W. Washington; D.C. 20536.
 - B. Regional Offices:
 - 1. Burlington, Vermont
 - 2. Fort Snelling, Twin Cities, Minnesota
 - 3. Dallas, Texas
 - 4. San Pedro, California
 - C. District Offices in the United States:
 - 1. Anchorage, Alaska
 - 2. Atlanta, Georgia
 - 3. Baltimore, Maryland
 - 4. Boston, Massachusetts
 - 5. Buffalo, New York
 - 6. Chicago, Illinois
 - 7. Cleveland, Ohio
 - 8. Denver, Colorado
 - 9. Detroit, Michigan
 - 10. El Paso, Texas
 - 11. Hartford, Connecticut
 - 12. Helena, Montana
 - 13. Honolulu, Hawaii
 - 14. Houston, Texas

- 15. Kansas City, Missouri
- 16. Los Angeles, California
- 17. Miami, Florida
- 18. Newark, New Jersey
- 19. New Orleans, Louisiana
- 20. New York, New York
- 21. Omaha, Nebraska
- 22. Philadelphia, Pennsylvania
- 23. Phoenix, Arizona
- 24. Portland, Maine
- 25. Portland, Oregon
- 26. St. Albans, Vermont
- 27. St. Paul, Minnesota
- 28. San Antonio, Texas
- 29. San Diego, California
- 30. San Francisco, California
- 31. San Juan, Puerto Rico
- 32. Seattle, Washington
- 33. Washington, D.C.
- D. District offices in foreign countries:
 - 1. Hong Kong, B.C.C.
 - 2. Mexico City, Mexico
 - 3. Rome, Italy
- E. Sub Offices:
 - 1. Agana, Guam
 - 2. Albany, New York
 - 3. Cincinnati, Ohio
 - 4. Dallas, Texas
 - 5. Hammond, Indiana
 - 6. Harlingen, Texas
 - 7. Las Vegas, Nevada
 - 8. Memphis, Tennessee
 - 9. Milwaukee, Wisconsin
 - 10. Norfolk, Virginia
 - 11. Pittsburgh, Pennsylvania
 - 12. Providence, Rhode Island
 - 13. Reno, Nevada
 - 14. St. Louis, Missouri
 - 15. Salt Lake City, Utah
 - 16. Spokane, Washington
- F. Border Patrol Sector Headquarters:
 - 1. Blaine, Washington;
 - 2. Buffalo, New York;
 - 3. Chula Vista, California;
 - 4. Del Rio, Texas;
 - 5. Detroit, Michigan;
 - 6. El Centro, California;
 - 7. El Paso, Texas;
 - 8. Grand Forks, North Dakota;
 - 9. Havre, Montana;
 - 10. Houlton, Maine;
 - 11. Laredo, Texas;
 - 12. Livermore, California;
 - 13. Marfa, Texas;
 - 14. McAllen, Texas;
 - 15. Miami, Florida;
 - 16. New Orleans, Louisiana;
 - 17. Ogdensburg, New York;
 - 18. Spokane, Washington;
 - 19. Swanton, Vermont;
 - 20. Tucson, Arizona;
 - 21. Yuma, Arizona
- G. Border Patrol Academy - Los Fresnos, Texas
- H. Charlotte Amalie, St. Thomas, Virgin Islands
- I. Sub offices in foreign countries:
 - 1. Athens, Greece
 - 2. Frankfurt, Germany
 - 3. Naples, Italy
 - 4. Palermo, Italy
 - 5. Rome, Italy
 - 6. Tokyo, Japan
 - 7. Vienna, Austria
- J. El Paso Intelligence Center (EPIC) - El Paso, Texas. Addresses of each office are listed in the telephone directories of the respective cities listed above under the heading 'United States Government, Immigration and Naturalization Service'.

Categories of individuals covered by the system:

- A. Agency information control record index (Location A, supra)
 - 1. United States citizens, resident and non-resident aliens named in documents classified for National Security reasons.

2. Individuals referenced in documents classified for National Security reasons.
- B. Alien address reports (Form I-53), 1975 and subsequent years. (Location A, supra); 1974 and previous years (Locations: C, D, and H supra).
- C. Alien enemy index (Location: A supra)
 1. Alien enemies who were interned during World War II.
 2. Americans of Japanese ancestry (Nisei) who returned to Japan and, during World War II, either accepted employment by the Japanese Government or became naturalized in Japan.
- D. Automobile decal parking identification for employees. (Location B-4 supra).

Current Service employees of this office who have the privilege of parking their cars on government premises, have a decal for their cars for parking identification.
- E. Centralized index (Master index). (Locations: A, C, D, E and I supra)
 1. Aliens lawfully admitted for permanent residence, and United States citizens; and individuals who are under investigation, were investigated in the past, or who are suspected of violating the criminal or civil provisions of treaties, statutes, Executive orders and Presidential proclamation administered by the Immigration and Naturalization Service, hereinafter referred to as the Service, and witnesses and informants having knowledge of such violations.
- F. Congressional Mail Unit (Location A, supra)
 1. Aliens lawfully admitted for permanent residence and United States citizens named in correspondence received including, but not necessarily limited to: a. employees and past employees; b. federal state and local officials; and c. members of the general public.
 2. Aliens lawfully admitted for permanent residence and United States citizens named in reports or correspondence received, as individuals investigated in the past or under active investigations for, or suspected of violations of, the criminal or civil provisions of statutes enforced by the Service, including Presidential proclamations and Executive orders relating thereto, and witnesses and informants having knowledge of violations.
- G. Document vendors and alterers index (Service documents) (Location B-4; duplicates are housed in several Service offices in the southwest region). This index relates to, but is not limited to, aliens lawfully admitted for permanent residence and United States citizens.
- H. Enforcement Branch Indices
 1. Group one -- (Locations: A, B, C and E, supra) - contact index; informant index; anti-smuggling index (General); criminal, immoral, narcotic, racketeer and subversive indices; and suspect third party index -- all relate to same general categories of individuals as follows:
 - (a) Aliens lawfully admitted for permanent residence, and citizens who are in a position to know or learn of, and assist in locating aliens illegally in the United States.
 - (b) Aliens lawfully admitted for permanent residence, and citizens who are former or present members of an organization subversive in nature, whether foreign or domestic, and are willing to appear as government witnesses to testify as to their knowledge of an individual's membership therein, or as to the nature, aims and purpose of the organization, or as to the identification, publication, distribution and authenticity of the literature of such organization, or are in possession of information relative to such organization or on specific individuals and are willing to cooperate with the Immigration and Naturalization Service, or who although they have not been members of subversive organizations, are in possession of information relating to such organizations or members thereof, and are willing to cooperate with the Service on a continuing basis;
 - (c) Aliens lawfully admitted for permanent residence, and citizens who are known or suspected of being professional arrangers, transporters, harborers, and smugglers of aliens, who operate or conspire to operate with others to facilitate the surreptitious entry of an alien over a coastal or land border of the United States and witnesses having knowledge of such matters;
 - (d) Aliens lawfully admitted for permanent residence and citizens who are known or suspected of being habitual or notorious criminals, immoral, narcotic violators or racketeers, or subversive functionaries or leaders;
 - (e) Aliens lawfully admitted for permanent residence, and citizens who are known, or are believed, to be engaged in fraud operations involving the preparation and submission of visa petitions and other applications for Service benefits, or the preparation and submission of applications for immigrant visas and/or Department of Labor certifications, or the filing of false United States birth registrations for alien children to enable parents who are immigrant visa applicants to evade the labor certification requirements or to enable such children to pose as citizens.
2. Group two -- relate to specific categories of individuals as follows:
 - (a) Air detail office index system (Location: J, supra) (1) The majority of the system contains information relating to United States citizens and aliens lawfully admitted for permanent residence who are pilots and/or owners of private aircraft and who have engaged in flying between the United States and foreign countries. (2) The system also contains information of an investigative nature relative to pilots, owners, and associates, including United States citizens and aliens lawfully admitted for permanent residence, who engage in, or are suspected of being engaged in, illegal activity, such as alien smuggling or entry without inspection.
 - (b) Anti-smuggling information centers for the Canadian border and Mexican border. (Location: Northern Border: F-19, supra - Southern Border: J, supra). Categories of individuals include United States citizens and aliens lawfully admitted for permanent residence who are smugglers or transporters of illegal aliens, or who are suspects in the violation of statutes relating to smuggling and transporting illegal aliens.
 - (c) Border Patrol Academy index system -- (Location: G, supra). United States citizens who are: students in attendance at the Border Patrol Academy; former students who have attended the Academy; and officers attending advanced training classes at the Academy.
 - (d) Border Patrol Sectors general index -- (Locations: F, supra). (1) United States citizens who are past or present employees of the Service; and (2) United States citizens and aliens lawfully admitted for permanent residence classified as law violators, witnesses, contacts, informants, members of the general public, federal, state, county and local officials.
 - (e) Fraudulent Document Center index system -- (Location: J, supra). The system contains information relating to United States citizens and/or aliens lawfully admitted for permanent residence categorized as members of the general public, Notaries Public, state and local birth registration officials and employees, immigration law violators, vendors of documents, donors of documents, midwives and witnesses. Also included in the system are names and information of fictitious non-existent individuals such as may be used by counterfeiter or alterer of citizenship documents.
3. Group three --
 - (a) Enforcement correspondence control index -- (Location: A, supra - Associate Commissioner, Enforcement). (1) Aliens lawfully admitted for permanent residence and citizens of the United States named in correspondence received, including but not necessarily limited to: a. employees and past employees; b. federal, state, and local officials; and c. members of the general public. (2) Aliens lawfully admitted for permanent residence and citizens of the United States named in documents, reports or correspondence received as individuals under investigation, or investigated in the past, or suspected of violation of the criminal or civil provisions of the statutes enforced by the Service, including Presidential Executive Orders and Proclamations relating thereto, and witnesses and informants having knowledge of violations.
 1. Examinations branch indexes (Location: A, supra (duplicates are in some local offices)) Aliens lawfully admitted for permanent residence and United States citizens and individuals who are violators or suspected violators of the criminal or civil provisions of statutes enforced by the Service.
 - J. Extension training program enrollees (Location: A, supra) contains the names of Service employees, and other federal agency employees enrolled in extension training program courses.
 - K. Finance Section indexes -- (Locations: A and B, supra)
 1. Individuals who are indebted to the United States Government for goods, services, or benefits or for administrative fines and assessments;

2. Employees who have received travel advances or overpayments from the United States Government, who are in arrears in their accounts, or who are liable for damage to Government property.
 3. Vendors who have furnished supplies, material, equipment and services to the Government;
 4. Employees, witnesses and special deportation attendants who have performed official travel; and
 5. Employees and individuals who have a valid claim against the Government.
- L. Freedom of Information correspondence control index (Locations: A; B; C; D; E; F; G; H and I, supra) Individuals who request, under the Freedom of Information Act, access to, or copies of, records maintained by the Service.
- M. Intelligence index -- (Locations: A and B, supra) Aliens who have been lawfully admitted to the United States for permanent residence and United States citizens, who have, or who are suspected of having, violated the criminal or civil provisions of the statutes enforced by the Service.
- N. Microfilmed manifest records -- (Locations: A, C-26, C-10, C-20, and C-29, supra) Aliens lawfully admitted for permanent residence to the United States and United States citizens.
- O. Naturalization and citizenship indexes.
1. Naturalization and citizenship docket cards (Locations: C and E supra, except E-6, 7, 8 and 13.) Aliens lawfully admitted for permanent residence and citizens of the United States, and other individuals seeking benefits under Title III of the Immigration and Nationality Act of 1952, as amended.
 2. Examiner's docket lists of petitioners for naturalization. (Locations: C and E supra, except E-6, 7, 8, and 13.) Petitioners for naturalization and beneficiaries.
 3. Master docket list of petitioners for naturalization pending one year or more. (Locations: A, B, C and E supra, except E-6, 7, 8 and 13.) Petitioners for naturalization and beneficiaries.
- P. Personnel Investigations -- (Location: A, supra) Employees, former employees, other Government agency employees designated to perform immigration functions, witnesses, informants, and certain persons having contacts with Service operations.
- Q. Property issued to employees -- (Locations: A, B, C, E and F, supra) Employees of the Service who have been issued property and have in addition signed for receipt of the property on Form G-570.
- R. Security system -- (Location: A supra) United States citizens and aliens lawfully admitted for permanent residence to the United States currently employed with the Service who have been cleared for access to documents and materials classified in the interest of National Security.
- S. White House and Attorney General correspondence control index -- (Location: A, supra) Citizens and aliens lawfully admitted for permanent residence to the United States named in correspondence received, including, but not necessarily limited to: (a) employees and past employees of the Service; (b) federal, state and local officials; and (c) members of the general public.
- T. Health Record System (Location: A, supra) Persons at Location A, supra, who need health services or who require emergency treatment.
- U. Personal Data Card System (Locations: A and B, supra) Employees and former employees of the Service.
- V. Compassionate Cases System. (Locations: A and B-1 and 4, supra) Employees of the Service.
- W. Emergency Reassignment Index (Locations: B, C, E and F) Employees of the Service.
- X. Alien Documentation, Identification, and Telecommunication (ADIT) system -- (Location A, supra) Aliens lawfully admitted for permanent residence, commuters and others authorized frequent border crossings, nonimmigrant persons other than transients.

Categories of records in the system:

- A. Agency information control record index system contains.
 1. Top secret and secret material originated, received or transmitted by Service officers that has been classified as National Security information including all copies prepared from a controlled document.
 2. Confidential material originated by another agency which is received by this Service including all copies prepared from a controlled document.
 3. All investigative reports, responses to security checks, and material of an intelligence nature concerning individuals,

organizations, movements, conditions in foreign countries, received from sources within the Department of Justice and other federal intelligence sources.

B. Alien address report index. This system contains information such as name, address, occupation, date of admission into the United States and Alien Registration number.

C. Alien enemy index. This system contains a microfilm index of each file opened on these individuals.

D. Automobile decal parking identification system for employees vehicles. This system contains a list by number of each DJ decal car sticker issued by the Security Division to regional employees who require car parking permission.

E. Centralized index and records relating to permanent resident aliens, and citizens of the United States (Master index). The system consists of records relating to the categories of individuals described in E-1, supra. The records contain various Service forms, applications and petitions for benefits under the immigration and nationality laws, reports of investigation, sworn statements, and reports, correspondence and memoranda.

F. Congressional mail unit. This system contains a permanent index record for each report or piece of correspondence received. Information maintained in the index of this subsystem is that which is entered on a 3' x 5' index card. The index record is solely a locator reflecting the name of the individual and the number of the file in which specific information concerning the individual is maintained.

G. Document vendors and alterers index (Service documents). This system consists of 'mug book' containing photos of alleged immigration law violators involved in the supply of fraudulent documents, and data relating to the pictured violators including: name, aliases, vital statistics, method of operation, list of convictions, present location, and source material.

H. Enforcement branch.

1. Group one -- contact index; informant index; anti-smuggling index (general); criminal, immoral, narcotic, racketeer and subversive indices; and suspect third party index: These systems of records are maintained on the following

- (a) Form G-598, 'Contact Record'.
- (b) Form G-169, 'Informant Record'.
- (c) Form G-170, 'Smuggler Information Index Card'.
- (d) Alphabetical index cards reflecting the name of the individual and the file in which specific information concerning the individual is housed. Some index cards reflect the individual's biographic data, address, etc., and may contain a brief description of the individual's activities.

2. Group two.

- (a) Air detail office index. The primary record in the system is Form I-92A, Report of Private Aircraft Arrival, which is executed by the inspecting official upon arrival of a private aircraft from foreign territory. There are also indices, forms, investigative reports, records, and correspondence relative to aircraft arrivals, failure to report for inspection, and known or suspected alien smuggling operations wherein aircraft are utilized. In addition, microfiche containing names of owners of aircraft of United States registry are maintained at this location.
- (b) Anti-smuggling information centers for the Canadian and Mexican borders. This system contains G-170, Smuggler Information Index Card, other index cards, and correspondence relating to anti-smuggling activities. Two indices of active smugglers are compiled, one for the Canadian border and the other for the Mexican border area. These indices are in loose leaf booklet form and are distributed to Border Patrol offices in the respective border areas.
- (c) Border Patrol Academy index. This system contains general information and correspondence regarding the student's academic progress in training. The information is maintained on the following forms: (1) SW 91 - Probationary Achievement Report. (2) SW 91A - Scholastic Grade Worksheets. (3) SW 91B-10 BTC Achievement Report Immigration Inspector. (4) SW 91C - 10 BTC Achievement Report Investigator. (5) SW 96 - Class Rating Form. (6) SW 128 - Training Data. (7) SW 282 - Registration Information Form. (8) 446 - Conduct and Efficiency Report of Probationary Employee 5 1/2 and 10 months exam grades.
- (d) Border Patrol sectors general index. (1) This system contains indices, forms, reports and records relating to activities of the Border Patrol. Included in the various segments of the system are the following numbered and

titled forms: a. Form I-44 - Record of Apprehension or Seizure; b. Form I-215W - Affidavit - witness; c. Form I-263A and I-263B - Record of Sworn Statement; d. Form I-195 - Criminal Prosecution Control Card; e. Form I-263W - Records of Sworn Statement - witness; f. Form I-326 - Prosecution Reports; g. Form G-170 - Smuggler Information Index Card; h. Form G-296 - Report of Violation of Section 239, Immigration and Nationality Act; i. Form G-330 - Notice of Action Information; j. Form G-445 - Conduct and Efficiency Evaluation of Probationary Appointees; and k. Form G-598 - Contact Record. (2) This system also contains copies of correspondence and memoranda between offices of the Service and with outside agencies and individuals, as well as photographs of some violators of the immigration laws or of individuals suspected of being involved in immigration law violations. (3) The Service lookout book and booklets of indexes of active smugglers are at each location; however, these are duplicated records which are reported separately in other systems of records.

- (e) Fraudulent document center index. This system contains birth certificates, baptismal certificates, and other identification documents used by aliens to support their fraudulent claims to United States citizenship. Most of the documents are genuine, however, there are also counterfeit and altered documents in the system. Also within the system are cross indexes, investigative reports, and records of individuals involved in fraud schemes and of individuals whose documents have been put to fraudulent usage. Correspondence and memoranda between the Fraudulent Document Center and other Service Offices, outside agencies and individuals are retained.

3. Group three.

- (a) Enforcement correspondence control index. This system contains a semi-permanent index record for each document, report or piece of correspondence received. Information maintained in the system is that which is entered on Form G-617, 'Correspondence Control Card', and CO Form 147, 'Call-Up Index - Domestic Control'. The index record is primarily a locator reflecting the name of the individual and the file in which specific information concerning the individual is housed.

I. Examinations branch.

1. Examinations correspondence control index: contains a semi-permanent index record for each document, report or piece of correspondence received. Information maintained in the system is that which is entered on Form G-617, 'Correspondence Control Card'. The index record is primarily a locator reflecting the name of the individual and the file in which specific information concerning the individual is housed.
2. Service lookout system contains names of violators, alleged violators and suspected violators of the criminal or civil provisions of statutes enforced by the Service.

J. Extension training program enrollees. The system contains a folder for each enrollee. Each folder contains a complete record of the enrollee's test scores, correspondence and dates of every action taken with regard to the mailing of lesson materials, receipt of tests, scoring and mailing out test results and dates certificates were completed and mailed.

K.

1. Accounts with creditors. The records consist of vendors' invoices, purchase orders, travel vouchers and claims filed by appropriation for the fiscal year from which payment is chargeable.
2. Accounts with debtors. The records consist of bills for inspection services performed under the Act of March 2, 1931 (8 U.S.C. 1353a); fees, fines, penalties and deportation expenses assessed pursuant to the Immigration and Nationality Act; and employee indebtedness for travel advances, for the unofficial use of Government facilities and services, for damage to or loss of Government property, and for the erroneous or overpayment of compensation for travel expenses.

L. Freedom of Information correspondence control index. The system contains an index record for each piece of correspondence received requesting information under the Freedom of Information Act.

M. Intelligence index. This system contains a semi-permanent index record for each document, report, bulletin or correspondence received. The index is categorized by name, violation, and activity.

The index is primarily a locator reflecting the category, source of material and specific housing of information.

N. Microfilmed manifest records. Microfilmed indices, and arrival and departure manifests reflecting brief biographical data and facts of arrival or departure. The arrival records for certain ports date from 1891 and departure records date from 1900. The records are not complete; certain records were destroyed and were not microfilmed.

O.

1. Naturalization and citizenship docket cards. Docket cards consist of 3" x 5" or 5" x 8" index cards arranged alphabetically according to name of applicant, beneficiary or petitioner, indicating type of application submitted, date of receipt, file and/or petition number, and court number wherein petition for naturalization was filed. The docket cards are locators for the files in which specific information concerning the individuals is maintained.
2. Examiner's docket lists of petitioners for naturalization. Lists of petitioners for naturalization (Form N-476) are arranged chronologically for each court exercising naturalization jurisdiction, showing petition number, petition filing date, file number, court number, name of petitioner for naturalization, name of beneficiary in whose behalf a petition is filed, proposed recommendation by the naturalization examiner and reasons for the continuance. The lists serve as locators for the files in which specific information concerning the petitioners is maintained.
3. Master docket lists of petitions for naturalization pending one year or more. Master docket lists of petitions for naturalization (Form N-476) pending for a year or more are arranged chronologically for each court exercising naturalization jurisdiction showing the petition number, petition filing date, petitioner's name, recommendation and issues and reason why petition is still pending. The lists serve as locators for the files in which specific information concerning the petitioners is maintained.

P. Personnel investigations index. Contains two separate card index files, one for cases under active investigation, and the other for formerly active cases now closed. These cards are locator cards listing names of investigation subjects, their locations, and the allegations under investigation. Two relating sets of temporary work folders exist housing open/closed allegations of misconduct and investigative reports.

Q. Property issued to employees. The records consist of a Form G-570, 'Record-Receipt-Property Issued to Employee,' which lists property issued to an employee. The Form G-570 lists the employee's name, description of the property, serial number, date received and employee's initials, and finally date returned and supervisor's initials.

R. Security system index. The system is comprised of 3" x 5" index cards filed alphabetically which reflect levels of access clearances granted to employees of the Service and the dates when the clearances were granted.

S. White House and Attorney General correspondence control index. Contains an index record for each piece of correspondence addressed to the President and the Attorney General, with certain exceptions, which has been referred to this Service for appropriate attention. Information maintained in the system is that which is entered on Form G-617, 'Correspondence Control Card'. The index record is primarily a locator reflecting the name of the correspondent and/or the subject individual of the correspondence and the file in which specific information concerning the individual is housed.

T. Health Record System. The record consists of a 5" x 7" index card that lists the name, date and treatment given any person in the Health Unit.

U. Personal Data Card System. The record consists of a 3" x 5" card for each employee or former employee (G-74). The entries on the card (G-74) include name, date of birth, height, weight, sex, blood type, photograph, and color of hair and eyes.

V. Compassionate Cases System. The record consists of a 3" x 5" index card containing employee's name, position, grade, present location, date request received in Central Office, date circulated to compassionate committee, disposition, new location of employee whose request is granted; and a folder containing copy of employee's Form G-410, employee's request (memo), local and regional recommendations, doctor's statement (where applicable), record of committee action, and response to employee.

W. Emergency Reassignment Index. The record consists of 3" x 5" card (G-560) which reflects the name, age, grade, title, official

station, residence, telephone number and emergency assignment activity.

X. Alien Documentation, Identification and Telecommunication (ADIT) system. The records consist of formatted data base records of personal and biographical information such as name, date of birth, picture and fingerprint coordinates, height, mother's first name, father's first name, city/town/village of birth.

Authority for maintenance of the system:

A. General, applicable to all Service index systems, includes but is not limited to: Sections 103, 265 and 290 and Title III of the Immigration and Nationality Act, hereinafter referred to as the Act (66 Stat. 163), as amended, (8 U.S.C. 1103; 8 U.S.C. 1305; 8 U.S.C. 1360), and the regulations pursuant thereto.

B. Specific, applicable to some of the indices, including but not limited to: (1) Executive Order 11652, and 28 C.F.R. 17.79 - agency control information record index, and access clearance information system; (2) 31 U.S.C. 66a - Finance branch indices; (3) Title III of the Act, as amended, (8 U.S.C. sections 1401 through 1503), and the regulations promulgated thereunder - naturalization and citizenship indices; (4) Sections 235 and 287 of the Act, as amended, (8 U.S.C. 1225; and 8 U.S.C. 1357), and the regulations promulgated pursuant thereto in personnel investigations; (5) Section 231 of the Act, as amended, (8 U.S.C. 1221) - manifest records; (6) 40 U.S.C. 483 - property management system; (7) 5 U.S.C. 4113 - extension training program; (8) 5 U.S.C. 552. The Freedom of Information Act, requires certain record keeping, this system was established and is maintained in order to enable the Service to comply with this requirement; (9) 5 U.S.C. 301 - Health Record System, Personal Data Card System, and Compassionate Cases System; (10) Executive Order 11490 - Emergency Reassignment Index.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system of records is used to serve the public by providing data for responses, when authorized, to written inquiries, complaints, and so forth. It is also used to administer the management, operational, and enforcement activities of the Service. The records are used by officers and employees of the Service and the Department of Justice in the administration and enforcement of the immigration and nationality laws, and related statutes, including the processing of applications for benefits under these laws, detecting violations of these laws, and for referrals for prosecution.

A. Relevant information contained in this system of records maintained by the Service to carry out its functions may be referred, as a routine use, to clerks and judges of courts exercising naturalization jurisdiction for the purpose of filing petitions for naturalization and to enable such courts to determine eligibility for naturalization or grounds for revocation of naturalization.

B. Relevant information contained in this system of records maintained by the Service to carry out its functions may be referred, as a routine use, to the Department of State in the processing of petitions or applications for benefits under the Immigration and Nationality Laws Act, and all other immigration and nationality laws, including treaties and reciprocal agreements.

C. Relevant information contained in this system of records maintained by the Service to carry out its functions may be provided, as a routine use, to other federal, state, and local government law enforcement and regulatory agencies, foreign governments, the Department of Defense, including all components thereof, the Department of State, the Department of the Treasury, the Central Intelligence Agency, the Selective Service System, the United States Coast Guard, the United Nations, Interpol, and individuals and organizations during the course of investigation in the processing of a matter or a proceeding within the purview of the immigration and nationality laws, to elicit information required by the Service to carry out its functions and statutory mandates.

D. In the event that this system of records maintained by the Service to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or

implementing the statute, or rule, regulation, or order issued pursuant thereto.

E. In the event that this system of records maintained by the Service to carry out its functions indicates a violation or potential violation of the immigration and nationality laws, or of a general statute within Service jurisdiction, or by regulation, rule, or order issued pursuant thereto, the relevant records in this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal and to opposing counsel in the course of discovery.

F. A record from this system of records may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

G. A record from this system of records may be disclosed, as a routine use, to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision of this Service concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

H. Indication of a violation or potential violation of the laws of another nation, whether civil or criminal, may be referred to the appropriate foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such laws; indication of any such violation or potential violation may also be referred to international organizations engaged in the collection and dissemination of intelligence concerning criminal activity.

I. Relevant information contained in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: General.

Storage: Generally, information is stored manually; in some instances, in automated index systems. The actual records relating to individuals are stored in file folders at the addresses located in locations A, B, C, E, F and H, supra.

Retrievability: In general, records are indexed alphabetically by name and/or 'A' file number or petition and court number, some include date and port of entry. Access: Most systems are accessed manually. In some cases, index records may be accessed electronically from remote terminals.

Safeguards: Each system of records is safeguarded and protected in accordance with Department of Justice and Service rules and procedures.

Retention and disposal:

a. The period of retention for alien registration records is 100 years from the closing date or date of last action.

b. Materials retained in correspondence portion of subject files are normally retained no longer than two years and are then either microfilmed or destroyed by burning.

c. Materials retained in policy portions of subject files are retained indefinitely.

d. Indexes and records not enumerated above are generally retained only so long as they serve a useful purpose.

e. Microfilmed manifest records are retained permanently.

f. Freedom of Information Act index cards and materials kept in the correspondence portion of files are retained for one year; the disposal is by burning, shredding or pulverizing.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Exceptions to the general practices above:

Storage:

a. Air detail office index systems. Forms I-92 are filed in rotary index machines by calendar year. Suspect files are in letter size cabinets, both are operated manually.

b. Alien address reports, I-53, are microfilmed from 1975 and subsequent. In 1973 and 1974 they are filed in cabinets in Service offices and in Federal Record Centers.

c. Alien enemy index information is maintained in the system and is on microfilm. The actual files are stored in Federal Record Centers.

d. Intelligence indices, are stored not by name, but by organization, activity or violation.

e. Some systems are stored numerically, or by subject, or by court and petition number or time sequence, as well as alphabetically.

f. Alien Documentation, Identification and Telecommunication (ADIT) system information is stored on magnetic tape and disk. Original forms completed by the individuals to whom the records pertain are filed with other records in subsystem E, "Centralized index and records."

Retrievability: Aircraft data is filed in numerical sequence (air detail office index system).

Retention and disposal:

a. Access clearance index is maintained on a current basis. Cards forms completed by the the index are destroyed upon the resignation, death or retirement of the employee.

b. Air detail office index, Form I-92A, forms information is retained for 5 years.

c. Border Patrol examination papers are destroyed 6 months after the trainee officer completes his probationary year.

d. Finance indices: Accounts with creditors and debtors are retained by the Service for 2 years from the close of the fiscal year to which they relate and are then transferred to the Federal Record Centers pending their ultimate disposition. The records are disposed of in accordance with General Service Administration regulations.

e. Intelligence indices: Intelligence bulletins are retained indefinitely.

f. Index Form G-617 is maintained for three years, then destroyed. However, in the White House and Attorney General Correspondence Indexes, form G-617 information is retained through the administration of each President and one year beyond.

g. Index Form CO - 147 is maintained until the subject matter is finally acted upon and is then destroyed.

h. Personnel investigations are generally destroyed in June of the year following the one year anniversary of the close of the investigation. Operation Clean Sweep cases are being retained as a package until the program is terminated. Criminal matters of unusual sensitivity are retained as long as there is a useful need.

i. Health Unit records: The records are retained for a period of 6 years after the date of the last entry therein. The records are disposed of by burning, shredding, macerating or pulverizing.

j. Indexes relating to law violators and witnesses are retained for 3 years and then destroyed. General correspondence is retained for no longer than 2 years. Investigative matters of a routine nature may be disposed of when the investigation is closed. Information on present and past employees is retained only as long as such information serves a useful purpose.

k. Naturalization examiners docket lists and master docket lists of petitioners for naturalization are retained for two years, disposal is by tearing, shredding, pulverizing, or burning. Naturalization and citizenship docket cards are purged after applications are rejected, closed, petitions non-filed, applications granted or denied, or petitions for naturalization granted, or denied, the disposal is by tearing the cards.

l. Personal Data Card System: The record is retained for a period of 3 years after an employee is separated and then destroyed (Location: A, supra). The record is retained until an employee is separated and then destroyed (Location: B, supra). The records are disposed of by burning, shredding, macerating or pulverizing (Locations: A and B, supra).

m. Compassionate Cases System: The records are retained for 3 years and then destroyed. The records are disposed of by burning, shredding, macerating or pulverizing.

n. Emergency Reassignment Index: The records are retained on a current basis and are destroyed upon the transfer, separation, retirement or death of the employee. The records are destroyed by burning.

o. Alien Documentation, Identification and Telecommunication (ADIT) system records are maintained until naturalization, death or other material change in status of the individual, or until the registration card is relinquished.

System manager(s) and address:

A. The system manager, service-wide is the Associate Commissioner, Management (Location: A supra).

B. The Associate Commissioner, Management is the sole manager of the following systems:

1. Agency information control record index;
2. Alien address report (I-53);
3. Alien enemy index;
4. Centralized index (Master index);
5. Congressional mail unit index;
6. Document vendors and alterers;
7. Enforcement correspondence control index;
8. Examinations correspondence control index;
9. Finance unit indexes;
10. Freedom of Information Act correspondence control index;
11. Intelligence indexes;
12. Microfilmed manifest records;
13. Property issued to employees;
14. Access clearance information system; and
15. White House and Attorney General correspondence control index.

16. Health Record System.

17. Alien Documentation, Identification and Telecommunication (ADIT) system.

C. The following official for Service personnel investigations: Director, Internal Investigations (Location: A supra).

D. The following officials (for inquiry for special need) by category:

1. Alien address reports for portion of system maintained: (a) Associate Commissioner, Management; (b) District Directors (Locations: C supra); and/or (c) Officers in Charge (Locations: - E supra).
2. Investigation units indices for: Contact index; enforcement index; anti-smuggling index (general); criminal, immoral, narcotic, racketeer and subversive indices; and suspect third party index, the managers are the ranking Service officer, of the Service offices in which such indices are maintained (Location: A, B, C and E supra).
3. Border Patrol unit indices. (a) Air detail office index: Deputy Director (Location: J, supra). (b) Anti-smuggling information center: (1) Canadian Border: Chief Patrol Agent (Location: F-19 supra); and (2) Mexican Border: Deputy Director (Location: J, supra). (c) Fraudulent Document Center: Deputy Director (Location: J, supra). (d) Border Patrol Academy: Chief Patrol Agent (Location: G supra). (e) Border Patrol sector general indices: Chief Patrol Agent (Location: F-1 thru 21 supra).
4. Assistant Regional Commissioner, Security (Location: B-4 supra) For automobile decal identification system.
5. Chief, Employee Development Branch, Office of Assistant Commissioner, Personnel (Location: A supra) for extension training program enrollee file.
6. Naturalization and Citizenship indexes. (a) Naturalization and citizenship docket cards: District Directors and Officers in Charge (Locations: C and E supra, except E-6, 7, 8 and 13). (b) Docket lists of Petitioners for Naturalization Form N-476: District Directors and Officers in Charge (Locations: C and E supra, except E-6 and 8). (c) Docket lists of petitions pending at least one year (Form N-476): The Associate Commissioner Mgt. (Location: A supra), Regional Commissioners (Location: B supra), District Directors and OIC's (Locations: C and E supra, except E-6, 7, 8 and 13).
7. Personal Data Card System: Associate Commissioner, Management (Location: A, supra); Regional Commissioners (Location: B, supra).
8. Compassionate Cases System: Associate Commissioner, Management (Location: A, supra); Regional Commissioners (Locations: B-1 and 4, supra).

9. Emergency Reassignment Index: Regional Commissioners (Location: B, supra); District Directors (Location: C, supra); Officers in charge (Location: E, supra); and Chief patrol agents (Location: F, supra).

Notification procedure:

A. Address inquiries to the respective systems managers listed in System Manager supra, except Finance unit inquiries shall be addressed to the office of the Service at which the individual did business (for locations see Location supra) and Freedom of Information Act inquiries shall be addressed to the office of the Service nearest the requestor's place of residence, or if known, the office of the Service where the requestor knows his record is located.

B. Systems totally exempt from disclosure pursuant to 5 U.S.C. 552a (j) and (k).

1. Agency information control index system.
2. Anti-smuggling index (general).
3. Anti-smuggling information centers system for Canadian and Mexican Borders.
4. Contact index.
5. Criminal, immoral, narcotic, racketeer and subversive indexes.
6. Document vendors and alterers index.
7. Informant index.
8. Intelligence indexes.
9. Service look out system.
10. Suspect third party index.
11. Emergency Reassignment Index.

Record access procedures: In all cases, requests for access to a record from any record subsystem shall be in writing or in person; if request for access is made in writing, the envelope and letter shall be clearly marked "Privacy Access Request". The requester must include a description of the general subject matter and, if known, the relating numerical identifier. The request must also include sufficient data to identify a relating record, such as the individual's full name, date and place of birth, and if appropriate, the date and place of entry into the United States, or departure from the United States. The requester shall also provide a return address for transmitting the information. Most of the systems contain records which the Attorney General has exempted from disclosure pursuant to 5 U.S.C. 552a (j) and (k) and records which are classified pursuant to Executive order. The requester will be accorded access to the records relating to himself only to the extent that such records are not within the scope of exemptions and are not classified.

Contesting record procedures: Any individual desiring to contest or amend information maintained in the system should direct his request to the office of this Service nearest his residence, or in which he believes a record concerning him may exist, (see Notification, supra), stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: The basic information contained in these records is supplied by the individual on Department of State and Service applications and reports; inquiries and/or complaints from members of the general public, members of the Congress; referrals of inquiries and/or complaints directed to the White House or to the Attorney General by members of the general public; Service reports of investigation, sworn statements, correspondence and memoranda; official reports, memoranda and written referrals from other government agencies, including Federal, state and local; from the various courts and regulatory agencies; and information from foreign government agencies and international organizations.

The source of the data in the Freedom of Information Act correspondence control index is those individuals who seek information under that Act.

The information contained in the Emergency Reassignment Index is supplied by the individual and the Associate Commissioner, Management.

Nearly all the systems contain information received from sources which are exempted from disclosure pursuant to 5 U.S.C. 552a (j) and (k).

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f), (g), (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/WSPF - 001

System name: Watergate Special Prosecution Force Investigative and Prosecutory Files - WSPF 1.

System location: Watergate Special Prosecution Force; U.S. Department of Justice; 1425 K Street, N.W.; Washington, D.C. 20005. No plans have been formalized for the location of these records after the dissolution of the Watergate Special Prosecution Force.

Categories of individuals covered by the system: Persons referred to in potential or actual cases and matters of concern to the Watergate Special Prosecution Force and correspondents on subjects directed or referred to the Watergate Special Prosecution Force.

Categories of records in the system: The system consists of alphabetical indices bearing individual names and the associated records to which they relate arranged by subject matter or containing the general and particular records of all WSPF correspondence, cases, matters and memoranda, including, but not limited to, testimony, investigative reports, correspondence to and from the Watergate Special Prosecutor's Office, memoranda, legal paper, evidence and exhibits. The system also includes all items classified in the interest of national security as confidential, secret and top secret received and maintained by the Watergate Special Prosecutor's Office.

Authority for maintenance of the system: This system is established and maintained to implement the provisions codified in 28 C.F.R. 0.38 and Appendix.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated to the appropriate federal, state, local, or foreign court or grand jury in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other

benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions or crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return; (13) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60; (14) a record relating to a case or matter may be included in public reports of the Special Prosecutor pursuant to the regulations of the Department of Justice; see 28 C.F.R. 0.38 and Appendix.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored manually on index cards and in file jackets.

Retrievability: Information is retrieved from index cards by the name of the individual and from the file jackets by a number assigned and appearing on the index cards.

Safeguards: Information is safeguarded and protected in accordance with applicable WSPF rules.

Retention and disposal: There are no provisions for disposal of the records in the system.

System manager(s) and address: Watergate Special Prosecutor; U.S. Department of Justice; 1425 K Street, N.W.; Washington, D.C. 20005.

Notification procedure: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and (k)(2). Address any inquiries to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name of the individual involved, his birth date and place, or any other identifying number which may be of assistance in locating the record, the name of the case or matter involved, if known, the name of the judicial district involved, if known, and any other information which may be of assistance in locating the record. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Department offices and employees and other federal, state, local, and foreign law enforcement agencies, private persons, witnesses, and informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (f) and (g) of the Privacy

Act pursuant to 5 U.S.C. 552a (j)(1) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/WSPF - 002

System name: Watergate Special Prosecution Force Automated Investigation Files - WSPF 2.

System location: Watergate Special Prosecution Force; U.S. Department of Justice; 1425 K Street, N.W.; Washington, D.C. 20005. No plans have been formalized for the location of these records after the dissolution of the Watergate Special Prosecution Force.

Categories of individuals covered by the system: Persons referred to in potential or actual cases and matters of concern to the Watergate Special Prosecutor's Office.

Categories of records in the system: The system consists of computer records which may be retrieved by the names of individuals contained in the record. The computer records are derived from material in the WSPF Investigative and Prosecutory Files including, but not limited to, investigative reports, correspondence to and from the Special Prosecutor's Office, testimony, memoranda, legal papers, evidence and exhibits.

Authority for maintenance of the system: This system is established and maintained to implement the provisions codified in 28 C.F.R. 0.38 and Appendix.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows: (1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) a record relating to a case or matter may be disseminated to the appropriate federal, state, local, or foreign court or grand jury in accordance with established constitutional, substantive, or procedural law or practice; (4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter; (7) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation or release of such a person; (8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (9) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; (10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information

relates to the requesting agency's decision on the matter; (11) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions or crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi; (12) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return; (13) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60; (14) a record relating to a case or matter may be included in public reports of the Special Prosecutor pursuant to the regulations of the Department of Justice; see 28 C.F.R. 0.38 and Appendix.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored on magnetic tape.

Retrievability: Information may be retrieved from the computer files by the name of the individual.

Safeguards: Information is safeguarded and protected in accordance with the applicable WSPF rules.

Retention and disposal: There are no provisions for disposal of the records in the system.

System manager(s) and address: Watergate Special Prosecutor; U.S. Department of Justice; 1425 K Street, N.W.; Washington, D.C. 20005.

Notification procedure: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and (k)(2). Address any inquiries to the System Manager listed above.

Record access procedures: The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the name of the individual involved, his birth date and place, or any other identifying number which may be of assistance in locating the record, the name of the case or matter involved, if known, the name of the judicial district involved, if known, and any other information which may be of assistance in locating the record. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Department offices and employees and other federal, state, local, and foreign law enforcement agencies, private persons, witnesses, and informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(1), (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5

U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/WSPF - 003

System name: Watergate Special Prosecution Force Travel File - WSPF 3.

System location: Watergate Special Prosecution Force; U.S. Department of Justice; 1425 K Street, N.W.; Washington, D.C. 20005. The Special Prosecution Force has not yet determined the repository for its records upon the termination of the Office.

Categories of individuals covered by the system: Persons who are retained by the Watergate Special Prosecution Force as staff, consultants or experts.

Categories of records in the system: The system consists of alphabetical files bearing individual names containing travel vouchers - SF 1012, official travel request and authorization - DJ 10, and request for travel advance - SF 1038.

Authority for maintenance of the system: Department of Justice Travel Regulations OBD 2200.1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no routine uses of the travel files other than distribution to officers and employees of the Department of Justice who have a need for the record in the performance of their duties.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored manually in file jackets.

Retrievability: Information is retrieved by the name of the individual on file jackets.

Safeguards: Information is safeguarded and protected in accordance with applicable WSPF rules.

Retention and disposal: There are no provisions for disposal of the records in the system.

System manager(s) and address: Watergate Special Prosecutor; U.S. Department of Justice; 1425 K Street, N.W.; Washington, D.C. 20005.

Notification procedure: Address any inquiries to the System Manager listed above.

Record access procedures: A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the name of the individual involved, his birth date and place, or any other identifying number which may be of assistance in locating the record, and any other information which may be of assistance in locating the record. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Department offices and employees, experts and consultants.

Systems exempted from certain provisions of the act: None.

JUSTICE/FBI - 001

System name: National Crime Information Center (NCIC).

System location: Federal Bureau of Investigation; 9th and Pennsylvania Avenue, N.W.; Washington, D.C. 20535.

Categories of individuals covered by the system:

A. Wanted Persons

1. Individuals for whom Federal warrants are outstanding.
2. Individuals who have committed or have been identified with an offense which is classified as a felony or serious misdemeanor under the existing penal statutes of the jurisdiction originating the entry and felony or misdemeanor warrant has been issued for the individual with respect to the offense which was the basis of the entry. Probation and parole violators meeting the foregoing criteria.
3. A 'Temporary Felony Want' may be entered when a law enforcement agency has need to take prompt action to establish a 'want' entry for the apprehension of a person who has committed, or the officer has reasonable grounds to believe has committed, a felony and who may seek refuge by fleeing across jurisdictional boundaries and circumstances preclude the immediate procurement of a felony warrant. A 'Temporary Felony Want' shall be specifically identified as such and subject to verification and support by a proper warrant within 48 hours following the initial entry of a temporary want. The agency originating the 'Temporary Felony Want' shall be responsible for subsequent verification or re-entry of a permanent want.
- B. Individuals who have been charged with serious and/or significant offenses.
- C. Missing Persons
 1. A person of any age who is missing and who is under proven physical/mental disability or is senile, thereby subjecting himself or others to personal and immediate danger.
 2. A person of any age who is missing under circumstances indicating that his disappearance was not voluntary.
 3. A person of any age who is missing and in the company of another person under circumstances indicating that his physical safety is in danger.
 4. A person who is missing and declared unemancipated as defined by the laws of his state of residence and does not meet any of the entry criteria set forth in 1, 2, or 3 above.

Categories of records in the system:

- A. Stolen Vehicle File
 1. Stolen vehicles
 2. Vehicles wanted in conjunction with felonies or serious misdemeanors.
 3. Stolen vehicle parts, including certificates of origin or title.
- B. Stolen License Plate File
 1. Stolen or missing license plates.
- C. Stolen/Missing Gun File
 1. Stolen or missing guns.
 2. Recovered gun, ownership of which has not been established.
- D. Stolen Article File
- E. Wanted Person File

Described in 'Categories of individuals covered by the system:

 - A. Wanted Persons
- F. Securities File
 1. Serially numbered stolen, embezzled, counterfeited, missing securities.
 2. 'Securities' for present purposes of this file are currency (e.g. bills, bank notes) and those documents or certificates which generally are considered to be evidence of debt (e.g. bonds, debentures, notes) or ownership of property (e.g. common stock, preferred stock), and documents which represent subscription rights (e.g. rights, warrants) and which are of those types traded in the securities exchanges in the United States, except for commodities futures. Also included are warehouse receipts, travelers checks and money orders.
- G. Boat File
- H. Computerized Criminal History File

A cooperative Federal-State program for the interstate exchange of criminal history record information for the purpose of facilitating the interstate exchange of such information among criminal justice agencies.
- I. Missing Person File

Described in 'Categories of individuals covered by the system:

 - C. Missing Persons

Authority for maintenance of the system: The system is established and maintained in accordance with Title 28, United States Code, Section 534 and Title 28 - Judicial Administration, Chapter 1 - Department of Justice (Order No. 601-75) Part 20 - Criminal Justice Information Systems.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Data in NCIC files is exchanged with and for the official use of authorized officials of the Federal Government, the states, cities, and penal and other institutions in accordance with Title 28, U.S. Code, Section 534. The data is exchanged through NCIC terminals under the control of criminal justice agencies in the 50 states, FBI Field Offices, and other Federal law enforcement agencies. Dissemination of criminal history record information is set forth in Title 28 - Judicial Administration, Chapter 1 - Department of Justice (Order No. 601-75) Part 20 - Criminal Justice Information Systems, Subpart C, Section 20.33.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the NCIC system is stored electronically for use in a computer environment.

Retrievability: On-line access to data in NCIC is achieved by using the following search descriptors. 1. Vehicle File: a) Vehicle identification number; b) License plate number; c) NCIC number (unique number assigned by the NCIC computer to each NCIC record).

2. License Plate File: a) License plate number; b) NCIC number.
3. Gun File: a) Serial number of gun; b) NCIC number.
4. Article File: a) Serial number of article; b) NCIC number.
5. Wanted Person File: a) Name and one of the following numerical identifiers: date of birth, FBI number (number assigned by the Federal Bureau of Investigation to an arrest fingerprint record), Social Security number (It is noted the requirements of the Privacy Act with regard to the solicitation of Social Security numbers have been brought to the attention of the members of the NCIC system.), Operator's license number (driver's license number), Miscellaneous identifying number (military number or number assigned by Federal, state, or local authorities to an individual's record, Originating agency case number; b) Vehicle or license plate known to be in the possession of the wanted person; c) NCIC number (unique number assigned to each NCIC record).
6. Securities File: a) Type, serial number, denomination of security; b) Type of security and name of owner of security; c) Social Security number of owner of security; d) NCIC number.
7. Boat File: a) Registration document number; b) Hull serial number; c) NCIC number.
8. Computerized Criminal History File: a) Name, sex, race, and date of birth; b) FBI number; c) State identification number; d) Social Security Number; e) Miscellaneous number.
9. Missing Person File-SAME AS WANTED PERSON FILE.

Safeguards: Data stored in the NCIC is documented criminal justice agency information and access to that data is restricted to duly authorized criminal justice agencies. The following security measures are the minimum to be adopted by all criminal justice agencies having access to the NCIC Computerized Criminal History File. These measures are designed to prevent unauthorized access to the system data and/or unauthorized use of data obtained from the computerized file.

1. Computer Centers
 - a. The criminal justice agency computer site must have adequate physical security to protect against any unauthorized personnel gaining access to the computer equipment or to any of the stored data.
 - b. Since personnel at these computer centers can access data stored in the system, they must be screened thoroughly under the authority and supervision of an NCIC control terminal agency. (This authority and supervision may be delegated to responsible criminal justice agency personnel in the case of a satellite computer center being serviced through a state control terminal agency.) This screening will

also apply to non-criminal justice maintenance or technical personnel.

- c. All visitors to these computer centers must be accompanied by staff personnel at all times.
 - d. Computers having access to the NCIC must have the proper computer instructions written and other built-in controls to prevent criminal history data from being accessible to any terminals other than authorized terminals.
 - e. Computers having access to the NCIC must maintain a record of all transactions against the criminal history file in the same manner the NCIC computer logs all transactions. The NCIC identifies each specific agency entering or receiving information and maintains a record of those transactions. This transaction record must be monitored and reviewed on a regular basis to detect any possible misuse of criminal history data.
 - f. Each state control terminal shall build its data system around a central computer, through which each inquiry must pass for screening and verification. The configuration and operation of the center shall provide for the integrity of the data base.
2. Communications
- a. Lines/channels being used to transmit criminal history information must be dedicated solely to criminal justice use, i.e., there must be no terminals belonging to agencies outside the criminal justice system sharing these lines/channels.
 - b. Physical security of the lines/channels must be protected to guard against clandestine devices being utilized to intercept or inject system traffic.
3. Terminal Devices Having Access to NCIC
- a. All agencies having terminals on the system must be required to physically place these terminals in secure locations within the authorized agency.
 - b. The agencies having terminals with access to criminal history must have terminal operators screened and restrict access to the terminal to a minimum number of authorized employees.
 - c. Copies of criminal history data obtained from terminal devices must be afforded security to prevent any unauthorized access to or use of that data.
 - d. All remote terminals on NCIC Computerized Criminal History will maintain a hard copy of computerized criminal history inquiries with notations of individual making request for record (90 days).

Retention and disposal: Unless otherwise removed, records will be retained in file as follows:

1. Vehicle File
 - a. Unrecovered stolen vehicle records (including snowmobile records) which do not contain vehicle identification numbers (VIN) therein, will be purged from file 90 days after the end of the license plate's expiration year as shown in the record. Unrecovered stolen vehicle records (including snowmobile records) which contain VIN's, will remain in file for the year of entry plus 4.
 - b. Unrecovered vehicles wanted in conjunction with a felony will remain in file for 90 days after entry. In the event a longer retention period is desired, the vehicle must be re-entered.
 - c. Unrecovered stolen VIN plates, certificates of origin or title, and serially numbered stolen vehicle engines or transmissions will remain in file for the year of entry plus 4.
2. License Plate File
 - a. Unrecovered stolen license plates not associated with a vehicle will remain in file for one year after the end of the plate's expiration year as shown in the record.
3. Gun File
 - a. Unrecovered weapons will be retained in file for an indefinite period until action is taken by the originating agency to clear the record.
 - b. Weapons entered in file as 'recovered' weapons will remain in file for the balance of the year entered plus 2.
4. Article File
 - a. Unrecovered stolen articles will be retained for the balance of the year entered plus one year.
5. Wanted Person File
 - a. Persons not located will remain in file indefinitely until action is taken by the originating agency to clear the record (except 'Temporary Felony Wants', which will be automatically removed from file after 48 hours).
6. Securities File

Unrecovered, stolen, embezzled, counterfeited or missing securities will be retained for the balance of the year entered plus 4, except for travelers checks and money orders which will be retained for the balance of the year entered plus 2.

7. Boat File
 - a. Unrecovered stolen boats will be retained in file for the balance of the year entered plus 4.
8. Missing Person File
 - a. Will remain in the file until the individual is located or, in the case of unemancipated persons, the individual reaches the age of emancipation as defined by laws of his state.
9. Computerized Criminal History File
 - a. When an individual reaches age of 80.

System manager(s) and address: Director, Federal Bureau of Investigation; J. Edgar Hoover F.B.I. Building; 9th and Pennsylvania Avenue, N.W.; Washington, D.C. 20535.

Notification procedure: Same as the above.

Record access procedures:

It is noted the Attorney General is exempting this system from the access and contest procedures of the Privacy Act. However, the following alternative procedures are available to a requester. The procedures by which an individual may obtain a copy of his Computerized Criminal History are as follows:

If an individual has a criminal record supported by fingerprints and that record has been entered in the NCIC CCH File, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and Federal administrative and statutory regulations.

Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure. 1. All requests for review must be made by the subject of his record through a law enforcement agency which has access to the NCIC CCH File. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

2. If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the individual's record is available to that agency, it can make an on-line inquiry of NCIC to obtain his record on-line or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Washington, D.C., by mail. The individual will then be afforded the opportunity to see that record.

3. Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, it is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI or, possibly, in the State's central identification agency.

Contesting record procedures: The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy in his record or provide the information needed to make the record complete.

Record source categories: Information contained in the NCIC system is obtained from local, state, Federal and international criminal justice agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(8), (f), (g) and (m) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/FBI - 002

System name: The 'FBI Central Records System' containing investigative, personnel, administrative, applicant, and general files.

System location: a. Federal Bureau of Investigation, J. Edgar Hoover FBI Building, 10th and Pennsylvania Avenue, N.W., Washington, D.C. 20535; b. 59 field divisions (see Appendix); c. 14 Legal Attaches (see Appendix).

Categories of individuals covered by the system:

a. Individuals who relate in any manner to official FBI investigations including, but not limited to suspects, victims, witnesses, and close relatives and associates that are relevant to an investigation.

b. Applicants for and current and former personnel of the FBI and persons related thereto that are considered relevant to an applicant investigation, personnel inquiry, or persons related to personnel matters.

c. Applicants for and appointees to sensitive positions in the United States Government and persons related thereto that are considered relevant to the investigation.

d. Individuals who are the subject of unsolicited information, who offer unsolicited information, request assistance, and make inquiries concerning record material, including general correspondence, contacts with other agencies, businesses, institutions, clubs, the public and the news media.

e. Individuals, associated with administrative operations or services including pertinent functions, contractors and pertinent persons related thereto.

Categories of records in the system:

The FBI Central Records System - The FBI utilizes a 'central records system' of maintaining its investigative, personnel, applicant, administrative, and general files. This system consists of one numerical sequence of subject matter files, an alphabetical index to the files, and a supporting abstract system to facilitate processing and accountability of all important mail placed in file. Files kept in FBI field offices are also structured in the same manner, except they do not utilize an abstract system.

Files kept in FBI Field Offices - Field offices maintain certain records that are not contained at FBIHQ that include files, index cards, and related material pertaining to cases in which there was no prosecutive action undertaken; perpetrators of violations not developed during investigation; or investigation revealed allegations were unsubstantiated or not within the investigative jurisdiction of the Bureau. These investigations closed in field offices and correspondence not forwarded to FBI Headquarters. Duplicate records and records which extract information reported in the main files are also kept in the various divisions of the FBI to assist them in their day-to-day operation. Some of the information contained in the main files has also been extracted and placed on computer to enable various divisions to retrieve information more rapidly by avoiding the need for a manual search for information maintained in the main files. Also, personnel type information dealing with such matters as attendance and production and accuracy requirements is maintained by some divisions.

Authority for maintenance of the system: Federal Records Act of 1950, The Constitution of the United States, various provisions of U.S. Code, Executive Orders and Presidential directives.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records contained in this system are utilized by the FBI in support of its mission to conduct investigations within its jurisdiction and for various administrative purposes. Information from these files is disseminated to appropriate Federal, state, local, and foreign agencies where the right and need to have access to this information exists - For example, to assist in the general crime prevention and detection efforts of the recipient agency. Information is also disseminated to these agencies and to individuals and organizations, where such dissemination is necessary to elicit information from such agencies and individuals. Information from this system is also disseminated during appropriate legal proceedings. For example, witness interviews are made available to defendants pursuant to the Jencks Act during Federal criminal trials. In the event that a system of records maintained by this agency to carry out its functions indicated a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. A record from this system of records may be disclosed as a 'routine use' to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an em-

ployee, the letting of a contract, or the issuance of a license grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. For example, in discharging its obligations under Executive Order 10450, this agency would disseminate record information as a direct result of a name check request submitted by another government agency. A record relating to an actual or potential civil or criminal violation of title 17, United States Code, may be disseminated to a person injured by such violation to assist him/her in the institution or maintenance of a suit brought under such title. Background and descriptive information on Federal fugitives is disseminated to the general public and the news media in an effort to bring about the apprehension of these wanted individuals. News releases are also disseminated to the public and the news media concerning apprehensions of FBI fugitives and other notable accomplishments. Additionally, public source information is distributed on a continuing basis, upon request, to the general public and representatives of the media.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files are maintained in hardcopy form, computer tape, and microfilm.

Retrievability: The FBI General Index must be searched to determine what information, if any, the FBI may have in its files. The index cards are on all manner of subject matters, but primarily a name index of individuals. It should be noted the FBI does not index all individuals that furnish information or names developed in an investigation. Only that information that is considered pertinent and relevant and essential for future retrieval, is indexed. In certain major cases most persons contacted are indexed in order to facilitate the proper administrative handling of a large volume of material. The FBI is in the process of automating its 'Central Records System' and, therefore, the retrieval of certain data will be accomplished by utilizing certain computer peripheral equipment such as CRT (Cathode Ray Tube) video screens, and printers. This will basically involve certain personnel information, general index information, and the abstracting system. Automation in no way changes the 'Central Records System'; it only facilitates access more effectively and efficiently.

Safeguards: Records are maintained in a restricted area and are accessed only by FBI employees. All FBI employees receive a complete background investigation prior to being hired. All employees are cautioned about divulging confidential information or any information contained in FBI files. Failure to abide by this provision violates Department of Justice regulations and may violate certain statutes providing maximum severe penalties of a 10,000 dollar fine or 10 years' imprisonment or both. Employees that resign or retire are also cautioned about divulging information acquired in the job.

Retention and disposal: The Bureau, by its investigative mandate, collects and maintains information from a wide variety of sources. The records support the Bureau's investigative and administrative needs and its obligation to act as a clearinghouse under Executive Order 10450 regarding the security of Government employees. An active destruction program includes microfilming of certain files over 10 years old and researching files to determine whether they contain sufficient historical, research, investigative, or intelligence value to warrant their retention. The Code of Federal Regulations, Title 41, and Title 44 of the U.S. Code set forth Records Management procedures to be followed by government agencies in relation to their records. All agencies are required to retain any material made or received during the course of public business which has been preserved or is appropriate for preservation. Accordingly, disposition of record material must be in accordance with established regulations. Subsequent destruction is accomplished

through authority granted by National Archives and Records Service, GSA, utilizing either the General Records Schedules or a specific request for record destruction which is approved by the Archivist. Records are also destroyed or returned to source as a result of Court Order. Subsequent to 1/27/75, a Congressional moratorium on all destruction, and a later decision rendered on further retention of security and intelligence material, has substantially reduced the tangible effects of the destruction program.

System manager(s) and address: Director, Federal Bureau of Investigation; Washington, D.C. 20535.

Notification procedure: Same as above.

Record access procedures: A request for access to a record from the system shall be made in writing with the envelope and the letter clearly marked "Privacy Access Request". Include in the request your full name, complete address, date of birth, place of birth, authorized signature, and other identifying data you may wish to furnish to assist in making a proper search of our records. Also include the general subject matter of the document or its file number. The requester will also provide a return address for transmitting the information. Access requests will be directed to the Director, Federal Bureau of Investigation, Washington, D.C. 20535.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should also direct their request to the Director, Federal Bureau of Investigation, Washington, D.C. 20535, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The FBI, by the very nature and requirement to investigate violations of law within its investigative jurisdiction and its responsibility for the internal security of the United States, collects information from a wide variety of sources. Basically it is the result of investigative efforts and information furnished by other Government agencies, law enforcement agencies, and the general public, informants, witnesses, and public source material.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (m) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/FBI - 003

System name: Bureau Mailing List.

System location: External Affairs Division, FBI; 9th and Penna, N.W.; Washington, D.C. 20535.

Categories of individuals covered by the system: Individuals who have requested receipt of published Bureau material and who meet established criteria (basically law enforcement or closely related areas).

Categories of records in the system: Name, address and business affiliation, if appropriate.

Authority for maintenance of the system: Title 5, U.S. Code, Section 301 and Title 44, U.S. Code Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For mailing of FBI material published on a regular basis.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computerized and 3X5 index card.

Retrievability: ID number in computer, alphabetically for card index.

Safeguards: Computer records maintained by Administrative Services Division, system operated by FBI personnel.

Retention and disposal: Revised on a monthly basis.

System manager(s) and address: Director, FBI, Washington, D.C. 20535.

Notification procedure: Director, FBI, Washington, D.C. 20535.

Record access procedures: Inquiry directed to Director, FBI, Washington, D.C. 20535.

Contesting record procedures: Same as the above.

Record source categories: Individual requests for FBI material or official recommendation, from individuals associated with law enforcement.

Systems exempted from certain provisions of the act: None.

JUSTICE/FBI - 004

System name: Routine Correspondence Handled By Preprinted Form.

System location: External Affairs Division; FBI; 9th and Penna, N.W.; Washington, D.C. 20535.

Categories of individuals covered by the system: Routine correspondence from citizens not requiring a dictated response.

Categories of records in the system: Original correspondence and 3x5 index card.

Authority for maintenance of the system: Title 5, U.S. Code, Section 301 and Title 44, U.S. Code, Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal reference use of record of such correspondence.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filing of original correspondence plus 3x5 index card.

Retrievability: Correspondence alphabetically and chronologically; index card alphabetically.

Safeguards: Maintained by FBI personnel; locked file cabinets during nonduty hours.

Retention and disposal: Original correspondence retained 90 days and destroyed; 3x5 index cards maintained one year and destroyed.

System manager(s) and address: Director, FBI, Washington, D.C. 20535.

Notification procedure: Director, FBI, Washington, D.C. 20535.

Record access procedures: Inquiry directed to Director, FBI, Washington, D.C. 20535.

Contesting record procedures: Same as the above.

Record source categories: Incoming citizen correspondence.

Systems exempted from certain provisions of the act: None.

JUSTICE/FBI - 005

System name: Routine Correspondence Prepared Without File Yellow.

System location: External Affairs Division; FBI; 9th and Penna, N.W.; Washington, D.C. 20535.

Categories of individuals covered by the system: Routine requests received via correspondence from citizens.

Categories of records in the system: Tickler copy of routine response plus original citizen's letter.

Authority for maintenance of the system: Title 5 U.S. Code, Section 301 and Title 44, U.S. Code, Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Temporary record of

routine inquiries without substantive, historical or record value for which no record is to be made in central FBI files.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Onionskin copy of outgoing correspondence.

Retrievability: Alphabetically and chronologically filed.

Safeguards: Maintained by FBI personnel; locked file cabinets during nonduty hours.

Retention and disposal: Retained 90 days; destroyed through confidential trash disposal.

System manager(s) and address: Director, FBI, Washington, D.C. 20535.

Notification procedure: Director, FBI, Washington, D.C. 20535.

Record access procedures: Inquiry directed to Director, FBI, Washington, D.C. 20535.

Contesting record procedures: Same as the above.

Record source categories: Incoming citizen correspondence.

Systems exempted from certain provisions of the act: None.

JUSTICE/FBI - 006

System name: Electronic Surveillance (Elsur) Indices.

System location: FBI Headquarters; Washington, D.C. 20535.

Categories of individuals covered by the system: Individuals who have been the targets of direct electronic surveillance coverage by the FBI, who have participated in conversations monitored by an FBI electronic installation, or who have owned, leased, or licensed premises on which the FBI has conducted an electronic surveillance.

Categories of records in the system: The Elsur Indices are maintained on 3" x 5" cards, which set forth the name of each person monitored by the FBI since January 1, 1960, a source number to identify the individual on whom the surveillance was installed, the date the conversation occurred, and the location of the field office which conducted the monitoring.

Authority for maintenance of the system: The Elsur Indices were initiated in October, 1966, at the instructions of the Department of Justice, which also established the cutoff date of January 1, 1960. The authority for the maintenance of these records is Title 5, Section 301, USC, which grants the Attorney General the authority to issue rules and regulations prescribing how Department of Justice information can be employed. Title 18, USC, Section 2519, also sets forth recordkeeping requirements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Elsur Indices are utilized: (1) To respond to judicial inquiries about possible electronic surveillance coverage of witnesses, defendants, or attorneys involved in Federal court proceedings, and (2) To enable the Government to certify whether a person regarding whom court-order authority is being sought for electronic coverage has ever been so covered in the past. The actual users of the indices are always Agents of the FBI.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained manually on 3" x 5" cards.

Retrievability: They are indexed alphabetically under the two general categories of 'Criminal' and 'Security.'

Safeguards: They are maintained in a guarded room at all times, with a special locking system for off-duty hours when they are not in use.

Retention and disposal: Until advised to the contrary by the Department, the courts, or Congress, these indices will be maintained indefinitely.

System manager(s) and address: Director, Federal Bureau of Investigation, Washington, D.C. 20535.

Notification procedure: Same as the above.

Record source categories: See Category of Individual.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g) and (m) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/FBI - 007

System name: FBI Automated Payroll System.

System location: Federal Bureau of Investigation; Computer Systems Division; Ninth and Pennsylvania Avenue; Washington, D.C. 20535.

Categories of individuals covered by the system: A) Current employees of the Federal Bureau of Investigation (FBI); B) Resigned employees of the FBI are retained in the automated file for the current year for the purposes of clearing all pay actions and providing for any retroactive actions that might be legislated.

Categories of records in the system: System contains full record for each employee reflecting all elements relative to payroll status, plus accounting records and authorization records through which payrolls are issued and by which payrolls are audited. For example, this system contains the employees' Social Security Number, time and attendance data, and place of assignment.

Authority for maintenance of the system: System is established and maintained in accordance with Federal pay requirements, and all legislative enactments, Civil Service Commission regulations, General Accounting Office rulings and decisions, Treasury Department requirements, and Office of Management and Budget regulations relative thereto. Title 5, U.S. Code, Section 301 and Title 44, U.S. Code, Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Biweekly issuance of payroll and related matters. Quarterly issuance of State Tax Report and Federal Insurance Contributions Act Report. Resign and End-of-Year Federal Tax Records (W-2's). Bi-weekly, quarterly, fiscal and annual Budget and Accounting Reports. Appropriate information is made available to the Internal Revenue Service and state and city tax bureaus.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored electronically on magnetic tapes and disks for use in a computer environment.

Retrievability: Information is retrieved by Social Security Number. (The authority to solicit an employee's Social Security Number is based on Title 26, Code of Federal Regulations, Section 31.6011(b)-2(b).)

Safeguards: Information contained in the system is relative to the individual employee's payroll status and is considered confidential to that employee and to official business conducted for that employee's pay and accounting purposes. It is safeguarded and protected in accordance with the FBI's Computer Center's regulations that permit access and use by only authorized personnel.

Retention and disposal: Master Payroll and Accounting Records stored electronically are retained for a period of three years, as are Federal Tax files. Auxiliary files pertinent to main payroll functions are retained for periods varying from three pay periods to three years, depending on support files needed for any retroactive or audit purposes. Hard copy records are retained in accordance with instructions contained in General Records Schedule 2, GSA Reg. 3, and GSA Bulletin FPMR B-47 Archives and Records.

System manager(s) and address: Director; Federal Bureau of Investigation; Ninth and Pennsylvania Avenue; Washington, D.C. 20535.

Notification procedure: Same as the above.

Record access procedures: A request of access to information may be made by an employee through his supervisor or by a former employee by writing to the Federal Bureau of Investigation, 9th and Pennsylvania Avenue, Washington, D.C. 20535, Attention Payroll Office.

Contesting record procedures: Contest of any information should be set out in detail and a check of all supportive records will be made to determine the factual data in existence, which is predetermined by source documents and accounting procedures governing pay matters.

Record source categories: Source of information is derived from personnel actions, employee authorizations, and time records which are issued and recorded in accordance with regulations governing Federal pay.

Systems exempted from certain provisions of the act: None.

JUSTICE/FBI - 008

System name: Personnel Information Network System (PINS).

System location: Federal Bureau of Investigation; Identification Division; 2nd and D Streets, S.W.; Washington, D.C. 20537; (with access terminals located at the following address): Federal Bureau of Investigation; John Edgar Hoover Building; 10th Street and Pennsylvania Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Federal Bureau of Investigation employees and former employees.

Categories of records in the system: The system contains personnel information which includes information set forth on (1) FBI form 3-634 in lieu of Standard Form 50 - Notification of Personnel Action, (2) SF 176-T-Federal Employee Group Life Insurance Plan, (3) FBI form 12-60 in lieu of SF 1126 - Notification of Pay Change, (4) SF 2801 and CSC 1084 - Application for and additional information in support of retirement, respectively, (5) SF 2809 - Federal Employee Health Benefit Plan and (6) various intra-agency forms and memoranda.

Authority for maintenance of the system: The system is established and maintained pursuant to regulations set forth in the Federal Personnel Manual, Title 5, U.S. Code, Section 301 and Title 44, U.S. Code, Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The PINS is used (1) to prepare the Notification of Personnel Action, copies of which are furnished to the Civil Service Commission (2) to locate and charge out personnel files for official use, (3) to generate lists of employees which are used internally by authorized personnel for record keeping, planning, and decision making purposes, and (4) as a source for the dissemination of information (A) to federal, state and local agencies and to private organizations pursuant to service record inquiries and (B) pursuant to credit inquiries (In response to proper credit inquiries from credit bureaus and financial institutions, the FBI will verify employment and furnish salary and length of service).

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of

Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in PINS is stored by disc and magnetic tape.

Retrievability: Information is retrieved (1) on-line through Cathode Ray Tubes by keying the name or Social Security Number of the employee and (2) off-line by tape reading. (It is noted the authority to solicit an employee's Social Security Number is based on Title 26, Code of Federal Regulations, Secti 31.6011(b)-2(b).)

Safeguards: Areas housing the system and access terminals are located in secure buildings available to authorized FBI personnel and escorted maintenance and repair personnel only. Access terminals are operational only during normal daytime working hours at which time they are constantly attended.

Retention and disposal: Electronically stored records for employees and former employees are maintained indefinitely in a vault under the control of a vault supervisor. Pursuant to regulations set forth in the Federal Personnel Manual a copy of the Notification of Personnel Action is made a part of the employees' personnel file.

System manager(s) and address: Director; Federal Bureau of Investigation; John Edgar Hoover Building; 10th Street and Pennsylvania Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the name and return address of the requestor. Access requests will be directed to the Director, Federal Bureau of Investigation.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the Director, FBI stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are present and former FBI employees and employee personnel files.

Systems exempted from certain provisions of the act: None.

JUSTICE/FBI - 009

System name: Identification Division Records System.

System location: Federal Bureau of Investigation; U.S. Department of Justice; 10th and Pennsylvania Avenue, N.W.; Washington, D.C. 20535.

Categories of individuals covered by the system:

A. Individuals fingerprinted as a result of arrest or incarceration by Federal, state or local law enforcement agencies.

B. Persons fingerprinted as a result of federal employment applications, military service, alien registration and naturalization purposes and individuals desiring to have their fingerprints placed on record with the FBI for personal identification purposes.

Categories of records in the system:

A. Criminal fingerprint cards and related criminal justice information submitted by authorized agencies having criminal justice responsibilities.

B. Civil fingerprint cards submitted by Federal agencies and civil fingerprint cards submitted by persons desiring to have their fingerprints placed on record for personal identification purposes.

C. Identification records sometimes referred to as 'rap sheets' which are compilations of criminal history information pertaining to individuals who have criminal fingerprint cards maintained in the system.

D. An alphabetical name index pertaining to each individual whose fingerprints are maintained in the system. The criminal records and the civil records are maintained in separate files and each file has an alphabetical name index related to the data contained therein.

Authority for maintenance of the system: The system is established, maintained and used under authority granted by 28 U.S.C. 534 and P.L. 92-544 (86 Stat. 1115). The authority is also codified in 28 C.F.R. 0.85(b), and (j).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The FBI operates the Identification Division Records System to perform identification and criminal history record information functions for federal, state, and local criminal justice agencies, and for noncriminal justice agencies, and other entities where authorized by Federal statute, state statute pursuant to Public Law 92-544 (86 Stat. 1115), Presidential executive order, or regulation of the Attorney General of the United States. In addition, identification assistance is provided in disasters and for other humanitarian purposes. Dissemination is also conducted in accordance with Public Law 94-29, known as the Securities Acts Amendments of 1975.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is stored manually in file cabinets either in its natural state or on microfilm. In addition, some of the information is stored electronically in converting the manual system to an automated system.

Retrievability: (1) All information in the system is retrievable by technical fingerprint classification index and positive identification is effected only by comparison of the unique characteristics obtained from fingerprint impressions submitted for search against the fingerprint cards maintained within the system.

(2) An auxiliary means of retrieval is through the alphabetical name indexes which contain names of the individuals, their birth data, other physical descriptors and the individuals' technical fingerprint classifications and FBI numbers, if such have been assigned.

(3) The name of an individual and his FBI number may assist in retrieval of information about that individual from within the system. Since July, 1971, all individuals whose fingerprints have been placed in the criminal file have been assigned unique FBI numbers. Prior to July, 1971, all individuals who had two or more fingerprint cards in the criminal file were assigned FBI numbers.

Safeguards: Information in the system is unclassified. Disclosure of information from within the system is made only to authorized recipients upon authentication and verification of the right to access the system by such persons and agencies. The physical security and maintenance of information within the system is provided by FBI rules, regulations and procedures.

Retention and disposal:

(1) The Archivist of the United States has approved the destruction of records maintained in the criminal file when the records indicate individuals have reached 80 years of age and the destruction of records maintained in the civil file when the records indicate individuals have reached 75 years of age.

(2) Fingerprint cards and related arrest data in the system are destroyed seven years following notification of the death of an individual whose record is maintained within the system.

(3) Fingerprint cards submitted by state and local criminal justice agencies are returned upon requests of the submitting agencies. The return of a fingerprint card under this procedure results in the deletion from the system of all arrest information related to that fingerprint card.

(4) Fingerprint cards and related arrest data are removed from the Identification Division Records System upon receipt of Federal court orders for expunctions when accompanied by necessary identifying information. Recognizing lack of jurisdiction of local and state courts over an entity of the Federal Government, the Identification Division Records System, as a matter of comity, returns fingerprint cards and related arrest data to local and state criminal justice agencies upon receipt of orders of expunction directed to such agencies by local and state courts when accompanied by necessary identifying information.

System manager(s) and address: Director, Federal Bureau of Investigation; 10th and Pennsylvania Avenue, N.W.; Washington, D.C. 20535.

Notification procedure: Address inquiries to the System Manager. The Attorney General has exempted the Identification Division Records System from compliance with subsection (d) of the Act.

Record access procedures: The Attorney General has exempted the Identification Division Records System from compliance with subsection (d) of the Act. However, pursuant to 28 C.F.R. 16.30-34, and Rules and Regulations promulgated by the Department of Justice on May 20, 1975 at 40 Fed. Reg. 22114 (Section 20.34) for Criminal Justice Information Systems, an individual is permitted access to his identification record maintained in the Identification Division Records System and procedures are furnished for correcting or challenging alleged deficiencies appearing therein.

Contesting record procedures: Same as the above.

Record source categories: See Categories of Individuals.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H), (e)(5) and (8), (f), (g) and (m) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/FBI - 999

System name: Appendix of Field Divisions for the Federal Bureau of Investigation.

Field Office:

502 U.S. Post Office & Court House
Albany, New York 12207

4303 Federal Office Building
Albuquerque, New Mexico 87101

Room 500, 300 North Lee Street
Alexandria, Virginia 22314

Room 238, Federal Building
Anchorage, Alaska 99510

275 Peachtree Street, N.E.
Atlanta, Georgia 30303

7142 Ambassador Road
Baltimore, Maryland 21207

Room 1400 - 2121 Building
Birmingham, Alabama 35203

John F. Kennedy Federal Office Building
Boston, Massachusetts 02203

Room 1400 - 111 West Huron Street
Buffalo, New York 14202

115 U.S. Court House and Federal Building
Butte, Montana 59701

1120 Jefferson Standard Life Building
Charlotte, North Carolina 28202

Room 905, Everett McKinley Dirksen Building
Chicago, Illinois 60604

415 U.S. Post Office & Court House Building
Cincinnati, Ohio 45202

3005 Federal Office Building
Cleveland, Ohio 44199

1529 Hampton Street
Columbia, South Carolina 29201

Room 200, 1810 Commerce Street
Dallas, Texas 75201

Room 18218, Federal Office Building
Denver, Colorado 80202

333 West Fort Building
Detroit, Michigan 48226

202 U.S. Court House Building
El Paso, Texas 79901

Room 605, Bishop Trust Building
Honolulu, Hawaii 96813

6015 Federal Building and U.S. Court House
Houston, Texas 77002

575 North Pennsylvania St.
Indianapolis, Indiana 46202

800 Unifirst Federal Savings & Loan Building
Jackson, Mississippi 39205

414 U.S. Court House & Post Office Building
Jacksonville, Florida 32202

Room 300 - U.S. Courthouse
Kansas City, Missouri 64106

Room 800, 1111 Northshore Drive
Knoxville, Tennessee 37919

Room 2-011, Federal Office Building
Las Vegas, Nevada 89101

215 U.S. Post Office Building
Little Rock, Arkansas 72201

11000 Wilshire Boulevard
Los Angeles, California 90024

Room 502, Federal Building
Louisville, Kentucky 40202

841 Clifford Davis Federal Building
Memphis, Tennessee 38103

3801 Biscayne Boulevard
Miami, Florida 33137

Room 700, Federal Building and U.S. Court House
Milwaukee, Wisconsin 53202

392 Federal Building
Minneapolis, Minnesota 55401

520 Federal Building
Mobile, Alabama 36602

Gateway I, Market Street
Newark, New Jersey 07101

770 Chapel Building
New Haven, Connecticut 06510

701 Loyola Avenue
New Orleans, Louisiana 70113

201 East 69th Street
New York, New York 10021

Room 300, 870 Military Highway
Norfolk, Virginia 23502

50 Penn Place, N.W., 50th at Pennsylvania
Oklahoma City, Oklahoma 73118

1010 Federal Office Building
Omaha, Nebraska 68102

8th Floor, Federal Office Building
600 Aren Street
Philadelphia, Pennsylvania 19106

2721 North Central Avenue

Phoenix, Arizona 85004

1300 Federal Office Building
Pittsburgh, Pennsylvania 15222

Crown Plaza Building
Portland, Oregon 97201

200 West Grace Street
Richmond, Virginia 23220

Federal Building
2800 Cottage Way
Sacramento, California 95825

2704 Federal Building
St. Louis, Missouri 63103

3203 Federal Building
Salt Lake City, Utah 84138

433 Federal Building
San Antonio, Texas 78296

3211 Fifth Avenue
San Diego, California 92103

450 Golden Gate Avenue
San Francisco, California 94102

Pan Am Building
255 Ponce de Leon Avenue
San Juan, Puerto Rico 00917

5401 Paulsen Street
Savannah, Georgia 31405

915 Second Avenue
Seattle, Washington 98174

535 West Jefferson Street
Springfield, Illinois 62702

Room 610, Federal Office Building
Tampa, Florida 33602

506 Old Post Office Building
Washington, D.C. 20535

Federal Bureau of Investigation Academy
Quantico, Virginia 22135

LEGAL ATTACHE (all c/o The American Embassy for the cities indicated):

Bern, Switzerland

Bonn, Germany (Box 310, APO, New York 09080)

Brasilia, Brazil (APO, New York 09676)

Buenos Aires, Argentina

Caracas, Venezuela (APO, New York 09893)

Hong Kong, B.C.C. (FPO, San Francisco 96659)

London, England (Box 40, FPO, New York 09510)

Madrid, Spain (APO, New York 09285)

Manila, Philippines (APO, San Francisco 96528)

Mexico City, Mexico

Ottawa, Canada

Paris, France (APO, New York 09777)

Rome, Italy (APO, New York 09794)

Tokyo, Japan (APO, San Francisco 96503)

JUSTICE/TAX - 001

System name: Tax Division Central Classification Cards, Index Docket Cards, and Associated Records.

System location: U.S. Department of Justice; Tax Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons referred to in potential or actual cases and matters of concern to the Tax Division under the Internal Revenue laws.

Categories of records in the system: The system consists of an alphabetical index by individual name of all cases, and matters assigned, referred, or of interest to the Tax Division. Records in many instances are duplicated in the various sections of the Division having specific jurisdiction over the case.

Authority for maintenance of the system: This system is established and maintained pursuant to 28 C.F.R., 0.70 and 0.71.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A. Classification cards are maintained on each Tax Division case to identify and assign mail to the proper office within the Division; to relate incoming material to an existing case; to establish a file number for a new case upon receipt; and to provide a central index of cases within the Division.

B. Docket cards are records pertaining to the flow of legal work in the Division. They are maintained on each case which is being or was handled by the Division's sections.

C. Case files maintained allow Division attorneys immediate access to information which is essential in carrying out their responsibilities concerning all tax cases.

D. A record maintained in this system of records may be disseminated as a routine use as follows: (1) In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law; (2) In the course of investigating the potential or actual violation of any law whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; (3) A record relating to a case or matter may be disseminated to the appropriate federal, state, local, or foreign court or grand jury in accordance with established constitutional, substantive, or procedural law or practice; (4) A record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; (5) A record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; (6) A record relating to a case or matter that has been referred to the Tax Division may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made; (7) A record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; (8) A record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of

Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored manually on index cards and in folders.

Retrievability: Information is retrieved by the name of the individual from the index card which will then indicate the case number, and the section unit or attorney assigned to work on the material.

Safeguards: Information is safeguarded and protected in accordance with applicable Departmental rules.

Retention and disposal: Currently there are no provisions for the disposal of the cards in this system, however, the records of the closed classes are forwarded to the Federal Record Center, where they are destroyed after 25 years.

System manager(s) and address: Assistant Attorney General, Tax Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: Part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to the applicability of an exemption as to a specific record shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request". Include in the request the name of the individual involved, his birth date and place, or any other identifying number which may be of assistance in locating the record, the name of the case or matter involved, if known, the name of the judicial district involved, if known, and any other information which may be of assistance in locating the record. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Internal Revenue Service, Department offices and employees, and other federal, state, local, and foreign law enforcement and non-law enforcement agencies, private persons, witnesses, and informants.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsection (d), (e)(2) and (3) of the Privacy Act pursuant to 5 U.S.C. 552a (j) and (k). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/TAX - 002

System name: Files of Applications for the Position of Attorney with the Tax Division.

System location: U.S. Department of Justice; Tax Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Applicants who have applied for a position as an attorney with the Tax Division.

Categories of records in the system: This system contains a card of each applicant filed alphabetically. Files may contain background information of the applicant, including SF 171 forms, resumes, referral letters, letters of recommendation, interview notes, internal notes or memoranda, and other miscellaneous correspondence.

Authority for maintenance of the system: This system is established and maintained pursuant to the responsibilities assigned the Tax Division under 28 C.F.R., 0.70 and 0.71.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A) This system may be used by employees and officials of the Division and the Justice Department in making employment decisions; B) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring of an em-

ployee, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored manually, alphabetically by name.

Retrievability: Information is retrieved manually by using the name of the applicant desired.

Safeguards: Information contained in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures governing access, production and disclosure of any materials contained in its official files.

Retention and disposal: Information is retained in the card system for 10 years. Information in the files is retained in the system until a decision is made as to the employment of the applicant.

System manager(s) and address: Assistant Attorney General; Tax Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other identifying number which may be of assistance in locating the record, as well as the position applied for. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely which information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Generally, sources of information contained in the system are the individual applicants, persons referring or recommending the applicant, and employees and officials of the Division and the Department.

Systems exempted from certain provisions of the act: None.

JUSTICE/TAX - 003

System name: Freedom of Information Request Files.

System location: U.S. Department of Justice; Tax Division; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have requested information under the Freedom of Information Act.

Categories of records in the system: (a) Correspondence relating to requests for information; (b) documents relevant to appeals and lawsuits under the Freedom of Information Act.

Authority for maintenance of the system: The system is maintained to enable the Tax Division to process requests under the Freedom of Information Act (5 U.S.C. 552).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is maintained to insure the efficient processing of requests made pursuant to the Freedom of Information Act (5 U.S.C. 552).

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is stored manually in standard file folders, alphabetically by name of the person making the request.

Retrievability: Information is retrieved manually by name of the persons making the request.

Safeguards: The system of records is stored in a file cabinet in a locked closet. Access is restricted to the Freedom of Information Unit staff on a need-to-know basis.

Retention and disposal: Destruction schedules will be developed as the needs of the system requirements become known. Presently, records are retained indefinitely.

System manager(s) and address: Assistant Attorney General; Tax Division; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Inquiry concerning this system should be directed to the System Manager listed above. Inquiries should contain the inquirer's name, date and place of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: (a) Persons requesting information; (b) Department of Justice employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 001

System name: Antitrust Division Expert Witness File.

System location: U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals who have served in the capacity of an 'expert' for the Department of Justice in connection with civil or criminal antitrust litigation.

Categories of records in the system: This system contains the names of persons used by the Antitrust Division in an expert capacity and also indicates the area of their specialty, the type of service rendered, the fees paid, and the dates on or during which such services were performed.

Authority for maintenance of the system: Authority for the establishment and maintenance of this system exists under 44 U.S.C. 3101 and 28 U.S.C. 522.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is routinely used by trial attorneys of the Antitrust Division when considering the selection of experts as consultants or expert witnesses for the development or presentation of specific antitrust cases. The system also serves as a reference resource for Division personnel in compiling statistical information or reports regarding the actual or anticipated costs of litigation.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in this system is contained in documents organized in individual file folders.

Retrievability: Information is retrieved primarily by using the name of the individual retained as a consultant or called as an expert witness for the Government in antitrust cases brought by the Department.

Safeguards: Information contained in the system is unclassified. During working hours access to the system is controlled and monitored by Antitrust Division personnel in the area where the system is maintained; during non-duty hours all doors to that area are locked.

Retention and disposal: Indefinite.

System manager(s) and address: Administrative Officer; Antitrust Division; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General; Antitrust Division; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: Requests for access to a record from this system shall be in writing and be clearly identified as a 'Privacy Access Request'. Included in the request should be the name of the person retained as a consultant or presented as an expert witness to the Government and the name of the case in which such services were rendered. The requester should indicate a return address. Requests will be directed to the System Manager shown above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their requests to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Sources of information maintained in this system are those records reflecting the commitment between the individual and the Department of Justice (including matters of compensation etc.) and staff attorneys or other employees directly involved with the individual in the preparation or conduct of the litigation.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 002

System name: Congressional Correspondence Log File.

System location: U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Present and former members of Congress and White House staff members.

Categories of records in the system: This system contains an index record to inquiries or referrals from members of the Congress and White House staff.

Authority for maintenance of the system: Authority for the establishment and maintenance of this system exists under 44 U.S.C. 3101 and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is maintained as a record of inquiries or referrals by members or committees of the Congress and by White House staff. Routine use is made of this file by Antitrust Division personnel incident to monitoring the response status of or identifying other material related to such inquiries or referrals.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on index cards.

Retrievability: Information is retrieved primarily by using the name of the member of Congress or the White House staff making an inquiry or referral to the Department of Justice, Antitrust Division.

Safeguards: Information contained in the system is unclassified. During working hours access to the system is controlled and monitored by Antitrust Division personnel in the area where the system is maintained; during non-duty hours all doors to such area are locked.

Retention and disposal: Indefinite.

System manager(s) and address: Assistant Attorney General; Antitrust Division; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General; Antitrust Division; Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: Requests for access for a record from this system shall be written and clearly identified as a 'Privacy Access Request'. The request should include the name of the member of Congress or White House staff originating a request or referral and the date thereof. Requester should indicate a return address.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should state clearly and concisely what information is being contested, the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Source of information maintained in the system a those records (e.g., that Congressional or White House correspondence), reflecting inquiries or referrals by members of Congress or White House staff.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 003

System name: Index of Defendants in Pending and Terminated Antitrust Cases.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individual defendants in pending and terminated criminal and civil cases brought by the United States under the antitrust laws.

Categories of records in the system: This system contains an index reference to the case in which an individual (or corporation) is or was a defendant; included in information is proper case name, the judicial district and number of the case, and the date filed.

Authority for maintenance of the system: Authority for the establishment and maintenance of this index system exists under 28 U.S.C. 522 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine use of this cross index system is generally made by Department personnel for reference to proper case name. In addition a compilation of antitrust cases filed is prepared semi-annually showing the names of all defendants in pending civil and criminal Government antitrust cases. This compilation is utilized within the Department and distributed to some 30 other Government agencies for reference and statistical purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in the system is maintained on index cards.

Retrievability: Information in the system is retrieved by reference to the name of individual or corporate defendants in antitrust cases.

Safeguards: Information contained in the system is unclassified and of a public nature. During working hours access to the index is monitored by Antitrust Division personnel; during non-duty hours the area in which the system is maintained is locked.

Retention and disposal: Indefinite.

System manager(s) and address: Chief, Legal Procedure Unit; Antitrust Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General; Antitrust Division; U.S. Department of Justice; Washington, D.C. 20530.

Record access procedures: Requests for access to a record from this system shall be in writing and be clearly identified as a 'Privacy Access Request'. Included in the request should be the name of the defendant in pending or terminated Government antitrust litigation. Requesters should indicate a return address. Requests will be directed to the System Manager shown above.

Contesting record procedures: Individuals desiring to test or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this index are complaints filed under the antitrust laws by the United States and from Department records relating to such cases.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 004

System name: Statements by Antitrust Division Officials (ATD Speech File).

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Past and present employees of the Antitrust Division.

Categories of records in the system: This system contains an index record for each public statement or speech issued or made by employees of the Antitrust Division.

Authority for maintenance of the system: Authority for maintaining this system exists under 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This index is maintained for ready reference by Department personnel for the identification of the subject matter of and persons originating public statements by Antitrust Division employees; such reference is utilized in aid of compliance with requests from the public and within the agency for access to texts of such statements.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in the index system is maintained on index cards.

Retrievability: This reference index utilizes name of present and former employees making or issuing statements as well as the subject matter or title of the statement.

Safeguards: Information contained in the system is unclassified. During duty hours personnel monitor access to this index; the area is locked during non-duty hours.

Retention and disposal: Indefinite.

System manager(s) and address: Chief, Legal Procedure Unit; Antitrust Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General; Antitrust Division; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Record access procedures: Request for access to a record from this system should be made in writing and be clearly identified as a 'Privacy Access Request'. Included in the request should be the name of the Antitrust Division employee making or issuing a public statement. Requesters should indicate a return address. Requests will be directed to the System Manager shown above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information maintained in the index are those records reflecting public statements issued or made by Antitrust Division employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 005

System name: Antitrust Caseload Evaluation System (ACES) - Time Reporter.

System location: U.S. Department of Justice; 10th and Constitution Ave., N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Professional Employees (Lawyers and Economists) of the Antitrust Division of the U.S. Department of Justice.

Categories of records in the system: The file contains the employee's name and allocations of his/her work time.

Authority for maintenance of the system: The file will be established and maintained pursuant to the following authorities: 28 C.F.R. 40 (f) and 28 U.S.C. 522.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The file is used by Antitrust Division personnel as a basis for determining Antitrust Division allocations of resources (professional time) to particular products and industries (e.g., oil, autos, chemicals) and to broad categories of resource use such as civil cases, criminal cases, regulatory agency cases and Freedom of Information Act requests. In addition, the file will be employed in the preparation of reports for the Division's budget requests and to the Attorney General and Congress.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained electronically in the Economic Policy Office's ACES computerized information system and in file folders.

Retrievability: Information is retrieved by a variety of key words.

Safeguards: Information contained in the system is unclassified. It is safeguarded and protected in accordance with Department rules and procedures governing the handling of computerized information. Access to the file is limited to those persons whose official duties require such access and to employees of the Antitrust Division.

Retention and disposal: Information contained in the file is retained for 14 months or the life of the matter to which the lawyer or economist is assigned whichever is longer.

System manager(s) and address: Director of the Economic Policy Office; Antitrust Division; U.S. Department of Justice; Star Building; 11th and Pennsylvania Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Information on time allocation is provided by Antitrust Division section and field office chiefs.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 006

System name: Antitrust Caseload Evaluation System (ACES) - Monthly Report.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Professional employees (lawyers and economists) of the Antitrust Division of the U.S. Department of Justice and individual defendants and investigation targets involved in past and present Antitrust investigations and cases.

Categories of records in the system: The system contains the names of Division employees and their case/investigation assignments and the names of individual defendants/investigation targets as they relate to a specific case/investigation. In addition, information reflecting the current status and handling of Antitrust cases/investigations is included within this system.

Authority for maintenance of the system: The file is established and maintained pursuant to 28 C.F.R. 40(f), 28 U.S.C. 552, and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The file is used by Antitrust Division personnel as a basis for determining Antitrust Division allocation of resources to particular products and industries (e.g., oil, autos, chemicals), to broad categories of resource use such as civil cases, criminal cases, regulatory agency cases, and Freedom of Information Act requests. It is employed by the section chiefs, the Director and Deputy Director of Operations, and other Division personnel, to ascertain the progress and current status of cases and investigations within the Division. In addition, the file will be employed in the preparation of reports for the Division's budget requests and to the Attorney General and Congress.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained electronically in the Economic Policy Office's ACES Computerized information system and in file folders.

Retrievability: Information is retrieved by a variety of key words.

Safeguards: Information contained in the system is unclassified. It is safeguarded and protected in accordance with Department rules and procedures governing the handling of computerized information. Access to the file is limited to those persons whose official duties require such access and employees of the Antitrust Division.

Retention and disposal: Information contained in the file is retained for 14 months or the life of the specific case/investigation, whichever is longer.

System manager(s) and address: Director of the Economic Policy Office; Antitrust Division, U.S. Department of Justice, Star Building, 11th and Pennsylvania Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue, Washington, D.C. 20530.

Record source categories: Information for the monthly reports is provided by the Antitrust Division section and field office chiefs.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3), (d), (e)(4)(G)-(H), and (f) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e) and have been published in the Federal Register.

JUSTICE/ATR - 007

System name: Antitrust Division Case Cards.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Individual defendants in pending and terminated criminal and civil cases brought by the United States under the antitrust laws where the defendant's name appears in the case title.

Categories of records in the system: This system contains an index reference to the case in which an individual (or corporation) is or was a defendant; included information is proper case name, the judicial district, number of the case, the commodity involved, each alleged violation, the section of the Antitrust Division responsible for the matter, and the disposition of the case.

Authority for maintenance of the system: Authority for maintaining this system exists under 44 U.S.C. 3101 and 28 U.S.C. 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This index is maintained for ready reference by Department personnel. It is utilized for referrals to case names, the preparation of speeches and to aid in determinations of the antitrust histories of companies.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information contained in this system is maintained on index cards.

Retrievability: Information is retrieved by case name.

Safeguards: Information contained in the system is unclassified. During duty hours access to this system is monitored and controlled by Antitrust Division personnel in the area where the system is maintained. This area is locked during non-duty hours.

Retention and disposal: Indefinite.

System manager(s) and address: Chief, Legal Procedure Unit, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Record access procedures: Request for access to a record from this system should be made in writing and be clearly identified as a 'Privacy Access Request.' Included in the request should be the name of the defendant appearing in the title of the pending or terminated Government antitrust litigation. Requester should indicate a return address. Requests will be directed to the System Manager above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information maintained in the index are those records reflecting litigation conducted by the Antitrust Division.

Systems exempted from certain provisions of the act: None.

JUSTICE/ATR - 008

System name: Freedom of Information/Privacy Requester/Subject Index File.

System location: U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals who have requested information under the Freedom of Information and Privacy Acts from files maintained by the Antitrust Division and individuals about whom material has been requested under the above acts.

Categories of records in the system: This system contains an index record of every request under the Freedom of Information and Privacy Acts made to the Antitrust Division since November, 1974, including all request letters and our responses.

Authority for maintenance of the system: Authority for maintaining this system exists under 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This index is maintained for ready reference by Division personnel for the identification of the subject matter of and persons originating Freedom of Information and Privacy Act requests. Such reference is utilized in aid of access to files, maintained by the Freedom of Information and Privacy Unit, for purposes of reference to requests on appeal.

questions concerning pending or terminated requests, and compliance with requests similar or identical to past requests.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on index cards.

Retrievability: Information in the system is retrieved by reference to the names of present and past requesters and names of individuals about whom information is requested under the Freedom of Information and Privacy Act.

Safeguards: Information contained in the system is unclassified. During duty hours access to this system is monitored and controlled by Antitrust Division personnel in the area where the system is maintained. The area is locked during non-duty hours.

Retention and disposal: Indefinite.

System manager(s) and address: Freedom of Information and Privacy Acts Control Officer, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Address inquiries to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Record access procedures: Request for access to a record from this system should be made in writing and be clearly identified as a "Privacy Access Request." Included in the request should be the of the individual having made the Freedom of Information request and/or the individual about whom the records were requested. Requesters should indicate a return address. Requests will be directed to the System Manager shown above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Source of the information maintained in the system are those records derived from the receipt and processing of Freedom of Information and Privacy Act requests.

Systems exempted from certain provisions of the act: Records secured from other systems of records have been exempted from the provisions of the Privacy Act to the same extent as the systems of records from which they were obtained. The Attorney General has also exempted certain categories of records in this system from subsection (c) (3), (d) of the Privacy Act pursuant to 5 U.S.C. 552a (k) (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(3), and (e) and have been published in the Federal Register.

JUSTICE/USM - 001

System name: United States Marshals Service Badge & Credentials File.

System location: United States Marshals Service; Star Building; 414 11th Street, N.W., Room 0056; Washington, D.C. 20530.

Categories of individuals covered by the system: United States Marshals Service Personnel.

Categories of records in the system: Personnel data system established to control issuance of badges and credentials to U.S. Marshals Service personnel.

Authority for maintenance of the system: 28 C.F.R. 0.111-113.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This file serves as a record of issuance of credentials. Information from this file is requested by various law enforcement agencies, e.g., FBI, Secret Service, state, county & municipal police.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Originals kept in files.

Retrievability: Indexed by name and chronological order of number.

Safeguards: Access restricted to personnel of Administrative Services Division.

Retention and disposal: Records are kept for duration of employee's tenure in the Service.

System manager(s) and address: Chief, Administrative Services Division; United States Marshals Service; U.S. Department of Justice; 10th & Constitution Ave. N.W.; Washington, D.C. 20530

Notification procedure: Same as System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." It should clearly indicate name of requestor, the nature of the record sought and approximate dates covered by the record. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Record of Notification of Employment by U.S. Marshals Service Personnel Division.

Systems exempted from certain provisions of the act: None.

JUSTICE/USM - 002

System name: United States Marshals Service Internal Inspections System.

System location: United States Marshals Service; Department of Justice; 521 12th Street; Washington, D.C. 20530.

Categories of individuals covered by the system: United States Marshals Service employees.

Categories of records in the system: The Internal Inspections System contains reports prepared by the Office of Internal Inspections United States Marshals Service on findings of alleged misconduct of U.S. Marshals Service employees.

Authority for maintenance of the system: 28 C.F.R. Subpart T, 0.111(n).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information gathered is used by U.S. Marshals Service in disciplinary proceedings against employees. It is also used in administrative hearings before the Civil Service Commission and in court proceedings.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Originals stored in file.

Retrievability: Information is retrieved by name of employee.

Safeguards: Records are stored in locked safe.

Retention and disposal: Records are retained for 12 months and then referred to Federal Records Center.

System manager(s) and address: Associate Director of Administration; U.S. Marshals Service; U.S. Department of Justice, 10th & Constitution Ave., N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: The major part of these systems is exempted from this requirement under 5 U.S.C. 552a (k)(5). To the extent that these systems are not subject to exemption they are subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' It should clearly indicate name of the requestor, the nature of the record sought and approximate dates covered by the record. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Information derived from inspection of alleged malfeasance, by U.S. Marshals Service Internal Inspections Division.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USM - 003

System name: United States Marshals Service Prisoner Coordination System.

System location: United States Marshals Service; Department of Justice; 521 12th Street; Washington, D.C. 20530.

Categories of individuals covered by the system: Prisoners taken into U.S. Marshal custody.

Categories of records in the system: D.J. 100's; Compilation of identifying information for each prisoner taken into U.S. Marshal custody, when and where the prisoner is taken into custody, what he is charged with and where he is moved to. These files provide a ready reference source on the prisoner for purposes of arranging prisoner transportation.

Authority for maintenance of the system: The Prisoner Coordination Program is authorized under 28 C.F.R. Subpart T 0.111(k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as working files in the transporting of prisoners, by the U.S. Marshals Service; Bureau of Prisons and other federal, state and local law enforcement officials.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored in standard file cabinets.

Retrievability: Information is retrieved by name of prisoner and number.

Safeguards: Access restricted to Operations Personnel.

Retention and disposal: Records are disposed of after 3 years.

System manager(s) and address: Associate Director for Operations; United States Marshals Service; U.S. Department of Justice; 10th & Constitution Ave., N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' It should clearly indicate name of requestor, the nature of the record sought and approximate dates covered by the record. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Identifying material of each prisoner taken into custody by the U.S. Marshal.

Systems exempted from certain provisions of the act: None.

JUSTICE/USM - 004

System name: Special Deputy File.

System location: United States Marshals Service; Department of Justice; 521 12th Street; N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Special Deputies, who are selected law enforcement officers or employees of the U.S. Government.

Categories of records in the system: Special deputization file contains oath of office of persons utilized as deputy marshals for a short duration.

Authority for maintenance of the system: 28 C.F.R. Subpart T, Section 0.112; 28 U.S.C. 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Federal agencies for whom the Marshals Service has deputized employees would have access to this system.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Originals are filed.

Retrievability: Files are indexed by name and by government department.

Safeguards: Records are kept in a locked file.

Retention and disposal: Records are retained for one year.

System manager(s) and address: Chief, Personnel Management & Training; U.S. Marshals Service; U.S. Department of Justice; 10th & Constitution, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to: System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing with the envelope and letter clearly marked 'Privacy Access Request.' The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reason for contesting it and the proposed amendment to the information sought.

Record source categories: Federal agencies requesting special deputations provide all necessary information required by the Marshals Service in making the special deputations.

Systems exempted from certain provisions of the act: None.

JUSTICE/USM - 005

System name: Special Detail System.

System location: United States Marshals Service; Department of Justice; 521 12th Street; Washington, D.C. 20530. Each of the 96 district offices maintain their own files.

Categories of individuals covered by the system: Deputy United States Marshals.

Categories of records in the system: Records maintained in this system include a compilation of deputies' special assignments; e.g., civil disturbances, special trials, witness security, process serving, etc.

Authority for maintenance of the system: The Special Detail System is authorized under 28 C.F.R. 0.111(a) through (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Special Detail System provides background data on what details were made; who went where, etc. This information may be used in Civil Service Commission hearings and court cases involving the Marshals Service or its personnel.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Originals are filed.

Retrievability: Records are retrieved by name of deputy.

Safeguards: Records are kept in a locked file.

Retention and disposal: Dispose after 10 years; transfer to Federal Records Center after 3 years.

System manager(s) and address: Associate Director of Operations; U.S. Marshals Service; U.S. Department of Justice; 10th & Constitution, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to: System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' It should clearly indicate name of the requestor, the nature of the record sought and approximate dates covered by the record. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Information provided by designated U.S. Marshals Service Personnel in each district who work on special details.

Systems exempted from certain provisions of the act: None.

JUSTICE/USM - 006

System name: United States Marshals Service Training Files.

System location: United States Marshals Service; Department of Justice; 521 12th Street; Washington, D.C. 20530.

Categories of individuals covered by the system: Trainees.

Categories of records in the system: 1) Individual United States Marshals Service training files contain information on the individual's educational background and training history, and an individual development plan; 2) Skills files identify special skills possessed by the individual United States Marshals Service employee.

Authority for maintenance of the system: The training school is established pursuant to 28 C.F.R. Subpart T, Section 0.111(h) which authorizes the Director to provide a training school for United States Marshals Service personnel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Records are used as training histories; 2) records are used to determine training eligibility; 3) records are used in Administrative hearing before U.S. Civil Service Commission, and in court proceedings.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Standard file cabinets containing original documents.

Retrievability: Records are indexed by name.

Safeguards: Records are kept in locked files.

Retention and disposal: Training files are maintained until the employee leaves the Service.

System manager(s) and address: Officer in Charge, U.S. Marshals Service Training Academy; U.S. Department of Justice; 10th & Constitution Ave. N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to: System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' It should clearly indicate name of requestor, the nature of the record sought and approximate dates covered by the record. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: 1) The forms, documentation of skills, etc. which are completed by a new trainee; 2) documentation of skills by Training Personnel; 3) evaluation reports prepared by the Combined Federal Law Enforcement Training Academy.

Systems exempted from certain provisions of the act: None.

JUSTICE/USM - 007

System name: Warrant-Information System.

System location: Each district office of the U.S. Marshals Service maintains their own files. See Appendix.

Categories of individuals covered by the system: Individuals for whom Federal warrants have been issued.

Categories of records in the system: All pertinent information, correspondence, etc. vis-a-vis the warrant, as well as NCIC copy.

Authority for maintenance of the system: Authority for this system is established by 28 C.F.R. Subpart T. 0.111(a) and 28 U.S.C. 569(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: U.S. Attorneys, Federal Courts and other Federal law enforcement agencies have access to this information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on Roladex Cards.

Retrievability: Records are retrieved by individual name.

Safeguards: Access is restricted to personnel in each district U.S. Marshals office.

Retention and disposal: Records are kept in operating file until warrant is executed and then transferred to closed files, where they are indefinitely kept.

System manager(s) and address: Associate Director for Operations; U.S. Marshals Service; U.S. Department of Justice; 10th & Constitution Ave. N.W.; Washington, D.C. 20530.

Record source categories: Information is obtained from the Bureau of Prisons, Department of Justice and arresting agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USM - 008

System name: Witness Security Files Information System.

System location: United States Marshals Service; Department of Justice; 521 12th Street, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Government witnesses, who are participants in the Federal Witness Security Program.

Categories of records in the system: 1) Request to enter program; 2) background information (education, experience, medical history, names, relatives, etc.); 3) funding information; 4) moving information; 5) documentation of all the above.

Authority for maintenance of the system: Authority for the Witness Security Program is O.B.D. 2110.2 January 10, 1975; 28 C.F.R. Subpart T. 0.111(c), 28 U.S.C. 524; 18 U.S.C. prec 3481.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Background for planning working files; 2) Used to accomplish major functions of witness security e.g. protection of government witnesses and their families; 3) Used in court proceedings.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Originals are kept in files.

Retrievability: Filed according to ID special number.

Safeguards: Locked files limited access - (Witness Security Personnel)

Retention and disposal: All records at this time are being indefinitely maintained.

System manager(s) and address: Associate Director for Witness Security; U.S. Marshals Service; U.S. Department of Justice; 10th & Constitution Ave. N.W.; Washington, D.C. 20530.

Record source categories: All identifying background criteria of individual: 1) education; 2) job history; 3) medical history; 4) history of residence; 5) relatives, etc.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f)(2) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USM - 999

System name: Appendix to U.S. Marshals Systems of Records

NAMES AND OFFICIAL ADDRESSES OF UNITED STATES MARSHALS

Northern Alabama
Federal Courthouse
Birmingham, Alabama 35203

Middle Alabama
P.O. Box 211
Montgomery, Alabama 36101

Southern Alabama
P.O. Box 343
Mobile, Alabama 36601

District of Alaska
P.O. Box 1979
Anchorage, Alaska 99510

District of Arizona
8202 Federal Bldg.
Phoenix, Arizona 85025

Eastern Arkansas
P.O. Box 8
Little Rock, Arkansas 72203

Western Arkansas
P.O. Box 1572
Fort Smith, Arkansas 72901

Northern California
P.O. Box 36056
San Francisco, California 94102

Eastern California
1013 U.S. Courthouse
Sacramento, California 95814

Central California
G-23 U.S. Courthouse
Los Angeles, California 90012

Southern California
223 U.S. Courthouse
San Diego, California 92101

District of Canal Zone
P.O. Box 2010
Balboa Heights, Canal Zone

District of Colorado
P.O. Box 1796
Denver, Colorado 80201

District of Connecticut
P.O. Box 1686
New Haven, Connecticut 06507

District of Delaware
P.O. Box 1927
Wilmington, Delaware 19899

District of Columbia
U.S. Courthouse
3rd & Constitution Avenue, N.W.
Washington, D.C. 20001

Northern Florida
P.O. Box 1150
Pensacola, Florida 32595

Middle Florida
P.O. Box 4967
Jacksonville, Florida 32201

Southern Florida
P.O. Box 391
Miami, Florida 33101

Northern Georgia

P.O. Box 1365
Atlanta, Georgia 30301

Middle Georgia
P.O. Box 7
Macon, Georgia 31202

Southern Georgia
P.O. Box 9765
Savannah, Georgia 31402

District of Guam
P.O. Box 3396
Agana, Guam 96910

District of Hawaii
P.O. Box 142
Honolulu, Hawaii 96810

District of Idaho
692 Federal Bldg. & Cthse.
Boise, Idaho 83702

Northern Illinois
219 S. Dearborn Street
Chicago, Illinois 60604

Eastern Illinois
Federal Bldg.
East St. Louis, Illinois 62201

Southern Illinois
P.O. Box 156
Springfield, Illinois 62705

Northern Indiana
Federal Bldg.
South Bend, Indiana 46624

Southern Indiana
P.O. Box 575
Indianapolis, Indiana 46244

Northern Iowa
P.O. Box 356
Dubuque, Iowa 52001

Southern Iowa
203 U.S. Courthouse
Des Moines, Iowa 50309

District of Kansas
P.O. Box 327
Topeka, Kansas 66601

Eastern Kentucky
P.O. Box 30
Lexington, Kentucky 40501

Western Kentucky
204 P.O. Bldg.
Louisville, Kentucky 40202

Eastern Louisiana
400 Royal Street, Room 303
New Orleans, Louisiana 70130

Middle Louisiana
U.S. Courthouse
Baton Rouge, Louisiana 70801

Western Louisiana
P.O. Box 53
Shreveport, Louisiana 71161

District of Maine
P.O. Box 349
Portland, Maine 04112

District of Maryland
515 P.O. Bldg.

Baltimore, Maryland 21202

District of Massachusetts
P.O. Box 352
Boston, Massachusetts 02101

Eastern Michigan
932 Federal Bldg. & Cthse.
Detroit, Michigan 48226

Western Michigan
514 Federal Bldg.
Grand Rapids, Michigan 49502

District of Minnesota
523 U.S. Courthouse
Minneapolis, Minnesota 55401

Northern Mississippi
P.O. Box 231
Oxford, Mississippi 38655

Southern Mississippi
P.O. Box 959
Jackson, Mississippi 39205

Eastern Missouri
322 U.S. Courthouse & Customhouse
St. Louis, Missouri 63101

Western Missouri
509 U.S. Cthse.
Kansas City, Missouri 64106

District of Montana
5110 Federal Bldg.
Billings, Montana 59101
District of Nebraska
P.O. Box 1477
Omaha, Nebraska 68101

District of Nevada
4033 Federal Bldg.
Las Vegas, Nevada 89101

District of New Hampshire
P.O. Box 423
Concord, New Hampshire 03301

District of New Jersey
P.O. Bldg. Federal Sq.
Newark, New Jersey 07101

District of New Mexico
P.O. Box 444
Albuquerque, New Mexico 87103

Northern New York
P.O. Box 418
Utica, New York 13503

Eastern New York
U.S. Courthouse
Brooklyn, New York 11201

Southern New York
U.S. Courthouse, Foley Sq.
New York, New York 10007

Western New York
702 U.S. Courthouse
Buffalo, New York 14202

Eastern North Carolina
P.O. Box 25640
Raleigh, North Carolina 27611

Middle North Carolina
P.O. Box 1528
Greensboro, North Carolina 27402

Western North Carolina
P.O. Box 59
Asheville, North Carolina 28802

North Dakota
P.O. Box 2425
Fargo, North Dakota 58102

Northern Ohio
323 U.S. Courthouse
Cleveland, Ohio 44114

Southern Ohio
P.O. Box 963
Cincinnati, Ohio 45201

Northern Oklahoma
4557 U.S. Courthouse
Tulsa, Oklahoma 74101

Eastern Oklahoma
P.O. Box 738
Muskogee, Oklahoma 74401

Western Oklahoma
P.O. Box 886
Oklahoma City, Oklahoma 73102

District of Oregon
P.O. Box 388
Portland, Oregon 97207

Eastern Pennsylvania
3032 U.S. Courthouse
Philadelphia, Pennsylvania 19107

Middle Pennsylvania
P.O. Box 310
Scranton, Pennsylvania 18501

Western Pennsylvania
810 Post Office & Cthse.
Pittsburgh, Pennsylvania 15219

District of Puerto Rico
P.O. Box 3748
San Juan, Puerto Rico 00904

Rhode Island
P.O. Box 1524
Providence, Rhode Island 02901

District of South Carolina
P.O. Box 1774
Columbia, South Carolina 29202

District of South Dakota
U.S. Cthse. & Fed. Bldg.
Sioux Falls, South Dakota 57102

Eastern Tennessee
P.O. Box 551
Knoxville, Tennessee 37901

Middle Tennessee
866 U.S. Courthouse
Nashville, Tennessee 37203

Western Tennessee
1007 Federal Bldg.
Memphis, Tennessee 38103

Northern Texas
1100 Commerce Street, Room 16F47
Dallas, Texas 75202

Eastern Texas
P.O. Box 111
Beaumont, Texas 77704

Southern Texas

P.O. Box 61608
Houston, Texas 77061

Western Texas
P.O. Box 359
San Antonio, Texas 78292

District of Utah
P.O. Box 1234
Salt Lake City, Utah 84110

District of Vermont
P.O. Box 946
Burlington, Vermont 05401

Eastern Virginia
P.O. Box 1706
Norfolk, Virginia 23501

Western Virginia
P.O. Box 2280
Roanoke, Virginia 24009

District of the Virgin Islands
P.O. Box 720
St. Thomas, Virgin Islands 00801

Eastern Washington
P.O. Box 1463
Spokane, Washington 99210

Western Washington
300 U.S. Courthouse
Seattle, Washington 98104

Northern West Virginia
P.O. Box 1629
Fairmont, West Virginia 26554

Southern West Virginia
4202 Federal Bldg.
Charleston, West Virginia 25301

Eastern Wisconsin
310 Federal Bldg.
Milwaukee, Wisconsin 53202

Western Wisconsin
P.O. Box 90
Madison, Wisconsin 53701

District of Wyoming
P.O. Box 768
Cheyenne, Wyoming 82001

JUSTICE/USA - 001

System name: Administrative Files.

System location: Ninety-four United States Attorneys' Offices (See attached Appendix).

Categories of individuals covered by the system: a) Office Personnel (present and past); b) Expert professionals whose services are used by the office; c) Applicants for office positions; d) Witnesses in Court proceedings; e) Prisoners-In-Custody; f) Defendants; g) Debtors; h) Vendors; i) Citizens making inquiries; j) Members of local and state Bar Associations.

Categories of records in the system: a) Personnel Files (official/unofficial); b) Applicant Files; c) Employee Record Cards (SF-7B); d) Office Rosters; e) Tickler File System for Promotions; f) Personnel Address and Telephone Number Lists; g) Sign In/Out Sheets; h) Time and Attendance Records (OMF - 44); i) Wage Earnings Statement (DOJ - 296); j) Travel Authorizations and Vouchers (OBD - 1 and SF - 1012); k) Advice of Obligations Incurred (DJ - 60); l) Telephone Records and Logs; m) Fiscal Vouchers; n) Witness Records (LAA - 3); o) Lists of Records at Federal Records Centers; p) In-House Statistical Reports; q) Internal Meetings Records; r) Equal Employment Opportunity (EEO) Records; s) Employees' Organizations and Unions Records; t) Federal Woman's Program Records; u) Address and Telephone Indexes; v) Lists of State and Local Bar Members; w) Lists of Ex-

pert Professionals; x) Requests for Expert Witnesses; y) Teletype Files; z) Correspondence Files; aa) Evaluation Reports by Regional Assistant Directors.

Authority for maintenance of the system: These systems are established and maintained pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(a) in any case in which there is an indication of a violation or potential violation of law or legal obligation, criminal, civil, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law or civil remedy;

(b) in the course of investigating the potential or actual violation of any law, criminal, civil, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(c) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive or procedural law or practice;

(d) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(e) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(f) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter;

(g) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person;

(h) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

(i) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

(j) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter;

(k) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi;

(l) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return;

(m) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied pol-

icy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60.

(n) a record relating to an actual or potential civil or criminal violation of title 17, United States Code, may be disseminated to a person injured by such violation to assist him in the institution or maintenance of a suit brought under such title.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information, except that specified in this paragraph, is recorded on basic paper/cardboard material, and stored within manila file folders, within metal file cabinets, electric file/card retrievers or safes. Some material is recorded and stored on magnetic tape, card or other data processing type storage matter for reproduction later into conventional formats.

Retrievability: Information is retrieved primarily by name of person, case number, complaint number or court docket number. Information within this system of records may be accessed by various U.S. Attorneys' offices by means of catho-ray tube terminals (CRT's).

Safeguards: Information in the system is stored in file cabinets in the United States Attorney's offices. Some materials are located in locked file drawers and safes, and others in unlocked file drawers. Offices are locked during non-working hours and are secured by either Federal Protective Service, United States Postal Service, or private building guards. Information that is retrievable by CRT's within various U.S. Attorneys' offices requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: Records are maintained and disposed of in accordance with Department of Justice retention plans.

System manager(s) and address: System manager for the system in each office is the Administrative Officer/Assistant, for the U.S. Attorney for each district. (See attached Appendix).

Notification procedure: Address inquiries to the System Manager for the judicial district in which the case or matter is pending (See attached Appendix).

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record and the name of the case or matter involved, if known. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager (See attached Appendix).

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager (See attached Appendix) stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system include, but are not limited to investigative reports of federal, state and local law enforcement agencies; client agencies of the Department of Justice; other non-Department of Justice investigative agencies; forensic reports; statements of witnesses and parties; data, memoranda and reports from the Court and agencies thereof; and the work product of Assistant United States Attorneys, Department of Justice attorneys and administrative staff of the divisions, offices and bureaus, work product of secretarial and administrative staff within the U.S. Attorneys office and the Executive Office for U.S. Attorneys, from general public referral sources or as provided by members of the public who participate,

assist or observe in pending cases or matters, or commercial establishments which provide goods or services, publications and reports from the Department's other offices, divisions and bureaus and internal U.S. Attorney work product.

Systems exempted from certain provisions of the act: None.

JUSTICE/USA - 002

System name: A.U.S.A. Applicant files.

System location: Executive Office for United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Applicants tentatively selected (by nomination of a U.S. Attorney) for the position of Assistant U.S. Attorney.

Categories of records in the system: The system includes the applicants name, status of Bar membership and dates of receipt, status and final determination on the appointment of the applicant. The system is arranged chronologically by date of receipt of file and applicants name.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: All uses are internal within the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The material is stored within manila file folders, within metal file cabinets.

Retrievability: The system is indexed by name, arranged alphabetically.

Safeguards: The correspondence is maintained in a room which is occupied by office personnel during the day and locked at night.

Retention and disposal: Records are maintained and disposed of in accordance with Department retention plans.

System manager(s) and address: Director; Executive Office of United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name and address as included in the original letter, together with the current address if different, the date of the letter and to whom it was addressed. Requests should be directed to the System Manager listed above.

Contesting record procedures: Any requests for correction should also be directed to the System Manager and should indicate the exact correction required.

Record source categories: Sources of information in this system are the actual letter received, the response and any transmitted information and enclosures.

Systems exempted from certain provisions of the act: None.

JUSTICE/USA - 003

System name: Citizen Complaint Files.

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: The individuals on whom records are maintained in this system may be broadly classified in four categories. 1) Those individuals who have been charged with Federal and D.C. Code violations; 2) those individuals

who are currently under investigation for violations of Federal and D.C. Code; 3) those individuals about whom complaints have been made on upon whom investigations were conducted, but no prosecution was initiated; and 4) complainants.

Categories of records in the system: A file may consist of a single sheet of paper describing briefly the nature of a complaint and its disposition or it may consist of a more comprehensive file containing the results of a hearing, depending on the complexity or seriousness of the complaint. If the complaint results in criminal charges being preferred, the contents of the file are transferred to the appropriate criminal file system.

Authority for maintenance of the system: 5 U.S.C. 301, 28 U.S.C. 547, 23 D.C. Code 101(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law;

(2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) records or extracts thereof relating to a case or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local, or foreign, court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(6) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made;

(7) a record relating to a person held pending arraignment, trial or sentence, or after conviction, may be disseminated to a federal, state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual concerned with the custody maintenance, transportation, or release of such a person;

(8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

(9) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; and

(10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests

the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Citizen complaint files are maintained in one of two ways: either on a single sheet which is a record of the complaint and disposition thereof or in complaints which result in further proceedings; a file folder would be established.

Retrievability: Information is retrieved either by the name of a complainant, the name of a person about whom a complaint is registered or by a complaint number. If further proceedings are conducted with respect to a citizen's complaint and the complaint materializes into a criminal action, the file folder will become part of the criminal files and then is retrievable in the same manner as any criminal file is retrieved.

Safeguards: Information contained in the system is unclassified. It is safeguarded and protected by being maintained in files at the Citizens Complaint Center which is manned at all times when it is open and at other times is locked. More sensitive files that materialize into hearings or required for further action by the Misdemeanor Trial Section of the Superior Court Division are maintained by the Chief of the Misdemeanor Trial Section in his office in Building B of the Superior Court.

Retention and disposal: Files are retained and disposed of in accordance with Title 8, U.S. Attorney's Manual, pages 70-77.

System manager(s) and address: Chief, Misdemeanor Trial Section; U.S. Attorney's Office; Superior Court Division; Building B, 4th & E Streets, N.W.; Washington, D.C.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: The major part of these systems are exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the general subject matter of the document or its file number. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The major parts of these systems are exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system come primarily from citizens walking into this unit to register complaints. Sources also include but are not limited to: investigative reports of federal, state and local law enforcement agencies, forensic reports, statements of witnesses and parties, as well as verbatim transcripts of grand jury proceedings and court proceedings, memoranda and reports from the court and agencies thereof and the work product of Assistant United States Attorneys and legal assistants working on particular cases.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 004

System name: Citizen Correspondence Files.

System location: Executive Office for United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system:

a) Individuals who write to the Executive Office for United States Attorneys, its Director or a member of his staff.

b) Individuals who write to the Attorney General or the Department of Justice and whose letter is referred to the Executive Office of United States Attorneys.

c) Individuals whose letter has been referred to the Executive Office of United States Attorneys for a response by the White House, Executive Agencies or Members of Congress.

In all of the above categories, the individuals include only those who express general views or seek information or assistance. Freedom of Information requests are not indexed in this system.

Categories of records in the system: The system includes the original correspondence received as well as any response, referral letters or notes concerning the subject of the correspondence and copies of any enclosures. The system is arranged alphabetically by the last name of the original correspondent.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from the responses may be provided to the referor of the original correspondence. All other uses are internal within the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The material is stored within manila file folders, within metal file cabinets.

Retrievability: The system is indexed by name, arranged alphabetically.

Safeguards: The correspondence is maintained in a room which is occupied by office personnel during the day and locked at night.

Retention and disposal: Records are maintained and disposed of in accordance with Department retention plans.

System manager(s) and address: Director; Executive Office of United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the name and address as included in the original letter, together with the current address if different, the date of the letter and to whom it was addressed. Requests should be directed to the System Manager listed above.

Contesting record procedures: Any requests for correction should also be directed to the System Manager and should indicate the exact correction required.

Record source categories: Sources of information in this system are the actual letter received, the response and any transmitted information and enclosures.

Systems exempted from certain provisions of the act: None.

JUSTICE/USA - 005

System name: Civil Case Files.

System location: Ninety-four United States Attorneys' Offices (See attached Appendix).

Categories of individuals covered by the system: a) Individuals being investigated in anticipation of Civil suits; b) Individuals involved in Civil suits; c) Defense Counsel(s); d) Information sources; e) Individuals relevant to the development of Civil suits.

Categories of records in the system: a) All Civil Cases Files (USA - 34); b) Docket Cards (USA - 116); c) Civil Debtor Cards (USA - 117b); d) Civil Case Activity Card (USA - 164); e) Civil Debtor Activity Card (USA - 166); f) 3' X 5' Index Cards; g) Caseload Printouts; h) General Correspondence re: Civil Cases; i) Reading Files re: Civil Cases; j) Information Source File; k) Attorney Assignment sheets; l) Telephone records; m) Miscellaneous Investigative files; n) Lands Condemnation Files (Appraisal and Negotiator Reports);

o) Tax Case Resource File; p) Material in Civil File related to Criminal cases arising out of Civil Proceedings; g) Search Warrants; r) Files unique to District; s) Civil Miscellaneous Correspondence File.

Authority for maintenance of the system: These systems are established and maintained pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(a) in any case in which there is an indication of a violation or potential violation of law, civil, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating, defending or pursuing such violation, civil claim or remedy, or charged with enforcing, defending or implementing such law;

(b) in the course of investigating the potential or actual violation or civil liability of any government action or law, civil, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such civil action, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation or civil action trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an agency;

(c) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice;

(d) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(e) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, or informal discovery proceedings;

(f) a record relating to a case or matter that has been referred by an agency for investigation, civil action, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter;

(g) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

(h) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency or to assist in general civil matters or cases;

(i) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance as is required, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter;

(j) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the dissemination is educational or informational, such as descriptions of types or courses of action or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi;

(k) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in general crime prevention, the pursuit of general civil, regulatory or administrative civil actions or to provide investigative leads to such country, or assist in the location and/or returning of witnesses and other evidence;

(l) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied pol-

icy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information, except that specified in this paragraph, is recorded on basic paper/cardboard material, and stored within manila file folders, within metal file cabinets, electric file/card retrievers or safes. Some material is recorded and stored on magnetic tape, card or other data processing type storage matter for reproduction later into conventional formats.

Retrievability: Information is retrieved primarily by name of person, case number, complaint number or court docket number. Information within this system of records may be accessed by various U.S. Attorneys' offices by means of cathode-ray tube terminals (CRT's).

Safeguards: Information in the system is both confidential and non-confidential and located in file cabinets in the United States Attorney offices. Some materials are located in locked file drawers and safes, and others in unlocked file drawers. Offices are locked during non-working hours and are secured by either Federal Protective Service, United States Postal Service, or private building guards. Information that is retrievable by CRT's within various U.S. Attorneys' offices requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: Records are maintained and disposed of in accordance with Department of Justice retention plans.

System manager(s) and address: System Manager for the system in each office is the Administrative Officer/Assistant, for the U.S. Attorney for each district. (See attached Appendix).

Notification procedure: Address inquiries to the System Manager for the judicial district in which the case or matter is pending (See attached Appendix).

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record and the name of the case or matter involved, if known. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager (See attached Appendix).

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager (See attached Appendix) stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system include, but are not limited to investigative reports of federal, state and local law enforcement, civil litigation, regulatory and administrative agencies; client agencies of the Department of Justice; other non-Department of Justice investigative agencies; forensic reports; statements of witnesses and parties; verbatim transcripts of deposition and court proceedings; data, memoranda

and reports from the court and agencies thereof; and the work product of Assistant United States Attorneys, Department of Justice attorneys and staff, and legal assistants working on particular cases.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 006

System name: Consumer Complaints.

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: The individuals on whom records are maintained in this system may be broadly classified in four categories: 1) Those individuals who have been charged with Federal and D.C. Code violations; 2) Those individuals who are currently under investigation for violations of Federal and D.C. Code; 3) Those individuals upon whom investigations were conducted, but no prosecution was initiated; and 4) Complainants.

Categories of records in the system: The system contained allegations of consumer fraud by citizens of the District of Columbia Metropolitan area. It includes names, addresses, and the substance of the complaints.

Authority for maintenance of the system: 5 U.S.C. 301, 28 U.S.C. 547, 23 D.C. Code 101(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law;

(2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) records or extracts thereof relating to a case or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local, or foreign, court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(6) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made;

(7) a record relating to a person held pending arraignment, trial or sentence, or after conviction, may be disseminated to a federal, state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual concerned with the custody maintenance, transportation, or release of such a person;

(8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into or ratified by the United States;

(9) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; and

(10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in this system is stored in the Fraud Section of the U.S. Attorney's Office.

Retrievability: Information is retrieved via a cross-index by complainant and potential defendant.

Safeguards: Information contained in this system is unclassified. It is protected in accordance with Departmental rules and is safeguarded in the U.S. Attorney's Office in the Fraud Section.

Retention and disposal: The records are stored for a period of at least the statute of limitations for the offense charged.

System manager(s) and address: Chief, Fraud Division; U.S. Attorney's Office; U.S. District Court; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the general subject matter of the document or its file number. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The sources of information contained in this system are complaints referred to the U.S. Attorney's Office by citizens and consumer protection agencies.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 007

System name: Criminal Case Files.

System location: Ninety-four United States Attorneys' Offices (See attached Appendix).

Categories of individuals covered by the system: a) Individuals charged with violations; b) Individuals being investigated for violations; c) Defense Counsel(s); d) Information Sources; e) Individuals relevant to development of Criminal Cases; f) Individuals investigated, but prosecution declined; g) Individuals referred to in

potential or actual cases and matters of concern to a U.S. Attorney's Office.

Categories of records in the system: a) All case files (USA - 33); b) Docket Cards (USA - 115); c) Criminal Debtor Cards (USA - 117a); d) Criminal Case Activity Card (USA - 163); e) Criminal Debtor Activity Card (USA - 164); f) 3" X 5" Index Cards; g) Caseload Printouts; h) Attorney Assignment Sheets; i) General Correspondence re: Criminal Cases; j) Reading Files re: Criminal Cases; k) Grand Jury Proceedings; l) Miscellaneous Investigative Reports; m) Information Source Files; n) Parole Recommendations; o) Immunity Requests; p) Witness Protection Files; q) Wiretap Authorizations; r) Search Warrants; s) Telephone records; t) Criminal Complaints; u) Sealed Indictment Records; v) Files unique to a District; w) Criminal Miscellaneous Correspondence File; x) Prosecution Declined Reports.

Authority for maintenance of the system: These systems are established and maintained pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(a) in any case in which there is an indication of a violation or potential violation of law, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law;

(b) in the course of investigating the potential or actual violation of any law, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(c) a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice;

(d) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(e) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(f) a record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter;

(g) a record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person;

(h) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

(i) a record may be disseminated to a federal, state, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

(j) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter;

(k) a record may be disseminated to the public, news media, trade associations, or organized groups, when the purpose of the

dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi;

(l) a record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction which seeks his return;

(m) a record that contains classified national security information and material may be disseminated to persons who are engaged in historical research projects, or who have previously occupied policy making provisions to which they were appointed by the President, in accordance with the provisions codified in 28 C.F.R. 17.60.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information, except that specified in this paragraph, is recorded on basic paper/cardboard material, and stored within manila file folders, within metal file cabinets, electric file/card retrievers or safes. Some material is recorded and stored on magnetic tape, card or other data processing type storage matter for reproduction later into conventional formats.

Retrievability: Information is retrieved primarily by name of person, case number, complaint number or court docket number. Information within this system of records may be accessed by various U.S. Attorneys' offices by means of catho-ray tube terminals (CRT's).

Safeguards: Information in the system is both confidential and non-confidential and located in file cabinets in the United States Attorney offices. Some materials are located in locked file drawers and safes, and others in unlocked file drawers. Offices are locked during non-working hours and are secured by either Federal Protective Service, United States Postal Service, or private building guards. Information that is retrievable by CRT's within various U.S. Attorneys' offices requires user identification numbers which are issued to authorized employees of the Department of Justice.

Retention and disposal: Records are maintained and disposed of in accordance with Department of Justice retention plans.

System manager(s) and address: System manager for the system in each office is the Administrative Officer/Assistant, for the U.S. Attorney for each district (See attached Appendix).

Notification procedure: Address inquiries to the System Manager for the judicial district in which the case or matter is pending (See attached Appendix).

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record and the name of the case or matter involved, if known. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager (See attached Appendix).

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend infor-

mation maintained in the system should direct their request to the System Manager (See attached Appendix) stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system include, but are not limited to investigative reports of federal, state and local law enforcement agencies; client agencies of the Department of Justice; other non-Department of Justice investigative agencies; forensic reports; statements of witnesses and parties; verbatim transcripts of Grand Jury and court proceedings; data, memoranda and reports from the Court and agencies thereof; and the work product of Assistant United States Attorneys, Department of Justice attorneys and staff, and legal assistants working on particular cases.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 008

System name: Freedom of Information Act/Privacy Act Files.

System location: Executive Office for United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system:

a) Individuals who write to the Executive Office for United States Attorneys, its Director or a member of his staff, or a U.S. Attorney's office.

b) Individuals who write to the Attorney General or the Department of Justice or the FOI/PA Unit and whose letter is referred to the Executive Office of United States Attorneys.

c) Individuals whose letter has been referred to the Executive Office of United States Attorneys for a response by the FOI/PA Unit or Appeals Unit.

Categories of records in the system: The system includes the original correspondence received as well as any response, referral letters or notes concerning the subject of the request and copies of any enclosures. The system is arranged alphabetically by the last name of the original requestor.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101 and the provisions of the Freedom of Information Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from the responses may be provided to the referrer of the original request or the requester. All other uses are internal within the Department.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The material is stored within manila file folders, within metal file cabinets.

Retrievability: The system is indexed by name, arranged alphabetically.

Safeguards: The correspondence is maintained in a room which is occupied by office personnel during the day and locked at night.

Retention and disposal: Records are maintained and disposed of in accordance with Department retention plans.

System manager(s) and address: Director; Executive Office of United States Attorneys; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the System Manager listed above.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Freedom of Information' or 'Privacy Access Request.' Include in the request the name and address as included in the original letter, together with the current address if different, the date of the letter and to whom it was addressed. Requests should be directed to the system manager listed above.

Contesting record procedures: Any requests for correction should also be directed to the System Manager and should indicate the exact correction required.

Record source categories: Sources of information in this system are the actual letter received, the response and any transmitted information and enclosures.

Systems exempted from certain provisions of the act: Records secured from other systems of records have been exempted from the provisions of the Privacy Act to the same extent as the systems of records from which they were obtained. The Attorney General has also exempted certain categories of records in this system from subsection (c) (3), (d) of the Privacy Act pursuant to 5 U.S.C. 552a (k) (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(c), and (e) and have been published in the Federal Register.

JUSTICE/USA - 009

System name: Kline - District of Columbia and Maryland - Stock and Land Fraud Interrelationship Filing System.

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: The individuals on whom records are maintained in this system may be broadly classified in three categories: 1) Those individuals who have been charged with Federal and D.C. Code violations; 2) Those individuals who are currently under investigation for violations of Federal and D.C. Code; 3) Those individuals upon whom investigations were conducted, but no prosecution was initiated. These include but are not limited to possible witnesses, corporate entities, corporate employees, business contacts, financial institutions and governmental contacts.

Categories of records in the system: The system contains an index record for individual names and types of transactions with named individuals.

Authority for maintenance of the system: 5 U.S.C. 301, 28 U.S.C. 547, 23 D.C. Code 101(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) in any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law;

(2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) records or extracts thereof relating to a case or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local, or foreign, court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(6) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made;

(7) a record relating to a person held pending arraignment, trial or sentence, or after conviction, may be disseminated to a federal, state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual concerned with the custody maintenance, transportation, or release of such a person;

(8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

(9) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; and

(10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored electronically in the Department of Justice Juris System.

Retrievability: Information is retrieved primarily by referencing the individuals' names who participated in the business transactions.

Safeguards: Information contained in this system is protected as though it was classified as confidential. It is accessible only to holders of the entry code; the only holders of the code are the U.S. Attorney's Offices for the District of Columbia and Maryland.

Retention and disposal: The records are to be retained for the period of usefulness as determined by the U.S. Attorney's Office.

System manager(s) and address: Chief, Fraud Division; U.S. Attorney's Office; U.S. District Court; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Notification procedure: All inquiries should be addressed to the System Manager.

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the general subject matter of the document or its file number. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are individuals who have cooperated with the U.S. Attorney's Office in the investigation of criminal activity.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4),

(d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 010

System name: Major Crimes Division Investigative Files.

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: The individuals on whom records are maintained in the Major Crimes Division Investigative Files may be broadly classified in four categories: 1) Those individuals who have been charged with Federal and D.C. Code violations; 2) those individuals who are currently under investigation for violations of Federal and D.C. Code; 3) those individuals upon whom investigations were conducted, but no prosecution was initiated; and 4) other informants.

Categories of records in the system: In addition to the standard files maintained in accordance with the U.S. Attorney's Manual and the Department of Justice Docket and Reporting System, there are also maintained in the Major Crimes Division of this office certain investigative and intelligence files. The type of information maintained is identifying data, criminal records, intelligence compiled for the purpose of investigation of criminal offenses, criminal investigative reports, informant debriefing summaries, and information provided in confidence during investigative and prosecutive states of criminal cases.

Authority for maintenance of the system: 5 U.S.C. 301, 28 U.S.C. 547, 23 D.C. Code 101(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law;

(2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) records or extracts thereof relating to a case or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local, or foreign, court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(6) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made;

(7) a record relating to a person held pending arraignment, trial or sentence, or after conviction, may be disseminated to a federal, state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual concerned with the custody maintenance, transportation, or release of such a person;

(8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

(9) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; and

(10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee; the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The information is maintained in memorandum form in file folders.

Retrievability: Information is retrieved primarily by the name of a person, complaint number, court docket number, FBI number, Metropolitan Police Department identification number and District of Columbia Department of Corrections number.

Safeguards: Information contained in the system is both unclassified and classified and is safeguarded and protected by being maintained in tumbler locked file safes in the Major Crimes Division which is manned during all times that it is open and at other times is locked. This room is located in the U.S. Courthouse which is guarded by the Federal Protective Service twenty four hours a day with roving patrols during non-working hours.

Retention and disposal: Files are retained and disposed of in accordance with Title 8, U.S. Attorney's Manual, pages 70-77.

System manager(s) and address: Chief, Major Crimes Division; U.S. Attorney's Office; U.S. District Court; 3rd & Constitution Avenue, N.W., Room 4400; Washington, D.C. 20001.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the general subject matter of the document or its file number. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are investigative reports of federal, state and local law enforcement agencies, statement of witnesses, informants and parties, as well as verbatim transcripts of grand jury proceedings and court proceedings, memoranda and reports from the court and agencies thereof and the work product of Assistant United States Attorneys and legal assistants working on particular cases.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 011

System name: Prosecutor's Management Information System (PROMIS).

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: The individuals on whom records are maintained in PROMIS are as follows: 1) Those individuals who have been charged with criminal violations; 2) those individuals who are currently under investigation for criminal violations; 3) those individuals upon whom criminal investigations were conducted, but no prosecution was initiated; and 4) the names and addresses of all witnesses and arresting police officers.

Categories of records in the system: The data in PROMIS fall into six major categories.

1. Information about the accused or defendant. This includes name, alias, sex, race, date of birth, address, facts about prior arrests and convictions, and employment status. If judged appropriate, additional data could be added, such as information about alcohol or drug abuse. Some of this information is used to rate the gravity of the case in terms of the defendant's criminal history.

2. Information about the crime. The date, time, and place of the crime; the number of persons involved in the crime; and a numerical rating reflecting the gravity of the crime in terms of the amount and degree of personal injury, property damage or loss, and intimidation.

3. Information about the arrest. The date, time, and place of the arrest, the type of arrest, and the identity of the arresting officers.

4. Information about criminal charges. The charges originally placed by the police against the arrestee, the charges actually filed in court against the defendant, the reasons for changes in the charges by the prosecutor, the penal statute for the charge, the FBI Uniform Crime Report Code for the charge, and the Project SEARCH Code for the charge.

5. Information about court events. The dates of every court event in a case from arraignment through motion hearing, continuance hearing, final disposition, and sentencing; the names of the principals involved in each event, including the defense and prosecution attorneys and judge; the outcomes of the events and the reasons therefor.

6. Information about witnesses. The names and addresses of all witnesses, the prosecutor's assessment of whether the witnesses are essential to the case, and any indications of reluctance to testify by the witnesses.

Authority for maintenance of the system: 5 U.S.C. 301, 28 U.S.C. 547, 23 D.C. Code 101(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law;

(2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) records or extracts thereof relating to a case or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local, or foreign, court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case

or matter, plea bargaining, or informal discovery proceedings, or to the Public Defender Service in connection with caseload management or other purposes;

(6) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made or to assist in eliciting additional information;

(7) a record relating to a person held pending arraignment, trial or sentence, or after conviction, may be disseminated to a federal, state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual concerned with the custody maintenance, transportation, or release of such a person;

(8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

(9) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; and

(10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Because PROMIS is an automated information system, this office utilizes it to track the workload of the criminal court process from three separate vantage points. First, the workload is tracked from the vantage point of the crime or criminal incident. This is accomplished by including in PROMIS the complaint number which the police department assigns to a reported crime. With this number, prosecutors can follow the full history of the court actions arising from the crime even though those actions may involve multiple defendants, multiple cases, and multiple trials and dispositions.

Second, PROMIS tracks the court workload from the vantage point of the accused or defendant. This is achieved by incorporating in PROMIS the fingerprint-based number the police department assigns to the individual following his or her arrest. This identification number is used again by the department if the same individual is subsequently arrested. Through this number, prosecuting attorneys accumulate criminal history files on offenders and note incidents of recidivism.

Finally, PROMIS tracks from the vantage point of the court proceedings. This is accomplished by including in PROMIS the docket number the Court assigns to the case pending before it. With this number, prosecutors trace the history of any formal criminal action from arraignment through final disposition and sentencing, and account for the separate fate of each count or charge.

The inclusion of these three numbers is significant. The numbers provide a capability to track the criminal incident, the defendant, or the court actions and provide the basis for the routine communication among the various Federal, state, local, and foreign law enforcement agencies.

In addition, PROMIS generates, on a recurring basis, five categories of reports: misdemeanor calendars, felony calendars, case status reports, workload reports, and special reports. These reports are prepared from information contained in the data base both by persons employed by this office, the Justice Department and persons under contract to the Department for this purpose.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored on magnetic tapes and discs at the District of Columbia Metropolitan Police Department Computer

Center. Printouts from the terminals are stored with case jackets. Status, calendars, and statistical reports are stored in the files and office of supervisory attorneys.

Retrievability: This system has an on-line data retrieval capability with respect to certain information contained in the data base. These subsets of information are retrieved on data display terminals which are located at various work stations throughout the office. Certain of these terminals have a printout capability. All information on these subsets is a matter of public record. The system also has the capability for the production of periodic reports. Both the periodic reports and the on-line displays are utilized in accordance with the above listed routine uses.

Safeguards: The magnetic tapes and discs are maintained in a secure vault at the Metropolitan Police Department Computer Center. In addition to the physical security safeguards, there is a twenty-four hour patrol. The data display terminals are located in semi-public areas of the office (i.e., administrative work stations through which the public must pass on official business). However, only trained operators may retrieve the information, which is of public record. The terminals are not open to the public after working hours.

Retention and disposal: The files are retained and disposed of in accordance with Title 8, U.S. Attorney's Manual, pages 70-77.

System manager(s) and address: Administrative Assistant; United States Attorney; U.S. District Court; 3rd & Constitution Avenue, N.W.; Room 3602-A; Washington, D.C. 20001.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the general subject matter of the document or its file number. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: About 80 percent of the data contained in PROMIS is obtained at the intake and screening stage as the by-product of the case documentation process. Carbon copies of various forms completed immediately before or during the case screening stage serve as input documents for PROMIS.

As a case moves through the subsequent proceedings, additional information about its status is fed to PROMIS. This is achieved through turnaround documents—forms generated by PROMIS in advance of a court event—on which the results of a given proceeding (e.g., preliminary hearing, sentencing, etc.) are recorded and then entered in PROMIS.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 012

System name: Security Clearance Forms for Grand Jury Reporters.

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: Proposed Grand Jury Reporters.

Categories of records in the system: Request for security clearance of grand jury reporter(s) employed by the reporting firm under contract with the Justice Department; carbon copy of "PERSONNEL

INFORMATION SHEET - Grand Jury Reporting on which is listed name of proposed grand jury reporter, home address, date and place of birth, and present business affiliation; and clearance or denial of clearance for the proposed reporter from the Department of Justice.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: All uses of this information are internal within the Department of Justice.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Security clearance forms are kept alphabetically in file cabinets in the Administrative Office.

Retrievability: Security clearance forms on grand jury reports are retrievable from an alphabetical filing system.

Safeguards: Security clearance forms are maintained in the Administrative Division in the District Court Building which is manned at all times during working hours and at other times is locked.

Retention and disposal: Security clearance forms are maintained for five years, at which time they must be renewed. Upon receipt of renewed security clearance, old forms are destroyed.

System manager(s) and address: Administrative Officer; U.S. Attorney's Office; U.S. District Court; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the general subject matter of the document. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The source of the information contained in these files are the report's request for security clearance, personnel information sheet and the clearance or denial of clearance.

Systems exempted from certain provisions of the act: None.

JUSTICE/USA - 013

System name: U.S. Attorney, District of Columbia Superior Court Division, Criminal Files, including but not limited to the following subsystems: (a) Criminal File Folder (USA-S1), (b) Criminal File Folder (USA-33), (c) Criminal Docket Card (USA-T7), and (d) Index.

System location: U.S. Attorney's Office; 3rd & Constitution Avenue, N.W.; Washington, D.C. 20001.

Categories of individuals covered by the system: The individuals on whom records are maintained may be broadly classified in three categories: 1) Those individuals who have been charged with criminal violations; 2) those individuals who are currently under investigation for criminal violations; and 3) those individuals upon whom criminal investigations were conducted, but no prosecution was initiated.

Categories of records in the system: This system of records, consisting of numbered Criminal File Folders, (USA-S1 and USA-33), contains criminal investigative reports about named individuals submitted to this office by federal, state, local and foreign law enforcement agencies involved with the investigation of suspected violations as well as by complaints made by private parties. Those

matters which become cases either by way of indictment or information in addition to the data contained in the investigative reports, also contain copies of indictments, informations, complaints, and all pleadings submitted to the court in connection with the actual prosecution of the case. These files also contain communications between the Court and agencies thereof, and the United States Attorney, and all correspondence relative to the case or matter. The files further contain psychiatric, chemical and other forensic reports, documentary evidence and the work product and internal memoranda of the Assistant United States Attorney in charge of the investigation compiled in preparation for the prosecution of each case. In those cases which have gone through trial and appeal, the file would further reflect transcripts of the trial, all pleadings and correspondence between the attorneys and the Court of Appeals, and copies of briefs submitted in the prosecution of the appeal.

A synopsis record of a matter or case is maintained by means of a criminal docket card (USA-T7), for all actions through sentencing. A synopsis record of a case on appeal is maintained on an Appellate Docket Card (USA-9X-199), (Appellate Proceedings). All of these subsystems comprise an internal cross-reference record keeping system of the criminal business at the office. Through the medium of forms and on-line data input, certain of this information is conveyed to a computer center for inclusion in the Prosecutor's Management Information System (a system which will be reported on separately), from which status and statistical reports are issued and distributed back to this office either in the form of computer printouts or on data display terminals which contain much of the same information as the files in different format.

Because of the number of diverse functions which must be performed with respect to each case; and because of the large volume of cases and because operations are conducted in three separate buildings, there are a number of file folder locator mechanisms and cross references utilized to constantly track a file folder when it is not physically located in file control. These indexes or locators are maintained in the form of "out cards," log books, index card files, etc. They are referenced by name, number, and other identifiers. In themselves, they are not separate systems of records, but indexes or references to the primary system.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system of records may be disseminated as a routine use of such record as follows:

(1) In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate agency, federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law;

(2) in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual, if there is reason to believe that such agency or individual possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

(3) records or extracts thereof relating to a case or matter may be disseminated to a defendant or his attorney or to the appropriate federal, state, local, or foreign, court or grand jury in accordance with established constitutional, substantive, or procedural law or practice;

(4) a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

(5) a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

(6) a record relating to a case or matter that has been referred for investigation may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made or to assist in eliciting additional information;

(7) a record relating to a person held pending arraignment, trial or sentence, or after conviction, may be disseminated to a federal,

state, local, or foreign prison, probation, parole, bail or pardon authority, or to any agency or individual concerned with the custody maintenance, transportation, or release of such a person;

(8) a record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

(9) a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; and

(10) a record may be disseminated to a federal agency, in response to its request, in connection with the hiring or retention of employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The information in the various indexes is maintained on index cards, log books, out cards, etc. The criminal files themselves are maintained in criminal file folders (USA-S1 and USA-33). The synopsis information is maintained on a Criminal Docket Card (USA-T7) and Appellate Proceedings (USA-9X-199).

Retrievability: Information is retrieved primarily by the name of a person, complaint number, court docket number, FBI number, Metropolitan Police Department identification number and District of Columbia Department of Corrections number.

Safeguards: Information contained in the system is both unclassified and classified and is safeguarded and protected by being maintained in filerooms which are manned during all times that they are open and at other times are locked. These rooms are located in the Superior Court for the District of Columbia, Buildings B and G which are guarded by the federal protective service twenty four hours a day with roving patrols during non-working hours. Files which are not in the filerooms but which are checked out to attorneys are maintained in locked offices after working hours.

Retention and disposal: The files are retained and disposed of in accordance with Title 8, U.S. Attorney's Manual, pages 70-77.

System manager(s) and address: Administrative Officer; U.S. Attorney's Office; Superior Court Division; Room 108, Building B; 4th & F Streets, N.W.; Washington, D.C. 20001.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to access. A determination as to exemption shall be made at the time a request for access is received. A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the request the general subject matter of the document or its file number. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: The major part of the information maintained in this system is exempt from this requirement under 5 U.S.C. 552a (j)(2), (k)(1) and/or (k)(2). To the extent that this system is not subject to exemption, it is subject to contest. A determination as to exemption shall be made at the time a request for contest is received. Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system include but are not limited to investigative reports of federal, state and local law enforcement agencies, forensic reports, statements of witnesses and parties, as well as verbatim transcripts of grand jury proceedings and court proceedings, memoranda and reports from the court and agencies thereof and the work product of Assistant United States Attorney and legal assistants working on particular cases.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), (g) and (h) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2) and (k)(1) and (2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/USA - 999

System name: Appendix of United States Attorney Office locations:

Alabama, N

200 Federal Building
1800 Fifth Avenue North
Birmingham, Alabama 35203

Alabama, M

P.O. Box 197
Montgomery, Alabama 36101

Alabama, S

P.O. Drawer E
Mobile, Alabama 36601

Alaska

P.O. Box 680
Anchorage, Alaska 99510

Arizona

P.O. Box 1951
Tucson, Arizona 85702

Arkansas, E

P.O. Box 1229
Little Rock, Arkansas 72203

Arkansas, W

P.O. Box 1524
Fort Smith, Arkansas 72901

California, N

450 Golden Gate Avenue
San Francisco, Calif. 94102

California, E

2058 Fed. Bldg. & Court House
650 Capitol Mall
Sacramento, Calif. 95814

California, C

312 N. Spring St.
Los Angeles, Calif. 90012

California, S

U.S. Court House, Annex A
325 West F Street
San Diego, Calif. 92101

Canal Zone

Box 2090
Balboa, Canal Zone

Colorado

323 U.S. Court House
P.O. Box 3615
1961 Stout Street
Denver, Colorado 80202

Connecticut

Post Office Bldg.
141 Church St.
New Haven, Conn. 06507

Delaware

- 5001 New Federal Bldg.
9th & King Sts.
Wilmington, Delaware 19801
- D.C.
Room 3600-E U.S. Court House
3rd & Constitution Ave., N.W.
Washington, D.C. 20001
- Florida, N
P.O. Box 12313
Pensacola, Florida 32501
- Florida, M
P.O. Box 600
Jacksonville, Florida 32201
- Florida, S
300 Ainsley Bldg.
14 N.E. 1st Avenue
Miami, Florida 33132
- Georgia, N
P.O. Box 912
Atlanta, Georgia 30301
- Georgia, M
P.O. Box U
Macon, Georgia 31202
- Georgia, S
P.O. Box 2017
Augusta, Georgia 30903
- Guam
P.O. Box Z
Agana, Guam 96910
- Hawaii
P.O. Box 654
Honolulu, Hawaii 96809
- Idaho
Room 698 Federal Bldg.
Box 037, 550 W. Fort St.
Boise, Idaho 83702
- Illinois, N
Everett McKinley Dirksen Bldg.
219 S. Dearborn St.
Room 1500 South
Chicago, Illinois 60604
- Illinois, E
P.O. Box 226
East St. Louis, Ill. 62202
- Illinois, S
P.O. Box 375
Springfield, Illinois 62705
- Indiana, N
P.O. Box 327
Fort Wayne, Indiana 46801
- Indiana, S
Room 246, Federal Bldg. & U.S. Court House
Ohio & Meridian Sts.
Indianapolis, Indiana 46204
- Iowa, N
P.O. Box 1138
Sioux City, Iowa 51102
- Iowa, S
113 U.S. Court House
Des Moines, Iowa 50309
- Kansas
P.O. Box 2098
Wichita, Kansas 67201
- Kentucky, E
P.O. Box 1490
Lexington, Kentucky 40501
- Kentucky, W
U.S.P.O. & Court House Bldg.
Sixth and Broadway
Louisville, Kentucky 40202
- Louisiana, E
500 St. Louis Street
New Orleans, La. 70130
- Louisiana, M
Federal Bldg. & U.S. Court House
Rm. 130, 707 Florida St.
Baton Rouge, La. 70801
- Louisiana, W
P.O. Box 33
Shreveport, La. 71161
- Maine
Federal Court House
156 Federal St.
Portland, Maine 04112
- Maryland
405 U.S. Court House
Fayette & Calvert Sts.
Baltimore, Maryland 21202
- Massachusetts
1107 John W. McCormack
P.O. & Court House
Boston, Mass. 02109
- Michigan, E
817 Federal Building
231 Lafayette
Detroit, Michigan 48226
- Michigan, W
544 Federal Bldg. & U.S. Court House
110 Michigan Ave., N.W.
Grand Rapids, Michigan 49502
- Minnesota
596 U.S. Court House
110 S. 4th Street
Minneapolis, Minn. 55401
- Mississippi, N
P.O. Drawer 886
Oxford, Miss. 38655
- Mississippi, S
P.O. Box 2091
Jackson, Miss. 39205
- Missouri, E
Room 402
1114 Market St.
St. Louis, Missouri 63101
- Missouri, W
549 U.S. Court House
811 Grand Avenue
Kansas City, Missouri 64106
- Montana
P.O. Box 1478
Billings, Montana 59101
- Nebraska
P.O. Box 1228
Omaha, Nebraska 68101
- Nevada
Box 16030

- Las Vegas, Nevada 89101
- New Hampshire
Federal Building
Concord, New Hampshire 03301
- New Jersey
P.O. Box 330
Newark, New Jersey 07101
- New Mexico
P.O. Box 607
Albuquerque, N. Mex. 87105
- New York, N
P.O. Box 1258
Federal Bldg.
Syracuse, N.Y. 13201
- New York, S
U.S. Court House Annex
One St. Andrew's Plaza
New York, N.Y. 10007
- New York, E
U.S. Court House
225 Cadman Plaza East
Brooklyn, N.Y. 11201
- New York, W
502 U.S. Court House
Buffalo, N.Y. 14202
- N. Carolina, E
P.O. Box 26897
Raleigh, N.C. 27611
- N. Carolina, M
P.O. Box 1858
Greensboro, N.C. 27402
- N. Carolina, W
P.O. Box 132
Asheville, N.C. 28802
- N. Dakota
P.O. Box 2505
Fargo, N.D. 58102
- Ohio, N
Room 400
U.S. Court House
Cleveland, Ohio 44114
- Ohio, S
200 Federal Bldg.
85 Marconi Blvd.
Columbus, Ohio 43215
- Oklahoma, N
Rm. 460, U.S. Court House
333 West Fourth Street
Tulsa, Okla. 74103
- Oklahoma, E
P.O. Box 1009
Muskogee, Okla. 74401
- Oklahoma, W
Room 4434
U.S. Court House & Federal Office Bldg.
Oklahoma City, Okla. 73102
- Oregon
P.O. Box 71
Portland, Oregon 97207
- Penn., E
Room 4042, U.S. Court House
9th & Market Sts.
Philadelphia, Penn. 19107
- Penn., M
U.S.P.O. Building
Room 426
Scranton, Penn. 18501
- Penn., W
633 U.S.P.O. & Court House
7th Ave. & Grant St.
Pittsburgh, Penn. 15219
- Puerto Rico
P.O. Box 3391
San Juan, Puerto Rico 00904
- Rhode Island
P.O. Box 1401
Providence, R.I. 02901
- S. Carolina
151 U.S. Court House
Columbia, S.C. 29201
- S. Dakota
231 Federal Bldg. & U.S. Court House
400 S. Phillips Avenue
Sioux Falls, S.D. 57102
- Tennessee, E
201 U.S.P.O. & Court House Bg.
Knoxville, Tenn. 37902
- Tennessee, M
P.O. Box 800
Nashville, Tenn. 37202
- Tennessee, W
1058 Federal Office Bldg.
167 North Main Street
Memphis, Tenn. 38301
- Texas, N
310 U.S. Court House
10th at Lamar
Ft. Worth, Texas 76102
- Texas, S
P.O. Box 61129
Houston, Texas 77061
- Texas, E
P.O. Box 1049
Tyler, Texas 75701
- Texas, W
P.O. Box 1701
San Antonio, Texas 78296
- Utah
200 P.O. & Court House
350 South Main Street
Salt Lake City, Utah 84101
- Vermont
P.O. Box 10
Rutland, Vermont 05701
- Virgin Islands
P.O. Box 1441
St. Thomas, V.I. 00801
- Virginia, E
Box 749
Alexandria, Va. 22313
- Virginia, W
P.O. Box 1709
Roanoke, Va. 24008
- Washington, E
Box 1494

Spokane, Wash. 99210

Washington, W.
P.O. Box 1227
Seattle, Wash. 98111

W. Virginia, N
P.O. Box 591
Wheeling, W. Va. 26003

W. Virginia, S
Room 4006 Federal Bldg.
500 Quarrier Street
Charleston, W. Va. 25301

Wisconsin, E
361 Federal Bldg.
517 East Wisconsin Ave.
Milwaukee, Wisc. 53202

Wisconsin, W
P.O. Box 112
Madison, Wisc. 53701

Wyoming
P.O. Box 668
Cheyenne, Wyoming 82001

JUSTICE/OMF - 001

System name: Background Investigation Check-off Card (OMF-154).

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: All employees of the Offices, Boards, and Divisions except attorneys and employees in the Offices of the Attorney General and Deputy Attorney General.

Categories of records in the system: The system contains an index card for each employee of the Offices, Boards, and Divisions, except those excluded in Categories of Individuals above, on whom a name and fingerprint or background investigation has been initiated.

Authority for maintenance of the system: The system is established and maintained in order to fulfill the requirements of Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The index cards are used to annotate and monitor the progress of the name and fingerprint checks and the full field character investigations of the employees. The completed cards are used to develop a variety of workload and timeframe data concerning the initiation and completion of these investigations to ensure that the requirements of Executive Order 10450 and Department of Justice Order 1732.1 are being effectively and efficiently met.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is manually stored in file boxes.

Retrievability: Information is retrieved manually by reference to the name of the employee on whom the investigation is being conducted.

Safeguards: Information contained in the system is unclassified. It is safeguarded and protected in accordance with Personnel Section policies and procedures.

Retention and disposal: The index cards are retained by the Personnel Section Teams for a period of one year after completion of

the background investigation. The cards are then forwarded to the Personnel Programs Unit where they are retained for one additional year and are then destroyed.

System manager(s) and address: Director; Operations Support Staff; Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: Same as the System Manager.

Contesting record procedures: Same as the System Manager.

Record source categories: The sources of information contained in this system are those Personnel Section employees authorized to annotate these cards. Information reported is extracted from personnel documents initiating the various investigations and the resulting reports of completion.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 002

System name: Controlled Substances Act Nonpublic Records.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who have been convicted for the first time of violating Section 404 (a) of the Controlled Substances Act (Public Law 91-513), i.e. persons who have knowingly or intentionally possessed a controlled substance except as authorized by the act.

Categories of records in the system: Arrest records of law enforcement agencies, which include personal data, photographs, fingerprints, copies of court orders, DOJ-330 Request for Non-Public Records and/or DOJ-329 Certificate of Expungement.

Authority for maintenance of the system: This system is established and maintained in accordance with the Controlled Substances Act, Public Law 91-513 Sec. 404, 21 U.S.C. 844.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are retained by the Department of Justice and are available only to a Federal court upon a Federal court order issued to the Attorney General demanding such records for use by said court in determining whether or not a person qualified under Public Law 91-513 Sec. 404 (b), 21 U.S.C. 844 (b).

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in locked file cabinets.

Retrievability: These records are indexed by the name of the offender.

Safeguards: Access to these records is restricted to the Chief, Directives and Records Management Unit and the assistant to the Chief.

Retention and disposal: Although these records will ultimately be destroyed by shredding, the establishment of a disposal schedule is still pending.

System manager(s) and address: Director; Operations Support Staff; Office of Management and Finance; U.S. Department of Justice; 10th & Constitution Avenue N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: Same as the System Manager.

Contesting record procedures: Same as the System Manager.

Record source categories: Law enforcement agencies and courts.

Systems exempted from certain provisions of the act: The Attorney General has exempted the system from subsection (d) of the Private

cy Act pursuant to 5 U.S.C. 552a (j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/OMF - 003

System name: Department of Justice Payroll System.

System location: Categories of records within the Payroll System of Records are kept at the following locations. (1) Justice Payroll Services Center; 425 EYE St. N.W.; Washington, D.C. 20537. (2) Justice Data Center; 615 Pennsylvania Ave., N.W.; Washington, D.C. (3) At various time and attendance recording and processing stations around the world. (4) At computerized record off-site back-up facilities. (5) At various Federal Record Centers.

Categories of individuals covered by the system: (1) Current DOJ employees with the exception of those employed within the FBI, and; (2) Many past DOJ employees with the exception of those that served within the FBI.

Categories of records in the system:

A. Payroll Master Employee Records: These are machine-readable records containing information on current pay and leave status for individuals serviced by the automated payroll accounting system.

B. Bond, Allotment and Check Mailing Records: These are machine-readable records containing information on Savings Bond deductions, savings account allotments, and net check mailing requested by the employee.

C. History of Earnings Records: These are machine-readable records containing information on earnings, leave and other pay related activity during a two-year period.

D. Automated Retirement Records: These are machine-readable records containing information relevant to the Civil Service Retirement System. These records will be used to automatically generate Individual Retirement Records (SF-2806) upon an employee's separation.

E. Revised Social Security Number Records: These are machine-readable records containing the new and old social security number for employees whose current social security number is different from that previously entered into the automated system.

F. Employee Pay Records: These are manilla folders containing all source documents, correspondence and other papers in support of an active employee's pay, leave and allowances.

G. Active Retirement Records: These are manual records maintained on active employees to facilitate timely compliance with requirements of the Civil Service Retirement System. Upon separation, the original SF-2806 is forwarded to the Civil Service Commission and a copy is filed in the Employee Pay Record (F above). This category of records will eventually be replaced by the automated retirement records (D above).

H. Former Employee Pay Records: These records are the Employee Pay Records (F above) for employees that have been separated, transferred or retired. In addition to information contained in the Employee Pay Records, these records include information related to the retirement, separation or transfer.

I. Employee Death Records: These records are the Employee Pay Records (F above) for employees that died while on active duty with the Department of Justice. In addition to information contained in the Employee Pay Records, these records include information related to the employee's death and the settlement of pending pay and allowances.

J. Returned Check Records: These records are a manual log for recording and controlling checks issued to employees that were returned to the Payroll Services Center because they were undelivered, erroneous or cancelled prior to conversion to cash.

K. Time and Attendance Report: These records contain information on an employee's attendance and use of leave in a particular pay period. They are also used to indicate leave adjustments and balances. The standard form number is DOJ-296.

Authority for maintenance of the system: The head of each executive agency is responsible for establishing and maintaining an adequate payroll system, covering pay, leave, and allowances, as a part of the system of accounting and internal control of the Budget and Accounting Procedures Act of 1950, as amended, 31 U.S.C. 66, 66a and 200(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Purpose: The purpose of each use of categories of records within the DOJ Payroll System of Records is to enable the administration of the payroll function and related financial matters in accordance

with applicable laws and regulations and to comply with the requirements of the Comptroller General.

System Uses:

A. Authorize, prepare and document payment to all Department employees covered by the DOJ Payroll System entitled to be paid, with consideration given to all authorized deductions from gross pay.

B. Specify and document proper disposition of all authorized deductions from gross pay.

C. Prepare adequate and reliable payroll reports needed for (1) management, (2) budget, (3) support of payments, (4) the conduct and accounting of payroll related employee services, (5) control and documentation of payroll system operation, and (6) to meet external reporting requirements.

D. Support effective communication on payroll matters between the Department of Justice and its present and former employees.

E. Support proper coordination of pay, leave and allowance operations with personnel functions and other related activities.

F. Support adequate control over all phases and segments of the payroll system including leave accounting.

G. Support appropriate integration of the payroll system with the Departmental accounting systems.

H. Records maintained in this system shall include providing a copy of an employee's Department of Treasury Form W-2, Wage and Tax Statement to the State, City, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, City, or other local jurisdiction and the Department of Treasury pursuant to 5 U.S.C. 5516, 5517, and 5520 or in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the System Manager listed below. The request must include a copy of the applicable statute authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both. However, the social security numbers will only be provided to State or local taxing authorities which meet the criteria of section 7(a) (2) (B) of the Privacy Act.

I. Provide permanent record of actions taken pertinent to the administration of pay leave and allowances.

J. Support legal investigations of suspected fraud.

Categories of Users: Records are accessed by users on a need or right to know basis. A category of user may have potential access under more than one use above.

A. Present or former employees serviced by the DOJ Payroll System.

B. Payroll Services Center staff.

C. Department of Treasury Disbursing Offices.

D. Department of Justice budget and accounting offices.

E. Department of Justice personnel offices.

F. Employee supervisors.

G. Employee administrative offices.

H. Federal, state and local taxing authorities.

I. Federal Employees Health Benefits carriers.

J. Employee organization offices participating in dues allotment program.

K. Financial organizations participating in savings account allotment program.

L. Financial organizations participating in net pay to checking account program.

M. State human resource offices administering unemployment compensation programs.

N. General Accounting Office and internal audit staffs.

O. Federal, state or local law enforcement agencies (in support of legal investigations of suspected fraud).

P. Other Federal agencies requiring information as specified in applicable laws or regulations (i.e., Civil Service Commission).

Q. Heirs, executors and legal representatives of beneficiaries.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Various categories of records are stored on different mediums. Categories A, B & E are on magnetic discs. Categories C&D are on magnetic tape. All other records are maintained in paper form.

Retrievability: Categories of records on magnetic media are retrievable by employee social security number which is maintained to comply with Internal Revenue requirements. Records in paper form are retrievable by employee name and Social Security Number.

Safeguards: The principal current safeguard for payroll records is guard force screening of individuals entering buildings within which records are kept. More stringent security practices and procedures are under development.

Retention and disposal: Payroll records retention and disposal are in accordance with General Schedule 2 promulgated by the General Services Administration.

System manager(s) and address: Director; Information Systems Staff; Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Ave., N.W.; Washington, D.C. 20530.

Notification procedure: A request for notification of the existence of records upon an individual shall be made in writing by the individual or legal designate, with the envelope and the letter clearly marked 'Privacy Notification Request'. Include in the request the name of the system of records, the individual's full name and social security number while employed with the Department of Justice, the organization within which employed (if available), and whether the individual is a current or former employee. The requestor shall include a return address for the notification response. If the request is submitted by other than the subject individual, indicate the authority under which the information is sought. The request must be signed by the subject individual and, if applicable, by the legal designate. Address inquiries to the System Manager.

Record access procedures: A request for access to records from this system shall be made in writing by the subject individual or legal designate, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the system of records, the legal name and social security number of the data subject, the organization within which the individual was employed (if known), and whether the individual is a current or former employee. The requestor shall also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system of records should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reason for contesting it, and the proposed amendment to the information sought. If the request is submitted by other than the subject individual, indicate the authority under which the information is sought. The request must be signed by the subject individual and, if applicable, by the legal designate.

Record source categories: Information contained within the DOJ Payroll System of Records is obtained from the following sources:

A. Subject Individual: Information collected from the subject individual generally consists of that necessary to administer allotments, deductions or other services requested by the individual.

B. Personnel Office: Information collected from the personnel office generally consists of employment status information which provides the legal basis upon which valid payments are computed.

C. Time and Attendance Clerk: Information collected from this clerk generally consists of an accounting of the individual's presence or absence from the duty station and the usage of leave.

D. Supervisor or Administrative Officer: Information collected from these officers generally consists of leave authorizations and information concerning the individual's duty station.

E. Financial Institutions or Employee Organizations: Information collected from institutions or organizations generally consists of that necessary to insure the timely and accurate forwarding to the institution or organization of monies allotted to an account at the institution or organization by the subject individual.

F. Previous Federal Employer: Information collected from the previous employer within the Federal government generally consists of leave status information at the time of separation.

G. Other Federal Agencies: Information collected from other Federal agencies generally consists of program information necessary to properly administer pay, leave, and allowance.

H. Other Officials: Information collected from other officials consists of that necessary to administer the payroll function. This may include authorization for special payments, death certificate or other documents as necessary.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 004

System name: Employee Clearance Record.

System location: U.S. Department of Justice; Office of Management and Finance; Internal Audit Staff; 425 Eye Street, N.W., Room 5031; Washington, D.C. 20530.

Categories of individuals covered by the system: Current and former employees of the Internal Audit Staff.

Categories of records in the system: This system contains a list of all items of Government property charged to the employee.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The employee clearance record is used by administrative officials of the Internal Audit Staff to ensure that all Government property is returned before the employee separates from the service.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Employee clearance records are stored in a loose-leaf binder and are filed in an open filing system.

Retrievability: These records are indexed by name and retrieved manually.

Safeguards: Information contained in the system is unclassified and is appropriately safeguarded and protected in accordance with DOJ Order 2900.1A.

Retention and disposal: These records are retained continuously.

System manager(s) and address: Director; Internal Audit Staff; Office of Management and Finance; U.S. Department of Justice; 425 Eye Street, N.W., Room 5031; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access to a record from this system must be in writing and addressed to the System Manager.

Contesting record procedures: Individuals who desire to contest or amend information in the system should include in their request what information is being contested, the reasons for contesting it, the proposed amendment to the information, and documentation to support the proposed amendment. Send this material to the System Manager.

Record source categories: Information is entered into the system by an administrative clerk when Government property is issued to employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 005

System name: Employee Time Distribution Record.

System location: U.S. Department of Justice; Office of Management and Finance; Internal Audit Staff; 425 Eye Street, N.W., Room 5031; Washington, D.C. 20530.

Categories of individuals covered by the system: Current and former employees of the Internal Audit Staff.

Categories of records in the system: This system shows the manner in which the employee's time was spent during the month. It identifies each audit and the number of hours devoted thereto as well as time spent on other duties. It also shows the number of hours on leave and holidays. This record is submitted by each employee on the last workday of each month.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The employee time distribution record is used by Internal Audit Staff officials to support requests for reimbursements from agencies and for statistical purposes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Employee time distribution records are stored in folders in an open filing system.

Retrievability: These records are separated by month and indexed by name.

Safeguards: Information contained in the system is unclassified and is appropriately safeguarded and protected in accordance with Department of Justice Order 2900.1A.

Retention and disposal: These records are retained continuously.

System manager(s) and address: Director; Internal Audit Staff; Office of Management and Finance; U.S. Department of Justice; 425 Eye Street, N.W., Room 5031; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access to a record from this system must be in writing and addressed to the System Manager.

Contesting record procedures: Individuals who desire to contest or amend information in the system should include in their request what information is being contested, the reasons for contesting it, the proposed amendment to the information, and documentation to support the proposed amendment. Send this material to the System Manager.

Record source categories: Information in the system is prepared by each employee.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 006

System name: Interim Performance Appraisal Record.

System location: U.S. Department of Justice; Office of Management and Finance; Internal Audit Staff; 425 Eye Street, N.W., Room 5031; Washington, D.C. 20530.

Categories of individuals covered by the system: Current and former employees of the Internal Audit Staff.

Categories of records in the system: This system contains a rating of each auditor's performance according to a schedule and specific factors.

Authority for maintenance of the system: The system is established and maintained in accordance with 5 U.S.C. 4302 and 4303 and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: When annual performance ratings or potential promotions are considered, Internal Audit Staff officials refer to interim performance appraisals as a measure of actual performance.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Interim Performance Appraisal records are maintained in a locked filing system.

Retrievability: These records are indexed by name and are retrieved manually.

Safeguards: Information contained in the system is unclassified and is appropriately safeguarded and protected in accordance with DOJ Order 2900.1A.

Retention and disposal: These records are retained continuously.

System manager(s) and address: Director; Internal Audit Staff; Office of Management and Finance; U.S. Department of Justice; 425 Eye Street, N.W., Room 5031; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access to a record from this system must be in writing and addressed to the System Manager.

Contesting record procedures: Individuals who desire to contest or amend information in the system should include in their request what information is being contested, the reasons for contesting it, the proposed amendment to the information, and documentation to support the proposed amendment. Send this material to the System Manager.

Record source categories: Information in the system is prepared by employee supervisors.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 007

System name: Legal and General Administration Accounting System (LAGA).

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: All individuals who submit vouchers requesting payment for goods or services rendered, except payroll vouchers for DOJ employees. These include vendors, contractors, experts, witnesses, court reporters, travelers, relocated employees, etc.

Categories of records in the system: All vouchers paid except payroll vouchers for DOJ employees.

Authority for maintenance of the system: The system is established and maintained in accordance with the Budget and Accounting Procedures Act of 1950 as amended 31 U.S.C. 66(a) and 31 U.S.C. 200(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: After payment of the vouchers, the accounting data is used for the purpose of internal management reporting and external reporting to agencies such as OMB, U.S. Treasury, and the GAO.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Prior to FY 76, voucher files were maintained alphabetically by payee's name. After FY 76, vouchers are filed by batch, controlled by schedule on which paid.

Retrievability: Information is retrieved primarily by using the name of the payee.

Safeguards: Information contained in the system is unclassified. It is safeguarded in accordance with organizational rules and procedures.

Retention and disposal: The payment documents are retained at this location for three fiscal years (current year and two prior years). The records are then shipped to a Federal Records Center for storage in accordance with the General Record Schedule published by the General Services Administration.

System manager(s) and address: Director; Operations Support Staff; Office of Management and Finance; U.S. Department of Justice; 10th & Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: Same as the System Manager.

Contesting record procedures: Same as the System Manager.

Record source categories: Submitted by the payee involved.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 008

System name: Security Clearance Information System (SCIS)

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Current employees of the Department of Justice (excluding FBI) who have been investigated and cleared for employment, and for access to data classified for National Security reasons; B. Former employees of the Department of Justice (excluding FBI) who had been investigated and cleared for employment and for access to data classified for National Security reasons, (maintained for a maximum of two years from date of termination).

Categories of records in the system: The system contains two subsystems; (a) a Clearance Index Reference Record for identifying the individuals in Categories of Individuals above listing the status of the investigations, the dates of clearances, level of clearances and when appropriate, dates of termination of employment; and (b) a Character File containing (1) Standard Form 86 (U.S. Civil Service Commission), Security Investigation Data for Sensitive Position; (2) Copies of investigative reports from the Civil Service Commission and/or Federal Bureau of Investigation; (3) Correspondence related to the request for the investigation, results of the investigation, and clearance approvals for access to classified national security information and waivers; and (4) other information relating to the trustworthiness of the employee.

Authority for maintenance of the system: The system is established and maintained in accordance with Presidential Executive Orders 10450 (clearance for Federal employment) and 11652 (access to data classified for National Security reasons).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) The investigative material compiled in this system is used for the purpose of determining the suitability, eligibility and/or qualifications of applicants for employment in the Department of Justice (except the FBI) and for sensitive positions involving access to classified information. In the event of employee transfers to other Government Agencies, this information could be reviewed by investigators of the gaining agency to expedite the employees transfer if necessary.

(b) The clearance status of the employees is certified to security officials and investigators of other U.S. Government Agencies or Departments, for liaison purposes involving access to classified material during meetings, conferences or training courses.

(c) The personal data in the system is reviewed by Central Intelligence Agency for the purposes of granting Special Intelligence access clearances to Department employees. These clearances are within the purview of the Director, Central Intelligence.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: SCIS is a manual system consisting of index name cards and individual file folders. It is planned to convert the index name cards to a computer listing for ease of maintenance and better accuracy.

Retrievability: All data is retrieved by searching under the employee's name in the manual system. The computer system will permit the additional retrieval by organization and type of clearance.

Safeguards: Information contained in the system is unclassified. It is safeguarded and protected in accordance with Departmental rules and procedures governing the protection of personnel records.

Retention and disposal: Clearance Index Reference Record cards are maintained for the tenure of employment and for a maximum of two years after termination. An employee's Character File is maintained for the tenure of employment at which time the investigation reports are returned to the investigating agency or destroyed by shredding.

System manager(s) and address: Director; Security and Administration Services Staff; Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name, title and organization of the employee and the general subject matter of the inquiry. The requestor will also provide a return address for transmitting a reply. Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information contained in this system are (a) applicants for employment and employees in the Department of Justice (except FBI) and (b) those individuals (informants) contacted by the Investigators for the Civil Service Commission and Special Agents of the Federal Bureau of Investigation who furnished information in the background investigation.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from sections (d)(1) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

JUSTICE/OMF - 009

System name: Justice Data Services Center Utilization Data

System location: Justice Data Services Center; 615 Pennsylvania Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Personnel submitting computer jobs to run at the Justice Data Service Center.

Categories of records in the system: The data describes the resource utilization of the individual jobs submitted. Certain information is also recorded which pertains to the entire computer system rather than individual jobs.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to recover costs associated with running computer jobs, to analyze the utilization of the Justice Data Services Center computer systems, detect inefficiencies and areas having high potential benefit from optimization.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Utilization reports are provided to a designated manager for each organization which uses the Justice Data Services Center.

Retrievability: Information may be retrieved by name of the individual submitting computer runs.

Safeguards: The machine readable (magnetic tape) data is kept in the Justice Data Services Center tape library. Utilization reports are controlled by the designated individual of each using agency.

Retention and disposal: The machine readable data is kept indefinitely. Utilization reports are controlled by the designated individual of each using agency.

System manager(s) and address: Director, Information Systems Staff; U.S. Department of Justice; Office of Management and Finance; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as above.

Record access procedures: A request for access to a record from this system may be made in person or in writing, specifying the name of the individual submitting a computer run and the date and name of the computer run.

Contesting record procedures: Requests for correction should be addressed to the System Manager.

Record source categories: Information is collected by the IBM 360/370 Operating System and program modules developed by personnel of the Department of Justice.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 010

System name: Data Index System for Classified Documents (DIS).

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Employees of the Department of Justice who have been designated by the Attorney General as authorized to classify documents. Employees of the Department of Justice who have been delegated classifying authority by Attorney General designates. Individuals (mostly aliens) upon whom documents exist which have been classified in the interest of National Security.

Categories of records in the system: The system contains records of all documents classified by Department of Justice employees. The system also contains a record on all Department of Justice employees (from January 1, 1973 to present) who have or have had the authority to classify documents.

Authority for maintenance of the system: The system was established and is maintained pursuant to Executive Order 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is routinely used by the Interagency Classification Review Committee, the Department of Justice Security Staff, and the Department of Justice Review Committee.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored in machine readable form on magnetic tape. A copy of the data capture form is maintained in originating office for two weeks, then destroyed. The original data capture form is maintained at the Department until data contained therein has been successfully processed, then the form is destroyed.

Retrievability: Information is retrieved in any form for all routine uses. Information may be retrieved for non-routine uses with the approval of the Director, Information Systems Staff.

Safeguards: Access to information contained in the system is controlled by the Chief, Privacy, Records and Reports Control Group. Access is normally limited to routine users and members of the Privacy, Records and Reports Control Group staff having a 'Need-To-Know'.

Retention and disposal: Records contained in the system are retained indefinitely. The system of records is never purged and no disposal schedule is required.

System manager(s) and address: Director, Information Systems Staff, Office of Management and Finance, U.S. Department of Justice, 10th & Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: Same as the System Manager.

Contesting record procedures: Same as the System Manager.

Record source categories: Employees of the Department who have been designated by the Attorney General as classifying officials and employees who have been delegated classifying authority.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 011

System name: Justice Data Services Center Tape Library System.

System location: Justice Data Services Center; 615 Pennsylvania Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Personnel submitting computer jobs which create magnetic tape data sets.

Categories of records in the system: The data describes the contents of the magnetic tape volumes.

Authority for maintenance of the system: These records are kept for administrative convenience pursuant to 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to control and protect the data recorded on magnetic tapes.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Reports can be obtained by any Justice Data Services Center user by submitting a computer job requesting the report.

Retrievability: Information can be obtained by name of the individual who submitted the job which created the tape resident data sets.

Safeguards: The machine readable data is kept within the Justice Data Services Center. Reports are controlled by the tape librarian and by the individuals receiving the reports.

Retention and disposal: Reports are controlled by the tape librarian and by the individuals receiving the reports.

System manager(s) and address: Director, Information Systems Staff; U.S. Department of Justice; Office of Management and Finance; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access/correction to a record from this system may be made in person or in writing, specifying the serial number of the tape in question. Requests should be addressed to the System Manager.

Contesting record procedures: Same as the above.

Record source categories: Information is collected by the IBM 360/370 Operating System and other program modules.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 012

System name: Executive Biography.

System location: U.S. Department of Justice; 10th and Constitution Avenue N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Officials of the Department of Justice, generally in grades GS-16 through Executive Level I, who hold key administrative and/or managerial positions within the Department.

Categories of records in the system: The file consists of biographical sketches of key staff officials of the Department and includes: position, title, grade, date of birth, education, professional experience, honors and awards, and professional associations and bar membership.

Authority for maintenance of the system: The file is maintained pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The file is used to obtain information on the background and qualifications of key staff members for the purpose of acquainting top management officials of the Department of Justice with key members of their staff.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are maintained by position and by organization. A periodic report with a distribution limited to ten, top management officials of the Department is produced from the file.

Safeguards: Records are maintained in a locked file cabinet. All information in the records is limited to those persons within the Department whose official duties require such access.

Retention and disposal: Records are maintained as long as the incumbent remains in a position which is covered by the system. If the incumbent's employment in a covered position ceases, his record is retained for three years and then destroyed.

System manager(s) and address: Director, Personnel and Training Staff, Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Information in this system of records is voluntarily provided by the individual to whom it applies, or is derived from personnel record information he or she supplied.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 013

System name: Employee Locator File.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: All employees of the U.S. Department of Justice, with the exception of individuals employed by the Federal Bureau of Investigation.

Categories of records in the system: The system contains information relating to each employee's home and business address, home and business telephone number, information as to next of kin, and personal physician preferred in case of medical emergency.

Authority for maintenance of the system: The system is maintained pursuant to 5 U.S.C. 301, 5 U.S.C. 7901, 26 U.S.C. 6011, 26 U.S.C. 6109, 5 U.S.C. 5516, 5 U.S.C. 5517 and 5 U.S.C. 5520.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The locator system is used to provide address data to federal, state and local tax authorities in accordance with the reporting requirements of their income tax withholding programs. The locator system is also used to con-

tact employees of the Department at their official place of business or their residence regarding matters of an official nature relating to their employment with the Department of Justice. It is also used in medical emergencies to contact an employee's personal physician if he or she has an indicated preference, and to notify next of kin. Use of the file for these purposes is limited to supervisors of the employees concerned or individuals having the permission of a supervisor of the employee concerned.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape.

Retrievability: Records are retrieved by name.

Safeguards: Access to and use of these records is limited to those individuals whose duties require such access.

Retention and disposal: Records are retained for 3 years after the year of an employee's separation or transfer to another agent.

System manager(s) and address: Director, Personnel and Training Staff, Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Information is supplied by the individual to whom the record pertains.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 014

System name: Directory of Organization, Functions, and Staff for Office of Management and Finance.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Key officials within the Office of Management and Finance.

Categories of records in the system: The Directory consists of biographical information on key officials of OMF and includes: position, title, grade, date of birth, education, professional experience, honors and awards, and professional associations and bar membership.

Authority for maintenance of the system: The Directory is maintained pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Directory is used routinely by key officials of the Department as a source of information pertaining to the organization, functions, and staffing of OMF.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The Directory is bound in book form and maintained in a file drawer.

Retrievability: Information in the Directory is retrieved in any form, for briefing key officials within the Department.

Safeguards: Access to the Directory is limited to key officials of the Department and is controlled by the Director, Management Programs and Budget Staff.

Retention and disposal: Information contained in the Directory is retained for a period of one year and revised and republished on a yearly basis, with discarded material being promptly destroyed.

System manager(s) and address: Director, Management Programs and Budget Staff; Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Information in the Directory is voluntarily provided by the individual key officials within OMF.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 015

System name: EEO (Equal Employment Opportunity) Volunteer Representative Roster.

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Employees of the Department of Justice who have volunteered to serve as EEO representatives.

Categories of records in the system: The roster provides the representative's name, position, title, organization, office address and telephone number.

Authority for maintenance of the system: The roster was established and is maintained pursuant to the following authorities: 5 CFR Part 713, 28 CFR 42.2(a), and Department of Justice Order 1713.5 (October 30, 1973).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The roster is used by Department personnel and applicants for Department jobs who have filed or contemplate filing discrimination complaints based on race, color, religion, sex, national origin, or age.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Information from the roster is retrieved by name.

Safeguards: Access to the roster is limited to those persons whose official duties require such access and to Justice Department employees and applicants for employment with the Department who have filed or contemplate filing discrimination complaints.

Retention and disposal: Information contained in the roster is retained for the duration of an individual's services as a volunteer EEO representative.

System manager(s) and address: Director, Personnel and Training Staff; Office of Management and Finance; U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Information in the file is voluntarily provided by employees who wish to serve as volunteer EEO representatives.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 016

System name: Inter-Divisional Information System (IDIS), (A non-operational, deactivated system).

System location: U.S. Department of Justice; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Individuals who were allegedly involved or connected with civil disturbances or other activities.

Categories of records in the system: IDIS, consisted of two subsystems. The incident subsystem was used to establish a record of various events, such as meetings and demonstrations. The subject subsystem provides individual's names, biographical sketches, and organizational affiliation(s). Some cross referencing between the two subsystems exists.

Authority for maintenance of the system: The system is currently being maintained by reason of an agreement between the Department of Justice and members of the Committee on the Judiciary of the United States Senate.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There are no present or anticipated operational uses of IDIS records by Department of Justice personnel. IDIS material is exclusively used to respond to inquiries from citizen who are subject of the files and also may be used by litigants involved in court proceedings.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained on index cards and computer produced reports stored in locked cabinets.

Retrievability: Index cards of the subject subsystem are filed alphabetically by individual name.

Safeguards: IDIS information is maintained in secured storage devices in a locked room, rendered inaccessible for any operational use and accessible by a limited number of employees who must respond to Freedom of Information Act requests and to decrees in court proceedings.

Retention and disposal: IDIS information will be maintained until such time as the legislative and executive branches of government agree to its disposal.

System manager(s) and address: Director, Information Systems Staff; U.S. Department of Justice; Office of Management and Finance; 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the System Manager.

Record access procedures: Access to information maintained in IDIS will be granted in accordance with the procedures set forth in 28 C.F.R. 16.41. Requests for access will be directed to the System Manager.

Contesting record procedures: Requests for correction of IDIS data will be processed in accordance with the procedures set forth in 28 C.F.R. 16.53. Requests for correction will be directed to the System Manager.

Record source categories: Information in IDIS was derived from FBI reports and teletypes; U.S. Attorney Offices; the Bureau of Alcohol, Tobacco, and Firearms; U.S. Department of Treasury; citizen complaints; wire service clippings; and articles in periodicals.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 017

System name: Department of Justice Controlled Parking Records.

System location: U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: Department of Justice employees who have applied for vehicle parking space which is assigned and controlled by the Department of Justice, per Department of Justice Order 2540.2C, November 11, 1974.

Categories of records in the system: This system contains copies of Form DOJ-362, Department of Justice Parking Space Application (DOJ Space), and Form DOJ-OT-20, Department of Justice Parking Space Application (DOJ Carpool Space), which have been completed and submitted by Department of Justice employees.

Authority for maintenance of the system: This system is established and maintained in accordance with Federal Energy Office (FEO) memorandum of January 17, 1974, Federal Management Circular 74-1 of January 21, 1974, and Federal Energy Office memorandum of April 5, 1974, as reflected in Federal Property Management (Temporary) Regulation D-47 of May 22, 1974. Operating procedures are contained in Department of Justice Order 2450.2C of November 11, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to assign, identify and control the use of vehicle parking space for which the Department of Justice is responsible.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in a locked file cabinet.

Retrievability: These records are indexed alphabetically, by the last name of the applicant, within the organizational element.

Safeguards: Information contained in this system is unclassified and is disseminated on a need to know basis by the Office of the Director, Operations Support Staff, Office of Management and Finance.

Retention and disposal: Although these records are currently retained as long as applicants remain as employees of the Department of Justice, the establishment of a disposal schedule is still pending.

System manager(s) and address: Director, Operations Support Staff, Office of Management and Finance, U.S. Department of Justice, 10th Street and Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Applications from employees.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 018

System name: Occupational Health Physical Fitness Files.

System location: U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Employee/participants in the DOJ Occupational Health Physical Fitness Program.

Categories of records in the system: A separate file is established for each Program participant. Data contained in the file consists of a Medical History Questionnaire, Physician Consent Form, Participant Waiver of Liability Form, Physical Fitness Profile, electrocardiographic tracings, Anthropometric Measurement Record, Exercise Prescription, Conditioning Record, attitudinal questionnaires, any positive test results and related correspondence.

Authority for maintenance of the system: The files are maintained pursuant to 5 U.S.C. 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Data contained in each

file will be used to evaluate the physical condition of each participant and serve as a basis for preparation of the exercise prescription. Changes in physiological and attitudinal data taken at several points throughout the period of participation will be examined relative to program effect. Data will be taken from each file and anonymously aggregated in order to examine group norms. Use of this data is limited to the Occupational Health Physical Fitness Program staff and its contractors. Research findings may occasionally be published in professional journals but only in summary form. Positive examination results will be referred to the participant's physician upon the written request of the participant.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is manually stored in individual file folders. Summary data will be maintained in the computer data banks of the Department of Justice and the contractor, the University of Maryland.

Retrievability: File folders are maintained alphabetically by participant name. A 4-digit sequentially assigned number is used to input computerized data which can subsequently be sorted against any other items pertaining to the participant.

Safeguards: File folders are maintained in locked file cabinets. Access to identifiable information is limited to those Department of Justice employees and contract employees whose official duties require such access.

Retention and disposal: Records identified to the participant are retained for as long as the participant is associated with the Program and for three years thereafter. Upon completion of the three-year holding period, the file is given to the participant, or destroyed, as determined by the participant.

System manager(s) and address: Director, Operations Support Staff, Office of Management and Finance, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: Same as the System Manager.

Contesting record procedures: Same as the System Manager.

Record source categories: Information is supplied by the individual to whom the record pertains, and as a result of fitness evaluations conducted within the Program.

Systems exempted from certain provisions of the act: None.

JUSTICE/OMF - 019

System name: Freedom of Information/Privacy Act Records.

System location: U.S. Department of Justice, Office of Management and Finance, 10th & Constitution Avenue, N.W., Washington, D.C. 20530.

Categories of individuals covered by the system: Persons who request disclosure of records pursuant to the Freedom of Information Act; persons who pursuant to the Privacy Act request access to or correction of records pertaining to themselves contained in systems of records maintained by the Office of Management and Finance; and, where applicable, persons about whom records have been requested or about whom information is contained in requested records.

Categories of records in the system: The system contains copies of all correspondence and internal memoranda related to Freedom of Information Act and Privacy Act requests or responses associated with the Office of Management and Finance; and related records necessary to the processing of such requests.

Authority for maintenance of the system: This system is established and maintained pursuant to 44 U.S.C. 3101 and is maintained to implement the provisions of 5 U.S.C. 552 and 552a and the provisions of 28 C.F.R. 16.1 et. seq. and 28 C.F.R. 16.40 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record maintained in this system may be disseminated as a routine use of such record as follows: (1) a record may be disseminated to a Federal agency which furnished the record for the purpose of permitting a decision as to access or correction to be made by that agency, or for the purpose of consulting with that agency as to the propriety of access or correction; (2) a record may be disseminated to any appropriate federal, state, local, or foreign agency for the purpose of verifying the accuracy of information submitted by an individual who has requested amendment or correction of records contained in a system of records maintained by the Office of Management and Finance; (3) records maintained on behalf of the U.S. Civil Service Commission may be disseminated to the U.S. Civil Service Commission on request, as the custodian of these records.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A record contained in this system is stored manually in alphabetical order in file cabinets.

Retrievability: A record is retrieved by the name of the individual or person making a request for access or correction of records.

Safeguards: Access to physical records is limited to personnel of the U.S. Department of Justice who have a need for the record in the performance of their duties under the Freedom of Information or Privacy Acts. The records are safeguarded and protected in accordance with applicable Departmental and Civil Service Commission regulations.

Retention and disposal: A disposal schedule has not been established for these records.

System manager(s) and address: Assistant Attorney General, Office of Management and Finance, U.S. Department of Justice, 10th and Constitution Avenue, N.W.; Washington, D.C. 20530.

Notification procedure: Same as the System Manager.

Record access procedures: A request for access to a record contained in this system shall be made in writing with the envelope and the letter clearly marked (Freedom of Information) or 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record. The requester will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: The sources of information contained in this system are the individuals and persons making requests, the systems of records searched in the process of responding to requests, and other agencies referring requests for access to or correction of records originating in the Office of Management and Finance.

Systems exempted from certain provisions of the act: None.

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